

August 14, 2013

Supervisor.....	Robert Crnkovich
Councilmen.....	Jeff Thompson
	Scott Wooton
	Harold Austin
Town Clerk.....	Debra Buck-Leaton
Highway Superintendent.....	George Heins

Invited Guests.....Town Attorney Paul Boylan

Sue Fuller.....	Cockram Road, Byron
George Squires.....	McElver Street, Byron
Bill and Barb Emerson.....	Terry Street, Byron
Eric Zuber.....	Tower Hill Road, Byron
Mickey Truax.....	Swamp Road, Byron
Roger and Karen Jaczynski.....	Beaver Meadows Road, Byron
Rita Kuzma.....	Rte. 237, Byron
Jim Cudney.....	Rte. 237, Byron
Rita Reding.....	Freeman Road, Byron
Pete Yasses.....	Rte. 237, Byron

Supervisor Crnkovich led the people in attendance in the Pledge of Allegiance.

A **motion** was made by Councilman Austin to approve the Byron Town Board minutes of July 10, 2013 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Working on roads and helping other towns with road work

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 15
Number of Zoning/Building Permits Issued: 5
Number of Land Separations: 1
Number of Building C.O./C.C. Issued: 3
Number of Zoning Complaints Filed: 1
Number of Zoning Complaints Resolved: 1

- Property at 6966 Swamp Road has been cleaned up, violation dismissed without prejudice.
- Land separation for property on Lyman Road was approved by Planning Board.

A **motion** was made by Councilman Thompson to approve the CEO/ZEO Report as written. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT:

- No meeting in July

ABSTRACTS

RESOLUTION #58:

Councilman Austin offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board pay the following abstracts:

<i>Fund:</i>	<i>Abstract:</i>	<i>Vouchers:</i>	<i>Amount:</i>
General Fund	#10	#182 - #201	\$ 6,527.47
Highway Fund	#8	#109 - #124	\$23,328.30
Sewer Fund	#8	#40 - #43	\$11,579.87
General Fund	PA#11	#51 - #56	\$ 1,808.06
Sewer Fund	PA#10	#10	\$ 550.63

Councilman Wooton seconded the resolution which was adopted by the following vote:

Vote: Ayes: 3 Nays: 1 (Councilman Thompson)

TOWN CLERK'S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 54.00
Paid to the DEC for hunting/fishing licenses.....	\$ 51.96
Paid to NYS Dept. of Health for Marriage Licenses.....	\$ 45.00
Paid to the Town of Byron Supervisor.....	\$2,466.14
Total Disbursed for July 2013.....	\$2,617.10

SUMMER YOUTH RECREATION PROGRAM: The summer youth recreation program ran from July 1st-August 9th with an average of 30 children attending. They took field trips to the County Park for geocaching, Niagara Falls, Brown's Berry Patch, bowling and also went to a Muck Dogs game. The children also did a community service project cleaning the headstones at the Byron Cemetery. We would like to thank the Town for helping to fund the summer recreation program.

A **motion** was made by Councilman Austin to approve the Town Clerk's Report as given for July, 2013. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

- The Financial Report for July 2013 was reviewed.

A **motion** was made by Councilman Wooton to approve the July 2013 Financial Reports as written. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR'S REPORT:

- Received Mercy EMS Response Time Report for June 2013.
- Received Sales Tax check in the amount of \$163,664.41, which is \$12,597.36 over this period last year.
- Swamp Road petitions are currently being circulated.

A **motion** was made by Councilman Austin to approve the Supervisor's Report as given. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

WEST SHORE TRAIL:

- Received an email from Town Attorney Paul Boylan regarding his discussion with County Under-Sheriff Bill Sheron regarding signage and the Town's ability to issue permits to motorized vehicles to use the trail. The Sheriff's Department has seen few violations in the last month of monitoring the trail.
- It was decided that Councilman Thompson would talk to the Town of Bergen again regarding their ideas for reducing unruly 4-wheeler operators and report back to the Town Board at the September meeting.

REAPPOINTMENT OF ASSESSOR BARRY FLANSBURG:

A **motion** was made by Councilman Thompson to reappoint Barry Flansburg as the Town of Byron Assessor for the term of October 1, 2013 through September 30, 2019. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PROPOSED ZONING LAW:

- The Town Board needs to schedule a Public Hearing for September 11, 2013.

A **motion** was made by Councilman Thompson to hold a Public Hearing on September 11, 2013 at 7:00 p.m. at the Byron Town Hall with regard to the Town of Byron Zoning Law of 2013. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

REVISIONS TO DOG CONTROL LAW:

- The definition of a kennel in the proposed Zoning Law is the same as in Ag and Markets Law. The question is whether a number of dogs should be attached to the Dog Control Law. It is up to the Town Board to set the number of dogs before a kennel license is needed.

A **motion** was made by Councilman Thompson to hold a Public Hearing on September 11, 2013 at 7:30 p.m. at the Byron Town Hall to amend the Dog Control Law to include a definition for kennels and sanctuaries, and to also set the number of dogs that can be harbored on a property to 3 (three) dogs without having a kennel license. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

BYRON-BERGEN HIGH SCHOOL FIELD TRIP TO TRESTLE PARK:

A **motion** was made by Councilman Wooton to grant permission to Byron-Bergen High School to cross town property to access Black Creek at Trestle Park. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Rita Kuzma: Are there any provisions for hydrolic fracking in the new Zoning Law?

Attorney Paul Boylan: There is nothing in the new Zoning Law regarding fracking.

Rita Kuzma: Now would be a good time to add wording on hydraulic fracking because it would be free reign if these companies came in to the Town of Byron.

Attorney Paul Boylan: A moratorium would have to be done, which would state that there would be no drilling for fossil fuels that would require fracking for a period of one year.

Councilman Wooton: He asked the Planning Board when they were working on the new Zoning Law about adding fracking and they said it was not an issue in this area and therefore, did not need to be addressed in the Zoning Law.

Sue Fuller: She will put information out at the hardware store and will bring in public opinion at next meeting so the Town Board can decide what they want to do.

Councilman Thompson: The Town Clerk can ask for public opinion in the upcoming newsletter, and the Town Board will discuss it at the next meeting.

Rita Reding: Speed limit on Freeman Road is 35 mph and there are several cars speeding down the road, what can the Town do?

Highway Superintendent Heins: There is nothing the Town can do, the Sheriff's Department would need to be called.

Councilman Thompson: Is CGR moving forward with fire department study without Byron Fire Department signing on?

Attorney Paul Boylan: Yes, they are moving forward without Byron Fire Department. Byron has not signed agreement

Councilman Thompson: The Town Board made a motion at the May 8th meeting not to install cameras, why has there been a camera installed in the courtroom?

Superintendent Heins: He will not remove the camera because the Town is not going to be charged for the security cameras, the company put it in at no cost.

A **motion** was made by Councilman Wooton to leave the security cameras in tact. There was no second to the motion.

Councilman Thompson: Why was Stu Brown told by Highway Superintendent Heins via email not to move forward with water district petitions?

Highway Superintendent Heins: The contract with Stu Brown was never signed, it shouldn't be signed until petitions are signed and 51% of homeowners approve the districts.

ADJOURN:

A **motion** was by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:10 p.m. The motion was seconded by Supervisor Crnkovich and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk