

BYRON TOWN BOARD MEETING

August 9, 2017

The Byron Town Board Meeting was called to order by Supervisor Yasses at 7:08 p.m. with the following people present:

Supervisor.....	Pete Yasses
Councilmen.....	Sue Fuller
	Jim Cudney
	Fred Klycek
	Jeff Thompson
Highway Superintendent.....	Brian Forsyth
CEO/ZEO.....	Mike Morris
Town Clerk.....	Debra Buck-Leaton
Public:	
Mickey Truax.....	Swamp Road, Byron
George Squires.....	McElver Street, Byron
Candace Hensel.....	Rte. 237, Byron
Bill and Barb Emerson.....	Terry Street, Byron

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

MINUTES:

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of July 12, 2017 as written. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – Councilman Cudney:

·Paul Boylan created 2 new local laws to amend the Town's current Zoning Law. The first deals with ponds and manufactured homes, and the second deals with unlicensed vehicles. The Planning Board needs to review these amendments and come back to the Town Board with a recommendation.

·John Ivison is requesting a land separation on property on Ivison Road.

·Lester Magoffin will be going to the ZBA for an area variance for a shed on his property at the trailer park on Swamp Road

·Peter Lockner came before the board to discuss doing a land separation for his property on North Byron Road.

·Discussed pond language

·Discussed budget request

A **motion** was made by Councilman Klycek to approve the Planning Board Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

COMPREHENSIVE COMMITTEE REPORT –George Squires:

- Continue to work on vision statement

A **motion** was made by Councilwoman Fuller to approve the Comprehensive Committee Report as given. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SEWER REPORT:

Monthly:

- Checked and maintained all filter bed pumps (N,S+C)
- Keeping track of pump hours on all pumps including Old School House, Walkers Corners and McElver Street lift station
- Took monthly samples

Other:

- Responded to all stakeouts
- On July 18th changed out pump on Walkers Corners Road little lift station.

A **motion** was made by Councilman Klycek to approve the Sewer Report as written. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – Brian Forsyth:

- Helped County Highway oil and stone
- Helped County Highway mill and fill Byron Road shoulders and Nova chip the surface later
- July 17 (Monday after last board meeting) installed “hidden driveways” sign on Ivison Road
- Letter from Ivison Road resident
- Byron oil and stoned roads mentioned before July 19 and July 20
- First time using County highway trucks (4) and dup person and rubber tire roller
- Completed 2nd round of mowing. Presently trying to cut back where not too wet.
- July 17, 18, 19 County did core samples on Searls Road pipes to engineer over winter and replace in spring.
- Attended meeting July 26th at County Building 2 for GIS locating shared service with county. Start locating signs and pipes future of sewer manholes etc. Initial cost maybe 2500-3000 start potentially 300 yearly fee.
- Byron tentatively blacktop August 16 and 17 pushed back by rain, again county helping
- Sign reflectivity. Retro sign GRX reflectometer, used demo \$3,000
- Helped the gentleman from Envoy do asbestos samples, came back negative
- Helped gentleman from Terracon set up test holes for stakeout
- Bored holes to be tested today

A **motion** was made by Councilman Cudney to approve the Highway Superintendent’s Report as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT – Mike Morris:

Number of Inspections: 15
Number of Zoning/Building Permits Issued: 5
Number of Land Separations: 1
Number of Special Use Permit Applications: 0
Number of Building C.O./C.C. Issued: 0
Number of Zoning Complaints Filed: 3
Number of Zoning Complaints Resolved: 0
Number of Stop Work Orders Issued: 0

·Worked with a resident to prepare for a land separation/subdivision to be ready for the Planning Board. Continuing property maintenance inspections. Worked with mortgage company to weatherize a foreclosed property on Walkers Corners Road. There have been some temporary fixes made they are scheduling a more permanent fix. Inspected the tents for the Heritage Festival. I will be starting to schedule inspections on multi-family properties and businesses for September and October.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

·No meeting in August

MUSEUM REPORT –Councilwoman Fuller:

·Approved spending money to purchase totes
·Looking into grants
·Looking into heating and air conditioning

A **motion** was made by Councilman Cudney to approve the Museum Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #55:

Councilman Thompson offered the following resolution and moved for its adoption:
Resolved, that the Byron Town Board pay the following abstracts:

<u>Fund:</u>	<u>Abstract:</u>	<u>Vouchers:</u>	<u>Amount:</u>
General Fund	#8	#183 - #205	\$16,745.97
Highway Fund	#8	#119 - #136	\$68,202.82
Sewer Fund	#8	#27 - #28	\$ 3,105.82
General Fund	PA#7	#39 - #43	\$ 1,146.21
Sewer Fund	PA#7	#17 - #18	\$ 572.37

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK'S REPORT:

Paid to the Park Committee for Pavilion Rental.....	\$ 30.00
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 58.00
Paid to NYS DEC.....	\$ 188.96
Paid to the Town of Byron Supervisor.....	<u>\$3,632.04</u>
Total Disbursed for July 2017.....	\$3,909.00

A **motion** was made by Councilwoman Fuller to approve the Town Clerk's Report as given for July 2017. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The July 2017 Financial Report was reviewed.

A **motion** was made by Councilman Klycek to approve the July 2017 Financial Reports as written, however, the Town Board would like to know from Ashley at Baldwins why the top portion of the last page states Water District #8, and the bottom portion states Water District #6. The Board would like to know if this is a typo. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

Highway Garage:

·Asbestos testing came back negative. Boring was done today.

GENESEE COUNTY SELF-INSURANCE WORKERS' COMPENSATION AGREEMENT RESOLUTION #56:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Genesee County Self-Insurance Workers' Compensation Agreement between the Town of Byron and the Genesee County Mutual Self-Insurance Plan .

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

Sales Tax Check:

·Received sales tax check in the amount of \$158,325.99

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 7:

·Awaiting funding from USDA. We should hear something by the end of August.

WATER DISTRICT NO. 8:

·Waiting on funding and needs to go to Comptroller for approval.

WATER DISTRICT NO. 8 LEGAL SERVICES AGREEMENT

RESOLUTION #57:

Councilwoman Fuller offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Legal Services Agreement with Paul S. Boylan, Esq. with regard to Water District No. 8. The fee for such work shall be \$27,000.00, not to exceed \$30,000.00.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8 MUNICIPAL SOLUTIONS, INC. PROPOSAL FOR SERVICES

RESOLUTION #58:

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

Resolved, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Proposal for Services between the Town of Byron and Municipal Solutions, Inc. This Agreement authorizes Municipal Solutions, Inc. to assist the Town in the financial services of the project to extend public water to the area designated as Water District No. 8, and to comply with the requirements of Rural Development. Municipal Solutions, Inc.'s fee for such work shall be \$125 per hour plus reimbursable expenses, the total fee, including expenses, shall not exceed \$11,000.00.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8 LABELLA ASSOCIATES, D.P.C. PROPOSAL FOR SERVICES – FINAL APPLICATION TO RURAL DEVELOPMENT

RESOLUTION #59:

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

Resolved, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Proposal for Services between the Town of Byron and LaBella Associates, D.P.C. This Agreement authorizes LaBella Associates, D.P.C. to assist the Town in the project management of Water District No. 8, which includes services to assist the Town in meeting the requirements specified by Rural Development in the Letter of Conditions and the Prior to Bid letter. LaBella Associates D.P.C.'s fee for such work shall be as follows: Phase 1: Not to exceed \$3,000, payable when the Town satisfies the Letter of Conditions and Prior to Bid requirements specified by USDA Rural Development or cancels the project. Phase 2: Lump sum fee of \$12,000, payable in five equal portions upon completion of the five milestones listed in the agreement.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8 LOAN RESOLUTION

RESOLUTION #60:

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

LOAN RESOLUTION

(Public Bodies)

A RESOLUTION OF THE TOWN COUNCIL AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Byron (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of Two Million One Hundred Eight Thousand & 00/100 pursuant to the provisions of Subject to New York State Municipal Finance Law ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
 7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
 8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
 9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
 10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.
- According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*
11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
 17. To accept a grant in an amount not to exceed \$750,000.00 under the terms offered by the Government; that the Supervisor and Town Clerk of the Association are hereby authorized and empowered to take all action

necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8 – APPLICATION TO COMPTROLLER

RESOLUTION #61:

Councilwoman Fuller offered the following resolution and moved for its adoption:

WHEREAS, it has been determined that it is in the public interest to form a Water District to be known as Water District No. 8 on Rte. 262, Caswell, Freeman Beaver Meadow, Cockram, Gillett, Iverson, Lyman and Tripp Roads,

WHEREAS, the cost of debt service and water service for a typical residence after the first year is estimated to be \$1,109.37, which exceeds the average annual cost established by the State Comptroller for such a district,

NOW THEREFORE, be it

RESOLVED that the Supervisor, Town Clerk and Town Attorney are hereby authorized and directed to make an application on behalf of the proposed Water District No. 8 to the New York State Comptroller for permission to form such district pursuant to Section 194 of the Town Law.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8 – RESOLUTION FOR ESTABLISHMENT AFTER PUBLIC HEARING

RESOLUTION #62:

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

WHEREAS, the Town Board of the Town of Byron duly adopted a resolution directing Chatfield Engineers P.C., the Town Engineer of the Town of Byron to supervise the preparation of a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Byron wherein Water District No. 8 was proposed to be established, as hereinafter described, and

WHEREAS, the said map, plan and report was duly completed and filed with the Town Clerk of the Town of Byron, and

WHEREAS, there has been filed in the office of the Town Clerk a Petition in due form dated December 5, 2016 and which according to an affidavit sworn to by Barry Flansberg, Town Assessor, on December 13, 2016 contains a majority of both the owners of the total assessed value of real property within the proposed district and the real property owned by persons residing in the proposed district, and

WHEREAS, after the said Town Engineer duly filed said map, plan and report, and the said Petition was received and filed, the said Town Board duly adopted an Order on December 14, 2016 reciting the description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement,

the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall on Route 237 in the Town of Byron, New York at 7:00 p.m. on January 11, 2017 for the purpose of conducting a public hearing on such proposal to establish Water District No. 8 with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said Order were duly published and posted according to law as evidenced by an Affidavit of Publication from the Batavia Daily News and an Affidavit of Posting sworn to by Debra Buck-Leaton, Town Clerk of the Town of Byron, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make its determinations hereinafter made, and

WHEREAS, the requirements of SEQRA have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Byron in the County of Genesee, that it be and hereby is determined as follows:

A. The petition is signed and acknowledged or proved as required by law and is otherwise sufficient.

B. That all of the property and property owners within the proposed Water District No. 8 are benefited hereby.

C. That all of the property and property owners benefited are included within the proposed Water District No. 8.

D. That the formation of the District will not constitute an undue burden on the property owners which will bear the costs thereof.

E. It is in the public interest to establish the proposed Water District No. 8 as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of Water District No. 8 as hereinafter described to be known as Water District No. 8:

The **Town of Byron Water District No. 8** shall have an exterior boundary described as follows:

Beginning at a point, said point being the intersection of the centerline of Tripp Road with a southerly boundary of the Town of Byron Water District No. 1; thence

1. Easterly, 500 feet more or less, along a southerly boundary of the Town of Byron Water District No. 1 to a point, said point being 500 feet easterly of the centerline of Tripp Road; thence
2. Southerly, 3,923 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Tripp Road to a point, said point 500 feet northerly of the centerline of Cockram Road; thence
3. Easterly, 2,265 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being the Byron Bergen Town Line; thence
4. Southerly, 1,000 feet more or less, along the Byron Bergen Town Line to a point, said point being 500 feet southerly of the centerline of Cockram Road; thence
5. Westerly, 456 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cockram Road to a point, said point being 500 feet easterly of the centerline of Beaver Meadow Road; thence
6. Southerly, 3,960 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Beaver Meadow Road to a point, said point being 500 feet northerly of the centerline of Lyman Road; thence

7. Easterly, 244 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Lyman Road to a point, said point being the Byron Bergen Town Line; thence
8. Southerly, 1,000 feet more or less, along the Byron Bergen Town Line to a point, said point being 500 feet southerly of the centerline of Lyman Road; thence
9. Westerly, 4,992 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Lyman Road to a point, said point being 500 easterly of the centerline of Coward Road; thence
10. Southerly, 4,409 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Coward Road to a point, said point being the Byron Stafford Town Line; thence
11. Westerly, 1,000 feet more or less, along the Byron Stafford Town Line to a point, said point being 500 feet westerly of the centerline of Coward Road; thence
12. Northerly, 2,796 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Coward Road to a point, said point being 500 feet southerly of the centerline of Freeman Road; thence
13. Westerly, 1,747 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Freeman Road to a point, said point being 500 feet easterly of the centerline of Ivison Road; thence
14. Southerly, 2,818 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Ivison Road to a point, said point being the Byron Stafford Town Line; thence
15. Westerly, 1,000 feet more or less, along the Byron Stafford Town Line to a point, said point being 500 feet westerly of the centerline of Ivison Road; thence
16. Northerly, 2,831 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Ivison Road to a point, said point being 500 feet southerly of the centerline of Freeman Road; thence
17. Westerly, 1,328 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Freeman Road to a point, said point being an easterly boundary of the Town of Byron Water District No. 2; thence
18. Northerly, 500 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being the centerline of Freeman Road; thence
19. Easterly, 485 feet more or less, along the centerline of Freeman Road to a point, said point being an easterly boundary of the Town of Byron Water District No. 2; thence
20. Northerly, 500 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being 500 feet northerly of the centerline of Freeman Road; thence
21. Easterly, 1,037 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Freeman Road to a point, said point being along a western property line of Tax Account No. 9.-1-8.1; thence
22. Southerly, 122 feet more or less, along a eastern property line of Tax Account No. 9.-1-8.1 to a point, said point being a northerly property line of Tax Account No. 9.-1-8.1; thence
23. Easterly, 303 feet more or less, along a northerly property line of Tax Account No. 9.-1-8.1 to a point, said point being the centerline of Ivison Road; thence
24. Northerly, 122 feet more or less, along the centerline of Ivison Road to a point, said point being 500 feet northerly of Freeman Road; thence
25. Easterly, 2,246 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Freeman Road to a point, said point being 500 feet westerly of the centerline of Coward Road; thence
26. Northerly, 2,792 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Coward to a point, said point being a northerly property line of Tax Account No. 9.-1-7.113; thence
27. Easterly, 500 feet more or less, along a northerly property line of Tax Account No. 9.-1-7.113 to a point, said point being the centerline of Coward Road; thence
28. Northerly, 306 feet more or less, along the centerline of coward road to a point, said point being a northerly property line of Tax Account No. 10.-1-16; thence

29. Northeasterly, 558 feet more or less, along a northerly property line of Tax Account No. 10.-1-16 to a point, said point being 500 feet easterly of a northerly extension of the centerline of Coward Road; thence
30. Southerly, 1,736 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Coward Road to a point, said point being 500 feet northerly of the centerline of Lyman Road; thence
31. Easterly, 3,720 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Lyman Road to a point, said point being 500 feet westerly of the centerline of Beaver Meadow Road; thence
32. Northerly, 3,965 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Beaver Meadow Road to a point, said point being 500 feet southerly of the centerline of Cockram Road; thence
33. Westerly, 6,134 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cockram Road to a point, said point being 500 feet easterly of the centerline of Ivison Road; thence
34. Southerly, 3,284 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Ivison Road to a point, said point being 500 feet southerly of an easterly extension of the centerline of Gillett Road; thence
35. Westerly, 4,712 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Gillett Road to a point, said point being an easterly boundary of the Town of Byron Water District No. 2; thence
36. Northerly, 500 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being the centerline of Gillett Road; thence
37. Westerly, 178 feet more or less, along the centerline of Gillett Road to a point, said point being an easterly boundary of the Town of Byron Water District No. 2; thence
38. Northerly, 208 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being a northerly boundary of the Town of Byron Water District No. 2; thence
39. Easterly, 179 feet more or less, along a northerly boundary of the Town of Byron Water District No. 2 to a point, said point being an easterly boundary of the Town of Byron Water District No. 2; thence
40. Northerly, 293 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being 500 feet northerly of the centerline of Gillett Road; thence
41. Easterly, 3,699 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Gillett Road to a point, said point being 500 feet westerly of the centerline of Ivison Road; thence
42. Northerly, 2,279 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Ivison Road to a point, said point being 500 feet southerly of the centerline of Cockram Road; thence
43. Westerly, 1,181 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cockram Road to a point, said point being an easterly boundary of the Town of Byron Water District No. 6; thence
44. Northerly, 1,000 feet more or less, along an easterly boundary of the Town of Byron Water District No. 6 to a point, said point being 500 feet northerly of the centerline of Cockram Road; thence
45. Easterly, 1,195 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being 500 feet westerly of the centerline of Ivison Road; thence
46. Northerly, 2,672 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Ivison Road to a point, said point being a westerly extension of a southerly boundary of the Town of Byron Water District No. 3; thence
47. Easterly, 500 feet more or less, along a southerly boundary of the Town of Byron Water District No. 3 to a point, said point being the centerline of Ivison Road; thence

48. Southerly, 334 feet more or less, along the centerline of Ivison Road to a point, said point being a southerly boundary of the Town of Byron Water District No. 3; thence
49. Easterly, 500 feet more or less, along a southerly boundary of the Town of Byron Water District No. 3 to a point, said point being 500 feet easterly of the centerline of Ivison Road; thence
50. Southerly, 4,707 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Ivison Road to a point, said point being 500 feet northerly of the centerline of Cockram Road; thence
51. Easterly, 4,298 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being 500 feet westerly of the centerline of Tripp Road; thence
52. Northerly, 3,916 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Tripp Road to a point, said point being a southerly boundary of the Town of Byron Water District No. 1; thence
53. Easterly, 500 feet more or less, along a southerly boundary of the Town of Byron Water District No. 1 to a point, said point being the Point of Beginning.

All as shown on a map prepared by Chatfield Engineers, P.C., entitled, "Town of Byron Water District No. 8, Water District Boundary Map", dated October 14, 2016, and be it further

RESOLVED, that the proposed improvements consist of the installation of approximately 32,800 linear feet of water main, hydrants and other appurtenances, and be it further

RESOLVED, that the maximum amount proposed to be expended by the said district is Two Million Eight Hundred Fifty-eight Thousand Dollars (\$2,858,000). Based on the Letter of conditions received from USDA Rural Development dated July 25, 2017 and its offer therein, it is anticipated that there will be an annual cost to the typical owner of a one or two family home of One Thousand One Hundred Nine and 37/100 Dollars (\$1,109.37) after the first year, and the first year cost to the typical owner of a one or two family home is anticipated to be Two Thousand Four Hundred Ninety-nine and 37/100 Dollars (\$2,499.37), both of which estimates include annual debt service and annual water usage costs, which will be levied upon each of the units in said District, and be it further

RESOLVED, that this Resolution is subject to approval of the State Comptroller pursuant to Town Law §194 and shall take effect only upon such approval.

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

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

None

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 8:00 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk