

BYRON TOWN BOARD MEETING

January 12, 2022

The Byron Town Board Meeting was called to order by Supervisor Yasses at 7:00 p.m. with the following people present:

Supervisor.....	Peter Yasses
Councilmen.....	Jeff Thompson
	Josh Kent
	Eric Zuber
	Tom Felton
Highway Superintendent.....	David Leaton
CEO/ZEO.....	Melissa Ierlan
Town Clerk.....	Debra Buck-Leaton
Invited Guest.....	Felipe Oltramari, Genesee County Planning Board
	Steven Sharpe, Genesee County Sheriff's Office

Public:

Christian Yunker	Laura Bestehorn	George Squires
Candy Hensel	Chris Hilbert	Vic Digregorio
Ed Zeitvogel	Kaitlyn Moucha	Steve Boldt
Ben Raccuia	Laurel Smith	

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

MINUTES:

A **motion** was made by Councilman Kent to approve the Byron Town Board minutes of December 8, 2021, December 27, 2021 and January 4, 2022 as written. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – George Squires:

- Officers will stay the same as last year.
- Brief discussion on cannabis law and decided to address as appropriate in Zoning Law

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

Vote: Ayes: 5 Nays: 0

SMART GROWTH – Felipe Oltramari:

- Need to come up with a different proposal. Current proposal is over 20 years old.
- The Smart Growth Plan was made to mitigate sprawl caused by water infrastructure and to protect agriculture. It is part of the SEQR review. Need a mechanism to say the water lines aren't creating development.
- Boundaries were set up and a committee was set up to review when someone wants to build outside the boundaries.

- 91% of applications have been approved.
- Plan is updated every 3 years.
- If you're in an ag district there will be a problem hooking up to water.
- Once a property is in an ag district it's locked up for 8 years and can't be removed and is protected from certain town laws that might not favor agriculture.
- Smart Program allows the town to target growth.
- The County has just started review. They would like to have something by late fall from the Town. Time can be extended.
- The Town Planning Board needs to go back to the drawing board to submit a different plan

GENESEE COUNTY 9-1-1 – Steve Sharpe, Genesee County Sheriff's Office:

- He handles the 9-1-1 addressing for the County.
- When he was doing addresses for a Byron Road address he discovered that some of the house numbers go in the opposite direction than what they're supposed to between Rte. 262 and Tower Hill Road. There is also another property at 7719 Byron Road that is incorrect.
- He would like permission from the Town Board to reach out to homeowners. He will send out a letter to anyone the homeowner needs them to.
- If the Town Board decides they do not want to change the house numbers he won't do it.
- There are 6 residents that need to be changed.

A **motion** was made by Councilman Zuber to change addresses for six (6) residents on Byron Road as per the Genesee County 9-1-1. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:

- Nothing new to report other than salting and plowing

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

Vote: Ayes: 5 Nays: 0

SOLAR:

INTERVENOR FUND STANDARD VOUCHER #6

RESOLUTION #30:

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

WHEREAS, the Town of Byron Town Board authorizes the Supervisor to sign the Intervenor Fund Standard Voucher #6 in the amount of \$9,988.50 between the Town of Byron and the NYS Department of Public Service.

Councilman Zuber seconded the resolution which was adopted by 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:

- 12/11/21 – Emergency stakeout at 10:00 pm
- 12/13/21 – Had A.D. Calls pump Walkers Corners Road lift station due to power outage
- 12/22/21 – Emergency stakeout at 9:00 pm

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

Vote: Ayes: 5 Nays: 0

MRB GROUP ADMINISTRATION OF ENGINEERING PLANNING GRANT (EPG)

RESOLUTION #31:

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

WHEREAS, the Town of Byron Town Board authorizes the Supervisor to sign the Proposal for Professional Services for Grant Administration of the Town of Byron Mobile Home Community Collection System Study and EPG Grant administration between the Town of Byron and MRB Group.

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

Vote: Ayes: 5 Nays: 0

ENGINEERING PLANNING GRANT (EPG) AUTHORIZATION AND PROJECTS COSTS FOR AWARD ALLOCATIONS

RESOLUTION #32:

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

WHEREAS, the Town of Byron submitted and was awarded an Engineering Planning Grant (EPG) under the Consolidated Funding Application (CFA) process on behalf of the Town, for an Mobile Home Community Collection System Study; and

WHEREAS, the New York State Environmental Facilities Corporation offer a competitive statewide reimbursement grant programs for local governments, administered through the New York Clean Water State Revolving Fund; and

WHEREAS, that the Town of Byron Board, accepts the EPG program grant award on behalf of the Town for Mobile Home Community Collection System Study; and

NOW THEREFORE BE IT:

RESOLVED, that the Town Supervisor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Town of Byron's obligations under the Grant Agreement; and

BE IT FURTHER RESOLVED, that the Town of Byron authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Mobile Home Community Collection System Study. Under the EPG program, this local match must be at least 20% of the EPG grant award of up to \$30,000. The source of the local match, and any amount in excess of the required match, shall be provided through the sewer fund. The maximum local match shall not exceed \$6,000 based upon a total estimated maximum project cost of \$36,000. The Supervisor may increase this local match through the use of in kind services without further approval from the Town of Byron's Board.

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

Vote: Ayes: 5 Nays: 0

ENGINEERING PLANNING GRANT (EPG) SEQOR FOR AWARD ALLOCATIONS

RESOLUTION #33:

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

WHEREAS, the Town of Byron submitted and was awarded an Engineering Planning Grant (EPG) under the Consolidated Funding Application (CFA) process on behalf of the Town, for an Mobile Home Community Collection System Study; and

WHEREAS, the New York State Environmental Facilities Corporation offer a competitive statewide reimbursement grant programs for local governments, administered through the New York Clean Water State Revolving Fund; and

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

NOW THEREFORE BE IT:

RESOLVED, that the Town of Byron hereby determines that the proposed Mobile Home Community Collection System Study is a Type II action in accordance with 6 NYCRR Section 617.5(c) (24) and (27) which constitute “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted Action; conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” and is therefore not subject to further review under 6 NYCRR Part 617.

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT – Melissa Ierlan:

- Met with Planning Board
- Working on reviewing open permits, getting familiar with town properties and violations.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – George Squires:

- Election of officers, officers will remain the same
- Discussed tree planting program
- Don Yaxley is a new member

A **motion** was made by Councilman Thompson to approve the Park Committee report as given. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

CLEAN ENERGY RESOURCES INFORMATION COMMITTEE – Candy Hensel:

A motion was made by Councilman Felton to extend an invitation to Rob Richardson from GFLRPC to speak to the Town Board at the next meeting prior to approving the proposed Clean Energy resolution. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

COMMUNITY BLOCK GRANT – Candace Hensel:

- 3rd payment was made to In-Site

- Information will be needed to be submitted for reimbursement
- Then funding for next stage will be needed

HISTORICAL SOCIETY REPORT – Laurel Smith:

- Had Bicentennial meeting last night and moving forward.
- Next meeting is February 8th.

A **motion** was made by Councilman Kent to approve the Historical Society report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #35:

Councilman Kent 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	#1	#1 - #30	\$86,258.34
Highway Fund	#1	#1- #11	\$3,511.71
Sewer Fund	#1	#1 - #3	\$3,856.87
Water Improv. Benefit Area #1	#1	#1 - #2	\$25,808.40

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK’S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$34.00
Paid to NYS DEC for hunting and fishing licenses.....	\$418.33
Paid to the Town of Byron Supervisor.....	\$2,538.77
Total Disbursed for December 2021.....	\$2,991.10

A **motion** was made by Councilman Thompson to approve the Town Clerk’s Report as given for December, 2021. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

- The December 2021 Financial Report was reviewed.

A **motion** was made by Councilman Zuber to approve the December 2021 Financial Reports. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR’S REPORT:

Mortgage Tax:

- Received Mortgage Tax in the amount of \$20,905.21

2022 Committee Appointments:

Audit Committee:

Supervisor Peter Yasses
Councilman Josh Kent

Banking Committee:

Supervisor Peter Yasses
Councilman Tom Felton

Disaster Preparedness Committee:

Supervisor Peter Yasses
Councilman/Deputy Supervisor Jeff Thompson
Town Clerk Debra Buck-Leaton
Byron Fire Chief Bob Mrueczk
South Byron Fire Chief Brian Hickey
Byron Rescue Squad Brad Nickerson
Highway Superintendent David Leaton

Equipment Committee:

Highway Superintendent David Leaton
Supervisor Peter Yasses
Councilman/Deputy Supervisor Jeff Thompson

Insurance Committee:

Supervisor Peter Yasses
Councilman/Deputy Supervisor Jeff Thompson

Museum Committee:

Councilman Tom Felton
Historian Bob Wilson
Historian Beth Wilson
Historical Society President

Park Committee Representative:

Councilman Josh Kent

Planning Board Representative:

Councilman Josh Kent

Sewer/Water Ordinance Committee:

Councilman Tom Felton

Buildings Committee:

Supervisor Peter Yasses
Councilman Eric Zuber
Councilman/Deputy Supervisor Jeff Thompson

Public Employer Health Emergency Plan (Required by NYS)

Town Attorney Paul Boylan

Supervisor Peter Yasses

Highway Superintendent David Leaton

Town Clerk Debra Buck-Leaton

A **motion** was made by Councilman Kent 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 IMPROVEMENT BENEFIT AREA NO. 1:

·Price of pipe has leveled off but is still high.

·Paul Boylan is getting documents ready to go to Comptroller.

PUBLIC COMMENTS: None

ADJOURN:

A **motion** was made by Councilman Kent to adjourn the Byron Town Board Meeting at 8:09 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk