

BYRON TOWN BOARD MEETING

November 14, 2018

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

Supervisor.....	Roger Rouse
Councilmen.....	Sue Fuller
	Fred Klycek
	Jeff Thompson
Highway Superintendent.....	Brian Forsyth
Town Clerk.....	Debra Buck-Leaton
Absent.....	Councilman Cudney
Invited Guests.....	Paul Chatfield, MRB Group
	Scott Mattison, MRB Group

Public:

Candace Hensel	George Squires	Vic Digregorio
Jack Redick	Pete Yasses	Scott Blossom
Dean Bates	Cory Russell	Victor Flanagan
Bob Mruczek	Lori Mruczek	Michele Weatherell
Brad Nickerson	Laura Platt	Paul Carr
Steve Lockner	Laurel Smith	Jacob Schultz
Zachary Johnson		

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Rouse.

MINUTES:

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of October 10, 2018 and November 7, 2018 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

*LEGAL NOTICE
 ADDITIONAL PUBLIC HEARING
 TOWN OF BYRON
 2019
 PRELIMINARY BUDGET*

PLEASE TAKE NOTICE, that the Preliminary Budget for the Town of Byron, the Preliminary Budget and Assessment Roll for the Byron Sewer District and the Preliminary Budgets and Assessment Rolls for the Byron Water District No. 1, Byron Water District No. 2, Byron Water District No. 3, Byron Water District No. 4, Byron Water District No. 5, Byron Water District No. 6 and Byron Water District No. 7 for the fiscal year beginning January 1, 2019 have been completed and filed in the office of the Byron Town Clerk, 7028

Rte. 237, Byron, New York where they are available for public inspection during regular business hours. Further notice is hereby given, that said Preliminary Budget, the Preliminary Budget and Assessment Roll of said Sewer District and the Preliminary Budgets and Assessment Rolls for the Byron Water District No. 1, Byron Water District No. 2, Byron Water District No. 3, Byron Water District No. 4, Byron Water District No. 5, Byron Water District No. 6 and Byron Water District No. 7 will be reviewed at an Additional Public Hearing to be conducted by the Town Board of Byron at the Byron Town Hall, 7028 Rte. 237, Byron, NY on Wednesday, November 7, 2018 at 7:15 p.m., at which time all interested persons will be heard and objection to said Assessment Rolls considered, pursuant to Section 108 of Town Law. The proposed salaries of the following Town of Byron Officials are as follows:

Supervisor	\$ 11,444
Deputy Supervisor	\$ 1,000
Councilmen (4/each)	\$ 3,121
Town Justice	\$ 12,240
Town Justice	\$ 12,020
Highway Superintendent	\$ 55,636
Town Clerk	\$ 29,309
Tax Collector	\$ 4,914
Registrar of Vital Statistics	\$ 480

By Order of the Byron Town Board

Debra Buck-Leaton, Byron Town Clerk

PUBLIC HEARING – 2019 BUDGET:

A **motion** was made by Councilwoman Fuller to open the Public Hearing for the 2019 Budget at 7:09 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 4 Nays: 0

HIGHLIGHTS OF THE 2019 PRELIMINARY BUDGET:

- Amount to be raised by taxes is General Fund: \$200,000; Highway Fund: \$282,725
- General and Highway Funds: the tax rate is \$4.3072/1,000, up \$.8846 from 2018
- Fire District: \$200,000.00 to be raised by taxes. The tax rate will be \$1.7334, up from \$1.3641 in 2018
- Sewer District: \$0 to be raised by taxes. O&M to remain at \$100/unit/quarter (\$400/year), and debt service will be \$0. There are 315.50 units.
- Water District #1: \$90,000.00 to be raised by taxes (301.60 units)
- Water District #2: \$72,541.00 to be raised by taxes, with the Town of Byron having 164.20 units, and the Town of Stafford having 28 units
- Water District #3: \$5,293.00 to be raised by taxes (9.10 units)
- Water District #4: \$4,855.00 to be raised by taxes (11 units)
- Water District #5: \$19,147.00 to be raised by taxes (55.50 units)
- Water District #6: \$9,527.00 to be raised by taxes (29.50 units)
- Water District #7: \$25,249.00 to be raised by taxes (65.50 units)
- Total Town Tax Rate (General, Highway, Fire) = \$6.0406/1,000 for 2019

PUBLIC COMMENTS: None

A **motion** was made by Councilman Klycek to close the Public Hearing for the 2019 Budget at 7:13 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

2019 TOWN OF BYRON BUDGET

RESOLUTION #77:

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

Resolved, that the Byron Town Board hereby adopts the 2019 Town of Byron Preliminary Budget as presented.

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

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

PLANNING BOARD REPORT – Councilwoman Fuller:

- Jean Fabritis on North Byron Road is looking into reopening her dog grooming business
- Comprehensive Plan was approved by the County
- Discussion on Farm Protection Plan
- Discussion regarding solar farms

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: 4 Nays: 0

COMPREHENSIVE COMMITTEE REPORT – George Squires:

·Not meeting anymore until after the Town is done with what they need to do as far as SEQR and Public Hearing.

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

Vote: Ayes: 4 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:

·Replaced the float and installed a new float bracket on the inside of the tank at the old school House lift station.

·Had the yearly calibration of all three flow meters

·Called out on October 21st at 6850 Rte. 237 for a plugged septic line to the tank. Helped homeowner unplug line and found septic tank to be dilapidated and needs to be replaced. Acquiring bids to get new tank installed.

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

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT:

- Helped County highway paving South Street (approximately 4 miles)
- Finished blacktop with grader Ivison, Freeman and Merrill help from Elba and Bergen
- Shoulders on same help from Bergen, Elba and Stafford
- After finished hooked plow equipment and sanders to trucks not ready
- Still trying to do more roadside mowing where possible. Still have tree list as well
- October 22 had trucks treated with fluid film for winter
- November 5 put Town of Byron sign up at accident scene on Transit and 262
- Put clutch fan in 404
- Rebuilt most of exhaust and muffler 404
- After couple snow runs only minor issues
- Bridge out Searls Road until May 1. Had to build snowplow driveway south end
- Bridge NY filed with County, 31 applications selected for 4. Byron Tower Hill Road over Spring Creel

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

Vote: Ayes: 4 Nays: 0

EXTENSION OF SNOW AND ICE AGREEMENT

RESOLUTION #78:

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

WHEREAS, the Town of Byron is under contract with the New York State Department of Transportation to provide snow and ice control on specified State roads within the Town and,

WHEREAS, due to the severity of the winter during 2017/2018, the total cost to perform this service is estimated at \$37,266.55.

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2017/2018 season by \$1,644.16.

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

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT – Mike Morris:

- A copy of the report is on file with the CEO/ZEO

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

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – George Squires:

·Discussed hunting in parks and George could find no mention of hunting in the park rules within the Town Law. Discussed the hunting issue with DEC. The Park Committee is working on a proposal to present to the Town Board.

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

Vote: Ayes: 4 Nays: 0

MUSEUM REPORT – Laurel Smith:

·Discussed Centennial celebration

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

Vote: Ayes: 4 Nays: 0

FIRE DEPARTMENTS – Councilwoman Fuller:

- No meeting last month
- Bob Mruzek – Byron Fire Department approved contract at their last meeting and attorney is looking it over, which will take a few days.
- Dean Bates – S. Byron Fire Department will be signing agreement as is.

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

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #79:

Councilman Klycek 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	#11	#272 - #296	\$ 33,537.02
Highway Fund	#11	#168 - #183	\$175,158.27
Sewer Fund	#11	#41 - #43	\$ 5,300.50
General Fund	PA#10	#46 - #49	\$ 1,336.50
Sewer Fund	PA#10	#23 - #25	\$ 868.76

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK’S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 72.00
Paid to the Town of Byron Supervisor.....	\$4,565.04
Paid to NYS DEC.....	\$ 950.36
Paid to the Department of Health for Marriage Licenses.....	\$ 22.50
Total Disbursed for October 2018.....	\$5,609.90

A **motion** was made by Councilwoman Fuller to approve the Town Clerk’s Report as given for October 2018. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

APPROVAL OF OFFICIAL UNDERTAKING FOR TAX COLLECTOR

RESOLUTION #80:

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

Resolved, that the Town Board of the Town of Byron, County of Genesee, State of New York, does hereby approve the undertaking or bond issued by Lawley Genesee Agency as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be

conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into her hands as such collector.

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

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

·The October 2018 Financial Report was reviewed.

A **motion** was made by Councilman Klycek to approve the October 2018 Financial Report. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR'S REPORT:

Front Entry Doors:

·The Supervisor reviewed three quotes for handicapped accessibility door devices at the front of the building the Supervisor spoke with the contractors and the doors are wide enough to facilitate the handicapped equipment:

Alliance Door - \$4,900.00
Grosso Door and Hardware - \$5,400.00
Imperial Door – \$5,030.00

HANDICAPPED ACCESSIBLE DOORS FOR FRONT OF OFFICE

RESOLUTION #81:

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

WHEREAS, the Town Board of the Town of Byron hereby approves the bid by Alliance Door in the amount of \$4,900.00 to make the front doors into the Town Hall handicapped accessible.

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

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 7:

·Work is progressing. Caswell Road and Walkers Corners Road are complete. On Monday, November 12th held a meeting with Accadia, the contractor, their attorney, the Town Attorney, MCWA and MRB Group. The contractor is running into problems with the proximity of the gas line in relation to the water line. The Town Attorney is going to draw up permanent easements for properties along Batavia-Byron Road in order to move the water line in 10 feet to avoid hitting the gas line. At the job progress meeting the condition of the roads due to the contractor putting dirt on the roads, and also the lack of flagmen during construction was discussed. It was reiterated to the contractor that they must follow specs of the project as bid. Accadia agreed that they would be using lights and sweeping the roadway as they go along.

·Accadia has requested an extension of time and it has been rejected.

·Councilwoman Fuller had concerns with the workmanship and timeliness of the job. Paul Chatfield stated that Accadia is bonded and the work must be done according to specifications. If the job is not done by November 30th the Town can charge the contractor \$750 penalty per day according to the contract.

CONTRACTOR'S APPLICATION FOR PAYMEN NO. 1

RESOLUTION #82:

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

WHEREAS, the Town Board of the Town of Byron hereby authorizes the Supervisor to sign the Contractor's Application for Payment No. 1 in the amount of \$460,851.64.

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

Vote: Ayes: 4 Nays: 0

WATER DISTRICT NO. 8:

·Final easements have been obtained. Waiting for USDA to give clearance to go out to bid. MRB group will be figuring out the best time to put it out to bid and then move forward.

MRB GROUP – ENGINEERING SERVICES AGREEMENT – SOUTH EAST AREA (Coward Road/Clinton Street Road/Old State Road/School Road)

RESOLUTION #83:

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

WHEREAS, the Town Board of the Town of Byron hereby authorizes the Supervisor to sign the Proposal for Professional Services with MRB Group for engineering services for the South East Area Water District in the amount of \$2,950.00.

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

Vote: Ayes: 4 Nays: 0

TRANSIT ROAD WATER DISTRICT:

·Councilman Thompson would like to see if the homes on Transit Road should be included in a water district for the northwest corner of the Town instead of making them a separate water district. He would like to see how adding them to another water district would affect the debt service numbers.

·Paul Chatfield will call the Supervisor and set up a meeting to discuss this further.

PUBLIC HEARING – 2019 FIRE PROTECTION AND EMERGENCY SERVICES CONTRACTS:

A **motion** was made by Councilwoman Fuller to hold a Public Hearing on the 2019 Fire Protection and Emergency Services Contracts on December 12, 2018 at 7:00 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Vic Digregorio: There are a couple of houses on School Road on the east side that are in LeRoy and he wants to make sure they're included in any new water district in that area.

Supervisor Rouse: They would have to contact the Town of LeRoy

Councilwoman Fuller: When is Councilman Cudney returning and what is Town liability

Supervisor Rouse: Jim will be back and will be fine.

ADJOURN:

A **motion** was made by Councilman Klycek to adjourn the Byron Town Board Meeting at 8:39 p.m.
The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk