

BYRON TOWN BOARD MEETING

December 14, 2016

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

Supervisor.....	Pete Yasses
Councilmen.....	Sue Fuller Jim Cudney Fred Klycek Jeff Thompson
Town Clerk.....	Debra Buck-Leaton
Absent.....	Brian Forsyth, Highway Superintendent
Public:	
Candace Hensel.....	Rte. 237, Byron
Vic Digregorio.....	Warboys Road, Byron
George Squires.....	McElver Street, Byron
John Sackett.....	Townline Road, Byron

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

PUBLIC HEARING – FIRE PROTECTION AND EMERGENCY SERVICES CONTRACTS:

A motion was made by Councilman Klycek to open the Public Hearing for the fire protection and emergency services contracts at 7:04 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

LEGAL NOTICE

**PUBLIC HEARING
TOWN OF BYRON**

PLEASE TAKE NOTICE, that the Town Board of the Town of Byron will hold a Public Hearing on Wednesday, December 14, 2016 at 7:00 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron, New York to consider extending the current fire protection and other emergency services contract, including emergency medical services, with the Byron Fire Dept. No. 1, Inc. for 2017 in the amount of \$77,040.00, and \$78,570.00 for 2018. And also to consider extending the current fire protection and other emergency services contract with the South Byron Vol. Fire Co. Inc. for 2016 in the amount of 77,040.00, and \$78,570.00 in 2018. A copy of the complete contract is on file in the Town Clerk's Office and may be examined at any time during regular business hours.

By Order of the Byron Town Board
Debra Buck-Leaton, Town Clerk

PUBLIC COMMENTS: None

A **motion** was made by Councilman Klycek to close the Public Hearing for the fire protection and emergency services contracts at 7:06 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

2017 FIRE PROTECTION AND EMERGENCY SERVICES CONTRACTS

RESOLUTION #92:

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

Resolved, that the Byron Town Board hereby adopts the Contract For Emergency Services with Byron Fire Department No. 1 and the South Byron Volunteer Fire Company, Inc. for 2017 and 2018.

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

Vote: Ayes: 5 Nays: 0

MINUTES:

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of November 9, 2016 as written. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – Councilman Cudney:

- Bulk land transfer for Ron Gonyea, which was approved
- United Wind Energy was present to present an application for wind energy for a resident on Warboys Road
- Mobile cell tower application received for McElver Street
- Newly amended law regarding manufactured homes, classification has changed. The Town Attorney is reviewing the new language to see if the Town's law meets with the requirements of the new language.

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

Vote: Ayes: 5 Nays: 0

COMPREHENSIVE COMMITTEE REPORT – George Squires:

- Joint meeting with the Town Board was held on November 15, 2016 at 7:00 p.m.
- Public Informational Meeting will be held on January 17, 2017 at 6:00 p.m. at the South Byron Fire Department.

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

Vote: Ayes: 5 Nays: 0

MUSEUM REPORT – Councilwoman Fuller:

·Nothing to report. They don't meet again until May.

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:

- Had to pump 6836 Byron-Holley Road because of a zombie house being remodeled.
- Also pumped 6350 Rte. 262 East because of a sewer backup.

A **motion** was made by Councilman Cudney 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

SEWER RELEVY

RESOLUTION #93:

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

Resolved, that the Byron Town Board approves the relevy of all unpaid sewer bills in the amount of Twenty-Four Thousand Eight and 00/100 Dollars (\$24,008.00) onto the 2017 Town/County tax bills.

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – Brian Forsyth:

- Things running well so far except for changing oil pan on 2014 Mack
- Had trucks sprayed by Rust Kote
- Changed sander chain, all others within last two years
- Fixed fence at North Byron filter bed the best we could
- Had Village of Bergen replace fuses in light poles. We hung wreaths
- Spare time – widened turnaround on Upper Holley Road, put temporary markers on Chapel Road shoulders, marking phone boxes and culverts on plow routes
- Ordered more salt to hopefully refill the building
- Extra plow and wing parts came in, waiting for the bill
- Start changing over during next month to use cover blades over carbide

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

Vote: Ayes: 5 Nays: 0

HIGHWAY GARAGE:

·On December 5, 2016 the Town Clerk received a Petition with 60 signatures in opposition to the Highway Garage Permissive Referendum.

·The special election with cost approximately \$2,000.

HIGHWAY GARAGE PERMISSIVE REFERENDUM

RESOLUTION #94:

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

WHEREAS, a Bond Resolution dated November 9, 2016 was adopted by this Town Board authorizing the demolition of part of the existing highway department garage and the construction of a new highway department garage at a cost of \$1,895,000 and the issuance of Bonds to pay the cost thereof and the said resolution was subject to a permissive referendum, and

WHEREAS, a petition in proper form protesting the adoption of the said resolution was duly filed with the Town Clerk on or about December 5, 2016 and therefore within the thirty (30) days required by Section 91 of the Town Law and containing sixty (60) signatures being more than 5% of the total vote cast for governor in the last general election held for the election of state officers, and

NOW, THEREFORE, it is resolved that there shall be submitted to the electors of the Town of Byron a proposition for the approval of the said Bond Resolution dated November 9, 2016 authorizing the issuance of bonds in the amount of \$1,895,000 to pay part of the cost of the construction of a new highway department garage at a Special election to be held on the 15th day of February, 2017 between 12:00p.m. and 8:00p.m. in the following form:

“SHALL THE RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BYRON DATED NOVEMBER 9, 2016 AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF \$1,895,000 TO PAY PART OF THE COST OF THE CONSTRUCTION OF A NEW HIGHWAY DEPARTMENT GARAGE BE APPROVED?

YES

NO

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

Vote: Ayes: 5 Nays: 0

UNION CONTRACT:

·Supervisor Yasses and Councilman Thompson met with the Highway employees to negotiate the union contract. There were a couple changes made, which included a set period for the 4 day work week, adding another floating holiday, changing the health care plan to run from January to January and changing health insurance plans to facilitate that change, the health insurance will include dental and eye, wage increase, and making the contract a 5 year contract instead of 3 year. The new health insurance plan will save the Town approximately \$4,000.00.

HEALTH INSURANCE PLAN

RESOLUTION #95:

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

Resolved, that the Byron Town Board approves a change of the health insurance coverage for Town employees from BCBS of WNY Gold PPO 7100 HSAQ to Independent Health iDirect Gold HSAQ with an annual deductible of \$2,100 signal/\$4,200 family. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

UNION CONTRACT

RESOLUTION #96:

Supervisor Yasses offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board hereby approves the union contract between the Town of Byron and the Highway Employees dated January 1, 2017 – December 31, 2021 as presented.

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT:

- Number of Inspections: 18
- Number of Zoning/Building Permits Issued: 4
- Number of Land Separations: 0
- Number of Special Use Permit Applications: 0
- Number of Building C.O./C.C. Issued: 3
- Number of Zoning Complaints Filed: 0
- Number of Zoning Complaints Resolved: 0
- Number of Stop Work Orders Issued: 0

·Land Separation for Ronald Gonyea approved.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

- Lights put up in the gazebo
- Committee reviewed and approved changes to their by-laws
- Position of vice chair added

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: 5 Nays: 0

ABSTRACTS

RESOLUTION #97:

Councilman Cudney 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	#12	#272 - #294	\$38,571.64
Highway Fund	#12	#157 - #173	\$21,838.05

Sewer Fund	#12	#38 - #39	\$ 3,219.84
General Fund	PA#11	#67 - #77	\$ 2,132.47
Sewer Fund	PA#11	#31 - #32	\$ 516.66

Councilman Klycek 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.....	\$ 60.00
Paid to NYS DEC.....	\$ 539.56
Paid to the Town of Byron Supervisor.....	<u>\$3,184.94</u>
Total Disbursed for November 2016.....	\$3,784.50

A **motion** was made by Councilman Cudney to approve the Town Clerk's Report as given for November, 2016. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

The October and November 2016 Financial Reports were reviewed.

A **motion** was made by Councilwoman Fuller to approve the October and November 2016 Financial Reports as written. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

Received Mortgage Tax payment in the amount of \$12,577.30, which is \$2,811.78 less than last year at this time, but the total amount received for 2016 is \$16,335.24 over the budgeted amount.

The Games of Chance Law was approved by a vote of 871 in favor and 86 votes against during the November election. The Games of Chance Law has been filed in the Secretary of State's Office by the Town Clerk.

Replacement of Town Hall entrance door: Received proposals from Low-Key Construction and Ferguson Builders to put a new door on the entrance to the Town Hall. Low-Key Construction proposal is for \$3,400, and Ferguson Builders is for \$2,740.

TOWN HALL ENTRANCE DOOR

RESOLUTION #98:

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

Resolved, that the Byron Town Board hereby awards Ferguson Builders, Inc. the contract to remove and replace the entrance door to the Town Hall at a cost not to exceed \$2,740.00.

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

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 7:

**WATER DISTRICT NO. 7 APPLICATION TO THE COMPTROLLER
RESOLUTION #99:**

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

RESOLVED: Pursuant to NYCRR Part 85 Section 85.3(b)(1) this Town Board states that the attached application to the State Comptroller for permission to form Water District No. 7 of the Town of Byron in Genesee County, New York was prepared at the direction of this Board pursuant to its resolution of June 16, 2016; that the Board has reviewed the contents of the application and believes them to be accurate; that this Board has determined that the proposed District for which permission is sought is in the public interest, for the reasons set forth in the application, and will not constitute an undue burden on the property which will bear the cost thereof; that the cost of the improvements will be assessed in whole against the benefited area; and that all real property so assessed will be benefited by the proposed improvements and no benefited property has been excluded from the proposed District.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 8:

Received legal petition for this district. There were 122 signatures needed and received 166 signatures (68%). Assessed value needed was \$9,750,000 and received \$14,024,500 (71.88%).

The next step is to accept the Legal Petition and to do an Order Calling Public Hearing to Form Water District No. 8, subject to Comptroller approval.

**ACCEPTANCE OF LEGAL PETITION FOR WATER DISTRICT NO. 8
RESOLUTION #100:**

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

RESOLVED, that the Town Board of the Town of Byron hereby accepts the legal Petition for Water District No. 8 received on December 2, 2016 pursuant to the Town of Byron Assessor's Affidavit of December 13, 2016, in which it states that said Petition was signed by owners owning a total of \$14,024,500.00, and by resident owners owning a total of \$10,637,500.00, and that therefore, owners of taxable real property totaling more than one-half of all taxable real property in said Water District, and resident owners owning more than one-half of taxable real property owned by resident owners in said District have signed said Petition.

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

Vote: Ayes: 5 Nays: 0

ORDER CALLING PUBLIC HEARING FOR WATER DISTRICT NO. 8

RESOLUTION #101:

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

At a Regular Meeting of the Town Board of the Town of Byron in the County of Genesee, held at the Town Hall in the Town of Byron on the 14th day of December, 2016.

PRESENT:

- Peter Yasses, Supervisor
- Suzanne Fuller, Councilman
- Jim Cudney, Councilman
- Fred Klycek, Councilman
- Jeff Thompson, Councilman

In the Matter of the Establishment of Water District No. 8 of the Town of Byron, Genesee County, New York.

**ORDER CALLING
PUBLIC HEARING**

WHEREAS, previously hereto a map, plan and report have been prepared by Chatfield Engineers, P.C., Licensed Engineers, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Byron, New York, relating to the establishment of the proposed Water District No. 8 in the Town of Byron, and

WHEREAS, such map, plan and report have been duly filed in the office of the Town Clerk of the said Town of Byron, and

WHEREAS, the boundaries of said Water District are as follows:

Town of Byron Water District No. 8:

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 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 12, 2016, and

WHEREAS, the proposed improvements consists of the installation of approximately 50,600 linear feet of water main, valves, hydrants and other appurtenances, and

WHEREAS, the maximum amount proposed to be expended by the said district is Two Million Eight Hundred Fifty-eight Thousand Dollars (\$2,858,000.00). Of said amount, Five Hundred Thousand Dollars (\$500,000.00) is anticipated to be provided by a grant from United States Department of Agriculture Rural Development, and 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 forty-two and 59/100 Dollars (\$1,142.59) 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 Five Hundred Thirty-two and 59/100 Dollars (\$2,532.59), 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

WHEREAS, a petition in due form has been received and was filed in the Town Clerk's office on December 5, 2016 and which, according to an affidavit sworn to by Barry Flansburg, Town Assessor, contains the signatures of the owners of more than one-half of the total assessed value of the real property in said proposed district and more than one-half of the real property owned by persons residing in said proposed district, and which petition sets forth with specificity the maximum amount to be expended and anticipated the first year and subsequent annual cost for a typical one or two family home as above set forth,

NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town of Byron will be held at the Town Hall, Route 237, Byron, New York at 7:00 p.m. on January 11, 2017 to consider the Establishment of said Water District No. 8 of the Town of Byron, including the environmental significance thereof and to hear all persons present interested in the subject matter thereof, concerning the same and for such other and further action on the part of said Town Board may be necessary and proper, with relation to the premises.

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

Peter Yasses, Supervisor	Aye
Suzanne Fuller, Councilwoman	Aye
Jim Cudney, Councilman	Aye
Fred Klycek, Councilman	Aye
Jeff Thompson, Councilman	Aye

Dated: December 14, 2016
By Order of the Town Board, Town of Byron
Debra L. Buck-Leaton, Town Clerk

FUTURE WATER DISTRICTS:

Barry King is working on getting signatures for Tower Hill water district

END-OF-YEAR MEETING:

A **motion** was made by Councilwoman Fuller to set the end of year meeting for December 28, 2016 at 7:00 p.m. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

2017 ORGANIZATIONAL MEETING:

A **motion** was made by Councilman Klycek to set the Organizational Meeting for January 3, 2017 at 6:30 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

John Sacket – He would like to see financial reports.

Supervisor Yasses: He can get a copy from the Clerk.

John Sackett: How much is the 3% raise for highway employees going to cost the Town?

Supervisor Yasses: He does not have that figure in front of him.

John Sacket: Has the County settled the sales tax issue?

Supervisor Yasses: Not yet, agreement doesn't end until 2018.

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 8:24 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