

BYRON TOWN BOARD MEETING

March 10, 2021

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

Supervisor.....	Peter Yasses
Councilmen.....	Sue Fuller
	Jeff Thompson
	Josh Kent
	Eric Zuber
Highway Superintendent.....	David Leaton
Town Clerk.....	Debra Buck-Leaton

Public (Via Zoom):

George Squires	Kaitlyn Moucha	Jim Lamkin	Tom Felton
Candy Hensel	Vic Digregorio	Sara Stockwell	
Michelle Piasecki, Harris Beach		Ivan Zajicek, Harris Beach	

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 February 10, 2021 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:

- Approved Land Separation for Joe Amico
- Approved site plan for storage units for Pete Yasses
- Discussed hamlet zone ideas and different uses within the hamlet zone
- The Planning Board affirmed that they need all documents relating to a matter coming before them at least 10 days prior to their meeting in order to review the documents thoroughly.

Amendment to Zoning Law – Battery Energy Storage

- Haven't heard anything from The Zoghlin Group

A **motion** was made by Councilwoman Fuller 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

Councilman Kent: There are benchmarks that, if met, will allow the Clean Energy Resources Committee to get money for projects. The following resolution is one of those benchmarks. The Committee and the Planning Board are requesting that the Town Board approve the following resolution.

NEW YORK STATE UNIFIED SOLAR PERMIT

RESOLUTION #44:

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

WHEREAS, the Town of Byron duly adopted the “NYS Fire Prevention and Building Construction” code to provide minimum requirements to safeguard the public safety; and

WHEREAS, the Town of Byron Code Enforcement Officer, who administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Town of Byron Code; and

WHEREAS, the Town of Byron requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal, or demolition of any building or other structure; and

WHEREAS, The New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration, repair, removal or demolition of any building or other structure; and

WHEREAS, The New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration, and repair of equipment and systems using solar systems; and

WHEREAS, The New York State Energy Research and Development Authority has develop a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS, The Town of Byron desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and implementing the new procedures,

NOW THEREFORE, BE IT RESOLVED, the Town of Byron hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

RESOLVED, The Town of Byron Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application for and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

RESOLVED, Any further actions required of the Town of Byron to effect the foregoing are hereby authorized and the Town Supervisor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

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

Vote: Ayes: 5 Nays: 0

SOLAR:

·The Town Attorney, Paul Boylan, and the attorney for NextEra are continuing to negotiate a PILOT and Host Agreement.

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:

·February 8, 2021 – Call out at 6331 Warboys Road. Backup in home, dug up tank, no issues on our end.

·February 9, 2021 – Dealt with a homeowner with an issue with a toilet. Referred them to a plumber.

·March 2, 2021 – Relay switch popped out at McElver Street lift station. Pumps were not alternating.

·Shaun is getting quotes for McElver Street pump station, but is having trouble getting a third quote.

A **motion** was made by Councilwoman Fuller 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

HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:

- Taking down snow fence
- Repairing lawns from snowplow damage
- Removed some trees
- Tower Hill bridge will be out from June 1st – possibly October

Supervisor Yasses: He would like to look into a new loader lease again. Because of product costs their will be a 3-5% increase in the price on April 1st.

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT – Mike Morris:

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

A **motion** was made by Councilwoman Fuller 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:

- Adopted 2021 Budget
- Reviewed Paul Boylan's revisions to the Park Rules and made clarifications which were sent back to Paul Boylan.

West Shore Park Law/Town of Byron Parks Law:

- The Town Board will review next month

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

Vote: Ayes: 5 Nays: 0

CLEAN ENERGY RESOURCES INFORMATION COMMITTEE – Candace Hensel:

- G/FLRPC made a presentation to the Committee.
- Grants are awarded on a points system. By replacing the HVAC unit the Town has already received some points.

ASSESSOR'S REPORT:

·The Assessor has asked that the Town Board pass the following resolution regarding electronic filing of grievances.

**ELECTRONIC FILING OF GRIEVANCES FOR 2021 ASSESSMENT ROLL
RESOLUTION #45:**

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

WHEREAS, the Town Board of the Town of Byron; Under section 104 of the Real Property Tax Law, an assessing unit is authorizing the electronic filing of complaints for the administrative review of real property

assessments must comply with the standards listed below. The Town of Byron is authorizing the e-filing of complaints by resolution. The Town must publish instructions for e-filing complaints by a method reasonably calculated to reach complainants.

Pursuant to the Department's authority under RPTL §104(1)(b), the following standards are hereby established for the electronic filing of complaints for administrative review of assessments:

- I. Assessing units may opt to allow the electronic filing of complaints by local law, ordinance, or resolution, as authorized by RPTL §104(3)(b).
- II. Assessing units that opt to allow the electronic filing of complaints must publish instructions for filing such a complaint by a method reasonably calculated to reach complainants who wish to file.
- III. Assessing units that opt to allow the electronic filing of complaints may accept electronically filed complaints directly via email or other electronic method established by the assessing unit, or indirectly via a vendor or contractor hired by the assessing unit for such purpose.
- IV. Any person aggrieved by an assessment (e.g., an owner, purchaser or tenant who is required to pay the taxes pursuant to a lease or written agreement) may electronically file a complaint (RP-524) if their property is located within an assessing unit that has opted to accept e-filing. Property owners may e-file a complaint on behalf of the property owner. If a complaint is being e-filed by a representative or attorney, it must include a fully completed power of attorney or designation of representative or the e-filed complaint may be rejected.
- V. Questions contained on an e-filed complaint, or used to generate an e-filed complaint, must be substantially similar to the questions contained on the RP-524. Instructions for e-filing complaints must be substantially similar to the instructions for the RP-524.
- VI. A separate complaint must be e-filed for each individual parcel unless the assessor, in his or her discretion, agrees in writing that a single complaint will be accepted for certain contiguous parcels identified in writing by the assessor.
- VII. By choosing to e-file, complainants consent to receive correspondence related to their complaint, as well as the determination of the BAR, via email or other electronic method established by the assessing unit.
- VIII. Complaints are strongly encouraged to e-file documents in advance of the filing deadline. User problems such as problems with a user's telephone lines, internet service provider, hardware, or software, problems in understanding or following the e-filing instructions, or rejection of a document because it contains a virus will not excuse an untimely filing. A complainant who cannot e-file a document because of any of these user problems must file conventionally and timely. An assessing unit's inability to receive a document via its e-filing system due to a technical failure will not excuse an untimely filing unless the assessing unit acknowledges the technical failure in writing and agrees in writing to an extension of time.

NOW THEREFORE BE IT RESOLVED, the town Board of the Town of Byron does hereby authorize the electronic filing of complaints for the administrative review of real property assessments for the year 2021 complying with the standards listed above.

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

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #46:

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	#3	#55 - #81	\$18,721.32

Highway Fund	#3	#26 - #38	\$14,437.59
Sewer Fund	#3	#6 - #9	\$3,797.63
Water Improv. Bene. Area #1	#3	#8	\$20,971.95
General Post Audit	#2	#8 - #12	\$1,809.41
Sewer Post Audit	#2	#3 - #4	\$561.79
Water District No. 1	#2	#2	\$120,000.00

Councilwoman Fuller 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.....	\$52.00
Paid to the Town of Byron Supervisor.....	<u>\$1,977.15</u>
Total Disbursed for February 2021.....	\$2,029.15

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

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The February 2021 Financial Report was reviewed.

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

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

Public Employer Health Emergency Plan (Required by NYS):

·Waiting to hear back from the union steward if it meets with the union's approval.

Genesee County Voluntary Distribution/January 2021:

·The Town received \$38,578.00 for the February 2021 Voluntary Distribution (sales tax revenue)

Sexual Harassment Training:

·All Town employees are required by law to take the sexual harassment training that was previously sent to you in an email. Please take the time to do the training right away if you haven't already.

Cable Franchise Agreement:

·Received \$7,826.68 for the Cable Franchise Agreement.

Water Rates:

·The County wants to raise the water rates and Supervisor Yasses is very much against this. He will continue to monitor the situation.

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER IMPROVEMENT BENEFIT AREA NO. 1:

·Councilman Thompson spoke with Scott Mattison at MRB Group and they are continuing to work on design while the Town waits for approval from the Comptroller.

·As per Supervisor Yasses, the Comptroller called Town Attorney Paul Boylan to get clarification on a couple of items. Paul is hopeful that the Town will get approval by the end of April.

AMENDMENT NO. 1 TO THE APRIL 11, 2018 RETAIL LEASE AGREEMENT FOR OPERATION OF WATER DISTRICTS BETWEEN THE TOWN OF BYRON AND MONROE COUNTY WATER AUTHORITY

RESOLUTION #47:

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

RESOLVED, that the Byron Town Board hereby authorizes the Town of Byron Supervisor to execute the Amendment No. 1 to the April 11, 2018 Retail Lease Agreement for Operation of Water Districts Between the Town of Byron and Monroe County Water Authority.

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

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

Vic Digregorio: Is there a new 10-wheeler coming

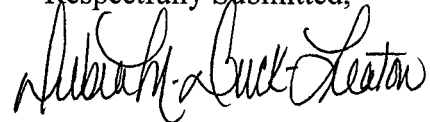
Highway Superintendent David Leaton: Yes, hopefully in September or October.

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 7:55 p.m. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk