

**BYRON TOWN BOARD MEETING**

April 11, 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.....Jim Cudney  
Sue Fuller  
Fred Klycek  
Jeff Thompson
- Highway Superintendent.....Brian Forsyth
- CEO/ZEO.....Mike Morris
- Town Clerk.....Debra Buck-Leaton
  
- Invited Guests.....Town Attorney, Paul Boylan
  
- Public:
- David Chupp.....Townline Road, Byron
- Mickey Truax.....Swamp Road, Byron
- Vic Digregorio.....Warboys Road, Byron
- Candace Hensel.....Rte. 237, Byron
- George Squires.....McElver Street, Byron
- James Thorman.....Freeman Road, Byron

**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 March 14, 2018 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:**

- Land Separation for property on Hessenthaler Road approved
- Mrs. Swinton from Walkers Corners Road would like the Planning Board to review pond regulations because she would like to put a pond on her property

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

Vote:           Ayes: 5           Nays: 0

**COMPREHENSIVE COMMITTEE REPORT – George Squires:**

- Turned report over to Wendell
- May 24<sup>th</sup> will be the 2<sup>nd</sup> public hearing
- Hoping to have a draft plan for review by the public hearing in May

A **motion** was made by Councilwoman Fuller to approve the Comprehensive 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

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

**HIGHWAY SUPERINTENDENT'S REPORT:**

- Busy right through last weekend with wind storm and spring snow
- Started cold patching roads but can't do too much with snow threat
- Started lawn restoration, mainly sod retrieval at this point
- New vendor - Lakeside Tool
- Bridge NY Program - culverts due by April 13<sup>th</sup>, bridges by 27<sup>th</sup>
- Probably order more salt, price only locked until October under County contract
- Truck bid
- Zero turn mower is over the amount budgeted, and he would like to know how the Town Board would like to proceed? The price of the zero turn has gone up \$1,400 since last year. The Board would like him to see if there is some type of trade in program available.

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

Vote:                   Ayes: 5                   Nays: 0

**PURCHASE OF 2019 HIGHWAY PLOW TRUCK**  
**RESOLUTION #44:**

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

***Resolved,*** that the Town of Byron purchase a 2019 Hunter Peterbilt truck cab and chasis from Hunter Truck Sales and Service at the public bid price established by the County of Oneida for the total purchase price of One Hundred Forty-Two Thousand Two Hundred Thirty-Eight Dollars (\$142,238.00), and be it further

***Resolved,*** that the Town of Byron purchase the dump body and plow equipment from Valley Fab and Equipment, Inc. at the public bid price established by the County of Oneida for the total purchase price of Seventy-Seven Thousand Three Hundred Fifty-Seven and 23/100 Dollars (\$77,357.23) and be it further

***Resolved,*** that the funds to pay for the above purchases be withdrawn from the Town of Byron Highway Equipment Reserve Fund, and be it further

***Resolved,*** that the above resolutions be and they are hereby adopted subject to a Permissive Referendum as provided in Article 7 of the Town Law.

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

Vote:                   Ayes: 5                   Nays: 0

**CEO/ZEO REPORT – Mike Morris:**

- Number of Inspections: 11
- Number of Zoning/Building Permits Issued: 3
- 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: 0
- Number of Zoning Complaints Resolved: 0
- Number of Stop Work Orders Issued: 0
- Number of Violations Sent: 2
- Number of Violations Resolved: 0

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

Vote:           Ayes: 5           Nays: 0

**PARK COMMITTEE REPORT – Councilman Cudney:**

- Replacing backboard when weather permits
- Discussed adding fish to Trestle Pond
- Discussed Duck Race
- Waiting for more responses on Gatekeeper position and Port-O-Potties quotes

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

Vote:           Ayes: 5           Nays: 0

**ABSTRACTS**

**RESOLUTION #45:**

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

***Resolved***, that the Byron Town Board pay the following abstracts:

<i>Fund:</i>	<i>Abstract:</i>	<i>Vouchers:</i>	<i>Amount:</i>
General Fund	#4	#92 - #116	\$21,715.36
Highway Fund	#4	#57 - #75	\$10,097.61
Sewer Fund	#4	#8 - #9	\$ 3,163.71
General Fund	PA#3	#10	\$ 447.38
Sewer Fund	PA#3	#6 - #7	\$ 743.27

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.....	\$ 40.00
Paid to the Town of Byron Supervisor.....	\$2,828.58
Paid to NYS DEC.....	\$ 23.62
Paid to NYS Comptroller for Games of Chance.....	<u>\$ 30.00</u>
Total Disbursed for March 2018.....	\$2,922.20

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

Vote:           Ayes: 5                   Nays: 0

**FINANCIAL REPORT:**

- The March 2018 Financial Report was reviewed.
- Councilwoman Fuller questioned why pages 18 and 19 of the report for Water District No. 5 and 6 were blank, but were filled in on earlier pages.

A **motion** was made by Councilwoman Fuller to approve the March 2018 Financial Report. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote:           Ayes: 5                   Nays: 0

**SUPERVISOR'S REPORT:**

**Meeting With Representative From Congressman Chris Collins's Office:**

- On March 26<sup>th</sup> Supervisor Rouse met with George McNerney, Field Director for Congressman Chris Collins, along with Councilman Jim Cudney and Highway Superintendent Brian Forsyth. Discussed possible grants for the highway department building and other thoughts on possible help for the Town.

**Meeting With Five Star Bank Regarding Money Management of Town Funds:**

- On March 27<sup>th</sup> Supervisor Rouse and Councilman Klycek met with Jane Scott and Elizabeth Nowak from Five Star Bank, and Michael Brace from Courier Capital, LLC with regard to money management of the Town's funds. Treasury vs. CD - more interest in Treasury than CD.

**GAM Meeting:**

- On March 15<sup>th</sup> attended GAM meeting. Discussed County water system, four towns have not signed agreement, and fire departments and ways to recruit new people.

**Cable Franchise Check:**

- Received check in the amount of \$9,597.25 for Cable Franchise Agreement.

**Sackett Farms Memo:**

- Received memo from John Sackett requesting that no houses, businesses or buildings be placed 1,500 feet from either end of his air strip.

**Paid Family Leave Act:**

- The Family Medical Leave Act (FMLA) is a federal law requiring unpaid leave to be provided by employers with 50+ employees. PFL (Paid Family Leave) is a state law that requires paid leave for all private sector employees.

- PFL benefits are funded by employee contributions through payroll deductions.

- The amount of leave and the amount of pay that the employee can receive increases over time from 8 weeks in 2018 to 12 weeks in 2021, and a weekly wage increase from 50% in 2018 to 67% in 2021.

- An employer is responsible for ensuring the employee returns to the same job position or to an equivalent position.

- Municipalities **ARE NOT** required to opt in to the Paid Family Leave Act.

**PAID FAMILY LEAVE ACT**

**RESOLUTION #46:**

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

**Resolved**, that pursuant to Workers' Compensation Law Section 212, the Town of Byron elects not to provide Paid Family Leave to its employees, effective January 1, 2018.

**Whereas**, employees will be notified that the Town of Byron is opting out of the NYS Paid Family Leave as soon as possible.

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

Vote:           Ayes: 5           Nays: 0

A **motion** was made by Councilman Klycek 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:**

·Almost ready to go to bid.

**WATER DISTRICT NO. 8:**

·Drawings have not been approved by MCWA yet

**RETAIL LEASE AGREEMENT:**

·New lease agreement extends terms of the lease agreement made in 2014 to 40 years to satisfy USDA-RD's request due to financing of new water districts for 38 years.

**RETAIL LEASE AGREEMENT FOR OPERATIONS OF WATER DISTRICTS WITH MCWA  
RESOLUTION #47:**

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

**Resolved**, that the Byron Town Board hereby approves the Retail Lease Agreement For Operation of Water Districts between the Town of Byron and Monroe County Water Authority, which agreement will supersede the existing lease between the Town and MCWA.

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

Vote:           Ayes: 5           Nays: 0


**PUBLIC COMMENTS:**

James Thorman – Discussed working on Mental Health issues

**ADJOURN:**

A **motion** was made by Councilman Klycek to adjourn the Byron Town Board Meeting at 8:06 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