

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

Vote: Ayes: 5 Nays: 0

COMPREHENSIVE COMMITTEE REPORT – Chairman George Squires:

- Reviewed 4 RFPs received for consultant services. Prices ranged from \$22,000 to \$38,000
- May 31st they will be doing interviews
- At the June Town Board meeting they will make a recommendation to the Board

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

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – Brian Forsyth:

- Finished rehabbing lawns from plow damage
- Equipment stripped and washed to start painting
- Through shared services with Batavia and Stafford paved Seven Springs Road
- Zero turn mower bought in 2011 may be last summer of use
- Will be taking an Excellus class at GCC for \$99
- Set up pricing on oil & stone...start hauling in stone
 - Caswell Road south of Walkers Corners Road
 - Bird Road
 - East Bird Road
 - Cole Road from bridge by Mud City Road to Swamp Road
 - Dead end of Fairgrounds Road

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT:

- Number of Inspections: 15
- Number of Zoning/Building Permits Issued: 13

Number of Land Separations: 0
Number of Building C.O./C.C. Issued: 0
Number of Zoning Complaints Filed: 1
Number of Zoning Complaints Resolved: 1
Number of Stop Work Orders Issued: 0

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

Vote: Ayes: 5 Nays: 0

PUBLIC HEARING – REVISED DEFINITION OF SOLAR ENERGY SYSTEMS

A **motion** was made by Councilwoman Fuller to open the Public Hearing regarding the revised definition of solar energy systems at 7:30 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 at 7:30 p.m. on Wednesday, May 11, 2016 at 7:00 p.m. at the Byron Town Hall at 7028 Rte. 237, Byron, New York to hear all persons present regarding a recommendation from the Town of Byron Planning Board to amend the Town of Byron Zoning Ordinance Section 11.15 Solar Energy Systems to permit installation of such systems which are attached to buildings in all districts without a Special Permit.

Copies of the proposed amendment may be obtained from the town Clerk during her regular business hours.

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

REVISED DEFINITION OF SOLAR ENERGY SYSTEMS:

Section 11.15 Solar Energy Systems:

- (a) Attached solar energy systems are permitted in all districts.
- (b) Ground-mounted solar energy systems are permitted in other than R-1 districts with approval by the Planning Board with a Special Use Permit and Site Plan Review. Such systems must minimally adhere to the following setback requirements as in letter (c).
- (c) Setback requirements for ground mounted solar systems in other than R-1 Districts:
 - (i) Front setback must be behind the principal building front setback requirements (see Table 1)
 - (ii) Side and rear setbacks must be at least 1.5 times the height of the solar energy structure.

To be added to Section 2.02 Definitions:

Solar energy systems, attached – roof or building mounted solar energy systems are attached to the top or side of a building or structure.

Solar energy systems, ground mounted – ground mounted or free standing solar energy systems are installed directly in the ground and not attached to any existing structure. Single or multiple panels can be mounted on individual or multiple poles when space, structural, shade or other constraints inhibit roof mounted systems. Much larger free standing systems, including solar farms, can be constructed on the ground.

PUBLIC COMMENTS:

None

A **motion** was made by Councilman Cudney to close the Public Hearing regarding the revised definition of solar energy systems at 7:35 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

REVISED DEFINITION OF SOLAR ENERGY SYSTEMS

RESOLUTION #47:

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

Resolved, that the Byron Town Board hereby adopts the revised definition of solar energy systems to read as follows:

Section 11.15 Solar Energy Systems:

- (d) Attached solar energy systems are permitted in all districts.
- (e) Ground-mounted solar energy systems are permitted in other than R-1 districts with approval by the Planning Board with a Special Use Permit and Site Plan Review. Such systems must minimally adhere to the following setback requirements as in letter (c).
- (f) Setback requirements for ground mounted solar systems in other than R-1 Districts:
 - (iii) Front setback must be behind the principal building front setback requirements (see Table 1)
 - (iv) Side and rear setbacks must be at least 1.5 times the height of the solar energy structure.

To be added to Section 2.02 Definitions:

Solar energy systems, attached – roof or building mounted solar energy systems are attached to the top or side of a building or structure.

Solar energy systems, ground mounted – ground mounted or free standing solar energy systems are installed directly in the ground and not attached to any existing structure. Single or multiple panels can be mounted on individual or multiple poles when space, structural, shade or other constraints inhibit roof mounted systems. Much larger free standing systems, including solar farms, can be constructed on the ground.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

- Nicole Kulzer has been working on flower beds
- Horseshoe pits have been repaired
- Picnic tables and dock have been repaired
- Trails will be remarked
- Some 4-wheeler damage done in parks
- Boy Scouts will be camping in Trestle Park in June
- Trestle Park bridge needs some repairs
- Bathrooms at Fireman’s Park need repairs

A **motion** was made by Councilman Thompson 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

ABSTRACTS

RESOLUTION #48:

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	#5	#97 - #114	\$ 5,851.57
Highway Fund	#5	#51- #58	\$ 2,990.35
Sewer Fund	#4	#9 - #18	\$ 3,848.75
General Fund	PA#4	#17 - #22	\$ 1,929.48
Sewer Fund	PA#4	#12 - #14	\$ 689.23
Water District No. 5	#4	#5	\$ 1,500.00
Water District No. 6	#5	#7 - #8	\$ 9,847.80

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.....	\$ 106.00
Paid to NYS DEC.....	\$ 114.36
Paid to the Town of Byron Supervisor.....	<u>\$3,134.94</u>
Total Disbursed for April 2016.....	\$3,355.30

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

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

- The April 2016 Financial Report was reviewed.

A **motion** was made by Councilman Thompson to approve the April 2016 Financial Reports. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

·Received check in the amount of \$139,771.97 from the County Treasurer for Sales Tax payment.

·Received check in the amount of \$64,021.92 from the County Treasurer for Snow and Ice on County Roads

·June 7th there will be an informational meeting at the South Byron Fire Hall on requirements for racing and wagering licenses

·Need to have a motion for the Sleds of Stafford Landowner Permission Form

A **motion** was made by Councilman Klycek to authorize the Supervisor to sign the Landowner Permission Form For Land Use for Sleds Of Stafford Trails for the 2016-2017 Season. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 5:

·Hilander finishing restoration

WATER DISTRICT NO. 6:

·Randsco will be doing restoration within two weeks

WATER DISTRICT NO. 7:

·Need to get 12-15 wells tested in order to qualify for a hardship grant through Rural Development. Supervisor Yasses will be working with residents and the Health Department to get wells tested.

·As of May 1st USDA is requiring that a Code of Ethics and Ethics Board be established for the Town prior to lending funds

WATER DISTRICT NO. 7 LEGAL SERVICES AGREEMENT

RESOLUTION #49:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Legal Services Agreement with Paul S. Boylan, Esq. with regard to Water District No. 7. The fee for such work shall be \$225.00 per hour.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 7 MUNICIPAL SOLUTIONS, INC. PROPOSAL FOR SERVICES

RESOLUTION #50:

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

FURTHER RESOLVED, the Town Board has determined that, as portions of the project are located within a Genesee County Agricultural District, the proposed action is a Type I action as defined under SEQR; and, be it

FURTHER RESOLVED, the Town Board has commissioned LaBella Associates DPC to prepare Part 1 of the Environmental Assessment Form regarding the project, and be it

FURTHER RESOLVED, the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of Part 1 of the full Environmental Assessment Form for review during the 30-day comment period.

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

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Thompson to hold a Special Meeting at 6:15 p.m. on June 15, 2016. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FUTURE WATER DISTRICTS:

·LaBella doing income surveys for proposed areas. This will be the last time the Town does income surveys for these areas, and if they do not come to fruition they will not be revived anytime soon.

HIGHWAY GARAGE:

·Had a meeting on May 5th. The committee will be going to look at Stafford's highway garage for ideas. They will be looking for grants.

PUBLIC COMMENTS:

Councilwoman Fuller: Would like phone numbers for Fire Chiefs.

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:13 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