

**BYRON TOWN BOARD MEETING**

May 9, 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.....Michael Brace, Five Star Bank
  
- 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 April 11, 2018 as written with the amendment of the Comprehensive Committee Report to change the May 24<sup>th</sup> public hearing to an informational meeting. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**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.

·Michael Brace was present at the Town Board meeting to discuss the choices the Town has with regard to investing Town funds (a copy of the proposal with Courier Capital, LLC is attached to these minutes). Town funds would be secured.

**PLANNING BOARD REPORT – Councilman Cudney:**

·The Planning Board received an application from Mr. and Mrs. Cassidy on Mechanic Street in S. Byron which was denied by the CEO because of setback requirements. The matter will be heard by the Zoning Board of Appeals.

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

·Public informational meeting to be held on May 24<sup>th</sup> at 7:00 pm at the South Byron Fire Hall

A **motion** was made by Councilman Cudney to approve the Comprehensive Report as given. The motion was seconded by Councilwoman Fuller 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

***Other:***

- On April 16<sup>th</sup> babysat system for many hours because of heavy rains.
- Located septic tank for homeowner by the post office.
- Looking into prices for flow meter for North Byron.
- Going to be replacing stand pipes in South Byron.

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

Vote:           Ayes: 5           Nays: 0

**HIGHWAY SUPERINTENDENT'S REPORT:**

- Lawn repair done
- Washed all plow equipment
- Discussed state snow and ice agreement and possibly not renewing agreement
- Road striping bids are down
- Roadside mower bolt snapped and had to get it fixed
- Gordon Yohe resigned from recycling center

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

Vote:           Ayes: 5           Nays: 0

**PURCHASE OF 2019 HIGHWAY PLOW TRUCK**

**RESOLUTION #48:**

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

***Whereas***, there was established a capital reserve fund for the purchase of highway equipment which was established without a specific either piece of equipment specified or a specific amount estimated to be expended, and

***Whereas***, it is therefore now necessary to call a permissive referendum to withdraw money from that fund to purchase a dump truck/snowplow for the highway department,

*Now, therefore* be it

**Resolved**, that there be withdrawn from the Highway Equipment Capital Reserve Fund the sum of \$219,595.23 to be applied to the purchase of one (1) 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 the purchase of a 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 above resolutions be and is hereby adopted subject to a Permissive Referendum pursuant to 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: 18
- Number of Zoning/Building Permits Issued: 9
- 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
- Number of Violations Sent: 1
- 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 Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**PARK COMMITTEE REPORT – Councilman Cudney:**

- There will not be a duck race, and instead they may do a raffle
- Creekside Rental bid for Port-O-Johns was accepted for \$820.00
- George Squires had the only bid for the Gatekeeper position for \$500.00
- Stocking Trestle Park pond with fish
- Next meeting will be June 7<sup>th</sup> at the Community Park for cleanup
- June 1<sup>st</sup> – 3<sup>rd</sup> the Boy Scouts will be camping at Trestle Park

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

Vote:           Ayes: 5           Nays: 0

**MUSEUM REPORT – Councilwoman Fuller:**

- Trying to lock in a date for the Spring dinner
- Spring cleanup and helpers needed to man the museum on Sundays
- Byron Presbyterian Church is celebrating their 200<sup>th</sup> birthday
- The historical society is still interested in insulating the museum and adding heat and air conditioning

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

Vote:           Ayes: 5                   Nays: 0

**FIRE DEPARTMENT REPORT:**

- New insurance requirements regarding cancer are coming out for fire departments
- New mandates are coming
- They do have their financial reports ready
- Next meeting is June

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

Vote:           Ayes: 5                   Nays: 0

**ABSTRACTS**

**RESOLUTION #49:**

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

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

<b><i>Fund:</i></b>	<b><i>Abstract:</i></b>	<b><i>Vouchers:</i></b>	<b><i>Amount:</i></b>
General Fund	#5	#117 - #134	\$23,301.49
Highway Fund	#5	#76 - #87	\$ 6,846.17
Sewer Fund	#5	#10 - #21	\$ 4,343.71
General Fund	PA#4	#11 - #17	\$ 1,986.90
Sewer Fund	PA#4	#8 - #9	\$ 585.98

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

Vote:           Ayes: 4                   Nays: 1 (Councilman Thompson)

·Councilman Thompson would like to know who authorized the new Judge’s bench and why the Town Board was not informed of the changes. He would like the Town Justice to come to the next board meeting to discuss the changes and the JCAP grant.

**TOWN CLERK’S REPORT:**

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 55.00
Paid to the Town of Byron Supervisor.....	\$2,549.04
Paid to NYS DEC.....	\$ 70.86
Paid to Park Committee.....	<u>\$ 30.00</u>
Total Disbursed for March 2018.....	\$2,704.90

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

Vote:           Ayes: 5                   Nays: 0

**FINANCIAL REPORT:**

- The April 2018 Financial Report was reviewed.
- Councilwoman Fuller questioned why the last pages of the Monthly Report for Water District No. 5, 6 and 8 were blank, but were filled in on earlier pages.

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

Vote:           Ayes: 5           Nays: 0

**SUPERVISOR'S REPORT:**

**Bergen Recycling Facility:**

- Ernie Haywood, Supervisor of the Town of Bergen, called and is looking at possibly closing Bergen recycling facility. People brought up the possibility of going to Byron Transfer Station.
- Superintendent Forsyth does not think it would be a good idea.

**GAM Meeting:**

- Batavia and Bergen signed County Water Agreement
- Other towns are doing various water projects

**Congressman Collins Meeting - Broadband:**

- Attended meeting on broadband for rural communities along with Michael O'Rielly from FCC commission.

**Health and Safety Meeting:**

- Attended health and safety meeting at the Byron-Bergen School with regard to lock down procedures.

**Genesee County Hazard Mitigation Plan Meeting:**

- Attended a meeting with Bill Schutt regarding the Genesee County Hazard Mitigation Plan. Plan discusses what each town needs to do in case of an emergency.

**Budget Seminar:**

- Attended budget seminar in Ogden.

**Sales Tax Check:**

- Received 1<sup>st</sup> quarter sales tax check in the amount of \$148,618.66.

**Snow and Ice Payment:**

- Received snow and ice payment from Genesee County in the amount of \$54,876.99

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

Vote:           Ayes: 5           Nays: 0

**OTHER BUSINESS:**

**WATER DISTRICT NO. 7:**

- Pre-bid meeting on Thursday, May 17<sup>th</sup> at 11 a.m.
- Bid opening on Thursday, May 24<sup>th</sup> at 11 a.m.

**WATER DISTRICT NO. 7 MAIN EXTENSION AGREEMENT:**

**RESOLUTION #50:**

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

**Resolved**, that the Byron Town Board hereby approves the Main Extension Agreement between the Town of Byron and Monroe County Water Authority for the operation and maintenance of Water District No. 7. Councilman Klycek seconded the resolution which was adopted by the following vote:

Vote:           Ayes: 5                   Nays: 0

A **motion** was made by Councilwoman Fuller to hold a Special Meeting of the Town Board on Wednesday, May 30, 2018 at 6:00 p.m. to award the bid for Water District No. 7. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5                   Nays: 0

**WATER DISTRICT NO. 8:**

**WATER DISTRICT NO. 8 ENGINEERING SERVICES AMENDMENT NO. 1:**

**RESOLUTION #51:**

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

**Resolved**, that the Byron Town Board hereby approves the Engineering Services Amendment No. 1 between the Town of Byron and Chatfield Engineers for Water District No. 8.

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

Vote:           Ayes: 5                   Nays: 0

**SLEDS OF STAFFORD:**

A **motion** was made by Councilman Cudney to give the Supervisor authority to sign the Sleds of Stafford Permission Form for 2018-2019. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:           Ayes: 5                   Nays: 0

**STANDARD WORK DAY AND REPORTING FOR ELECTED AND APPOINTED OFFICIALS IN THE NYS RETIREMENT SYSTEM**

**RESOLUTION #52:**

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

**BE IT RESOLVED**, that the Town of Byron hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs. Max. 8 hrs.	Name	Social Security Number (Last 4 Digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin/End Dates	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Highway Superintendent	8	Brian Forsyth		35787134	<input type="checkbox"/>	01/01/18-12/31/19	43.23	<input type="checkbox"/>

Town Clerk	6	Debra Buck-Leaton		41999194	<input type="checkbox"/>	01/01/18-12/31/21	20.56	<input type="checkbox"/>
<b>Appointed Officials</b>								
Assessor	6	Barry Flansburg		34311712	<input type="checkbox"/>	10/01/13-09/30/19	7.31	<input type="checkbox"/>
Code/Zoning Officer	6	Michael Morris		40418618	<input type="checkbox"/>	01/01/2018-12/31/2018	6.73	<input type="checkbox"/>
Town Councilman	6	Alfred Klycek		61476180	<input type="checkbox"/>	01/01/2016-12/31/2019	.45	<input type="checkbox"/>
Historian	6	Elizabeth Wilson		39504477	<input type="checkbox"/>	01/01/18-12/31/18	.32	<input type="checkbox"/>
Historian	6	Robert Wilson		41779828	<input type="checkbox"/>	01/01/18-12/31/18	.44	<input type="checkbox"/>

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

Vote:                   Ayes: 5                   Nays: 0

**COUNTERTOPS FOR JUDGE’S BENCH:**

·Received 2 quotes from Jeff Cudney for new countertops for the new Town Board/Judge’s bench. The first is for new countertop on the whole bench at a cost of \$1,320.00, and the second is for new countertop just on the two new sections of the bench at a cost of \$955.00.

·The Town Board would like to discuss this with the Judge before moving forward.

**PUBLIC COMMENTS:**

·George Squires said the flags on the judge’s bench need to be switched. The American flag should be on the left as you’re facing the judge’s bench

·Discussed pot holes at the intersection on Pumpkin Hill

**ADJOURN:**

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 8:55 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



# Courier Capital, LLC

Registered Investment Adviser

An affiliate of Five Star Bank

## Town of Byron

### Courier Capital, LLC

April, 2018

#### Investment Management Services Proposal

##### Firm Information

Courier Capital, LLC has offices in Buffalo, Williamsville and Jamestown, New York. The main office is located at 1114 Delaware Avenue, Buffalo, NY 14209. Founded in Buffalo in 1967, Courier Capital is a market leader of customized investment management, consulting, and servicing solutions for retirement plans, institutions, and private clients. We have grown to become one of Western New York's largest Registered Investment Advisors, with client assets of over \$1.6 billion. Courier Capital, LLC is a wholly owned subsidiary of Financial Institutions, Inc., and an affiliate of Five Star Bank. We acquired Robshaw & Julian Associates, Inc. in August 2017.

Investment philosophy – Our investment strategy is based on the client's goals, objectives, significant time frames and tolerance for risk. Courier Capital works with the client and/or investment committee to identify appropriate asset classes, evaluate potential asset allocation strategies and define rebalancing parameters and processes. Courier Capital leads this process, provides research and recommendations and articulates the strategy for approval by the client. The key aspects of Courier Capital's consulting philosophy are:

- The foundation of successful investment programs is accurately identifying specific goals, objectives, time horizons and risk tolerances.
- The most critical investment decisions involve appropriate asset classes, asset allocation and investment strategy.
- Guided by the above, building a customized investment program will add value in terms of risk and return over the long-term.
- Employing best-practices, highly skilled professionals and state-of-the-art information technology in all aspects of the investment process will also add value.

Courier Capital continuously assesses the current market and economic conditions, and our advice is tailored to the needs of each client. As we see changes in the market, we work with our clients to understand the impact these changes may have on their portfolios as well as their overall goals and objectives. Depending on individual cash-flow needs time frames and the risk tolerance of the client, we may implement tactical changes to their portfolio as warranted by market conditions.

##### Asset Management Fees



Asset management fees include all trading and custody-related services. It is important to know that Courier Capital Corporation has no financial/economic arrangements with any of its investment managers, mutual funds or custodians. The only revenue we earn is our asset-based fee paid directly by the client.

Courier Capital's proposed fee structure is:

0.15% on the first	\$5,000,000
0.10% on the next	over \$5,000,000

This fee will cover all services provided by Courier Capital Corporation that include, but are not limited by the following:

- Establishing Investment Goals, Objective and Restrictions
- Asset/Liability Matching based on Expected Cash Flow and Liquidity Needs
- Discretionary portfolio management
- Custody Services
- Financial Reporting and Performance Analysis

#### **Proposed Investment Policy and Asset Allocation**

The asset allocation decision is coordinated with each specific client's risk tolerance and return objective. This is balanced against any constraints such as liquidity or unique circumstances.

Investment Policy Assumptions:

- Portfolio allocation across maturities will be adjusted based upon anticipated timing of cash inflows and outflows
- Asset allocation shall be 100% fixed income
- Eligible Securities will include only bank Certificates of Deposit (CD's) and US Treasury obligations
- Asset/Liability management will closely match the investments with the expected cash flow and liquidity needs

Investment decisions will be governed by the goal of seeking the highest net returns for each maturity and moving between CD's and Treasury obligations based on interest rate differentials in the market. CD's will be purchased in amounts limited to FDIC insurance (for brokered CD's issued by banks other than Five Star Bank).

Model portfolio illustration is attached showing indicative yields. Actual yields will vary depending on market conditions at the time of investment.