

BYRON TOWN BOARD MEETING

September 12, 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
Town Clerk.....	Debra Buck-Leaton

Public:

Vic DiGregorio	Ben Raccuia	George Squires
Steve Lockner	John Sackett	Scott Blossom
Laurel Smith	Reggie MacDonald	Constance King
Barry King	John Durand	Bob Mruczek
Lori Mruczek	Victor Flanagan	Lisa Flanagan
Candace Hensel	Dwane Weatherell	Paul Carr
Michelle Weatherell	Linda Johnston	Tammy Wells
Brad Nickerson	Charles Durkee	Zachary Johnson
Dean Bates	Tim McKenrick	Anthony Barniak

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 August 8, 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:

- Planning Board member Bill Corson is moving from Byron and has submitted a letter of resignation. Ben Raccuia, who has recently moved to Byron, filled out an application to become an alternate member of the Planning Board.
- Land separation for Star Growers was submitted for property on Upper Holley Road that Brent Chapman would like to purchase in order to put an addition onto his house. The committee will be waiting until the application is complete before moving forward.
- November 14th there is going to be a solar energy workshop in Batavia.
- Next Era Energy contacted the Supervisor. A moratorium was discussed by the Planning Board. The Planning Board Chairman, Aaron Sharp, contacted County Planning and they suggested doing a Local Law instead of doing a moratorium.
- NYSERDA contacted the Supervisor and they are going to meet with the Town Board at next month’s meeting to discuss solar power.

A **motion** was made by Councilman Cudney to accept the resignation of Bill Corson from the Planning Board, and that a letter of thanks be sent to him. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Thompson to appoint Christopher Hilbert as a permanent member of the Planning Board to finish out the term vacated by Bill Corson from 10/1/2018-12/31/2022. 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 application of Ben Raccuia to the Planning Board as an alternate to complete the term vacated by Christopher Hilbert from October 1, 2018 – December 31, 2018. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

COMPREHENSIVE COMMITTEE REPORT – George Squires:

·The Comprehensive Committee voted to formally accept the draft 2018 Byron Comprehensive Plan and to pass it on to the Town Board. The Town Board needs to review the Plan and there needs to be at least one more Public Hearing. A copy also needs to go to County Planning.

·The Comprehensive Committee will not meet again until the Town Board decides what action it will take.

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

- Finished pumping tanks

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

- Talked to neighbor to the south of the town hall about property line
- Fixing driveway
- Transmission went on black truck

·Still working on state snow and ice agreement

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

- Discussed plans for fixing the tennis court surface and replacing fencing around the tennis court
- A boot scrub was installed at Trestle Park to minimize invasive species of plants, and the Park Committee would encourage people to use the scrub to help stop the spread of these invasive species.
- Discussed budget request for 2019
- Discussed doing a public survey on use of the tennis courts

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

MUSEUM REPORT – Laurel Smith:

- There was a record number in attendance at the museum a couple of weeks ago.
- Would like to get fans for ag room.
- Fall dinner meeting will be October 3rd at 6:00 p.m. at the fire hall. There will be a presentation by Jeff Donahue.
- Centennial celebration will be in 2020.

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

2019 VOLUNTEER FIRE FIGHTER (VFF) CANCER BENEFIT LAW – John Durand

- See attached presentation
- The fire departments estimate that it will cost approximately \$225 per fire fighter per year to cover expensive. There will probably be 15 fire fighters from each department that will need to be covered
- Law states that the Town is responsible for the cost of insurance
- The Town Board will need an exact head count in order to cover them.

ABSTRACTS

RESOLUTION #65:

Councilman Thompson 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	#9	#217 - #245	\$15,609.62
Highway Fund	#9	#140 - #152	\$13,521.04
Sewer Fund	#9	#32 - #36	\$12,175.60
General Fund	PA#8	#31 - #39	\$ 3,182.50
Sewer Fund	PA#8	#16 - #17	\$ 496.23

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.....	\$ 66.00
Paid to the Town of Byron Supervisor.....	\$3,408.12
Paid to NYS DEC.....	\$2,728.48
Paid to the Department of Health for Marriage Licenses.....	\$ 45.00
Total Disbursed for August 2018.....	\$6,247.60

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

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

The August 2018 Financial Report was reviewed.

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

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

Lime Energy – Energy Savings Plan:

The cost to change lights to LED in the highway garage and town hall would be \$12,569.14, with the Town's cost to be \$2,513.83 and National Grid's contribution to be \$10,055.31.

Supervisor Rouse would like the Town Board to review the agreement and discuss it at next month's meeting.

2018 Audit:

The Town will need to have a town wide audit in 2019 because the debt the Town will carry for 2018 will be over \$1,000,000 because of the Water Districts. The cost to do the audit will be \$11,250.00, which cost will mostly be paid by the Water Districts.

Councilman Klycek stated that he would like to see what other accounting services companies would charge for doing the Town's day-to-day accounting services and also the yearly audits, and after some discussion it was decided that the Supervisor would send out RFPs to several companies to see if there's a difference in cost.

A **motion** was made by Councilman Klycek to have the Supervisor seek RFPs for day-to-day accounting services and audit services for the Town. The motion was seconded by Councilwoman Fuller and carried with 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:

·Preconstruction meeting was held today. The construction company should begin within the next 2-4 weeks.

WATER DISTRICT NO. 8:

·Waiting for easements to be signed and more paperwork to be completed.

WATER DISTRICT NO. 8 – SEQRA RESOLUTION

RESOLUTION #66:

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

WHEREAS,

1. The Town Board has previously determined that it would undertake the public water supply improvements within the proposed Water District No. 8 (the "Project"), which originally consisted of approximately 50,600 linear feet of 8-inch and 10-inch waterlines along portions of Cockram Road, Lyman Road, and Beaver Meadow Road as well as additional 3,200 linear feet of waterline along Ivison Road between Gillette Road and Freeman pending budget.
2. On January 11, 2017, the Town Board declared itself Lead Agency under State Environmental Quality Review Act (SEQRA) with respect to the environmental review of the Project and determined the Project as a Type I action as portions of the project are located within a Genesee County Agricultural District.
3. On March 8, 2018, the Town Board issued a negative Declaration for the Project after preparing a full Environmental Assessment Form and finding no significant adverse impact on the environment.
4. The Town Board updated the Project scope since then to encompass additional 400 linear feet of watermain installation along S. Byron Road (NYS Route 237) at the intersection of Cockram Road.
5. At the Town Engineer's request, LaBella Associates, DPC reviewed the additional proposed improvement in relation to the 2017 SEQRA documentation and provided updated findings, as described in the September 2018 Memo attached to this Resolution. Specifically the updated Project was reevaluated in order to reanalyze those environmental resources potentially affected by the passage of time and to update and confirm the SEQRA findings based on the additional scope item.
6. The Town Board has considered the Revised Record prepared including the proposed Amended Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Byron hereby accepts the updated Environmental Assessment and accompanying September 2018 Memo submitted by LaBella Associates, DPC.

The Town Board hereby declares that, based on the above-referenced updated Environmental Assessment and Memo, the Project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. An amended Negative Declaration under SEQRA is therefore issued for the updated Project.

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

Vote: Ayes: 5 Nays: 0

FUTURE WATER DISTRICTS:

·Looking at combining Old State Road and Rte. 33 with the Town of Bergen.

·For Warboys Road Water District, LaBella's need approval from USDA to do income surveys, Barb Johnson has been denied 3 times, but is still trying.

BUDGET MEETING:

A **motion** was made by Councilman Cudney to hold a Special Budget meeting of the Byron Town Board on Wednesday, September 19, 2018 at 7:00 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

·Councilwoman Fuller discussed that the County wants to lock the Towns into a 40 year agreement and cap the sales tax contribution to the Towns at the 2018 rate.

John Sackett - .60/1,000 doesn't cover Water District No. 1, discussed sales tax, Legislator terms need to stay at 2 years and not the proposed 4 years.

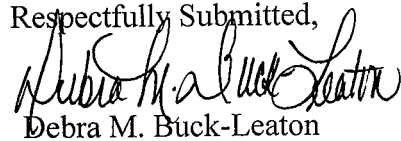
Barry King - Stairs that go to recycling in the back at the transfer station are broken.

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:29 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