

BYRON TOWN BOARD MEETING

January 14, 2009

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

Supervisor.....Thomas Felton
Council Members.....John Ivison
Jeanne Freeman
Jack Redick
Highway Superintendent.....George Heins
Town Clerk.....Debra Buck-Leaton

Absent:
Council Member.....Craig Ferguson

Public:
Mickey Truax.....Swamp Road, Byron
David Chupp.....Tripp Road, Byron
Jim Cudney.....Rte. 237, Byron
Bill and Barb Emerson.....Terry Street, Byron
Pete Yasses.....Rte. 237, Byron
Jim Buchanon.....Byron

PLEDGE TO THE FLAG:

Supervisor Felton led the people in attendance in the Pledge of Allegiance.

MINUTES:

A **motion** was made by Councilwoman Freeman to approve the Byron Town Board Minutes of December 10, 2008, December 30, 2008, and January 2, 2009 as written, with the exception that it should be noted in the January 2, 2009 meeting minutes that the wording in the Schedule of Building Permit Fees regarding Agricultural Buildings should be removed. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PLANNING BOARD REPORT – Councilman Ivison:

·No Planning Board action taken at last meeting. Discussed Schedule of Fees and other proposed fees for mobile home parks, increased zoning revenue, etc.

COMPREHENSIVE PLAN UPDATE:

·Will be meeting next Tuesday

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

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – George Heins:

- Doing winter road work
- When weather gets better they will be removing tree limbs

Building Committee:

- Concerned with ceiling space in Councilman Ferguson’s Byron Highway Building Proposed Morton Building Project proposal
- Would like to see an engineer come in to give the Town an idea of what the cost would be to expand highway garage
- Also concerned about the loss of parking lot space to back the trucks out if the building is added onto in the front.

Councilwoman Freeman – Has drainage problem been taken into account?

Supervisor Felton – He would like to see the Town work with other municipalities and maybe the fire departments to share services.

Councilman Ivison – He would like to see people with more expertise on the committee

A **motion** was made by Councilman Ivison to approve the Highway Report as given. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

WASTE WATER REPORT:

Compliance

- Passed all requirements

Finished Projects

- Took weekly samples
- Took monthly samples
- Monthly reports
- Continue meter readings
- Checked all pumps for operation
- Called in on 12/8/08, sewage backed up at home, homeowners problem
- Change pump and piping at house on Mill Pond Road
- Called in on 12/27/08, high flow due to snow melt
- 12/28/08, checked system throughout the day, ran pumps
- 12/29/08, south filter bed lost power, generator didn’t turn off when power restored. Repaired switches.
- 12/30/08, South Byron flow meter not working, repaired and calibrated
- Called to home on Freeman Road, homeowner had questions regarding sewer

Future Projects

- Inventory

- Replace pumps
- Continue preventative maintenance program
- Have flow meters calibrated

Notes:

Looking back through past records as far back as 1996, high flows have been recorded during wet weather events. The difference now being is it seems to be more prolonged. Lasting several more days then in the past. We are aware of the smoke testing and several repairs made to the system as a result of the report. VRI has reviewed the smoke testing report and in it the tester referred to a couple of roof drains that may be hooked into the sewer system, but we don't know of any follow up. Also there is no mention of sump pump inspections. Illegal sump pump hook ups can be a major source of infiltration. VRI suggests a sump pump inspection program be put in place to combat the high flow problem. All lab results were in compliance with the town SPEDES permits, but we have sent in a noncompliance report to the DEC for going over the flow limits.

Councilwoman Freeman: She would like to know if the homeowner who had the problem paid for VRI to come out? If the problem was created by the homeowner, according to the Sewer Ordinance they are liable for payment.

Supervisor Felton: He will check into it.

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

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

The 2008 Annual Local Code Administration and Enforcement Report prepared by the Zoning/ Code officer was reviewed.

A **motion** was made by Councilman Ivison to approve the CEO/ZEO report as written. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – Supervisor Felton:

- Had election of officers
- Waiting for warmer weather to construct storage shed at Fireman's Park
- Most of the plastic on the ice skating rink came off due to the high winds
- Asked for recommendations for another grant application for Helping Hand Grant
- Work is still in progress for the bicycle rack
- January 24, 2009 is a benefit auction for Jen Bobzin

Byron Town Park Committee – 2008 Report

The Byron Town Park Committee includes: George Hillabush (Chair), Donna Bobzin (Treasurer), Rev. James Renfrew (Secretary), Bob Eichenberger, George Squires, Harold Austin, Laura Platt, Alberta and William Hawken, David Chupp, Al Secash and Rita Reding. The Park Committee members are appointed by the Byron Town Board, and normally serve 3 year terms. The liaison from the Town Board is Supervisor Tom Felton.

The committee normally meets on the first Wednesday of the month, 7:00 PM, at the Byron Fire Department. Visitors are always welcome, and we especially welcome hearing ideas from residents concerning the use and improvement of our parks. The park areas the committee is concerned with are: **Trestle Park** (can be reached by car from Byron-Batavia Road or on foot from Terry Street), **Firemen's Park** (behind the Byron Fire Hall), and **Turtle Park** (on Swamp Road).

Projects Completed in 2008

1. Dock repair at Turtle Park (with the help of the Town Highway Department)
2. Installation of a Skating Rink using the tennis court in Firemen's Park
3. Painting and Maintenance of children's play apparatus at Trestle Park and Firemen's Park
4. Removal of trash at all three town parks
5. Coordination of camping reservations at Trestle Park (through the office of the Town Clerk);
reservation and fee information included in town newsletter and web site.
6. Custodial duties: gate opening and closing at Trestle Park
7. Initiated Byron Summer Youth Program – 7 weeks of summer activity for children
8. New picnic tables at Firemen's Park
9. Replacement and addition of benches at Trestle Park
10. Painted sign at Turtle Park pavilion
11. Christmas Season decorations at Firemen's Park
12. Establishment of a port-a-john at Trestle Park
13. Stocking Trestle Pond
14. Duck Race on Memorial Day at Trestle Park bridge
15. Expanded parking area at Fireman's Park, next to the pavilion (work done by Town Highway Department)
16. Participation in Black Creek Watershed meetings
17. Participation in West Shore Trail Improvement meetings
18. Improvements to "Gary's Point" at Trestle Park
19. Trail-marking and trail-clearing after storms at Trestle Park

Projects for 2009

1. Construction of a new storage facility adjacent to the Rest Rooms in Firemen's Park
2. A new perimeter trail at Trestle Park

3. Construction of a picnic pavilion at Trestle Park (with the help of the Town Highway Department)
4. Bike rack at Firemen's Park (with the help of the Town Highway Department)
5. Continue to examine improvements for the West Shore Trail

The Town Budget includes a line for town parks, but the Park Committee raises additional funds throughout the year to multiply the effect of your tax dollars at work!

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

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #32:

Councilwoman Freeman 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	#1	#1 - #34	\$67,254.51
Highway Fund	#1	#1 - #17	\$31,652.30
Sewer Fund	#1	#1 - #7	\$ 1,503.23
General Fund	#PA-19	#74	\$ 224.50

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK'S REPORT:

Paid to the Genesee County Treasurer for Dog Licenses.....	\$ 84.32
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 48.00
Paid to the NYS Environmental Conservation.....	\$ 28.34
Paid to the NYS Dept. of Health for Marriage Licenses.....	\$ 22.50
Paid to the Town of Byron Supervisor.....	<u>\$1,602.94</u>
Total Disbursed for December 2008.....	\$1,785.20

A **motion** was made by Councilwoman Freeman to approve the Town Clerk's Report as given for December 2008. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

The financial reports will not be available until the February meeting. There will also be a report for the public's viewing.

OTHER BUSINESS:

Fire Contracts: Received a reworded contract from Byron Fire Department. Supervisor Felton is consulting with Jason Molino, from the City of Batavia, the Town attorney, and our insurance agent regarding changes that have been made. Supervisor Felton has also consulted with and submitted changes to the fire departments and is now awaiting their response and endorsement.

WATER DISTRICTS:

Water District No. 2 – is pretty much closed out

Water District Nos. 3 & 4 – should hear from Comptroller within next two weeks

Water District No. 5 – the Town solicited input from residents and received responses from approximately 75% of the residents. Still need to hear back from some property owners before 51% approval is reached and the district can move forward.

COCKRAM ROAD (West of Rte. 237):

The Town Board received a petition for water for 5 homes on Cockram Road, west of Rte. 237. The Town Board accepted the petition, but Supervisor Felton does not believe a water district in this area would be feasible because of the amount of green space, and it would probably be dead ended. However, Supervisor Felton will follow up with Eric Wies from Clark Patterson on the petition.

AUDITS AND INSURANCE:

Councilwoman Freeman and Councilman Ferguson will be reviewing the Town Clerk's, Bookkeeper's and Justice's books on February 9th.

Councilwoman Freeman will be sending out letters to the Sewer and Water Committee to set up a meeting

Insurance and deductibles – Bookkeeper is covered up to \$60,000. There are checks and balances and that's why the bookkeeper coverage is so low. Mr. Sackett asked about higher deductibles at a prior meeting – the Town has a \$1,000 deductible now and with a \$2,500 it would save the Town \$142.85, with a \$5,000 deductible it would save the Town \$277.77, and with a \$10,000 deductible it would save the Town \$462.90 per year. All council members believe the higher deductibles and lower premiums represent too much risk for too little reward.

EBBONY MEETING:

Supervisor Felton: Met with the Towns of Elba and Bergen on December 29th to discuss consolidating services and Town concerns with rising cost of services.

SEXUAL OFFENDER NOTIFICATION:

A **motion** was made by Councilman Ivison to publicize all Class 2 and Class 3 sex offender notifications that the Town receives from the Sheriff's Department. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Pete Yasses: Wondered whether the Town had heard anything about municipalities allowing firemen to purchase health insurance at no cost to the Town, but at the Town's cost?

Supervisor Felton: He will check into this.

SUPERVISOR'S REPORT:

·January 15th is the next meeting in Stafford. Jim Duvall from Genesee County Planning Board will be there.

·Received letter from Brad Nickerson regarding a 5K race for the Heritage Festival

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

Vote: Ayes: 4 Nays: 0

ADJOURN:

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 8:35 p.m. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk