

BYRON TOWN BOARD MEETING

February 9, 2022

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

- Supervisor.....Peter Yasses
- Councilmen..... Jeff Thompson
Josh Kent
Eric Zuber
- Highway Superintendent.....David Leaton
- CEO/ZEO.....Melissa Ierlan
- Town Clerk.....Debra Buck-Leaton
- Absent.....Councilman Felton
- Invited Guest.....Town Attorney Paul Boylan
Rob Richardson, GFLRPC
Jenny Loewenstein, GFLRPC

Public:

- | | | | |
|----------------|----------------|---------------------|------------------|
| Shirley Wade | Vic Digregorio | Michelle Weatherell | Barbie Starowitz |
| Ben Raccuia | Brian Stacy | Sara Stockwell | Candy Hensel |
| Kaitlyn Moucha | Nancy Engle | Richard Colby | Heather Kent |
| Laurel Smith | Sally Capurso | | |

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

MINUTES:

A **motion** was made by Councilman Zuber to approve the Byron Town Board minutes of January 12, 2022 and January 27, 2022 as written. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 4 Nays: 0

BYRON RESCUE SQUAD – Brad Nickerson:

- It would cost approximately \$170,000 for a new ambulance
- The rescue squad would like some funding from the Town - 6 years at \$30,000 to pay off loan, and then 10 years at \$15,000
- 1st payment would begin January 2024
- They would be swapping out the old ambulance for the new one

PLANNING BOARD REPORT – Josh Kent:

- Site plan and review for a pole barn on Lyman Road (Sutera), they need to get the Planning Board more information.
- Discussion on the Zoning Laws and Smart Growth area

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

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:

·Everything going good

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

Vote: Ayes: 4 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:

·1/9/22 – Had a backup at Lot 11 in the trailer park. Pulled and cleaned zabo filter, which fixed the issue.

·1/13/22 – Installed new pump at North Byron lift station

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

Vote: Ayes: 4 Nays: 0

PROPOSED LOCAL LAW NO. 1 OF 2022 TO AMEND THE TOWN OF BYRON SEWER ORDINANCE:

Be it enacted by the Town Board of the Town of Byron as follows:

TITLE: This Local Law shall be known as and may be cited as “Amendment No. 1 to the Town of Byron Sewer Ordinance”.

PURPOSE: It is the purpose of this Local Law to add Sewer District 2 and 3 to the provisions of the Sewer Ordinance.

ENACTMENT: The Town of Byron Sewer Ordinance is hereby amended as follows:

(A) The Title of the Sewer Ordinance shall be AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE BUILDING SEWERS; INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE SEWER SYSTEM, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF: IN SEWER DISTRICTS NO. 1, 2 AND 3 OF THE TOWN OF BYRON, COUNTY OF GENESEE AND STATE OF NEW YORK.

(B) Section 22 is hereby amended to read: “SEWER DISTRICT” and/or “DISTRICT” SHALL MEAN Sewer District No. 1, Sewer District No. 2 and/or Sewer District No. 3 in the Town of Byron, Genesee County, New York.

EFFECTIVE DATE: This Local Law shall take effect upon adoption by the Town Board of the Town of Byron and filing with the Secretary of State pursuant to Municipal Home Rule Law Section 27.

A **motion** was made by Councilman Kent to hold a Public Hearing on the Proposed Local Law No. 1 of 2022 to Amend the Town of Byron Sewer Ordinance on March 9, 2022 at 7:00 p.m. at the Byron Town Hall. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT – Melissa Ierlan:

- Mailed out about 20 letters notifying business’ and apartment building owners of the requirement to do a yearly fire inspection (apartments that have 3 or more units are every 36 months).
- Working on a couple issues with properties that should have planning board review.
- Sent out violation letters and have some building going on without the required permits and insurance being rectified.
- Still navigating the IPS system, no permits have been issued in February.
- Have been attending Planning Board meetings and working with them to make sure they have what they need from me and possibly making a few changes to some forms we currently use to make it less confusing.
- I have obtained a list of special permits and will be doing some work with them as inspections should be done yearly to make sure they are in compliance with the requirements set forth when the original permit was granted.

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

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – George Squires:

- No report

CLEAN ENERGY – Rob Richardson – GFLRPC

- Helps communities shrink their carbon footprints by reducing greenhouse gas emissions
- 600 participating communities, 36 designated communities, 219 actions completed
- Town of Byron has completed 3 action items (1,000 points)
- Three different grants available: Designation Grants, Point-Based Grants, Action Grants
- The Town will be getting a \$5,000 grant in the future for energy improvement initiative

Councilman Kent – One of the questions Tom Felton had was the resolution and even if the town passes the resolution the Town can opt out at any time.

Rob Richardson – The resolution doesn’t obligate the Town to do anything and the Town can opt out at any time.

Paul Boylan – it doesn’t require the Town to do anything legally

Supervisor Yasses – Are the grants matching grants?

Rob Richardson - Yes

CLEAN ENERGY RESOURCES INFORMATION COMMITTEE – Candy Hensel:

NYS CLIMATE SMART COMMUNITIES PLEDGE

RESOLUTION #38:

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

WHEREAS, the Town of Byron (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED, that Town of Byron, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action.**

The resolution did not receive a second and was not adopted.

COMMUNITY BLOCK GRANT – Candace Hensel:

- Given final copy of feasibility study for Main Street Grant
- Final installment bill will be coming to the Town
- Applying for Genesee County Rural Revitalization Grant

HISTORICAL SOCIETY REPORT – Laurel Smith:

- Discussed Bicentennial
- Had Bicentennial meeting last evening
- Next meeting is March 8th at 7:00 p.m. at the Byron Fire Hall

A **motion** was made by Councilman Thompson to approve the Historical Society report as given. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #39:

Councilman Kent 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	#2	#31 - #51	\$22,147.43
Highway Fund	#2	#12- #22	\$8,581.43
Sewer Fund	#2	#4 - #6	\$6,292.36
Water Improv. Benefit Area #1	#2	#3 - #4	\$62,960.53
General Post Audit	#1	#1 - #7	\$1,893.45
Sewer Post Audit	#1	#1 - #2	\$621.86
Fire District #1	#1	#1	\$102,000.00
Fire District #2	#1	#1	\$102,000.00

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK’S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$81.00
Paid to the Town of Byron Supervisor.....	<u>\$3,308.60</u>
Total Disbursed for January 2022.....	\$3,389.60

A **motion** was made by Councilman Thompson to approve the Town Clerk’s Report as given for January, 2022. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

·The January 2022 Financial Report was reviewed.

A **motion** was made by Councilman Thompson to approve the January 2022 Financial Reports. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR’S REPORT:

Sales Tax:

·Received Sales Tax in the amount of \$115,422.50

Road Use Maintenance Agreement With NextEra:

·There are changes that need to be made so the Board is waiting until all changes are discussed and made prior to approval.

Town Insurance:

·Meeting next Thursday to go over insurance with Lawley

Wheel Loader:

·The Town is going to try to sell the 2010 Caterpillar 938H Wheel Loader by sealed bid. Sealed bids will need to be received by Wednesday, February 16, 2022 at 3:00p.m. The Town Board will need to hold a Special Meeting on Wednesday, February 16, 2022 at 6:00 p.m. to review the bids.

A **motion** was made by Councilman Zuber to hold a Special Meeting via ZOOM on Wednesday, February 16, 2022 at 6:00 p.m. to review bids for the 2010 Caterpillar 938 Wheel Loader. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Thompson to approve the Supervisor’s Report as given. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

WATER IMPROVEMENT BENEFIT AREA NO. 1:

Application to Comptroller were filed on January 31, 2022 and distributed to all interested parties.

PUBLIC COMMENTS:

Shirley Wade: She's on the Byron-Bergen Public Library Board and has a goal of getting more Byron residents involved in the Byron-Bergen Public Library. There is an opening on the Library Board for anyone who's interested.

Councilman Kent: His children love going to the B-B library.

Candy Hensel: If vacancy is not filled she would consider volunteering to be on the board.

Sally Capurso: Is there anything the Byron-Bergen Public Library could do to get people to use the library.

Councilman Kent: Maybe some kind of shuttle.

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 Zuber and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk