

BYRON TOWN BOARD MEETING

August 8, 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

Invited Guests.....Felipe Oltramari, Genesee County Planning Director

Public:

Candy Hensel.....	Rte. 237, Byron
Bill and Barb Emerson.....	Terry Street, Byron
Lara Ezard.....	Warboys Road, Byron
Eric Toal.....	Warboys Road, Byron
Laurel Smith.....	Mill Pond Road, Byron

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Rouse.

MINUTES:

A **motion** was made by Councilman Cudney to approve the Byron Town Board minutes of July 11, 2018 as written. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – Councilman Cudney:

·Mr. Fooks, who lives on Byron Road, would like to put a manufactured home on his property for his mother-in-law. The owner would be able to put an addition on the house, but the manufactured home would violate the Town’s zoning law, therefore, Mr. Fooks is withdrawing his application

·Solar energy – companies will need to get a Special Use Permit in order to put in solar farms

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

Genesee County Planning Director, Felipe Oltramari – Smart Growth:

- Gave a presentation regarding Smart Growth
- Genesee County Planning reviews the Smart Growth Plan every three years
- Smart Grow presentation is attached to these minutes

COMPREHENSIVE COMMITTEE REPORT – Councilman Cudney:

·Discussed Smart Growth and designating areas and changing area designations.

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

·Pumped holding tanks at all 3 filter beds
·Located a few tanks for homeowners with sewer problems
·Locating and pumping septic tanks in Center Byron and North Byron

A **motion** was made by Councilwoman Fuller 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:

·Reshaped ditches on Hessenthaler and Cook Roads
·Blacktop prices rising
·He would like to order a new weed eater

Snow and Ice Agreement:

·Table until the Highway Superintendent and the Supervisor meet with state representatives

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:

·No report

PARK COMMITTEE REPORT – Councilman Cudney:

·Meeting is tomorrow night

MUSEUM REPORT – Laurel Smith:

·Met July 25th and discussed heating, air conditioning and insulation
·Will be doing monthly inspection of building
·The historical society is asking that the Town pay half of the heating, air conditioning and insulation installation and the historical society will pay for half. Estimates were discussed.

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 – Councilwoman Fuller

·No report this month

ABSTRACTS

RESOLUTION #60:

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	#8	#198 - #216	\$11,626.64
Highway Fund	#8	#124 - #139	\$ 8,432.74
Sewer Fund	#8	#28 - #31	\$15,020.33
General Fund	PA#7	#27 - #30	\$ 1,432.86
Sewer Fund	PA#7	#14 - #15	\$ 522.58

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.....	\$ 102.00
Paid to the Town of Byron Supervisor.....	\$4,017.84
Paid to NYS DEC.....	\$ 113.36
Paid to the Department of Health for Marriage Licenses.....	\$ 45.00
Paid to Park Committee.....	\$ 50.00
Total Disbursed for July 2018.....	\$4,328.20

Summer Youth Recreation:

·There has been on average 25-35 kids per day. The least number of kids attending was 13 (yesterday) because of rain. The most kids was 51 last Thursday for a field trip to Fantasy Island, other than that, on a non-field trip day there were 41 kids in attendance.

Tax Collection – Online Credit Card Payments:

·The County is offering each Town the option of accepting online charge card payments for tax collection at no cost to the Towns. Any fees would be paid by the payer. The Town Clerk currently accepts credit card payments only in person, and would like to utilize this option. The Town Attorney, Paul Boylan, has reviewed and approved the agreement.

TAX COLLECTION ONLINE PAYMENT AGREEMENT WITH HAMER ENTERPRISES

RESOLUTION #61:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Internet Processing Professional Services Agreement between HECORP, Inc. DBA Hamer Enterprises and the Town of Byron for online credit card and pay by check tax collection services, at no fee to the Town of Byron.

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

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

- The July 2018 Financial Report was reviewed.
- Councilman Klycek asked if the Reports can be sent in excel so that he is able to play with the numbers. The Town Clerk will ask Baldwins if they can send them in excel.

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

Vote: Ayes: 5 Nays: 0

SUPERVISOR’S REPORT:

VFF Cancer Benefit Law:

- Becomes effective January 1, 2019
- Supervisor Rouse went to a meeting and has documents available if anyone would like to look at them

Sales Tax Payment:

- Received 2nd Quarter Sales Tax payment in the amount of \$174,124.28

Hessenthaler Road:

·According to the Town Attorney, it is a Town road all the way to the Swamp Society house. It has been maintained for 10years by the Town. Paul Boylan is going to go to the County to discuss getting the maps changed.

Shared Services:

- Jay Gisell, the Genesee County Manager, sent a letter regarding shared services and the transfer station.

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:

- Waiting for USDA to set up preconstruction meeting, should be next week or the week after, then digging can begin.

WATER DISTRICT NO. 8:

WATER DISTRICT NO. 8 – GENESEE COUNTY HIGHWAY DEPARTMENT PERMIT RESOLUTION #62:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Genesee County Highway Department Permit for the construction of Water District No. 8.

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

Vote: Ayes: 5 Nays: 0

FUTURE WATER DISTRICTS:

Household income surveys are being sent out by Labella, and then Jay Grasso will be going door-to-door to any households that do not return the income survey.

FUTURE WATER DISTRICT INCOME SURVEYS

RESOLUTION #63:

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

Resolved, that the Byron Town Board authorizes Labella to perform an income survey on the northwest area of the Town of Byron, and to sub-contract with Jay Grasso to conduct the door-to-door follow-up for all three areas, at a cost of \$2,150.00 plus mileage costs at the 2018 Federal rate.

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

Vote: Ayes: 5 Nays: 0

BUDGET TRANSFERS:

GENERAL FUND BUDGET TRANSFERS:

RESOLUTION #64:

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

Resolved, that the Byron Town Board authorizes the following transfers:

<u>GENERAL FUND</u>				
<i>Transfer From:</i>				
	A1990.4	Contingency		\$16.00
Unanticipated Revenue				
	A3089	Justice Grant		\$9,886.00
			TOTAL:	\$9,902.00
<i>Transfer To:</i>				
	A1110.4AA	Justice Grant		\$9,886.00
	A9040.8	Workers Comp.		\$16.00
			TOTAL:	\$9,902.00

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

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

None

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:18 p.m. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,
Debra M. Buck-Leaton
Debra M. Buck-Leaton
Byron Town Clerk



Genesee County Smart Growth Plan

Prepared by the Genesee County Department of Planning
Felipe Olurama/ALP/CNDA - Director

(585) 815-7901

Monday thru Friday 8:30 AM to 5:00 PM

On the web at : www.co.genesee.ny.us/departments/planning

Plan Background

- * Adopted by the Genesee County Legislature in 2001
- * Identified as a mitigating action to the impacts of the County Water Project under SEQR (State Environmental Quality Review Act)
- * Reviewed every 3 years (or at the request of the Legislature)

Objectives of the Plan

- * Focus and encourage economic growth in areas with available public services
- * Revitalize city, village and hamlet business districts and neighborhoods
- * Protect farmland and reduce impacts upon agricultural activity

Smart Growth Beyond Genesee County

- * Smart growth is a better way to build and maintain our towns and cities. Smart growth means building urban, suburban and rural communities with housing and transportation choices near jobs, shops and schools. This approach supports local economies and protects the environment.

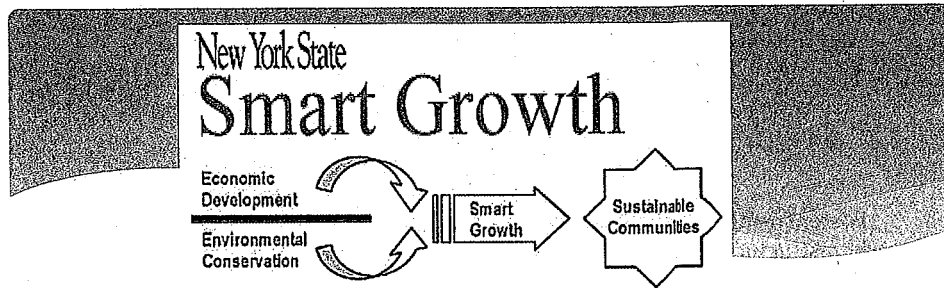


Principles Of Smart Growth

1. **Foster strong, sustainable businesses in community centers** - enhance infrastructure in downtowns and villages to attract economic growth and discourage scattered development
2. **Preserve open space, forests, farmland, natural beauty, and critical environmental areas** - keep irreplaceable resources intact to bolster local economies, improve quality of life, and guide growth inward
3. **Strengthen and direct development towards existing communities** - tap into existing infrastructure and neighborhood resources to stop the sprawling urban fringe
4. **Foster distinctive, attractive communities with a strong sense of place** - value development and construction that has distinctive architectural beauty
5. **Create walkable neighborhoods** - build compactly and focus everyday activity along streetscapes designed for pedestrians, bicyclists, transit riders, and automobiles
6. **Take advantage of green building design** - use innovative approaches, proper building placement, and local materials

Principles Of Smart Growth

7. **Create a range of housing opportunities and choices** - build quality housing for people of all income levels with access to jobs, culture and open space
8. **Encourage community and stakeholder collaboration in development decisions** - work together to find creative solutions, increase community understanding and plan and invest in shared spaces
9. **Mix land uses** - locate commercial uses proximate to residential areas and open space
10. **Make development decisions predictable, fair and cost effective** - provide government leadership that creates a fertile environment for innovation
11. **Provide a variety of transportation choices** - reinforce the viability of smart growth with efficient movement between housing, shopping, and jobs
12. **Foster long term comprehensive planning** - plan to reach local, regional and state goals, to target investment, increase local capacity and increase intergovernmental efficiency



- * Smart Growth Cabinet created in 2007
- * Cabinet consists of representatives from all State agencies that affect land use
- * Incorporate the principles of smart growth into all relevant state plans, policies and programs that affect land use and development outcomes
- * Create a policy agenda for promoting and incentivizing smart growth.

Scope of the Genesee County Smart Growth Plan

- * Established the development area map that identifies key areas for future growth
- * Provides examples of zoning techniques for local communities to adopt if they desire
- * Encourages growth in the most appropriate areas through hook ups to the County Water System
- * Directs future County resources to development areas

Priority Development Areas

- * Areas of the County that contain available lands and public infrastructure needed to support sustainable development
- * Includes areas where future infrastructure could be affordably provided
- * Avoids Agricultural Districts and environmentally sensitive areas, such as wetlands, wildlife habitats and flood hazard areas

Reserved Development Areas

- * Second classification of development area
 - * Specific areas
 - * Adjacent to a Priority Development Area
 - * Promising for near future development
 - * Can proceed without the need to analyze the Smart Growth Plan when a review has not been scheduled
- * If certified, function as priority development areas
- * For certification, certain conditions are imposed on the Town

Genesee County Water System Hookups

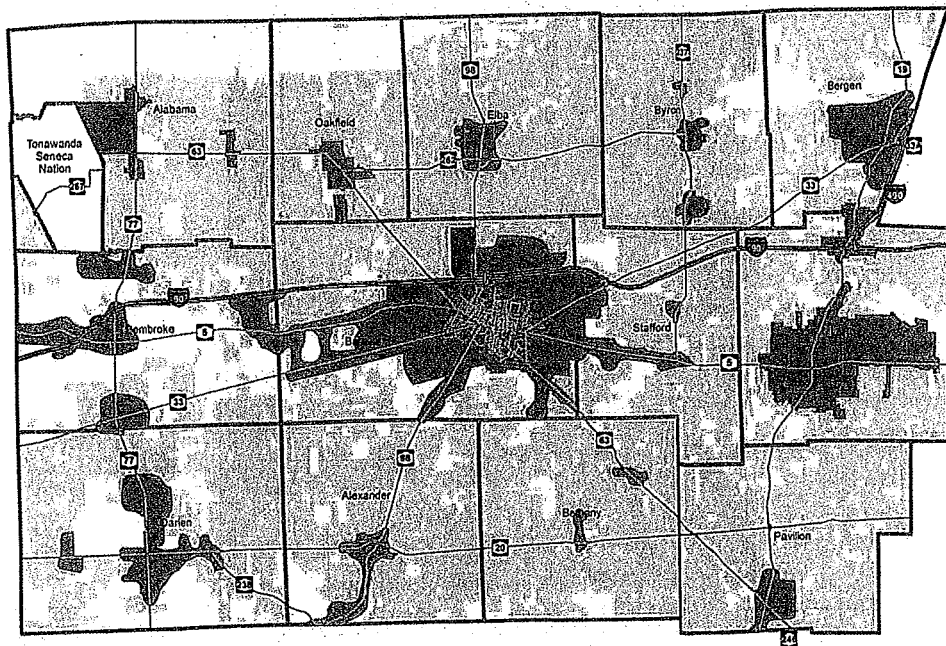
- * Within Priority Development Areas or in certified Reserved Development Areas
 - * All new and existing development are automatically entitled to hook-up (subject to lateral restriction policies adopted by local municipalities for land within Agricultural Districts)

Genesee County Water System Hookups

- * Outside Priority Development Areas or in non-certified Reserved Development Areas
 - * Automatically entitled to hook-up into the County water system if:
 - * Structures for which a building permit has been granted as of the date the Smart Growth Plan is adopted or amended by the County Legislature
 - * All existing and new agricultural uses
 - * Other Hookup Applications must get approval from the Administrative Review Committee

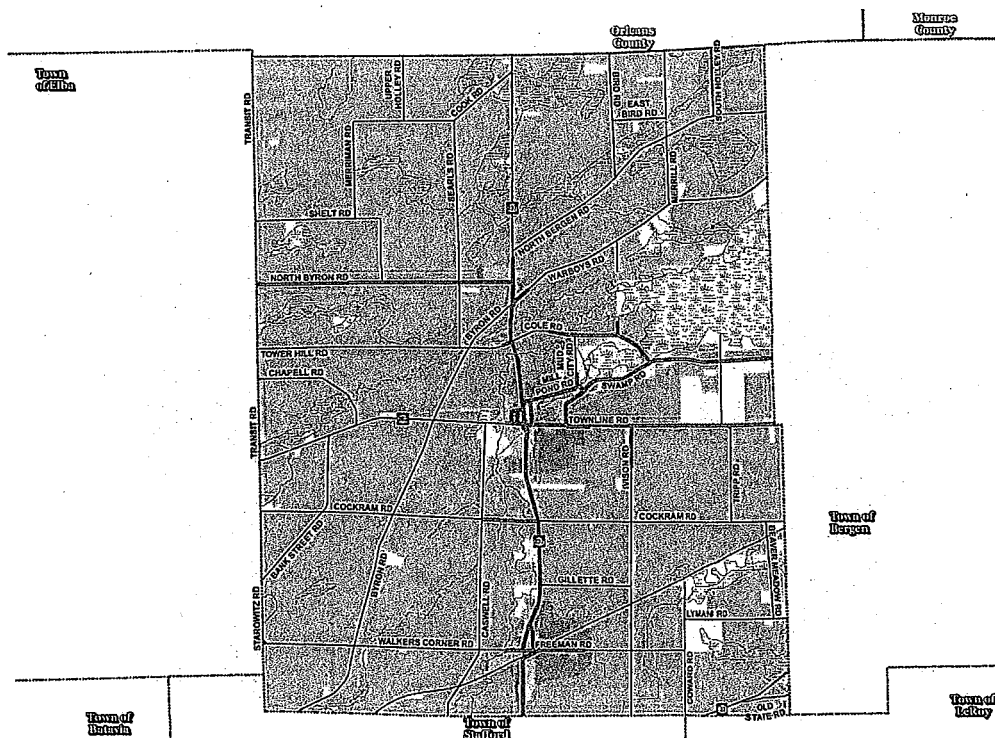
Reserved Development Areas Conditions for Certification

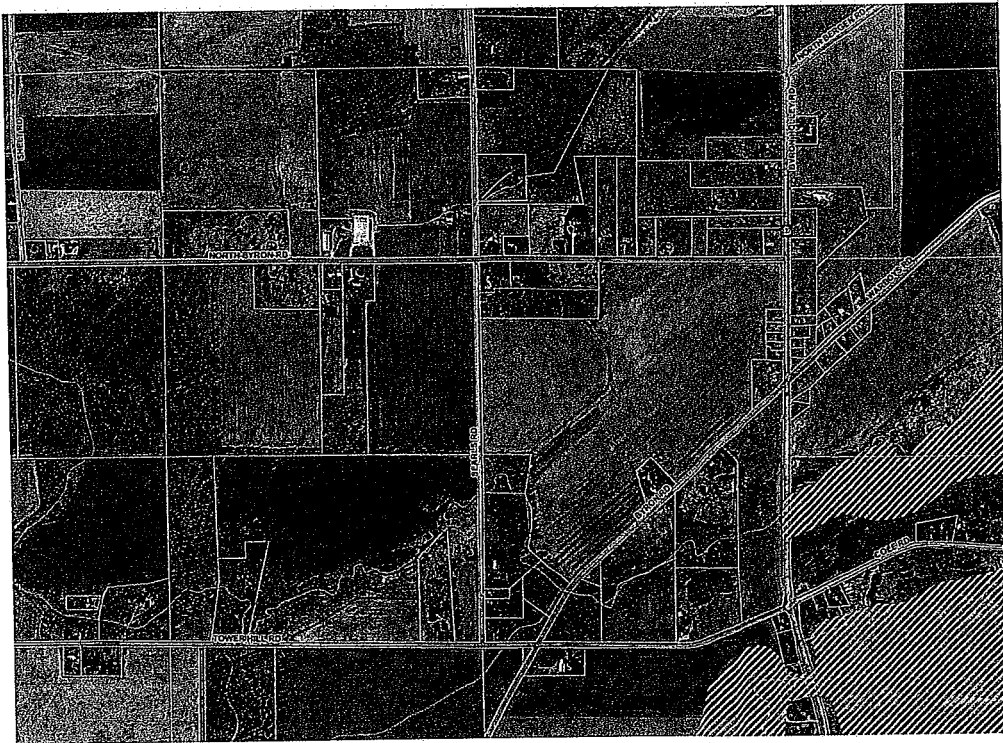
- * The area is identified in the local Comprehensive Plan.
- * Smart Growth principles are implemented in this area by form-based regulations (such as Green Genesee Smart Genesee model).

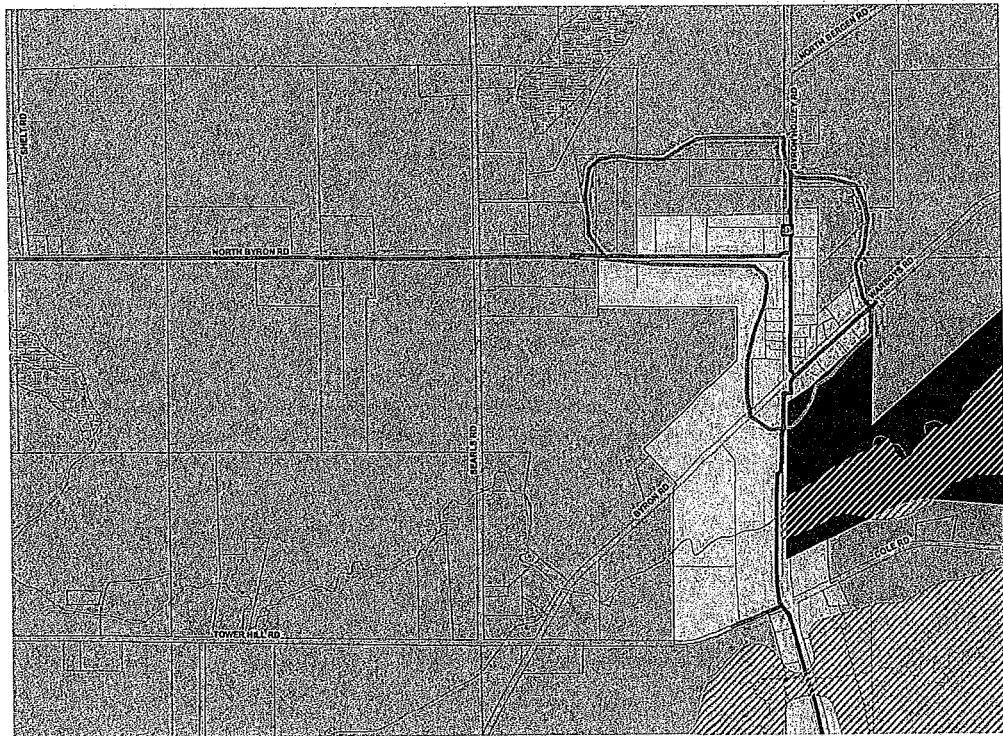
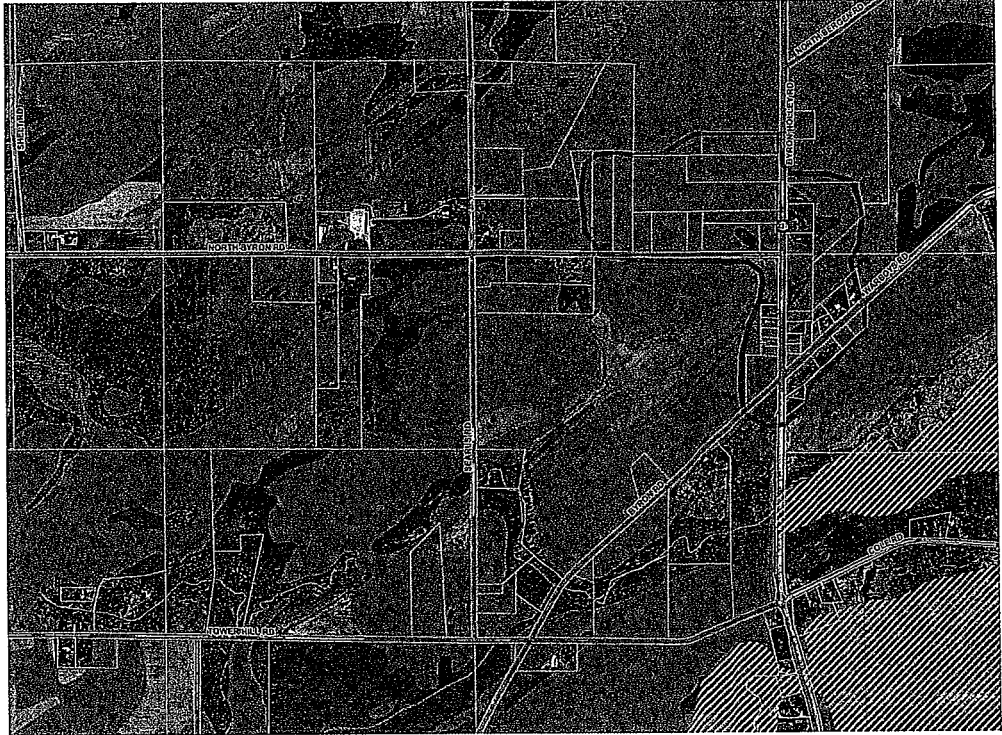


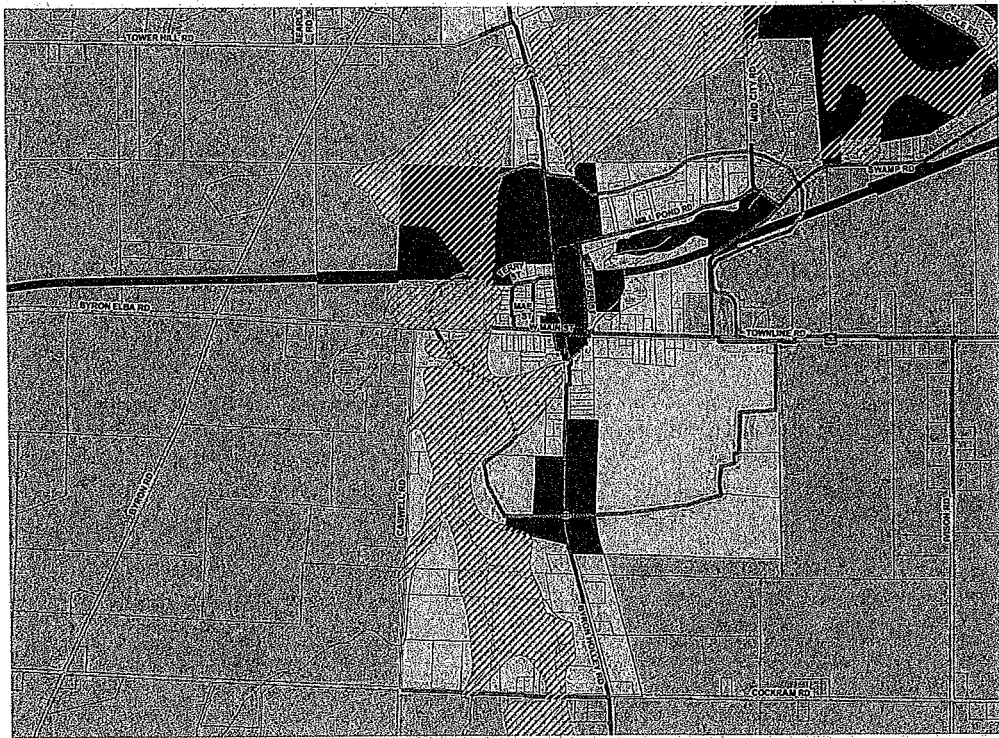
Byron and Smart Growth

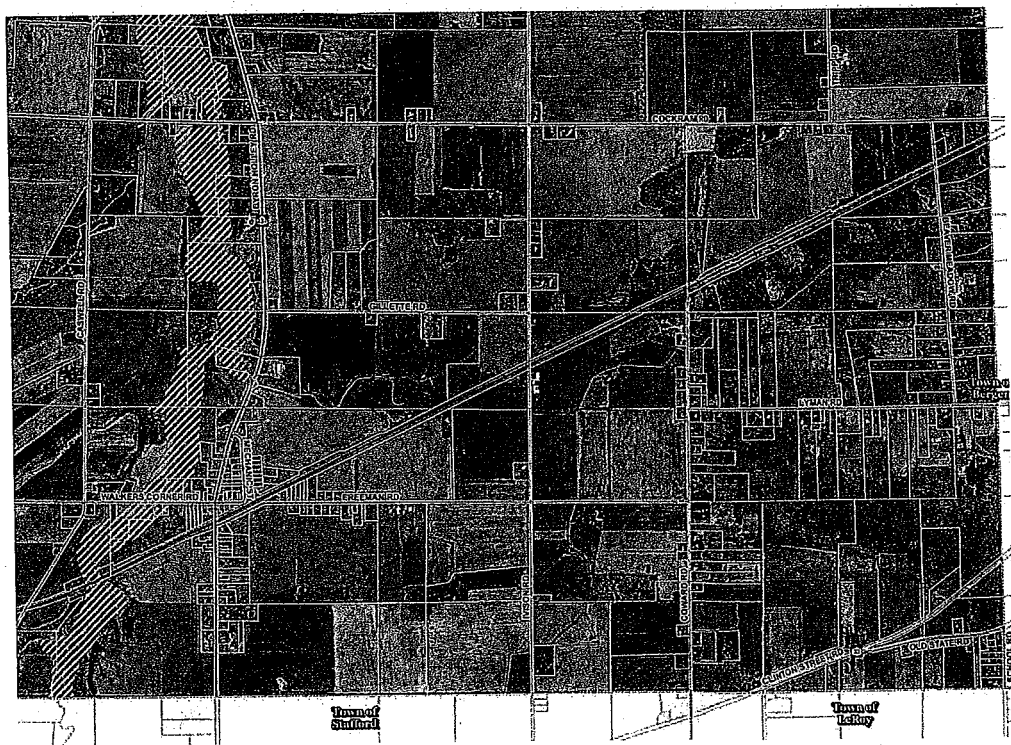
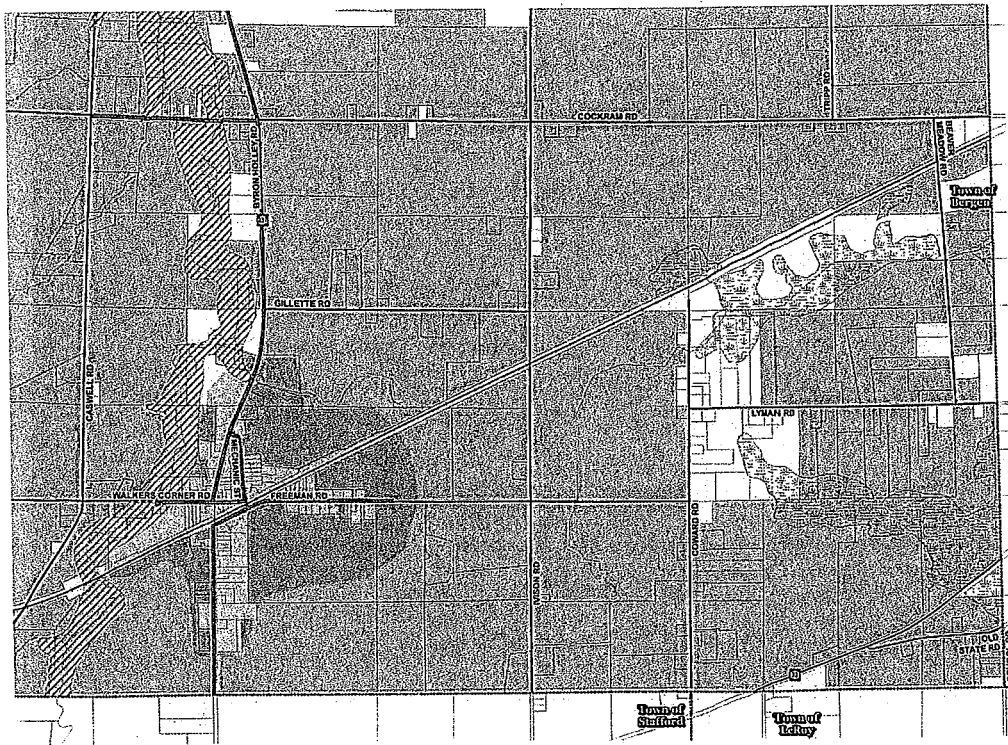
- * Smart Growth applies per the water agreement between the Town and the County.
- * Applies to County-funded portions of the County's water system include all water lines that are constructed by the County, financially subsidized by the County, or supplied with water from a source built or subsidized by the County.
- * Town of Byron's Water District #1 is exempt unless reconfigured.

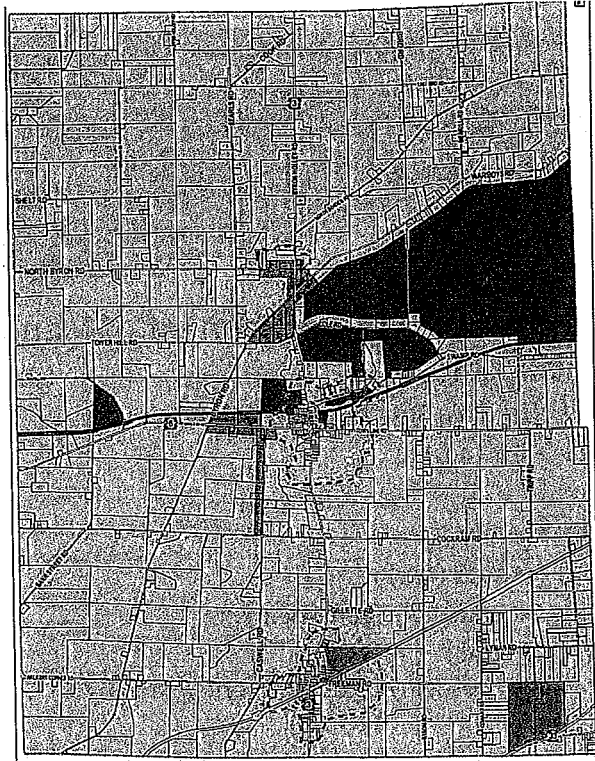












Next Steps

- * County Planning Department will be gathering municipal input for the 2019 Triennial Review
- * Municipalities can suggest boundary changes (additions, subtraction), text revisions or additions

For additional Information or to
make additional comments:



Genesee County Department of Planning

County Building 2
3837 West Main Street Rd
Batavia, NY 14020

(585) 815-7901

(585) 345-3062 (fax)

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On the Web at

www.co.genesee.ny.us/departments/planning