

BYRON TOWN BOARD MEETING

April 13, 2016

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

Supervisor.....	Pete Yasses
Councilmen.....	Sue Fuller
	Jim Cudney
	Fred Klycek
	Jeff Thompson
Highway Superintendent.....	Brian Forsyth
Assessor.....	Barry Flansburg
Town Clerk.....	Debra Buck-Leaton
Invited Guests.....	Town Attorney, Paul Boylan, Esq.
	Paul Chatfield, Chatfield Engineers, P.C.
	Scott Mattison, Chatfield Engineers, P.C.

Public:

David Chupp.....	Tripp Road, Byron
Mickey Truax.....	Swamp Road, Byron
Vic Digregorio.....	Warboys Road, Byron
Bill and Barb Emerson.....	Terry Street, Byron
George Squires.....	McElver Street, Byron

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

MINUTES:

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of March 9, 2016 as written. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC HEARING –TIME WARNER CABLE FRANCHISE AGREEMENT:

A **motion** was made by Councilwoman Fuller to open the Public Hearing regarding the past performance of the cable operator, Time Warner, and to identify the future cable-related community needs of the Town at 7:04 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

LEGAL NOTICE

**PUBLIC HEARING
TOWN OF BYRON**

PLEASE TAKE NOTICE, that the Town Board of the Town of Byron will hold a Public Hearing on Wednesday, April 13, 2016 at 7:00 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron, New York to review the past performance of the cable operator, Time Warner, and to identify the future cable-related community needs of the Town. Citizens are invited to testify. Questions may be directed to Peter Yasses, Supervisor, at 585-548-7123 ext. 14..

*By Order of the Byron Town Board
Debra Buck-Leaton, Town Clerk*

**OPENING REMARKS OF THE TOWN OF BYRON TOWN BOARD FOR THE PUBLIC
HEARING ON TIME WARNER CABLE FRANCHISE RENEWAL
APRIL 13, 2016**

Good evening. This is a public hearing of the Town Board regarding cable franchise renewal for the Town of Byron. This public hearing is held pursuant to Section 626 of the federal Cable Act, which sets forth the process for franchise renewal. The Town's current franchise with Time Warner has expired, and the Town is beginning the process of renewing the franchise.

This public hearing is part of the preliminary portion of franchise renewal which the Town reviews the cable operator's past performance and identifies the Town's future cable-related community needs. As such, as part of this public hearing, we invite comments from any citizens who wish to speak regarding either or both of the aforementioned subjects.

Franchise renewal is the best opportunity for municipalities to assert their rights with respect to their cable operator and to obtain important benefits in return for granting the cable operator the right to use their public rights-of-way. These benefits include:

1. A State-of-the-Art Cable System now and in the future;
2. Strong Customer Service Standards;
3. Free Services to Community Facilities;
4. Better Reporting Requirements from the cable Operators;
5. Maximized Franchise Fees;
6. An Educational and Governmental (EG) Channel;
7. Legal Protections of the Rights-of-Way; and
8. Better Mechanisms to enforce the Franchise Agreement.

These are just some of the potential benefits available through franchise renewal. Citizens may address these items or any other cable-related items that are important to them. We will now open the hearing up to citizen comments. Thank you.

PUBLIC COMMENTS:

- Supervisor Yasses will check to see if the fire departments get free roadrunner because according to the Franchise Agreement they should.
- Councilman Thompson would like to know if Frontier would be able to come to the Town.
- Assessor Flansburg doesn't believe so because we have an agreement with Time Warner.

A **motion** was made by Councilman Thompson to close the Public Hearing regarding the past performance of the cable operator, Time Warner, and to identify the future cable-related community needs of the Town at 7: 12 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC HEARING –ORDER CALLING PUBLIC HEARING FOR WATER DISTRICT NO. 7:

A **motion** was made by Councilman Thompson to open the Public Hearing regarding the Order Calling Public Hearing for Water District No. 7 at 7:13 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

At a Regular Meeting of the Town Board of the Town of Byron in the County of Genesee, held at the Town Hall in the Town of Byron on the 9th day of March, 2016.

PRESENT:

Peter Yasses, Supervisor
Suzanne Fuller, Councilman
Jim Cudney, Councilman
Fred Klycek, Councilman
Jeff Thompson, Councilman

In the Matter of the Establishment of
Water District No. 7 of the Town of Byron,
Genesee County, New York.

ORDER CALLING
PUBLIC HEARING

WHEREAS, previously hereto a map, plan and report have been prepared by Chatfield Engineers, P.C., Licensed Engineers, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Byron, New York, relating to the establishment of the proposed Water District No. 7 in the Town of Byron, and

WHEREAS, such map, plan and report have been duly filed in the office of the Town Clerk of the said Town of Byron, and

WHEREAS, the boundaries of said Water District are as follows:

Town of Byron Water District No. 7:

Beginning at a point, said point being the intersection of the centerline of Walkers Corners Road with a northerly extension of the easterly property line of tax account number 9.-2-1.1, and also being a westerly boundary of the Town of Byron Water District No. 2; thence

1. Southerly, 325 feet more or less, along the easterly property line of Tax Account No. 9.-2-1.1; thence
2. Westerly, 433 feet more or less, along the southerly property line of Tax Account No. 9.-2-1.1 to a point, said point an easterly property corner of Tax Account No. 9.-2-1.2; thence
3. Southerly, 208 feet more or less, along the easterly property line of Tax Account No. 9.-2-1.2 to a point, said point being 500 feet southerly of the centerline of Walkers Corners Road; thence
4. Westerly, 950 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Walkers Corners Road to a point, said point being the centerline of Caswell Road; thence
5. Northeasterly, 295 feet more or less, along the centerline of Caswell Road to a point, said point being an easterly extension of the southerly property line of Tax Account No. 8.-1-8; thence
6. Westerly, 355 feet more or less, along the southerly property line of Tax Account No. 8.-1-8 to a point, said point being along the easterly property line of Tax Account No. 8.-1-10.2; thence
7. Southerly, 248 feet more or less, along the easterly property line of Tax Account No. 8.-1-10.2 to a point, said point being 500 feet southerly of the centerline of Walkers Corners Road; thence
8. Westerly, 6,698 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Walkers Corners Road to a point, said point being 500 feet westerly of the centerline of Batavia Byron Road; thence
9. Northeasterly, 7,048 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Batavia Byron Road to a point, said point being 500 feet southerly of Cockram Road; thence
10. Westerly, 1,513 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cockram Road; thence
11. Northerly, 1000 feet more or less, along a line perpendicular to the centerline of Cockram Road to a point, said point being 500 feet northerly of the centerline of Cockram Road; thence
12. Easterly, 1,913 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being 500 feet westerly of the centerline of Batavia Byron Road; thence
13. Northerly, 344 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Batavia Byron Road to a point, said point being along a northerly property line of Tax Account No. 6-1-39; thence

14. Easterly, 263 feet more or less, along the northerly property line of Tax Account No. 6.-1-39 to a point, said point being the southwesterly property corner of Tax Account No. 6.-1-40; thence
15. Northerly, 296 feet more or less, along the westerly property line of Tax Account No. 6.-1-40; thence
16. Easterly, 417 feet more or less, along the northerly property line and an easterly extension of the northerly property line of Tax Account No. 6.-1-40 to a point, said point being the centerline of Batavia Byron Road; thence
17. Southerly, 264 feet more or less, along the centerline of Batavia Byron Road to a point, said point being a westerly extension of the northerly property line of Tax Account No. 6.-1-52; thence
18. Easterly, 500 feet more or less, along the northerly property line of Tax Account No. 6.-1-52; thence
19. Southwesterly, 356 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Batavia Byron Road to a point, said point being 500 feet northerly of Cockram Road; thence
20. Easterly, 3,347 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being 500 feet westerly of the centerline of Caswell Road; thence
21. Northerly, 3622 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Caswell Road to a point, said point being along the northerly property line of Tax Account No. 6.-1-43.2; thence
22. Easterly, 83 feet more or less, along the northerly property line of Tax Account No. 6.-1-43.2 to a point, said point being the southwesterly property corner of Tax Account No. 6.-1-11; thence
23. Northerly, 660 feet more or less, along the westerly property line of Tax Account No. 6.-1-11 to a point, said point being the northwesterly property corner of Tax Account No. 6.-1-11; thence
24. Easterly, 183 feet more or less, along the northerly property line of Tax Account No. 6.-1-11 to a point, said point being along the westerly property line of Tax Account No. 6.-1-10.2; thence
25. Northwesterly, 670 feet more or less, along the westerly property lines of Tax Account No. 6.-1-10.2 and Tax Account No. 5.-1-95.112 to a point, said point being 500 feet northerly of the centerline of Byron Elba Road; thence
26. Easterly, 1,235 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Byron Elba Road to a point, said point being a westerly boundary of the Town of Byron Water District No. 2; thence
27. Southerly, 1,000 feet more or less, along a line perpendicular to the centerline of Byron Elba Road to a point, said point being 500 feet Southerly of the centerline of Byron Elba

Road. Said point also being a westerly boundary of the Town of Byron Water District No. 2; thence

28. Westerly, 495 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Byron Elba Road to a point, said point being 500 feet easterly of the centerline of Caswell Road; thence
29. Southerly, 3,943 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Caswell Road to a point, said point being a northerly boundary of the Town of Byron Water District No. 2; thence
30. Westerly, 500 feet more or less, along a line perpendicular to the centerline of Caswell Road to a point, said point being the centerline of Caswell Road. Said point also being a westerly boundary of the Town of Byron Water District No. 2; thence
31. Southerly, 1,000 feet more or less, along the centerline of Caswell Road to a point, said point being a southwesterly boundary corner of the Town of Byron Water District No. 2. Said point being a westerly boundary of the Town of Byron Water District No. 2; thence
32. Easterly, 500 feet more or less, along a line perpendicular to the centerline of Caswell Road to a point, said point being a southerly boundary of the Town of Byron Water District No. 2; thence
33. Southerly, 5,703 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Caswell Road to a point, said point being 500 feet northerly of the centerline of Walkers Corners Road; thence
34. Easterly, 994 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Walkers Corners Road to a point, said point being a westerly boundary of the Town of Byron Water District No. 2; thence
35. Southwesterly, 565 feet more or less, along the easterly property line of Tax Account No. 9.-1-58.1 to a point, said point being the centerline of Walkers Corners Road. Said point also being a westerly boundary of the Town of Byron Water District No. 2 and also being the Point of Beginning.

The following properties described within the boundary above shall be excluded from the Town of Byron Water District No. 7: Tax Account Nos. 6.-1-48, 8.-1-5 and 8.-1-7.1.

All as shown on a map prepared by Chatfield Engineers, P.C., entitled, "Town of Byron Water District No. 7, Water Boundary Map," dated February 16, 2016, and

WHEREAS, the proposed improvements consists of the installation of approximately 32,800 linear feet of water main, hydrants and other appurtenances, and

WHEREAS, the maximum amount proposed to be expended by the said district is Two Million Eighty-six Thousand Dollars (\$2,086,000), and it is anticipated that there will be an annual cost to the typical owner of a one or two family home of One Thousand Fifty-two and 14/100 Dollars (\$1,052.14) after the first year, and the first year cost to the typical owner of a one or two family home is anticipated to be Two Thousand Four Hundred forty-two and 14/100 Dollars (\$2,442.14), both of

which estimates include annual debt service and annual water usage costs, which will be levied upon each of the units in said District, and

WHEREAS, a petition in due form has been received and was filed in the Town Clerk's office on February 24, 2016 and which, according to an affidavit sworn to by Barry Flansburg, Town Assessor, contains the signatures of the owners of more than one-half of the total assessed value of the real property in said proposed district and more than one-half of the real property owned by persons residing in said proposed district, and which petition sets forth with specificity the maximum amount to be expended and anticipated the first year and subsequent annual cost for a typical one or two family home as above set forth,

NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town of Byron will be held at the Town Hall, Route 237, Byron, New York at 7:00 p.m. on April 13, 2016 to consider the Establishment of said Water District No. 7 of the Town of Byron, including the environmental significance thereof and to hear all persons present interested in the subject matter thereof, concerning the same and for such other and further action on the part of said Town Board may be necessary and proper, with relation to the premises.

Dated: March 9, 2016

Peter Yasses, Supervisor
Suzanne Fuller, Councilwoman
Jim Cudney, Councilman
Fred Klycek, Councilman
Jeff Thompson, Councilman

By Order of the Town Board, Town of Byron
Debra M. Buck-Leaton, Town Clerk

PUBLIC COMMENTS:

·Scott Mattison, Chatfield Engineers, reviewed the total cost and total linear feet for the water project.

A **motion** was made by Councilman Thompson to close the Public Hearing regarding the Order Calling Public Hearing for Water District No. 7 at 7:16 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – Councilwoman Fuller:

·They had a Public Hearing with regard to a Special Use Permit for a roof mount solar system.
·Building permit for a garage with property boundary issues referred to the Zoning Board of Appeals for an Area Variance.

REVISED DEFINITION OF SOLAR ENERGY SYSTEMS:

Section 11.15 Solar Energy Systems:

- (a) Attached solar energy systems are permitted in all districts.
- (b) Ground-mounted solar energy systems are permitted in other than R-1 districts with approval by the Planning Board with a Special Use Permit and Site Plan Review. Such systems must minimally adhere to the following setback requirements as in letter (c).
- (c) Setback requirements for ground mounted solar systems in other than R-1 Districts:
 - (i) Front setback must be behind the principal building front setback requirements (see Table 1)
 - (ii) Side and rear setbacks must be at least 1.5 times the height of the solar energy structure.

To be added to Section 2.02 Definitions:

Solar energy systems, attached – roof or building mounted solar energy systems are attached to the top or side of a building or structure.

Solar energy systems, ground mounted – ground mounted or free standing solar energy systems are installed directly in the ground and not attached to any existing structure. Single or multiple panels can be mounted on individual or multiple poles when space, structural, shade or other constraints inhibit roof mounted systems. Much larger free standing systems, including solar farms, can be constructed on the ground.

A **motion** was made by Councilman Klycek to hold a Public Hearing on the changes to the Zoning Ordinance as stated above on Wednesday, May 11, 2016 at 7:00 p.m. 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 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 – Chairman George Squires:

·Moving forward with Comprehensive Plan and they are prepared for the April 22nd deadline for the RFP deadline. They will review as a committee and make a recommendation to the Town Board probably at the June Town Board Meeting. Subcommittees were also formed.

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

- Changed out pump at 6427 Mill Pond Road
- Helped a homeowner in South Byron. Had slow moving drains and toilet. Found to be venting problem.
- Call out at McElver Street lift station on March 11th at 10:00 p.m. Check valve and piping problems. I was able to bandaid until daylight hours. The next day fixed check valve. Pulled pump on Monday and fixed piping.
- Emergency stakeout for 3 down power poles in North Byron.

A **motion** was made by Councilman Cudney 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 – Brian Forsyth:

- Installed fire hydrant markers on North Byron Road, still waiting on Cockram Road.
- Pulled fire hydrant, phone box, and culvert pipe winter markers down.
- Tried to fix North Byron filter bed fence, but only temporary because need a fencing company.
- Starting to pull snow fence, but only spots because it needs to dry more.
- Go back to lawn and intersection cleanup and repairs.
- Going to shortly start truck tear down, wash, repair and painting. Storing plows inside again.
- Checked on future salt prices, told “probably leveling off”.
- Bid for new pickup, spec sheet included.
- Personal phone reimbursement, he is ok not getting reimbursed at this time.
- Signed for Cornell Local Roads Program @ Ithaca College June 5-8th
- Would like authorization and/or approval to go to school.
- Receiving an extra \$21,000 from Pave NY for the next 5 years to be used for road improvements.

New Pickup:

- Received a quote from Joe Basil Chevrolet for a 2016 Chevrolet Silverado 1500 4WD Crew Cab for a total of \$32,567.00.

Training/School:

A **motion** was made by Supervisor Yasses to give the Highway Superintendent, Brian Forsyth, permission to attend the New York State Highway Superintendent’s Regional and County Meetings and training classes for 2016. Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

PURCHASE OF NEW PICKUP TRUCK

RESOLUTION #40:

Supervisor Yasses offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board authorizes the Highway Superintendent to purchase a 2016 Chevrolet Silverado 1500 4WD Crew Cab for the amount of \$32,567.00 on state bid.

Councilman Thompson 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 Highway Superintendent's Report as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 10
Number of Zoning/Building Permits Issued: 3
Number of Land Separations: 0
Number of Building C.O./C.C. Issued: 2
Number of Zoning Complaints Filed: 0
Number of Zoning Complaints Resolved: 1
Number of Stop Work Orders Issued: 0

·Special Use Permit granted to install residential roof mounted solar array system on 7447 Coward Road.

·Please review attached information on updated Uniform Code requirements.

March 9, 2016, the State Fire Prevention and Building Code Council completed major updates to the Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code). The Uniform Code update incorporates the following documents by reference:

- 2015 International Building Code
- 2015 International Residential Code
- 2015 International Existing Building Code
- 2015 International Fire Code
- 2015 International Plumbing Code
- 2015 International Mechanical Code
- 2015 International Fuel Gas Code
- 2015 International Property Maintenance Code
- 2016 Uniform Code Supplement

The Energy Code incorporates the following documents by reference:

- 2015 International Energy Conservation Code
- 2013 ASHRAE 90.1

- 2016 Energy Code Supplement

Effective Date

A Notice of Adoption for the Uniform Code and Energy Code update will be published in the April 6, 2016 edition of the State Register, establishing the following implementation schedule:

Uniform Code Transition Period – beginning on April 6th, regulated parties submitting a complete building permit application may comply with either the current Uniform Code or newly adopted Uniform Code as described above. The transition period will last from April 6, 2016 until October 3, 2016. On October 3rd, the newly adopted Uniform Code will become fully effective.

Energy Code Effective Date – On October 3, 2016, the newly adopted Energy Code as described above will become formally effective. There is no transition period for the Energy Code.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

- Picnic tables that were charred have been repaired.
- Trestle Park dock will be leveled out.
- No dead fish which means pond has been well oxygenated over the winter.
- Putting up boundary markers at Trestle Park.
- Duck Race will be on Memorial at 1:00 p.m.

A **motion** was made by Councilman Thompson 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

ABSTRACTS

RESOLUTION #41:

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	#4	#66 - #96	\$ 9,168.34
Highway Fund	#4	#38- #50	\$ 8,403.49
Sewer Fund	#3	#5 - #8	\$ 5,273.50
General Fund	PA#3	#13 - #16	\$ 1,514.26
Sewer Fund	PA#3	#8 - #11	\$ 1,441.38
Highway Fund	PA#1	#1	\$ 825.50
Water District No. 5	#3	#4	\$ 3,500.00
Water District No. 6	#4	#5 - #6	\$109,197.93

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.....	\$ 55.00
Paid to NYS Comptroller for Games of Chance.....	\$ 15.00
Paid to the NYS Dept. of Health for Marriage Licenses.....	\$ 22.50
Paid to NYS DEC.....	\$ 51.96
Paid to the Town of Byron Supervisor.....	<u>\$2,021.24</u>
Total Disbursed for March 2016.....	\$2,165.70

- Town Clerk Conference is April 17-20. Received \$500 scholarship for attendance.
- Taxes returned to and reconciled with County Treasurer, 62 remain unpaid.

A **motion** was made by Councilwoman Fuller to approve the Town Clerk's Report as given for March, 2016. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

- The March 2016 Financial Report was reviewed.

A **motion** was made by Councilman Klycek to approve the March 2016 Financial Reports. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

- Received check in the amount of \$8,227.61 from Time Warner as part of the Cable Franchise Agreement.
- GAM meeting is here next Thursday.
- Fire extinguishers have been checked and replaced.

Councilwoman Fuller: Has George Heins responded to the letters that Attorney Boylan sent to him? What is the recourse?

Attorney Boylan: The Town Board could have him arrested, but they have no grounds, or they could sue him, but it would be a waste of taxpayer money.

Councilwoman Fuller: She went to the Oakfield open house and the building is phenomenal.

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 5:

- Loan pre-closing was on Thursday, March 17, 2016 with final closing on April 14th.

WATER DISTRICT NO. 6:

·Job progress meeting was held on March 10th and next meeting will be on April 14th.

·Water mains, hydrants and valves along Cockram and N. Byron Road have been tested and are working properly, waiting for health department approval.

WATER DISTRICT NO. 7:

·The Town Board received the Engineering Services Agreement from Chatfield Engineers, P.C.

·Received Proposal for Services from LaBella regarding the application to USDA and Environmental Review.

·Received approval letter for the income surveys submitted to USDA.

WATER DISTRICT NO. 7 ENGINEERING SERVICES AGREEMENT

RESOLUTION #42:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Engineering Services Agreement with Chatfield Engineers, P.C. with regard to Water District No. 7. The fee for such work shall be \$188,096.00.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 7 PROPOSAL OF SERVICES WITH LABELLA ASSOCIATES FOR INITIAL RURAL DEVELOPMENT APPLICATION

RESOLUTION #43:

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

Resolved, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Proposal for Services between the Town of Byron and LaBella Associates, D.P.C. This Agreement authorizes LaBella Associates, D.P.C. To assist the Town in the administration of the project to extend public water to the area designated as Water District No. 7, and to comply with the requirements of Rural Development. LaBella Associates, D.P.C.’s fee for such work shall be \$2,000 for the preparation and submission of the initial Rural Development Application.

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

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 7 PROPOSAL OF SERVICES WITH LABELLA ASSOCIATES FOR ENVIRONMENTAL REVIEWS

RESOLUTION #44:

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

Resolved, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Proposal for Services between the Town of Byron and LaBella Associates, D.P.C. This Agreement authorizes LaBella Associates, D.P.C. to assist the Town in the environmental reviews of the project to extend public water to the area designated as Water District No. 7, and to comply with the requirements of Rural Development. LaBella Associates, D.P.C.’s fee for such work shall be \$5,000 for the preparation and submission of the environmental reviews associated with the project.

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

Vote: Ayes: 5 Nays: 0

FUTURE WATER DISTRICTS:

·Supervisor Yasses, Councilman Thompson and Assessor Flansburg met with Paul Chatfield regarding future water districts. It was decided that the Town would look at 3 future water districts:

Area 1 (Water District No. 8): Freeman, Ivison, Coward, Lyman, Beaver Meadows, Gillette, Cockram and Tripp Roads.

Area 2 (Water District No. 9): Rte. 262, Cockram, Bank, Transit, Chapell, Tower Hill, Byron Road, Searls Roads. Reviewed as 1 project and also breaking it up into 2 projects.

Area 3 (Water District No. 10): N. Bergen, Bird, East Bird, Merrill, Warboys, Fairgrounds, Sautell Roads. Reviewed project with and without Sautell Road.

·Would like to have income surveys done before looking at numbers for these districts because income will determine grant funding.

·The Town Board received quotes from Jay Grasso and LaBella Associates to survey potential water districts in the Town of Byron. The quotes are as follows:

Jay Grasso:

Area 1: \$1,425.00
Area 2: \$800.00
Area 3: \$1,425.00
Total: \$3,650.00

LaBella Associates:

Area 1: \$1,000.00
Area 2: \$700.00
Area 3: \$1,200.00
Total: \$2,900.00

·After some discussion on cost and feasibility, the Town Board decided it would be best to contract with LaBella Associates for the income surveys in the 3 areas as described above.

PROPOSED WATER DISTRICT NOS. 8, 9 and 10 INCOME SURVEYS

RESOLUTION #45:

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

Resolved, that the Byron Town Board authorizes LaBella, D.P.C. to conduct an income survey for Proposed Water District Nos. 8, 9 and 10. The fees for such services shall be \$2,900.00.

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

Vote: Ayes: 5 Nays: 0

HIGHWAY GARAGE:

·The Town Board received an Engineering/Architectural Services Proposal from Chatfield Engineers with regard to the Highway Garage. The Highway Garage Committee decided it would be smarter to have a new building rather than remodeling old building.

HIGHWAY GARAGE ENGINEERING/ARCHITECTURAL SERVICES AGREEMENT

RESOLUTION #46:

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

Resolved, that the Byron Town Board authorizes the Supervisor to sign the Engineering/Architectural Services Agreement with Chatfield Engineers, P.C. with regard to the Highway Garage. The fees for such services shall be \$4,650.00.

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

Vote:

Ayes: 5

Nays: 0

HIGHWAY RADIO SURPLUS:

Need to declare as surplus and sell. Brian will get an inventory and will discuss again at the May meeting.

PUBLIC COMMENTS:

None

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:07 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:

Ayes: 5

Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk