

**BYRON TOWN BOARD MEETING**

November 11, 2020

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

Supervisor.....	Peter Yasses
Councilmen.....	Sue Fuller
	Jeff Thompson
	Josh Kent
	Eric Zuber
Highway Superintendent.....	David Leaton
Town Clerk.....	Debra Buck-Leaton

Public (Via Zoom):

Vic DiGregorio	Pam Lynch	Kaitlyn Moucha	Gayla Starowitz
Jim Lamkin	Candy Hensel	Sara Stockwell	Ben Raccuia
Barb Starowitz	Michelle Piasecki,	Harris Beach	

**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 October 14, October 21, October 21 and November 4, 2020 as written. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:           Ayes: 5                   Nays: 0

**PLANNING BOARD REPORT --:**

- Discussed comments from Solar Public Hearing
- Beginning to revise zoning laws

**Noise Ordinance:**

- On hold because the Planning Board is waiting to hear back from Paul Boylan.

A **motion** was made by Councilman Kent 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

**SOLAR LAW:**

- Paul Boylan is making revisions and will get them to the Clerk and Town Board.
- Supervisor Yasses will check on capacity requirements to see if they have changed. Chris Hilbert's son will take care of microphones for the Public Hearing.

A **motion** was made by Councilwoman Fuller to hold a Public Hearing on the Proposed Town of Byron Zoning Law – Section 11.15 Solar Energy Systems on November 17, 2020 and then on November 18, 2020, if

needed, at 7:00 p.m. at the South Byron Fire Hall. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**SOLAR:**

**Amendment to Zoning Law – Battery Energy Storage:**

·Councilman Kent said he hasn't heard anything back from the Zoghlin Group, but will contact Ben at Zoghlin to see how they are proceeding.

**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:***

- Replaced pump at 6478 Freeman Road.
- 4-County Electric changed pump wiring from 120 to 230 volt.
- Still pumping tanks around town with A.D. Calls. Finishing up yearly tanks.
- Barefoot finished the last of the tank replacements in the trailer park.
- Callout at 6275 Walkers-Corners Road for high level alarm. Replaced broken piping.
- Pulled spare pump at center Byron filter bed.

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

Vote:           Ayes: 5           Nays: 0

**HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:**

- Had more salt delivered
- Put up some snow fence
- Plows are on and ready
- Doing odd jobs

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

Vote:           Ayes: 5           Nays: 0

**CEO/ZEO REPORT – Mike Morris:**

·Councilman Zuber asked what the situation was with the property on the corner of Walkers-Corners Road and Caswell Road. Supervisor Yasses stated that the residents have no money to pay for an asbestos inspection and abatement if needed. They have been assigned to community service by the Judge. The Town's hands are tied. The Town can't clean it up and put it on the taxes because the County doesn't do that anymore. Now the residents are piling garbage outside of the trailer. He will ask the code enforcement officer to serve them with a complaint.

**PARK COMMITTEE REPORT – George Squires:**

·Didn't meet in November

**West Shore Park Law/Town of Byron Parks Law:**

Town Attorney Paul Boylan is working on the law

**ABSTRACTS**

**RESOLUTION #100:**

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

**Resolved**, that the Byron Town Board pay the following abstracts:

<b><u>Fund:</u></b>	<b><u>Abstract:</u></b>	<b><u>Vouchers:</u></b>	<b><u>Amount:</u></b>
General Fund	#11	#212 - #226	\$8,897.24
Highway Fund	#11	#167 - #	\$
Sewer Fund	#11	#55 - #59	\$45,814.09
General Post Audit	#10	#67 - #71	\$686.49
Sewer Post Audit	#10	#27 - #28	\$898.24
Water Improv. Bene. Area #1	#1	#1	\$42,649.30

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.....	\$48.00
Paid to NYS DEC.....	\$366.59
Paid to the Town of Byron Supervisor.....	\$3,718.81
Total Disbursed for October 2020.....	\$4,133.40

A **motion** was made by Councilman Kent to approve the Town Clerk's Report as given for October, 2020. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**APPROVAL OF OFFICIAL UNDERTAKING FOR TAX COLLECTOR**

**RESOLUTION #101:**

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

**Resolved**, that the Town Board of the Town of Byron, County of Genesee, State of New York, does hereby approve the undertaking or bond issued by Lawley Genesee Agency as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into her hands as such collector.

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

Vote:           Ayes: 5           Nays: 0

**FINANCIAL REPORT:**

The October 2020 Financial Report was reviewed.

A **motion** was made by Councilman Zuber to approve the October 2020 Financial Reports. The motion was seconded by Councilman Kent and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**SUPERVISOR'S REPORT:**

**Sales Tax Distribution:**

Received the final disbursement for 2020 in the amount of \$284,878, leaving the Town short \$104,315.34 from what was budgeted.

**Fire Contracts:**

A **motion** was made by Councilman Kent to set the Public Hearing on the 2021 Fire Protection Contracts between the Town of Byron and the Byron and South Byron Fire Departments for December 9, 2020 at 7:00 p.m. via zoom. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**Assessor's Report:**

See attached.

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

Vote:                   Ayes: 5                   Nays: 0

**OTHER BUSINESS:**

**WATER IMPROVEMENT BENEFIT AREA NO. 1:**

Letter from Francis Tenny regarding the expense of WIBA#1. The Town Board appreciates Mr. Tenny's thoughts, but prices are way off for today's prices. The Town needs to think of everyone in the district, and a majority of the residents want municipal water.

**JCAP GRANT**

**RESOLUTION #102:**

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

***WHEREAS***, the Town Board of the Town of Byron hereby authorizes the Town of Byron Court to apply for a JCAP grant in the 2020-21 grant cycle up to \$30,000.00.

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

Vote:                   Ayes: 5                   Nays: 0

**EXCELSIOR PROTECTIVE ORDER**

**RESOLUTION #103:**

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

***BE IT RESOLVED***, that the Town Board authorizes the Town Clerk to sign the Excelsior Protective Order – Attachment B State Agency or Municipality Agreement on behalf of the Town of Byron.

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

Vote:                   Ayes: 5                   Nays: 0

**SLEDS OF STAFFORD**

**RESOLUTION #104:**

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

***BE IT RESOLVED***, that the Town Board authorizes the Supervisor to sign the Landowner Permission for Land Use for SO.S. Trails for the 2020-21 Season.

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

Vote:                   Ayes: 5                   Nays: 0

**PUBLIC COMMENTS:**

**Ben Raccuia:** He would like to have the Town Attorney look at the open meetings law.

**Councilman Kent:** Ben Raccuia has offered to let the Town Board use his speaker, but the Board needs to wait to see what they can do as far as meetings because of restrictions due to COVID.

**Supervisor Yasses:** There are no plans to have the Town Board meetings go public.

**Councilwoman Fuller:** The Town Board needs to follow laws that are required by the state.

**Candy Hensel:** Would like to give a summary of activities of the Byron Clean Energy Resources Information Committee:

·Reached out to several possibly interested residents for participation in group. At this time 4 committed persons, 1 possible, seeking 3-4 more to better round out group.

·Group has met twice since last Town Board meeting. Next session is Tuesday, November 17 at 6 pm at the Byron Hotel

·Topics included Clean Energy Standard, Reforming the Vision, NYSEERDA, NY-SUN, ROCTRICITY, Joule Assets, Community Choice Aggregation, and Clean Energy Communities program, G/FLEPC, Community Solar, National Grid, Micro-Grids, workshops provided by Regional Council.

·By December meeting we hope to have a plan of action for the Town to consider and suggest 4 of the 10 action items for Byron to engage in to become certified for the Clean Energy Community Designation and therefore become eligible for the benefits of this status. Input from board would be very welcomed.

·Spoke to several of the groups listed

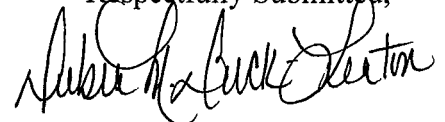
·Applied for intervenor funding for application phase of the Excelsior Project if partnership of projects is possible.

**ADJOURN:**

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 8:07 p.m. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton  
Byron Town Clerk

## ASSESSORS REPORT

11/11/2020

Attached is the chart from the New York State Department of Taxation and Finance starting the calculation for the 2021 Equalization rate. A Class is the homes only. It shows a +6% trend for Byron and all of Genesee County. This indicates that the average home in Byron is under assessed by at least 6%.

There have been six home sales in Byron since March. The combined 2020 assessed value of these homes was \$640,000. The combined sales price of these homes was \$890,000 which is an average of selling 39% above assessed value. This is some of the data used by the State to indicate values need to increase in 2021 to keep our rate at 100%.

I will keep the Board updated as the State fills in the rest of the chart to show the equalization rate for Byron in 2021 if nothing is done. I have already started the update process for 2021 with land values going up \$200 per acre and the acre that a house sits on going up \$1,000. Data up to now shows most homes going up another 6% after that. Change notices will go out in March once the State verifies that the changes I make are enough to claim 100% again.

Ag and Aged renewals will be mailed out in the next month. STAR is now done by the State of New York.

Please feel free to contact me with any questions.

Barry Flansburg – Assessor – Town of Byron

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barreas@rochester.rr.com



GENESEE COUNTY 18

CTY	MA	SWIS	MUNI	2021 Trends				2021 MTA Ratio	2021 PDC Overall Ratio
				A Class	B Class	C Class	D Class		
29	1820	ALABAMA	6						
29	1822	ALEXANDER	6						
29	1826	BERGEN	6						
29	1830	BYRON	6						
29	1834	ELBA	6						
29	1838	OAKFIELD	6						
29	1842	PEMBROKE	6						
29	1844	STAFFORD	6						
29	189901	CAP 1	6						
29	1828	BETHANY (CAP1)							
29	1832	DARIEN (CAP1)							
29	189902	CAP 2	6						
28	1802	BATAVIA City (CAP2)							
29	1824	BATAVIA Town (CAP2)							
29	189903	CAP 3	6						
29	1836	LERROY (CAP3)							
29	1840	PAVILION (CAP3)							

RECEIVED  
10/29/2020