

BYRON TOWN BOARD MEETING

December 13, 2017

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
Mike Morris.....	CEO/ZEO
Town Clerk.....	Debra Buck-Leaton
Public:	
Vic Digregorio.....	Warboys Road, Byron
Candace Hensel.....	Rte. 237, Byron
George Squires.....	McElver Street, Byron
Roger Rouse.....	Lyman Road, 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 November 8, 2017 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:

- Discussed property owner that is in an R and AR district on Walkers Corners Road and wants to dig a pond in the R district, which is not allowed under the current zoning law.
- Discussed a bulk land transfer that would leave the property land locked, which is not allowed under the current zoning law.
- Jeremy Fuller would like to reopen apartments above the pizza shop, but it is a C1 district so it does not allow residential use, and it has not been used as an apartment for over a year so it loses its nonconforming use status.

Supervisor Yasses: Dollar General is not interested in putting a Dollar General on Rte. 237, they want to put it on Rte. 262, but there is not property available for sale on Rte. 262. The Planning Board needs to look at the commercial districts.

A **motion** was made by Councilwoman Fuller 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

COMPREHENSIVE COMMITTEE REPORT – George Squires:

- Continuing to make progress
- Will not be finished by the end of the year, but we will pay them the remainder of what is owed because no money was budgeted for 2018, only 2017.

A **motion** was made by Councilman Cudney to approve the Comprehensive Report as given. The motion was seconded by Councilman Klycek 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

Supervisor Yasses: Dan Burns has not come to service and/or check generators (5 altogether), so Pete would like to contact of John Schoebroeck, who is an independent contractor for Generac, and lives on Lyman Road to service them.

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

**SEWER RELEVY
RESOLUTION #80:**

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

Resolved, that the Byron Town Board approves the relevy of all unpaid sewer bills in the amount of Thirty-Six Thousand Three Hundred Nineteen and 50/100 Dollars (\$36,319.50) onto the 2018 Town/County tax bills.

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – Brian Forsyth:

- Starting to get a few runs in...truck holding up so far
- Backhoe started leaking...pulled entire valve body redid all the o-rings this time
- Took driveway plow for loader and mounted to quick detach plate
- Painted loader and backhoe driveway pushers...contact county for decals
- Completed and mailed local highway inventory to the state
- Filled out 2017-18 snow and ice operational plan and delivered to DOT Batavia
- Trying to negotiate a better deal with DOT for plowing 237
- Ordered 400 ton of salt...this years budget...bill hopefully at wrap up meeting
- Re-doing way we mark phone boxes and culverts...bill from Country Line Electric
- Overhead door quotes – only has one quote and will need to get another quote since it is over \$3,000

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

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilwoman Fuller to hold a Special Meeting on December 19, 2017 at 6:30 p.m. to review quotes for a new highway garage door. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT – Mike Morris:

- Number of Inspections: 10
- Number of Zoning/Building Permits Issued: 5
- Number of Land Separations: 0
- Number of Special Use Permit Applications: 0
- Number of Building C.O./C.C. Issued: 3
- Number of Zoning Complaints Filed: 0
- Number of Zoning Complaints Resolved: 0
- Number of Stop Work Orders Issued: 0
- Number of Violations Sent: 0
- Number of Violations Resolved: 0

·The State passed the law saying you can have one unregistered vehicle on your property, it previously said you couldn't have any. All the towns that had already passed a law making it necessary to have a permit for having one unlicensed vehicle are now making it mandatory for a second unlicensed vehicle.

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

- Christmas lights have been put up in gazebo
- Basketball plexi-glass backboard was shattered so purchased a new one
- Getting bids for new fencing around tennis courts

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

Vote: Ayes: 5 Nays: 0

MUSEUM REPORT –Councilwoman Fuller:

- Low-Key Construction finished roof

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

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #81:

Councilman Klycek offered the following resolution and moved for its adoption:
Resolved, that the Byron Town Board pay the following abstracts:

Fund:	Abstract:	Vouchers:	Amount:
General Fund	#12	#283 - #314	\$39,386.33
Highway Fund	#12	#191 - #207	\$13,725.65
Sewer Fund	#12	#40 - #42	\$ 4,784.38
General Fund	PA#12	#61 - #73	\$ 6,672.25
Sewer Fund	PA#12	#28 - #32	\$ 1,621.87

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.....	\$ 60.00
Paid to NYS DEC.....	\$ 709.63
Paid to the Town of Byron Supervisor.....	<u>\$2,680.17</u>
Total Disbursed for November 2017.....	\$3,449.80

A **motion** was made by Councilman Klycek to approve the Town Clerk’s Report as given for November 2017. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The November 2017 Financial Report was reviewed.

A **motion** was made by Councilman Klycek to approve the November 2017 Financial Report. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR’S REPORT:

Health Insurance:

·The Supervisor and highway men met with a representative from Bene-Care to review health care renewals and costs. Employees currently have Independent Health iDirect Gold HSAQ with an annual deductible of \$2,100 single/\$4,200 family. The 2018 rates would increase as follows:

Annual deductible would increase to \$2,500 single/\$5,000 family

Single:	\$435.24 monthly premium would increase to \$488.63
Subscriber and Spouse:	\$870.48 monthly premium would increase to \$977.26
Family:	\$1,240.43 monthly premium would increase to \$1,392.60

HEALTH INSURANCE PLAN

RESOLUTION #82:

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

Resolved, that the Byron Town Board approves a change of the health insurance coverage for Town employees from Independent Health iDirect Gold HSAQ with an annual deductible of \$2,100 single/\$4,200 family to the 2018 rate for Independent Health iDirect Gold HSAQ with an annual deductible of \$2,500 single/\$5,000 family, with the HSA to be paid in whole by the Town.

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

Vote: Ayes: 5 Nays: 0

WATER SUPPLY AGREEMENT WITH GENESEE COUNTY

RESOLUTION #83:

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

Resolved, that the Byron Town Board hereby approves the Water Supply Agreement between the Town of Byron and Genesee County, and hereby directs the Supervisor to sign said agreement.

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

Vote: Ayes: 5 Nays: 0

Mortgage Tax Payment:

·Received Mortgage Tax Payment in the amount of \$16,952.95

Informational Meeting for Searls Road Bridge Replacement:

December 19, 2017 at 7:00 p.m.

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

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 7:

·Need to finish getting easements

WATER DISTRICT NO. 8:

·Waiting for Comptroller approval

FAMILY LEAVE ACT:

A **motion** was made by Councilman Thompson to table the discussion on the Family Leave Act until the next Town Board meeting. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 5 Nays: 0

BOARD OF ASSESSMENT REVIEW:

A **motion** was made by Councilman Thompson to appoint Shannon Thompson to a five year term on the Board of Assessment Review effective October 1, 2017 – September 30, 2022. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 5 Nays: 0

2016 JUSTICE AUDIT

RESOLUTION #84:

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

RESOLVED, that the Byron Town Board hereby approves the Town of Byron Town Justice Audit for the year ended December 31, 2016 as prepared by Raymond Wager, P.C., Certified Public Accountants.

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

Vote: Ayes: 5 Nays: 0

AGREED-UPON PROCEDURES FOR 2017 JUSTICE AUDIT

RESOLUTION #85:

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

RESOLVED, that the Byron Town Board hereby approves the Quotation for Agreed-Upon Procedures for the Town Justice Accounts for 2017 to be prepared by Raymond Wager, P.C., Certified Public Accountants for a cost of \$1,550.00.

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

Vote: Ayes: 5 Nays: 0

APPROVAL OF BYRON FIRE DEPARTMENT NO. 1 MEMBERS FOR WORKERS' COMPENSATION:

A **motion** was made by Councilman Klycek to add the attached list of Byron Fire Department No. 1 members to the Town of Byron's Workers' Compensation. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

END-OF-YEAR MEETING:

A **motion** was made by Councilwoman Fuller to set the end of year meeting for December 27, 2017 at 7:00 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

ORGANIZATIONAL MEETING:

A **motion** was made by Councilman Cudney to set the Organizational Meeting for January 3, 2018 at 7:00 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

John Sackett: Gave a report on the Local Government Workshop which he attended.

ADJOURN:

A **motion** was made by Councilman Cudney to adjourn the Byron Town Board Meeting at 8:52 p.m. The motion was seconded by Supervisor Yasses and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk

Byron Fire Department #1 Inc.

PO Box 210

Byron, NY 14422

November 14, 2017

Debra Buck-Leaton
Town Clerk
Town of Byron
PO Box 7
Byron, NY 14422

Dear Debra:

Listed below is the active membership of the Byron Fire Department #1 Inc. including the Rescue Squad. The second list contains the members that need to be added to the official workman's comp list.

Currently Active Members	Members to be added
Austin, Harold W.	Baxter Justin
Barniak, Anthony R.	Carr Paul
Durand, John	Dilcher, Shannon
Durkee, Charles L.	Dix William
George, Eric S.	Fairchok, Shelby
George, Kathleen	Flanagan Lisa
Johnson, Sandra	Flanagan Victor
Johnson, Zack	Mruczek, Robert
Lockner, Steve	Schultz Jacob
McDonald, James	Steinmetz, Megan
Nickerson, Bradford	Weatherell Dwane
Platt Laura	Weatherell, Michelle
Russell Corey	
Sharp Edward	
Stevens, Daniel	
Yantz Joshua	

Please have the Town Board approve this list of members so that we can properly update Genesee County.

If there is any question please contact either John Durand at 585-813-3531 or Victor Flanigan at 585-409-0639
Thank you

John Durand
1st Asst. Chief
Byron Fire Department