

BYRON TOWN BOARD MEETING

April 12, 2023

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

Supervisor.....	Peter Yasses
Councilmen.....	Jeff Thompson
	Josh Kent
	Eric Zuber
	Tom Felton
Highway Superintendent.....	David Leaton
Town Clerk.....	Debra Buck-Leaton
Invited Guest.....	Town Attorney, Paul Boylan
	Scott Mattison, MRB Group

Public:

Candy Hensel	Sara Stockwell	Eric Richenberg	Rob Palmer
Vic DiGregorio	Barry King	Mark Phillips	

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

A **motion** was made by Councilman Felton to open the Public Hearing to consider the proposed extensions of the Consolidated Sewer District and to initiate the required proceedings pursuant to SEQRA regarding the said extensions at 7:03 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

**GENESEE COUNTY
NOTICE OF PUBLIC HEARING**

At a Special Meeting of the Town of Byron in the County of Genesee, held at the Town Hall in the Town of Byron, on the 22nd day of March, 2023

Present:

*Peter Yasses, Supervisor
Jeff Thompson, Councilman
Josh Kent, Councilman
Eric Zuber, Councilman
Thomas Felton, Councilman*

WHEREAS, the Town Board of the Town of Byron, duly adopted a resolution directing the Town Engineer, MRB Group, D.P.C., to prepare a Map, Plan and Report for the proposed extension of the Byron Consolidated Sewer District to include certain properties outside the said consolidated Sewer District currently receiving sewage disposal services; and

WHEREAS, said Town Engineer dis on the 8th day of March, 2023, duly file in the office of the Town Clerk file a Map, Plan and Report for the said proposed extension of the Consolidated Sewer District, and

WHEREAS, the boundaries of the proposed extensions to the consolidated Sewer District are set forth on SCHEDULE A, attached hereto and made a part hereof, and

WHEREAS, the proposed extension will include approximately 12 parcels of property located outside the Consolidated Sewer District, currently receiving sewage disposal services and 0 properties adjacent to said Consolidated Sewer District not currently receiving sewage disposal services, and

WHEREAS, these extensions do not require the expenditure of any money for the construction of any infrastructure equipment, and

WHEREAS, the cost of the proposed extensions will be paid from reserve funds of the Consolidated Sewer District and will not require any assessment of the properties in the Consolidated Sewer District or the properties included in the proposed extensions; and

NOW, THEREFORE, BE IT ORDERED, that a Public Hearing be held during a Regular Meeting of the Town Board of the Town of Byron on April 12, 2023, at 7:00 p.m. at the Byron Town Hall at 7028 Byron-Holley Road in the Town of Byron to hear all persons present and to consider the said proposed extension of the Consolidated Sewer District and to take such other and further actions in connection with the proposed extensions as may be necessary, proper or required by law, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of the Order in the official newspaper of the Town, the Batavia Daily News, and to post a copy hereof on her official sign board not less than ten (10) days, no more than twenty (20) days prior to the above date set for the Public Hearing.

March 22, 2023

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

Schedule A

Boundary Description of Proposed Byron Consolidated Sanitary Sewer District

Parcel No. 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. A and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly right-of-way of Byron Holley Road, said point being located on the southeast corner of Tax Map Parcel (TMP) 7.-1-16.22; thence

1. Westerly 266'±, along the southerly boundary of TMP 7.-1-16.22 to a point being located on the southwest corner of said property; thence
2. Northerly 703'±, along the westerly boundary of TMP 7.-1-16.22, 7.-1-18, 7.-1-17 and 7.-1-16.11 to a point on the westerly boundary TMP 7.-1-16.11 coincident with the southeasterly corner of TMP 7.-1-16.12; thence
3. Westerly 425'±, along the southerly boundary of TMP 7.-1-16.12 to the southwesterly corner of said property; thence
4. Northerly and northeasterly 263'±, along the westerly boundary of TMP 7.-1-16.12, to a point on the westerly boundary of said property coincident with the southwesterly corner of TMP 7.-1-13.12; thence
5. Northerly 526'±, along the westerly boundary of TMP 7.-1-13.12, 7.-1-13.11 and 7.-1-12 to the northwest corner of TMP 7.-1-12, said point being coincident with the southerly boundary of TMP 7.-1-6; thence
6. Westerly 262'±, along the southerly boundary of TMP 7.-1-6, 7.-1-5, 7.-1-4 and 7.-1-3 to the southwest corner of TMP 7.-1-3, said point being 264'± offset southerly from the centerline of Byron Elba Road; thence
7. Continuing westerly parallel to and offset southerly from the centerline of Byron Elba Road 309'±, to a point within TMP 7.-1-2 on the centerline of Black Creek; thence
8. Northerly 301'±, along the centerline of Black Creek to a point on the centerline of Black Creek coincident with the southerly boundary of TMP 5.-1-95.112; thence
9. Easterly 22'±, along the southerly boundary of TMP 5.-1-95.112 to the southeast corner of said TMP 5.-1-95.112; thence
10. Northerly 192'±, along the westerly boundary of TMP 5.-1-95.112 to the northwest corner of TMP 5.-1-94; thence
11. Easterly 76'±, along the northerly boundary of TMP 5.-1-94 to the southwest corner of said TMP 5.-1-90; thence
12. Northerly 386'±, along the westerly boundary of TMP 5.-1-90, 5.-1-89, 5.-1-88, 5.-1-87, 5.-1-86 and 5.-1-85 to the northwest corner of said TMP 5.-1-85; thence
13. Easterly 238'±, along the northerly boundary of TMP 5.-1-85 to the northeast corner of said TMP 5.-1-85; thence
14. Northeasterly 176'±, along the southerly boundary of TMP 5.-1-115 and 5.-1-73.113 to the southeast corner of said TMP 5.-1-73.113; thence
15. Northerly 211'±, along the westerly boundary of 5.-1-109 to the northwest corner of said TMP 5.-1-109; thence
16. Easterly 69'±, along the northerly boundary of TMP 5.-1-109 to the southwest corner of said TMP 5.-1-99; thence
17. Northerly 155'±, along the westerly boundary of TMP 5.-1-99 and to the southeast corner of said TMP 5.-1-99; thence
18. Easterly 215'±, along the northerly boundary of TMP 5.-1-99 to a point on the northerly boundary of said TMP 5.-1-99; thence
19. Northerly 21'±, across TMP 5.-1-103 to the southwest corner of TMP 5.-1-95.2; thence

20. Northerly 453'±, along the westerly boundary of TMP 5.-1-95.2, 5.-1-95.12 and 5.-1-100 to the northwest corner of said TMP 5.-1-100; thence
21. Easterly 198'±, along the northerly boundary of TMP 5.-1-100 to the northeast corner of said 5.-1-100; thence
22. Northerly 231'±, along the easterly boundary of TMP 5.-1-95.113 to the southeast corner of TMP 5.-1-102; thence
23. Westerly 196'±, along the southerly boundary of TMP 5.-1-102 to the northwest corner of TMP 5.-1-95.113; thence
24. Northerly 453'±, across TMP 5.-1-102 to the southwest corner of TMP 5.-1-6; thence
25. Northerly 389'±, along the westerly boundary of TMP 5.-1-6 and 5.-1-5.12 to the northwest corner of said TMP 5.-1-5.12; thence
26. Easterly 258'±, along the northerly boundary of TMP 5.-1-5.12 and continuing across Byron Holley Road to a point on the westerly boundary of TMP 5.-1-98; thence
27. Southerly 499'±, along the westerly boundary of TMP 5.-1-98 and 5.-1-97.12 to the southwest corner of said TMP 5.-1-97.12; thence
28. Easterly 364±, along the southerly boundary of TMP 5.-1-97.12 to the southeast corner of said TMP 5.-1-97.12; thence
29. Northerly 188'±, along the easterly boundary of TMP 5.-1-97.12 to the northeast corner of said TMP 5.-1-97.12; thence
30. Easterly 191'±, along the northerly boundary of TMP 5.-1-97.112 to the southeast corner of said TMP 5.-1-97.113; thence
31. Northerly 749'±, along the westerly boundary of TMP 5.-1-97.113 to the northwest corner of said TMP 5.-1-97.113; thence
32. Easterly 1,344'±, along the northerly boundary of TMP 5.-1-97.113 to the northeast corner of said TMP 5.-1-97.113; thence
33. Southerly 715'±, along the easterly boundary of TMP 5.-1-97.113 to a point on said TMP 5.-1-97.113; thence
34. Easterly 311'±, across TMP 5.-1-16.1 to the northeast corner of TMP 5.-1-15.2; thence
35. Easterly 566'±, along the northerly boundary of TMP 5.-1-15.2, 5.-1-14 and 5.-1-12 to the northeast corner of said TMP 5.-1-12; thence
36. Southerly and southwesterly 506'±, along the easterly boundary of TMP 5.-1-12 and 5.-1-13 to a point on the southeast boundary of said TMP 5.-1-13; thence
37. Southerly 58'±, across Mill Pond Road to the northeast corner of TMP 5.-2-64.1; thence
38. Southerly 124'±, along the easterly boundary of TMP 5.-2-64.1 to the southeast corner of said TMP 5.-2-64.1; thence
39. Easterly 145'±, along the southerly boundary of TMP 5.-2-64.1 to the northwest corner of said TMP 5.-2-65; thence
40. Southerly 42'±, along the westerly boundary of TMP 5.-2-65 to the south-southeast corner of said TMP 5.-2-64.1; thence
41. Westerly 303'±, along the southerly boundary of TMP 5.-2-64.1 to the southwest corner of said TMP 5.-2-64.1; thence
42. Southerly 372'±, across Mill Pond to the northeast corner of TMP 5.-1-24; thence
43. Southerly 1,389'±, along the westerly boundary of TMP 5.-1-24 and continuing across TMP 5.-1-73.2, further along the centerline of Swamp Road and across Townline Road to a point on the northerly boundary of TMP 7.-1-46.111; thence
44. Westerly 195'±, along the northerly boundary of TMP 7.-1-46.111 to the northeast corner of TMP 7.-1-45.1; thence
45. Westerly 208'±, along the northerly boundary of TMP 7.-1-45.1 to the northwest corner of said TMP 7.-1-45.1; thence
46. Southerly 127'±, along the westerly boundary of TMP 7.-1-45.1 to the southeast corner of TMP 7.-1-44; thence
47. Westerly 264'±, along the southerly boundary of TMP 7.-1-44 and 7.-1-43 to the southwest corner of said TMP 7.-1-43; thence
48. Southerly 233'±, along the westerly boundary of TMP 7.-1-42 to the southeast corner of said TMP 7.-1-42; thence
49. Westerly 450'±, along the southerly boundary of TMP 7.-1-42, 7.-1-41, 7.-1-40, 7.-1-39 and 7.-1-38 to the southwest corner of said TMP 7.-1-38; thence
50. Northerly 62'±, along the westerly boundary of TMP 7.-1-38 to the southeast corner of TMP 7.-1-35; thence
51. Westerly 534'±, along the southerly boundary of TMP 7.-1-35 and 7.-1-34 to the southwest corner of said TMP 7.-1-34; thence
52. Southerly 846'±, along the westerly boundary of TMP 7.-1-29.12, 7.-1-29.11, 7.-1-27, 7.-1-26, 7.-1-25, 7.-1-24, 7.-1-23 and 7.-1-22 to the southeast corner of said TMP 7.-1-22; thence
53. Westerly 400'±, along the southerly boundary of TMP 7.-1-22 and continuing across Byron Holley Road to a point on the easterly boundary of TPM 7.-1-17; thence
54. Southerly 512'±, along the easterly boundary of TMP 7.-1-17, 7.-1-18, 7.-1-19 and 7.-1-16.22 to the southeast corner of said TMP 7.-1-16.22, said location being the point and place of beginning of Parcel No. 1.

Excepting the following two interior areas designated 1A and 1B.

Area 1A: BEGINNING at a point on the southeast corner of TMP 5.-1-111 thence

1. Southwesterly 278'±, along the southerly boundary of TMP 5.-1-111 and 5.-1-113 to the southwest corner of said TMP 5.-1-113; thence
2. Northerly 199'±, along the easterly boundary of TMP 5.-1-104 to the northeast corner of said TMP 5.-1-104; thence
3. Westerly 161'±, along the northerly boundary of TMP 5.-1-104 to the northwest corner of said TMP 5.-1-104; thence
4. Northerly 752'±, along the westerly boundary of TMP 5.-1-97.112 to the northwest corner of TMP 5.-1-113; thence
5. Easterly 436'±, along the northerly boundary of TMP 5.-1-113 to the northeast corner of said TMP 5.-1-113; thence
6. Southerly 984'±, along the easterly boundary of TMP 5.-1-113, 5.-1-108 and 5.-1-111 to the southeast corner of said TMP 5.-1-104, to the point and place of beginning of Phase No. 1 interior area 1A.

Area 1B: Consists solely of TMP 5.-1-101.1.

Parcel No. 2

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 2 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly right-of-way of Byron Holley Road, said point being located on the southwest corner of Tax Map Parcel (TMP) 9.-2-58.1; thence

1. Northerly 1,096'±, along the westerly boundary of TMP 9.-2-58.1, 9.-2-27, 9.-2-26, 9.-2-25, 9.-2-24, 9.-2-56, 9.-2-23, 9.-2-22, 9.-2-21, 9.-2-20, 9.-2-19 and 9.-2-18 to the northwest corner of said TMP 9.-2-18; thence
2. Northeasterly 610'±, along the northerly boundary of TMP 9.-2-18 and 9.-2-45 to the northeast corner of said parcel 9.-2-45; thence
3. Southerly 395'±, along the easterly boundary TMP 9.-2-45 to the southeast corner of said TMP 9.-2-45; thence
4. Westerly 290'±, along the northerly boundary of TMP 9.-2-57 to the southwest corner of said TMP 9.-2-57; thence
5. Southerly 399'±, along the westerly boundary of TMP 9.-2-57 to the northwest corner of said TMP 9.-2-57; thence
6. Easterly 299'±, along the southerly boundary of TMP 9.-2-57 to the northeast corner of said TMP 9.-2-57; thence
7. Southerly 570'±, along the easterly boundary of TMP 9.-2-24, 9.-2-25, 9.-2-27 and 9.-2-58.1 to a point on the easterly boundary of said TMP 9.-2-58.1; thence
8. Westerly 247'±, across TMP 9.-2-58.1 to the northeast corner of TMP 9.-2-58.2; thence
9. Westerly 308'±, along the northerly boundary of TMP 9.-2-58.2 to the northwest corner of said TMP 9.-2-58.2, said location being the point and place of beginning of Parcel No. 2.

Parcel No. 3

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 3 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 9.-2-58.1; thence

1. Northerly 291'±, along the westerly boundary of TMP 9.-2-4, said point being coincident with the parcel boundary and offset 200' perpendicular south from the centerline of Walkers Corner Road; thence
2. Westerly 319'±, parallel to and 200' offset to the centerline of Walkers Corner Road to the southeast corner of TMP 9.-2-3.2; thence
3. Northerly 175'±, along the easterly boundary TMP 9.-2-3.2 to the northeast corner of said TMP 9.-2-3.2; thence
4. Northerly 50'±, across Walkers Corner Road to the southwest corner of TMP 9.-1-57; thence
5. Easterly 263'±, along the southerly boundary of TMP 9.-1-57 to the southwest corner of said TMP 9.-1-56; thence
6. Easterly 299'±, along the southerly boundary of TMP 9.-2-57 to the northeast corner of said TMP 9.-2-56; thence
7. Northerly 395'±, along the westerly boundary of TMP 9.-1-56 to the northwest corner of said TMP 9.-1-56; thence
8. Easterly 475'±, along the northerly boundary of TMP 9.-1-56, 9.-1-53 and 9.-1-51 to a point on the northern boundary of said TMP 9.-1-51, said point being coincident with the parcel boundary and offset 150' perpendicular northwest from the centerline of Byron Holley Road; thence
9. Northeasterly 353'±, along a line parallel to and 150' offset northwest from the centerline of Byron Holley Road, said point being located on the southern boundary of TMP 9.-1-33.12; thence
10. Westerly 144'±, along the southerly boundary of TMP 9.-1-33.12 to a point within TMP 9.-1-34.11; thence
11. Southerly 58'±, to the shared northeasterly corner of TMP 9.-1-34.11 and 9.-1-1.112; thence
12. Westerly 139'±, along the southerly boundary of TMP 9.-1-34.11 to the southwest corner of said TMP 9.-1-34.11; thence

13. Northerly 351'±, along the westerly boundary of TMP 9.-1-34.11 to the northwest corner of said TMP 9.-1-34.11; thence
14. Southeasterly 283'±, along the northerly boundary of TMP 9.-1-34.11 and 9.-1-33.12 to the northwest corner of said TMP 9.-1-33.12; thence
15. Northerly 639'±, along the westerly boundary of TMP 9.-1-32.11, 9.-1-32.12 and 9.-1-32.2 to the northwest corner of said TMP 9.-1-32.2; thence
16. Easterly 428'±, along the northerly boundary of TMP 9.-1-32.2 to the northeast corner of said TMP 9.-1-32.2; thence
17. Southwesterly 944'±, along the easterly boundary of TMP 9.-1-32.2, 9.-1-32.12, 9.-1-32.11 and 9.-1-33.12 to the southeast corner of said TMP 9.-1-33.12; thence
18. Easterly 67'±, across Byron Holley Road to the northwest corner of TMP 9.-1-62; thence
19. Easterly 236'±, along the northerly boundary of TMP 9.-1-62 and 9.-1-36.2 to the northwest corner of said TMP 9.-1-36.2; thence
20. Easterly 50'±, across Mechanic Street to the northwest corner of TMP 9.-1-29; thence
21. Easterly 309'±, along the northerly boundary of TMP 9.-1-29 to the northeast corner of said TMP 9.-1-29; thence
22. Southerly 531'±, along the easterly boundary of TMP 9.-1-29, 9.-1-28, 9.-1-27, 9.-1-26, 9.-1-25, 9.-1-24 and 9.-1-23 to the southeast corner of said TMP 9.-1-23; thence
23. Westerly 180'±, along the southerly boundary of TMP 9.-1-23 to the angle on the southern boundary of said TMP 9.-1-23; thence
24. Southerly 50'±, along the angle on the southerly boundary of TMP 9.-1-23 and continuing to a point on the northern boundary of TMP 9.-1-59; thence
25. Southwesterly 69'±, along the northerly boundary of TMP 9.-1-59 to the northeast corner of TMP 9.-1-19; thence
26. Southeasterly 39'±, along the easterly boundary of TMP 9.-1-19 to the southeast corner of said TMP 9.-1-19; thence
27. Westerly 93'±, along the southerly boundary of TMP 9.-1-19 to the southwest corner of said TMP 9.-1-19; thence
28. Southerly and southwesterly 684'±, along the northerly boundary of TMP 9.-1-59 to the southwest corner of TMP 9.-2-12.1; thence
29. Southwesterly 71'±, across Byron Holley Road to the southeast corner of TMP 9.-2-10; thence
30. Southwesterly 65'±, along the southerly boundary of TMP 9.-2-10, 9.-2-7, 9.-2-6, 9.-2-5 and 9.-2-4 to the southwest corner of said TMP 9.-2-4, said location being the point and place of beginning of Parcel No. 3.

Parcel No. 4

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 4 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 9.-1-17.1; thence

1. Northeasterly 1,068'±, along the northwesterly boundary of TMP 9.-1-17.1, 9.-1-17.1, 9.-1-15, 9.-1-14, 9.-1-13, 9.-1-12, 9.-1-11 and 9.-1-10.12 to the northeast corner of said TMP 9.-1-10.12; thence
2. Southerly 303'±, along the easterly boundary TMP 9.-1-10.12 to the northwest corner of said TMP 9.-1-10.12; thence
3. Easterly 651'±, along the northerly boundary of TMP 9.-1-65, 9.-1-10.112, 9.-1-10.2 and 9.-1-67 to the northeast corner of said TMP 9.-1-67; thence
4. Southerly 175'±, along the easterly boundary of TMP 9.-1-67 to the southeast corner of said TMP 9.-1-67; thence
5. Easterly 50'±, along the southerly boundary of TMP 9.-1-10.111 to the southwest corner of TMP 9.-1-66; thence
6. Northerly 175'±, along the westerly boundary of TMP 9.-1-66 to the northwest corner of said TMP 9.-1-66; thence
7. Easterly 160'±, along the northerly boundary of TMP 9.-1-66 to the northeast corner of said TMP 9.-1-66; thence
8. Southerly 175'±, along the easterly boundary of TMP 9.-1-66 to the southeast corner of said TMP 9.-1-66; thence
9. Easterly 1,050'±, along the southerly boundary of TMP 9.-1-10.111 to a point on the southerly boundary of said TMP 9.-1-10.111; thence
10. Southerly 41'±, across Freeman Road to the northeast corner of TMP 9.-2-38.1; thence
11. Southerly 291'±, along the easterly boundary of TMP 9.-2-38.1 to a point on the easterly boundary of said TMP 9.-2-38.1; thence
12. Westerly 849'±, across TMP 9.-2-38.1 to the southeast corner of TMP 9.-2-37.1; thence
13. Westerly 272'±, along the southerly boundary of TMP 9.-2-37.1 and 9.-2-37.2 to the southwest corner of said TMP 9.-2-37.2; thence

14. Southerly 77'±, along the easterly boundary of TMP 9.-2-36 to the southeast corner of said TMP 9.-2-36; thence
15. Westerly 168'±, along the southerly boundary of TMP 9.-2-36 to the southwest corner of said TMP 9.-2-36; thence
16. Northerly 218'±, along the westerly boundary of TMP 9.-2-36 to the southwest corner of TMP 9.-2-35, said point being 175'± offset perpendicular from the centerline of Freeman Road; thence
17. Westerly 194'±, parallel to the centerline of Freeman Road across TMP 9.-2-34 and 9.-2-29.121 to a point on the westerly boundary of said TMP 9.-2-29.121; thence
18. Southerly 50'±, along the easterly boundary of TMP 9.-2-29.211 to the southeast corner of said TMP 9.-2-29.211; thence
19. Westerly 715'±, along the southerly boundary of TMP 9.-2-29.211, 9.-2-33.1, 9.-2-32, 9.-2-31 and 9.-2-30.1 to the southwest corner of said TMP 9.-2-30.1; thence
20. Northerly 41'±, along the westerly boundary of TMP 9.-2-30.1 to the southeast corner of TMP 9.-2-30.2; thence
21. Westerly 212'±, along the southerly boundary of TMP 9.-2-30.2 to the southwest corner of said TMP 9.-2-30.2; thence
22. Northerly 216'±, along the westerly boundary of TMP 9.-2-30.2 and continuing across Freeman Road to a point on the southerly boundary of TMP 9.-1-15; thence
23. Westerly 448'±, along the southerly boundary of TMP 9.-1-15, 9.-1-16 and 9.-1-17.1 to the southwest corner of said TMP 9.-1-17.1, said location being the point and place of beginning of Parcel No. 4.

Parcel No. 5

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 5 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 5.-2-16.2; thence

1. Northerly 601'±, along the westerly boundary of TMP 5.-2-16.2 and continuing into a point within TMP 5.-2-4.1; thence
2. Easterly 120'±, across TMP 5.-2-4.1 to the southwest corner of TMP 5.-2-19; thence
3. Northerly 277'±, along the westerly boundary of TMP 5.-2-19, 5.-2-18 and 5.-2-17 to the northwest corner of said TMP 5.-2-17; thence
4. Easterly 225'±, along the northerly boundary of TMP 5.-2-17 and continuing across Byron Holley Road to a point on the westerly boundary of TMP 5.-2-21; thence
5. Northerly 99'±, along the westerly boundary of TMP 5.-2-21 to a point on the westerly boundary of said TMP 5.-2-21; thence
6. Easterly 230'±, across TMP 5.-2-21 to a point on the eastern boundary of said TMP 5.-2-21; thence
7. Southerly 262'±, along the easterly boundary of TMP 5.-2-21, 5.-2-22 and 5.-2-27 to the northwest corner of TMP 5.-2-28; thence
8. Northeasterly 172'±, along the northwesterly boundary of TMP 5.-2-28 and 5.-2-29 to the northeast corner of said TMP 5.-2-29; thence
9. Northwesterly 113'±, along the southwesterly boundary of TMP 5.-2-31 to the northwesterly corner of said TMP 5.-2-31; thence
10. Northeasterly 280'±, along the northwesterly boundary of TMP 5.-2-31 to the northern corner of TMP 5.-2-31; thence
11. Northerly 21'±, along the westerly boundary of TMP 5.-2-32 to the northwest corner of said TMP 5.-2-32; thence
12. Northeasterly 341'±, along the northwesterly boundary of TMP 5.-2-32 and continuing to a point on the northern boundary of TMP 5.-2-33, said point being located 253'± offset perpendicular from the centerline of Warboys Road; thence
13. Southeasterly 218'±, on a line perpendicular to the centerline of Warboys Road continuing across Warboys Road to a point on the northeasterly boundary of TMP 5.-2-36.1; thence
14. Southwesterly 586'±, along the northwesterly boundary of TMP 5.-2-36.1 and 5.-2-34.2 to the northwest corner of said TMP 5.-2-34.2; thence
15. Southeasterly 715'±, along the southerly boundary of TMP 5.-2-34.2 to the southeast corner of said TMP 5.-2-34.2; thence
16. Southwesterly 423'±, along the southeasterly boundary of TMP 5.-2-34.1 and 5.-2-35.1 to the southeast corner of said TMP 5.-2-35.1; thence
17. Northwesterly 210'±, along the southwesterly boundary of TMP 5.-2-35.1, continuing across Warboys Road to a point on the southeasterly boundary of TMP 5.-2-27; thence
18. Southwesterly 239'±, along the southeasterly boundary of TMP 5.-2-27 and 5.-2-26 to the southwestern corner of TMP 5.-2-26; thence
19. Southwesterly 99'±, across Byron Holley Road to the southeastern corner of TMP 5.-2-16.2; thence

20. Southwesterly 375'±, along the southeasterly boundary of TMP 5.-2-16.2 to the southwest corner of said TMP 5.-2-16.2, said location being the point and place of beginning of Parcel No. 5.

HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY, those five (5) Parcels of land situate in the Town of Byron, Genesee County, New York to be collectively known and identified as the Byron Consolidated Sanitary Sewer District.

Public Comments: None

A **motion** was made by Councilman Felton to close the Public Hearing to consider the proposed extensions of the Consolidated Sewer District and to initiate the required proceedings pursuant to SEQRA regarding the said extensions at 7:07 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

RESOLUTION APPROVING FINAL CONSOLIDATION AGREEMENT FOR CONSOLIDATION OF SEWER DISTRICT NO. 1, SEWER DISTRICT NO. 2, AND SEWER DISTRICT NO. 3 INTO THE BYRON CONSOLIDATED SEWER DISTRICT

RESOLUTION #48:

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

WHEREAS, New York General Municipal Law Article 17-A authorizes water and sewer districts to consolidate into combined districts if such combination

“shall be conducive to the public health, welfare and convenience and be of specific benefit to the lands of the district”; and

WHEREAS, Byron Sewer District No. 1 was duly established by the Byron Town Board to serve the residents and commercial businesses of the hamlet of Byron; and

WHEREAS, Byron Sewer District No. 2 was duly established by the Byron Town Board to serve the residents and commercial businesses in the hamlet of South Byron; and

WHEREAS, Byron Sewer District No. 3 was duly established by the Byron Town Board to serve residents in the hamlet of North Byron; and

WHEREAS, the Byron Town Board is the body responsible for the administration of all the aforesaid three (3) sewer districts; and

WHEREAS, the Town Board engaged MRB Group, licensed engineers, to study whether it would be to the mutual benefit, and best interests of the customers of each sewer district to combine said districts into one district proposed to be named “Byron Consolidated Sewer District”; and

WHEREAS, MRB Group duly issued a Map, Plan and Report dated January, 2023 and filed said Map, Plan and Report in the Office of the Town Clerk on the 10th day of January, 2023; and

WHEREAS, said Map, Plan and Report was duly presented to the Town Board at its meeting held January 11, 2023; and

WHEREAS, A Draft Consolidation Agreement had been presented to the members of the Town Board prior to its meeting of February 8, 2023 and at that meeting it was duly approved in draft form; and

WHEREAS, at said Town Board meeting of February 8, 2023 the Town Board duly adopted a Resolution Calling a Public Hearing regarding the consolidation of the three (3) Town of Byron sewer districts into one consolidated sewer district and further considering the approval of and authorizing the execution of the Joint Consolidation Agreement and setting the date and time of said Public Hearing as March 22, 2023 at 7:00 p.m. at the Byron Town Hall; and

WHEREAS, Notice of said Public Hearing was duly posted and published pursuant to the requirements of General Municipal Law Article 17-A as evidenced by the Affidavits of Posting and Affidavits of Publication duly filed in the office of the Town Clerk; and

WHEREAS, the Public Hearing was duly held this day, to wit: March 22, 2023 and all persons present were duly heard; and

WHEREAS, all persons speaking at said Public Hearing spoke in favor of the proposed Consolidation.

NOW, THEREFORE, IT IS

RESOLVED, that the proposed consolidation is a Type II action and does not require SEQRA review since it does not involve any activity which would or may affect the environment; and be it further;

RESOLVED, that the Town Board hereby determines that the establishment of the Byron Consolidated Sewer District as described in the Draft Consolidation Agreement and the said Map, Plan and Report would be conducive to the public health, welfare and convenience and be of special benefit to the lands of the district; and be it further

RESOLVED, that the Draft Consolidation Agreement is hereby approved in substantially the form presented to this meeting is hereby approved; and be it further

RESOLVED, that the Supervisor and Councilmen are hereby authorized and directed to execute said Consolidation Agreement on behalf of each of the sewer districts and to take such necessary further action to carry the said consolidation into effect.

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

Vote: Ayes: 5 Nays: 0

RESOLUTION FOLLOWING PUBLIC HEARING APPROVING EXTENSION OF CONSOLIDATION OF SEWER DISTRICT

RESOLUTION #49:

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

WHEREAS, The Town Board of the Town of Byron, duly adopted a Resolution directing the Town Engineer, MRB Group, P.C. to prepare a Map, Plan and Report for extending the Consolidated Sewer District to properties receiving sewer disposal services but which were not included in the geographic boundaries of the District, and

WHEREAS, on the 8th day of March, 2023, the Town Engineer duly filed a Map, Plan and Report with the Town Clerk, and

WHEREAS, the Town Board duly adopted an Order Calling a Public Hearing reciting the purpose of the proposed extension to include those said properties receiving sewer services, the fact that the cost of such extension would be paid from existing funds of the Consolidated District and that the Public Hearing would be held on April 12, 2023 at 7:00 p.m. in the Byron town Hall, and

WHEREAS, the said Order was duly posted and published as required by law, and

WHEREAS, on April 12, 2023, a Public Hearing was duly held concerning the matter at the Byron Town Hall commencing at 7:00 p.m. and all persons present desiring to be heard were heard.

NOW, THEREFORE, upon the evidence obtained by the Town Board at the said Public Hearing and other information obtained and reviewed by the Town Board, it is hereby

RESOLVED, that the Order Calling Public Hearing was posted and published as required by law and is otherwise sufficient, and be it further

RESOLVED, that it is in the public interest to extend the Consolidation Sewer District to include those properties currently receiving sewer services located outside the Consolidation District, and be it further

RESOLVED, that the boundaries of the properties to which the Consolidated Sewer District are to be extended are set forth on Schedule "A", attached hereto and made a part hereof, and be it further

RESOLVED, that all the property and property owners benefitted by the extensions are included within the proposed extension, and be it further

RESOLVED, that all the properties to which the Consolidated Sewer District will be extended are benefitted by such extension, and be it further

RESOLVED, that the cost of such extension shall be paid from existing funds of said Consolidated Sewer District, and be it further

RESOLVED, that this Resolution is subject to a Permissive Referendum, and be it further

RESOLVED, that within ten (10) days of the adoption of this Resolution, the Town Clerk shall cause an abstract of this Resolution and the date it was adopted, to be published and posted as required by Section 90 of the Town Law, and be it further

RESOLVED, that within ten (10) days of the expiration of the period for the filing a petition calling for a referendum, if no such petition is filed or within ten (10) days of the conduct of the vote upon the referendum, the Town Clerk shall cause a certified copy hereof and a certificate that no petition was filed in her office to be filed in the office of the Genesee County Clerk and the Department of Audit and Control.

Schedule A

Boundary Description of Proposed Byron Consolidated Sanitary Sewer District

Parcel No. 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. A and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly right-of-way of Byron Holley Road, said point being located on the southeast corner of Tax Map Parcel (TMP) 7.-1-16.22; thence

55. Westerly 266'±, along the southerly boundary of TMP 7.-1-16.22 to a point being located on the southwest corner of said property; thence
56. Northerly 703'±, along the westerly boundary of TMP 7.-1-16.22, 7.-1-18, 7.-1-17 and 7.-1-16.11 to a point on the westerly boundary TMP 7.-1-16.11 coincident with the southeasterly corner of TMP 7.-1-16.12; thence
57. Westerly 425'±, along the southerly boundary of TMP 7.-1-16.12 to the southwesterly corner of said property; thence
58. Northerly and northeasterly 263'±, along the westerly boundary of TMP 7.-1-16.12, to a point on the westerly boundary of said property coincident with the southwesterly corner of TMP 7.-1-13.12; thence
59. Northerly 526'±, along the westerly boundary of TMP 7.-1-13.12, 7.-1-13.11 and 7.-1-12 to the northwest corner of TMP 7.-1-12, said point being coincident with the southerly boundary of TMP 7.-1-6; thence
60. Westerly 262'±, along the southerly boundary of TMP 7.-1-6, 7.-1-5, 7.-1-4 and 7.-1-3 to the southwest corner of TMP 7.-1-3, said point being 264'± offset southerly from the centerline of Byron Elba Road; thence
61. Continuing westerly parallel to and offset southerly from the centerline of Byron Elba Road 309'±, to a point within TMP 7.-1-2 on the centerline of Black Creek; thence
62. Northerly 301'±, along the centerline of Black Creek to a point on the centerline of Black Creek coincident with the southerly boundary of TMP 5.-1-95.112; thence
63. Easterly 22'±, along the southerly boundary of TMP 5.-1-95.112 to the southeast corner of said TMP 5.-1-95.112; thence
64. Northerly 192'±, along the westerly boundary of TMP 5.-1-95.112 to the northwest corner of TMP 5.-1-94; thence
65. Easterly 76'±, along the northerly boundary of TMP 5.-1-94 to the southwest corner of said TMP 5.-1-90; thence
66. Northerly 386'±, along the westerly boundary of TMP 5.-1-90, 5.-1-89, 5.-1-88, 5.-1-87, 5.-1-86 and 5.-1-85 to the northwest corner of said TMP 5.-1-85; thence
67. Easterly 238'±, along the northerly boundary of TMP 5.-1-85 to the northeast corner of said TMP 5.-1-85; thence
68. Northeasterly 176'±, along the southerly boundary of TMP 5.-1-115 and 5.-1-73.113 to the southeast corner of said TMP 5.-1-73.113; thence

69. Northerly 211'±, along the westerly boundary of 5.-1-109 to the northwest corner of said TMP 5.-1-109; thence
70. Easterly 69'±, along the northerly boundary of TMP 5.-1-109 to the southwest corner of said TMP 5.-1-99; thence
71. Northerly 155'±, along the westerly boundary of TMP 5.-1-99 and to the southeast corner of said TMP 5.-1-99; thence
72. Easterly 215'±, along the northerly boundary of TMP 5.-1-99 to a point on the northerly boundary of said TMP 5.-1-99; thence
73. Northerly 21'±, across TMP 5.-1-103 to the southwest corner of TMP 5.-1-95.2; thence
74. Northerly 453'±, along the westerly boundary of TMP 5.-1-95.2, 5.-1-95.12 and 5.-1-100 to the northwest corner of said TMP 5.-1-100; thence
75. Easterly 198'±, along the northerly boundary of TMP 5.-1-100 to the northeast corner of said 5.-1-100; thence
76. Northerly 231'±, along the easterly boundary of TMP 5.-1-95.113 to the southeast corner of TMP 5.-1-102; thence
77. Westerly 196'±, along the southerly boundary of TMP 5.-1-102 to the northwest corner of TMP 5.-1-95.113; thence
78. Northerly 453'±, across TMP 5.-1-102 to the southwest corner of TMP 5.-1-6; thence
79. Northerly 389'±, along the westerly boundary of TMP 5.-1-6 and 5.-1-5.12 to the northwest corner of said TMP 5.-1-5.12; thence
80. Easterly 258'±, along the northerly boundary of TMP 5.-1-5.12 and continuing across Byron Holley Road to a point on the westerly boundary of TMP 5.-1-98; thence
81. Southerly 499'±, along the westerly boundary of TMP 5.-1-98 and 5.-1-97.12 to the southwest corner of said TMP 5.-1-97.12; thence
82. Easterly 364±, along the southerly boundary of TMP 5.-1-97.12 to the southeast corner of said TMP 5.-1-97.12; thence
83. Northerly 188'±, along the easterly boundary of TMP 5.-1-97.12 to the northeast corner of said TMP 5.-1-97.12; thence
84. Easterly 191'±, along the northerly boundary of TMP 5.-1-97.112 to the southeast corner of said TMP 5.-1-97.113; thence
85. Northerly 749'±, along the westerly boundary of TMP 5.-1-97.113 to the northwest corner of said TMP 5.-1-97.113; thence
86. Easterly 1,344'±, along the northerly boundary of TMP 5.-1-97.113 to the northeast corner of said TMP 5.-1-97.113; thence
87. Southerly 715'±, along the easterly boundary of TMP 5.-1-97.113 to a point on said TMP 5.-1-97.113; thence
88. Easterly 311'±, across TMP 5.-1-16.1 to the northeast corner of TMP 5.-1-15.2; thence
89. Easterly 566'±, along the northerly boundary of TMP 5.-1-15.2, 5.-1-14 and 5.-1-12 to the northeast corner of said TMP 5.-1-12; thence
90. Southerly and southwesterly 506'±, along the easterly boundary of TMP 5.-1-12 and 5.-1-13 to a point on the southeast boundary of said TMP 5.-1-13; thence
91. Southerly 58'±, across Mill Pond Road to the northeast corner of TMP 5.-2-64.1; thence
92. Southerly 124'±, along the easterly boundary of TMP 5.-2-64.1 to the southeast corner of said TMP 5.-2-64.1; thence
93. Easterly 145'±, along the southerly boundary of TMP 5.-2-64.1 to the northwest corner of said TMP 5.-2-65; thence
94. Southerly 42'±, along the westerly boundary of TMP 5.-2-65 to the south-southeast corner of said TMP 5.-2-64.1; thence

95. Westerly 303'±, along the southerly boundary of TMP 5.-2-64.1 to the southwest corner of said TMP 5.-2-64.1; thence
96. Southerly 372'±, across Mill Pond to the northeast corner of TMP 5.-1-24; thence
97. Southerly 1,389'±, along the westerly boundary of TMP 5.-1-24 and continuing across TMP 5.-1-73.2, further along the centerline of Swamp Road and across Townline Road to a point on the northerly boundary of TMP 7.-1-46.111; thence
98. Westerly 195'±, along the northerly boundary of TMP 7.-1-46.111 to the northeast corner of TMP 7.-1-45.1; thence
99. Westerly 208'±, along the northerly boundary of TMP 7.-1-45.1 to the northwest corner of said TMP 7.-1-45.1; thence
100. Southerly 127'±, along the westerly boundary of TMP 7.-1-45.1 to the southeast corner of TMP 7.-1-44; thence
101. Westerly 264'±, along the southerly boundary of TMP 7.-1-44 and 7.-1-43 to the southwest corner of said TMP 7.-1-43; thence
102. Southerly 233'±, along the westerly boundary of TMP 7.-1-42 to the southeast corner of said TMP 7.-1-42; thence
103. Westerly 450'±, along the southerly boundary of TMP 7.-1-42, 7.-1-41, 7.-1-40, 7.-1-39 and 7.-1-38 to the southwest corner of said TMP 7.-1-38; thence
104. Northerly 62'±, along the westerly boundary of TMP 7.-1-38 to the southeast corner of TMP 7.-1-35; thence
105. Westerly 534'±, along the southerly boundary of TMP 7.-1-35 and 7.-1-34 to the southwest corner of said TMP 7.-1-34; thence
106. Southerly 846'±, along the westerly boundary of TMP 7.-1-29.12, 7.-1-29.11, 7.-1-27, 7.-1-26, 7.-1-25, 7.-1-24, 7.-1-23 and 7.-1-22 to the southeast corner of said TMP 7.-1-22; thence
107. Westerly 400'±, along the southerly boundary of TMP 7.-1-22 and continuing across Byron Holley Road to a point on the easterly boundary of TPM 7.-1-17; thence
108. Southerly 512'±, along the easterly boundary of TMP 7.-1-17, 7.-1-18, 7.-1-19 and 7.-1-16.22 to the southeast corner of said TMP 7.-1-16.22, said location being the point and place of beginning of Parcel No. 1.

Excepting the following two interior areas designated 1A and 1B.

Area 1A: BEGINNING at a point on the southeast corner of TMP 5.-1-111 thence

7. Southwesterly 278'±, along the southerly boundary of TMP 5.-1-111 and 5.-1-113 to the southwest corner of said TMP 5.-1-113; thence
8. Northerly 199'±, along the easterly boundary of TMP 5.-1-104 to the northeast corner of said TMP 5.-1-104; thence
9. Westerly 161'±, along the northerly boundary of TMP 5.-1-104 to the northwest corner of said TMP 5.-1-104; thence
10. Northerly 752'±, along the westerly boundary of TMP 5.-1-97.112 to the northwest corner of TMP 5.-1-113; thence
11. Easterly 436'±, along the northerly boundary of TMP 5.-1-113 to the northeast corner of said TMP 5.-1-113; thence
12. Southerly 984'±, along the easterly boundary of TMP 5.-1-113, 5.-1-108 and 5.-1-111 to the southeast corner of said TMP 5.-1-104, to the point and place of beginning of Phase No. 1 interior area 1A.

Area 1B: Consists solely of TMP 5.-1-101.1.

Parcel No. 2

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 2 and as delineated on a map prepared by MRB Group Engineering,

Architecture & Surveying, D.P.C. dated march 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly right-of-way of Byron Holley Road, said point being located on the southwest corner of Tax Map Parcel (TMP) 9.-2-58.1; thence

10. Northerly 1,096'±, along the westerly boundary of TMP 9.-2-58.1, 9.-2-27, 9.-2-26, 9.-2-25, 9.-2-24, 9.-2-56, 9.-2-23, 9.-2-22, 9.-2-21, 9.-2-20, 9.-2-19 and 9.-2-18 to the northwest corner of said TMP 9.-2-18; thence
11. Northeasterly 610'±, along the northerly boundary of TMP 9.-2-18 and 9.-2-45 to the northeast corner of said parcel 9.-2-45; thence
12. Southerly 395'±, along the easterly boundary TMP 9.-2-45 to the southeast corner of said TMP 9.-2-45; thence
13. Westerly 290'±, along the northerly boundary of TMP 9.-2-57 to the southwest corner of said TMP 9.-2-57; thence
14. Southerly 399'±, along the westerly boundary of TMP 9.-2-57 to the northwest corner of said TMP 9.-2-57; thence
15. Easterly 299'±, along the southerly boundary of TMP 9.-2-57 to the northeast corner of said TMP 9.-2-57; thence
16. Southerly 570'±, along the easterly boundary of TMP 9.-2-24, 9.-2-25, 9.-2-27 and 9.-2-58.1 to a point on the easterly boundary of said TMP 9.-2-58.1; thence
17. Westerly 247'±, across TMP 9.-2-58.1 to the northeast corner of TMP 9.-2-58.2; thence
18. Westerly 308'±, along the northerly boundary of TMP 9.-2-58.2 to the northwest corner of said TMP 9.-2-58.2, said location being the point and place of beginning of Parcel No. 2.

Parcel No. 3

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 3 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 9.-2-58.1; thence

31. Northerly 291'±, along the westerly boundary of TMP 9.-2-4, said point being coincident with the parcel boundary and offset 200' perpendicular south from the centerline of Walkers Corner Road; thence
32. Westerly 319'±, parallel to and 200' offset to the centerline of Walkers Corner Road to the southeast corner of TMP 9.-2-3.2; thence
33. Northerly 175'±, along the easterly boundary TMP 9.-2-3.2 to the northeast corner of said TMP 9.-2-3.2; thence
34. Northerly 50'±, across Walkers Corner Road to the southwest corner of TMP 9.-1-57; thence
35. Easterly 263'±, along the southerly boundary of TMP 9.-1-57 to the southwest corner of said TMP 9.-1-56; thence
36. Easterly 299'±, along the southerly boundary of TMP 9.-2-57 to the northeast corner of said TMP 9.-2-56; thence
37. Northerly 395'±, along the westerly boundary of TMP 9.-1-56 to the northwest corner of said TMP 9.-1-56; thence
38. Easterly 475'±, along the northerly boundary of TMP 9.-1-56, 9.-1-53 and 9.-1-51 to a point on the northern boundary of said TMP 9.-1-51, said point being coincident with the parcel boundary and offset 150' perpendicular northwest from the centerline of Byron Holley Road; thence
39. Northeasterly 353'±, along a line parallel to and 150' offset northwest from the centerline of Byron Holley Road, said point being located on the southern boundary of TMP 9.-1-33.12; thence
40. Westerly 144'±, along the southerly boundary of TMP 9.-1-33.12 to a point within TMP 9.-1-34.11; thence

41. Southerly 58'±, to the shared northeasterly corner of TMP 9.-1-34.11 and 9.-1-1.112; thence
42. Westerly 139'±, along the southerly boundary of TMP 9.-1-34.11 to the southwest corner of said TMP 9.-1-34.11; thence
43. Northerly 351'±, along the westerly boundary of TMP 9.-1-34.11 to the northwest corner of said TMP 9.-1-34.11; thence
44. Southeasterly 283'±, along the northerly boundary of TMP 9.-1-34.11 and 9.-1-33.12 to the northwest corner of said TMP 9.-1-33.12; thence
45. Northerly 639'±, along the westerly boundary of TMP 9.-1-32.11, 9.-1-32.12 and 9.-1-32.2 to the northwest corner of said TMP 9.-1-32.2; thence
46. Easterly 428'±, along the northerly boundary of TMP 9.-1-32.2 to the northeast corner of said TMP 9.-1-32.2; thence
47. Southwesterly 944'±, along the easterly boundary of TMP 9.-1-32.2, 9.-1-32.12, 9.-1-32.11 and 9.-1-33.12 to the southeast corner of said TMP 9.-1-33.12; thence
48. Easterly 67'±, across Byron Holley Road to the northwest corner of TMP 9.-1-62; thence
49. Easterly 236'±, along the northerly boundary of TMP 9.-1-62 and 9.-1-36.2 to the northwest corner of said TMP 9.-1-36.2; thence
50. Easterly 50'±, across Mechanic Street to the northwest corner of TMP 9.-1-29; thence
51. Easterly 309'±, along the northerly boundary of TMP 9.-1-29 to the northeast corner of said TMP 9.-1-29; thence
52. Southerly 531'±, along the easterly boundary of TMP 9.-1-29, 9.-1-28, 9.-1-27, 9.-1-26, 9.-1-25, 9.-1-24 and 9.-1-23 to the southeast corner of said TMP 9.-1-23; thence
53. Westerly 180'±, along the southerly boundary of TMP 9.-1-23 to the angle on the southern boundary of said TMP 9.-1-23; thence
54. Southerly 50'±, along the angle on the southerly boundary of TMP 9.-1-23 and continuing to a point on the northern boundary of TMP 9.-1-59; thence
55. Southwesterly 69'±, along the northerly boundary of TMP 9.-1-59 to the northeast corner of TMP 9.-1-19; thence
56. Southeasterly 39'±, along the easterly boundary of TMP 9.-1-19 to the southeast corner of said TMP 9.-1-19; thence
57. Westerly 93'±, along the southerly boundary of TMP 9.-1-19 to the southwest corner of said TMP 9.-1-19; thence
58. Southerly and southwesterly 684'±, along the northerly boundary of TMP 9.-1-59 to the southwest corner of TMP 9.-2-12.1; thence
59. Southwesterly 71'±, across Byron Holley Road to the southeast corner of TMP 9.-2-10; thence
60. Southwesterly 65'±, along the southerly boundary of TMP 9.-2-10, 9.-2-7, 9.-2-6, 9.-2-5 and 9.-2-4 to the southwest corner of said TMP 9.-2-4, said location being the point and place of beginning of Parcel No. 3.

Parcel No. 4

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 4 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 9.-1-17.1; thence

24. Northeasterly 1,068'±, along the northwesterly boundary of TMP 9.-1-17.1, 9.-1-17.1, 9.-1-15, 9.-1-14, 9.-1-13, 9.-1-12, 9.-1-11 and 9.-1-10.12 to the northeast corner of said TMP 9.-1-10.12; thence
25. Southerly 303'±, along the easterly boundary TMP 9.-1-10.12 to the northwest corner of said TMP 9.-1-10.12; thence

26. Easterly 651'±, along the northerly boundary of TMP 9.-1-65, 9.-1-10.112, 9.-1-10.2 and 9.-1-67 to the northeast corner of said TMP 9.-1-67; thence
27. Southerly 175'±, along the easterly boundary of TMP 9.-1-67 to the southeast corner of said TMP 9.-1-67; thence
28. Easterly 50'±, along the southerly boundary of TMP 9.-1-10.111 to the southwest corner of TMP 9.-1-66; thence
29. Northerly 175'±, along the westerly boundary of TMP 9.-1-66 to the northwest corner of said TMP 9.-1-66; thence
30. Easterly 160'±, along the northerly boundary of TMP 9.-1-66 to the northeast corner of said TMP 9.-1-66; thence
31. Southerly 175'±, along the easterly boundary of TMP 9.-1-66 to the southeast corner of said TMP 9.-1-66; thence
32. Easterly 1,050'±, along the southerly boundary of TMP 9.-1-10.111 to a point on the southerly boundary of said TMP 9.-1-10.111; thence
33. Southerly 41'±, across Freeman Road to the northeast corner of TMP 9.-2-38.1; thence
34. Southerly 291'±, along the easterly boundary of TMP 9.-2-38.1 to a point on the easterly boundary of said TMP 9.-2-38.1; thence
35. Westerly 849'±, across TMP 9.-2-38.1 to the southeast corner of TMP 9.-2-37.1; thence
36. Westerly 272'±, along the southerly boundary of TMP 9.-2-37.1 and 9.-2-37.2 to the southwest corner of said TMP 9.-2-37.2; thence
37. Southerly 77'±, along the easterly boundary of TMP 9.-2-36 to the southeast corner of said TMP 9.-2-36; thence
38. Westerly 168'±, along the southerly boundary of TMP 9.-2-36 to the southwest corner of said TMP 9.-2-36; thence
39. Northerly 218'±, along the westerly boundary of TMP 9.-2-36 to the southwest corner of TMP 9.-2-35, said point being 175'± offset perpendicular from the centerline of Freeman Road; thence
40. Westerly 194'±, parallel to the centerline of Freeman Road across TMP 9.-2-34 and 9.-2-29.121 to a point on the westerly boundary of said TMP 9.-2-29.121; thence
41. Southerly 50'±, along the easterly boundary of TMP 9.-2-29.211 to the southeast corner of said TMP 9.-2-29.211; thence
42. Westerly 715'±, along the southerly boundary of TMP 9.-2-29.211, 9.-2-33.1, 9.-2-32, 9.-2-31 and 9.-2-30.1 to the southwest corner of said TMP 9.-2-30.1; thence
43. Northerly 41'±, along the westerly boundary of TMP 9.-2-30.1 to the southeast corner of TMP 9.-2-30.2; thence
44. Westerly 212'±, along the southerly boundary of TMP 9.-2-30.2 to the southwest corner of said TMP 9.-2-30.2; thence
45. Northerly 216'±, along the westerly boundary of TMP 9.-2-30.2 and continuing across Freeman Road to a point on the southerly boundary of TMP 9.-1-15; thence
46. Westerly 448'±, along the southerly boundary of TMP 9.-1-15, 9.-1-16 and 9.-1-17.1 to the southwest corner of said TMP 9.-1-17.1, said location being the point and place of beginning of Parcel No. 4.

Parcel No. 5

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Byron, County of Genesee and State of New York, designated as Parcel No. 5 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated March 2023, entitled "District Map and Plan" (Project No. 0204.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the southwest corner of Tax Map Parcel (TMP) 5.-2-16.2; thence

21. Northerly 601'±, along the westerly boundary of TMP 5.-2-16.2 and continuing into a point within TMP 5.-2-4.1; thence

22. Easterly 120'±, across TMP 5.-2-4.1 to the southwest corner of TMP 5.-2-19; thence
23. Northerly 277'±, along the westerly boundary of TMP 5.-2-19, 5.-2-18 and 5.-2-17 to the northwest corner of said TMP 5.-2-17; thence
24. Easterly 225'±, along the northerly boundary of TMP 5.-2-17 and continuing across Byron Holley Road to a point on the westerly boundary of TMP 5.-2-21; thence
25. Northerly 99'±, along the westerly boundary of TMP 5.-2-21 to a point on the westerly boundary of said TMP 5.-2-21; thence
26. Easterly 230'±, across TMP 5.-2-21 to a point on the eastern boundary of said TMP 5.-2-21; thence
27. Southerly 262'±, along the easterly boundary of TMP 5.-2-21, 5.-2-22 and 5.-2-27 to the northwest corner of TMP 5.-2-28; thence
28. Northeasterly 172'±, along the northwesterly boundary of TMP 5.-2-28 and 5.-2-29 to the northeast corner of said TMP 5.-2-29; thence
29. Northwesterly 113'±, along the southwesterly boundary of TMP 5.-2-31 to the northwesterly corner of said TMP 5.-2-31; thence
30. Northeasterly 280'±, along the northwesterly boundary of TMP 5.-2-31 to the northern corner of TMP 5.-2-31; thence
31. Northerly 21'±, along the westerly boundary of TMP 5.-2-32 to the northwest corner of said TMP 5.-2-32; thence
32. Northeasterly 341'±, along the northwesterly boundary of TMP 5.-2-32 and continuing to a point on the northern boundary of TMP 5.-2-33, said point being located 253'± offset perpendicular from the centerline of Warboys Road; thence
33. Southeasterly 218'±, on a line perpendicular to the centerline of Warboys Road continuing across Warboys Road to a point on the northeasterly boundary of TMP 5.-2-36.1; thence
34. Southwesterly 586'±, along the northwesterly boundary of TMP 5.-2-36.1 and 5.-2-34.2 to the northwest corner of said TMP 5.-2-34.2; thence
35. Southeasterly 715'±, along the southerly boundary of TMP 5.-2-34.2 to the southeast corner of said TMP 5.-2-34.2; thence
36. Southwesterly 423'±, along the southeasterly boundary of TMP 5.-2-34.1 and 5.-2-35.1 to the southeast corner of said TMP 5.-2-35.1; thence
37. Northwesterly 210'±, along the southwesterly boundary of TMP 5.-2-35.1, continuing across Warboys Road to a point on the southeasterly boundary of TMP 5.-2-27; thence
38. Southwesterly 239'±, along the southeasterly boundary of TMP 5.-2-27 and 5.-2-26 to the southwestern corner of TMP 5.-2-26; thence
39. Southwesterly 99'±, across Byron Holley Road to the southeastern corner of TMP 5.-2-16.2; thence
40. Southwesterly 375'±, along the southeasterly boundary of TMP 5.-2-16.2 to the southwest corner of said TMP 5.-2-16.2, said location being the point and place of beginning of Parcel No. 5.

HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY, those five (5) Parcels of land situate in the Town of Byron, Genesee County, New York to be collectively known and identified as the Byron Consolidated Sanitary Sewer District.

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

Vote: Ayes: 5 Nays: 0

MINUTES:

A **motion** was made by Councilman Felton to approve the Byron Town Board minutes of March 8, 2023 and the Special Town Board meeting of March 22, 2023 as written. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SEWER – Scott Mattison:

·Following the Consolidation and Extension the next step is to complete report with regard to the Waste Water Treatment Plant Project. The report looks at 5 different possibilities:

1. Disinfection improvements only (central and south)
2. Rehabilitation of sand filtration beds at outfalls 001 and 002, with disinfection improvements
3. Replacement of sand filtration beds at outfalls 001 and 002 with two (2) wastewater treatment plants, both with disinfection improvements
4. Consolidation into one (1) wastewater treatment plant with disinfection improvements
5. Consolidation and conveyance to the Monroe County system, probably in Churchville

THERE IS NO “DO NOTHING” OPTION!

·The Town is looking to hold a Public Informational Meeting on May 31st, but will decide at the May board meeting the date, time and location.

SEWER REPORT:

- March 4th – call at 6427A Mill Pond Road for a high level alarm because of broken piping.
- March 6th – issues in trailer park with a plugged Zabo filter.
- March 7th – replaced plumbing at 6427A Mill Pond Road.
- March 14th – backup at 6805 Rte. 237, S. Byron. Had to dig up and pump tank, inlet was plugged.
- March 27th – 6966 Rte. 237, Center Byron, dug up and unplugged septic tank
- Because of testing and weather conditions, Camden needs to have a driveway installed at the North Byron pump station. The Town would need to get a survey done in order for Paul Boylan to prepare the deed. Supervisor Yasses will contact a surveyor to have one done.

A **motion** was made by Councilman Zuber to have a survey prepared of the North Byron pump station and proposed easement. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT – Supervisor Yasses:

- Leatherleaf Solar (Dean Ivison Farm) – waiting another month to hold Public Hearing
- Working on Zoning revisions
- Land separation for J&P Properties on Swamp Road.

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

Vote: Ayes: 5 Nays: 0

Resignation of Kaitlyn Moucha from the Planning Board:

A **motion** was made by Councilman Felton to accept the resignation of Kaitlyn Moucha from the Planning Board. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Appointment of Kaitlyn Moucha as an Alternate to the Planning Board:

A **motion** was made by Councilman Felton to appoint Kaitlyn Moucha as an Alternate to the Planning Board for a five year term effective May 1, 2023 - December 31, 2028. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Appointment of Jason Jack to the Planning Board:

A **motion** was made by Councilman Felton to appoint Jason Jack to the Planning Board for a five year term effective May 1, 2023 – December 31, 2028. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PROPOSED BATTERY ENERGY STORAGE SYSTEM LOCAL LAW:

·Supervisor Yasses spoke with Scott Mattison from MRB Group and the Town Attorney, Paul Boylan, and they will attend the next Planning Board meeting to discuss the proposed law prior to approval by the Town Board.

HIGHWAY SUPERINTENDENT’S REPORT – David Leaton:

·Sold the following on Auctions International:

- 1. 1986 John Deere 2350 Utility Tractor for \$5,700.00
- 2. 2020 Chevy Silverado 2500HD Crew Cab Pickup Truck for \$40,700.00
- 3. Hypertherm Powermax 1000 Plasma Cutting system G3 Series for \$580.00
- 4. Alamo 96” Super Heavy Duty Offset Flail Mower for \$3,050.00

- Doing lawn work from snow plow damage
- Cleaning ditches

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT – Melissa Ierlan:

- Working on several property maintenance violations
- Issued 5 permits
- Working on a subdivision for J&P Thompson Properties
- Working on 5MW Solar Farm on property owned by Dean Ivison

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

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT:

·No meeting was held for April.

ABSTRACTS

RESOLUTION #50:

Councilman Zuber 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	#64 - #82	\$14,088.39
Highway Fund	#4	#22 - #28	\$10,914.70
Sewer Fund	#4	#13- #19	\$7,193.08
Water Improv. Benefit Area #1	#4	#9 - #11	\$13,338.47
General Post Audit	#3	#15 - #24	\$3,710.33
Sewer Post Audit	#3	#6 - #9	\$1,519.18

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK’S REPORT – Debra Buck-Leaton:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$59.00
Paid to the DEC for Hunting and Fishing Licenses.....	\$70.86
Paid to the Town of Byron Supervisor.....	<u>\$1,931.64</u>
Total Disbursed for March 2023.....	\$2,061.50

Tax Collection:

·2023 Town/County Taxes were returned to the Genesee County Treasurer this morning. There were 47 tax bills left unpaid for a total of \$70,634.45.

A **motion** was made by Councilman Thompson to approve the Town Clerk’s Report as given for March 2023. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

- The March 2023 Financial Report was reviewed.
- Councilman Felton would like to have the Board investigate a greater source of interest income for some of the Town accounts.

A **motion** was made by Councilman Felton to approve the March 2023 Financial Reports. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SUPERVISOR’S REPORT:

ARPA FUNDS:

- MRB Group has completed ARPA fund reporting to the government

BROADBAND:

·Met with Matt Landers regarding broadband. Only 3 residents in the Town currently do not have access to broadband and will be getting it. Should only take 18-24 months for those residents to receive service.

TRANSFER STATION:

·Reviewed the income and expenses for 2022 for the Transfer Station and the Town showed an \$828.69 profit.

GSPP ROUTE 262, LLC SOLAR PROJECT:

·On Wednesday, April 19, 2023 at 3:00 p.m. at the Byron Town Hall, the Genesee County Economic Development Center will be holding a Public Hearing on the GSPP Route 262, LLC solar project.

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

Contracts have been approved for both contractors. Next step is to have a pre-construction meeting with both contractors, just waiting for approval from USDA. Hoping to have pre-construction meeting at the end of the month. BAN sale was held on March 21st, and the closing was on April 4th. Waiting for MCWA to notifying residents when meetings will be for hookups.

STANDARD WORK DAY AND REPORTING FOR ALL TOWN EMPLOYEES

RESOLUTION #51:

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

BE IT RESOLVED, that the Byron Town Board be and hereby establishes the following as a standard work day for employees for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

Highway Superintendent:	Eight hour standard work day
Highway Employee:	Eight hour standard work day
Supervisor:	Six hour standard work day
Town Board:	Six hour standard work day
Town Clerk/Tax Collector:	Six hour standard work day
Town Justice:	Six hour standard work day
Court Clerk:	Six hour standard work day
Assessor:	Six hour standard work day
Code/Zoning Enforcer:	Six hour standard work day
Historian:	Six hour standard work day
Deputy Town Clerk:	Six hour standard work day
Constable:	Six hour standard work day
Trash Attendant:	Six hour standard work day
Planning Board:	Six hour standard work day
Zoning Board of Appeals:	Six hour standard work day

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

Vote: Ayes: 5 Nays: 0

STANDARD WORK DAY AND REPORTING FOR ELECTED AND APPOINTED OFFICIALS IN THE NYS RETIREMENT SYSTEM

RESOLUTION #52:

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

BE IT RESOLVED, that the Town of Byron hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates In Employers' Time Keeping System (Y/N)	Days/ Month (based on Record of Activities)
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Elected Officials

Highway Superintendent	David W. Leaton, Jr.	xxxx	xxxxxxxx	8	01/01/22-12/31/23	N	37.49
Town Clerk	Debra Buck-Leaton	xxxx	xxxxxxxx	6	01/01/22-12/31/25	N	20.04
Tax Receiver	Debra Buck-Leaton	xxxx	xxxxxxxx	6	01/01/22-12/31/25	N	Included Above
Town Justice	William Forsyth	xxxx	xxxxxxxx	6	01/01/23-12/31/26	N	1.56

Appointed Officials

Assessor	Louise Passarell	xxxx	xxxxxxxx	6	10/01/22-09/30/28	N	9.95
Code/Zoning	Melissa Ierlan	xxxx	xxxxxxxx	6	01/01/23-12/31/23	N	5.78
Highway Super. Secretary	Laura Bestehorn	xxxx	xxxxxxxx	6	01/01/23-12/31/23	N	1.03
Planning Board	Nathan Knickerbocker	xxxx	xxxxxxxx	6	10/01/22-12/31/27	N	.34

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

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

Barry King – With regard to WIBA#1, will the contractors begin as soon as their contracts are approved? And how will they know how much and when to connect?

Supervisor Yasses – Yes, as soon as contracts are approved the contractors have stated that they'd like to begin. Monroe County Water Authority will contact residents directly regarding a meeting(s) to be held at the Town Hall with regard to hookups.

Candy Hensel – Questions with regard to last Public Hearing, can questions she raised be put into minutes?

Town Clerk Leaton – They were put into minutes.

Candy Hensel - What is the town law for notification of Public Hearings.

Attorney Paul Boylan – Notice to be put on sign board and in newspaper.

Candy Hensel – How does the Town change the law with regard to notice of meetings?

Attorney Paul Boylan – You would need to contact Steve Hawley. Town Board can't change Town Law. They can have a policy, and adopt a policy.

Candy Hensel – Last year town received grant award from NYSERDA, and has anything been done with that? Has energy audit been performed on Town Hall?

Councilman Felton – A commercial energy audit has been challenging to find.

Councilman Felton – Attended GAM meeting in March – there will be a solar eclipse coming over the Rochester area on April 8, 2024. It is believed that this will mean a lot of tourism for Genesee County and surrounding areas. There was a presentation from Municipal Alliance and Gas for cost savings for electric and

gas. Revenue Sharing committee – sales tax cap for 40 years, Genesee County had 10.4% increase in sales tax in 2022.

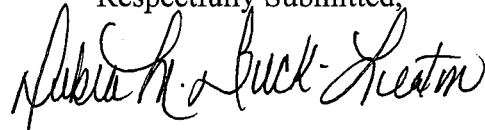
Supervisor Yasses – That is why the Town received an additional sales tax payment last year, beginning of 2023.

ADJOURN:

A **motion** was made by Councilman Zuber to adjourn the Byron Town Board Meeting at 8:04 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk