

BYRON TOWN BOARD MEETING

April 8, 2020

The Byron Town Board Meeting was called to order via Zoom, due to the Coronavirus Pandemic and the State of Emergency, by Supervisor Yasses at 7:02 p.m. 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: None

MINUTES:

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of March 11, 2020 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

The March 2020 Financial Report was reviewed.

A **motion** was made by Councilwoman Fuller to approve the March 2020 Financial Reports. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #49:

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	#67 - #84	\$11,366.75
Highway Fund	#4	#57 - #67	\$41,122.01
Sewer Fund	#4	#12 - #14	\$ 4,471.69
General Post Audit	#3	#20 - #25	\$ 972.61
Sewer Post Audit	#3	#8 - #9	\$ 660.28

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT:

The Supervisor created a letter to the Highway employees that the Town was going to close down due to the Coronavirus Pandemic starting Thursday, April 9th for at least a week. The letter stated that in order to continue getting paid highway employees need to stay home between the hours of 6:00 am and 4:00 pm or they would face disciplinary action. Kyle Dilcher was the only highway employee who refused to sign the letter, due

to the restrictions, so Supervisor Yasses told him he would have to work then. Highway Superintendent Leaton will call the Highway employees next Thursday to let them know when they should return to work.

SUPERVISOR'S REPORT:

Property Maintenance Complaint:

Supervisor Yasses received a property maintenance complaint from a resident on Beaver-Meadows Road regarding the Jaczynski property which is currently being used as a junk yard. Supervisor Yasses will talk to the CEO/ZEO to see what can be done to clean it up.

OTHER BUSINESS:

SOUTH BYRON FIRE DEPARTMENT NEW PUMPER TRUCK:

The South Byron Fire Department is purchasing a new pumper truck and needs the Town Board to pass a resolution approving the issuance of a tax exempt Note.

RESOLUTION APPROVING ISSUANCE OF TAX EXEMPT NOTE FOR THE SOUTH BYRON VOLUNTEER FIRE COMPANY, INC. FOR PURCHASE OF A NEW PUMPER TRUCK

RESOLUTION #50:

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

WHEREAS, the South Byron Volunteer Fire Company Inc. (the "Fire Department"), a New York not-for-profit corporation, provides firefighting services within the jurisdiction of the Town of Byron, New York, for the portion of the Town of Byron described in the service agreement dated December 11, 2019, between the Town of Byron (the "Town") and the South Byron Volunteer Fire Company, Inc.; and

WHEREAS, the South Byron Volunteer Fire Company, Inc. is seeking to obtain a loan from The Bank of Greene County by the issuance of one or more Notes on a tax exempt basis in an aggregate amount not to exceed Two Hundred Thousand (\$200,000.00) Dollars (the "Note") to finance the acquisition of a pumper truck for the South Byron Volunteer Fire Company, Inc., to be issued as an obligation the interest on which will be excluded from gross income for federal income tax purposes pursuant to Section 150(e) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Note will not be excluded from gross income for federal income tax purposes unless the issuance of the Note by the South Byron Volunteer Fire Company Inc. shall be approved by the Town Board after the President or Vice President of the South Byron Volunteer Fire Company, Inc. has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, that on April 13, 2020, the President of the South Byron Volunteer Fire Company, Inc. will hold a public hearing to consider the approval of the Note after public notice given in accordance with the Code, and a transcript or summary report will be made available to each member of the Town Board prior to any vehicle purchase for their review; and

WHEREAS, the members of the South Byron Volunteer Fire Company, Inc. provide firefighting services within the Fire Protection District within the Town pursuant to a written contract for services entered into pursuant to Section 18 of the Town Law; and the Fire Protection District served by the Fire Department is not serviced by any other fire company or department; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

For the sole purpose of qualifying the interest payable on the Note for exclusion from gross income pursuant to the provisions of Section 150(e) of the Code, the Town Board hereby approves the issuance of the Note by the South Byron Volunteer Fire Company, Inc. in a principal amount estimated not to exceed Two Hundred Thousand (\$200,000.00) Dollars, provided that the Note shall be an obligation of the South Byron Volunteer Fire Company, Inc.

THE NOTE SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR THE TOWN OF BYRON, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR THE TOWN OF BYRON, NEW YORK, SHALL BE LIABLE THEREON.

This Resolution shall take effect immediately.

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

Vote: Ayes: 5 Nays: 0

WIBA No. 1:

·Councilman Thompson spoke with Scott Mattison from MRB Group and Scott has received several calls from homeowners who would like to have their water sampled. Scott will be collecting the water samples for testing next week.

·Councilwoman Fuller stated that she believes something may be wrong with water supplied by MCWA as they have been taking water samples around town. They were in the hardware store recently taking samples.

Planning Board Vacancy:

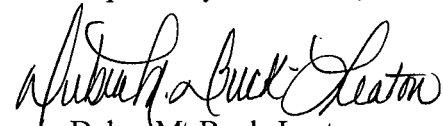
·The Town Board needs to accept Jim Lamkin's resignation from the Planning Board and look for a replacement, they will do this at the May Town Board meeting.

ADJOURN:

A **motion** was made by Councilman Zuber to adjourn the Byron Town Board Meeting at 7:39 p.m. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk