

BYRON TOWN BOARD MEETING

July 13, 2022

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
	Tom Felton (Via Zoom)
Highway Superintendent.....	David Leaton
Town Clerk.....	Debra Buck-Leaton
Absent.....	Eric Zuber

Public:

Candy Hensel	Barbie Starowitz	George Squires	Vic DiGregorio
Ben Raccuia	Kerri Diehl		

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Supervisor Yasses.

MINUTES:

A **motion** was made by Councilman Thompson to approve the Byron Town Board minutes of June 8, 2022 as written. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SOLAR:

INTERVENOR FUND STANDARD VOUCHER #8

RESOLUTION #62:

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

WHEREAS, the Town of Byron Town Board authorizes the Supervisor to sign the Intervenor Fund Standard Voucher #8 in the amount of \$7,521.00 between the Town of Byron and the NYS Department of Public Service.

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

Vote: Ayes: 4 Nays: 0

PLANNING BOARD REPORT – George Squires:

- Approved a land separation for Roger Rouse
- Discussed the proposed new hamlet district, special uses, non-residential standard to get direction on how new buildings should look in the hamlet
- Started on the Ag Districts and usage

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

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:

- Doing work for the County
- Auctions International came yesterday and took pictures of the black pickup to be put on auction
- Dug 62 test holes for Water Improvement Benefit Area No. 1
- Paved south end of Cockram Road
- Mark Kimble is starting on Monday

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

Vote: Ayes: 4 Nays: 0

SEWER REPORT:

Monthly:

- Checked and maintained all filter bed pumps (N, S+C)
- Keeping track of pump hours on all pumps including Old School House, Walkers Corners and McElver Street lift station
- Took monthly samples

Other:

- 6/21/22 – DEC Inspection
- 6/25/22 – High level alarm at old school house
- 6/27/22 - High level alarm at old school house
- 6/28/22 – Changed out floats at the old school house lift station
- 6/29/22 – Pump failure alarm at McElver Street lift station
- 6/30/22 – Tore apart check valves and lubed arms at McElver Street lift station. Switched valving at all three filter beds.

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

Vote: Ayes: 4 Nays: 0

RESOLUTION OF SUPPORT FROM THE TOWN OF BYRON FOR THE 2022 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION, WATER QUALITY IMPROVEMENT PROJECT WASTEWATER TREATMENT PLANTS AND DISINFECTION IMPROVEMENTS

RESOLUTION #63:

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

WHEREAS, the Town Board for the Town of Byron, located in Genesee County, supports the submission of a 2022 Consolidated Funding Application (CFA) on behalf of the Town, for the Water Quality Improvement Project (WQIP) program for new wastewater treatment equipment, disinfection upgrades to the wastewater treatment facilities; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

WHEREAS, recent modifications to the Town's State Pollutant Discharge Elimination System (SDPES) Discharge Permit added an effluent disinfection requirement and included a schedule of compliance for implementing an effluent disinfection process at the Town's Wastewater Treatment Plant (WWTP); and

WHEREAS, findings in the Preliminary Engineering Report found that the existing treatment processes are beyond their useful life and are in need of upgrades and that ultraviolet disinfection to be the most cost effective means to implement effluent disinfection at the WWTPs and recommended capital improvements

project which includes the installing a pump station to move wastewater flow from the south WWTP to a central WWTP, make outfall improvements to the North WWTP and rebuilding of the central WWTP including installation of ultraviolet disinfection tanks and equipment;

NOW THEREFORE BE IT RESOLVED, it is anticipated that the Town Board, on behalf of the Town, will complete the necessary actions to authorize expenditures for the proposed project, and authorizes the Town Supervisor to execute necessary documents relative to and as required for the application; and

BE IT FURTHER RESOLVED, the Town Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded, as a local match are hereby appropriated in the form of in-kind services, cash contributions and obligated from the sewer fund; and

BE IT FURTHER RESOLVED, that the Board of Trustees for the Town of Byron, located in Genesee County, recognizes and fully supports the submission of the 2022 CFA for WQIP on behalf of the Town for disinfection improvements to the wastewater treatment plant.

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

Vote: Ayes: 4 Nays: 0

SEXUAL HARASSMENT PREVENTION CERTIFICATION FORM

RESOLUTION #64:

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

WHEREAS, the Town of Byron Town Board authorizes the Supervisor to sign the Sexual Harassment Prevention Certification Form as part of the Water Quality Improvement Project (WQIP) program.

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

Vote: Ayes: 4 Nays: 0

MRB GROUP PROPOSAL FOR SERVICES FOR GRANT WRITING FOR THE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA)

RESOLUTION #65:

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

WHEREAS, the Town of Byron Town Board authorizes the Supervisor to sign the Proposal for Services between the Town of Byron and MRB Group, in an amount not to exceed \$6,000.00, for grant writing for the Water Infrastructure Improvement Act (WIIA).

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

Vote: Ayes: 4 Nays: 0

TOWN OF BYRON WASTEWATER TREATMENT SYSTEM IMPROVEMENS PROJECT SEQR RESOLUTION DECLARING THE INTENT TO BE LEAD AGENCY

RESOLUTION #66:

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

WHEREAS, the Town of Byron Town Board (hereinafter referred to as "Town Board") has reviewed the New York State Environmental quality Review Act ("SEQRA") Full Environmental Assessment Form ("EAF") Part 1, prepared by MRB Group (hereinafter referred to as "Town Engineer") on the above-referenced Town of Byron Wastewater Treatment System Improvements project (hereinafter referred to as "Action"); and

WHEREAS, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review ("SEQR") Regulations; and

WHEREAS, the Town Board determines that said Action is also subject to review and approval by other involved agencies under the SEQR Regulations; and

WHEREAS, the Town Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of

conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby declare its intend to be designated as the lead agency for the Action and directs the Town Supervisor to sign and date the Full EAF Part 1.

BE IT FURTHER RESOLVED, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Tuesday, August 16, 2022.

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

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Kent to hold a Special Meeting on Wednesday, August 17, 2022 at 7:0 p.m. with regard to the Sewer WWTP Improvement Project SEQR and the Town Board acting as Lead Agency. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT – Melissa Ierlan:

- Condemned one trailer due to many code violations including no source of water to the occupants.
- Pulled the certificate of occupancy on another residence as they have no electricity.
- Dealing with several property maintenance issues as well.

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

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – George Squires:

- No meeting for July
- He would like to see the number of committee members reduced to 5 to see if they can keep the committee going

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

Vote: Ayes: 4 Nays: 0

CLEAN ENERGY RESOURCES INFORMATION COMMITTEE – Candy Hensel:

- Designated as a clean energy community
- Have a \$5,000 grant that's coming and there is a time limit to when those funds can be used. She will talk to the committee to present a proposal to the Town
- The CEO/ZEO attended the Energy Code Enforcement training in Seneca Falls and the committee received credit for an action item

A **motion** was made by Councilman Kent to approve the Clean Energy Resources Information Committee report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #67:

Councilman Kent 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	#7	#143 - #170	\$18,471.25
Highway Fund	#7	#63 - #72	\$112,475.08
Sewer Fund	#7	#33 - #36	\$4,201.13
Water Improv. Benefit Area #1	#6	#8	\$9,107.50
Celebrations	#1	#1 - #3	\$544.03
General Post Audit	#6	#36 - #40	\$1,466.80
Sewer Post Audit	#6	#14 - #15	\$476.52

·Councilman Felton would like to see MRB Group give the Town Board a better accounting of the work that is included in their invoices.

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK'S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$45.00
Paid to NYS DEC for hunting/fishing licenses.....	\$51.96
Paid to the NYS Department of Health for Marriage Licenses.....	\$22.50
Paid to the Town of Byron Supervisor.....	\$3,243.44
Total Disbursed for June 2022.....	\$3,362.90

·The Town Clerk has put together an Employee Handbook and would like the Town Board to review and give feedback to finalize.

A **motion** was made by Councilman Thompson to approve the Town Clerk's Report as given for June, 2022. The motion was seconded by Councilman Kent and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

·The June 2022 Financial Report was reviewed.

A **motion** was made by Councilman Kent to approve the June 2022 Financial Reports. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR'S REPORT:

Mortgage Tax:

·Received \$22,591.60 in mortgage tax

Fire Department Committee:

·Councilman Felton and Councilman Zuber have a meeting set up with South Byron Fire Department, waiting to hear from Byron Fire Department.

New Town Justice:

Chris Erion has resigned and Bill Forsyth has been shadowing Justice Smith. Bill Forsyth will be on the ballot in November and will start January 1st.

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

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

WATER IMPROVEMENT BENEFIT AREA NO. 1:

Received approval from the State Comptroller's Office.

Supervisor Yasses has been in contact with USDA and MRB Group. USDA is finalizing a list of requirements needed prior to going out to bid. MRB Group would like the Board to pass the following resolution so that when USDA gives final approval the District can go right out to bid, hopefully in the next couple of months. There are also several easements that need to be signed and notarized, which the Town Clerk will take care of.

**WATER IMPROVEMENT BENEFIT AREA NO. 1 PROJECT FOR BID
RESOLUTION #68:**

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

WHEREAS, the Town of Byron Town Board authorizes Water Improvement Benefit Area No. 1 Project for bid, once all permits, approvals and easements have been obtained, with a bid date to be established by MRB Group.

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

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Candy Hensel – She has paperwork for the New York State Main Street Grant that needs to be signed by the Supervisor

Vic DiGregorio – Wondering what the timeline for WIBA#1 is.

Supervisor Yasses – Bidding usually takes 30 days and then it will hopefully be quick after that

Ben Raccuia – On Warboys Road the company doing the water district for Bergen have been ripping trees with the loader instead of using chainsaw

Supervisor Yasses – He will make sure this doesn't happen in our water district

ADJOURN:

A **motion** was made by Councilman Kent to adjourn the Byron Town Board Meeting at 7:54 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk