

BYRON TOWN BOARD MEETING

July 9, 2008

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

Supervisor.....	Thomas Chapell
Council Members.....	Thomas Felton
	Craig Ferguson
	Jeanne Freeman
	John Ivison
Town Clerk.....	Debra Buck-Leaton
Sewer Department.....	Robert Cudney
Highway Superintendent.....	George Heins

Public:

Ted Kaiser.....	6176 Searls Road, Byron
Everett Roda.....	Rte. 237, Byron
Mickey Truax.....	Swamp Road, Byron
Jim Cudney.....	7072 S. Byron Road, Byron
Shirley Wade.....	6286 W. Main Street, Byron
Dave Corfia.....	7650 W. Bergen Road, Bergen
Brian Forsyth.....	Gillett Road, Byron
Nancy Gearhart.....	16 Emily Court, Bergen

Invited Guests:

Peggy Swapceinki, Gillam-Grant Community Center

PLEDGE TO THE FLAG:

Supervisor Chapell led the people in attendance in the Pledge of Allegiance.

MINUTES:

A **motion** was made by Councilman Ferguson to approve the Byron Town Board Minutes of June 11, 2008 as written. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

WATER DISTRICT NO. 2:

LEATON LATERAL CONNECTION INCREASE

RESOLUTION #78:

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

Resolved, that the Byron Town Board agrees to increase the grant assistance for Ken and Pat Leaton at 7455 Byron-Holley Road to \$327.50 for topsoil and seeding relating to the lateral connection for Water District No. 2.

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

Vote: Ayes: 5 Nays: 0

**PAYMENT FOR LATERAL CONNECTION ASSISTANCE GRANTS
RESOLUTION #79:**

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

Resolved, that the Byron Town Board agrees to approve the payment of 4 vouchers totaling \$2,176.95 for lateral connections for Water District No. 2.

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

Vote: Ayes: 5 Nays: 0

GILLAM-GRANT COMMUNITY CENTER-Peggy Swapceinski:

·Peggy Swapceinski informed the Town Board that the Gillam-Grant Community Center would like to put a gymnasium at the W. Bergen Road site.

A **motion** was made by Councilman Felton to write a letter of support of the Gillam-Grant's grant process for a new gymnasium. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT –Councilman Ivison:

·Met as part of Comprehensive Plan meeting.

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – George Heins:

·While weed wacking in parks I have noted the poor ground maintenance of the areas around the playground equipment. The weeds and grass are growing in the once clean boundaries around equipment. I have left a note in the president's and treasurer's town mailboxes. There is a recreation program operating daily in the Fireman's Park and the area should be neat and clean. The repair of the dock at Turtle Park, I believe, is still a safety issue with the rotten plywood still covering the dock. Acquiring more park areas would certainly mean work for someone, along with added costs for maintaining more property and fewer taxes when properties are removed from tax roll.

·The feasibility study on the highway garage has presented some serious safety issues that have been present for many years with no solutions. I know it is time that a solution is found. I have contacted Rural Development and our local state and federal representatives about funding. Maybe the new finance company the town has hired will get the process started.

·The salt bids have arrived with a \$9.05 increase, with 6 companies not submitting a bid. That is convenient for the salt company in our area. The town's average tonnage (except last year, 3000 ton with 5 ice storms) is 2000 tons. Compared to several other towns, it is not the highest. The Town should certainly purchase some salt on the 2008 contract before it expires August 1, 2008 at \$29.93 versus \$38.98.

·I calculated the highway in-kind services for the 2007 salt building from the reports filed with DEC. The town equipment use is at \$17,649.00 and the town labor is at \$28,947.00. That total of \$46,596.00 is a substantial savings for not hiring state scale wages and equipment rates with an outside contractor. The highway department should certainly be reimbursed for some of these savings, and this would help the snow removal account which is at a minus for the year with the expenses for sand, fuel (\$2.95 to \$4.32) and salt remaining for the year. We try our best to only plow and treat roads when winter conditions warrant the use of the plow trucks. The highway department is here to provide a service to the people, and safely maintain our roads.

·Fuel consumption averages 1500 gal. per month winter	1500x4.32=\$6500
Sand 1000 ton @ \$6.00 ton	\$6000
Salt 2000 ton @ \$29.93 or \$38.98	700 ton +\$21,000
1000x29.93=\$29,993	BARE EST. total \$33,000
1000x38.98=\$38,980	2008 STATE severity payment \$10,000
Dif. \$8987	SALT reserve acct. \$57,467.00

·Town workers installed steel replacement floor in 1999-truck . State bid truck floor worn through in spots.

·Waiting on County to schedule paving Mechanic Street.

·Replaced old cement bridge and culvert pipes on Merrill Road with County excavator.

·Representing the Byron Cemetery....I am asking the Board to consider allowing the debt service to be waived for the cemetery water hook-up. The cost to put a meter and hydrant will be about \$2000 which the cemetery will pay. Water usage is estimated to be less than 1000 gallons per year. There are other water services in town that the town pays for and they are not in service. When and if the town assumes total care of the cemetery, they will have the debt payment anyway. The other option would be to drill a well, but a pressure system would be nice to wash stones.

·The Town Board will make a decision at the August Town Board meeting whether to purchase salt at the end of August or not.

·Councilman Felton would like to see the Town Highway Department share a building with possibly another municipal entity, such as the Fire Departments. This would make it more likely that the Town would get grant money.

·Councilman Ivison would like to have the Buildings Committee review what should be done with the highway garage.

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

Vote: Ayes: 5 Nays: 0

WASTE WATER REPORT – Robert Cudney:

·Swamp Road trailer park septic tanks nearly completed. Mill Pond Road will be addressed next.

·Inspected several household lift stations and control panels, have (1) control panel that may need replacement before long. 220 volt simplex.

·Reports look good – no non-compliances.

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT:

- Number of Inspections: 9
- Number of Zoning Permits: 9
- Number of Building Permits Issued: 3
- Number of Land Separations: 0
- Number of Building C.O./C.C. Issued: 1
- Number of Zoning Complaints Filed: 0
- Number of Zoning Complaints Resolved: 1
- Total Hours for the Month: 61

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

Vote: Ayes: 5 Nays: 0

ASSESSOR’S REPORT: Barry Flansburg

·The CAP Agreement with the Town of Oakfield has been drawn up by the Oakfield town attorney. It was given to them at the meeting on June 10, 2008 and they approved and signed it that night. The signed original is with the Byron Town Clerk. If this agreement is fine with Byron, all you need to do is approve the Supervisor to sign the agreement. A copy will reside with each town and I will give one to the State to start the paperwork to create the CAP for the 2009 assessment roll. I do not know how soon the \$7.00 per parcel payment would come, but it will be mid-2009 at the earliest.

·Paul Boylan has reviewed and approved the CAP Agreement with the Town of Oakfield.

A **motion** was made by Councilman Ivison to authorize Supervisor Chapell to sign the CAP Agreement between the Town of Byron and the Town of Oakfield. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 5 Nays: 0

·The Office of Real Property Services has been directed to reduce any payments made by the State to municipalities by 2%.

A **motion** was made by Councilman Felton to approve the Assessor's report as written. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Felton:

·Park Committee meeting tonight.

ABSTRACTS

RESOLUTION #80:

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

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

<i>Fund:</i>	<i>Abstract:</i>	<i>Vouchers:</i>	<i>Amount:</i>
General Fund	#7	#146 - #168	\$ 15,330.68
Highway Fund	#7	#99 - #108	\$ 9,568.12
Sewer Fund	#7	#64 - #68	\$ 3,119.40
General Fund	#PA-10	#32	\$ 2,210.60
General Fund	#PA-11	#33 - #35	\$ 853.85
Sewer Fund	#PA-6	#12	\$ 556.63

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK'S REPORT:

Paid to the Byron Park Committee for Park Rental.....	\$ 70.00
Paid to the Genesee County Treasurer for Dog Licenses.....	\$ 39.95
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 15.00
Paid to the NYS Environmental Conservation.....	\$ 91.68
Paid to the NYS Department of Health for Marriage Licenses.....	\$ 67.50
Paid to the Town of Byron Supervisor.....	\$ <u>3,002.22</u>
Total Disbursed for June 2008.....	\$ 3,286.35

A **motion** was made by Councilwoman Freeman to approve the Town Clerk's Report as given for June 2008. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The financial reports were reviewed for June 2008.

A **motion** was made by Councilman Ivison to approve the June 2008 Financial Reports as given. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

COMPREHENSIVE PLAN:

- Meeting was attended by approximately 20 residents. The next meeting will be held on July 15, 2008
- Discussed why the Town needs a Comprehensive Plan.

BUDGET AMENDMENT

RESOLUTION #81:

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

Resolved, that the Byron Town Board approves a Budget Amendment to increase the Appropriation account number A7110.2 by \$3,000.00 based on the additional revenue in account A2665 (Sale and Purchase of Mower). Councilwoman Freeman seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

MUSEUM – HANDICAPPED RAMP:

- Councilwoman Freeman called several companies regarding rental of a handicapped ramp, but rental is not an option because the ramp is 36 inches high.
- Councilman Felton would like more information on the museum before doing anything further.

DRAINAGE DITCH IN HAMLET OF BYRON:

·The State Highway Department would be willing to clean the ditch, but the remainder would be the Town's responsibility. The Town would need to commit to cleaning from the bridge to the Post Office.

SALT BARN ROOF UPDATE:

·Should be done by August 15, 2008. Lori Nelson has received paperwork from two of the three men who will be working on the roof.

MUSEUM ROOF UPDATE:

·Almost finished.

PUBLIC COMMENTS:

Mickey Truax – numerous tractor trailers coming down Swamp Road.

Councilwoman Freeman – at one time the Town tried to put a weight limit on Swamp Road, but the farmers complained and the Supervisor talked to the truck drivers and they started using Townline Road.

Supervisor Chapell – he will write a letter.

Eric Toal – wondered how the process was proceeding for the Warboys Road water district.

Supervisor Chapell – the petition is with the engineers, but they will need to split the water district because it was too big.

SUPERVISOR’S REPORT:

·Cole Road property quotes for cleanup: Warren Becker \$450; Pro Service \$425.

A **motion** was made by Councilman Felton to have Warren Becker clean the property located at 6657 Cole Road for \$450.00. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

·Supervisor Chapell has been working with the CEO/ZEO, Ken Kuter, to possibly hire a part-time Deputy CEO/ZEO/Fire Marshall. Both have been speaking with Scott Flagler from the Town of Riga and Village of Churchville to see if he’d been interested. Scott is certified.

·DEC has requested the dam on Mill Pond owned by Stu Johnson be cleaned up within 30 days. Stu Johnson is interested in selling the property to the Town. The Town Board is not willing at this time to purchase it.

·Water and sewer committee met last evening and they are moving forward with assigning units.

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

Vote: Ayes: 5 Nays: 0

ADJOURN:

A **motion** was made by Councilman Felton to adjourn the Byron Town Board Meeting at 8:20 p.m. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk