

**BYRON TOWN BOARD MEETING**

*September 14, 2011*

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

Supervisor.....	Robert Crnkovich
Councilmen.....	Jeanne Freeman
	Jack Redick
	Jeff Thompson
	John Ivison
Highway Superintendent.....	George Heins
Town Clerk.....	Debra Buck-Leaton

Public:

John Sackett.....	Townline Road, Byron
Bill and Barb Emerson.....	Terry Street, Byron
Jim Cudney.....	Rte. 237, Byron
Brian Forsyth.....	Gillett Road, Byron
Wayne Austin.....	Ivison Road, Byron
David Chupp.....	Tripp Road, Byron

**PLEDGE TO THE FLAG:**

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

**MINUTES:**

A **motion** was made by Councilman Ivison to approve the Byron Town Board minutes of August 10, 2011 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**PLANNING BOARD REPORT – Councilman Ivison:**

·Working on Zoning Ordinance definitions. Chairman Roger Rouse believes the Planning Board should be done in about a month or so.

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

Vote:           Ayes: 5           Nays: 0

**“HOME GROWN MARKETS” TRAINING CREDIT:**

A **motion** was made by Councilman Ivison to approve the “Home Grown Markets” Agriculture Forum to be held on September 21, 2011 as state required annual training for the Planning Board and Zoning Board of Appeals. The motion was seconded by Councilman Redick and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**HIGHWAY SUPERINTENDENT’S REPORT:**

- Putting shims and shoulders on Cockram, Lyman and Freeman Roads
- Doing more blacktopping

**EXTENSION OF SNOW AND ICE AGREEMENT FOR 2012/2013 CONTRACT YEAR**

**RESOLUTION #48:**

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

**WHEREAS**, the Town Board of the Town of Byron on September 14, 2011 makes a resolution to approve the Snow and Ice Contract No. D009591 between the State of New York and the Town of Byron for snow and ice control which will expire on June 30, 2013 unless further extended. The contract will be for \$37,244.33.

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

Vote:           Ayes: 5           Nays: 0

**WASTE WATER REPORT:**

**SEWER PROTEST:**

·The Town Clerk received a sewer protest form from Franklin Churchill for 6860 Byron Holley Road, Tax Map No. 5-1-58 to have the number of sewer units reduced to 1 from its current 1.5 units.

·Franklin Churchill has changed the property from a restaurant to a single family dwelling. The change of occupancy was approved on March 23, 2011 by the CEO/ZEO.

**SEWER PROTEST FOR 6860 BYRON HOLLEY ROAD**

**RESOLUTION #49:**

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

**BE IT REOLVED**, that the Byron Town Board authorizes a change in the number of units for Operation and Maintenance charges for property located at 6860 Byron Holley Road, owned by Franklin Churchill, from 1.5 units to one unit, effective as of the November 16, 2011 billing cycle.

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

Vote:           Ayes: 5           Nays: 0

**2008 Ford Pickup:** Superintendent Heins will check the Blue Book value and will also have Wilcox and Kent auctioneers determine a value on the 2008 Ford pickup. He will let the Town Board know at the next board meeting what the value is.

**SALE OF TWO STANDBY SEWER GENERATORS**

**RESOLUTION #50:**

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

**BE IT RESOLVED**, that the Byron Town Board authorizes the sale of two standby sewer generators.

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

Vote:           Ayes: 5           Nays: 0

**CEO/ZEO REPORT:**

- Number of Inspections: 10
- Number of Zoning/Building Permits Issued: 10
- Number of Special Use Permit Applications: 0
- Number of Land Separations: 0
- Number of Building C.O./C.C. Issued: 3
- Number of Zoning Complaints Filed: 0
- Number of Zoning Complaints Resolved: 0
- Total Hours for the Month: 80

·Continue to work with the Planning Board as a resource on the Zoning Ordinance update.

·Land separation granted to Mr. and Mrs. Nichols for 7042 Old State Road, land to be combined with 7042 Old State Road Shallenberger property.

·Working with the Humane Society on a possible cruelty to animals investigation and property maintenance complaint.

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

Vote:           Ayes: 5           Nays: 0

**PARK COMMITTEE REPORT – Councilman Redick:**

·Carrie Capostagno notified the Park Committee that it has been determined and supported by Lowes that a new 8' x 20' dock extension will be built at Trestle Park from the \$1,200.00 contest winnings Carrie entered. Carrie and her husband Rob have drawn up design plans and a list of needed materials. The dock will be built on September 17, 2011 at 10:00 a.m. Any help from the community would be greatly appreciated. Through Carrie's winning of the Lowes Hero Contest and it being awarded, the Town is now eligible for an additional grant of \$5,000.00. The Park Committee will put some thought into possible projects.

·The Park Committee would like to know from the Town if there are any liability issues for the safety of volunteer workers during the construction of the dock?

·Wayne Austin reported the Byron Fire Department by-laws require two representatives are to be on the Park Committee. Revised by-laws of the Park Committee state one seat will be reserved for a fire department member. Wayne will discuss with the fire department on how to proceed. A possible revision of the fire department by-laws or request the Park Committee makes a revision to their by-laws.

·The Park Committee has some concerns with the cost of the electrical repairs to the pavilion in the park. The committee appreciates all the work George Heins does for them and acting swiftly getting matters taken care of. They do have a concern with George having the electrical repairs made without any input from the Park Committee and being handed a bill for the repairs. They have the feeling when issues like this arise if they are really needed. The repairs amounted to \$3,492.51 and will deplete the monies they have and will require them to cash in some CD's. The Park Committee would like to put up for discussion splitting the bill 3 ways to include the Fire Department and the Town.

·There were concerns brought to the attention of the Town that the restroom doors were not locked. I brought the issue up to the Park Committee and it was determined there was a party at the park that didn't end until late in the evening and the doors were locked the next morning.

·I was informed the drain in the center of tennis courts is plugged. The committee asked if the Highway Department could look into clearing the blockage.

·I mentioned that some people have come to the Town Clerk and inquired about camping, at which I reinforced to the Park Committee that no camping is allowed. The Park Committee stated the signs need to be changed from "camping by permit only" to "no camping allowed". Is it possible to have new signs made to replace the old ones?

·There was a discussion regarding how the bill from 4 County Electric should be paid, and the Town Board decided the Nightengale account should pay \$1,292.53 (which is the balance of the account), Councilman Redick suggested the Park Committee put in \$1,000 of their own money, and the Park Committee account (A7110.4B) should pay the remainder of \$1,199.98. A budget transfer from another account can be made at the end of the year, if necessary.

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

Vote:           Ayes: 5           Nays: 0

**ABSTRACTS**

**RESOLUTION #51:**

Councilwoman Freeman offered the following resolution and moved for its adoption:  
**Resolved**, that the Byron Town Board pay the following abstracts:

<b><u>Fund:</u></b>	<b><u>Abstract:</u></b>	<b><u>Vouchers:</u></b>	<b><u>Amount:</u></b>
General Fund	#9	#212 - #230	\$15,438.37
Highway Fund	#9	#135 - #146	\$45,152.99
Sewer Fund	#9	#44 - #54	\$ 9,279.93
General Fund	#PA-9	#31 - #35	\$ 1,140.16
General Fund	#PA-10	#36	\$ 54.43
Sewer Fund	#PA-8	#8	\$ 522.02
Nightengale Fund	#1	#1	\$ 1,292.53

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

Vote:           Ayes: 5           Nays: 0

**TOWN CLERK’S REPORT:**

Paid to NYS Ag. & Markets for spay/neuter program.....	\$ 56.00
Paid to Byron Park Committee for Pavilion Rental.....	\$ 110.00
Paid to NYS Department of Health for Marriage Licenses.....	\$ 45.00
Paid to DEC for hunting and fishing licenses.....	\$1,718.82
Paid to the Town of Byron Supervisor.....	<u>\$3,358.88</u>
Total Disbursed for August 2011.....	\$5,288.70

A **motion** was made by Councilwoman Freeman to approve the Town Clerk’s Report as given for August, 2011. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**FINANCIAL REPORTS:**

A **motion** was made by Councilman Ivison to approve the August 2011 Financial Reports as written. The motion was seconded by Councilman Redick and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**SUPERVISOR’S REPORT:**

**Budget:** Going to Baldwin’s office tomorrow to fill in budget numbers

**Fire Contracts:** Councilman Ivison and Supervisor Crnkovich met with S. Byron Fire Department, and will be meeting with Byron on Monday

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

·Received Mercy EMS Reports for July and August 2011

·GAM meeting to be held tomorrow night at D&R Depot in LeRoy. Laura Landers will be discussing Tax Cap issues and GASB 54 fund balance reporting.

**PUBLIC COMMENTS:**

John Sackett: Would like to see the Town Board support local activities more. He does not see them participating. He believes it's time to privatize.

**ADJOURN:**

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 8:13 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