



A **motion** was made by Councilman Felton to close the Public Hearing regarding the adoption of a Local Law known as Local Law No. 1 of 2023 amending the Town Zoning Law to eliminate certain parking regulations for commercial buildings at 7:08 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 4                   Nays: 0

**LOCAL LAW NO. 1 OF 2023 SEQR RESOLUTION – DECLARING THE INTENT TO BE LEAD AGENCY**

**RESOLUTION #30:**

Councilman Felton 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 SEQR Full Environmental Assessment For (EAF) Part 1, prepared by the Boylan Law Office (hereinafter referred to as Town Attorney) on the above referenced Local Law No. 1 of 2023 (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 a coordinated review and approval by other involved agencies under 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 intent to be designated as the lead agency for the Action, and identifies that it is a Type 1 Action pursuant to SEQR; and

***BE IT FURTHER RESOLVED***, that the Town Attorney 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 February 12, 2023; and

***BE IT FURTHER RESOLVED***, therefore, the Town Board does not anticipate the preparation of an Environmental Impact Statement for the project. Further, the Town Board herewith states its intent to issue a Negative Declaration under SEQR for the project, pending review by the Involved Agencies.

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

Vote:           Ayes: 4                   Nays: 0

**MINUTES:**

A **motion** was made by Councilman Felton to approve the Byron Town Board minutes of December 14 and December 28, 2022 and January 3, 2023 as written. The motion was seconded by Councilman Kent and carried with the following vote:

Vote:           Ayes: 4                   Nays: 0

**SEWER CONSOLIDATION – MRB Group:**

- Draft map, plan and report has been started
- Trying to coordinate with the Town to verify parcels in the sewer district and how to assess vacant land
- Would like to have the Town review the maps that they've drafted
- Next month the Board should make the SEQR resolution, and then advertise for a Public Hearing
- Revised schedule has been made

**SEWER REPORT:**

- 12/1/22 – Had a backup at 6448 Mill Pond Road. Had A.D. Call pump tank.

- 12/7/22 – Switched valving at each of the filter beds. Changed out generator battery at North Byron.
- 12/23/22 – Crosby’s had a backup in their facility, found line going behind hardware store was plugged. Ended up having to jet line to clear the obstruction (grease).
- Shaun Dempsey, the sewer department manager from Camden Group, found a ground rod which was stuck right through a pipe behind the Verizon building near the Post Office, and the Highway Department will be digging it up and repairing it to help save costs.

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: 5                   Nays: 0

**PLANNING BOARD REPORT – George Squires:**

- Elected officers – George Squires is the Chairman and Christopher Hilbert is Vice Chairman
- Continue working on the Zoning Law revisions
- Discussed solar projects in the Town and acreage of prime farmland
- There is 12,500 acres of prime farmland in the Town according to the Comprehensive Plan.
- 1,250 acres of prime farmland (10% of total) allowed for Tier 4 Solar Energy Projects by the current Solar Law.
- 1,470 acres identified by NextEra as land contained by fence for Excelsior Energy Center.
- 850 acres of prime farmland soils identified within the fenced area of Excelsior Energy Center by SWCD and George Squires.

A **motion** was made by Councilman Kent 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

**SOLAR:**

Draft Town of Byron Battery Energy Storage System Zoning Law – Planning Board will be reviewing.

**HIGHWAY SUPERINTENDENT’S REPORT – David Leaton:**

- Nothing new to report

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

Vote:                   Ayes: 5                   Nays: 0

**CEO/ZEO REPORT – Melissa Ierlan:**

- Called out to a chimney fire on January 7, 2023.
- Issued 5 permits and working on resolving 2 complaints.
- Attending training.

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

Vote:                   Ayes: 5                   Nays: 0

**PARK COMMITTEE REPORT – George Squires:**

- Conducted election of officers – still desperately need more Park Committee members.
- Discussion regarding a couple wanting to have a wedding at Trestle Park.

- Discussed future projects and trail cleanup.
- Made up flyer for community suggestions for updates to parks that will be posted in a couple of places around Town.

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

Vote:           Ayes: 5           Nays: 0

**ABSTRACTS**

**RESOLUTION #31:**

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

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

<b><i>Fund:</i></b>	<b><i>Abstract:</i></b>	<b><i>Vouchers:</i></b>	<b><i>Amount:</i></b>
General Fund	#1	#1 - #27	\$72,224.85
Highway Fund	#1	#1 - #5	\$3,022.04
Sewer Fund	#1	#1 - #3	\$3,530.72
Water Improv. Benefit Area #1	#1	#1 - #4	\$27,926.32

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

Vote:           Ayes: 5           Nays: 0

**TOWN CLERK'S REPORT:**

Paid to the NYS Ag and Markets for spay/neuter program.....	\$26.00
Paid to NYS DEC for hunting and fishing licenses.....	\$165.36
Paid to NYS Department of Health for Marriage Licenses.....	\$22.50
Paid to the Town of Byron Supervisor.....	\$3,614.50
Total Disbursed for December 2022.....	\$3,828.36

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

Vote:           Ayes: 5           Nays: 0

**FINANCIAL REPORT:**

- The December 2022 Financial Report was reviewed.
- Councilman Felton asked why the year-end adjustment entries weren't done for the December 2022 report? The Town Clerk will ask our accounting firm and let him know.

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

Vote:           Ayes: 5           Nays: 0

**SUPERVISOR'S REPORT:**

**Park Lease:**

- Town Attorney Paul Boylan would authorize the Supervisor to sign the Park Lease
- The fire department will have the Fire Department President also sign the Park Lease on advisement from their attorney.

**BYRON COMMUNITY PARK LEASE**

**RESOLUTION #32:**

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

**WHEREAS**, the Town of Byron Town Board authorizes the Supervisor to sign the Park Lease between the Town of Byron and the Byron Fire Department (a copy of which is attached hereto).

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

Vote:           Ayes: 5                   Nays: 0

**2023 Committee Appointments:**

**Audit Committee:**

Supervisor Peter Yasses

Councilman Josh Kent

**Banking Committee:**

Supervisor Peter Yasses

Councilman Eric Zuber

**Disaster Preparedness Committee:**

Supervisor Peter Yasses

Councilman/Deputy Supervisor Jeff Thompson

Town Clerk Debra Buck-Leaton

Byron Fire Chief Bob Mrueczk

South Byron Fire Chief Brian Hickey

Byron Rescue Squad Brad Nickerson

Highway Superintendent David Leaton

**Equipment Committee:**

Highway Superintendent David Leaton

Supervisor Peter Yasses

Councilman/Deputy Supervisor Jeff Thompson

**Insurance Committee:**

Supervisor Peter Yasses

Councilman/Deputy Supervisor Jeff Thompson

**Museum Committee:**

Councilman Tom Felton

Historian Bob Wilson

Historian Beth Wilson

Historical Society President

**Park Committee Representative:**

Councilman Tom Felton

**Planning Board Representative:**

Councilman Josh Kent

**Sewer/Water Ordinance Committee:**  
Councilman Jeff Thompson

**Buildings Committee:**  
Supervisor Peter Yasses  
Councilman Eric Zuber  
Councilman/Deputy Supervisor Jeff Thompson

**Public Employer Health Emergency Plan (Required by NYS)**  
Town Attorney Paul Boylan  
Supervisor Peter Yasses  
Highway Superintendent David Leaton  
Town Clerk Debra Buck-Leaton

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

Vote:                   Ayes: 5                   Nays: 0

**OTHER BUSINESS:**

**Water Improvement Benefit Area No. 1:**

· Bid opening on Contract B was Tuesday, January 10, 2023. The low bidder was Rochester Pipeline from Rochester with a bid of \$3,986,535.00. This leaves \$6,099,420.00 remaining for Contract A and Contingency, which we will know following the bid opening on Thursday, January 12, 2023 at 10:00 a.m. The remainder of the bids for Contract B were as follows:

Pilon Construction	\$3,998,650.00
Fineline Pipeline, Inc.	\$4,111,880.00
Morsch Pipeline, Inc.	\$4,456,125.00
Blue Heron Construction	\$4,699,860.00
Randsco Pipeline	\$4,835,960.00
Villager construction, Inc.	\$4,878,830.00

A **motion** was made by Councilman Thompson to hold a Special Meeting on Wednesday, January 18, 2023 at 6:00 p.m. at the Byron Town Hall to approve the bids for Water Improvement Benefit Area No. 1. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**Byron Rescue Squad – Brad Nickerson:**

· The bank needs assurances from the Town in order for them to revise the loan commitment. Either the contract with the fire department needs to be revised to show a total of \$135,000.00, then each year the \$30,000 for the rescue squad can be negotiated by the fire department/rescue squad, or the bank is requesting a resolution stating the Town Board will agree to amend the fire contract if the bank amends their loan commitment.

· Town Attorney Paul Boylan stated that the Town Board will need to hold a public hearing to amend the fire contract, and he would approve the Board doing so.

A **motion** was made by Councilman Zuber to hold a Public Hearing on Wednesday, January 25, 2023 at 7:00 p.m. at the Byron Town Hall to amend the fire contract with the Byron Fire Department. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

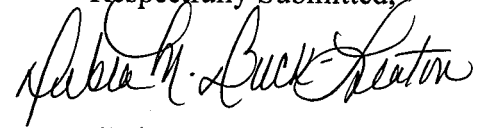
**PUBLIC COMMENTS:** None

**ADJOURN:**

A **motion** was made by Councilman Kent to adjourn the Byron Town Board Meeting at 7:52 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