

**SPECIAL BYRON TOWN BOARD MEETING**

November 4, 2020

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

Supervisor.....Peter Yasses  
Councilmen.....Sue Fuller  
Jeff Thompson  
Josh Kent  
Eric Zuber  
Highway Superintendent.....David Leaton  
Town Clerk.....Debra Buck-Leaton

Public:  
Richard Colby  
Vic DiGregorio  
Michelle Piasecki, Harris Beach

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Supervisor Yasses.

**PUBLIC HEARING –TAX CAP OVERRIDE:**

A **motion** was made by Councilman Zuber to open the Public Hearing to override the tax cap at 7:01 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**LEGAL NOTICE  
SPECIAL MEETING  
TOWN OF BYRON**

***PLEASE TAKE NOTICE***, that the Town Board of the Town of Byron will hold a Public Hearing on Wednesday, November 4, 2020 regarding Local Law entitled, "Local Law No .2 of 2020– Authorization of the Town Board to Override the Tax Levy Limit Established in General Municipal Law 3-c" at 7:00 p.m. via ZOOM video conference for the public, which link can be found on the Town of Byron website at [www.byronn.com](http://www.byronn.com) prior to the meeting, at the Byron Town Hall, 7028 Rte. 237, Byron, New York. A summary of the law is as follows:

*It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Byron pursuant to General Municipal Law §3-c, and to allow the Town of Byron to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.*

*The full text of the Proposed Local Law No. 2 of 2020 is on file at the office of the Town Clerk and is available for inspection during regular office hours.*

Debra Buck-Leaton  
Byron Town Clerk

**Local Law No. 2 of 2020  
Town of Byron  
County of Genesee**

**A Local Law to override the tax levy limit established in General Municipal Law 3-c**

**Section 1 Legislative Intent**

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Byron pursuant to General Municipal Law §3-c, and to allow the Town of Byron to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**Section 2 Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a Local Law approved by vote of sixty percent (60%) of the Town Board.

**Section 3 Tax Levy Limit Override**

The Town Board of the Town of Byron, County of Genesee, is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law §3-c.

**Section 4 Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5 Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

**Public Comments:** None

A **motion** was made by Councilwoman Fuller to close the Public Hearing at 7:05 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2020 – TAX CAP OVERRIDE**

**RESOLUTION #97:**

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

***WHEREAS***, the Town Board of the Town of Byron, New York adopts legislation to override the limit on the amount of real property taxes that may be levied by the Town of Byron pursuant to General Municipal

Law Section 3-c, and to allow the Town of Byron to adopt a town budget for fiscal year 2021 that requires a real property tax levy in excess of the tax levy limit, also known as Town of Byron Local Law No. 2 of 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Byron, New York that Local Law No. 2 of 2020 entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-c", which Local Law is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is adopted upon filing with the Secretary of State.

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

Vote:                   Ayes: 5                   Nays: 0

*LEGAL NOTICE  
TOWN OF BYRON  
2021  
PRELIMINARY BUDGET*

*PLEASE TAKE NOTICE, that the Preliminary Budget for the Town of Byron, the Preliminary Budget and Assessment Roll for the Byron Sewer District and the Preliminary Budgets and Assessment Rolls for the Byron Water District No. 1, Byron Water District No. 2, Byron Water District No. 3, Byron Water District No. 4, Byron Water District No. 5, Byron Water District No. 6, Byron Water District No. 7 and Byron Water District No. 8 for the fiscal year beginning January 1, 2021 have been completed and filed in the office of the Byron Town Clerk, 7028 Rte. 237, Byron, New York where they are available for public inspection during regular business hours. Further notice is hereby given, that said Preliminary Budget, the Preliminary Budget and Assessment Roll of said Sewer District and the Preliminary Budgets and Assessment Rolls for the Byron Water District No. 1, Byron Water District No. 2, Byron Water District No. 3, Byron Water District No. 4, Byron Water District No. 5, Byron Water District No. 6, Byron Water District No. 7 and Byron Water District No. 8 will be reviewed at a Public Hearing to be conducted by the Town Board of Byron via ZOOM video conference for the public, which link can be found on the Town of Byron website at [www.byronn.com](http://www.byronn.com) prior to the meeting, at the Byron Town Hall, 7028 Rte. 237, Byron, NY on Wednesday, November 4, 2020 at 7:00 p.m., at which time all interested persons will be heard and objection to said Assessment Rolls considered, pursuant to Section 108 of Town Law. The proposed salaries of the following Town of Byron Officials are as follows:*

<i>Supervisor</i>	<i>\$ 11,673</i>
<i>Deputy Supervisor</i>	<i>\$ 1,000</i>
<i>Councilmen (4/each)</i>	<i>\$ 3,250</i>
<i>Town Justice</i>	<i>\$ 12,485</i>
<i>Town Justice</i>	<i>\$ 12,485</i>
<i>Highway Superintendent</i>	<i>\$ 55,607</i>
<i>Town Clerk</i>	<i>\$ 35,000</i>
<i>Tax Collector</i>	<i>\$ 5,012</i>
<i>Registrar of Vital Statistics</i>	<i>\$ 500</i>

*By Order of the Byron Town Board*

*Debra Buck-Leaton, Byron Town Clerk*

**PUBLIC HEARING – 2021 BUDGET:**

A **motion** was made by Councilwoman Fuller to open the Public Hearing for the 2021 Budget at 7:09 p.m. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**HIGHLIGHTS OF THE 2021 PRELIMINARY BUDGET:**

- Amount to be raised by taxes is General Fund: \$84,000; Highway Fund: \$504,000
- General and Highway Funds: the tax rate is \$4.9159/1,000, an increase of \$.60 from 2020
- Sewer District: \$0 to be raised by taxes. O&M to increase to \$115/unit/quarter (\$460/year), and debt service will be \$0. There are 315.50 units.
- Water District #1: \$88,423.32 to be raised by taxes (301.60 units)
- Water District #2: \$59,330.00 to be raised by taxes, with the Town of Byron having 164.20 units, and the Town of Stafford having 28 units
- Water District #3: \$4,820.00 to be raised by taxes (9.10 units)
- Water District #4: \$4,273.00 to be raised by taxes (11.5 units)
- Water District #5: \$16,179.00 to be raised by taxes (55.50 units)
- Water District #6: \$9,293.00 to be raised by taxes (31.0 units)
- Water District #7: \$42,460.00 to be raised by taxes (66.0 units)
- Water District #8: \$90,217.00 to be raised by taxes (111.0 units)
- Fire District No. 1: \$102,000.00
- Fire District No. 2: \$102,000.00

**PUBLIC COMMENTS:** None

A **motion** was made by Councilman Kent to close the Public Hearing for the 2020 Budget at 7:29 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**2021 TOWN OF BYRON BUDGET**

**RESOLUTION #98:**

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

***Resolved,*** that the Byron Town Board hereby adopts the 2021 Town of Byron Preliminary Budget as presented.

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

Vote:                   Ayes: 5                   Nays: 0

**ADJOURN:**

A **motion** was made by Councilman Thompson to adjourn the Special Byron Town Board Meeting at 7:15 p.m. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**LEGAL NOTICE  
SPECIAL MEETING  
OF THE BYRON TOWN BOARD**

*PLEASE TAKE NOTICE, that the Town Board of the Town of Byron will hold a Special Meeting on Wednesday, November 4, 2020 at 7:30 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron New York, and via ZOOM video conference for the public, which link can be found on the Town of Byron website at [www.byronn.com](http://www.byronn.com) prior to the meeting. The purpose of the Special Town Board meeting will be to discuss converting Town of Byron street lights from high pressure sodium to LED lighting.*

*Debra Buck-Leaton  
Byron Town Clerk*

**NATIONAL GRID – LED STREETLIGHT CONVERSION  
RESOLUTION #99:**

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

**Resolved**, that the Byron Town Board hereby approves the facilitation by the Highway Superintendent with National Grid regarding the Outdoor Lighting LED Conversion Program. Councilman Thompson seconded the resolution which was adopted by the following vote:

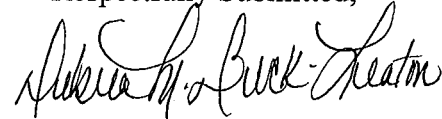
Vote:           Ayes: 5           Nays: 0

**ADJOURN:**

A **motion** was made by Councilman Thompson to adjourn the Special Byron Town Board Meeting at 7:25 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