

**SPECIAL BYRON TOWN BOARD MEETING**

**October 29, 2008**

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

Supervisor.....	Thomas Felton
Councilmen.....	John Ivison
	Jeanne Freeman
	Craig Ferguson
Town Clerk.....	Debra Buck-Leaton
Highway Superintendent.....	George Heins

**Public:**

Jim Cudney.....	7072 Rte. 237, Byron
Everett Roda.....	Rte. 237, Byron
Mickey Truax.....	Swamp Road, Byron
Bobby Cudney.....	N. Byron Road, Byron
Donna and Doug VanSlyke.....	N. Bergen Road, Byron
Aurora Austin.....	Freeman Road, Byron
Joe Wells.....	Mill Pond Road, Byron
Steve Hohn.....	Cockram Road, Byron
John Sackett.....	Townline Road, Byron
John Durand.....	Townline Road, Byron
Bob Wilson.....	Mill Pond Road, Byron
Kevin Thomas.....	6974 W. Bergen Road, Bergen
David Chupp.....	Tripp Road, Byron

**PLEDGE TO THE FLAG:**

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

**PUBLIC HEARING – CONTRACT FOR EMERGENCY SERVICES:**

A **motion** was made by Councilman Ferguson to open the Public Hearing on the contract for emergency services at 7:00 p.m. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote:                   Ayes: 4                   Nays: 0

**LEGAL NOTICE**

**PUBLIC HEARING  
TOWN OF BYRON**

*PLEASE TAKE NOTICE, that the Town Board of the Town of Byron will hold a Public Hearing on Wednesday, October 29, 2008 at 7:00 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron, New York to*

*consider extending the current fire protection and other emergency services contract, including emergency medical services, with the Byron Fire Dept. No. 1, Inc. for 2009 in the amount of \$63,000. And also to consider extending the current fire protection and other emergency services contract with the South Byron Vol. Fire Co. Inc. for 2009 in the amount of \$70,000. A copy of the complete contract is on file in the Town Clerk's Office and may be examined at any time during regular business hours.*

*By Order of the Byron Town Board  
Debra Buck-Leaton, Town Clerk*

### **Supervisor Felton:**

#### Fire Departments Public Hearing:

- 1.) The Town Board's mission is to judge the merits of the requests, validate the use of Town proceeds, and assure that the businesses that we contract with have the financial strength, and the ability to provide the required service for the length of the contract. I would further add that I personally have great respect for all of our local volunteers that have dedicated such a large portion of their lives to the cause of providing emergency services for the taxpayers of our Town, and beyond. My proposed financial commitment is reflective of my interpretation of the financials which I have received, and in no way reflect any personal disrespect.
- 2.) \$63,000 for Byron Fire Department and \$70,000 for South Byron Fire Department are my numbers as the deadline hit for the 5 day legal notice in the paper on Oct. 22nd. I needed a number so that we could move forward with adopting our 2009 budget. Justification—agreed to a one year contract with both departments, and both contracts will continue to have wording about the company's continuing to try to work together in an effort to drive efficiencies in the Town. The \$70,000 represents an increase, consistent with the salary increases we are seeking to approve, and the \$63,000 represents the continuance of \$68,000 less the \$5,000 that apparently was never distributed to the Byron Rescue Squad by Byron Fire Department, per last year's agreement. The Board may modify these numbers for the final budget.
- 3.) We are in receipt of the financials and request for funding from South Byron Fire Department, but only have an expense report from Byron Fire Department when I put my proposal forward. We received an income/expense report and a balance sheet today and yesterday from Byron Fire Department. This evening we will ask Byron Fire Department to quantify their request for funding. We will also like to have discussions on the following topics:
  - A.) I have cleaned up the contracts so that they are more similar than they have been in the past. I have also read through the proposed agreement which S. Byron drafted via their attorney, and have asked our attorney to review. I believe this document is better written than ours currently and would like to move forward with this format, if possible.

Items changed:

Removed language indicating that the Town will provide manpower and equipment to oil and stone the parking lots at least once during the contract life. As this is a one year contract, I felt the language unnecessary. The town has provided this in the past, and will consider doing it in the future as needed.

Financial Reporting: We have been on an August timeline to review books, and we have yet to meet that time line. I have added specifically what documents we are looking for, including the Form 990 from the previous year, current year income/expense and balance sheet as well as projections for the following year.

Language stating that each department agrees to work with the other to explore possibilities for efficiencies in providing emergency services in the Town.

- B.) Last year, we were asked by both departments, to issue \$5,000 to the Rescue Squad so that they may show a source of income. This will enable the Rescue Squad to apply for a loan to replace a 15 year old ambulance. In the past, the Rescue Squad has relied solely on donations from the community.
- C.) Last year when we agreed to a one year extension of the agreements, it was with the understanding that the departments would work together in an effort to examine potential consolidation—please share some success stories and give the group an idea as to where we are currently.

**Donna VanSlyke:** Currently the rescue squad is under the fire department, but they have separate checking accounts. The \$5,000 that went to the rescue squad last year was deposited into the rescue squad account.

**Brad Nickerson:** Purchased new ambulance outright through grant money, town money and fundraising. He would like the Town Board to consider putting \$5,000 back into budget for 2009 for the rescue squad.

**Councilman Ivison:** Does anyone recall whether the \$5,000 budgeted last year for the rescue squad would be budgeted every year?

**Brad Nickerson:** He believes the \$5,000 would start being budgeted from this year on.

**Donna VanSlyke:** The fire department covers the cost of fuel and insurance for the rescue squad.

**John Durand:** Legally the rescue squad is not a separate entity, but owned by the fire department.

**Supervisor Felton:** The Town's contract is with Byron Fire Department, not Byron Rescue Squad.

**Donna VanSlyke:** There were two separate checks written to the Byron Fire Department and one was handed over to the rescue squad by the fire department for 2008.

**Councilwoman Freeman:** How many members from S. Byron are members of the rescue squad?

**John Durand:** It is illegal to be a member of two fire departments, but can have the approval of the Town Board and both Chiefs to do so.

**Bob Wilson:** Social membership is different than active membership with that regard.

**Councilwoman Freeman:** Maybe both fire departments could split the cost of the fuel and insurance for the rescue squad

**Supervisor Felton:** From last year's request it stated, the Byron Fire Department has listed the \$5,000 to show a source of income for the Byron Rescue Squad to replace the 15 year old ambulance

**Brad Nickerson:** The rescue squad received a grant from Assemblyman Hawley's Office. The grant was made out to the fire department, but designated for the rescue squad.

**Supervisor Felton:** Is there any verification that the fire departments are working together

**Donna VanSlyke:**

Joint meetings on monthly basis, switching between both fire departments  
Going through 22 tasks that they need to accomplish, believes half of those are done  
Subcommittees need to be designated to review the by-laws

**Bob Wilson:**

Fire prevention at nursery schools  
Discussing whether to have annual banquets together  
Ambulance familiarization  
Stored new ambulance at S. Byron Fire Hall  
CPR training  
Does not see S. Byron Fire Dept. consolidating with Byron Fire Dept. They were told by their attorney that the Town Board can not force the fire departments to consolidate.

**Supervisor Felton:** He believes the repetition of services could be eliminated by consolidating. There was only a marginal increase in our assessed value. As costs continue to increase, the Town Board wonders if there's a way we can work smarter to cut costs.

**Steve Hohn:** The town does not have deep pockets, and the cost of fire protection is one of the things the town needs to look at in order to cut costs, possibly by consolidating. Another option for the Town Board is to just contract with one of the fire departments. Grant money from our Congressmen could quite possibly end. The Town needs the best bang for its buck.

**Supervisor Felton:** As he understands it, consolidation discussions are a mute point as far as S. Byron is concerned?

**Bob Wilson:** Yes, he believes the discussions regarding consolidation are done as far as most of the members of S. Byron are concerned. They will have periodic discussions with Byron and some joint meetings.

**Donna VanSlyke:** How are costs going to be saved if S. Byron isn't willing to consider consolidation?

**Supervisor Felton:** One expense versus two would save costs. Both fire departments should concentrate on getting members. He would ask both fire departments to sit down, look at the numbers, and think of the future.

**Bob Wilson:** The Town Board requested an audit and the auditor said because of the Town's geography and population the town is justified in having two fire departments.

**Pete Yasses:** He believes you will still need two halls because of the geography of the Town.

**Councilwoman Freeman:** Both fire departments should think of taxpayers and work together.

**John Sackett:** Twenty years ago the fire departments had problems getting members, just like today.

**Councilwoman Freeman:** Why does the old ambulance still have license plates on it if they're trying to sell it?

**John Durand:** Needs to have license plates on old ambulance for people who are interested in purchasing it to test drive.

**Donna VanSlyke:** Byron Fire Department is requesting \$100,949 for 2009

**Supervisor Felton:** The Town Board would like to wait until the November 12, 2008 meeting to approve a dollar amount for the fire departments.

A **motion** was made by Councilwoman Freeman to close the Public Hearing at 8:07 p.m. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

**PUBLIC HEARING – 2009 BUDGET:**

A **motion** was made by Councilman Ferguson to open the Public Hearing on the 2009 Budget at 8:08 p.m. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

*LEGAL NOTICE  
TOWN OF BYRON  
2009  
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 and Byron Water District No. 2 for the fiscal year beginning January 1, 2009 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 and Byron Water District No. 2 will be reviewed at a Public Hearing to be conducted by the Town Board of Byron at the Byron Town Hall, 7028 Rte. 237, Byron, NY on Wednesday the 29<sup>th</sup> of October, 2008 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:

Supervisor	\$ 11,000
Councilman (Deputy Supervisor)	\$ 4,000
Councilmen (3/each)	\$ 3,000
Town Justice	\$ 10,660
Town Justice	\$ 9,833
Highway Superintendent	\$ 47,000
Town Clerk	\$ 23,810
Tax Collector	\$ 4,000
Registrar of Vital Statistics	\$ 400

By Order of the Byron Town Board  
Debra Buck-Leaton, Byron Town Clerk

Supervisor Felton reviewed the 2009 Preliminary Budget

- Amount to be raised by taxes is \$185,736
- General and Highway Funds: The estimated tax rate is \$1.94/\$1,000.
- Sewer District: \$0 to be raised by taxes. O&M will be \$103.00/unit and debt service will be \$0

- Water District #1: \$99,699.75 is the amount to be raised by taxes
- Water District #2: \$62,062.50 is the amount to be raised by taxes

A **motion** was made by Councilwoman Freeman to close the Public Hearing at 8:35 p.m. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote:                   Ayes: 4                   Nays: 0

**ADJOURN:**

A **motion** was made by Councilman Ivison to adjourn the Special Meeting of the Byron Town Board at 8:37 p.m. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote:                   Ayes: 4                   Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton  
Byron Town Clerk