

SPECIAL BYRON TOWN BOARD MEETING

November 7, 2007

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

Supervisor.....	Richard Glazier
Councilmen.....	Steven Hohn
	Suzanne Fuller
	Thomas Felton
	Craig Ferguson
Town Clerk.....	Debra Buck-Leaton
Highway Superintendent.....	George Heins

Absent:

Waste Water Department.....	Robert Cudney
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Public:

Barb Cudney.....	7072 Rte. 237, Byron
John Ivison.....	Ivison Road, Byron
Mike and Sue Curran.....	Southwoods RV Resort
Robert Klos.....	Southwoods RV Resort
Everett Roda.....	Rte. 237, Byron
Mickey Truax.....	Swamp Road, Byron
Wayne Austin.....	Ivison Road, Byron
Tom Chapell.....	Swamp Road, Byron
Joe Wells.....	Mill Pond Road, Byron
Ted Kaiser.....	Searls Road, Byron
Christopher and Wendy Hilbert.....	Lyman Road, Byron
Scott Blossom.....	Rte. 237, S. Byron
Doug and Donna VanSlyke.....	N. Bergen Road, Byron
Jeff Romas.....	6974 W. Bergen Road, Bergen
Kevin Thomas.....	6974 W. Bergen Road, Bergen
Harold Austin.....	Ivison Road, Byron
David Chupp.....	Tripp Road, Byron

PLEDGE TO THE FLAG:

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

PUBLIC HEARING – CONTRACT FOR EMERGENCY SERVICES:

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

Vote:	Ayes: 5	Nays: 0
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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, November 7, 2007 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 2008 in the amount of \$68,000. And also to consider extending the current fire protection and other emergency services contract with the South Byron Vol. Fire Co. Inc. for 2008 in the amount of \$68,000. 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 Glazier: The Town Board has recommended that the Town extend the current contract with the Byron and South Byron Fire Departments for one year with no changes in the current budgeted amount of \$68,000. Both fire departments had requested an increase to \$75,000 with an additional \$5,000 going to the Byron Rescue Squad.

Byron Fire Department Chief Doug VanSlyke: What influenced the Town Board's decision that the budgeted amount remain at \$68,000 for 2008?

Councilman Hohn: The Board was hoping more progress would have been made toward consolidation.

Chief VanSlyke: Would like to know why the fire hall driveways can't be cleared by the Highway Department.

Supervisor Glazier: Not possible for the Town Highway Department to commit to clearing the fire department driveways of snow because they will need to be plowing the roads for safe passage, but will try to clear excessive snow when possible.

S. Byron Fire Department President Christopher Hilbert: The fire department has spent over \$72,000 for firematics since September 2007.

Chief VanSlyke: Under the current contract, what services are the fire departments required to provide?

Supervisor Glazier: Under the current contract, the fire departments are required to provide fire protection and emergency medical services. The current tax rate for the fire district is \$1.41/thousand.

Supervisor Glazier: Byron is near the top in cost per capita and cost per tax rate among other fire districts in the county. York/Retsof were able to save \$5,000 - \$7,000 in liability insurance by combining fire districts. Both fire departments are having problems manning equipment. The Town Board is trying to keep the town taxes in line. Ultimately, it is the hope of the Town Board that both departments consolidate.

Councilman Hohn: The Town Board would like the fire departments to get serious about consolidation. After combining services then the Town Board will look at increasing the amount of money budgeted to the fire departments.

Councilman Felton: Believes it would be better to extend the contract for one year so that all parties have more time to evaluate the situation. At the first meeting with the two departments in October he was taken aback with the 14% line item increase. He understands utilities have increased, but the increase has also been felt by other taxpayers.

Chief VanSlyke: The fire department has no capital reserve. Any extra money would be for operating expenses.

Blossom: Both fire departments have been running under a deficit firematically for the last several years.

Supervisor Glazier: The Town Board tried to get started on the contract early, but received no response to his first letter and after writing a second letter it took approximately 1 month for a response and another month to receive some financials.

Byron Rescue Squad:

·The rescue squad needs to show income in order to buy a new ambulance. If the Town would increase the Byron Fire Department by \$5,000, the fire department would in turn give the \$5,000 to the rescue squad.

·The \$5,000 income from the fire department would have to be an addendum to the contract.

·The rescue squad is not a separate entity from the Byron Fire Department.

A **motion** was made by Councilman Ferguson to close the Public Hearing at 7:47 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Hohn to extend the current fire protection and emergency services contract for one year at the current amount of \$68,000, however, the Town Board would like an addendum to the Byron Fire Department contract to include \$5,000 going to the Byron Rescue Squad for 2008. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

REFUSE DISPOSAL AND RECYCLING COLLECTION SERVICES BIDS:

*LEGAL NOTICE
REFUSE DISPOSAL AND RECYCLING COLLECTION SERVICES
BYRON, NEW YORK*

PLEASE TAKE NOTICE, that the Town Board of the Town of Byron will receive bids to dispose of solid waste and recyclables for in the Town of Byron. All bids are to be turned into the Byron Town Clerk's Office at 7028 Rte. 237, P.O. Box 9, Byron, NY 14422 no later than 5:00 p.m. on Wednesday, November 7, 2007 for the following services, for a period beginning on January 1, 2008 to and including December 31, 2010.

1. Provide and empty covered dumpster type containers, with a minimum total of 40 cubic yard capacity to be located at the Town of Byron Transfer Station, Rte. 237, Byron, NY. As additional options:

one (1) dumpster with a minimum of a four (4) cubic yard capacity to be located at the Byron Fire Hall, Rte. 262, and one (1) dumpster with a minimum of a four (4) cubic yard capacity to be located at the South Byron Fire Hall, Rte. 237 all to be dumped once in each week. (Total minimum capacity, with options, of 48 cubic yards.)

2. Provide and empty a roll-off container of a thirty (30) cubic yard capacity for disposal of large non-metallic items to be located at the Town of Byron Transfer Station, Rte. 237 to be emptied as requested by the Town of Byron.

3. Provide a totally enclosed container to hold a minimum of two (2) ton of recyclables, to be located at the Town of Byron Transfer Station on Rte. 237, to be emptied once in each week.

Bids shall be received in sealed envelopes, which shall bear on the face thereof the name and address of the bidder. The bids will be publicly opened and read aloud at the Byron Town Board Meeting November 7, 2007 at 7:30 p.m.

The bidder whose proposal is accepted by the Town Board of the Town of Byron will be required to execute a contract with the Town of Byron within one (1) week after a written notice, shall be given to such bidder of the contract. In cases where two (2) or more responsible bidders furnish identical bids as to price, the Town Board reserves the right to award the contract to any of such bidders. No bid received may be withdrawn by any bidder for a period of thirty (30) days from the date of bid opening.

The Byron Town Board reserves the right to waive any formalities and to reject any or all bids. Complete bid specifications for each proposed contract are available from the Town Clerk's Office, 7028 Rte. 237, P.O. Box 9, Byron, NY during regular business hours.

Dated: September 25, 2007

By Order of the Byron Town Board

Debra M. Buck-Leaton, Byron Town Clerk

Supervisor Glazier: Received 1 bid for garbage disposal

Waste Management:

Garbage Disposal

·\$631.71 per month for a dumpster with a minimum of 40 cubic yard capacity.

·\$170.95 per month for the 1 dumpster with a minimum of four cubic yard capacity at

S. Byron Fire Hall and Byron Fire Hall.

Non Metallic Large Disposal

·\$75/month for rental

·\$48/ton

·\$135/trip.

Recycling

·\$1125.32 per month for a container to hold approximately 2 tons of recyclables

PUBLIC HEARING – TOWN OF BYRON WATER LAW:

A **motion** was made by Councilman Hohn to open the Public Hearing on the Town of Byron Water Law at 8:01 p.m. The motion was seconded by Councilman Felton and carried with the following vote:

Vote:

Ayes: 5

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, November 7, 2007 at 7:30 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron, New York to consider a Local Law entitled “Town of Byron Water Law” which will enact criteria for assigning benefit units to residential and commercial real property in order to assess them for the purpose of taxation for debt service for both Water Districts No. 1 and No. 2. Copies of the Proposed Local Law may be obtained from the Town Clerk during regular business hours.

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

Mike Curran (owner of Southwoods RV Resort): Introduced Bob Klos from Campground Owners of New York. They are not in agreement with 5 sites per unit for campsites. They would agree with 10 sites per unit. The water meter is removed for six months, meaning the campground only has water for 6 months. They only have one two inch tap on water main. From 2005 – current (for watering the newly seeded lawns and a water leak) they had a grand total of 800,000 gallons used, 21 gallons per day. They used 15 gallons of water per day per site in 2006.

Sue Curran: The Southwoods property has already been engineered for up to 300 sites with usage. They were originally assessed at 36 units. They do not feel they should be assessed any more until they reach their 350 site capacity.

Supervisor Glazier: The Water Committee used sample local laws from other towns that used 3 sites per unit for campgrounds. The Health Department uses 6 sites per unit.

Bob Klos: There’s a campground in Clarendon being built now that there’s no charge for water. Southwoods would prefer 12 sites per unit, but there is no need to increase units since the debt service is already being paid. It was understood that if Southwoods had not agreed at the time to hook up to the Water District that the water district would not have been formed. A campground is a seasonal operation. They were originally approved for 350 sites by the Health Department and they have not reached that capacity yet.

Supervisor Glazier: Believes the 5 sites per unit is very fair.

Councilwoman Fuller: She believes that the campground should be grandfathered in at the number of units in their original blueprints.

Highway Superintendent George Heins: It was never brought up that a water customer would have to pay more if water usage was over 300 gallons/day/unit.

Pete Yasses: Is the Town Board going to have the sewer units and water units coincide?

Supervisor Glazier: Yes, the water units should coincide with the sewer units.

Councilman Hohn: He doesn’t agree. The sewer units and water units are based on maximum occupancy for restaurants, which is ridiculous. The Town isn’t going to bring businesses in using maximum occupancy. It needs to be based on water usage. Most businesses are using less water than the average homeowner.

A **motion** was made by Councilwoman Fuller to close the Public Hearing at 8:47 p.m. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Hohn to send the “Byron Water Law” back to the Water Committee for further review. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 1 (Supervisor Glazier)

PUBLIC HEARING – 2008 BUDGET:

A **motion** was made by Councilwoman Fuller to open the Public Hearing on the 2008 Budget at 8:57 p.m. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

*LEGAL NOTICE
TOWN OF BYRON
2008
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, 2008 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 7th of November 2007 at 8:00 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>\$ 11,000</i>
<i>Councilman (Deputy Supervisor)</i>	<i>\$ 4,000</i>
<i>Councilmen (3/each)</i>	<i>\$ 3,000</i>
<i>Town Justice</i>	<i>\$ 10,300</i>
<i>Town Justice</i>	<i>\$ 9,500</i>
<i>Highway Superintendent</i>	<i>\$ 45,500</i>
<i>Town Clerk</i>	<i>\$ 23,000</i>
<i>Tax Collector</i>	<i>\$ 3,800</i>
<i>Registrar of Vital Statistics</i>	<i>\$ 350</i>

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

A **motion** was made by Councilman Hohn to close the Public Hearing at 9:42 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

-Amount to be raised by taxes is \$184,191.

- General and Highway Funds: The estimated tax rate is \$1.93/\$1,000.
- Fire District #1 and #2: Estimated tax rate is \$1.42/\$1,000.
- Sewer District: \$10,670 to be raised by taxes. O&M will be \$103.00/unit and debt service will be \$33.44
- Water District #1: Debt payment of \$110,000, but with the estimated revenue from interest and a surplus that can be used for the next 5 years to subsidize Water District #1, the debt service will remain at \$95,000.
- Water District #2:
 - \$5,000 for the audit was never put onto Form E, now there's a \$3,000 deficit to finish N. Byron Road. After consulting with Mark Colopy from Fiscal Advisors, there has been \$5,000 included into Water District No. 2 appropriations. Total to be raised by taxes is \$71,722.50, \$393/unit for 182.5 units, which is within the Comptroller's limits.

2007 TOWN OF BYRON BUDGET

RESOLUTION #97:

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

Resolved, that the Byron Town Board accepts the 2008 Town of Byron Budget as presented.

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

Vote: Ayes: 5 Nays: 0

ADJOURN:

A **motion** was made by Councilman Hohn to adjourn the Special Meeting of the Byron Town Board at 9:56 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk