

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

Vote: Ayes: 4 Nays: 0

ZONING/CODE ENFORCEMENT OFFICER -Robert Patterson:

·One zoning and building permit issued for March.

A **motion** was made by Councilman Hohn to approve the Zoning/Code Enforcement Report as given. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

HIGHWAY REPORT-George Heins:

·Loader needs new tires. New tires could cost \$10,000. New loader could cost \$120,000. Next year the Board may want to think about selling it at auction and purchasing a new one, or putting money in the budget to purchase new tires.

·Short on salt

·Salt Barn: We will receive grant money from the state as needed. Funds will be split equally between the state grant and the Town's money or in-kind services. We can't use the state's \$70,000 grant and then use the Town's money.

***LEGAL NOTICE
TO BIDDERS***

Notice is hereby given to responsible bidders that the Town of Byron will be accepting sealed proposals for the construction of a Salt Barn per specifications on materials only, which may be obtained at the Town of Byron Town Clerk's Office, 7028 Rte. 237, Byron, New York, during regular business hours. All proposals shall be made upon forms furnished by the Town of Byron and shall be contained in a sealed envelope clearly marked "Sealed Bid: Salt Barn Building Materials", with the Bidder's name and address written on the outside of the envelope. Under Section 103 of the General Municipal Law, as amended, the bidder must certify in his or her bids that the bids have been submitted without collusion with any other vendor of materials, supplies or equipment of the type described in the invitation for bids. Bidders on this work will be required to comply with the President's Executive Order No.s 11,246 and 11,375 which prohibit discrimination in employment regarding race, creed, color, sex, or national origin. The successful bidder must be an equal opportunity employer, must meet all appropriate State and Federal standards, and comply with all relevant governmental regulations. This project is being funded by NYSDEC and goals for the participation of minority-owned businesses (MBE) and women-owned businesses (WBE) have been established as follows: MBE: 6 percent, WBE: 6 percent. See the contract specifications for further details on MBE and WBE requirements, as well as Equal Employment Opportunity (EEO) requirements. All bids must be quoted less tax and submitted to the Town of Byron Town Clerk's Office no later than 4:00 p.m. on Monday, March 26, 2007. Bids will be opened and read aloud at 4:15 p.m. on March 26, 2007. Bid to be awarded at 7:30 p.m. at the Byron Town Board on Wednesday, April 11, 2007. Bids received later than the date and time specified will not be considered and will be returned to the bidder unopened. The Byron Town Board and the Town of Byron Highway Superintendent shall be the sole judge of the bids and shall reserve the right to reject any or all bids, without explanation.

***Dated: March 6, 2007
By Order of the Byron Town Board
Debra Buck-Leaton, Byron Town Clerk***

**TRANSFER OF FUNDS FROM CAPITAL RESERVE FUND TO SALT BARN
CAPITAL RESERVE FUND**

RESOLUTION #50:

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

Whereas, on February 14, 2007 the Byron Town Board passed Resolution No. 41 to proceed with construction of a Salt Storage Barn at a total cost not to exceed \$140,000 with \$70,000.00 coming from a NYS DEC grant, the remaining \$70,000.00 coming from the Town in the form of in-kind services and monetary contributions.

Now, therefore, the Town Board further resolves to transfer \$70,000.00 from the Capital Reserve Fund (General) to the Salt Barn Capital Reserve Fund.

The above action is subject to permissive referendum.

Any person wishing to file a petition calling for a referendum regarding such transfer must do so within thirty (30) days of the date of publication of this notice pursuant to Town Law Article 7. If no such petition is filed, the resolution will be adopted.

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

Vote: Ayes: 4 Nays: 0

**AWARD OF SALT BARN BIDS SUBJECT TO PERMISSIVE REFERENDUM
RESOLUTION #51:**

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

Resolved, that the Byron Town Board award the following company's the Salt Barn Material Bids subject to Permissive Referendum:

Lumber: Stockham Lumber Co., 88 Geddes St., Holley, NY

Concrete: Hanson Aggregates New York Inc., 6895 Ellicot St., Pavilion, NY

Steel: Klein Reinforcing Services, Inc., 11 Turner Dr., Spencerport, NY

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

Vote: Ayes: 4 Nays: 0

WASTE WATER REPORT - Bob Cudney:

·Last month I had mentioned that I was currently working on a newly developed certification form initiated by the DEC. I have completed all the calculations and have mailed back to Albany and Avon as they requested. The results were found to be below maximum limitations of the loading criteria at each treatment facility for the calendar year 2006. Dick and I have copies of this completed report if anyone is interested in looking at it.

·Contractors continue to install water services to residents. Minimal work left in sewer district areas with Randsco.

·Smoke testing currently is scheduled to begin in Bergen on July 18-24, and Byron July 25-31. Although this type of testing can be successful in detecting areas of infiltration within collection systems, it may not identify (if any exist) illegal discharges

from residences. Eric Weis is currently working on a notification letter that must go out to the community informing them of the activity.

·Reports are good other than two flow exceedances this past month. North and Central Byron monthly averages exceeded permit limits.

·County Wastewater Study – the Town’s current sewer system has adequate capacity to sustain future growth in the Town, however it will need some repairs in the next couple of years.

·Sewer billing program is up and running

A **motion** was made by Councilman Hohn to approve the Waste Water Report as written. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – Supervisor Glazier:

·Supervisor Glazier spoke to the Park Committee and recommended that the money that is set up for the Park Committee’s use remain in the Town’s budget. The Park Committee could retain money collected through fundraising or other outside sources. Supervisor Glazier said the Town would proceed slowly with switching this over.

·Per David Chupp the Park Committee would turn over the CDs and would retain fundraising money raised.

·No charge for building permit for fence around Fireman’s Park

·The Park Committee would like to know if the Town would sponsor the Concert in the Park for August 9th.

A **motion** was made by Councilman Felton to approve the Town of Byron sponsoring the band Rawhide on August 9, 2007 at a cost of \$300. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 3 Nays: 1 (Councilman Hohn)

·Wedding at Trestle Park – would like the Town to amend the By-Laws to change fees for park rentals. Supervisor Glazier asked David Chupp to have the Park Committee review and update the Park Fee Schedule, and report back to the Town Board.

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

Vote: Ayes: 4 Nays: 0

WATER DISTRICT NO. 2 UPDATE – Eric Weis:

·Pumpkin Hill Veterinary Clinic – letter written by Eric Weis to MCWA: Clark Patterson asked if the Veterinary Clinic could put in a vault at the intersection of Tower Hill Road and Rte. 237 and run a 2” line from vault to Veterinary Clinic. MCWA declined this idea, and they feel an 8” line would be more feasible. The 8” line would only need to go from property line to vault.

·Budget: \$88,000 to complete all of North Byron Road

·\$20,000 could be remaining to do something with the Veterinary Clinic after North Byron Road is finished. The Town just needs to decide where to spend the money.

·Veterinary Clinic would be responsible for debt service, cost of running line, and unit price (probably 1 ½ units).

·Another option would be to create another larger water district (petition from all landowners on Tower Hill Road) or a sole water district (Veterinary Clinic only) and they would pay cost of water but no debt service. Cost would be about \$23,000 for an independent contractor to do.

·Haven’t received a petition from landowners on Cockram Road.

·Until North Byron Road is finished and we know how much money is left over, there isn’t anything the Town can do.

·25 services left to be installed.

SEQR-LEAD AGENCY FOR NORTH BYRON ROAD EXTENSION OF WATER DISTRICT NO. 2

RESOLUTION #52:

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

Resolved, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Byron hereby announces its intent to serve as lead agency to conduct an environmental review of a project to construct a series of public water supply improvements to serve the Town of Byron Water District No. 2 Phase IIa. In accord with the likelihood that the Town Board will serve as lead agent, the Board has prepared an Environmental Assessment of the significance of a potential environmental impact of the proposed project.

The project involves the extension of public water to serve residents of North Byron Road. A total of approximately 2,500 linear feet of watermain will be installed in the road right-of-way of North Byron Road between NYS Route 237 and Searls Road.

Further Resolved, that the Town Board has determined that, as a segment of the project is located in a Genesee County Agricultural District, the proposed action is a Type I action as defined under SEQR; and, be it

Further Resolved, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc., and be it

Further Resolved, that the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the full Environmental Assessment Form for their review and comment. The Town Board will take any such comments into account prior to making a Determination of Significance for the project.

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

Vote: Ayes: 4 Nays: 0

PAYMENT OF WATER DISTRICT NO. 2 ABSTRACT #4:
RESOLUTION #53:

Councilman Felton offered the following resolution and moved for its adoption:
Resolved, that the Byron Town Board agrees to pay Water District No. 2 Abstract #4 in the amount of \$218,049.31, subject to the approval of Rural Development.

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

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #54:

Councilman Hohn offered the following resolution and moved for its adoption:
Resolved, that the Byron Town Board pay the following abstracts:

<u>Fund:</u>	<u>Abstract:</u>	<u>Vouchers:</u>	<u>Amount:</u>
General Fund	#4	#62 - #92	\$ 9,841.39
Highway Fund	#4	#46 - #66	\$ 6,863.15
Sewer Fund	#4	#32 - #41	\$ 1,470.79
Water District No. 2	#4	#9 - #10	\$218,049.31
Salt Barn	#2	#3	\$ 45.92
General Fund	#PA-7	#21 - #23	\$ 1,999.92
Sewer Fund	#PA-5	#6	\$ 668.94

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK'S REPORT:

Paid to the Genesee County Treasurer for Dog Licenses.....	\$ 113.05
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 57.00
Paid to the New York State Environmental Conservation.....	\$ 45.34
Paid to the Town of Byron Supervisor.....	<u>\$2,499.74</u>

Total Disbursed for March 2007.....\$2,715.13

·Taxes have been turned over to the Genesee County Treasurer. The 2007 tax payments collected were balanced with the Treasurer's Office on April 10th.

·March Garbage Bag Inventory.

·Received \$250 scholarship from the Town Clerk's Association to attend the Town Clerk's Conference in Rochester from April 30-May 2nd.

A **motion** was made by Councilwoman Fuller to approve the Town Clerk's Report as given for March 2007. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

- Review of March 2007 financial report.
- Bond Anticipation Note expires on May 11, 2007. Mark Boylan is looking into what to do.

A **motion** was made by Councilman Hohn to approve the March 2007 Financial Report as given. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

·Per Highway Superintendent Heins there has been damage to the gates on the railroad bed and cemetery damage from snowmobilers. Supervisor Glazier will speak with the Sleds of Stafford regarding having them pay for damage.

SLEDS OF STAFFORD LAND OWNER PERMISSION FOR LAND USE

REQUEST FORM

RESOLUTION #55:

Councilman Hohn offered the following resolution and moved for its adoption: ***Resolved***, that the Byron Town Board authorizes Supervisor Glazier to sign the Sleds of Stafford Land Owner Permission Form for Land Use of Trails for the 2007-2008 season after he has met with a representative from the Sleds of Stafford regarding damage done to railroad bed gates and cemetery.

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

Vote: Ayes: 3 Nays: 1 (Councilwoman Fuller)

SUPERVISOR’S REPORT:

- GAM Agenda for April meeting
- Gillam-Grant day camp program
- Publication regarding increase of health care costs
- Grant funds available for the protection of farmland
- Dr. Geer to attend next month’s Town Board Meeting
- Wastewater Study portions relevant to the Town of Byron
- Councilman Hohn asked if Bob Cudney could find out how many units the sewer district can sustain before it’s maxed out.
- Letter from Health Department regarding sewage seepage at S. Byron residence.
- Time Warner franchise payment.
- Freedom of Information Law meeting.

A **motion** was made by Councilman Hohn to approve the Supervisor’s Report as given. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

ADJOURN:

A **motion** was made by Councilman Hohn to adjourn the Byron Town Board Meeting at 9:48 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk