

Village of Byron  
Regular Council – ZBA Meeting Minutes  
March 9, 2020

**Meeting called to order at:** 7:01 pm by President Prestonise

**Pledge of Allegiance Led By:** President Prestonise

**Roll Call – Present:** Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. John Gormley from Gormley Law present.

**Approval of Agenda:** Bessenbacher and Chapman amended the agenda by adding B) Red Mill under old business and B) Enforcing Ordinances and C) Goose Removal under new business. Bessenbacher motioned to approve the agenda as amended; seconded by Chapman. Voice Vote: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**Approval of Minutes:** Bessenbacher motioned to approve the minutes for February 10, 2020 and as written; seconded by Chapman. Voice Vote: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**Public Comments – Agenda Items:** None

**Treasurers Report** –Ketchum explained the drop in multiple funds and then read report; motion made by Bessenbacher to accept report pending audit; seconded by Phillips. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**Approval of Bills** – Campbell gave report on bills consisting of 42 checks 0 voided for a total of \$39,816.60. Bessenbacher motioned to pay the bills; seconded by Chapman. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**Bills Awaiting Approval** – Campbell said we have 2 bills totaling \$1,253.66. Bessenbacher motioned to pay both bills totaling \$1,253.66; seconded by Phillips. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**Committee Reports:** None

**Police Report:** Prestonise read the police report and went over the email about repairs. Reed will call Hartz with the repair approval.

**DPW Report:** Prestonise read the report and explained the sewer emergency. Questions about the repairs were asked and answered. Prestonise explained that if we had the call out system, Warren would have been alerted right away, even if he was out of town. Bessenbacher motioned to approve the call out system for \$3,250.50; seconded by Chapman. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None. Prestonise explained that the approved \$33,470.00 (in January) will not be completely used, we only need to replace half of the valves. The remaining could be used for the upgrades for pumps 2 and 3. This will be discussed when council knows the remaining balance. Emergency pump and grinder system on hold. Mowers, internet

Village of Byron  
Regular Council – ZBA Meeting Minutes  
March 9, 2020

and shelving on hold. Prestonise went over shoulder stone for \$800.00. Bessenbacher motioned to approve purchase of shoulder stone for \$800.00. Prestonise explained about 2 trees on Silver Lake that need to be taken down and the quote from Lynch was \$950.00 for the trees and \$350.00 to grind stumps. Bessenbacher motioned to approved tree removal on Silver Lake by Lynch for a total \$1,300.00; seconded by Phillips. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None. Prestonise also explained removal of trees in the cemetery.

**Cemetery Report:** Prestonise read the report and a discussion took place on letter asking if the cemetery could purchase 2 graves for \$400.00. Campbell motioned to purchase the 2 graves for a total of \$400.00; seconded by Bessenbacher. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**DDA:** Beverly Miller talked about resolution and the DDA Development Plan and how it needs to be updated in order to use TIF funds for projects. Gormley went over the process for The Village Council in order for DDA to move forward.

**Commissioner Report:** Root talked about the solar project coming in, budget and no layoffs and reforming pensions and insurance up 11%. Staff will have a say in the process. He said the Health Department is doing well and with the collected delinquent taxes some investments are possible. Phillips asked question about the solar project and Root replied Hazelton County and we will make money off the energy. Phillips asked about the steel mill and Root said they are looking at funding and it is a long process. Root talked about petition on 2<sup>nd</sup> Amendment and added that Finnigan is retiring.

**Old Business – A) Raises:** Prestonise explained that he told Reed and Ketchum that they would have to pay the Village back and said that they asked to have council decide. Ketchum asked if Berecz had any ordinances on the process and Prestonise said no. Reed explained that she went on past practice and sited the minutes of past raises. Phillips said with no raise in 6 years, leave it as is. Phillips motioned to leave the raises in the pay period they were taken, no pay back; Chapman seconded. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, and Phillips. Miller and Orr absent. Nays: Prestonise.

**B) Red Mill:** Bessenbacher asked what could be done about the stuff at the Red Mill and how bad it looks. Gormley explained the Municipal Civil Infraction and tickets could be issued. Reed explained what had happened and that she was told the courts would have to supply the tickets. Discussion on the subject and Gormley said to approve an amount so Reed can have some tickets printed. Bessenbacher motioned to approve the purchase of Municipal Civil Infraction tickets, not to exceed \$500.00; seconded by Phillips. Roll Call: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.

**New Business – A) Solicitation-Distributing Literature:** Prestonise went over letter received and said the dates are May 29<sup>th</sup> through August 5, 2020 and from 10am until 9 am. Discussion on subject and No solicitation sign will keep door to door away.

**B) Goose Removal:** Reed explained the steps involved and that we did receive a refund from the State. Tabled until next meeting with updated cost.

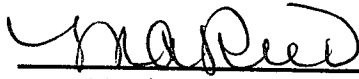
Village of Byron  
Regular Council – ZBA Meeting Minutes  
March 9, 2020

**Public Comments:** Beverly Miller said that the Chamber is going to do Memorial Day Parade but, the time will change from 1pm to 11am.

**Any Other Business from Council /Comments:** Prestonise asked B. Miller to let Vandemark know that Sam's restaurant does a 15% fundraiser and Reed said Leo's in Fenton does theirs on Thursday.

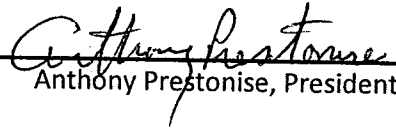
**Items For Next Agenda:** Goose Removal, DPW mowers, grinder, shelving and pump

**Meeting adjourned at:** Motion to adjourn 8:40pm by Bessenbacher; seconded by Chapman. Voice Vote: Ayes- Bessenbacher, Campbell, Chapman, Phillips and Prestonise. Miller and Orr absent. Nays: None.



Marsha Reed, Clerk

5-18-2020  
Approval Date



Anthony Prestonise, President