

TOWN OF BYRON BOARD MEETING
December 11, 2024

The Byron Town Board Meeting was called to order by Supervisor Candace Hensel at the Byron Town Hall at 7:02 p.m. with the following people present:

Supervisor..... Candace Hensel
Councilman..... Martin Dilcher
Councilman..... Jeff Thompson
Councilman..... Nathan Knickerbocker
Councilman..... Fred Klycek

Highway Superintendent.....David Leaton
Town Clerk.....Kristy Murphy

Invited Guests..... Bridgette Cook, Town Attorney
..... Scott Mattison, MRB Group

Public: Don Yaxley Steve Lockner Bill Stevens Barbie Starowitz Rob Palmer
Bethany Berggren Jim Lamkin Peter Lockner Reggie Macdonald Theresa Hammer
Vic Degregorio Karen Jaysenski Sylvania Chupp Scott Blossom Ben Raccuia
Thersea Maid Marilyn Weinert

Pledge of Allegiance:

The pledge of allegiance was led by Supervisor Hensel.

Public Hearing Battery Energy Storage Law:

A motion was made by Supervisor Hensel to open the public hearing at 7:03pm
Councilman Thompson seconds the motion and carried with the following vote:

Vote: Ayes: 5 Nays: 0

-Resolution previously made (see below) Genesee County Planning Board will review at the next
Planning Board Hearing on December 12, 2024. Response will be forwarded to the Town of
Byron and will be voted on at a later date.

**RESOLUTION FOR PROPOSED LOCAL LAW FOR BATTERY ENERGY STORAGE
SYSTEM TO THE GENESEE COUNTY PLANNING BOARD PURSUANT TO GML
239-M**

RESOLUTION #98

Councilman Knickerbocker offered the following resolution and adoption:

**TOWN OF BYRON TOWN BOARD RESOLUTION
TO REFER THE TOWN OF BYRON PROPOSED LOCAL LAW ENTITLED**

**“Town of Byron Zoning Law - Battery Energy Storage System” TO THE GENESEE
COUNTY PLANNING BOARD PURSUANT TO GML 239-M**

WHEREAS, the Town Board of the Town of Byron has introduced a proposed local law entitled **“Town of Byron Zoning Law - Battery Energy Storage System”** to amend the current zoning ordinance, and

WHEREAS, on November 13, 2024 the Town Board of the Town of Byron declared itself lead agency for purposes of SEQRA review of the proposed action and completed Part 1 of the Full Environmental Assessment Form, and

WHEREAS, the Town Board of the Town of Byron is required to refer any adoption or amendment of a zoning ordinance or local law to the County Planning Board pursuant to GML 239-m.

NOW, THEREFORE, Town Board of the Town of Byron hereby refers the proposed local law entitled **“Town of Byron Zoning Law - Battery Energy Storage System”** to the Genesee County Planning Board for a report and recommendation thereon, a copy of which is attached hereto and made a part thereof, and the Town Clerk is hereby directed to enter said proposed local law into the minutes of this meeting.

AND IT IS FURTHER RESOLVED, that the Town Clerk is directed to transmit a copy of this resolution and the completed portions of the Full Environmental Assessment Form Part 1 to the Genesee County Planning Board.

AND IT IS FURTHER RESOLVED, that failure of the Genesee County Planning Board to provide said report and recommendation to the Town Board within thirty (30) days after receipt of the referral by the Town shall be deemed approval of the proposed local law.

Public Comments:

- Karen Jaysenski wants to know what the law would be
- Supervisor Hensel states the law covers residential and commercial guidelines
- Jim Lamkin wants to know if something could be put into the law regarding training specifically for the fire departments how to deal with the lithium batteries if there were a fire.
- Reggie McDonald states that a call will be made to the solar company and they will tell the company how to proceed. The gates would be locked so the fire department would not be able to enter. The fire department would need to just keep it from spreading
- Jim Lamkin is requesting that a mandatory training be put in some kind of contract that fire departments is required to have training on battery fire protection.
- Councilman Knickerbocker states that it is his opinion that a request like that not go into a zoning law rather it should be in a fire contract if it needs to be documented. He states he trusts the departments are doing what they need to have the knowledge of how to fight a fire involving the solar batteries.
- Steve Lockner states that when the pumping station was put in the fire department worked with the pumping station employees and did mock training to learn what to do. So the fire departments do train for what comes up in the area.

-Bridgette Cook states that in the application paperwork it states that there needs to be an emergency response plan in place and a fire safety compliance plan.

A **motion** was made by Councilman Thompson to close the public hearing at 7:17pm
Councilman Klycek seconds the motion and carried with the following polled vote:

Councilman Thompson-	Aye	
Councilman Dilcher-	Aye	
Councilman Knickerbocker-	Aye	
Supervisor Hensel-	Aye	
Councilman Klycek	Aye	
Vote:	Ayes: 5	Nays: 0

Approval of Minutes:

A **motion** was made by Councilman Knickerbocker to approve the minutes from
November 13, 2024

Councilman Thompson seconds the motion and carried the following polled vote:

Councilman Thompson-	Aye	
Councilman Dilcher-	Aye	
Councilman Knickerbocker-	Aye	
Supervisor Hensel-	Aye	
Councilman Klycek-	Aye	
Vote:	Ayes: 5	Nays: 0

UNSAFE STRUCTURE- 6538 BYRON HOLLEY ROAD, BYRON NY 14422

Contractor quotes for demolition as follows:

1. Bruce Scofield - \$21,050.00

2. Residential Excavating- \$22,500.00

3. EARTHTECH Developers- \$30,882.00

4. Habitat for Humanity has also expressed interest in obtaining the above property. If Habitat for Humanity does want to purchase the property that real estate transaction needs to be between the homeowner and Habitat for Humanity. If nothing comes of the letter of intent that the town received from them then the property will plan on being demolished after the the next board meeting on January 8, 2025.

-Lengthy discussion had regarding how to move forward with the unsafe structure

Councilman Dilcher states that rodent control is concern to the nearby residents.

Quotes for rodent control as follows:

1. GB Pest Solutions - \$1,200.00

2. Homestead Pest Control - \$800.00

Councilman Thompson makes the **MOTION** to hire Jacob Ivison (Homestead Pest Control) to do rodent control in the amount of \$800.00 starting immediately

Councilman Dilcher seconds the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

Councilman Thompson makes the **MOTION** to hire Bruce Scofield in the amount of \$21,050.00 for the demolition and cleanup of the property located at 6538 Byron Holley Road, Byron NY 14422, Tax Lot# 5.-2-19.

Councilman Knickerbocker seconded the motion carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

WATER IMPROVEMENT BENEFIT AREA #1

A motion made by Supervisor Hensel to table the contractor's payment until after executive session.

Councilman Knickerbocker seconds the motion and followed by the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

RECYCLING AGREEMENT & QUOTES

-A letter was received by the Town of Byron the Ed Arnold Scrap will no longer be able to dispose of our recycling materials. Highway Superintendent Leaton attempted to obtain quotes from other companies for this service.

Quotes for Recycling are as follows:

1. Bruce Scofield does not provide that type of service
2. Waste Management will provide (3) Three (8) Yard Dumpsters at the cost of \$270.49 per month
3. Casella Waste Systems will provide (3) Three (8) Yard Dumpsters at the cost of approximately \$410.00 per month

Councilman Dilcher makes the **MOTION** to hire Waste Management to add (3) three (8) yard recycling containers to the current Waste Management Agreement

Supervisor Hensel seconded the resolution which was adopted by the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

RESOLUTION# 110

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

BE IT RESOLVED, that the Byron Town Board authorizes the Highway Superintendent to sign the SUNNKG Sustainable Solutions (2) Two year agreement extension for removal of end of life electronics and equipment.

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

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

NYS DOT FIVE YEAR EXTENSION SNOW & ICE REMOVAL CONTRACT

-NYS DOT noticed an error on their end in the most recent contract regarding dates. NYS DOT is requesting two new resolutions be made.

NYS DOT AMENDED SUPPLEMENTAL AGREEMENT FOR SNOW AND ICE REMOVAL RESOLUTION # 111

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

BE IT RESOLVED, that the Byron Town Board authorizes the Highway Superintendent to sign the Amended Supplemental Agreement Number 4 to Contract D014872 between the Town of Byron and The New York State Department of Transportation (NYSDOT)
Councilman Klycek seconded the resolution which was adopted by the following vote:

Councilman Thompson- Aye
Councilman Dilcher- Aye
Councilman Knickerbocker- Aye
Supervisor Hensel- Aye
Councilman Klycek- Aye
Vote: Ayes: 5 Nays: 0

**NYS DOT EXTENSION FOR SNOW AND ICE REMOVAL CONTRACT
RESOLUTION # 112**

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

BE IT RESOLVED, that the Byron Town Board authorizes the Highway Superintendent to sign the Amended Extension for Snow and Ice Removal Contract #D014872 between the Town of Byron and The New York State Department of Transportation (NYSDOT)
Councilman Klycek seconded the resolution which was adopted by the following vote:

Councilman Thompson- Aye
Councilman Dilcher- Aye
Councilman Knickerbocker- Aye
Supervisor Hensel- Aye
Councilman Klycek- Aye
Vote: Ayes: 5 Nays: 0

WALKERS CORNERS ROAD BRIDGE

-The Commissioner of the Department of Public Works in Genesee County reached out requesting support letters from the community regarding the bridge over Black Creek. If anyone is interested in sending a support letter to the Commissioner Department of Public Works in Batavia

LEATHER LEAF SOLAR COMMUNITY HOSTING AGREEMENT

-Councilman Dilcher states he feels the cost of the dollar is so much less now than it was when the hosting agreement was negotiated.

-Councilman Klycek agrees that the \$10,000.00 a year won't even pay for the abuse our local roads will take when all the construction starts.

-Lengthy discussion had on whether or not to sign the hosting agreement at this time how it reads now

-Supervisor Hensel states she would contact the county to see if there is a way to renegotiate the terms of the hosting agreement.

Councilman Dilcher made the motion to table the Leather Leaf Solar project until further negotiations are discussed in regards to monetary agreement

Councilman Klycek seconded the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

SEWER SHAUN DEMPSEY:

-There were issues at the property located at 6306 Mechanic Street. A massive ball of roots discovered in the inlet pipe of the septic tank. The inlet pipe was dug up to remove the roots. There was a clean out installed a pipe was entered on the side of the tank that had no accessibility

-EFC/DEC meeting is set up for December 17, 2024 to discuss the needs of each entity moving forward regarding documentation and coordination.

-SPEDES Permit expires in 2026

-The Town hopes to hear from the DEC if we were approved for the WQIP Grant that MRB had applied for on our behalf.

Councilman Dilcher makes the **MOTION** to accept the Sewer report.
Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

ADDENDUM TO MOTION OF NO CONFIDENCE

-Per the request of Councilman Knickerbocker he is requesting an addendum to the initial Motion of No Confidence be made for the following reason(s):

On November 27th, 2024 the following items were brought to my attention which I find to be a continuation of the behavior the previous items discussed are as follows;

1. On November 25th Supervisor Hensel organized a meeting with the Byron fire departments. At no point to date did she attempt to inform me (Councilman Nathan Knickerbocker), a liaison with the Byron Fire Department, to attend, or even know of, this meeting or any of the information discussed within. Additionally, Supervisor Hensel only contacted liaison Martin Dilcher on Saturday, November 23, 2024. It is a well-established and known fact that I and Mr. Dilcher are the liaisons for the fire departments and are meant to represent the interests of the board via our positions as liaisons and that Supervisor Hensel has both of our contact information. Her failure to, at a minimum, inform me of this meeting is a continuation of her refusal to act in a professional manner accompanied by proper communication. 2. Supervisor Hensel has seemingly taken out an article with the Batavia Daily News to promote her meetings being held at the Town Hall on the fourth Wednesday of every month. This forum is being done solely by the Supervisor. I find this behavior unacceptable as the town already has held a public forum and numerous public meetings regarding all of the issues presented in her article

published on November 26th, 2024 (attached hereto). Supervisor Hensel continues to misrepresent information through her actions and is seemingly attempting to promote herself above that of the Board and the town's employees as a whole.

- Councilman Knickerbocker asked the Supervisor why he was not contacted by her to tell him there was a meeting? Why was only one liaison contacted?
- Supervisor Hensel stated only two board members can attend.
- Councilman Knickerbocker asked who called the meeting.
- Reggie Macdonald stated "the town" called the meeting.
- Councilman Knickerbocker asked if the Deputy Supervisor Josh Kent was there.
- Councilman Dilcher stated yes he was
- Councilman Knickerbocker asks Supervisor Hensel again why was Josh Kent called but I the liaison was not called to the meeting.
- Supervisor Hensel states again there are only two board members allowed to attend
- Councilman Knickerbocker asks Supervisor Hensel if she took the article out in the Batavia Daily News or was she approached.
- Supervisor Hensel states she picked up the phone in her office and she did not take the article out.

Councilman Knickerbocker makes the motion to add the above information to the vote of no confidence originally made May 20, 2024. Councilman Thompson seconds the motion and followed by the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Nay
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Recuses herself
Councilman Klycek-	Aye
Vote: Ayes: 3	Nays: 1

SCHEDULE SPECIAL MEETING DATES

Councilman Thompson makes the **MOTION** to schedule the Year End Meeting and Fireman's Contract Discussion possible signing to be held on December 30, 2024 at 5:30 PM Councilman Knickerbocker seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Councilman Thompson makes the **MOTION** to schedule the Organizational Meeting to be held on January 6, 2025 at 6:00PM

Councilman Knickerbocker seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Fireman's Contract Discussion

-Councilman Klycek states the fire protection contract that he just reviewed states that by March 1, 2025 the fire departments should have a plan of merge. He states South Byron does not even have an attorney to draw up a plan of merger. It also states the fire departments need to file a petition to the county no later than October 1, 2025. This just isn't possible. He recommends the town use the 2024 contract, plug in the new numbers and move on.

- Lengthy discussion had regarding how to move forward.
- Reggie Macdonald states when he showed up to the meeting he asked Supervisor Hensel is this meeting about the contracts. She stated no, it's about the merger.
- Councilman Knickerbocker states he feels a merge is needed but needs to be done the right way.
- Councilman Dilcher states the town needs to move forward and the goal needs to be to have a merge of company's into one. He feels that the contract should state something to the effect that by the beginning of January 2026 a plan will be in place to start moving forward to merge.
- Councilman Thompson asks what is considered a plan. Is it a location?
- Peter Lockner states what is the benefit of having two separate corporations for the town? The question is does the town want to continue to support to separate corporations or does the town want to work towards the most efficient for fire protection.
- Supervisor Hensel states the contract that she asked the attorney to draft was what she felt that the town board wanted to work towards.
- Councilman Klycek states it is his impression that this conversation states to change the dollar amounts to reflect the 2025 budget and add an agreed upon verbiage regarding merging into the contract
- Councilman Thompson states he feels a detailed plan does need to be in the contract to continue to move forward or we are going to be in the same spot next year
- Supervisor Hensel states she feels the contract needs to have dates in it to try and keep things moving forward. To have next year come and just start discussing the plan is too far out. The increase cost in the budget was significant amount of money. Amending last year's contract is throwing money at the problem not the solution.
- Steve Lockner states that if it's a money issue then just pay one company and be done.
- Reggie Macdonald asks during negotiations regarding the merge that discussions should be made public. So everyone in the public should be able to voice their opinions and concerns.

ABSTRACTS/VOUCHERS RESOLUTION # 113

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

BE IT RESOLVED, that the Byron Town Board pay the following abstracts:

Fund	Abstract	Vouchers	Amount
General Fund	# 12	#279- 295	\$12,942.18
Highway Fund	# 12	#106-121	\$24,978.85
Sewer Fund	# 12	#77-82	\$11,520.61
Water Improv Benefit Area #1	# 12	#36-39	\$396,875.61
General Post Audit	# 11	#274-278	\$1,200.91
Sewer Post Audit	# 11	#77-78	\$528.23

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

- Councilman Thompson- Aye
- Councilman Dilcher- Aye
- Councilman Knickerbocker- Aye
- Supervisor Hensel- Aye
- Councilman Klycek- Aye
- Vote: Ayes: 5 Nays: 0

REPORTS:

Highway Superintendent Report- David Leaton:

-No Report

Councilman Dilcher makes the **MOTION** to accept the Highway Superintendent report.
Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Town Clerk Report-Kristy Murphy:

- Paid Ag & Market spay & neuter program..... \$21.00
- Paid DEC \$556.59
- Town of Byron Supervisor \$4,542.41

Councilman Thompson makes the **MOTION** to accept the Clerks report.
Councilman Knickerbocker seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Supervisors Report- Candace Hensel:

-Financials were reviewed

Councilman Dilcher makes the **MOTION** to accept the Supervisors Financials.
Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

- USDA audit is not yet complete yet. Hoping to be completed in the next few weeks
- Excelsior solar project has been approved at the state level. Project is due to start April 2025
- RT 262 hosting/pilot agreement is in place. Pilot payments will begin in 2027 to the town and hosting payments are due to start spring of 2025
- Leather Leaf hosting agreement tabled. Special use permit has been given. No decommissioning plan has been received yet
- Blue Wave Solar is tentative. Application has not been brought to the planning board
- Attended the quarterly county meeting
- Radon testing kits available at the town hall
- County is updating their smart growth plan in 2025. Byron updated the smart growth plan in 2022
- Next county meetings are Feb 20th, May15th and Aug 20th at 7:00pm

Councilman Knickerbocker makes the **MOTION** to accept the Supervisors report.
Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

MUNICIPAL SOLUTIONS AMENDED CONTRACT RESOLUTION # 114

-An amendment to the 2025 Contract needs to be signed because the last Disclosure contract from 2023 needed an update in the language in the contract, which is what prompted new contracts being sent out.

The new language that was added is *“If there are services performed beyond the scope of this contract, or if the contract is terminated for any reason, an invoice for work completed will be due at the current hourly rate plus expenses”*

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

BE IT RESOLVED, that the Byron Town Board authorizes the Town of Byron Supervisor to sign the Amended 2025 Contract with Municipal Solutions, Inc.

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

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

Historical Society/Museum Report Don Yaxley:

- All paper files have been scanned in as a pdf to help searching information
- Bathroom door will need to be fixed the highway department is aware
- Next meeting is December 12th at 7pm at the Byron Hotel

DEACCESSIONING RESOLUTION # 115

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

WHEREAS, The Byron Historical Society is charged with the duties of overseeing the archived materials of the Byron Museum, and

WHEREAS, From time to time, articles are found to no longer serve the historical purposes intended, or are of a size unable to properly house, and

WHEREAS, The New York Board of Regents requires approval for de-accessioning of archived materials by the town Board, so

THEREFORE, BE IT RESOLVED;

The Byron Town Board approves the de-accessioning of a collection “Item #38. Late Indian Pottery Acoma, New Mexico, 8 pieces.” The collection may be donated or sold as the Byron Historical Society sees fit. Proceeds from this DE accession will be used for enhancement of the collection retained at The Byron Museum.

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

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

Councilman Knickerbocker makes the **MOTION** to accept the historical society report.
Supervisor Hensel seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Parks Report Bethany Berggren:

- Small tree removal on west shore
- Bench will be rebuilt by the highway department
- Working on trying to digitize all historical park documents
- Brainstorming ways to promote the parks and events and getting information to people. They are considering starting a Facebook page.
- January 2nd at 7pm is the next meeting at the Byron Hotel

Councilman Knickerbocker makes the **MOTION** to accept the parks committee report
Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Fire/EMS:

- No report

CEO/ZEO Report-:

- No report

Planning/ZBA Nathan Knickerbocker:

- Meeting was cancelled for December because Melissa stated she did not have anything for them to work on.
- The issue regarding the land separation that was discussed last month. This is where an individual misled the planning board regarding an ownership of a certain property. The cost of the attorneys will be left on the town residents to pay for

Councilman Klycek makes the **MOTION** to accept the planning board report
Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Communications Committee- Ben Raccuia

- No Meeting

CERIC Report Supervisor Hensel:

- CERIC committee will be partnering with the Neighborhood Sun in getting subscriptions to the new project

New Business

- Councilman Knickerbocker states the next planning board meeting is January 7th due to the New Year holiday

Public Comments:

- Resident wants clarification as to what is happening with the unsafe structure
- Jim Lamkin wants clarification how many acres will Excelsior in fact be using for the project

and does the \$1,000,000.00 a year still stand

-Supervisor Hensel states she is not 100% sure how many acres. She does state the amount of money is the same which should be paid to the town this year. She states that the amount of money from what she understands was negotiated by the previous supervisor.

EXECUTIVE SESSION RESOLUTION #116:

Supervisor Hensel makes the motion to go into executive session at 9:15 pm to discuss a matter regarding proposed, pending or current litigation.

Councilman Thompson seconded the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

Councilman Thompson makes the motion to end the executive session at 9:44 pm to discuss a matter regarding proposed, pending or current litigation.

Councilman Knickerbocker seconded the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

APPROVAL OF CHANGE ORDER TO CONTRACT B RESOLUTION #117:

Councilman Thompson offers the following resolution and moves for its adoption:

BE IT RESOLVED, that the Byron Town Board approves the decrease of change order to Contract B in the amount of \$82,887.25.

Councilman Dilcher seconded the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

APPROVAL OF CHANGE ORDER TO CONTRACT A RESOLUTION #118:

Councilman Dilcher offers the following resolution and moves for its adoption:

BE IT RESOLVED, that the Byron Town Board approves the increase to change order to Contract A in the amount of \$184,580.00

Councilman Thompson seconded the motion and carried the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Vote: Ayes: 5	Nays: 0

CONTRACTOR PAYMENT RESOLUTION #119

Councilman Thompson offered the following resolution and adoption:

BE IT RESOLVED, that the Byron Town Board hereby approves and authorizes the supervisor to sign the contractors "Application for Payment #12 to Pilon Construction Co. Inc, in the amount of \$178,164.90 (One Hundred Seventy Eight Thousand One Hundred Sixty Four Dollars and Ninety Cents) for construction of Water Improvement Benefit #1, Contract A,

Councilman seconded the resolution an adopted by the following polled vote:

Councilman Klycek-	Aye
Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker	Aye-
Supervisor Hensel-	Aye
Vote: Ayes: 5	Nays: 0

CONTRACTOR PAYMENT RESOLUTION # 120

Councilman Thompson offered the following resolution and adoption:

BE IT RESOLVED, that the Byron Town Board hereby approves and authorizes the supervisor to sign the contractors "Application for Payment #13 to Rochester Pipeline, Inc. in the amount of \$200,843.46 (Two Hundred Thousand Eight Hundred Forty Three Dollars and Forty Six Cents) for construction of Water Improvement Benefit #1, Contract B

Councilman Dilcher seconded the resolution an adopted by the following polled vote:

Councilman Klycek-	Aye
Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Vote: Ayes: 5	Nays: 0

ADJOURN:

A **motion** was made by Councilman Knickerbocker to adjourn the Byron Town Board meeting at 9:48 pm.

Councilman Dilcher seconded the motion which was carried by the following vote:

Councilman Klycek-	Aye
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Councilman Thompson- Aye
Councilman Dilcher- Aye
Councilman Knickerbocker- Aye
Supervisor Hensel- Aye
Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Kristy Murphy, Town Clerk