

TOWN OF BYRON BOARD MEETING

January 8, 2025

The Byron Town Board Meeting was called to order by Supervisor Candace Hensel at the Byron Town Hall at 7:03 p.m. with the following people present:

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

Absent Martin Dilcher

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

Public: Jim Lamkin Michelle Weatherell Josh Kent Vic Digregori K. Doty Lori Ivison
Rob Palmer Duane Weatherell Barbie Starowitz Ben Raccuia

Pledge of Allegiance:

The pledge of allegiance was led by Supervisor Hensel.

Approval of Minutes:

A motion was made by Councilman Knickerbocker to approve the minutes from December 11 and December 30, 2024 and January 6, 2025.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 4 Nays: 0 Absent: 1

2025 COMMITTEE APPOINTMENTS TOWN OF BYRON:

AUDIT:

Town Clerk Kristy Murphy
Councilman Klycek
Supervisor Hensel

BANKING:

Town Clerk Kristy Murphy
Councilman Klycek
Supervisor Hensel

DISASTER PREPAREDNESS:

Town Clerk Kristy Murphy
Councilman Thompson
Supervisor Hensel
Byron Fire Chief Duane Weatherell

South Byron Fire Chief Brian Hickey
Byron Rescue Squad Captain Brad Nickerson

EQUIPMENT:

Highway Superintendent David Leaton
Town Clerk Kristy Murphy
Councilman Thompson
Councilman Dilcher

INSURANCE:

Town Clerk Kristy Murphy
Councilman Klycek
Supervisor Hensel

BUILDING:

Town Clerk Kristy Murphy
Highway Superintendent David Leaton
Councilman Thompson
Councilman Dilcher

MUSEUM:

Historians Bob and Beth Wilson
Historical Society President
Highway Superintendent David Leaton
Councilman Dilcher
Supervisor Hensel

PARK REP:

Highway Superintendent David Leaton
Councilman Knickerbocker
Councilman Dilcher

PLANNING BOARD REP:

Councilman Knickerbocker

WATER REP:

Councilman Thompson
Supervisor Hensel

SEWER REP:

Councilman Dilcher
Supervisor Hensel

PUBLIC EMPLOYER HEP (Required by NYS):

Town Clerk Kristy Murphy
Highway Superintendent David

Councilman Knickerbocker
Supervisor Hensel
Town Attorney Sansone

SOLAR:

Councilman Thompson
Supervisor Hensel
Town Attorney Sansone
Councilman Knickerbocker
Councilman Dilcher
Councilman Klycek

FIRE/EMS:

Councilman Knickerbocker
Supervisor Hensel
Councilman Thompson
Councilman Dilcher
Councilman Klycek

A **motion** was made by Councilman Thompson to accept the committees with changes as needed. Councilman Klycek seconds the motion and carried the following polled vote:

Councilman Thompson-	Aye		
Councilman Dilcher-	Absent		
Councilman Knickerbocker-	Aye		
Supervisor Hensel-	Aye		
Councilman Klycek-	Aye		
Vote:	Ayes: 4	Nays: 0	Absent: 1

EXCELSIOR ENERGY CENTER EASEMENT:

A **motion** was made by Supervisor Hensel to table the easement resolution until the town attorney can review the information.

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

Councilman Thompson-	Aye		
Councilman Dilcher-	Absent		
Councilman Knickerbocker-	Aye		
Supervisor Hensel-	Aye		
Councilman Klycek-	Aye		
Vote:	Ayes: 4	Nays: 0	Absent: 1

BATTERY ENERGY STORAGE LAW:

A **motion** was made by Councilman Knickerbocker to table the Battery Energy Storage resolution until the town attorney can clarify which local law number can be used.

Councilman Klycek seconds the motion and carried the following vote:

Vote:	Ayes: 4	Nays: 0	Absent: 1
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UNSAFE STRUCTURE- 6538 BYRON HOLLEY ROAD, BYRON NY 14422

-There has been no communication between the Town and the homeowner or Habitat for Humanity.

-Bruce Scofield will be contacted by Councilman Dilcher to confirm the safe demolition of the unsafe building.

A **motion** was made by Supervisor Hensel to allow Councilman Dilcher to precede on the towns behalf on the statements that were made at the last meeting and to follow up with the town attorney and the code enforcer to make sure everything by law has been completed.

Councilman Knickerbocker seconds the motion and carried the following vote:

Vote: Ayes: 4 Nays: 0 Absent: 1

WQIP Grant

-Town of Byron was not granted the WQIP Grant for the Wastewater Treatment Project

-A meeting with EFC and MRB will take place on January 21st to discuss why the Town was not awarded the grant.

-A discussion will be had to try and apply for additional grant funding for the project

-Councilman Thompson asked if we need to follow procurement regarding a fiscal advisor

-Supervisor Hensel states though it is a professional service there are not many groups available that do this work. Supervisor Hensel states she will inquire about it to Municipal Solutions but feels we should not have a problem hiring Orrick to assist. Services should not exceed \$24,000.00

-Councilman Thompson asked who is looking into more funding now for the project

-Supervisor Hensel states that MRB group is looking. The meeting in a couple weeks may come up with additional grant writers the town could use rather than MRB. She herself is also willing to look around as well

2023 AUDIT:

RESOLUTION# 30

Supervisor Hensel offered the following resolution and moved for its adoption:

BE IT RESOLVED, that the Byron Town Board authorizes the Supervisor to sign the Client Representation Letter dated December 30, 2024 between the Town of Byron and Mengel, Metzger, Barr & Co., LLP.

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

Councilman Thompson-	Aye
Councilman Dilcher-	Absent
Councilman Knickerbocker-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye

Vote: Ayes: 4 Nays: 0 Absent: 1

2024 AUDIT Request For Professional Services:

-Supervisor Hensel states two quotes have been received at this point from Allied and MMB

-One more quote should be forth coming

-One responded that they were unavailable

ORRICK – BYRON CONSOLIDATED SEWER DISTRICT IMPROVEMENT BOND

COUNSEL

RESOLUTION# 31

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

BE IT RESOLVED, that the Byron Town Board authorizes the Supervisor to sign the Letter of Engagement dated December 20, 2024 between the Town of Byron and Orrick, Herdington & Sutcliffe, LLP for services related to the Byron Consolidated Sewer District Improvements, in an amount not to exceed \$24,750.00.

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

Councilman Thompson-	Aye			
Councilman Dilcher-	Absent			
Councilman Knickerbocker-	Aye			
Supervisor Hensel-	Aye			
Councilman Klycek-	Aye			
Vote:	Ayes: 4	Nays: 0	Absent: 1	

ABSTRACTS/VOUCHERS RESOLUTION # 32

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

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

<u>Fund</u>	<u>Abstract</u>	<u>Vouchers</u>	<u>Amount</u>
Gen. Fund	# 1	#1- #22	\$21,919.89
Highway Fund	# 1	#1- #9	\$5,952.54
Sewer Fund	# 1	#1- #2	\$385.13
Water Improv Benefit Area #1	# 1	#1	\$24,427.06

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

Councilman Thompson-	Aye			
Councilman Dilcher-	Absent			
Councilman Knickerbocker-	Aye			
Supervisor Hensel-	Aye			
Councilman Klycek-	Aye			
Vote:	Ayes: 4	Nays: 0	Absent: 1	

REPORTS:

Highway Superintendent Report- David Leaton:

- No Report

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

Vote:	Ayes: 4	Nays: 0	Absent: 1
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Town Clerk Report-Kristy Murphy:

- Taxes are in full swing it's going well

- Public Ag & Market spay & neuter program..... \$21.00

- Town of Byron Supervisor \$2,242.50

Councilman Thompson makes the **MOTION** to accept the Clerks report.
Councilman Knickerbocker seconds the motion and carried the following vote:
Vote: Ayes: 4 Nays: 0 Absent: 1

Supervisors Report- Candace Hensel:

-Financials were reviewed

Councilman Klycek makes the **MOTION** to accept the Supervisors Financials.
Councilman Knickerbocker seconds the motion and carried the following vote:
Vote: Ayes: 4 Nays: 0 Absent: 1

Councilman Knickerbocker makes the **MOTION** to accept the Supervisors report.
Councilman Thompson seconds the motion and carried the following vote:
Vote: Ayes: 4 Nays: 0 Absent: 1

Historical Society/Museum Report Don Yaxley:

-No report

Park Report Bethany Berggren:

-No report

Fire/EMS Duane Weatherell:

-New ID's are in

-He has been in contact with Chief Hickey from South Byron. He is looking forward to a program this year in training

Councilman Knickerbocker makes the **MOTION** to accept the FIRE/EMS report
Councilman Thompson seconded the motion and carried the following vote:
Vote: Ayes: 4 Nays: 0 Absent: 1

CDR/NO Report:

-No report

Planning/ZBA Nathan Knickerbocker:

-Land separation came through

-Fell from Genesee County came to the last meeting for an hour long training on maps which was successful

-Annual Planning Board meeting is scheduled for February 5th at 6:30pm and February 19th at 7pm

Councilman Thompson makes the **MOTION** to accept the planning board report
Supervisor Hensel seconded the motion and carried the following vote:
Vote: Ayes: 4 Nays: 0 Absent: 1

Communications Committee- Ben Raccuia

-Final report given

-He has in 2024 many suggestions were given to the town board and town clerk. Those suggestions were never realized

-The committee is now dissolved

-Councilman Knickerbocker states the board did respond to the recommendation of new equipment which was added in the budget. As well as signage that was brought to the town
Councilman Knickerbocker makes the **MOTION** to accept the communications report
Councilman Klycek seconded the motion and carried the following vote:

Vote: Ayes: 4 Nays: 0 Absent: 1

CERIC Report Candy Hensel:

-Report #2 solar project will be starting in the spring
-Meeting at the Byron fire hall 1/21/25 at 7pm with the marketer of the project for subscriptions -
-Councilman Thompson states that a CERIC committee was not approved. Therefore there is no report needed

Security

-The meters were calibrated. This is something that is done annually
-A meter for the generator was replaced in one of the pump stations
Councilman Knickerbocker makes the **MOTION** to accept the communications report
Supervisor Hensel seconded the motion and carried the following vote:

Vote: Ayes: 4 Nays: 0 Absent: 1

NEED TO BUSINESS:

-Innovation Library donate to provides free books
-Tax workshop offered by the town Assessor on January 11, 2025 from 10am-12pm in regards to assisting with STAR applications

PUBLIC COMMENTS:

-Beth Quia asks if there was an RFP done for the new town attorney
-Councilman Thompson states the town is required to have a policy but, it does not have to be followed
-Councilman Klycek states that the timeframe that the board had to work with did not allow for an amount of municipal attorneys are few and far between
-Pat Jones asks how we are paying for the unsafe structure.
-Councilman Klycek states the demo cost would be applied to next year's tax bill that is his understanding
-Jim Kin states it's his understanding the new owner would incur those costs to make the town whole as possible

ADJOURN:

MOTION was made by Councilman Thompson to adjourn the Byron Town Board meeting at 7:58 pm.

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

Councilman Klycek-	Aye		
Councilman Thompson-	Aye		
Councilman Dilcher-	Absent		
Councilman Knickerbocker-	Aye		
Supervisor Hensel-	Aye		
Vote: Ayes: 4	Nays: 0	Absent: 1	

Res. Fully Submitted,

Kristin Murphy, Town Clerk