

TOWN OF BYRON BOARD MEETING

April 24, 2024

The Byron Town Board Meeting was called to order by Supervisor Candace Hensel at the Byron Town Hall at 7:00pm with the following people present:

Supervisor Candace Hensel
Councilmen Martin Dilcher
Councilmen Fred Klycek
Councilmen Jeff Thompson
Councilmen Nathan Knickerbocker

Highway Superintendent David Leaton
Town Clerk Kristy Murphy

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

Public:

Jim Lamkin Bill Stevens Vic DiGregorio Josh Kent Rob Palmer Don Yaxley
Jan Kent Steven Hohn Renee McCartney Morgan Leaton Barbie Starowitz
Pete Yasses Laura Platt Shannon Thompson Terry Maid Elizabeth Wilson
Jack Redick Sara Stockwell Marilyn Weinert K. Doty R. Willis
Kristie Tiberio Darla Barnum Brandon Mason Laura Platt Elizabeth Wilson

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel

WATER IMPROVEMENT BENEFIT AREA #1

Scott Mattison spoke about progress. Contract A- Pilon Construction is currently working on North Bergen Road. North Bergen Road is the last road that they have to install water main. They have 60,000 feet out of the 90,000 feet pressure tested, disinfected and health samples completed. They indicated this week that they were hoping to start installing services on those sections while continuing the water main. It sounds like according to the meeting that was held on Tuesday April 22nd they are still two to three months from being substantially complete. Contract B- Rochester Pipeline has all the water main installed, there is approximately about 25 to 30,000 feet pressure tested, disinfected and health samples done. They have half of the services installed and believe they are about two weeks away from being substantially complete. Completion date was set to be April 28th, 2024. It appears that both contractors will miss substantial completion. Next contractor meeting is set for Tuesday May 14th at 10:00AM.

Waste Water Treatment WQIP Grant Contract

RESOLUTION #45

Councilman Klycek offered the following MOTION to approve the following resolution. To Hire MRB Group for Assistance with The Town of Byron’s Wastewater Treatment System Improvements DEC Water Quality Improvement Project (WQIP) Grant Application

WHEREAS, the Town of Byron Town Board has contracted with MRB group in connection with professional grant writing services, to apply for the DEC Water Quality Improvement Project (WQIP) program, last year the Byron Sewer District Waste Water Treatment Project, and **WHEREAS**, the Town of Byron must reapply for this DEC WQIP grant for possible funding again this year, and **WHEREAS**, the Town of Byron requires assistance with submitting this grant application through the 2024 NY Consolidated Funding Application (CFA) portal, and **WHEREAS**, MRB group has offered a professional services contract for grant writing and submission of the DEC WQIP application for a lump sum fee of \$4500.00, and **NOW THEREFORE**, The Byron Town Board resolves to hire MRB group as the grant writer for the DEC WQIP application, and **NOW THEREFORE**, The Byron Town Board hereby authorizes the Town Supervisor to execute the professional services contract on behalf of the Town of Byron

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

Councilman Dilcher Aye
Councilman Klycek Aye
Councilman Thompson Aye
Councilman Knickerbocker Aye
Supervisor Hensel Aye
VOTE: AYES: 5 NAYS: 0

Supervisor Hensel states that the grant request that the county sent out for towns to submit a proposal for grant writing was up to \$5,000.00. Supervisor Hensel submitted the grant request back to the county in January. That submission was approved and the Town of Byron will be reimbursed by the county in the amount of \$4,500.00.

ABSTRACTS

RESOLUTION #46

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

Fund	Abstract	Vouchers	Amount
Water Benefit Fund	#PA 4.5	#1 - #2	\$3,049.00
General Fund	#PA 4.5	#3 - #6	\$763.22

Councilman Thompson seconded the resolution and adopted by the following vote polled:

Councilman Dilcher Aye
Councilman Klycek Aye
Councilman Thompson Aye
Councilman Knickerbocker Aye
Supervisor Hensel Aye
VOTE: AYES: 5 NAYS: 0

RESOLUTION # 47

Councilman Thompson made a **MOTION** to adopt Rules and Conduct for town board meetings as follows:

These meeting rules are to ensure that the Town board meetings are conducted in a manner that allows the business of the Town to be undertaken effectively and to ban inappropriate, egregious, and obstructive behavior. Members of the public shall be allowed to speak for three minutes during public comments.

1. Rules for Speakers

When members of the public are speaking during the designated time, the following rules will apply to the speaker:

- 1. Speakers shall conduct themselves in a professional and respectful manner.
- 2. All remarks shall be directed to the Town Board, and not at Town staff or the public attendance
- 3. Speakers shall not defame, intimidate, personally offend, threaten violence, or use profanity

2. Rules for the Public

Members of the public in the audience shall not engage in any of the following activities during a Town Board meeting:

- 1. Clapping, shouting, distracting side conversations, unruly behavior, or speaking out
- 2. Intimidation, defamation, offend any person, threaten violence, or profanity
- 3. Any behavior that disrupts the orderly conduct of the meeting
- 4. No member of the public is allowed to ask questions of any speaker. Only members of the Town Board may ask questions of the speaker

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

Councilman Dilcher	Aye
Councilman Klycek	Aye
Councilman Thompson	Aye
Councilman Knickerbocker	Aye
Supervisor Hensel	Nay

VOTE: AYES: 4 NAYS: 1

Town Procurement Policy Discussion

Supervisor Hensel leads discussion. The 2024 procurement policy that was adopted is the same as the 2023 policy. General municipal law 103 states there is more leniency in the law now. Councilman Thompson suggests we follow the new state guidelines for procurement. He also feels those new guidelines should be included in our response that we need to send the comptroller as a part of our post audit review. Supervisor Hensel requests she would like changed by the end of the year that RFPs are sent out for professional services since they have not been done in a while. The comptroller also recommended this be done. Services to be discussed are engineering, legal, accounting and sewer services. The response letter does need to be submitted by the town by May 13th 2024.

Supervisor Hensel **MOTIONS** to adopt verbatim Section 103 of General Municipal Law in regards to the procurement policy. There was no second made and no vote taken

Town Employee Appreciation Day

Councilman Thompson asks council if there is a policy on purchasing lunch for employees. Once a month it would be nice to provide lunch for the town staff. This will be discussed at the next meeting when logistics are worked out.

Powers and Duties of Town Clerk

Supervisor Hensel opens the discussion. Town attorney references Town Law Section 30. Certain duties cannot overlap with other official's duties per town law. Job duties list:

1. Prepare town clerk monthly reports
2. Tax Collection
3. Manage Website
4. Make all clerk affiliated bank deposits
5. Make necessary purchases with clerk charge card
6. Issue dog licenses, delinquent dog notices and appearance tickets
7. Sewer billing and collecting
8. Records Management-maintain all town records
9. Take and prepare Town Board minutes
10. Help prepare summer recreational program paperwork, scheduling/ calendar, lunches, field trips, supplies
11. Prepare newsletter and distribute
12. Transfer Station weekly accounting
13. Assist Highway Superintendent in preparing state and county paperwork
14. Schedule election inspectors. Open and close town hall during elections
15. Answer Foil requests or have appropriate department answer them
16. Collect Payroll and email to bookkeeper
17. Registrar of Vital Statistics- Issue Marriage, Death and Birth Certificates
18. Office supply ordering and inventory
19. Prepare vouchers/abstracts and post audits on existing Edmunds GovTech/BAS clerk system
20. Mail bill payments once supervisor has signed checks
21. Distribute/mail employee checks/pay stubs once supervisor has signed checks
22. Help supervisor prepare agenda and Town Board meeting material

RESOLUTION # 48

Councilman Thompson makes a **MOTION** to adopt a list of job duties for the town clerk. Lengthy discussion was had between the town board members. Councilman Dilcher seconded the resolution and adopted by the following vote polled:

Councilman Dilcher	Aye	
Councilman Klycek	Aye	
Councilman Thompson	Aye	
Councilman Knickerbocker	Aye	
Supervisor Hensel	Nay	
VOTE:	AYES: 4	NAYS: 1

PUBLIC COMMENTS

-Deputy Supervisor Kent asks for clarification on the allotted time of three minutes and how that will work. Board responds that there will not be a timer however, if the discussion does extend too long you may be asked to finish up.

-Resident asks since there are no public comments allowed while resolutions are being made, will the agenda reflect an accurate description of what the resolutions will entail? Or just the headline. Resident is also concerned that important resolutions may get passed with no input from the community. Discussion had at length regarding how to conduct business moving forward with no comments ahead of decisions made by the Town Board.

-Another resident express's concern with the Rules and Conduct resolution

-Sara Stockwell expresses that she offered to help with the website to help the town. She stated that she is happy to assist the town clerk with teaching how to use the website. Supervisor Hensel thanks Sara Stockwell for assisting with the website.

-Resident agrees that the Rules of Conduct needed to be put in place. Most school, town, county meetings are conducted with no comment until the end.

-Resident reminds the board they were elected to work with the supervisor, not against.

-Resident requests that the Supervisor and the town board start working together

- Resident speaks out about Rules of Conduct and how important it is for everyone to get along.

-Resident agrees with Councilman Klycek regarding having the accountants come in to review the checks and balance system currently between the supervisor and the town clerk. If that would help in clarification of duties

-Resident speaks to the process of the new clerk being appointed and asks how the clerk's salary was decided. Also question was posed how was the in lieu of benefit decided upon from 2020 to current

ADJOURN

A MOTION was made by Councilman Knickerbocker to accept to adjourn the Byron Town Board Meeting at 8:56pm Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

Respectfully Submitted,

Kristy Murphy, Byron Town Clerk