

TOWN OF BYRON BOARD MEETING
June 12, 2024

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

Supervisor.....	Candace Hensel
Councilman.....	Martin Dilcher
Councilman.....	Fred Klycek
Councilman.....	Jeff Thompson
Councilman.....	Nathan Knickerbocker
Highway Superintendent.....	David Leaton
Town Clerk.....	Kristy Murphy
Invited Guests.....	Scott Mattison, MRB Justin Bennett, BBS Accounting Christina Salamone, BBS Accounting

Public: Jan Kent Darla Barnum Don Yaxley Karen Eysaman George Squires
Vic DiGregori Josh Kent Morgan Leaton Shannon Thompson Steve Hohn
Barbie Starowitz Rob Palmer Renee Mccartney Karen Jacynski K.Doty B. Quinn

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel.

APPROVAL OF MINUTES:

A motion was made by Councilman Klycek to approve the minutes from May 8, 2024 and May 20, 2024.

Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

WATER IMPROVEMENT BENEFIT AREA NO. 1 MRB Group:

Contract A-Is 93% complete. They are working on North Bergen Road area now. They have hired Randsco to help complete the work as of June 17th. The goal is to have at the end of June all services done and the water main turned on.

Contract B-Is 92% complete. They have all services installed and water lines installed. They are currently working on restoration. The goal is to have all the water main turned on by the end of June. They will continue to work on restoration.

RESOLUTION# 53

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 #8 to Pilon Construction Co. Inc, in the amount of \$755,306.27 (Seven Hundred Fifty Five Thousand, Three Hundred Six Dollars and Twenty Seven Cents) for construction of Water Improvement Benefit #1, Contract A, Councilman Knickerbocker 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

RESOLUTION # 54

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 Rochester Pipeline, Inc. in the amount of \$239,885.69 (Two Hundred Thirty Nine Thousand Eight Hundred Eighty Five Dollars and Sixty Nine Cents) for construction of Water Improvement Benefit #1, Contract B
Councilman Knickerbocker 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

Anticipated BAN Closing In July:

-Supervisor Hensel states that the BAN is on track to close in July

USDA Loan Audit Company:

-The water project has taken longer than expected; the contract with MMB to do the required audit for the project has expired. A new contract is needed. Supervisor Hensel has reached out to four companies to get a quote for services. Two have come back and are waiting on a third. The quote from MMB is \$18,000.00 and Allied was \$16,000.00. The need to have a special meeting to choose an audit contract was discussed. Councilman Dilcher advised he was unable to make a meeting that week.

A motion was made by Councilman Thompson to have a special meeting scheduled on June 20th, 2024 at 6:00pm to discuss all the available quotes for the audit firm.

Councilman Klycek seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Stafford Intermunicipal Water Agreement:

RESOLUTION #55

Councilman Thompson offered the following resolution and moved for its adoption:
BE IT RESOLVED, Supervisor Hensel is hereby authorized and directed to accept and execute, on behalf of the Town of Byron and Water Improvement Benefit Area#1 the Inter Municipal Agreement with the Town of Stafford.

Councilman Dilcher seconded the resolution which was 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

Legal Representation Contract:

RESOLUTION #56

Councilman Thompson offered the following resolution and moved for its adoption:
 BE IT RESOLVED, Supervisor Hensel is hereby authorized and directed to accept and execute, on behalf of the Town of Byron to enter a contract with Paul Boylan for continued legal services in regards to Water Improvement Benefit Area #1.

Councilman Knickerbocker seconded the resolution which was 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

BUDGET MODIFICATIONS:

Transfers were discussed. Councilman Klycek asked if the \$5,000.00 for the Fireman's Fund was the discrepancy between the Fire contract and the minutes. Supervisor Hensel stated she needed to look into this further and asked if that transfer could be tabled until the July meeting. Councilman Klycek agreed. The following budget transfers were agreed upon excluding the Fire District at this time.

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>		Unanticipated Revenue	
	A2401U	Interest - Gen Unrestricted Savings	\$ 20,232.00
	A3089	St Aid - NYSERDA	\$ 2,000.00
		TOTAL:	\$ 22,232.00
<i>Transfer To:</i>	A7450.4	Museum - Art Gallery, Contr Expend	\$ 2,000.00
	A9030.8	Social Security	\$ 1,022.00
	A9060.8A	In Lieu of Hosp Ins	\$ 13,360.00
	A9060.8C	Dental Ins	\$ 850.00
		TOTAL:	\$ 17,232.00
Reduce Revenue:	A1120	Non Prop Tax Dist. By County	\$ 5,000.00
		TOTAL:	\$ 22,232.00

HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>	DA3501	Unanticipated Revenue CHIPS	\$ 51,535.00
			TOTAL: \$ 51,535.00

<i>Transfer To:</i>	DA5112.2	CHIPS	\$ 51,535.00
			TOTAL: \$ 51,535.00

FIRE DISTRICTS

<i>Transfer From:</i>	SF1120	Sales Tax (from County)	\$ 5,000.00
			\$ 5,000.00

<i>Transfer To:</i>	SF-3410.4	Fire Protection, Contr Expend	\$ 5,000.00
			\$ 5,000.00

RESOLUTION#57

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

BE IT RESOLVED, that the Byron Town Board authorizes the following general and highway transfers:

Councilman Dilcher seconded the resolution which was 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

RESOLUTION#58

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

BE IT RESOLVED, that the Byron Town Board authorizes Supervisor Hensel to Deposit the proceeds of the sale of a backhoe, two fuel tanks, a portable generator and a plasma cutter that is currently being auctioned off in the Highway Equipment Reserve Fund for future equipment purchases.

Councilman Klycek seconded the resolution which was 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

WASTE WATER TREATMENT FUNDING APPLICATION:
RESOLUTION#59

Councilman Klycek offered the following resolution and moved for its adoption:
Support from the Town of Byron_2024 New York State Consolidated Funding Application,
Water Quality Improvement Project, Wastewater Treatment Plant Improvements

WHEREAS, the Town Board for the Town of Byron, located in Genesee County, supports the submission of a 2024 Consolidated Funding Application (CFA) on behalf of the Town, for the Water Quality Improvement Project (WQIP) program for upgrades to the wastewater treatment facilities; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

WHEREAS, an Engineering Report entitled *Preliminary Engineering Report for the Wastewater Treatment System Improvements*, dated June 2023 and revised December 2023, recommends implementing the Project to help improve water quality and protect public health; and

NOW THEREFORE BE IT RESOLVED, the Town of Byron Town Board identifies the Town Supervisor as the authorized representative of the Town to execute necessary documents relative to and as required for the grant application; and

BE IT FURTHER RESOLVED, the Town Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded, as a local match are hereby appropriated in the form of in-kind services, cash contributions and obligated from the sewer fund or SRF financing in accordance with the Bond Resolution; and

BE IT FURTHER RESOLVED, that the Town Board for the Town of Byron, located in Genesee County, recognizes and fully supports the submission of the 2024 CFA for WQIP by MRB Group on behalf of the Town to improve water quality and protect public health.

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

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

ABSTRACTS

RESOLUTION #60

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

Resolved, that the Byron Town Board pay the following abstracts:

Fund	Abstract	Vouchers	Amount
General Fund	#6	#112-145	\$14,881.77
Highway Fund	#6	#42-48	\$5,217.84
Sewer Fund	#6	#38-41	\$12,866.90
Water Improv. Benefit Area #1	#6	#10-13	\$1,013,868.78
General Post Audit	#5	#108-111	\$832.34
Sewer Post Audit	#5	#34-37	\$2311.12

Councilman Knickerbocker seconded the resolution which was 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

REPORTS:

Highway Superintendent Report- David Leaton

-Roadside mowing being done

-Stone done on Tower Hill Road

-Two quotes were received for a new furnace that is needed in the garage. Supervisor Hensel requested this discussion be tabled for a month. A discussion was had. Councilman Klycek made the motion to table the choice until the July meeting. Councilman Thompson seconded the motion and the following vote was carried

Vote: Ayes: 5 Nays: 0

-Cemetery work will be being done

-Town credit card being declined for the second time it is unclear why it is being declined.

Discussion had how to resolve the issue

Councilman Dilcher made the **MOTION** to give authorization to the Highway Superintendent to be able to sign and call on any account issues with his town provided credit card.

Councilman Thompson seconded the motion and the following vote was carried.

Vote: Ayes: 5 Nays: 0

Councilman Thompson makes the **MOTION** to accept the highway report.

Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Town Clerk Report-Kristy Murphy

-Paid Ag & Market for the spay & neuter program.....\$59.00

- Paid DEC \$51.96
- NYS Department of Health \$45.00
- Town of Byron Supervisor \$3,968.64
- Byron Park.....\$60.00

-The Byron Recreation Program is ready to start on Monday July 1st thru Friday August 16th.
 -Discussion was had regarding IT choices. Town Clerk asks what approval is needed in order to choose an IT vendor. The board agreed that whatever the Town Clerk and the office needs is the route to move forward at the Town Clerks discretion.

Councilman Dilcher makes the **MOTION** to accept the clerk report.
 Councilman Klycek seconds the motion and carried the following vote:
 Vote: Ayes: 5 Nays:0

Supervisors Report- Candace Hensel:

-Supervisors financial report for May 2024 was discussed. Councilman Klycek makes the **MOTION** to approve the Justice Audit. Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays:0

-Justice Audit was completed. Report is in the clerk's office if anyone would like to review.
 -Assessor Letter regarding residents that were missed for the debt service in the previous water district was discussed. Councilman Dilcher makes the **MOTION** to not make the residents that were missed pay arrears for the debt service. Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

-Comptroller Audit discussed briefly. Town Board response is needed within 90 days of the formal report.

-Supervisor Hensel advised the board she has been attending classes/webinars regarding accounting and financial budgets recently.

Councilman Knickerbocker makes the **MOTION** to accept the supervisor report
 Councilman Klycek seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Historical Society/Museum Report-Don Yaxley:

- 47 people attended the museum dinner. There were seventeen more people there than expected
- Presentation went well
- Cleaning is done at the museum
- The museum inventory needs to be gone through in the near future
- Alarm has gone off 5 times in the museum due to squirrels

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

Vote: Ayes: 5 Nays: 0

Parks Report- George Squires:

-Community Park meetings are now taking place on Mcelver Street
-Request to the board to appoint two new members to the parks committee. Christine Orto and Victoria Walsh. Councilman Knickerbocker makes the **MOTION** to appoint Christine Orto and Victoria Walsh to the parks committee Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

-Gate keeper services have been approved in the amount of \$600.00
-2023 budget for the parks is a total of \$3,000.00
-Creekside Rentals for the parks have been approved at the cost of \$1,200.00 for the season.
-Dock was repaired and replaced by the highway department for \$1,900.00.
-60 more fish in trestle park with an anonymous donation of \$210.00.
-Town law states no rubbish is to be left in the parks. Mike Meritt, the caretaker for the Bergen Swamp came to the meeting to discuss the possibility of putting up Town park cameras. Councilman Knickerbocker speaks about cameras, possibly adding two cameras in the park. Mike Meritt offered to allow the park committee to borrow his cameras to see if they would be useful. The cost is approximately \$10.00/month with the ability to take 150 pictures. A **MOTION** was made by Councilman Knickerbocker to allow the parks committee to install cameras in the selected areas. Councilman Dilcher seconded the motion and it was followed by the following vote:

Vote: Ayes: 5 Nays: 0

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:

-There is a Fireman's meeting on June 18th at 6:00 pm at the Town Hall.
-Monthly financials were dropped off to the supervisor
Supervisor Hensel makes the **MOTION** to accept the Fire report Councilman Dilcher seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

CEO/ZEO Report- Melissa Ierlan:

-Five permits were issued in May
-One complaint is open and due in court next week
-262 Community Solar project has broken ground. There is a bond that needs to be put in place regarding this project.

Councilman Dilcher makes the **MOTION** to accept the CEO/ZEO report Councilman Klycek seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Planning/ZBA Liaison- Nathan Knickerbocker:

-Zoning Board law revisions

-A new map is needed in regards to the proposed zoning areas before they can continue. Districts need to be aligned for the new laws to move forward

Councilman Knickerbocker 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

-Arrangements need to be made to pick up the old fire sign

-Four lines through Spectrum need to keep

-Postage machine not needed per the clerk

-Facebook page request was to take down the town facebook page

-July 1st at 6:00pm is the next meeting

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

Vote: Ayes: 5 Nays: 0

CERIC Darla Barnum:

- A \$10,000.00 grant from NYSEDA is available to apply for. Supervisor Hensel states she would like to use some of that to be used for a town building audit. Pending on how the audit turns out the remainder of the money could be used for a recommended energy update to the building.

-Supervisor Hensel advises that she did submit the grant

-Supervisor Hensel advises that after speaking with Don Yaxley there is a possibility of getting an additional 700 points towards grant money. If the museum is willing to demonstrate technology with using the 2016 heat pump that was put in the building. More information to come

Councilman Klycek makes the **MOTION** to accept the CERIC report

Councilman Knickerbocker seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

NEW BUSINESS:

-Josh Kent- Discussion was brought up about grants being offered by MRB in the first part of the year. Has the board looked into the Community Pledge and what that entails at this point? MRB has stated in the past that we were not anywhere near trying to get into a new downtown grant at this time. Lengthy discussion was had.

-Councilman Thompson asked Supervisor Hensel what we hired Camden Group for? Supervisor Hensel stated she did not hire them for anything. Councilman Thompson asked specifically about information regarding an Asset Management Plan. Supervisor Hensel stated she had contacted Camden however did not receive a call back.

-Councilman Knickerbocker talks about Hometown Heroes Flags. Please contact the Town Clerk for information to

-Imagination Library needs donations 585-820-8594 if you would like information regarding this program

-Public library vote working towards getting back on the ballot in 2025 to be put on that

PUBLIC COMMENTS:

-Barbie Starowitz- Brings up the meeting back on May 20th with issues with how that meeting was handled by the board

-Jan Kent spoke to the May 20th meeting and issues she had with the meeting

ADJOURN:

A **motion** was made by Councilman Knickerbocker to adjourn the Byron Town Board meeting at 9:31p.m. Councilman Thompson seconded the motion which was carried by the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted

Kristy Murphy
Town Clerk