

**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

**WOIP Grant**

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

-A meeting with EFC and MRB will take place on January 21<sup>st</sup> 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, Herrington & 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:

<b>Fund</b>	<b>Abstract</b>	<b>Vouchers</b>	<b>Amount</b>
General 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

**Town Clerk Report-Kristy Murphy:**

- Taxes are in full swing it's going well
- Paid 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

**Parks Report Bethany Berggren:**

-No report

**Fire/EMS Duane Weatherell:**

-New AED's are in

-He also has been in contact with Chief Hickey from South Byron. He is looking forward to a prosperous 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

**CEO/ZEO Report:**

-No report

**Planning/ZBA Nathan Knickerbocker:**

-Land separation came through

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

-Additional Planning Board meeting is scheduled for February 5<sup>th</sup> at 6:30pm and February 19<sup>th</sup> 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 states 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:**

-Route 262 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

**Sewer:**

-The Flo Meters were calibrated. This is something that is done annually

-A battery 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

**NEW/OLD BUSINESS:**

-Imagination 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:**

-Ben Raccuia 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 RFP. Municipal attorneys are few and far between

-Pete Yasses 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 Lamkin states it's his understanding the new owner would incur those costs to make the town as whole as possible

**ADJOURN:**

A **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	

Respectfully Submitted,

Kristy Murphy, Town Clerk