

TOWN OF BYRON BOARD MEETING
February 14, 2024

The Byron Town Board Meeting was called to order by Supervisor Candace Hensel at the Byron Town Hall, 7028 Byron Holley Road, Byron, New York at 7:04 p.m. with the following present:

Supervisor.-----Candace Hensel
Councilpersons.....Martin Dilcher
Fred Klycek
Jeff Thompson
Nathan Knickerbocker
Highway Superintendent.....David Leaton

Guests:
Bridget Cook, Attorney from Heath & O’Toole
Scott Mattison from MRB Group

Public:
Steven Hohn Phyllis Gonyea Reggie MacDonald Vic DiGregorio Jim Lamkin
Robert Mruczek Theresa Hammer Robert Palmer Robert Wilson Bill Stevens
Jenn Tuerk Lori Ivison Scott Blossom Marilyn Weinert John F

PLEDGE OF ALLEGIANCE:
The Pledge of Allegiance was led by Supervisor Hensel.

MINUTES: Councilman Klycek moved to table the acceptance of the minutes to the February 28, 2024 meeting. The motion was seconded by Councilman Knickerbocker and carried with the following vote:

Vote: Ayes 5 Nays 0

SEWER: Scott Mattison from MRB group gave an update on an Information Meeting scheduled Councilman Thompson made a motion to hold an Informational Meeting at the South Byron Fire Department Rec Hall on 2/28/2024 at 7:00 pm. The meeting will cover the history of the project, the financing and address community concerns and questions. Councilman Thompson motion was seconded by Councilman Dilcher and passed with the following vote.

Vote: Ayes: 5 Nays: 0

RESOLUTION # 26 Water Improvement Benefit Area #1, Payment of Contractor. Contract A Contractors Payment Application #4
Councilman Knickerbocker presented the following resolution.

Be it resolved, that the Byron Town Board hereby approves and authorizes the Supervisor to sign the Contractors “Application of Payment” #4 to Pilon Construction Co. Inc, in the amount of \$940,832.54 (nine hundred forty thousand eight hundred thirty two and 54/100 dollars) for construction of Water Improvement Benefit Area #1, Contract A.

Councilman Dilcher seconded and the Board was polled:

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

Vote: Ayes: 5 Nays: 0

RESOLUTION # 27

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

Be it Resolved that the Byron Town Board hereby approves and authorized the Supervisor to sign the Contractors "Application for Payment # 8 to Rochester Pipeline, Inc. in the amount of \$132,392.04 (one hundred thirty two thousand, three hundred ninety two and 04/100 dollars) for construction of Water Improvement Benefit Area #1, Contract B.

Councilman Thompson seconded and the Board was polled:

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

Vote: Ayes: 5 Nays: 0

REPORTS:

HISTORICAL SOCIETY: Supervisor Hensel provided the report. An internet hotspot has been created for the museum. They are receiving quotes on insulation as the heating bills have been excessive. They have been able to turn off one unit without danger to the artifacts and thus realizing significant savings.

Councilman Klycek made a motion to accept the Historical Society report. The motion was seconded by Councilman Thompson and carried with the following vote.

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE: No Report

FIRE-EMS: Four members of the South Byron Fire Department gave a report. Reports will be provided monthly initially and quarterly thereafter. There will be a quarterly joint meeting (Byron FD, South Byron FD, and designated Town Board members). The first such meeting will be held on March 18, 2024 at 7:00 pm at the Byron Town Hall.

Councilman Klycek made a motion to accept the FIRE-EMS report. The motion was seconded by Councilman Thompson and carried with the following vote.

Vote: Ayes: 5 Nays: 0

TAX COLLECTOR: The Interim Tax Collector gave a brief report on the progress of collecting the Property taxes. Reminder letters will be sent out in early March to anyone unpaid at that point.

Councilman Thompson made a motion to accept the Tax Collector report. The motion was seconded by Councilman Knickerbocker and carried with the following vote.

Vote: Ayes: 5 Nays: 0

CEO/ZEO: Supervisor Hensel provided a report on January activities. One building permit and one generator permit were issued. The CEO/ZEO has completed four (4) hours of the mandated 24 hours of training.

Councilman Klycek made a motion to accept the CEO/ZEO report. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

PLANNING BOARD: Councilman Knickerbocker provided a report from the Planning Board. Zoning Laws are on the website. There are some revisions underway.

The Planning Board has suggested a uniform complaint form to assist the community in reporting code violations they may encounter. The form as reviewed by the Town Attorney for viability.

Councilman Knickerbocker made a motion to accept the Zoning violation Complaint Form. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

Councilman Knickerbocker introduced Bill Stevens as a prospective member of the Planning Board for a 5-year term.

Councilman Knickerbocker made a motion to accept Mr. Stevens as a member of the Planning Board. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

Councilman Knickerbocker introduced Jenn Tuerk as a prospective member of the Planning Board for a 5-year term.

Councilman Knickerbocker made a motion to accept Ms. Tuerk as a member of the Planning Board. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

Councilman Klycek made a motion to accept the Planning Board report. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT: Nothing to report

Councilman Klycek made a motion to accept the Highway report. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

TOWN CLERK REPORT: Supervisor Hensel gave the Clerk’s Report. The March Dog Permit renewals have gone out by mail. The Sewer bills will go in the mail tomorrow, February 15, 2024.

Councilman Klycek made a motion to accept the Town Clerk’s report. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

SUPERVISOR REPORT: Councilman Klycek reviewed the December and January reports. There was nothing that raised any concerns. Councilman Klycek stated that he would like to meet with the bookkeeping firm and will continue towards making this happen.

Resolution # 29: The contract for Municipal Solutions was presented as it contained some updated material. Councilman Knickerbocker made a motion to table the signing of the contract to the February 28, 2024 meeting to allow for comparison to the previous contract to highlight any changes. The motion was seconded by Councilman Klycek and carried with the following vote.

Vote: Ayes: 5 Nays: 0

Councilman Thompson made a motion to accept the Town Clerk’s report. The motion was seconded by Councilman Dilcher and carried with the following vote.

Vote: Ayes: 5 Nays: 0

ABSTRACTS: RESOLUTION #25:

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

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

<i>Fund:</i>	<i>Abstract:</i>	<i>Vouchers:</i>	<i>Amount</i>
Water Improv. Benefit Area #1	PA1	#1 - #2	\$29,399.35
Sewer Fund	PA1	#1 - #5	\$12,816.46
General Fund	PA1.5	#1	\$33,828.49
General Fund	PA2	#2 - #12	\$3,739.84

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

Vote: Ayes: 5 Nays: 0

Resolution # 30

Councilman Knickerbocker put forth a resolution to set a special meeting for the purpose of conducting interviews for the open justice positions.

WHEREAS, the Town of Byron has 2 open Justice positions that need to be filled, and

WHEREAS, the Town Board of the Town of Byron must make the appointments for the Justice positions, and

WHEREAS, the Town Board of the Town of Byron's general powers include appointments and when a vacancy occurs in any town office, the Town Board may appoint a qualified person to fill the vacancy, and

WHEREAS, Justice positions are elected and the Town Board is responsible for appointing 2 Acting Justice to fill the vacancies and fulfill the obligation of Town Justice, and

WHEREAS, the Town Board of the Town of Byron must conduct interviews to be able to make appointments for the justice positions, and

NOW, THEREFORE, the Town Board of the Town of Byron hereby resolves to hold a special meeting on Wednesday, the 22nd of February, 2024 at 7:00 PM at 7028 Byron Holley Road, Byron, NY, 14422 for the purposes of conducting interviews for the open positions.

Councilman Thompson seconded and the Board was polled:

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

Vote: Ayes: 5 Nays: 0

Councilman Dilcher introduced Kristi Murphy to the Board and after extensive discussion, Councilman Thompson made a **MOTION** to appoint Kristy Murphy to the position of Town Clerk for the Town of Byron at the pro-rated salary amount in the 2024 budget minus the Tax Collector salary. Councilman Dilcher seconded the motion and the Board was polled.

Councilman Dilcher	Aye
Councilman Klycek	Aye
Councilman Thompson	Aye
Councilman Knickerbocker	Aye

Supervisor Hensel

Nay

Vote:

Ayes: 4

Nays: 1

OTHER BUSINESS:

Councilman Klycek volunteered for the Audit Committee.

BOARD CONCERNS:

Councilman Knickerbocker stated that the Board must address a pre-existing, non-conforming business issue that needs a follow-up. It was stated that the Certificate of Compliance should be reviewed by an attorney. Supervisor Hensel will follow-up.

There are some grants opening up: Main Street Grant, NY Moving Forward Grant. Both of these grants are on one application.

PUBLIC COMMENTS:

A request was made for more communication on the water project progress and if there were minutes of the water meetings available to the public.

A comment was made by a resident that it was clear that the Supervisor was blindsided with the Town Clerk appointment and continues to express dismay with the disrespect displayed toward the Town Supervisor.

Another resident commented complimenting the improvements in the Town's website.

ADJOURN:

A MOTION was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 9:21 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote:

Ayes: 5

Nays: 0

Respectfully Submitted,
Marilyn Weinert
Acting Secretary