

**TOWN OF BYRON BOARD MEETING
March 13, 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		
	Fred Klycek		
	Jeff Thompson		
	Nathan Knickerbocker		
Highway Superintendent	David Leaton		
Town Clerk	Kristy Murphy		
Invited Guests	Attorney Bridget Cook		
Public:			
Jim Lamkin	Bill Stevens	Vic DiGregorio	Darla Barnum
Ted Darocha	Josh Kent	Rob Palmer	Jim Mouio

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel

WATER IMPROVEMENT BENEFIT AREA #1

Pilon Construction Co., Inc is requesting an extension to complete the project. Completion date was set for April 28, 2024. The request from Pilon Construction is for an additional 90 days to complete the work and an additional 60 days to complete restoration after that. Discussion held. Motion made by Councilman Dilcher to not grant the extension. Councilman Thompson seconded and carried with the following votes:

VOTE: AYES: 5 NAYS: 0

MINUTES

Councilman Knickerbocker advised that corrections were needed to the February 14, 2024 minutes before approving. Councilmen were advised minutes from February 28, 2024 were not drafted yet nor complete. Minutes tabled until complete

WATER IMPROVEMENT BENEFIT AREA #1 CONTRACTOR'S PAYMENT

RESOLUTION# 31

Councilman Knickerbocker 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" # 5 Pilon Construction Company Inc. in the amount of \$ 397,792.02 (Three Hundred Ninety-Seven Thousand Seven Hundred Ninety-Two Dollars and Two Cents) for construction of Water Improvement Benefit Area#1 Contract A.

Councilman Thompson seconded the resolution an adopted by the following vote:

VOTE: AYES: 5 NAYS: 0

RESOLUTION# 32

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

BE IT RESOLVED, that the Byron Town Board hereby approves and authorizes the Supervisor to sign the Contractors "Application for Payment" # 9 Rochester Pipeline Inc. in the amount of \$248,437.37

(Two Hundred Forty-Eight Thousand Four Hundred Thirty-Seven Dollars and Thirty-Seven Cents) for construction of Water Improvement Benefit Area#1 Contract A.

Councilman Thompson seconded the resolution an 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

WASTE WATER TREATMENT PLANT

Supervisor Hensel speaks in regards to the Special Meeting on February 28, 2024 presentation put on by MRB Group. Presentation was to discuss the process, options and recommendations moving forward. There may be additional opportunities for grant funding for the town. There may also be programs for rural homeowners septic tanks as well. Further information to come. Supervisor Hensel states a resolution needs to be made to update the contract with Municipal Solutions in helping with the capital projects.

RESOLUTION# 33

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

To Hire Municipal Solutions, Inc. For assistance with the town of Byron’s Wastewater Treatment System Improvements.

WHEREAS, the Town of Byron Board contracted with Municipal Solutions, Inc. in connection with the Town of Byron’s Wastewater Treatment System Improvements on July 13, 2022, and **WHEREAS**, the Town of Byron Town Board and Municipal Solutions, Inc. must have current contract in place prior to work commencing, and **WHEREAS**, Municipal Solutions, Inc. are financial advisors and will assist the Town with Notice of Sale, Long-term closing with the Clean Water State Revolving Fund, sewer exclusion order, and fiscal services in connection with the Town of Byron’s Wastewater Treatment System Improvements; and **WHEREAS**, The Town Board requires the assistance of certain professional service consultants in connection with the Town of Byron’s Wastewater Treatment System; and **WHEREAS**, Municipal Solutions, Inc. has provided an amended professional service contract to assist the Town Board with the Wastewater Treatment System Improvements; and **NOW, THEREFORE**, the Town Board resolves to hire Municipal Solutions, Inc. in connection with the Wastewater Treatment System Improvements; and **NOW, THEREFORE**, the Town Board of the Town of Byron hereby authorizes the Town Supervisor to execute the amended professional services contract on behalf of the Town Of Byron.

Councilman Knickerbocker seconded the resolution an 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

TOWN JUSTICE
RESOLUTION # 34

Executive Session will be held on March 25, 2024 at 6:00pm. All three candidates will be interviewed by the town board at that time. Councilman Dilcher motioned to accept the scheduled Executive Session. Councilman Thompson seconds the motion 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

ABSTRACTS
RESOLUTION # 35

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
Water Improve Benefit Area 1	#3	#3	\$43,633.42
General Fund	#3	#39 - #54	\$3,118.45
Highway	#3	#15 - #26	\$242,681.86
Sewer	#3	#10 - #14	\$6,595.94

Councilman Klycek seconded the resolution an adopted by the following vote:

VOTE: AYES: 5 NAYS: 0

JUSTICE ACCOUNT AUDIT
RESOLUTION# 36

Councilman Thompson offered the following resolution and moved for its adoption: To hire Mengel Metzger Barr & Co., LLP for assistance with the Town of Byron's Town Court Justice Audit.

WHEREAS, pursuant to Uniform Justice Court Act 2019-a, it is the duty of every justice to present his/her records and docket to the auditing board of the town, and **WHEREAS**, THE Town of Byron must examine the justice's records as part of the audit and ensure the fines therein collected have been turned over to the proper officials, and **WHEREAS**, Mengel Metzger Barr & Co., LLP is a certified public accounting firm who will assist the Town with the audit of the Byron Town Court, and **NOW THEREFORE**, the Town Board resolves to hire Mengel Metzger Barr & Co., LLP in connection with the Byron Town Court justice audit, and **NOW THEREFORE**, Town Board of the Town of Byron herby authorizes the Town Supervisor to execute the professional services contract on behalf of the Town of Byron with the amount not to exceed \$3,595.00 for Mengel Metzger Barr & Co., LLP

Councilman Klycek asked Attorney Bridget Cook for clarification of the term audit vs an agreed upon procedures arrangement. Discussion had clarification given. Councilman Knickerbocker seconded the resolution an adopted by the following vote:

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

VOTE: AYES: 5 NAYS: 0

HIGHWAY SUPERINTENDENT REPORT- DAVID LEATON

-Requested approval to sell the following equipment; a backhoe, two fuel tanks, a portable generator and a plasma cutter.

-Board members agree to sell. Supervisor Leaton will contact Auction International to move forward.

A MOTION was made by Councilman Dilcher to accept the highway report. Councilman Klycek seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

TOWN CLERK REPORT- KRISTY MURPHY

-Busy first week in the office

-End of month report will be read at the next board meeting

A MOTION was made by Councilman Thompson to accept the town clerk report. Councilman Klycek seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

SUPERVISOR REPORT- CANDACE HENSEL

-Financial Report will be ready next meeting

-GCEDC will hold a public meeting with Leatherleaf Solar regarding the Ivison Road Project on Tuesday March 26,2024 at 3:30pm. The meeting will be held in the court room.

-NYCRTA has been contacted to negotiate a community solar agreement for the Town of Byron residents on their behalf.

-Will review reports from last year regarding battery storage law

-Requesting the Town Board members and the accounting firm review the budget

A MOTION was made by Councilman Thompson to accept the supervisor report. Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

HISTORICAL COMMITTEE

-No Report

PARKS COMMITTEE

-No report

FIRE/EMS REPORT

-No Financial report (meeting 3/18 to go over financial report)

-Sportsman raffle reminder is 3/23/24

A MOTION was made by Councilman Knickerbocker to accept the fire/ems report. Councilman Thompson seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

CEO/ZEO REPORT

- no report

PLANNING BOARD REPORT

-Zoom board meeting was tried previously however the free program is not long enough for a meeting, Board was inquiring if there is a Zoom account through the town

-Councilman Knickerbocker has offered to be the liaison for the planning board

-Attorney Boylan has advised Attorney O'Toole on zoning law revisions

-Katelyn Mocha has resigned as an alternate planning board member

A MOTION was made by Councilman Knickerbocker to accept Katelyn Mocha's resignation as a Planning Board alternate. Councilman Thompson seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

-Brandon Mason applied for an alternate on the Planning Board

A MOTION was made by Supervisor Hensel to appoint Brandon Mason as a Planning Board alternate. Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

-Discussion had how to manage public comments at meeting to keep order

A MOTION was made by Councilman Thompson to accept the planning board report. Councilman Knickerbocker seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

COMMUNICATIONS REPORT

-Site survey was performed by Millennium Computers in Batavia to assess all the technology in the building. At first sight the existing technology we have here will be outdated in approximately a year and a half. Final report to follow.

-Discussion had to best get information out to the community via either online, website, newsletter etc. Sara Stockwell is currently updating the town website for now.

-A member of the committee reached out to Mike Burns IT Director for Genesee County in regards to our cyber security. More information to follow.

A MOTION was made by Councilman Klycek to accept the communications report. Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

CLEAN ENERGY, CLEAN RESOURCES COMMITTEE

-Looking for volunteers to sign up for the campaign to get residents to have the opportunity to save 10% on their electric bill using solar energy. The committee is trying to make it possible for residents to get solar from our local projects. If the project gets completed the town will receive another \$5,000.00 in grant action money.

-The heating and cooling campaign is continuing. Information was submitted to try and obtain a grant for another \$10,000.00

-Supervisor Hensel was advised that we may be able to have an energy audit done on our own building

-Darla Barnum offered to set up a meeting with these committee members in the near future

A MOTION was made by Councilman Thompson to accept the report. Councilman Klycek seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

PUBLIC COMMENTS

-Councilman Knickerbocker mentioned the signs in Trestle Park are faded. He is wondering if something can be done with them. He also stated hunting stands have been noticed near the park. He questions who they belong to and why are they there

-Supervisor Hensel asks who does building maintenance here? Discussion had that if maintenance is needed call whomever would be fit to do the repair/work

ADJOURN

A MOTION was made by Councilman Klycek to accept to adjourn the Byron Town Board Meeting at 8:39pm Councilman Thompson seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

Respectfully Submitted,

Kristy Murphy
Byron Town Clerk