SPECIAL BYRON TOWN BOARD MEETING

December 26, 2018

The Special Byron Town Board Meeting was called to order by Supervisor Roger Rouse at 7:00 p.m. with the following people present:

Supervisor	Roger Rouse
Councilmen	Sue Fuller
	Jeff Thompson
	Fred Klycek
Highway Superintendent	Brian Forsyth
Town Clerk	Debra Buck-Leaton
Absent	Councilman Jim Cudney
Public: Candace Hensel	Byron-Holley Road, Byron

GENERAL FUND BUDGET TRANSFERS:

RESOLUTION #91:

Councilman Thompson offered the following resolution and moved for its adoption: *Resolved,* that the Byron Town Board authorizes the following transfers:

		GENERAL FUND	
Transfer From:			
	A1010.4	Town Board Contr.	\$
	A1110.1C	Justice Equipment	\$ 2,400.00
	A1110.4A	Justice Audit	\$ 1,450.00
	A1320.4	Auditor Contr.	\$ 4,150.00
	A1355.2	Assessor Equipment	\$ 1,000.00
	A1420.4	Attorney Contr.	\$ 10,820.00
	A1420.4A	Attorney ContrWater	\$ 9,879.00
	A1620.2	Buildings Equipment	\$ 2,000.00
	A1620.4	Buildings Contr.	\$ 18,948.00
	A1990.4	Contingency	\$ 9,984.00
	A3310.4	Traffic Control Contr.	\$ 5,251.00
	A5182.4	Street Light Contr.	\$ 3,085.00
	A7110.4	Parks Contr.	\$ 2,360.00
	A8020.4	Planning Contr.	\$ 2,790.00
	A8160.1	Refuse Service	\$ 2,700.00
	A8160.4	Refuse Contr.	\$ 4,747.00
	A8540.4	Drainage Contr.	\$ 5,000.00
	A9010.8	State Retirement	\$ 2,083.00

A9030.8	Social Security			\$1,347.00
A9050.8	Unemployment Ins.		\$	1,000.00
A9060.8	Hosp./Med. Ins.		\$	4,172.00
	Unanticipated Revenue			
A1120	Sales Tax			53,793.00
		TOTAL:	\$1	51,711.00
A1110.4AA	Justice Grant		\$	820.00
A1410.4	Town Clerk Contractual		\$	10.00
A1620.1	Building Svc.		\$	245.00
A1670.4	Central Printing & Mailing		\$	66.00
A1910.4	Unallocated Insurance			\$ 44.00
A3620.4	Code Enf. Contr.			\$ 418.00
A7310.1	Local Recreational Program Svc.		\$	
A7310.4A	Local Recreation Program		\$	293.00
A8030.4A	Research Contr. Water		\$	148,492.00
A9060.8B	Health Savings Acct.			\$ 900.0
A9060.8C	Dental Insurance			\$ 248.00
		TOTAL:	\$	151,711.00
	A9050.8 A9060.8 A1120 A1110.4AA A1410.4 A1620.1 A1670.4 A1910.4 A3620.4 A7310.1 A7310.4A A8030.4A A9060.8B	A9050.8 Unemployment Ins. A9060.8 Hosp./Med. Ins. Unanticipated Revenue Sales Tax A1110.4AA Justice Grant A1410.4 Town Clerk Contractual A1620.1 Building Svc. A1670.4 Central Printing & Mailing A1910.4 Unallocated Insurance A3620.4 Code Enf. Contr. A7310.1 Local Recreational Program Svc. A7310.4A Local Recreation Program A8030.4A Research Contr. Water A9060.8B Health Savings Acct.	A9050.8 Unemployment Ins. A9060.8 Hosp./Med. Ins. Unanticipated Revenue A1120 Sales Tax TOTAL: A1110.4AA Justice Grant A1410.4 Town Clerk Contractual A1620.1 Building Svc. A1670.4 Central Printing & Mailing A1910.4 Unallocated Insurance A3620.4 Code Enf. Contr. A7310.1 Local Recreational Program Svc. A7310.4A Local Recreation Program A8030.4A Research Contr. Water A9060.8B Health Savings Acct. A9060.8C Dental Insurance	A9050.8 Unemployment Ins. \$ A9060.8 Hosp./Med. Ins. \$ Unanticipated Revenue \$ A1120 Sales Tax \$ A1110.4AA Justice Grant \$ A1410.4 Town Clerk Contractual \$ A1620.1 Building Svc. \$ A1670.4 Central Printing & Mailing \$ A1910.4 Unallocated Insurance \$ A3620.4 Code Enf. Contr. \$ A7310.1 Local Recreational Program Svc. \$ A7310.4A Local Recreation Program \$ A8030.4A Research Contr. Water \$ A9060.8B Health Savings Acct. \$ A9060.8C Dental Insurance \$

Councilwoman Klycek seconded the resolution which was adopted by the following vote:

Vote:

Ayes: 4

Nays: 0

HIGHWAY FUND BUDGET TRANSFERS:

RESOLUTION #92:

Councilwoman Fuller offered the following resolution and moved for its adoption: *Resolved,* that the Byron Town Board authorizes the following transfers:

	H	IGHWAY FUND		
Transfer From:				
	DA5110.4	General Repairs Contr		\$ 4,512.00
		Unanticipated Revenue		
	DA3501	CHIPS		\$ 33,225.00
			TOTAL:	\$ 37,737.00
Transfer To:				
	DA5112.2	CHIPS		\$ 33,225.00
	DA9010.8	State Retirement		\$ 812.00
	DA9060.8b	Health Savings		\$ 3,700.00
			TOTAL:	\$ 37,737.00

Councilman Thompson seconded the resolution which was adopted by the following

vote: Vote:

Ayes: 4

Nays: 0

SEWER FUND BUDGET TRANSFERS:

RESOLUTION #93:

Councilwoman Klycek offered the following resolution and moved for its adoption: *Resolved*, that the Byron Town Board authorizes the following transfers:

		SEWER FUND		
Transfer From:				
	SS1990.4	Contingency		\$ 4,119.00
			TOTAL:	\$ 4,119.00
Transfer To:				
	SS8120.2	Sewage Coll. System Equip.		\$ 3,203.00
	SS8120.4	Sewage Coll. System Contr.		\$ 636.00
	SS8130.4B	Additional Service		\$ 280.00
			TOTAL:	\$ 4,119.00

Councilman Thompson seconded the resolution which was adopted by the following

Vote:

Ayes: 4

Nays: 0

ABSTRACTS

vote:

RESOLUTION #94:

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	#13	#322 - #329	\$10,369.70	
Highway Fund	#13	#201 - #208	\$14,865.60	
Sewer Fund	#13	#46 - #47	\$ 617.31	

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

Vote:

Ayes: 4

Nays: 0

WATER DISTRICT NO. 7 MUTUAL RELEASE WITH ACCADIA SITE CONTRACTING, INC.

RESOLUTION #95:

Councilman Klycek offered the following resolution and moved for its adoption: *WHEREAS*, there have been multiple complications in the execution of the construction contract for Water District No. 7 for the Town of Byron, and multiple attempts to resolve these complications with the contractor, Accdia Site Contracting, Inc., and

WHEREAS, it has been determined that it is in the best interests of all parties including the Town's Engineers, MRB Group to void the contract and execute mutual releases and non-disparagement agreements, and

WHEREAS, it has been agreed by the parties that Accadia will be compensated for work performed and materials purchased to date in exchange for the aforementioned release and non-disparagement agreements, and

NOW, THEREFORE, BE IT RESOLVED, that it is in the best interests of the Town on behalf of Water District No. 7 to void the contract with Accadia Site Contracting, Inc., and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into the aforementioned release and non-disparagement agreement with Accadia Site Contracting, Inc., and to pay Accadia for work performed and materials purchased to date.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote:

Ayes: 4

Nays: 0

Discussion:

Councilwoman Fuller: She would like to know how much the Town has paid Accadia and who will finish the Water District

Councilman Thompson: Is there a guarantee on the workmanship of the lines that have already been installed?

Paul Chatfield, MRB Group (via telephone): Accadia will be paid 75% of the amount of th project cost that they have completed, with 25% being held for testing and restoration. He believes that once the Agreement is signed the Town will have no recourse. They have already spoken with Randsco Pipeline, who was the second lowest bidder and they will complete the project as soon as possible, but the Town needs to sign the release, make final payment to Accadia, sign a contract with Randsco, and then the Federal Government needs to reopen.

Councilwoman Fuller: She would like to see a clause added that Accadia is not allowed to do any future work in the Town of Byron.

ADJOURN:

A <u>motion</u> was made by Councilman Thompson to adjourn the Special Meeting of the Byron Town Board at 8:07 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote:

Ayes: 4

Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton Byron Town Clerk