

TOWN OF BYRON BOARD MEETING

June 11, 2025

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

Supervisor.....	Candace Hensel
Councilman.....	Jeff Thompson
Councilman.....	Martin Dilcher
Councilman Klycek.....	Absent

Highway Superintendent.....	David Leaton
Town Clerk.....	Kristy Murphy

Invited Guests John Sansone, Town Attorney
Byron-Bergen Public Library Board of Trustees

PUBLIC: Darla Barnum Barbie Starowitz Vic DiGregerio Brandon Mason
Don Yaxley Laura Platt Jim Lamkin Steve Hohn Pete Yasses

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel.

APPROVAL OF MINUTES:

A **MOTION** was made by Councilman Thompson to approve the minutes from May 14, 2025. Councilman Dilcher seconds the motion and carried the following polled vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent
Vote: Ayes: 3	Nays: 0 Absent: 1

BYRON-BERGEN PUBLIC LIBRARY PRESENTATION

-The library is requesting that the Town Board allow petitions to go around to try and get the proposition on the November ballot.

SCHEDULE PUBLIC HEARING CDBG GRANT RESOLUTION #25-52

Councilman Dilcher offered the following resolution and adoption:

**RESOLUTION TO SCHEDULE A PUBLIC HEARING REGARDING THE TOWN OF
BYRON'S INTENT TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) FUNDING FOR THE WASTE WATER TREATMENT PROJECT**

WHEREAS the Town of Byron intends to submit an application to the New York State Office of Homes and Community Renewal for funding under the Community Development Block Grant (CDBG) Program for the 2025 program year; and

WHEREAS, the State of New York has announced that up to \$24.2 million is available through the 2025 CDBG Program, with up to \$20 million specifically available for public infrastructure projects; and

WHEREAS the Town of Byron is considering submitting an application for up to \$2 million in CDBG funds to support the Waste Water Treatment Project and

WHEREAS, as part of the application process, the Town of Byron must hold a public hearing to gather input from citizens, public agencies, and other stakeholders on the proposed CDBG application, community needs, and CDBG funding priorities.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Byron Town Board hereby schedules a public hearing to be held on July 9, 2025 at 6:30 pm prior to the regular Town Board meeting to receive public comments on the Town's proposed CDBG application for the Waste Water Treatment Project and

BE IT FURTHER RESOLVED that the Town Clerk is directed to publish notice of said public hearing in accordance with applicable laws and regulations.

Supervisor Hensel seconded the resolution and adopted by the following polled vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent
Vote: Ayes: 3	Nays: 0 Absent: 1

WOIP GRANT SUPPORT FROM TOWN OF BYRON RESOLUTION #25-53

Councilman Dilcher offered the following resolution and adoption:

**RESOLUTION OF SUPPORT FROM THE TOWN OF BYRON
2025 WATER QUALITY IMPROVEMENT PROJECT, CONSOLIDATED FUNDING
APPLICATION WASTEWATER TREATMENT PLANT IMPROVEMENTS**

WHEREAS, the Town Board for the Town of Byron, located in Genesee County, supports the submission of a 2025 Department of Environmental Conservation Water Quality Improvement Project application through the Consolidated Funding Application 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, 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 2025 Water Quality Improvement Project application by MRB Group on behalf of the Town to improve water quality and protect public health.

Supervisor Hensel seconded the resolution and adopted by the following polled vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent
Vote: Ayes: 3	Nays: 0 Absent: 1

WATER IMPROVEMENT BENEFIT AREA #1 UPDATE:

Supervisor Hensel makes a **MOTION** to table the discussion regarding WIBA#1 and schedule a special meeting, executive session to discuss litigation strategies on July 18, 2025 at 5:00pm held at the Byron Town Hall. Councilman Dilcher seconded the motion and followed the following polled vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent
Vote: Ayes: 3	Nays: 0 Absent: 1

-Councilman Thompson asks Supervisor Hensel what is being done with the three homes that are located in the town of Stafford that were hooked up by Monroe County Water Authority. He recalls an agreement being drawn up but it seems the town of Stafford denied signing it. He also states he spoke with Scott Mattison from MRB whom gave examples of what to do in cases like this so they can be added in on the debt service.

-Supervisor Hensel states she is not the attorney and does not know the status

-Councilman Thompson states the town board was unaware that Stafford refused to sign the

agreement. He asks why the board was not notified that there was an issue. He states if they had known they could have taken action last year

-Supervisor Hensel states she doesn't have an answer for that. The attorneys and the engineers were involved she doesn't know why it wasn't taken care of by the attorney

-Councilman Thompson states again the board should have been made aware of what was going on

-Supervisor Hensel states she's sorry and I guess you can take it up with the attorney and see what type of recourse can be taken

-Councilman Thompson asks if that can be added to the executive session discussion

-Supervisor Hensel states yes, that falls under the litigation subject

-Supervisor Hensel states she dropped the ball she thought the people we pay to do things took care of it

-Councilman Thompson states they did take care of drawing up the agreement. When Stafford refused to sign the board should have notified. He states he will pose the question to Paul Boylan what we can do now

SOLAR PROJECT UPDATES:

Excelsior- Complaint process is on the website for review email and phone are the preferred method of contact. There are 41 retention ponds only 11 will be permanents. The DEC requested these be done to help any flooding possibility. The decommissioning plan that was signed in 2022 it is being executed now by Excelsior. There is a 21 day period to ask any questions and get that published. Supervisor states she forwarded it off to MRB and the town attorney for review this afternoon.

Leatherleaf- Not permitted yet

Blue Wave- Special use permit has been given

Green Street- Not hooked up yet but built. There is an issue with National Grid

SHORT TERM RENTAL MORATORIUM DISCUSSION:

-Per Genesee County there is no review required for the short term rental moratorium because the moratorium is being requested for less than one year

-Supervisor Hensel states she recuses herself from voting because she did at one point have short term rentals

-Councilman Dilcher states his feeling on the short term rentals is that he does not want to stop people who already have plans in place with their short term rentals. He suggests moving forward the topic be put in the zoning laws to monitor for safety

-Councilman Thompson states the topic should be tabled because there were only two people able to vote on the topic

REPLACEMENT OF COUNCILMAN KNICKERBOCKER :

-The town board received four applications for the open board position. The board chose to interview on their own

-Supervisor Hensel states she sent a questionnaire to all who applied and received two back. She

also states two of the applicants were in attendance. She asked if each applicant wanted to tell the board why they were interested in the position

-Brandon Mason stated he was interested in the position because he saw it as way to get involved in the community. Living here with his wife and two small children he sees it as an investment. Also to help guide and be a cog in the wheel that steers the future of our town because it is worth investing in

-Barbie Starowitz states that with her bus business and being around in the community she would bring back good and bad things she hears that are happening in the community. She would ensure that my voice and others would be heard. She stated that the supervisor was the only one who reached out to her to ask questions.

-Supervisor Hensel asked each applicant if it was their intention to run for the position in the November election.

-Brandon Mason states he is running in the November election

-Supervisor Hensel states she was under the impression Barbie Starowitz only wanted to sit on the board through December

-Barbie Starowitz confirms that her intention was not to run in the upcoming November election

APPOINTMENT OF BRANDON MASON TO FILL THE VANCANCY ON THE BYRON TOWN BOARD

Councilman Dilcher made the **MOTION** to appoint Brandon Mason to the Byron Town Board, effective June 11, 2025, to fill the vacancy left due to the resignation of Councilman Nathan Knickerbocker.

Councilman Thompson seconded the motion and polled the following vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent

Vote: Ayes: 3 Nays: 0 Absent: 1

-Supervisor Hensel encourages anyone who has interest in running for town board spot in November to contact the board of elections to do so

ABSTRACTS/VOUCHERS RESOLUTION #25-54

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

BE IT RESOLVED, that the Byron Town Board pay the following abstracts:

<u>Fund</u>	<u>Abstract</u>	<u>Vouchers</u>	<u>Amount</u>
General Fund	#6	#112 - #138	\$16,888.60
Highway Fund	#6	#49 - #60	\$12,697.25
Sewer Fund	#6	#26 - #38	\$8,946.49
Sewer Capital Fund	#6	#8	\$56,186.80

General Post Audit	#5	#24 - #29	\$1,626.60
Sewer Post Audit	#5	#10 - #11	\$710.36

Councilman Thompson seconded the resolution which was adopted by the following polled vote:

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek	Absent
Vote: Ayes: 3	Nays: 0 Absent: 1

REPORTS:

Highway Superintendent Report- David Leaton:

- The highway workers have been working out of town the past three weeks helping out
- Roadside mowing is being done
- Councilman Thompson thanked David for the parking spots at Turtle Park being cleaned out

Councilman Dilcher makes the **MOTION** to accept the Highway Superintendent report.
Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Town Clerk Report-Kristy Murphy:

- Paid Ag & Market spay & neuter program..... \$55.00
- Town of Byron Supervisor \$3,065.16
- DEC \$28.34
- Parks Committee (Town of Byron Supervisor) \$100.00
- Town Clerk received two quotes for new software regarding sewer billing
 - a. Edmunds Gov Tech (what is used currently)-One year investment- \$6,100.00
Annual Cost- \$2,100.00
 - b. Williamson Law Book Company- One year investment- \$8,325.00
Annual Cost- \$2,000.00
- The town clerk would like approval to sign the agreement with Edmunds Gov Tech for the sewer billing program moving into 2026.
- Town clerk states staying with Edmunds makes sense because having access to the history of the accounts is an added benefit as well as the program having the capability to grow with our needs
- Supervisor Hensel asked if the clerk could look into if a cheaper program to use
- Fireman's park bathrooms- In the past a member of the parks committee or the gatekeeper has kept the bathrooms cleaned. Since there is no gatekeeper for the season and the bathrooms need to be cleaned for the summer recreation program and for renters of the pavilion the clerk approached the current town cleaner to see if she could take on the responsibility of cleaning the bathrooms once a week for the next twelve weeks.

-Lori Vogt the town's cleaner stated she would be able to clean the bathrooms through the season for an additional \$25.00 (twenty-five dollars) per week which is an additional \$300.00 for the 12 weeks of service added to her salary.

-Supervisor Hensel asked if this job should be bid out to the public

-Councilman Dilcher stated that no one is going to do it cheaper than that and Lori is already on staff it makes sense for her to do it if she is willing

Councilman Dilcher makes the **MOTION** to pay Lori Vogt an additional \$300.00 for twelve weeks to clean fireman's park bathrooms

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

-Byron Summer Recreation program is due to begin on June 30, 2025 thru August 15, 2025. The registration forms are on the website under the recreation tab. If there any questions please contact the town clerk.

-The town clerk has run into some issues with the town website. A call was made to our IT company for help as well as a website designer

-Supervisor Hensel states that a new website needs to be created because she sees that as an investment for the town to have a working website

Councilman Dilcher makes the **MOTION** to accept the Clerks report.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Supervisors Report- Candace Hensel:

-Financials were reviewed

Councilman Thompson makes the **MOTION** to accept the Supervisors Financials.

Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0

-Have had a lot of communication with the grant writers

-Solar complaints are coming in and seem to be answered as diligently as possible

-Meant with the county manager Matt landers as part of an effort to engage better with the towns

-Attended the Genesee County Hazard Mitigation meeting. This helps on funding the town if there is a catastrophic even that occurs in the town

-Attended the GAM meeting. The water situation in the county may impact our town in the future was the take away from that meeting. It was not clear what the county is up to with different funding opportunities

-Internal computer issues

-Land Use Alliance 3 day seminar I will be attending. She states we need to look at other towns and what they are doing in regards to best practices

Councilman Dilcher makes the **MOTION** to accept the Supervisors report.

Councilman Thomson seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Historical Society/Museum Report Don Yaxley:

- Stafford Painters have begun the painting project
 - Picture frame project is near complete for the South Byron graduates
 - Issued \$100.00 gift card from Reid Petroleum (Crosby's) for our donation of post cards
 - Eight storm windows are needed for the museum. Quotes were received with several options.
- The board has been presented with the quotes as attached to these minutes

APPROVAL OF MUSEUM WINDOWS BEING REPLACED RESOLUTION #25-55

Councilman Thompson offered the following resolution and moved for its adoption

Whereas, the Byron Historical Society has been charged with the oversight and maintenance of the Town of Byron Museum, owned by the Town of Byron, and

Whereas, the Byron Historical Society has been assessing and providing the Byron Town Board with its recommendations for the maintenance, preservation and continued use of the Museum and its grounds and

Whereas the Historical Society has concluded that the Town of Byron Museum should have storm Windows installed on the main part of the building to increase its energy efficiencies and provide comfort to those utilizing the building.

Whereas, the funds for conducting this project have been proposed to be provided by The Byron Historical Society, and,

Whereas, the Byron Historical Society will follow Town Procurement policy in assessing the quotes of services and deliverables for the project,

BE IT RESOLVED; the Byron Town Board approves the Byron Historical Society proceeding with the purchase and installation of Storm windows to the Byron Town Museum at their expense. The Town will provide proper insurance certifications

Supervisor Hensel seconded the resolution which was adopted by the following polled vote:

Councilman Thompson-	Aye		
Councilman Dilcher-	Aye		
Supervisor Hensel-	Aye		
Councilman Klycek	Absent		
Vote: Ayes: 3	Nays: 0	Absent: 1	

Councilman Thompson makes the **MOTION** to accept the Historical Society report
Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Parks Report Don Yaxley:

- Al Secash is our new chairman for the parks committee

- Next month's meeting we will vote on who will be the next vice chairperson
- The Boy Scouts camped at Trestle Park this past weekend. They worked hard on putting mulch down and cleaned up out the drainage tubes to make sure the water could flow through
- Andy Graham from Suny Brockport is conducting vegetation surveys at the end of this month. Trees will be able to be planted after the survey is done

Councilman Dilcher makes the **MOTION** to accept the Parks Committee report.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Fire/EMS:

South Byron:

April- 7 Calls, 1 MVA, 2 Fire, 1 EMS , 2 Gas, 1 Hazmat

-Calls were covered by 21 members

-16 Active Members, Physical Exams were completed and all passed

-Training included 4 sessions and 101 man hours

-9 members completed Narcan training

May- 3 Calls, 1 Fire, 1 EMS, 1 CO Detection-False

-Calls were covered by 14 members, 8 man hours

-Training included 2 sessions and 24 man hours

Councilman Dilcher makes the **MOTION** to accept the Fire/EMS report

Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

CEO/ZEO Report Melissa Ierlan:

Permit Report By Type

05/01/2025 - 06/01/2025

Permit Type: All

Permit Type:			
Permit #	Applicant	Location	SBL#
building			
08-25	Joshua Kent	7620 Ivison Rd	9.-2-39.12
18-25	Timothy Bushnell	6404 Route 262	7.-1-44
19-25	Lea-View Farms, Inc.	7350 Byron Rd	8.-1-2.12
Deck			
17-25	Mark Kulzer	5954 Route 237	1.-2-16
Fence			
10-25		6913 Route 237	7.-1-28
11-25	Miquel Caballero	6913 Route 237	7.-1-28
20-25	Douglas Ford	6853 Route 237	5.-1-47
Pole Barn			
12-25	Daniel Barrera	7690 School Rd	10.-2-33
Pool			
16-25	Christopher Lee Brown	7676 Route 237	9.-2-48.2
Repair			
09-25	Miquel Caballero	6913 Route 237	7.-1-28

Town of Byron Complaint By Date

5/1/2025 - 6/1/2025

Complaint #	Location	Identifier	Complaint Type	Status
Open Date: 05/13/25				
C07-25	7644 Route 237	9.-2-49	Unregistered Vehicles	Open
Open Date: 05/				

-There is a vacant house located on Byron Holley Road that I have tried to contact the bank and maintenance company about and had no luck. The property is unkempt and there is evidence of rodents/raccoons. There is an abandoned camper and piles of garbage.

-I have contacted the management for the trailer park next to the post office regarding dogs. The clerk had no record of the dogs being licensed. The neighbor had an interaction between his dog and this loose pit mix and the sheriff came and the owners surrendered the dog.

-I have 2 appearance tickets slated for court on June 16th

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

Vote: Ayes: 3 Nays: 0 Absent: 1

Sewer Report:

-6404 Mill Pond Road replaced float bracket, two floats and a check valve and plumbing were replaced

-A septic tank collapsed on Mechanic Street needs to be replaced

-A dilapidated tank in the trailer park needs to be replaced

-Quotes were given for both septic tank replacements

a. Barefoot Septic replacement of one 1,000 gallon tank- \$6,185.00

b. A.D. Call replacement of one 1,000 gallon tank - \$6,500.00

Councilman Dilcher makes the **MOTION** to allow Shaun Dempsey to hire Barefoot Septic to replace two septic tanks one on Mechanic Street and one the Trailer Park in the amount of \$6,185.00 (six thousand one hundred eighty five dollars) each

Supervisor Hensel seconded the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Councilman Dilcher makes the **MOTION** to accept the sewer report
Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

PUBLIC COMMENTS:

-Jim Lamkin asks what the status of the old grange building

-Supervisor Hensel states it is on her radar and she will check with the county

-Pete Yasses states he would like to thank David Leaton for the flowers around town they look good. He also would like to thank Kristy Murphy for the hero banners they look great.

-The clerk states that there is already a short list of people whom are interested in getting a hometown hero banner. If there is anybody interested please reach out to the town clerk another order will be placed next year for additional banners

-Pete Yasses asks if there is a moratorium at this time for air bnb's

-Supervisor Hensel states no there is not

-Councilman Thompson states there were only two people to vote on the subject so nothing could be done tonight

-Pete Yasses stated he was under the impression that if it wasn't in the zoning laws then you can't do it. If you are doing it are the rooms being inspected by the code enforcement officer

-Supervisor Hensel asked Pete Yasses if he asked the code enforcement officer

-Pete Yasses states no, he is asking the supervisor if she knows the answer

-Supervisor Hensel asked if he was referencing her boarding house on the four corners of Byron

-Pete Yasses states yes and asks how many bedrooms she has in the building

-Supervisor Hensel states four


- Pete Yasses asks how many sewer units does she pay for
- Supervisor Hensel states she pays for three
- Pete Yasses states she is short a unit then
- Supervisor Hensel states per years of zoning laws that what it is set up for she doesn't know why. She would have to look up the sewer local law. She states that as far as the inspection question yes they do get inspected by the code enforcement officer. She stated when the upstairs went from an apartment to a boarding house that those followed all the guidelines that were required.
- Barbie Starowitz states when she grew up there were seven individuals in the household if we are going to go by what Pete says then are we charging per person for the sewer
- Pete Yasses states no, that is not what he is saying. That is considered a families resident not a business
- Darla Barnum asks Supervisor Hensel how many bathrooms are in the building
- Supervisor Hensel states three
- Darla Barnum states maybe that is why you pay for three units then

ADJOURN:

A **MOTION** was made by Councilman Dilcher to adjourn the Byron Town Board meeting at 8:33pm. Councilman Thompson seconded the motion which was carried by the following vote:

Vote: Ayes: 3 Nays: 0 Absent: 1

Respectfully Submitted,



Kristy Murphy, Town Clerk