

TOWN OF BYRON TOWN BOARD MEETING

August 13, 2025

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

Supervisor.....	Candace Hensel
Councilman.....	Jeff Thompson
Councilman.....	Martin Dilcher
Councilman.....	Fred Klycek
Councilman.....	Brandon Mason
Highway Superintendent.....	David Leaton
Town Clerk.....	Kristy Murphy
Invited Guests	John Sansone, Town Attorney Mark Baily, MRB Group

PUBLIC: Cheryl Thompson Theresa Hammer Reggie Macdonald Steven Hohn
Robert Palmer Vic Digregorio Barbie Starowitz Lori Ivison Laura Platt Steve Lockner
John Durand Pete Lockner Bob Mrucek Don Yaxley Pete Yasses

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel.

APPROVAL OF MINUTES:

A MOTION was made by Councilman Dilcher to approve the minutes from July 9, 2025, July 23, 2025 and July 30, 2025

Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

ABSTRACTS/VOUCHERS RESOLUTION #25-60

Councilman Thompson 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	#8	#158 - #178	\$15,899.52
Highway Fund	#8	#69 - #83	\$524,337.17
Sewer Fund	#8	#45 - #48	\$4,527.65
Water Improvement Benefit #1	#8	#11	\$441.98

General Post Audit	#7	#36 - #42	\$2,432.53
Sewer Post Audit	#7	#14 - #15	\$599.87
Sewer Capital Post Audit	#7	#1	\$316.33

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

Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Supervisor Hensel-	Aye
Councilman Klycek-	Aye
Councilman Mason-	Aye
Vote: Ayes: 5	Nays: 0

BUDGET MODIFICATIONS RESOLUTION #25-61

TOWN OF BYRON

RECOMMENDED BUDGET MODIFICATIONS FOR YOUR NEXT MEETING:

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	A1990.4	Contingency	\$	10,000.00
		Unanticipated Revenue		
	A2590	Permits, Other	\$	7,102.00
	A2705	Gifts And Donations	\$	6,922.00
	A2705H	Hometown Heros	\$	557.00
		TOTAL:	\$	24,581.00

<i>Transfer To:</i>	A1220.4	Supervisor Contr	\$	97.00
	A1220.4C	Supervisor Contr - Excelsior Solar	\$	13.00
	A1355.4	Assessor Contractual	\$	612.00
	A1410.2	Clerk, equip & Cap Outlay	\$	570.00
	A1420.4A	Attorney Leatherleaf	\$	22.00
	A1420.4BW	Attorney BlueWave	\$	220.00
	A1420.4E	Attorney Leatherleaf	\$	319.00
	A1420.4D	Attorney Excelsior	\$	1,296.00
	A1420.4G	Attorney BlueWave Solar	\$	652.00
	A1440.4A	Engineer Leatherleaf	\$	103.00
	A1440.4B	Engineer BlueWave Solar	\$	13,002.00
	A1680.2	Central Data Process & Cap Outlay	\$	499.00
	A3650.4	Demo of Unsafe Buildings, Contr	\$	200.00
	A8510.4H	Hometown Heros	\$	6,976.00
			TOTAL:	\$ 24,581.00

GENERAL FUND BUDGET TRANSFERS RESOLUTION #25-62

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

BE IT RESOLVED, that the Byron Town Board authorizes the above transfers:
Councilman Klycek seconded the resolution which was adopted by the following polled vote:

Councilman Klycek-	Aye
Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Mason-	Aye
Supervisor Hensel-	Aye
Vote: Ayes: 5	Nays: 0

REAPPOINTMENT OF ASSESSOR RESOLUTION #25-63

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

BE IT RESOLVED, that the Byron Town Board reappoints Louise Passerall as the
Town of Byron Assessor effective dates October 1, 2025 – September 30, 2031
Councilman Klycek seconded the resolution which was adopted by the following polled vote:

Councilman Klycek-	Aye
Councilman Thompson-	Aye
Councilman Dilcher-	Aye
Councilman Mason-	Aye
Supervisor Hensel-	Aye
Vote: Ayes: 5	Nays: 0

SEWER RESERVE FUND UTILIZATION FOR CAPITAL FUND EXPENDITURES

-There was no petition filed against using these funds. Therefore budget transfers will be made and approved at the next town board meeting

BUDGET SUBMISSION

-Department budgets are due to Supervisor Hensel on or before August 20th
-Accountant visit is schedule for August 25th at 10:00am

FIRE/TOWN MEETING DISCUSSION:

-Fire meeting needs to be scheduled to discuss budget/contract for 2026
-Councilman Dilcher read aloud the following letter from Byron & S. Byron Fire Department:

Dear Sirs and Madam:

The present Byron Fire Department, South Byron Volunteer Fire Company INC., and Byron Rescue Squad's contracts require both departments to work together and combine their activities. This letter outlines the progress to date and lists the options for future activity. It is our understanding that the Town is looking to lower costs, utilize less manpower, and achieve an efficient operating structure.

We believe that there are two possible ways to accomplish the above request.

OPTION A: This would be done under the present contract by the year end.

- 1. Change the present activation codes so there is only one code dispatching Byron and South Byron Fire Departments to an emergency scene. (This would not include the Byron Rescue Squad as they require separate code.)**
- 2. Monday night training sessions will be combined for both departments' personnel.**
- 3. Training of equipment and procedures will be shared between departments.**
- 4. Use the CGR Report from 2014 as a guideline for merging.**
- 5. Create a forum/meeting for the Community Members to give feedback as to what would benefit the Community.**

OPTION B: This would cost an additional \$20,000 to \$40,000 for legal fees to evaluate and implement options. Byron Fire Department, South Byron Volunteer Fire Company Inc., and Byron Rescue Squad would be unable to pay any additional funds and would require the town to cover all legal fees.

- 1. Hire a lawyer to investigate various options.**
- 2. Implement the option that is agreeable to all parties.**

-Long discussion had between each fire department members and the town board
-Steve Lockner stated the departments spoke and they are requesting a public meeting be held to get community input on what the residents of the town of Byron want the future of the fire

departments to look like. Does the community want one department or two separate.

A **MOTION** was made by Councilman Thompson to schedule a special meeting for the purpose of discussing the future of Byron and South Byron Fire Departments on Wednesday, September 17, 2025 at 7:00pm. Meeting will be held at the South Byron Fire Hall.

Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

UNSAFE STRUCTURE UPDATE:

-Town Clerk contacted Genesee County Property and Bontrager's Auctioneer on August 4th to check the status of the auction. Per the county the property is in the hands of the attorney and the auctioneers. Per Bontrager's the property should be listed on their website within the next 3-4 weeks. The auction will run online for 3 weeks and will conclude on or around September 24th

SOLAR PROJECT ASSISTANCE DISCUSSION:

-Options were discussed in length as several options on who to move forward and if additional professional services were needed in regards to solar projects current and future

-Long discussion had regarding Shawn Grasby, owner of Grasby Consulting

-Long discussion had regarding Michael Dunn, Clean Energy Advisor

-Long discussion had regarding solar attorney law firms:

-Matthew Eldred, Senior Associate with Harter, Secrest & Emery LLP

-Dwight Kanyuck, with Knauf Shaw LLP

-After discussion the town board agreed to allow Supervisor Hensel to reach out to Mr. Michael Dunn, Clean Energy Advisor to review our existing solar zoning laws in conjunction with MRB Engineering Group. Supervisor Hensel will also reach out to solar attorney Mr. Dwight Kanyuck to request a contract be drawn up to retain his services to review our solar zoning laws after they have been reviewed by the above mentioned parties and for future solar projects needing the expertise of said solar attorney. The final contract will be reviewed by the town attorney and await board approval prior to Supervisor Hensel signing the contract.

REPORTS:

Highway Superintendent Report- David Leaton:

-New plow truck arrived

2014 MACK TRUCK SURPLUS RESOLUTION #25-64

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

BE IT RESOLVED, that the Byron Town Board approves turning the 2014 Mack Truck as surplus equipment and gives the Highway Superintendent the ability to auction the truck
Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

Councilman Dilcher makes the **MOTION** to accept the Highway Superintendent report.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Town Clerk Report-Kristy Murphy:

-Town of Byron Supervisor \$3,556.00
-Parks Committee (Town of Byron Supervisor) \$20.00
-Paid Ag & Market spay & neuter program..... \$85.00
-DEC \$80.30

-The rec program will be coming to an end on Friday. We had a wonderful turnout this year in attendance and staff. A big thanks to everyone who chipped in this year to make the program a success

-The town website is up and running as of today with a new domain name (townofbyronny.gov) it will redirect anyone looking for the site. I will be getting a little training on how I can edit the site in the next couple weeks. I will update the website with meeting minutes and agendas when I can. The next step I will need to start applying for .gov email addresses for everyone.

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

Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Supervisors Report- Candace Hensel:

-Financials were reviewed
-Budget requests are due
-Seminar last week vacant rental program housing shortage go to Genesee County website for further information
-Hazard mitigation plan from Genesee County
-GOGOV App presentation will take place at the supervisor's forum on August 27th at 7:00pm

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

Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Historical Society/Museum:

-Power Washing completed at the museum
-Painting has since been completed and paints that were leftover have been donated to the museum for any needed touch ups in the future
-Storm windows will be installed sometime in September
-The historical society dinner will be held on October 7th at 6:00pm at the Byron Fire Hall

Councilman Dilcher makes the **MOTION** to accept the Historical Society report.

Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Parks Report:

-Nicole Kulzer has been added as the new vice chairperson

- August 18th the parks committee will meet again to discuss budget needs
- The committee has seen many things to improve at the parks. Including a new fence to replace the chain link fence. A pickle ball court, new playground/swing set
- Andy Graham and her group planted 225 trees at Trestle Park the 2nd week in July
- The cameras that were placed recorded around 850 photos in 5 weeks. Of note was the finding that the Terry Street parking lot has had various cars in it all night at times. The Trestle Park parking lot has had 4-wheelers in its parking lot as late as 10:30pm. No damages were noted.
- Next meeting is September 4th at 7:00pm

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

Vote: Ayes: 5 Nays: 0

Sewer Report:

- Bids discussed for septic pumping from A.D. Call and Barefoot Septic
 - Pumping 1000 gallon tank, Barefoot Septic cost is \$200.00 per tank (approx. 65)
 - Pumping 1000 gallon tank A.D. Call cost is \$280.00 per tank (multiple)

SEWER PUMPING COST RESOLUTION #25-65

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

BE IT RESOLVED, that the Byron Town Board authorizes Shaun Dempsey to hire Barefoot Septic for the remaining 2025 septic pumping in the amount of \$200.00 (Two Hundred Dollars) per 1000 gallon tank.

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

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

FIRE/EMS Report:

South Byron:

- June- 8 Calls for service: 2 MVA, 3 Fire, 2 EMS, 1 False Alarm.
- Calls covered by 36 members totaling 39 man hours
- Training included 9 sessions and 136 man hours. Four members completed fire police training all members passed and remained
- July- 9 Calls for service: 2 MVA, 3 Fire, 2 EMS, 1 Gas, 1 Iphone activation/False Alarm
- Calls covered by 28 members totaling 47 man hours
- Training included 4 sessions and 31 man hours

Byron:

No Report

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

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

- John Durand states that Genesee County is updating their mutual aid plan. It should be forwarded to the towns when it is complete
- Vic De Gregerio asks if the executive session is for the contractor or the folks are not paying for debt service that were hooked up.
- Councilman Thompson states the contractor
- Vic De Gregerio asks what the status is in regards to the people who are not paying their debt service
- Councilman Thompson states no, a meeting has not been had yet
- Steve Hohn there were two laws that were passed at the last planning board meeting, when are those going to be passed
- Supervisor Hensel states at the next board meeting they came in too late to do this month
- Steve Hohn states he does not feel that hiring of solar attorneys or anything like that should not be coming out of tax payer money. He feels that it should be coming out of the mone we have received from solar. He asks what the board opinion on that is
- Supervisor Hensel states that a discussion with the comptroller and the bookeepers have been had. It is a possibility those funds could be used to pay for things like that to not directly affect the tax payers
- Steve Hohn states that if he is understanding correctly if there is a phase#2 in the excelsior project possibly there will be funds in that agreement we may not need to use the hosting agreement money
- Supervisor Hensel sates that it takes somethings to happen to trigger that but, yes that too is possible due to phase two possibly being an Article 8
- Anthony Nicolucci, Jr. asks what is the completion time frame on the excelsior project be done. Is there anything the town can do about the speed of these trucks on the county and state roads
- Supervisor Hensel states that the Excelsior project has contracted with the sheriffs department several times regarding trying to control the speed. She states she will contact the sheriffs on regarding Pumpkin Hill area
- Barbie Starowitz states thank you to the board trying to retain a solar attorney due to all the damage on Walkers Corner Road running into Starowitz Road. We need someone to enforce safety

Councilman Klycek makes the **MOTION** to move into executive session at 8:56pm
Councilman Dilcher seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

EXECUTIVE SESSION

-No action taken

Councilman Thompson makes the **MOTION** to adjourn executive session
Councilman Dilcher seconded the motion and carried the following vote:


Vote: Ayes: 5 Nays: 0

ADJOURN:

A **MOTION** was made by Councilman Thompson to adjourn the Byron Town Board meeting at 9:27 pm. Councilman Mason seconded the motion which was carried by the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,


Kristy Murphy, Town Clerk