

TOWN OF BYRON BOARD MEETING
May 8, 2024

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.....Martin Dilcher
- Councilman.....Fred Klycek
- Councilman.....Jeff Thompson
- Councilman.....Nathan Knickerbocker
- Highway Superintendent.....David Leaton
- Town Clerk.....Kristy Murphy

- Invited Guests.....Bridgette Cook, Town Attorney

- Public: Barbie Starowitz Don Yaxley Jim Lamkin John Frederick
- Twilly Lynch Terry Maid Jan Kent Bill Stevens Shannon Thompson
- Josh Kent Rob Palmer Lori Ivison Renee Mccartney Matt Meier

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel.

APPROVAL OF MINUTES:

A motion was made by Councilman Klycek to approve the minutes from April 10th and April 24th Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

WATER IMPROVEMENT BENEFIT AREA NO. 1 MRB Group:

Contract A- MRB letter certifies that all the water main, hydrants, valves, and appurtenances along the sections of road have been installed, tested and disinfected in substantial conformance with the plans and specifications prepared and approved on December 8, 2021.

- Warboys Road Searls Road Cook Road NYS Route 237
- Shelt Road Merrill Road Upper Holley Road Merriman Road

Contract B- MRB letter certifies that all the water main, hydrants, valves, and appurtenances along the sections of road have been installed, tested and disinfected in substantial conformance with the plans and specifications prepared and approved on December 8, 2021.

- Byron Road (NYS Route 262) Bank Street Road

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO SECTION (6-A) OF NEW YORK'S PUBLIC AUTHORITIES LAW

Resolution# 49

Councilman Thompson offered the following resolution and adoption of the following:

WHEREAS, The Monroe County Water Authority ("Authority") intends to provide public water service to 6199 Walkers Corners Road located in the Town of Byron; and

WHEREAS, the acquisition of the easement is necessary for operation, maintenance and the future replacement of the water main which will allow the Authority to continue to reliably provide potable water supply to the area; and

WHEREAS, the easement is located along the frontage of 6199 Walkers Corners Road (Tax Acct. No 9.0-1-1.12) which is owned by Jeremy J. Elliott; and

WHEREAS, section 1096(6-a) of New York's Public Authorities Law requires the Authority to obtain the prior approval of the Town Board for the above-referenced acquisition; now therefore be it

RESOLVED, that the Town hereby approves of the Authority's acquisition of the frontage easement located at 6199 Walkers Corners Road in accordance with section 1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the authority

Councilman Knickerbocker seconded the resolution and adopted by the following vote polled:

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

WATER IMPROVEMENT BENEFIT AREA #1

Resolution # 50

Councilman Dilcher 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 #7 to Pilon Construction Co. Inc, in the amount of \$1,028,991.28 (One Million Twenty-Eight Nine Hundred Ninety-One Dollars and Twenty-Eight Cents) for construction of Water Improvement Benefit #1, Contract A

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

Councilman Klycek-	Aye
Councilman Thompson-	Aye

Councilman Dilcher- Aye
 Councilman Knickerbocker- Aye
 Supervisor Hensel- Aye
 Vote: Ayes: 5 Nays: 0

Resolution # 51

Councilman Dilcher 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 #11 to Rochester Pipeline, Inc. in the amount of \$263,102.12 (Two Hundred Sixty- Three Thousand One Hundred Two Dollars and Twelve Cents) for construction of Water Improvement Benefit #1, Contract B

Councilman Thompson seconded the resolution an adopted by the following vote:
 Councilman Klycek- Aye
 Councilman Thompson- Aye
 Councilman Dilcher- Aye
 Councilman Knickerbocker- Aye
 Supervisor Hensel- Aye
 Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION # 52

Councilman Klycek 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	# 5	#86-107	\$24,523.47
Highway Fund	#5	#37-41	\$6456.33
Sewer Fund	#5	#20-33	\$11,488.73
Water Improv. Benefit Area #1	#5	#5-7	\$ 1,326,129.82

Councilman Thompson seconded the resolution which was adopted by the following vote:
 Councilman Klycek- Aye
 Councilman Thompson- Aye
 Councilman Dilcher- Aye
 Councilman Knickerbocker- Aye
 Supervisor Hensel- Aye
 Vote: Ayes: 5 Nays: 0

ASSESSMENT UPDATE:

The assessment letters have been mailed by the assessor.
 The grievance date is Thursday, May 23, 2024 between 5:00pm and 9:00pm at the Town Hall.

WATER DISTRICT #7 PARCELS NOT INCLUDED IN THE DEBT SERVICE

DISCUSSION:

Councilman Thompson wanted to know if there had been any movement with the lawyer on how to proceed with the debt service situation. Discussion was had and the lawyer was asked to review and advise how to move forward. Councilman Dilcher thought that this situation would warrant a call and/or a letter to the homeowners affected.

SLEDS OF STAFFORD:

Councilman Thompson makes the **MOTION** to authorize the supervisor to sign the Sleds of Stafford landowner permission for land use for the Sleds of Stafford trails for the 2024 – 2025 season.

Councilman Knickerbocker seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

2024 ROADSIDE STATE MOWING CONTRACT:

Councilman Dilcher offered the following resolution and adoption:

BE IT RESOLVED, that the Byron Town Board hereby approves the 2024 Roadside Mowing State Highway Contract in the amount of \$5,450.00 (Five Thousand Four Hundred Fifty Dollars) and authorize the Highway Superintendent to sign said contract on behalf of the Town of Byron.

Councilman Klycek seconds the motion and carried the following vote:

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

TAX COLLECTORS RESIGNATION:

Councilman Klycek makes the **MOTION** to accept Marilyn Weinert’s resignation as Tax Collector as of Tuesday, April 30, 2024.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

REPORTS:

Highway Superintendent Report- David Leaton

-Pudgies Greenhouse are doing planter boxes for the corner

-Nothing else to report

Councilman Klycek makes the **MOTION** to accept the highway report.

Councilman Thompson seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Town Clerk Report-Kristy Murphy

-Paid Ag & Market for the spay & neuter program.....\$78.00

-Paid NYS Comptroller..... \$30.00

-NYS Department of Health \$22.50

-Town of Byron Supervisor \$4,066.25

-Town Clerk is now approved and set up to do DEC licensing

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

Councilman Knickerbocker seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Supervisors Report- Candace Hensel:

-Current budget reflects a negative balance in a few line items

-Requesting the next meeting a discussion is had to go over the budget and look at the status of all the line items. A discussion about the shortfalls will need to be discussed with the accountant

-Audit response letter was drafted and read by Councilman Dilcher seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Councilman Dilcher makes the **MOTION** to accept supervisor report Councilman

Knickerbocker seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Historical Society/Museum Report-Don Yaxley:

-Reminder May 16th at the Presbyterian church. Author Dr. Laub will be speaking about his book "Two acres of Time" Reservations are needed, dinner tickets are \$18.00. There will be a basket auction taking place as well.

-Lynn Beluccio will be rearranging the museum and labeling all of the inventory

- Museum will be opening soon. Memorial Day – Labor Day on Sundays 2:00pm – 4:00pm

Councilman Thompson makes the **MOTION** to accept the historical society report

Councilman Knickerbocker seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Parks Report- Don Yaxley:

-At their meeting last week George Squires was appointed to the Gatekeeper Position & Creekside Rentals for the portable bathrooms.

-Sixty fish are being delivered on Friday, May 17th around 1030am to stock the pond

-On behalf of the parks committee he wanted to thank the Highway Department for restructuring the dock

Councilman Klycek makes the **MOTION** to accept the parks committee report

Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Fire/EMS:

-No Report

CEO/ZEO Report- Melissa Ierlan:

- Five permits were issued since last month
- A discussion was had about the need for moving a hydrant on Byron Road
- The grange building was discussed. National Grid was contacted to shut off service to the building. The CEO stated the building should be condemned a public hearing may be needed to do that. More information to follow
- A property maintenance law should be considered by the Town of Byron
Councilman Thompson makes the **MOTION** to accept the CEO/ZEO report Councilman Knickerbocker seconded the motion and carried the following vote:
Vote: Ayes: 5 Nays: 0

Planning/ZBA Leasion- Nathan Knickerbocker:

- Resident outside storage issues were discussed
- A discussion was had if it would be beneficial for the Town of Byron to have a once a year resident junk pickup.
- Zoning law revisions are still in the works
Councilman Knickerbocker makes the **MOTION** to accept the planning board report Councilman Dilcher seconded the motion and carried the following vote:
Vote: Ayes: 5 Nays: 0

Communications Committee- Ben Raccuia

- IT budget needs to be discussed as some technology needs to be updated
- Internet & phone providers discussed
- Sign donated by Byron Fire District delivery discussed
- New email providers were discussed
- Newsletter mailings discussed
- Using alternate providers for the website platform cost
- Next Meeting June 3rd
- Supervisor Hensel asked the agenda be emailed to Video News Service Agenda
Councilman Knickerbocker makes the **MOTION** to accept the communication report Councilman Klycek seconded the motion and carried the following vote:
Vote: Ayes: 5 Nays: 0

CERIC:

No Report

New business:

- A moment of silence was had for Gerry Berry, an employee of the Town of Byron.
- CEO/ZEO had a suggestion that the Town consider a non-conforming law
- Councilman Knickerbocker spoke briefly about the Imagination Station program. The program is excepting monetary donations to purchase children's books for all ages. He also mentioned that the Byron-Bergen Library will accept book donations.

PUBLIC COMMENTS:

-Ben Raccuia states he is running in the Primary Election for a spot on the Town Board. The Primary will be held on June 25th, 2024

-Resident wonders about the status of Warboys Road water hook up

-Resident is frustrated with how the contractors are leaving the condition roads after they complete for the day

-Resident on Coward Road is also commenting frustrations with the condition of the roads where she resides

Town Board called an Executive Session

Councilman Dilcher made the **MOTION** to end Executive Session. Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

ADJOURN:

A **MOTION** was made by Councilman Dilcher to adjourn the Byron Town Board meeting at 9:08p.m. Councilman Thompson seconded the motion which was carried by the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Kristy Murphy