

TOWN OF BYRON BOARD MEETING
July 10, 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.....Scott Mattison, MRB

Public: Barbie Starowitz Eric Richenberg Twilly Lynch Shannon Thompson Jan Kent
DonYaxley Corky Shaw Christine Orto Jim Lamkin Marilyn Weinert Brandon Mason
Ben Raccuia James Thorman Laurie Ivison Theresa Maid Reggie McDonald
Theresa Hammer Vic Degregio Dan Stevens

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel.

APPROVAL OF MINUTES:

A motion was made by Councilman Knickerbocker to approve the minutes from June 12, 2024 and June 20, 2024.

Councilman Klycek seconds the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

WATER IMPROVEMENT BENEFIT AREA NO. 1 MRB Group:

Contract A-Water service complete Tuesday July 16th. Completed water main install. Restoration continues through at least mid-August

Contract B- The recommendation has been made to not pay Rochester Pipeline at this time. The project is not complete at this time. There are complaints from homeowners and damage to the roads. There is a compiled list of issues that need to be addressed

RESOLUTION# 62

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 #9 to Pilon Construction Co. Inc, in the amount

of \$205,257.00 (Two Hundred Five Thousand Two Hundred Fifty Seven Dollars) for construction of Water Improvement Benefit #1, Contract A, Councilman Knickerbocker seconded the resolution an adopted by the following polled vote:

Vote: Ayes: 5 Nays: 0

COMPTROLLER RESPONSE DISCUSSION

-Due date is 9/1/2024

-Corrective action plan needs to be done. If the draft could be ready by the next meeting to discuss

-Councilman Klycek, Councilman Dilcher and Highway Superintendent Leaton will be working on the response letter to the comptroller

YOUTH DEVELOPMENT PROGRAM FUNDING

Resolution #63

Councilman Knickerbocker offered the following resolution and moved for its adoption: **WHEREAS**, the Town of Byron Town Board authorizes the Supervisor to sign the agreement between the County of Genesee acting on behalf of the Genesee County Youth Bureau and the Town of Byron Summer Recreation Program with regard to funding the Town of Byron Summer Recreation Program in the amount of \$2,000.00.

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

Vote: Ayes: 5 Nays: 0

BUDGET MODIFICATIONS:

RECOMMENDED BUDGET MODIFICATIONS

July 10th 2024

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	A1990.4	Contingency	\$ 5,635.00
		Unanticipated Revenue	
	A2401B	Interest - General Cap Reserve	\$ 12,000.00
		TOTAL:	\$ 33,735.00
<i>Transfer To:</i>	A1110.4A	Muni Court, Contr-Audit	\$ 595.00
	A1420.4	Law, Contr Expend	\$ 5,000.00
	A9901.9	Transfers, Other Funds	\$ 23,100.00
		TOTAL:	\$ 28,695.00
Reduce Revenue:	A1120	Non Prop Tax Dist. By County	\$ 5,000.00
		TOTAL:	\$ 33,695.00

FIRE DISTRICTS

<i>Transfer From:</i> SF1120	Sales Tax (from County)	\$ 5,000.00
		<u>\$ 5,000.00</u>

<i>Transfer To:</i> SF-3410.4	Fire Protection, Contr Expend	\$ 5,000.00
		<u>\$ 5,000.00</u>

WATER IMPROVEMENT BENEFIT AREA #1

<i>Transfer From:</i> SWBA1-5031	Interfund Transfers	\$ 23,100.00
		<u>\$ 23,100.00</u>

<i>Transfer To:</i> SWBA1-9710.7	BOND Interest	\$ 23,100.00
		<u>\$ 23,100.00</u>

With these Transfers the Town of Byron Board is authorizing a temporary loan from General to Water Improvement Benefit Area #1 to cover the additional interest owed on the project.

RESOLUTION #64

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

BE IT RESOLVED, that the Byron Town Board authorizes the following General Fund, Fire Districts and Water Improvement transfers:

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

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

ABSTRACTS

RESOLUTION #65

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

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

Fund	Abstract	Vouchers	Amount
General Fund	#7	#150-165	\$15,233.05
Highway Fund	#7	#49-60	\$80,966.41
Sewer Fund	#7	#44-46	\$5,050.88
Water Improv Benefit Area #1	#7	#14-15	\$329,009.55
General Post Audit	#6	#147-149	\$474.30
Sewer Post Audit	#6	#42-43	\$567.90

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

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

REPORTS:

Highway Superintendent Report- David Leaton

- Tower Hill stone laid
- Cook Road being stoned next week
- Roadside mowing is being worked on

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

Councilman Dilcher 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.....\$48.00
- Paid DEC \$75.58
- Town of Byron Supervisor \$3,190.92
- Byron Park.....\$70.00
- MMB Audit started Tuesday working through that
- Reminder that the Byron Rec program is happening
- Town wide garage sales are taking place on Saturday July 27th along with the 5K and a Kiwanis drive-thru only Chicken BBQ.
- I have had two families reach out at this point showing some interest regarding the military flags.

Councilman Knickerbocker makes the **MOTION** to accept the clerk report.

Councilman Klycek seconds the motion and carried the following vote:

Supervisors Report- Candace Hensel:

- Financials reviewed
- Budget request need to be back to the supervisor by August 22nd
- Supervisor is going to be requesting a stipend for her personal cell phone usage
- RT 262 Solar project is underway with trying to get together a hosting and pilot agreement
- Supervisor requesting that town board has contact information on the website
- Supervisor may be requesting another camera and monitor in the supervisors office
- Supervisor is requesting that we use the Associations of Towns for legal advice rather than the town lawyer

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

Vote: Ayes: 5 Nays: 0

Historical Society/Museum Report-Don Yaxley:

- Hiring a new employee discussed. The board is asked if they are willing to provide the payroll process if a new employee is hired by the museum. Town attorney was approached if this situation is possible since the new hire would not be an employee of the town. Discussion will continue.
- 9 members
- Pictures are being preserved
- Printer scanner just received

Councilman Knickerbocker makes the **MOTION** to accept the historical society report.
Councilman Dilcher seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Parks Report- George Squires:

- Two cameras were placed that were donated
- Next meeting July 10, 2024

Councilman Thompson makes the **MOTION** to accept the parks committee report
Councilman Klycek seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Fire/EMS:

- July 23rd there is a meeting to discuss the merging of the two departments

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO Report- Melissa Ierlan:

Permit Report by Type

06/01/2024 - 07/09/2024
Permit Type: All

Permit Type: Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount
Deck 15-24		6600 Route 262	7-1-50.12	07/08/2024	50.00	50.00

Project Identifier	Applicant	Parcel Location	Project Type	A
PBA-2024-065	Byron Holley Self-Storage LLC	6772 Route 237	Land Separations	
	70 feet from adjacent property to 6772 Byron Holley Rd.			
PBA-2024-066	Star Growers Farm, LLC	Merriman Rd	Land Separations	
	land seperation			
PBA-2024-067	None	5671 Route 262	Land Separations	
	separate bldg lot from larger parcel containing single family home and outbuilding			

I am working on issues with the Dollar General currently. There are items that were supposed to be completed in the spring which are still not done. Getting a hold of the right person and waiting for an answer has not proved to be an easy task. I have sent a list of items of concern to the district manager and am waiting for a response.

I received a complaint by email from a resident concerning the old grange building.



A discussion was had with Scott Mattison and the Town Board on how to handle the fire hydrant above. The complaint came from the CEO. Monroe County Water Authority will be contacted regarding how to handle the hydrant.

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

Vote: Ayes: 5 Nays: 0

Planning/ZBA Nathan Knickerbocker:

-Zoning Laws are still being worked on

-The County is working on new maps at this time

Councilman Thompson 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

-Planning board Minutes/Agenda were discussed putting them on the website

-Fireman's Sign that was donated was discussed

-App for communication

-Park updates on the calendar

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 Darla Barnum:

-Grant received in \$15,000 for energy upgrades and audit for the Town Building from NYSERTA

Councilman Knickerbocker makes the **MOTION** to accept the CERIC report

Councilman Dilcher seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

Sewer Report:

-Sewer Report compliance was discussed due to low PH levels

-Grants were discussed. WIIA and WQIP Grants are being worked on

-Mobile home park study was discussed. The study has been completed at this time. Those findings will be sent in with the grant request as well.

-Per Supervisor Hensel Shaun Dempsey is getting quotes for some work that needs to be done next year including septic tank replacement and pumping

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

Councilman Thompson seconded the motion and carried the following vote:

Vote: Ayes: 5 Nays: 0

NEW BUSINESS:

-Nathan Knickerbocker mentions the Imagination Library is in need of donations. Please contact Ann Marie Barclay

-There is a jury trial set for July 29th here at the Town Hall. Both court security on staff are not available on that date. Justice Mattice is requesting we hire substitute court security Eric Koziarski per diem for this case

A motion was made by Councilman Dilcher to appoint Eric Koziarski as a substitute per diem court security coverage through December 31, 2024 at a rate of \$25.00 an hour. The motion was seconded by Councilman Thompson and carried the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC COMMENTS:

- Corky Shaw- What is going on with the solar project?
- Councilman Dilcher states the they are testing the ground from what he understands for the solar project
- Corky Shaw asks are the issues with Rochester Pipeline going to be able to be fixed?
- Councilman Dilcher says he hopes that the issues can be cleared up. Currently payment is being held in the hope that it helps get things taken care of
- Jan Kent mentions the August 3rd picnic in the park 3-7
- James Thorman requesting if anyone is interested in getting a network together for a parent group
- Eric Richenburg is asking if the heater David was asking about could fall under the grant money
- Ben Raccuia comments about how the Highway Superintendent handled a situation in May
- Barbie Starowitz questioning the FOILS she received regarding the bills she requested from MRB and Paul Boylan.

ADJOURN:

A **motion** was made by Councilman Dilcher to adjourn the Byron Town Board meeting at 8:56pm.

Councilman Thompson seconded the motion which was carried by the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Kristy Murphy
Town Clerk