

TOWN OF BYRON BOARD MEETING

April 10, 2024

The Byron Town Board Meeting was called to order by Supervisor Candace Hensel at the Byron Town Hall at 7:04pm with the following people present:

Supervisor Candace Hensel
Councilmen Martin Dilcher
Councilmen Fred Klycek
Councilmen Jeff Thompson
Councilmen Nathan Knickerbocker

Highway Superintendent David Leaton
Town Clerk Kristy Murphy

Invited Guests MRB Group Scott Mattison
Bridgette Cook

Public:

Jim Lamkin Bill Stevens Vic DiGregorio Josh Kent Rob Palmer Don Yaxley
Jan Kent Steven Hohn Renee McCartney Terry Saluste Rayman Messacar
Barbie Starowitz Cheryl Thompson Michelle Yasses Pete Yasses Laura Platt
Debra Buck-Leaton Shannon Thompson Krystana Lang Elizabeth Wilson
Jack Redick

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Supervisor Hensel

MINUTES

A MOTION was made by Councilman Klycek to approve the minutes from February 14, 2024 and March 27, 2024 Councilman Knickerbocker seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

WATER IMPROVEMENT BENEFIT AREA #1

Scott Mattison spoke about progress. Contract A is currently installing water main on Bird Road, when that is done, they will move to North Bergen Road. Once North Bergen Road is complete, they will be finished with the water main. Working on pressure testing and disinfecting all the water main now. When that is completed, they will begin on services. Contract B has 100% of the water main is in. They have started installing services. Completed service for Old State Road and Route 33. From there they will head north. Half of the water main has been pressure tested and health sampled. Working on starting the health sampling on the other half. Question posed will the work be done on time. Contractors will need to be asked for a schedule however, most likely will not be on time. If the job is not finished on time the contractors will be charged \$1200.00 per day after substantial completion which is April 28th.

WATER IMPROVEMENT BENEFIT AREA #1 CONTRACTOR'S PAYMENT RESOLUTION# 39

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" # 6 Pilon Construction Company Inc. in the amount of \$403,032.64 (Four Hundred Three Thousand Thirty-Two Dollars and Sixty-four cents) for construction of Water Improvement Benefit Area#1 Contract A. payment to be made within five days of confirmation that appropriate funds have been deposited by USDA.

Councilman Klycek seconded the resolution an adopted by the following vote polled:

Councilman Dilcher	Aye		
Councilman Klycek	Aye		
Councilman Thompson	Aye		
Councilman Knickerbocker	Aye		
Supervisor Hensel	Aye		
VOTE:	AYES: 5	NAYS:0	

RESOLUTION# 40

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

BE IT RESOLVED, that the Byron Town Board hereby approves and authorizes the Supervisor to sign the Contractors "Application for Payment" #10 Rochester Pipeline Inc. in the amount of \$325,562.96 (Three Hundred Twenty-Five Thousand Five Hundred Sixty-Two Dollars and ninety-six cents) for construction of Water Improvement Benefit Area#1 Contract A. Payment to be made within five days of confirmation that appropriate funds have been deposited by USDA.

Councilman Dilcher seconded the resolution an adopted by the following vote polled:

Councilman Dilcher	Aye		
Councilman Klycek	Aye		
Councilman Thompson	Aye		
Councilman Knickerbocker	Aye		
Supervisor Hensel	Aye		
VOTE:	AYES: 5	NAYS:0	

GRANT FUNDING

Supervisor Hensel requested the Town Board make a resolution and adopt the Climate Smart Community DEC Pledge to gain an additional five points on another grant request. Discussion had regarding how binding is this pledge. Pledge was tabled until the next meeting to look into why the pledge had been turned down by the town board twice. Legal council will review the pledge and report back at the next meeting.

TOWN JUSTICE

Appointed Town Justice Edward Schenk was introduced. He will be going to a conference next week for training.

ABSTRACTS

RESOLUTION #41

Councilman Knickerbocker offered the following resolution and moved for its adoption: Resolved, that the Byron Town Board pay the following abstracts:

<u>Fund</u>	<u>Abstract</u>	<u>Vouchers</u>	<u>Amount</u>
General Fund	#4	#70 - #85	\$10,049.53

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

Councilman Dilcher Aye
 Councilman Klycek Aye
 Councilman Thompson Aye
 Councilman Knickerbocker Aye
 Supervisor Hensel Aye
 VOTE: AYES: 5 NAYS: 0

Councilman Dilcher offered the following resolution and moved for its adoption:
 Resolved, that the Byron Town Board pay the following abstracts:

Fund	Abstract	Vouchers	Amount
Sewer Fund	#4	#38 - #41	\$4,148.46

Councilman Thompson seconded the resolution an adopted by the following vote polled:

Councilman Dilcher Aye
 Councilman Klycek Aye
 Councilman Thompson Aye
 Councilman Knickerbocker Aye
 Supervisor Hensel Aye
 VOTE: AYES: 5 NAYS: 0

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
Water Improve Benefit Area 1	#4	#5 - #8	\$772,698.36
Highway	#4	#27 - #36	\$8,064.67

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

Councilman Dilcher Aye
 Councilman Klycek Aye
 Councilman Thompson Aye
 Councilman Knickerbocker Aye
 Supervisor Hensel Aye
 VOTE: AYES: 5 NAYS: 0

HIGHWAY SUPERINTENDENT REPORT- DAVID LEATON

All is good nothing to report

A MOTION was made by Councilman Thompson to accept the highway report.

Councilman Knickerbocker 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.... \$41.00

-Paid the Supervisor for the month of January, February and March.....\$6,394.00

A MOTION was made by Councilman Thompson to accept the town clerk report. Councilman Knickerbocker seconds the motion and carried the following Vote:

VOTE: AYES: 5 NAYS: 0

SUPERVISOR REPORT- CANDACE HENSEL

-Financial Report discussed and tabled due to discrepancies until the April 24th meeting

A MOTION was made by Councilman Knickerbocker to table the financial reports until the next meeting and Supervisor seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

-Attending an accounting class in May

-BAN renewed for Water Improvement Benefit Area #1 last week. Payoff should be made in July prior to the due date in December.

HISTORICAL COMMITTEE- DON YAXLEY

-Contractors have provided quotes for insulation of the museum, quotes were discussed.

-Budgeted for this project in 2023 was \$6,600.00. The 2024 quote for the insulation and the recommended contractor by the Historical Society is Andy's Insulation. The cost of the project is a total of \$8,350.00. The difference in price the Historical Society will take out of their checking account a cost to them of \$1750.00.

A MOTION was made by Councilman Klycek to accept the Historical Society's recommendation to use Andy's Insulation as their contractor. The Town will provide the budgeted amount of \$6600.00 and the Historical Society will pay the remaining balance of \$1750.00 Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

A MOTION was made by Councilman Thompson to accept the Historical committee report. Councilman Knickerbocker seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

PARKS COMMITTEE- DON YAXLEY

-George Squires is planning on restocking the fish in Trestle Park in May. Sixty fish have been purchased from the Genesee County Soil and Water Conservation for \$210.00. The expense is anticipated to be covered by a donation

-Elba boy scouts are planning on camping in Trestle Park June 7th,8th and 9th 2024. They will not have the equipment to spread wood chips around this year. They will assist in checking the white plastic tubes that were placed on the trees that were planted last year.

A MOTION was made by Councilman Klycek to allow the boy scouts to camp the park for the listed three days. Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

-Picnic tables are planning to be painted

-Planning on some additional cleanup work being done by citizens in the west shore and trestle park. That will take place on April 20th at 3:00pm. April 21st will be the rain date.

- Next meeting May 2nd at 7:00pm in the community park on McElver Street

A MOTION was made by Councilman Thompson to accept the parks committee report. Councilman Knickerbocker seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

FIRE/EMS REPORT

No Report

A MOTION was made by Supervisor Hensel to accept no fire/ems report. Councilman Klycek seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

CEO/ZEO REPORT- Melissa Ierlan

-In town court this week for a ticket issued to a resident. Resident has been before the last judge for the same issue. I have asked the town attorney for assistance with this case

- Dollar General is open. When the weather gets better there are outside items that need to be done
 - I am going to work with the planning board on some things they can use for their required four hours of yearly training. Patrick Carr the secretary will be keeping track of their hours
 - I will be taking some training to continue on with my required training
- A MOTION was made by Councilman Dilcher to accept the CEO/ZEO report.
Councilman Klycek seconds the motion and carried the following vote:
VOTE: AYES: 5 NAYS: 0

PLANNING BOARD REPORT

-Councilman Knickerbocker states the planning board is still working on their zoning law revisions they are coming along well. Revisions may be ready in about six months or sooner. Bridgette O'Toole spoke about Paul Boylan's comments on the revisions.

A MOTION was made by Councilman Klycek to accept the planning board report.
Councilman Dilcher seconds the motion and carried the following vote:
VOTE: AYES: 5 NAYS: 0

COMMUNICATIONS REPORT

- A recommendation was made to use the TV for the agenda since folks ran out of copies
- The quote from Millenium Computers is being reviewed by Mike and Paul from Genesee County IT Department.
- Usage of clerk's software system specifically BAS was discussed wanting to verify that we have the most up to date version of BAS. As well as looking at the possibility of using that platform for the town website.
- Possibility of getting a town owned video camera to tape the meetings if the funds are not going to be available any longer to have video news service tape.
- Newsletter options discussed. Possibly the newsletter could be done every two months. Dispersed via email, mail and possibly local businesses could have them available too
- Signage in front of the town building was discussed. Question was posed if it would be possible to borrow Byron Fire Departments old sign once the new one is placed
- Prior town clerk was contacted electronically and asked for the Facebook password to the town's Facebook page. If that is not available a new Facebook page will be created.
- Next Meeting May 6th

A MOTION was made by Councilman Dilcher to accept the communications report. Councilman Knickerbocker seconds the motion and carried the following vote:
VOTE: AYES: 5 NAYS: 0

UNFINISHED TOWN BUSINESS

-Supervisor Hensel will discuss with Alicia from video news about possibly donating footage and what that would look like since the money that was paid by someone may be coming to an end.

NEW TOWN BUSINESS

-Councilman Thompson inquired about an issue with the town clerks' pay. He asks why the clerks' pay changed from the discussed salary at the appointment on February 14, 2024. A lengthy discussion was had.

RESOLUTION #42

Councilman Thompson motioned to have the town clerk job description approved and a resolution made. Supervisor Hensel objected to an approval of the resolution. A lengthy discussion was had.

A MOTION was made by Councilman Knickerbocker to table the adoption of the written town clerk job description until the April 24, 2024 meeting. Councilman Klycek seconds the motion and carried the following vote:

VOTE: AYES: 3 NAYS: 2

RESOLUTION #43

A MOTION was made by Councilman Thompson to correct the town clerks pay immediately, retroactively to begin March 6, 2024 to include the sewer billing town clerk pay and to also retroactively include the in lieu of paid benefit as discussed on January 3, 2023. Reference Resolution #16 and #17 regarding town clerk medical/dental benefits. Councilman Dilcher seconds the motion and carried the following vote polled:

Councilman Dilcher Aye
Councilman Klycek Aye
Councilman Thompson Aye
Councilman Knickerbocker Aye
Supervisor Hensel Aye

VOTE: AYES: 5 NAYS: 0

RESOLUTION #44

A MOTION was made by Councilman Thompson at the request of the Town Clerk to appointment Debra Buck-Leaton as Deputy Town Clerk immediately. To be paid \$21.00 an hour, to receive a key to the front door and alarm code access number. Councilman Dilcher seconds the motion and carried the following vote polled:

Councilman Dilcher Aye
Councilman Klycek Aye
Councilman Thompson Aye
Councilman Knickerbocker Aye
Supervisor Hensel Aye

VOTE: AYES: 5 NAYS: 0

PUBLIC COMMENTS

-Don Yaxley wanted to confirm the gatekeeper posting was sent to the Batavia Daily News and the bathroom quotes were sent to the contractors for quotes.

-The CEO/ZEO took the historical marker sign down, cleaned, painted and put it back up. It looks great.

ADJOURN

A MOTION was made by Councilman Knickerbocker to adjourn the Byron Town Board Meeting at 9:21pm Councilman Dilcher seconds the motion and carried the following vote:

VOTE: AYES: 5 NAYS: 0

Respectfully Submitted,

Kristy Murphy
Byron Town Clerk