

May 9, 2019
WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board of the Town of Macedon held May 9, 2019 at the Town Complex, 32 Main Street, in the Town of Macedon was called to order by Supervisor Sandy Pagano at 7:30 p.m.

Pledge of Allegiance.

Upon Roll Call, the following members of the Board were

Present:

Councilperson	David McEwen
Councilperson	David Maul
Councilperson	Paul Kenyon
Councilperson	Bruce Babcock
Supervisor	Sandy Pagano

Absent:

Also Present:

Attorney	David Fulvio
Chief of Police	John Colella
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 117 (2019) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the April 25, 2019 (regular meeting)

MOTION BY KENYON, SECONDED BY BABCOCK

ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Reports:

April Town Clerk Report

April Police Report

EMS Report

RESOLUTION NO. 118 (2019) APPROVAL OF REPORTS

RESOLVED the reports be approved as submitted

MOTION BY KENYON, SECONDED BY BABCOCK

ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Speaker:

MS4 – Kim Boyd

Presented a presentation to bring awareness to residents about what goes down the storm water drains.

RESOLUTION NO. 119 (2019) BUILDING AND ZONING SEASONAL EMPLOYEE

BE IT RESOLVED that the Town Board Authorizes Scott Allen, Town Engineer, to hire John L. Marron at \$12.00 an hour as a seasonal employee beginning the week of May 20, 2019 to be expensed from account A8010.100.

MOTION BY BABCOCK, SECONDED BY MAUL

ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 120 (2019) HEALTH OFFICER – DR. JAMIE SYRETT

WHEREAS, pursuant to Article III, Title II of the Public Health Law, the local board of health has, or contemplates, the appointment of Jamie Syrett as its Health Officer pursuant to Section 320 of the Public Health Law, and

WHEREAS, Dr. Jamie Syrett is desirous of accepting such appointment upon certain terms and conditions:

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. During the term of Dr. Jamie Syrett's tenure as Health Officer of the Town of Macedon, he shall be compensated on an hourly basis in accordance with an hourly rate established each calendar year by agreement between Dr. Jamie Syrett and the Macedon Town Board. The rate for 2019 will be \$200.00 per hour plus mileage upon completion as set forth in the public health law.
2. The Town of Macedon warrants to Dr. Jamie Syrett that he is covered pursuant to Local Law No. 2 of 1985 promulgated pursuant to Section 18 of the Public Officers Law, providing for defense and indemnification of town officers and employees in any civil action brought against them, and the Town maintains and will maintain liability insurance covering such exposure

MOTION BY MAUL, SECONDED BY MAUL

ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 121 (2019) DELAWARE RIVER SOLAR/BERGMANN ASSOCIATES – FREY ROAD (LARKIN) SEQRA NEGATIVE DECLARATION

WHEREAS, Bergmann Associates, and Delaware River Solar are proposing to construct a 4.8 MW principal use ground mounted solar array on property off Frey Road and West Walworth Road in the Town of Macedon,

AND WHEREAS, the proposed use is permitted in the AR-40 zoning district as a Special Use approved by the Town Board.

AND WHEREAS, the arrays are to be placed "on grade" with only minor ground disturbances to construct access drives and install mechanical equipment.

AND WHEREAS, the Applicant proposes to share the existing access driveway for the Wireless Communication Tower on the same property.

AND WHEREAS, the Town Planning Board has reviewed and recommended approval of the application.

AND WHEREAS, the Wayne County Planning Board reviewed the application and failed to make a recommendation for approval, modification, or disapproval, and has returned the application to the Town for review and approval without need for an extraordinary vote.

BE IT RESOLVED, that the Town Board of the Town of Macedon, does hereby find and resolve as follows:

1. The proposed action is subject to the State Environmental Quality Review Act.
2. The proposed action does not involve a Federal agency.
3. The proposed action does not involve a State agency.
4. Using the information available and comparing it with the thresholds set forth in section 6 NYCRR 617.4, the action is found to have a preliminary classification of Unlisted.
5. As an Unlisted action, a Long EAF has been prepared by the Applicant and Town Engineer to determine the significance of the proposed action.
6. The proposed action is not located in a coastal area.
7. The proposed action is located in an agricultural district.
8. A non-coordinated Review for Unlisted actions involving a single agency has been performed.
9. The Macedon Town Board is the lead agent.

10. The Macedon Town Board hereby determines that the proposed action is in general conformance with the adopted town-wide Master Plan, and will not result in any significant adverse environmental impacts, a Negative Declaration is declared, and the Town Board hereby directs the Town Clerk to immediately file the determination in accordance with section 6 NYCRR 617.12.
11. In reaching this finding, the Town Board has:
 - (a) Considered the action as defined in sections 6 NYCRR 617.2 (b) and 617.3 (g),
 - (b) Reviewed the EAF, the criteria contained in subdivision 6 NYCRR 617.7 (c) and any other supporting information to identify the relevant areas of environmental concern,
 - (c) Thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and,
 - (d) Set forth its determination of significance in this resolution, in addition to the corresponding long environmental assessment form.
12. In determining significance, the Town Board has determined whether the proposed Unlisted Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action compared against the criteria in 6 NYCRR 617. The criteria considered indicators of significant adverse impacts on the environment were:
 - (a) A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
 - (b) The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant wildlife habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to the natural resources;
 - (c) The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14 (g);
 - (d) The creation of a material conflict with a community's current plans or goals as officially approved or adopted;
 - (e) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
 - (f) A major change in the use of either the quantity or type of energy;
 - (g) The creation of a hazard to human health;
 - (h) A substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources or in its capacity to support existing uses;
 - (i) The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
 - (j) The creation of material demand for other actions that would result in one or the above consequences;
 - (k) Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
 - (l) Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria of this subdivision.
13. For the purposes of determining whether an action may cause one of the consequences listed above, the Town Board considered reasonably related long-term, short-term, direct, indirect, and cumulative impacts, including other simultaneous or subsequent actions, which were;

- (a) Included in any long range plan of which the action under consideration is a part;
- (b) Likely to be undertaken as a result thereof, or
- (c) Dependent thereon.

14. In addition, the Town Board considered the significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:

- (a) Its setting (e.g., urban or rural);
- (b) Its probability of occurrence;
- (c) Its duration;
- (d) Its irreversibility;
- (e) Its geographic scope;
- (f) Its magnitude; and
- (g) The number of people affected.

MOTION BY KENYON, SECONDED BY BABCOCK
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Roundtable:

- *Library book sale will be May 12-19th
- *Family Fun Day will be June 15, 2019
- *Shredding Event – was a success and will be in June next year
- *Leaf and brush pick up days are the 1st and 3rd Monday's of the month.
- *The Macedon Library will be having an event titled Erie Canal Heritage Connection. This event will be held on July 27, 2019 from 10-4 at Lock 30. For more information regarding the event please stop in at the Macedon Library.
- *Memorial Day parade will be held on May 27th at the Macedon Center Historical Society at 11:00.
- *A resident asked if we knew what Waste Management was doing with a new entrance on Wayneport near Quaker Rd. The Town Board said that Waste Management was putting in a new entrance for the trucks so that it was not at the bottom of Wayneport near the railroad tracks.

RESOLUTION NO. 122 (2019) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:26 p.m. to discuss contracts
MOTION BY KENYON, SECONDED BY BABCOCK
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE,
MOTION CARRIED

DECLARED OUT OF EXECUTIVE AT 9:29 PM

ABSTRACT NO. 11

2019 # 780-880	\$101,536.39
2019 HA# 9	\$ 7,470.00
2019 TA#33	\$ 500.00
	<u>\$109,506.39</u>

RESOLUTION NO. 123 (2019) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited
MOTION BY KENYON, SECONDED BY MCEWEN
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE,
MOTION CARRIED

MOTION BY KENYON, SECONDED BY MCEWEN THE MEETING BE ADJOURNED AT 9:31 PM.

Karrie M. Bowers

Karrie M. Bowers, Macedon Town Clerk, RMC