

November 5, 2020
WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board is being held remotely in accordance with Executive Order 202.15 issued on June 2, 2020 by the Governor. The Town of Macedon held the Board meeting on November 5, 2020 at the Town Complex, 32 Main Street, in the Town of Macedon and via Zoom was called to order by Supervisor Kim Leonard at 7:30 p.m.

Pledge of Allegiance.

Upon Roll Call, the following members of the Board were

Present:

Councilperson	David Maul
Councilperson	David McEwen
Councilperson	Bruce Babcock
Councilperson	Richard Roets
Supervisor	Kim Leonard

Absent

Also Present:

Attorney	David Fulvio
Chief of Police	John Colella
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 238 (2020) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the October 22, 2020 (regular meeting)
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK ABSENT, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Reports:

October Police Report
October Town Clerk Report

RESOLUTION NO. 239 (2020) APPROVAL OF REPORTS

RESOLVED the Board approves the reports as submitted
MOTION BY MCEWEN, SECONDED BY ROETS
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK ABSENT, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 240 (2020) STATE SNOW & ICE SUPPLEMENTAL AGREEMENT NO. 1- 2020/21

RESOLVED the Town Board approves the State Snow & Ice Supplemental Agreement No. 1, Contract No. D014844 season 2020/2021 and authorizes the Highway Superintendent to sign said agreement.
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK ABSENT, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 241 (2020) APPOINTMENT TO THE BULLIS ADVISORY BOARD – 3 YR TERM

RESOLVED the Town Board appoints Jackie Krocke for a 3 yr. term to the Bullis Advisory Board.
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK ABSENT, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 242 (2020) LABELLA - PROPOSAL OF SERVICES AGREEMENT

RESOLVED the Board authorizes the Supervisor to sign the Proposal of Services Agreement with LaBella in the amount not to exceed \$25,000 to be expensed from A1440.403
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK ABSENT, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Councilman Babcock enters the Board meeting at 7:37 pm

7:40 PM PUBLIC HEARING ADOPTION OF SPECIAL ASSESSMENT ROLL FOR MACEDON CONSOLIDATED SEWER DISTRICT NO. 1

RESOLUTION NO. 243 (2020) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 25, 2020 issue of the Times be waived.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Public hearing is now open

- Having heard no Public Comment

RESOLUTION NO. 244 (2020) PUBLIC HEARING CLOSED

RESOLVED that the Public Hearing be closed at 7:41 p.m.

MOTION BY MCEWEN, SECONDED BY BABCOCK

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 245 (2020) ADOPTION OF SPECIAL ASSESSMENT ROLL FOR MACEDON CONSOLIDATED SEWER DISTRICT NO. 1

WHEREAS, the Town Board duly held a Public Hearing on November 5, 2020 at 7:40 p.m. for the purpose of hearing public comment regarding the proposed annual special assessment roll for Macedon Consolidated Sewer District No. 1;

WHEREAS, the Town Board hereby finds that the special assessment roll assesses the amount of the estimate of expenditures, less the estimate of revenues, on the lots and parcels of land against which the expense of the improvements are to be charged, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom; now therefore

BE IT RESOLVED, the Town Board hereby adopts the annual special assessment roll for Macedon Consolidated Sewer District No. 1.

BY ORDER OF THE TOWN BOARD

TOWN OF MACEDON

Karrie Bowers, Town Clerk

Dated: 11-5-20

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

7:45 PM PUBLIC HEARING ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE HAMLET OF MACEDON SEWER DISTRICT

RESOLUTION NO. 246 (2020) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 25, 2020 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY MCEWEN

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Public hearing is now open

- Having heard no Public Comment

RESOLUTION NO. 247 (2020) PUBLIC HEARING CLOSED

RESOLVED that the Public Hearing be closed at 7:46 p.m.

MOTION BY BABCOCK, SECONDED BY MCEWEN

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 248 (2020) ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE HAMLET OF MACEDON SEWER DISTRICT

WHEREAS, the Town Board duly held a Public Hearing on November 5, 2020 at 7:45 p.m. for the purpose of hearing public comment regarding the proposed annual special assessment roll for the Hamlet of Macedon Sewer District;

WHEREAS, the Town Board hereby finds that the special assessment roll assesses the amount of the estimate of expenditures, less the estimate of revenues, on the lots and parcels of land against which the expense of the improvements are to be charged, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom; now therefore

BE IT RESOLVED, the Town Board hereby adopts the annual special assessment roll for the Hamlet of Macedon Sewer District.

BY ORDER OF THE TOWN BOARD
TOWN OF MACEDON
Karrie Bowers, Town Clerk
Dated: 11-5-20

MOTION BY ROETS, SECONDED BY BABCOCK
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

7:50 PM PUBLIC HEARING ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE GANANDA SEWER DISTRICT NO. 1.

RESOLUTION NO. 249 (2020) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 25, 2020 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Public hearing is now open

- Having heard no Public Comment

RESOLUTION NO. 250 (2020) PUBLIC HEARING CLOSED

RESOLVED that the Public Hearing be closed at 7:52 p.m.

MOTION BY ROETS, SECONDED BY BABCOCK
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 251 (2020) ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE GANANDA SEWER DISTRICT NO. 1

WHEREAS, the Town Board duly held a Public Hearing on November 5, 2020 at 7:50 p.m. for the purpose of hearing public comment regarding the proposed annual special assessment roll for Gananda Sewer District No. 1;

WHEREAS, the Town Board hereby finds that the special assessment roll assesses the amount of the estimate of expenditures, less the estimate of revenues, on the lots and parcels of land against which the expense of the improvements are to be charged, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom; now therefore

BE IT RESOLVED, the Town Board hereby adopts the annual special assessment roll for Gananda Sewer District No. 1.

BY ORDER OF THE TOWN BOARD
TOWN OF MACEDON
Karrie Bowers, Town Clerk
Dated: 11-5-2020

MOTION BY BABCOCK, SECONDED BY ROETS
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

7:55 PM LOCAL LAW NO. 5 (2020) A LOCAL LAW TO OVERRIDE THE TAX CAP LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

RESOLUTION NO. 252 (2020) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 25, 2020 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Public hearing is now open

- A resident asked if the Board could explain the tax cap for which Supervisor Leonard explained how the tax cap works.

RESOLUTION NO. 253 (2020) PUBLIC HEARING CLOSED

RESOLVED that the Public Hearing be closed at 8:00 p.m.

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 254 (2020) LOCAL LAW NO. 5 (2020) A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

RESOLVED the Town Board adopts Local Law No. 5 (2020) as follows:

A local law to override the tax levy limit established in General Municipal Law 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Macedon, County of Wayne pursuant to General Municipal Law § 3-c, and to allow the Town of Macedon, County of Wayne to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Macedon, County of Wayne is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

MOTION BY BABCOCK, SECONDED BY ROETS

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

8:10 PM ANNUAL PRELIMINARY BUDGET

RESOLUTION NO. 255 (2020) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 25, 2020 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Public hearing is now open

- Having heard no Public Comment

RESOLUTION NO. 256 (2020) PUBLIC HEARING CLOSED

RESOLVED that the Public Hearing be closed at 8:40 p.m.

MOTION BY MCEWEN, SECONDED BY ROETS

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 257 (2020) 2021 BUDGET ADOPTED

RESOLVED that the Town of Macedon Budget for the year 2021 be adopted.

MOTION BY ROETS, SECONDED BY MCEWEN

ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 258 (2020) PAYMENT OF CLAIMS

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

ABSTRACT NO. 24 (2020)

2020 #1671-1736	\$105,015.53
2020 TA#108-112	\$ 5,535.15
Total	<hr/> \$110,550.68

Roundtable:

- Chief Colella stated that the Macedon Police Department will be holding public forums that are scheduled for November 18, 2020 and December 5, 2020 that will be held in the Town Board Meeting Room and participants are asked to register for either meeting via email at macpd@macedontown.net
- Supervisor Leonard would like to thank the Macedon Police Department and Macedon Ambulance for a call that they responded to for which the family was so happy with the respect and dignity shown to the patient and family in their time of distress.
- A Board meeting will be scheduled for November 19th at 7:30 for the purpose of setting a public hearing and any other business for the Town of Macedon.

RESOLUTION NO. 259 (2020) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:52 p.m. to discuss contracts.
MOTION BY MCEWEN, SECONDED BY ROETS
ROLL CALL VOTE: MAUL AYE, MCEWEN AYE, BABCOCK AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

Declared out of executive at 9:15

MOTION BY MCEWEN, SECONDED BY BABCOCK, THE MEETING BE ADJOURNED AT 9:18PM.

Karrie M. Bowers

Karrie Bowers, Town Clerk RMC