

September 23, 2021
 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 September 23, 2021 at the Town Complex, 32 Main Street, 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	Richard Roets
Supervisor	Kim V. Leonard

Absent

Councilperson	Bruce Babcock
---------------	---------------

Also Present:

Attorney	David Fulvio
Director of EMS	Paul Harkness
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 183 (2021) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the September 9, 2021, (regular meeting)
 MOTION BY MAUL, SECONDED BY MCEWEN
 ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS ABSTAIN, LEONARD AYE, MOTION CARRIED

RESOLUTION NO. 184 (2021) PUBLIC HEARING SCHEDULED – SPECIAL USE PERMIT K-N-J AUTOMOTIVE

RESOLVED the Town Board schedule a public hearing on October 14, 2021 at 7:40 pm to hear public comment on the application by K-N-J Automotive to obtain a Special Use Permit to operate a motor vehicle service business in the ORM Zoning District at 2060 O'Neil Road – Building 1.
 MOTION BY ROETS, SECONDED BY MCEWEN
 ROLL CALL VOTE: BABCOCK ABSTAIN, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

RESOLUTION NO. 185 (2021) SPECIAL USE PERMIT MODIFICATION DISH WIRELESS CO-LOCATION 2640 WEST WALWORTH ROAD

WHEREAS, Diamond Communications, LLC operates a wireless communication tower at 2640 West Walworth Road in the Town of Macedon, tax parcel ID# 61113-00-592151.1;

AND WHEREAS, the existing tower has one tenant (Verizon), and was designed to accommodate additional wireless communication tenants as required by Town Code;

AND WHEREAS, the Town of Macedon has received an application by Tilson Technology Management, Inc, on behalf of Dish Wireless, LLC to locate a new antennae array on the existing tower;

AND WHEREAS, the Town of Macedon code section 300-185-C states that use of existing approved tower sites is preferred to construction of new towers,

AND WHEREAS, the Town Board finds that the application as submitted meets the requirements of Town Code Section 300-185-C-(2), in that the work and modifications proposed by the Applicant are insignificant, as the tower was designed for multiple carriers in its original approvals and review,

AND WHEREAS, the Town Board finds that the application is a Type 2 action subject to SEQRA,

NOW THEREFORE BE IT RESOLVED, the Macedon Town Board approves the modification of the existing Special Use Permit to include the installation of the antennae array as proposed by Dish Wireless, LLC without further review.

MOTION BY MCEWEN, SECONDED BY MAUL

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

RESOLUTION NO. 186 (2021) DATALOGGING SOUND METER

RESOLVED the Town Board authorizes the purchase of (2) two sound meters to be expensed from AF3120.200 and A8010.200 and not to exceed \$1400.

MOTION BY ROETS, SECONDED BY MCEWEN

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

7:40 PM LOCAL LAW NO. 1 (2021) A LOCAL LAW TO OVERRIDE THE TAX CAP LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C**RESOLUTION NO. 187 (2021) READING OF THE LEGAL NOTICE WAIVED**

RESOLVED that reading of the legal notice published in the September 11, 2021 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY MCEWEN

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

Public hearing is now open for public comment, hearing none, the public hearing was closed

RESOLUTION NO. 188 (2021) PUBLIC HEARING IS CLOSED

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

MOTION BY ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 189 (2021) LOCAL LAW NO. 1 (2021) A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

RESOLVED the Town Board adopts Local Law No. 1 (2021) 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 2022 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 2022 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 MAUL, SECONDED BY ROETS

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

Presentation on the 2018 Town Audit presented by Randy Shepard and Murphy Smyth from the Bonadio Group.

RESOLUTION NO. 190 (2021) BONADIO GROUP – GASB 87 AGREEMENT

RESOLVED the Macedon Town Board authorizes the Town Supervisor to sign the GASB 87 Agreement as proposed by the Bonadio Group, not to exceed \$ 10,000.00 subject to Attorney approval.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 191 (2021) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited

MOTION BY ROETS, SECONDED BY MCEWEN

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

ABSTRACT NO. 20 (2021)

2021 # 1330-1404	\$ 90,806.86
2021 # 78-83	\$ 13,017.92
Total	<u>\$103,824.78</u>

Roundtable/discussion

- The Supervisor spoke about Girl Scout Troop 40448 being recipients of the Girl Scout Silver Award. The name of the project was Cemetery database and flag holders for Veterans graves which the troop organized and will benefit St. Anne's Cemetery. The Girl Scouts discovered that St. Anne's Cemetery had no volunteers to put out 170 flags and the caretaker of the cemetery would put the flags out by himself. The girl Scouts started to put a plan in place to put out flags by the Veterans' graves each year. After talking with the care taker they were told there was no electronic database of all the graves; so, the Girl Scouts decided to create one. While creating this database they found that many graves had been missed and there were over 100 graves that were added to their database. The Girl Scouts discovered that they did not have enough money in their troop funds to purchase the flag holders so they submitted a fundraising proposal to the NYSPENN and the fundraiser would be a can drive. Once the Girl Scouts collected enough money, they put the flag holders out at the graves and gave the database to the cemetery. They wanted to make sure that the Veterans that are buried there get the proper recognition and honor they deserve.

The Supervisor would like to do a citation for each of the Girl Scouts and would like to invite them to a Board meeting to present to the Girl Scouts.

- Budget workshop will be held on October 5, 2021 at 4:30 at the Town Hall.
- The Town Clerk Karrie Bowers spoke about the dog census and how many census that have been received thus far. The count to date is around 300.
- Town Engineer Scott Allen stated that they have been receiving large amounts of new applications for the planning board next month. Oakridge Glen will be at the planning board for first phase for over 100 homes.
- Chief Colella stated that the Purple Painted Lady was a success and the traffic seemed to flow much better this year than in years passed.
- Councilman McEwen wanted to compliment Darryl Quigley regarding all the road side mowing and what a great job that he is doing.
- Councilman Maul asked where the Town Highway was at for the light on top of the hill for sledding. Councilman Babcock said that he will follow-up with Chris Countryman. Councilman Maul said that he will give Chapman Insurance a call to make sure that the Town is covered.
- Councilman Maul would like to let residents know that the recreation program budget has not been cut however, the Town was not able to put together a fall soccer program.
- A resident asked if there was any update for the Waste Management Host Community Agreement & Special Use Permit Public Hearing. There is no update to date but the Town will update when the public hearing will be held.
- Supervisor Leonard spoke regarding that the LGE grant that it has been extended to 2022 for the prior Village Hall to make it ADA compliant.
- Supervisor Leonard stated that in January of 2018 the Town of Macedon purchased a new accounting program and this accounting program is a dos-based program so with that being said the bookkeeper has not been able to enter 2019, 2020, or 2021 into the system as the 2018 has to be closed out before the next year can be entered. A resident asked if audits will become a yearly task? Supervisor Leonard stated that the Town of Macedon is large enough to have an annual audit.

RESOLUTION NO. 192 (2021) INTEGRATED SYSTEMS – PROFESSIONAL SERVICE AGREEMENT

BE IT RESOLVED, that the Town Supervisor is authorized to sign a Purchase of Professional Service agreement with Integrated Systems for a 100-hour block of IT service at a cost not to exceed \$7,500 to be expensed from A1620.400

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 193 (2021) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:57 p.m. to discuss contracts/personnel.

MOTION BY MAUL, SECONDED BY MCEWEN

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

Declared out of executive at 10:30 pm

MOTION BY ROETS, SECONDED BY MAUL, THE MEETING BE ADJOURNED AT 10:42 PM.

Karrie M. Bowers, Town Clerk RMC