

October 27, 2022  
WEB SITE <http://macedontown.net>

The Town Board's Regular Meeting is being held remotely by Executive Order 202.15 issued on June 2, 2020, by the Governor. The Town of Macedon held the Board meeting on October 27, 2022, 2022, at the Town Complex, 32 Main Street, Macedon NY was called to order by Supervisor, Kim V. Leonard at 6:00 pm

Pledge of Allegiance.

Upon Roll Call, the following members of the Board were

Present:

Councilperson	Bruce Babcock
Councilperson	David Maul
Councilperson	Richard Roets
Supervisor	Kim V. Leonard

Absent

Councilperson	David McEwen
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Also Present:

Director of EMS	Paul Harkness
Chief of Police	Fabian Rivera
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

**RESOLUTION NO. 262 (2022) EXECUTIVE SESSION**

RESOLVED the Board enters Executive Session at 6:02 pm to discuss personnel/litigation

MOTION BY BABCOCK, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**Declared out of executive at 7:00pm**

**RESOLUTION NO. 263 (2022) APPROVAL OF MINUTES**

RESOLVED the Board approves the minutes from October 13, 2022 (regular meeting)

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

Reports:

- September Town Clerk

**RESOLUTION NO. 264 (2022) APPROVAL OF REPORTS**

RESOLVED the Board approves the report as submitted

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 265 (2022) LOCAL LAW NO. 1 (2022) – TAX CAP – PUBLIC HEARING**

RESOLVED the Town Board schedules a public hearing for November 10, 2022 at 7:10 pm prevailing time at the Macedon Town Hall for the purpose of obtaining public comment on the Local Law No. 1 (2022) Tax Cap to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c; and

BE IT RESOLVED the Town Board authorizes the Town Clerk to publish in the legal paper the Times the notice of said hearing.

MOTION BY ROETS, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 266 (2022) FARMINGTON FIRE DEPARTMENT - PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, Macedon on November 10, 2022 at 7:30 pm for the purpose of considering the contracting with the Farmington Volunteer Fire Association, Inc. for Fire protection to be furnished to a fire protection district established in said Town of Macedon and known as Macedon Fire Protection District.

BE IT RESOLVED the Town Board authorizes the Town Clerk to publish in the legal paper the notice of said hearing.

MOTION BY BABCOCK, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 267 (2022) MACEDON CENTER FIRE DEPARTMENT – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, Macedon on November 10, 2022 at 7:35 pm for the purpose of considering the contracting with the Macedon Center Volunteer Firemen’s Association, Inc., for Fire protection to be furnished to a fire protection district established in said Town of Macedon and known as Macedon Center Fire Protection District.

BE IT RESOLVED the Town Board authorizes the Town Clerk to publish in the legal paper the notice of said hearing.

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 268 (2022) MACEDON CENTER VOLUNTEER FIREMAN’S ASSOCIATION, INC. – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, in the Town of Macedon, on November 10, 2022, at 7:37 PM, for the purpose of considering the contracting with Macedon Center Volunteer Fireman’s Association, Inc., for the furnishing of fire protection to a fire protection district established in said Town of Macedon and known as the Hamlet of Macedon Fire Protection District.

MOTION BY BABCOCK, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 269 (2022) MACEDON CENTER VOLUNTEER FIREMAN’S ASSOCIATION, INC. – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, Macedon on November 10, 2022 at 7:39 pm for the purpose of considering the contracting with the Macedon Center Volunteer Fireman’s Association, Inc. for Fire protection to be furnishing in said Town of Macedon and known as the South Macedon Fire & Rescue, Inc. known as the Macedon fire protection district.

MOTION BY BABCOCK, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 270 (2022) SOUTH MACEDON FIRE & RESCUE, INC. – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, on November 10, 2022 at 7:40 PM, for the purpose of considering the contracting with South Macedon Fire and Rescue, Inc., for the furnishing of fire protection to a fire protection district established in said Town of Macedon and known as the Macedon Center Fire Protection District.

MOTION BY BABCOCK, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE,

MOTION CARRIED

**RESOLUTION NO. 271 (2022) SOUTH MACEDON FIRE & RESCUE, INC. – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, on November 10, 2022 at 7:42 PM, for the purpose of considering the contracting with the South Macedon Fire and Rescue, Inc. for fire protection to be furnished to a fire protection district established in said Town of Macedon and known as Macedon Fire Protection District.

MOTION BY BABCOCK, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE,

MOTION CARRIED

**RESOLUTION NO. 273 (2022) SOUTH MACEDON FIRE & RESCUE, INC. – PUBLIC HEARING SET**

RESOLVED a public hearing will be held by the Town Board of the Town of Macedon, Wayne County, New York at 32 Main Street, in the Town of Macedon, on November 10, 2022, at 7:44 PM, for the purpose of considering the contracting with South Macedon Fire & Rescue, Inc., for the furnishing of fire protection to a fire protection district established in said Town of Macedon and known as the Hamlet of Macedon Fire Protection District.

MOTION BY ROETS, SECONDED BY BABCOCK

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

**Employee Recognition**

- Officer Goodfriend was sworn in as Sergeant Goodfriend. The Board would like to congratulate Sergeant Goodfriend on her promotion.
- A lifesaving Award was given to Officer Andrea Knapp and Scott Allen for a Medical Emergency.

**RESOLUTION NO. 274 (2022) SPECIAL ASSESSMENT ROLLS - PUBLIC HEARINGS**

WHEREAS, the Town Board, on behalf of Macedon Consolidated Sewer District No. 1, and the Hamlet of Macedon Sewer District, entered into an intermunicipal agreement with the Wayne County Water and Sewer Authority ("WCWSA"), the Town of Marion, and the Village of Palmyra, dated December 1, 2018 ("IMA") and amended on April 1, 2020 to include the Town of Walworth and Gananda Sewer District No. 1, setting forth the parties' respective rights and obligations pertaining to the future construction of a regional wastewater treatment plant, sewer mains, pump stations, and additional improvements connected thereto ("Regional Plant"); and

WHEREAS, the IMA requires that the WCWSA design, finance, procure, construct and operate the Regional Plant and the participating municipalities each pay their respective *pro rata* share of such costs, as defined therein; and

WHEREAS, for 2023, it is presently anticipated that the collection of revenue in the amount of \$255,125 will be necessary for the Hamlet of Macedon Sewer District to finance the district's contractual obligation to the WCWSA for its share of the expenses associated with the Regional Plant project; and

WHEREAS, for 2023, it is presently anticipated that the collection of revenue in the amount of \$215,150 will be necessary for the Macedon Consolidated Sewer District No. 1 to finance the district's contractual obligation to the WCWSA for its share of the expenses associated with the Regional Plant project; and

WHEREAS, for 2023, it is presently anticipated that the collection of revenue in the amount of \$338,325 will be necessary for Gananda Sewer District No. 1 to finance the district's contractual obligation to the WCWSA for its share of the expenses associated with the Regional Plant project; and

WHEREAS, the Town desires to collect said revenue by a special assessment levied in the Hamlet of Macedon Sewer District, in lieu of a quarterly charge; and

WHEREAS, said special assessment will be imposed on a benefits basis, to be determined based upon the number of equivalent dwelling units ("EDUs") assigned to each tax parcel, as defined and determined in accordance with Macedon Town Code §235-190 (Local Law No. 7 of 2019); and

WHEREAS, the Town has determined that there are presently 676 EDUs in Macedon Consolidated Sewer District No. 1; and

WHEREAS, the Town has determined that there are presently 803 EDUs in the Hamlet of Macedon Sewer District; and

WHEREAS, the Town has determined that there are presently 1041 EDUs in Gananda Consolidated Sewer District No. 1; and

WHEREAS, in accordance with Town Law §202-a, the proposed special assessment rolls for Macedon Consolidated Sewer District No. 1, the Hamlet of Macedon Sewer District, and Gananda Consolidated Sewer District No. 1, setting forth the anticipated special assessment to be levied upon each lot or parcel of land located therein, was created and placed on file with the Town Clerk and is available for public inspection; now therefore

BE IT RESOLVED, the Town Board shall hold a Public Hearing on November 10, 2022 at 7:45 p.m. for the purpose of hearing public comment regarding the special assessment roll for Macedon Consolidated Sewer District No. 1; and

BE IT FURTHER RESOLVED, the Town Board shall hold a Public Hearing on November 10, 2022 at 7:50 p.m. for the purpose of hearing public comment regarding the special assessment roll for the Hamlet of Macedon Sewer District; and

BE IT FURTHER RESOLVED, the Town Board shall hold a Public Hearing on November 10, 2022 at 8:00 p.m. for the purpose of hearing public comment regarding the special assessment roll for Gananda Consolidated Sewer District No. 1; and

BE IT FURTHER RESOLVED, the Town Clerk shall advertise said public hearing in accordance with Town Law §§ 202-a and 239.

BY ORDER OF THE TOWN BOARD

TOWN OF MACEDON

Karrie Bowers, Town Clerk

Dated:

MOTION BY ROETS, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 276 (2022) PRELIMINARY BUDGET - PUBLIC HEARING SET**

RESOLVED the Town Board schedules a public hearing for November 10, 2022, at 8:15 pm prevailing time at the Macedon Town Hall for the purpose of obtaining public comment on the preliminary 2023 budget for the Town of Macedon, and

BE IT RESOLVED the Town Board authorizes the Town Clerk to publish in the legal paper the Times the notice of said hearing.

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 277 (2022) LGEG GRANT**

RESOLVED the Town Board authorizes the Supervisor to sign written Change Order #3 dated October 26, 2022, in the credit of \$6,090.00 with Loyal Nine Development for Contract No. 22-204A, dated September 21, 2022 for Exterior Accessibility Ramp additions and alterations under the Local Government Efficiency Grant project #1000910 to be credited to CD 1620.201 which adjusts change order No. 1. Change Order No. 2 was not presented.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 278 (2022) FEMA GRANT**

RESOLVED the Town Board authorizes the Supervisor to sign the Damage, Description & Dimensions (DDD)/Scope/Cost for Disaster #4480DR, Damage #786848; Emergency Protective Measures, Project #436892 which was approved by the Federal Emergency Management Agency (FEMA) in the amount of \$39,209.99 to be credited to revenue account #CD 4962.

MOTION BY ROETS, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 279 (2022) AGREEMENT TO EXEMPT REFERRALS**

RESOLVED the Town Board authorizes the Supervisor to sign a written agreement to exempt referral of certain local applications with Wayne County in accordance with Sections 239-M, and 239-N of Article 12-B of the General Municipal Law of the State of New York.

MOTION BY BABCOCK, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 280 (2022) EMPLOYEE TRAINING**

RESOLVED the Town Board approves Budgeting and Accounting Training for Small Towns on November 29 & 30, 2022 for Wendy Miller and Shelly Baker in the amount not to exceed \$800.00 to be split from account #A 1220.400 and #A 1320.400.

MOTION BY ROETS, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 281 (2022) GASB APPRAISAL**

RESOLVED the Town Board authorizes the Supervisor to sign written agreement with Industrial Appraisal Company in the amount not to exceed \$8,340.00 and annual service fees included in the contract not to exceed \$1,000.00 to be expensed from newly created account A1320.403, titled Auditor- GASB 34, for fixed asset accounting control and insurance valuation in accordance for compliance with GASB 34 requirements.

MOTION BY MAUL, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 282 (2022) WWTP**

RESOLVED the Town Board authorizes the Supervisor to sign written Addendum No. 1 to the 2020 Amended and Restated Western Regional Wastewater Treatment System Improvement and Services Agreement dated October 21, 2022 as recommended by the Town Attorney.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**ABSTRACT NO. 19 (2022)**

2022 #1529 - 1614	\$249,051.66
2022 TA # 83-86	\$ 13,856.96

Total	<u>\$262,908.62</u>
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**RESOLUTION NO. 283 (2022) PAYMENT OF CLAIMS**

RESOLVED the bills be paid as audited

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

**RESOLUTION NO. 284 (2022) MACEDON POLICE ASSOCIATION CONTRACT**

WHEREAS the Town Board acknowledges receiving a letter from the Macedon Police Association in regard to Article 3- #2 in the current contract. Parties may negotiate mid-term changes and responses to unforeseen circumstances that arise during this agreement regards to wage and pay scale proposal.

THEREFORE, BE IT RESOLVED the Town Board is amending the Macedon Police Association's contract to read a 15% raise to the Police Department effective November 1, 2022, through December 2023 with a 2.5% increase following in 2024, 2025 & 2026.

MOTION BY ROETS, SECONDED BY MAUL

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

**Roundtable:****Ambulance:**

- A gift was given to the Ambulance department in the amount of \$5,000 as well as a golf cart.

**RESOLUTION NO. 285 (2022) AMBULANCE DONATION**

RESOLVED the Town Board accepts the gift from a resident in the amount of \$5,000 and a Golf Cart that was given to the Town of Macedon Ambulance Department.

MOTION BY MAUL, SECONDED BY ROETS

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

**Highway:**

- Leaf and Brush pickup has started and the pocket park is coming along. A big thank you to Joe Keller for his time and efforts in helping us complete this project.
- Small update to the Court Building that sewer lines are being cleaned out.

**Town Board:**

- Councilman Maul stated that they were close to selecting a Recreation Director.
- Councilman Babcock stated the Library appreciates the approval of the 9% increase in the budget this year.

**South Macedon Fire & Rescue**

- Chief Chris Creamer gave an update. The department is up to 330 calls. The department bought a new ladder truck as well as being awarded a Fema Grant in the amount of \$84,000.
- A Resident asked when the budget will be available to the public. Supervisor Leonard stated that it will be in the Town Clerk's office on Monday.
- A resident wanted to thank the Town for the use of Bullis park for Cadettes to achieve their Rocket Badge. Also asked if signs could be put up at the parks for no smoking on the property including cigarettes, e-cigarettes, and any other substances that contain tobacco.

**Supervisor:**

- The Town of Macedon applied for funding through the CARES Act – Community Development Block Grant (CDBG) to be able to assist local food and beverage businesses impacted by COVID-19. We are pleased to announce that we have been notified that funding has been allocated in the amount of \$500,000. The Town will officially launch the Small Food and Beverage Business Assistance Program on November 14 th with an informational meeting for local businesses. Grant funding will be available to Town food and beverage businesses with 25 or fewer employees in amounts not to exceed \$50,000. Businesses will be invited to apply and provide back-up.

**RESOLUTION NO. 286 (2022) WAYNE COUNTY EMS ADVISORY BOARD REPRESENTATIVE – HARKNESS**

RESOLVED the Macedon Town Board recommends that Paul Harkness be re-appointed as the Town of Macedon representative on the Wayne County EMS Advisory Board, and the Town Clerk is authorized to notify the Wayne County EMS Coordinator of this recommendation.

MOTION BY ROETS, SECONDED BY BABCOCK

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

**RESOLUTION NO. 287 (2022) EXECUTIVE SESSION**

RESOLVED the Board enters Executive Session at 8:09 pm to discuss personnel/litigation

MOTION BY ROETS, SECONDED BY BABCOCK

ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN ABSENT, ROETS AYE, LEONARD AYE

MOTION CARRIED

MOTION BY ROETS, SECONDED BY BABCOCK, THE MEETING BE ADJOURNED AT 9:03 PM.

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Karrie Bowers, Macedon Town Clerk, RMC