

December 14, 2023
WEB SITE <http://macedontown.net>

The Town Board’s Special 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 December 14, 2023, at the Town Complex, 32 Main Street, Macedon NY, and 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	David McEwen
Councilperson	Richard Roets
Supervisor	Kim V. Leonard

Absent

Also, Present:

Director of EMS	Paul Harkness
Officer in Charge	Adam Husk
Police Officer	William Murray
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 303 (2023) EXECUTIVE SESSION

RESOLVED The Board enters Executive Session at 6:00 p.m. to discuss personnel
MOTION BY MCEWEN, SECONDED BY MAUL
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

Declared out of executive at 7:00 pm

RESOLUTION NO. 304 (2023) APPROVAL OF MINUTES

RESOLVED The Board approves the minutes from November 9, 2023 (regular meeting)
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

RESOLUTION NO. 305 (2023) APPROVAL OF MINUTES

RESOLVED The Board approves the minutes from November 20, 2023 (special meeting)
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

RESOLUTION NO. 306 (2023) APPROVAL OF MINUTES

RESOLVED The Board approves the minutes from November 21, 2023 (special meeting)
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

RESOLUTION NO. 307 (2023) APPROVAL OF MINUTES

RESOLVED The Board approves the minutes from November 28, 2023 (special meeting)
MOTION BY MCEWEN, SECONDED BY BABCOCK
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

Reports:

Town Clerk Reports – October and November
Police Report - November
EMS Reports – August, September & October
Buildings, Grounds and Parks Year-End Report

RESOLUTION NO. 308 (2023) APPROVAL OF REPORTS

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

SPECIAL ASSESSMENT ROLL FOR MACEDON CONSOLIDATED SEWER DISTRICT NO. 1 – SS1

RESOLUTION NO. 282 (2023) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 29, 2023 issue of the Times be waived.
MOTION BY ROETS, SECONDED BY MCEWEN
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

The public hearing is now open for public comment

- A resident asked the following questions:

- 1520 Victor Rd (Reliant Bank) – why isn't it on the list
- 1025 Brixton (Eye Care Center) – is only a single; shouldn't it be a double, not a single?

RESOLUTION NO. 309 (2023) THE PUBLIC HEARING IS CLOSED

RESOLVED that the Public Hearing be closed at 7:10 p.m.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 310 (2023) SPECIAL ASSESSMENT ROLL FOR MACEDON CONSOLIDATED SEWER DISTRICTSS1 - ADOPTED

WHEREAS, the Town Board duly held a public hearing on November 9, 2023, at 7:17 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 is 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 with additions.

BY ORDER OF THE TOWN BOARD
TOWN OF MACEDON

Karrie Bowers, Town Clerk

Dated: November 9, 2023

MOTION BY ROETS, SECONDED BY MCEWEN

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

SPECIAL ASSESSMENT ROLL FOR HAMLET OF MACEDON SEWER DISTRICT – SS3– PUBLIC HEARING

RESOLUTION NO. 283 (2023) READING OF THE LEGAL NOTICE WAIVED

RESOLVED that reading of the legal notice published in the October 29, 2023 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY MAUL

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

The public hearing is now open for public comment

- 25 North Erie St – hamlet (SS3) being charged for a two-unit, but the water was turned off years ago. The Board will look into this.

RESOLUTION NO. 311 (2023) THE PUBLIC HEARING IS CLOSED

RESOLVED that the Public Hearing be closed at 7:12 p.m.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 312 (2023) SPECIAL ASSESSMENT ROLL FOR HAMLET OF MACEDON SEWER DISTRICT ADOPTED

WHEREAS, the Town Board duly held a public hearing on November 9, 2023 at 7:19 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: December 14, 2023

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 313 (2023) WAYNE- FINGER LAKES COOPERATIVE ELECTRICITY BASE AGREEMENT

RESOLVED the Town Board authorizes the Supervisor to sign the Electric Base Agreement for 2024.

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

RESOLUTION NO. 314 (2023) SON'S OF THE AMERICAN LEGION PHILIP STEIGER POST SQUADRON #494 GAMES OF CHANCE – BELL JAR

RESOLVED the Board approves the Games of Chance License for the Sons of the American Legion Philip Steiger Post Squadron #494 to conduct Bell Jar for the period of January 1, 2024 – December 31, 2024

MOTION BY ROETS, SECONDED BY MAUL

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

RESOLUTION NO. 315 (2023) LETTER OF CREDIT REDUCTION #11 OAKRIDGE GLEN

RESOLVED that the Town Board approves the Letter of Credit Reduction #11 for Oakridge Glen, dated 11/30/2023 in the amount of \$116,500.60, and authorizes the Town Engineer to sign the release paperwork.

MOTION BY MAUL, SECONDED BY MCEWEN

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

RESOLUTION NO. 316 (2023) PART-TIME BUILDING INSPECTOR

RESOLVED that the Town Board authorizes the Town Clerk to advertise for the position of Park Time Building Inspector for 2024 budget.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 317 (2023) AMBULANCE DONATION

RESOLVED the Macedon Town Board accepts the generous donation from Mrs. Jean R. Seymour in the amount of \$5,000 to the Town of Macedon Ambulance and,

BE IT FURTHER RESOLVED the Town Board accepts Mrs. Seymour's request to spend this money on necessary medical supplies and new uniforms for the Macedon Ambulance Employees.

MOTION BY MAUL, SECONDED BY MCEWEN

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

RESOLUTION NO. 318 (2023) HOLIDAY BASKETS

RESOLVED: the Macedon Town Board accepts the generous donation from Kitty VanBortel in the amount of \$1000 to the Town of Macedon Ambulance to purchase Holiday Baskets and assemble them for a lottery to be distributed to people in need.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 319 (2023) PERSONNEL – AMBULANCE

RESOLVED the Board appoints Dominic Muscato as a full-time BLS provider at the of \$24/hr effective January 1, 2024.

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 320 (2023) RESIGNATION – HIGHWAY

RESOLVED the Board accepts the resignation of Andre Bellefontaine effective December 1, 2023. The Board would like to thank him for all his years of service with the Town of Macedon Highway Department.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 321 (2023) PERSONNEL – HIGHWAY

RESOLVE the Town Board to authorize the Town Clerk, Karrie Bowers, to advertise for one full-time Heavy Equipment Operator for the Macedon Highway Dept. Applications and details about this position are available from the Macedon Town Clerk's Office.

MOTION BY BABCOCK, SECONDED BY MCEWEN

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

RESOLUTION NO. 322 (2023) 2023 FREIGHTLINER M2 CHASSIS OUTFITTED WITH JOHNSTON/BUCHER V65T VACUUM STREET SWEEPER

RESOLVED the town board to authorize the Highway Superintendent, Christopher Countryman, to purchase a new 2023 Freightliner M2 Chassis outfitted with a Johnston/Bucher V65t Vacuum Street Sweeper from Cyncon Equipment for a total price of \$221,120.00 with a six (6) year municipal lease with annual payment of \$42,700.52 to be expensed from Account DA9710.603. The vehicle will be purchased using Sourcewell Contract #093021-BUC. This purchase was approved in the 2024 Macedon Town Budget.

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 323 (2023) WAYNE COUNTY SNOW & ICE AGREEMENT

BE IT RESOLVED, the Town Supervisor is hereby authorized to execute the Agreement for Snow and Ice Control on County Roads, providing for the Town to perform snow and ice removal services on county roads located within the Town, for the period of January 1, 2024 to December 31, 2024, subject to the terms and conditions set forth therein

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 324 (2023) ALS/BLS JOINT PRE-HOSPITAL BILLING AGREEMENT

RESOLVED the Board authorizes the Supervisor to sign the ALS/BLS prehospital billing agreement 1/1/24 – 12/31/24 with Wayne County.

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 325 (2023) WILLIAMSON LAW BOOK COMPANY – ANNUAL SOFTWARE SUPPORT CONTRACT MUNICIPAL ACCOUNTING & AND BUDGET PREPARATION

RESOLVED the Town Board authorizes the Supervisor to sign the Williamson Law Book Municipal Accounting & Budget Preparation Software Contract (12/1/23-11/30/24) in the amount of \$3,810 to be expensed from 1320.400.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 326 (2023) PART-TIME ASSESSOR

RESOLVED that Stephanie Holtz be appointed as Part-Time Town Assessor effective January 8, 2024, to fill the unexpired term of the prior Assessor. Stephanie will work in the office on Mondays and Tuesdays of each week, and additional hours outside the office as required to fulfill the duties of Sole Assessor for the Town. Compensation will be \$56,000 annually and be paid out of A 1355.100.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 327 (2023) ASSISTANT ASSESSOR

RESOLVED that Joan Gates be appointed as Assistant Assessor, a full-time hourly position, effective when 2024 pay rates take effect. The compensation will be \$27.50/hour, from A1355.100.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 328 (2023) LABELLA GRANT ASSISTANCE AGREEMENT: FISCAL YEAR 2024

RESOLVED the Town Board authorizes the Supervisor to sign the 2024 Grant Assistance Agreement not to exceed \$25,000 to be expensed from A1440.403

MOTION BY ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 329 (2023) PACKARD CATTLE, LLC SEQRA RESOLUTION

WHEREAS, the Town Board of the Town of Macedon (the "Board") has considered the impacts to executing the proposed Purchase of Development Rights Agreement with Packard Cattle, LLC and the Genesee Land Trust, Inc.; and

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR Part 617.5(c), now therefore;

BE IT RESOLVED by the Board as follows:

1. The Proposed Action does not exceed thresholds established under 6 NYCRR Part 617, of the State Environmental Quality Review Act, (SEQRA).
2. The Board hereby determines the Proposed Action is a Type II action in accordance with the SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

MOTION BY ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 330 (2023) RESOLUTION APPROVING "PURCHASE AGREEMENT" BY PACKARD CATTLE LLC FOR LANDS COMPRISING APPROXIMATELY 190 ACRES AT OR ABOUT NEW YORK STATE 31F AND WEST WALWORTH ROAD

WHEREAS, Packard Cattle LLC ("Grantor") have offered to grant Conservation Easements (the "Conservation Easements") to the Town of Macedon (the "Town") and Genesee Land Trust, Inc. (the "Land Trust") on their lands (the "Land"), consisting of approximately 190 total acres, lying and being on New York State 31F and West Walworth Road in the Town of Macedon, in return for payment of \$610,750.00 (the "Purchase Price") to be paid fully out of NYS grant proceeds as described herein, in order to preserve the use of the Lands for agricultural purposes; and

WHEREAS, a proposed Purchase and Sale Agreement (the "Agreement"), by which the Town and the Land Trust would acquire Conservation Easements in return for the Purchase Price, and the Land Trust would monitor the Conservation Easements, has been presented to the Town Board; and

WHEREAS, in order to pay the Purchase Price and other expenses associated with this transaction, the Town and the Land Trust have obtained a commitment in the form of the New York State Department of Agriculture and Market Farm Protection Implementation Grant, being State Contract Number C00725GG (hereafter the "Grant"), and the Purchase Price will be paid in full via the proceeds of said Grant; and

WHEREAS, the project is a Type II pursuant to the State Environmental Quality Review Act and is thus not subject to review thereunder.

NOW THEREFORE IT IS RESOLVED that the Agreement and the associated proposed Conservation Easements are hereby approved, and the Supervisor is authorized to execute the same, so long as they are in a form acceptable to the Attorney for the Town, and the Town Board accepts the Grant on behalf of the Town, and authorizes execution of such other documentation as may be necessary to acquire the Conservation Easements in the Land

MOTION BY MCEWEN, SECONDED BY ROETS

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

RESOLUTION NO. 331 (2023) WESTERN REGIONAL WASTEWATER PROJECT 2023 AMENDED AND RESTATED CONTROL AGREEMENT

RESOLVED the Macedon Town Board authorizes the Supervisor to sign the Western Regional Wastewater Project 2023 Amended and restated Control Agreement dated December 1, 2023.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 332 (2023) 2024 ORGANIZATIONAL MEETING

RESOLVED the Town Board set the 2024 Organizational meeting for January 2, 2024 at 5:00pm.

MOTION BY BABCOCK, SECONDED BY MCEWEN

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

RESOLUTION NO. 333 (2023) AUDITING FIRMS

BE IT RESOLVED that the Supervisor is authorized to contact auditing firms to conduct audits for the Court and Town Clerk's office.
MOTION BY ROETS, SECONDED BY BABCOCK
ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE, MOTION CARRIED

ROUNDTABLE:

BUILDING & ZONING: The traffic light by Lowes is up and flashing; however, it is under major power lines, so they have to make sure it is safe.

COURT: The Court has requested a 2023 annual audit requested. The JCAP was filed, and they confirmed that they received it.

HIGHWAY: The highway has 6 runs so far for the season. Leaf and Brush will have one more pick-up on 12/14. The snow fence is up. Drainage work over by West Wayne Plaza. Working on the Kayak ramp to get that wrapped up.

POLICE: Shop with a cop is this Saturday, December 16th, at 10 am at the Macedon Walmart. A big shout out to Walmart, Rotary and the Holdrakers for their donations for the kids and Salvatores donating pizzas. Councilman Maul asked how the police department sought out donations. Officer Murray stated that the school districts Gananda and Palmac were originally supposed to apply for grants through Walmart. Unfortunately, no one reminded the schools, so they never applied in time. Officer Murray went to speak to the store manager, and Walmart donated \$500, the Rotary donated as well as the Holdrakers donated. Councilman Maul would like to make a contribution.

Officer in Charge Adam Husk stated that one of the recruits is done with FTO, and the other recruit will be finishing up soon. Please let the Board know if there is anything that the Police would need.

TOWN BOARD:

- Councilman Maul spoke regarding that the Town Clerk has received a FOIL request regarding the incident with the Police Chief and was not sure about the emails that may or may not pertain to this request. The request has come from the News stations. Due to internal investigations, emails and information cannot be released until the investigation is complete.

RESOLUTION NO. 334 (2023) RFP FOR WEED CONTROL AND FERTILIZING TOWN PROPERTIES

WHEREAS the Town of Macedon, NY Parks and Town Buildings and grounds need seasonal vegetation, turf fertilizer, and weed control,

BE IT RESOLVED that the Town Clerk be authorized to advertise quotes for seasonal vegetation, turf fertilizer, and weed control for the 2024 season.

MOTION BY MAUL, SECONDED BY MCEWEN

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

ABSTRACT NO. 23 (2023)

2023 #1921-2048	\$98,019.90
TA#137-139	<u>300.00</u>
Total	\$98,319.90

RESOLUTION NO. 335 (2023) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited

MOTION BY ROETS, SECONDED BY MCEWEN

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

MOTION BY ROETS, SECONDED BY MCEWEN, THE MEETING BE ADJOURNED AT 8:29 PM.

Karrie Bowers

Town Clerk, RMO