

March 14, 2019  
WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board of the Town of Macedon held March 14, 2019 at the Town Complex, 32 Main Street, in the Town of Macedon and 9600 Highway 192 West, Clermont FL 34714 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:

Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers

**RESOLUTION NO. 77 (2019) APPROVAL OF MINUTES**

RESOLVED the Board approves the minutes from the February 28, 2019 (regular meeting)

MOTION BY BABCOCK, SECONDED BY KENYON

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

**Reports:**

**Town Clerk Report**

**Police Report**

**EMS Report**

**RESOLUTION NO. 78 (2019) APPROVAL OF REPORTS**

RESOLVED the reports be approved as submitted.

MOTION BY BABCOCK, SECONDED BY KENYON

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

**RESOLUTION NO. 79 (2019) PERSONNEL – WETHERBY**

WHEREAS, Rebecca Wetherby has successfully demonstrated a proficiency in the duties assigned to her as Clerk to the Assessor/Clerk Typist, and

WHEREAS, Rebecca Wetherby has served in the capacity a sufficient length of time to demonstrate her capabilities in the Civil Service title of Clerk to the Assessor, and

BE IT RESOLVED that Rebecca Wetherby be appointed to a permanent position in this title effective March 18, 2019.

MOTION BY KENYON, SECONDED BY MAUL

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

**RESOLUTION NO. 80 (2019) LOCAL LAW 2 (2019) LOCAL LAW TO AMEND CERTAIN PROVISIONS OF THE TOWN OF MACEDON PUBLIC HEARING SET**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Macedon on the 28th day of March, 2019 at 7:45 p.m. at the Macedon Town Hall, 32 West Main Street, Macedon, New York to hear and consider comments from the public in regard to: Town of Macedon Local Law 1 -1990, as amended, which now reads:

3.1 LANDS TO WHICH THIS LOCAL LAW APPLIES. This local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Macedon outside of the village of Macedon.

is amended to read:

3.1 LANDS TO WHICH THIS LOCAL LAW APPLIES. This local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Macedon.

Section 2.

Town of Macedon Local Law 1-1990, as amended, which now reads:

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for the Town of Macedon of Wayne County, New York," dated January 5, 1984, with accompanying Flood Insurance Rate Maps and Flood Boundary Floodway Maps is hereby adopted and declared to be a part of this Local Law.

is amended to read:

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels): 361230 0001-0020, whose effective date is January 5, 1984;
- (2) Flood Boundary and Floodway Map (multiple panels): 361230 0001-0020, whose effective date is January 5, 1984;
- (3) A scientific and engineering analysis entitled "Flood Insurance Study for the Town of Macedon, New York, Wayne County" dated January 5, 1983;
- (4) Flood Insurance Rate Map (single panel): 360893 0001B, whose effective date is September 30, 1983;
- (5) Flood Boundary and Floodway Map (single panel): 360893 0001, whose effective date is September 30, 1983;
- (6) A scientific and engineering analysis entitled "Flood Insurance Study for the Town of Macedon, New York, Wayne County" dated March 30, 1983;

The above documents are hereby adopted and declared to be part of this Local Law. The Flood Insurance Study and/or maps are available at the office of the Macedon Town Clerk, 32 West Main Street, Macedon, New York 14502.

Copies of the entire Local Law No. 2 - 2019 are available for review at the Macedon Town Clerk's Office during regular business hours.

MOTION BY KENYON, SECONDED BY BABCOCK

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

**RESOLUTION NO. 81 (2019) LOCAL LAW 3 (2019) TO OPT OUT OF NEW YORK STATE REAL PROPERTY TAX LAW §487 TAX EXEMPTION FOR CERTAIN FUEL-FLEXIBLE LINEAR GENERATOR ELECTRIC GENERATING SYSTEMS PUBLIC HEARING SET**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Macedon on the 28th day of March, 2019 at 8:00 p.m. at the Macedon Town Hall, 32 West Main Street, Macedon, New York to hear and consider comments from the public in regard to:

Local Law No. 3-2019	Eliminates the New York State Real Property Tax Law §487 tax exemption for fuel-flexible linear generator electric generating systems constructed in the Town of Macedon after the effective date of said local law.
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Copies of the entire proposed Local Law No. 3-2019 are available for review at the Town Clerk's Office during regular business hours.

MOTION BY MAUL, SECONDED BY KENYON

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

**7:45 – LOCAL LAW NO. 1 (2019) - Extends the period of time set forth in New York State General Municipal Law §789 for the continued application of the former Village of Macedon zoning laws and ordinances in effect and enforced by the Town within the limits of the former Village**

**RESOLUTION NO. 82 (2019) WAIVE READING OF THE LEGAL NOTICE**

RESOLVED the Town Board waives reading of the legal notice published in the March 3, 2019 issue of the Times.

MOTION BY KENYON, SECONDED BY BABCOCK

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

All persons desiring to be heard, A resident asked about General Code and if they will require additional funding as the time is longer than originally projected. The Town Board stated that no additional funding will be required and that a grant is funding the re-codification. The public hearing was closed.

**RESOLUTION NO. 83 (2019) PUBLIC HEARING CLOSED**

RESOLVED the Public Hearing be closed at 7:53 p.m.

MOTION BY BABCOCK, SECONDED BY PAGANO

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

**RESOLUTION NO. 84 (2019) LOCAL LAW NO. 1 OF 2019 LOCAL LAW TO EXTEND THE PERIOD OF TIME FOR THE CONTINUED APPLICATION OF THE FORMER VILLAGE OF MACEDON ZONING LAWS AND ORDINANCES**

Be it enacted by the Town Board of the Town of Macedon as follows:

**Section 1.**

The Village of Macedon dissolved on March 31, 2017.

New York State General Municipal Law §789 provides:

1. Except as otherwise provided in the dissolution plan or elector initiated dissolution plan, as the case may be, all local laws, ordinances, rules and regulations of a village in effect on the date of the dissolution of such village, including but not limited to zoning ordinances,

shall remain in effect for a period of two years following dissolution, as if same had been duly adopted by the town board and shall be enforced by the town within the limits of the dissolved village, except that the town board shall have the power at any time to amend or repeal such local laws, ordinances, rules or regulations in the manner as other local laws, ordinances, rules or regulations of the town.

2. If the village has a zoning board of appeals, or a planning board, or both, and the town does not, then upon dissolution the town board shall act in place of such board or boards until the town board shall have appointed such board or boards for the town in accordance with the provisions of the town law. Such appointments may be made prior to dissolution, to become effective upon the effective date of dissolution.

**Section 2.**

All local laws, ordinances, rules and regulations of the former Village of Macedon, which were in effect on the date of Village dissolution and remain in effect in accordance with General Municipal Law §789, shall continue to be in effect and enforced by the Town within the limits of the former Village, until the Town Board adopts, amends, or repeals the same, or December 31, 2019, whichever occurs first.

**Section 3.**

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

MOTION BY MAUL, SECONDED BY KENYON

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

**RESOLUTION NO. 85 (2019) LOCAL LAW 4 (2019) MACEDON LOCAL WATERFRONT  
REVITALIZATION PROGRAM LOCAL CONSISTENCY LAW PUBLIC HEARING SET**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Macedon on the 28th day of March, 2019 at 8:10 p.m. at the Macedon Town Hall, 32 West Main Street, Macedon, New York to hear and consider comments from the public in regard to:

Local Law No. 4-2019

Directs the Town's agencies to incorporate and apply the policies of the Macedon Local Waterfront Revitalization Program when undertaking, reviewing, and approving actions relative to the waterfront area, as defined therein.

Copies of the entire proposed Local Law No. 4-2019 are available for review at the Town Clerk's Office during regular business hours.

MOTION BY MAUL, SECONDED BY KENYON

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

**Roundtable:**

\*Family Fun Day will be June 15, 2019

\*Shredding Event – April 30<sup>th</sup> from 3:30-6:00

\*The Highway Department will be removing snow fence in the next couple of weeks

\*The Town Board would like to congratulate Ethan Ferro on the Section V Class BBB Wrestling Title

\*Town Board would like to congratulate Jace Schafer on the Section V Class BBB Champion Title

\*The Town Board would like to congratulate the Pal-mac Cheerleading Team on their Section V Championship

**RESOLUTION NO. 86 (2019) EXECUTIVE SESSION**

RESOLVED the Board enters Executive Session at 8:10 p.m. to discuss litigation

MOTION BY KENYON, SECONDED BY BABCOCK

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

BOARD RECONVENED – 8:27

<u>ABSTRACT NO. 5</u>	<u>REGULAR BILLS</u>
2019 # 408-507	\$97,969.79
2019 # TA19-21	\$ 300.00
	\$98,269.79

**RESOLUTION NO. 87 (2019) PAYMENT OF CLAIMS**

RESOLVED the bills be paid as audited

MOTION BY KENYON, SECONDED BY BABCOCK

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

MOTION BY KENYON, SECONDED BY MAUL THE MEETING BE ADJOURNED AT 8:28 PM.

*Karrie M. Bowers*

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Karrie M. Bowers, Macedon Town Clerk