

October 14, 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 October 13, 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	Bruce Babcock
Councilperson	David Maul
Councilperson	David McEwen
Councilperson	Richard Roets
Supervisor	Kim V. Leonard

Absent

Also Present:

Director of EMS	Paul Harkness
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers

Moment of Silence for Honorable Thomas L. Crowley

RESOLUTION NO. 194 (2021) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the September 23, 2021, (regular meeting)
 MOTION BY ROETS, SECONDED BY BABCOCK
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

Reports:

- Historian Report
- Police Report
- Town Clerk Report

RESOLUTION NO. 195 (2021) APPROVAL OF REPORTS

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

RESOLUTION NO. 196 (2021) PRELIMINARY BUDGET PUBLIC HEARING SET

RESOLVED a public hearing be set for October 28, 2021 at 7:40pm prevailing time at the Macedon Town Hall for the purpose of obtaining public comment on the preliminary 2022 budget for the Town of Macedon and directs the Clerk to publish the notice of said hearing.
 MOTION BY ROETS, SECONDED BY BABCOCK
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

RESOLUTION NO. 197 (2021) 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 October 28, 2021 at 8:10 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.
 MOTION BY BABCOCK, SECONDED BY ROETS
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

RESOLUTION NO. 198 (2021) 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 October 28, 2021 at 8:15pm for the purpose of considering the contracting with the Macedon Center Volunteer Fireman'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.
 MOTION BY BABCOCK, SECONDED BY ROETS
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

RESOLUTION NO. 199 (2021) 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 October 28, 2021 at 8:20 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 MCEWEN

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

RESOLUTION NO. 200 (2021) 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 October 28, 2021, at 8:25 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 ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 201 (2021) 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 October 28, 2021, at 8:30 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 AYE, ROETS AYE, LEONARD AYE,
MOTION CARRIED

RESOLUTION NO. 202 (2021) 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 October 28, 2021 at 8:35 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 ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 203 (2021) 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 October 28, 2021, at 8:40 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 BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 204 (2021) SPECIAL ASSESSMENT PUBLIC HEARING – 2021 – SS1

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 2021, the collection of revenue in the amount of \$148,080, combined with \$54,290 of available fund balance, will be necessary for Macedon Consolidated Sewer District No. 1 to finance (1) the district's contractual obligation to the WCWSA in the amount of \$202,370, 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 Macedon Consolidated Sewer District No. 1, 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 617 EDUs in Macedon Consolidated Sewer District No. 1; and

WHEREAS, in accordance with Town Law §202-a, the proposed special assessment roll for Macedon 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 October 28, 2021 at 8:45 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 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: October 14, 2021

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

RESOLUTION NO. 205 (2021) SPECIAL ASSESSMENT PUBLIC HEARING – 2021 – HAMLET- SS3

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 2022, the collection of revenue in the amount of \$192,240, combined with \$65,318 in available fund balance, will be necessary for the Hamlet of Macedon Sewer District to finance (1) the district’s contractual obligation to the WCWSA in the amount of \$257,558 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 801 EDUs in the Hamlet of Macedon Sewer District; and

WHEREAS, in accordance with Town Law §202-a, the proposed special assessment roll for the Hamlet of Macedon Sewer District, 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 October 28, 2021 at 8:50 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 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: October 14, 2021

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

RESOLUTION NO. 206 (2021) SPECIAL ASSESSMENT PUBLIC HEARING – 2021 – GANANDA – SS2

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 2021, the collection of revenue in the amount of \$243,360 will be necessary for Gananda Sewer District No. 1 to finance (1) the district’s contractual obligation to the WCWSA in the amount of \$229,165 for its share of the expenses associated with the Regional Plant project, and (2) reserve funds in the amount of \$14,195, for future repairs or improvements to the sewer collection systems located within the district; and

WHEREAS, the Town desires to collect said revenue by a special assessment levied in the Gananda Sewer District No. 1, 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 Local Law No. 4 of 2020; and

WHEREAS, the Town has determined that there are presently 1014 EDUs in Gananda Sewer District No. 1; and

WHEREAS, in accordance with Town Law §202-a, the proposed special assessment roll for Gananda 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 October 28, 2021 at 8:55p.m. for the purpose of hearing public comment regarding the special assessment roll for Gananda 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: October 14, 2021

MOTION BY BABCOCK, SECONDED BY ROETS

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

7:40 PUBLIC HEARING – SPECIAL USE PERMIT K-N-J AUTOMOTIVE**RESOLUTION NO. 207 (2021) READING OF THE LEGAL NOTICE WAIVED**

RESOLVED that reading of the legal notice published in the September 25, 2021 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

Public hearing is now open for public comment, having heard no comment, the public hearing was closed

RESOLUTION NO. 208 (2021) PUBLIC HEARING IS CLOSED

RESOLVED that the Public Hearing be closed at 7:45 p.m.

MOTION BY ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 209 (2021) K-N-J AUTOMOTIVE

RESOLVED the Town Board issues a special use permit to K-N-J Automotive to operate a motor vehicle repair shop in the ORM zoning district at 2060 O’Neil Road Building 1.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 210 (2021) OAKRIDGE GLEN FORMAL TPD REZONING APPROVAL

WHEREAS, Stonehaven Development, LLC made application to the Town of Macedon to obtain approvals to enable the construction and operation of a mix - use project titled "Oakridge Glen" pursuant to Town Code Chapter 300, Article 14 (TPD) at property known as 240R NYS Route 31,

AND WHEREAS, the Macedon Town Board issued a Negative Declaration pursuant to SEQRA for the project on July 7, 2021 by resolution 145 (2021),

AND WHEREAS, the Macedon Town Board conditionally rezoned the project site to TPD on July 7, 2021 by resolution 146 (2021),

AND WHEREAS, the project contains a maximum of 280 townhome units, with associated amenities, as well as 3 commercial building pad sites,

AND WHEREAS, the proposal is a staged project pursuant to Town Code Section 300-108,

AND WHEREAS, the Applicant submitted preliminary design plans for the entire project, and final design plans for Phase One of the residential portion including 101 Townhome units,

AND WHEREAS, the Wayne County Planning Board reviewed the site plans at its September 29, 2021 meeting and recommended approval of the Preliminary Overall site plan and Phase 1 Final Approval, subject to comments in their letter dated October 4, 2021,

AND WHEREAS, the Town of Macedon Planning Board held a public hearing on the proposed project on October 4, 2021 to obtain public comment,

AND WHEREAS, the Town of Macedon Planning Board reviewed the proposal at its regular meeting on October 4, 2021 and issued a Preliminary Overall Site Plan Approval, and a Final Site Plan Approval for Phase 1 of the Townhomes,

NOW THEREFORE BE IT RESOLVED that the Macedon Town Board formally rezones the project as a TPD District, and approves the construction of Phase 1 including 101 Townhome units, subject to the following conditions:

1. The Applicant shall provide a financial guarantee to cover the total cost of installing a 3-color traffic control light at NYS Route 31 and Macedon Parkway, as described in the Traffic Impact Study.
2. The Traffic Control Light and associated improvements at the intersection of NYS Route 31 and Macedon Parkway shall be installed by the Applicant at the earliest possible time as authorized by the NYSDOT, based on the findings of the current Traffic Impact Study and any required re-evaluation as the project develops.
3. The form and content of this financial guarantee are subject to the review and approval of the Town Attorney and Town Engineer.
4. The non-residential components of the project shall be considered pursuant to the requirements of Chapter 300-100-B of the TPD Code, as well as the uses prescribed in the General Commercial (GC) code, Chapter 300, Article 12 of Town Code.
5. The referenced Engineering Plan as reviewed and approved by the Planning Board was prepared by Marathon Engineering, and is titled, "PRELIMINARY OVERALL / FINAL PHASE 1 FOR TOWNHOMES AT OAKRIDGE GLEN" with a date of 9/15/21.
6. The approval is subject to any technical comments of the Town Engineer, Highway Superintendent and Water and Sewer Authority.

MOTION BY ROETS, SECONDED BY MCEWEN

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

RESOLUTION NO. 211 (2021) ARCHITECTURA DESIGN SERVICE AGREEMENT

RESOLVED Town Board authorize the Supervisor to sign an Architectura Design Service – Fee Agreement with Architecura not to exceed \$ 14,000.00 to be expensed out of the LGEG Village Hall Handicap Grant # C-100090, Account # CD1 1620.201/202 (12,000.00, 2,000.00) respectively.

MOTION BY BABCOCK, SECONDED BY ROETS

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

Roundtable/discussion

- Highway Superintendent Chris Countryman stated that the highway department is working on the drainage on Mary and Marvin Drive as well as the sidewalks in the Hamlet
- Councilman Maul asked if we had any new information regarding the lighting on Library Hill. Highway Superintendent said that he has been in contact with Bastian Electric but due to the shortage of supplies there may be a delay. There was talk about running the electric to the other side of the parking lot and Chris Countryman stated that could be done before winter.
- Supervisor Leonard wanted to remind residents that the Macedon Public Library is holding a Chicken BBQ on April 16th. If interested please reach out to the library for tickets.

RESOLUTION NO. 212 (2021) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited excluding Voucher # 1455 in the amount of \$589.10.

MOTION BY ROETS, SECONDED BY MCEWEN

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

ABSTRACT NO. 21 (2021)

2021 # 1405-1454, 1456-1504 \$101538.94

2021 # 84-87 \$ 400.00

Total \$101,938.94

RESOLUTION NO. 213 (2021) PAYMENT OF CLAIMS

RESOLVED that Voucher #1455 in the amount of \$589.10 be paid as audited.

MOTION BY ROETS, SECONDED BY BABCOCK

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

ABSTRACT NO. 21 (2021)

2021 # 1455 \$589.10

Total \$589.10

RESOLUTION NO. 214 (2021) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:14 p.m. to discuss personnel.

MOTION BY ROETS, SECONDED BY MCEWEN

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

Declared out of executive at 9:22 pm

RESOLUTION NO. 215 (2021) PERSONNEL – ROGERS

RESOLVED the Town Board appoints Cody Rogers as part-time Recreation/Camp Director effective October 14, 2021 to be expensed from A7020.100 in the amount of \$22,500 and A7310.100 in the amount of \$6,000.

MOTION BY ROETS, SECONDED BY MCEWEN

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

MOTION BY MAUL, SECONDED BY BABCOCK, THE MEETING BE ADJOURNED AT 9:34 PM.

Karrie M. Bowers

Karrie M. Bowers, Town Clerk RMC