

June 14, 2018
 WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board of the Town of Macedon held June 14, 2018 at the Town Complex, 32 Main Street, in the Town of Macedon 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	Bruce Babcock
Supervisor	Sandy Pagano

Absent:

Councilperson	Paul Kenyon
Councilperson	David Maul

Also Present:

Town Attorney	David Fulvio
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 139 (2018) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the May 24, 2018 (regular meeting)
 MOTION BY BABCOCK, SECONDED BY MCEWEN
 ROLL CALL VOTE: MCEWEN AYE, MAUL ABSENT, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Reports

- May Town Clerk Report
- May Police Report

RESOLUTION NO. 140 (2018) APPROVAL OF REPORTS

RESOLVED the board approves the reports as submitted
 MOTION BY BABCOCK, SECONDED BY MCEWEN
 ROLL CALL VOTE: MCEWEN AYE, MAUL ABSENT, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 141 (2018) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the June 4, 2018 (special meeting)
 MOTION BY BABCOCK, SECONDED BY MCEWEN
 ROLL CALL VOTE: MCEWEN AYE, MAUL ABSENT, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

SMALL CHEVROLET BUS
 MAY 31, 2018
 11:00AM

BIDDER	
Paul Everdyke	\$150
Kevin Ellsworth	\$1500
Dave Dandino	\$300
John Williams	\$2002

Present were: Town Clerk Karrie Bowers & Deputy Town Clerk Jenniffer Zarcone
 5/31/18

RESOLUTION NO. 142 (2018) SURPLUS BID AWARD – SMALL CHEVROLET BUS

RESOLVED the Town Board awards the surplus bid for the Small Chevrolet Bus
 VIN# 1GBHG31F921193298 to John Williams for the highest bid price of \$2002.
 MOTION BY MCEWEN, SECONDED BY BABCOCK
 ROLL CALL VOTE: MCEWEN AYE, MAUL ABSENT, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 143 (2018) SURPLUS POLICE VEHICLE

WHEREAS, one Town of Macedon Police Department vehicle, 2003 Ford Conversion Van (VIN #1FDRE14W03HB39950), was declared as surplus; and

WHEREAS, by resolutions 103(2018) and 123(2018), the Town Board authorized the solicitation of sealed bids for the aforesaid surplus vehicle; and

WHEREAS, following two 14-day periods for the acceptance of bids, no sealed bids were received; and

WHEREAS, the Comptroller has opined that unsold surplus obsolete equipment which has no appreciable market value may be discarded, destroyed or donated to not-for-profit organizations (1982 St Compt File #82-232); and

WHEREAS, the Macedon Center and South Macedon fire departments have represented that said surplus vehicles may be used for training exercises; and therefore
BE IT RESOLVED, the aforesaid surplus vehicle shall be donated to the Macedon Center and South Macedon fire departments.

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

RESOLUTION NO. 144 (2018) 81 MAIN STREET – ARCHITECTURAL & STRUCTURAL DESIGN SERVICES

RESOLVED the Town Board authorizes the Supervisor to sign the Fee Agreement Proposal from the Architectural & Structural Design Services for 81 Main Street. The cost of this project is part of the CFA LGE Grant subject to attorney approval.

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

RESOLUTION NO. 145 (2018) STATE SNOW & ICE AMENDMENT B AGREEMENT

RESOLVED the town Board approves the State Snow & Ice Amendment B Agreement, Contract #D009827 and authorizes the Supervisor to sign said agreement.

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

7:43 PUBLIC HEARING – LOCAL LAW NO. 1-2018 TO OPT OUT OF NYS REAL PROPERTY TAX LAW §487 TAX EXEMPTION FOR CERTAIN MICRO-HYDROELECTRIC ENERGY SYSTEMS, FUEL CELL ELECTRIC GENERATING SYSTEMS, MICRO-COMBINED HEAT AND POWER GENERATING EQUIPMENT SYSTEMS, AND ELECTRIC ENERGY STORAGE EQUIPMENT OR ELECTRIC ENERGY STORAGE SYSTEMS**RESOLUTION NO. 146 (2018) WAIVE READING OF THE LEGAL NOTICE**

RESOLVED the Town Board waives reading of the legal notice published in the May 24, 2018 issue of the Times

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

All persons desiring to be heard, having heard none, the public hearing was closed.

RESOLUTION NO. 147 (2017) PUBLIC HEARING CLOSED

RESOLVED the Public Hearing closed at 7:46 pm

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

LOCAL LAW NO. 1 (2018) A LOCAL LAW TO OPT OUT OF NEW YORK STATE REAL PROPERTY TAX LAW §487 TAX EXEMPTION FOR CERTAIN MICRO-HYDROELECTRIC ENERGY SYSTEMS, FUEL CELL ELECTRIC GENERATING SYSTEMS, MICRO-COMBINED HEAT AND POWER GENERATING EQUIPMENT SYSTEMS, AND ELECTRIC ENERGY STORAGE EQUIPMENT OR ELECTRIC ENERGY STORAGE SYSTEMS

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

Section 1.

Effective January 1, 2018, Real Property Tax Law §487 provides a real property tax exemption for certain micro-hydroelectric energy systems, fuel cell electric generating

systems, micro-combined heat and power generating equipment systems, and electric energy storage equipment or electric energy storage systems, defined therein as follows:

“Micro-hydroelectric energy system” means an arrangement or combination of micro-hydroelectric energy equipment designed to provide electrical energy by the use of flowing water. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does not include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards established by law.

“Micro-hydroelectric energy equipment” means any energy storage device, penstock, turbine, generator and other materials, hardware and equipment necessary to the process by which the flow of stream or river water or water from other water bodies is (i) converted into electrical energy; (ii) protected from unnecessary dissipation; and (iii) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does not include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards established by law.

“Fuel cell electric generating system” means an arrangement or combination of equipment designed to produce electrical energy through reaction of chemicals, including but not limited to hydrogen, oxygen, methane and natural gas.

“Fuel cell electric generating equipment” means a solid oxide, molten carbonate, proton exchange membrane or phosphoric acid fuel cell with a combined rated capacity of not more than two thousand kilowatts. It does not include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards established by law.

“Micro-combined heat and power generating equipment system” means an arrangement or combination of equipment designed to produce electrical energy and heat for a residential customer on such customer’s premises.

“Micro-combined heat and power generating equipment” means an integrated, cogenerating building heating and electrical power generation system, owned, leased or operated by a residential customer, located at such customer’s premises, operating on any fuel and of any applicable engine, fuel cell or other technology with a rated capacity of at least one kilowatt and not more than ten kilowatts electric and any thermal output that has a design total fuel use efficiency in the production of heat and electricity of not less than eighty percent, and annually produces at least two thousand kilowatt hours of useful energy in the form of electricity that may work in combination with supplemental or parallel conventional heating systems, that is manufactured, installed and operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in conjunction with an electric corporation’s transmission and distribution facilities. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does not include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards established by law.

“Electric energy storage equipment” means a set of technologies capable of storing electric energy and releasing that energy as electric power at a later time. Electric energy storage technologies may store energy as potential, kinetic, chemical or thermal energy, that can be released as electric power and include, but are not limited to, various types of batteries, flywheels, electrochemical capacitors, compressed air storage and thermal storage devices.

“Electric energy storage system” means an arrangement or combination of equipment designed to store electrical energy in electric energy storage equipment and release electric power at a later time.

Section 2.

No exemption under New York State Real Property Tax Law §487 shall be applicable within the Town of Macedon with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system to which began construction subsequent to the effective date of such local law.

Section 3.

A copy of this local law shall be filed with the New York State Commissioner of Taxation and Finance and with the President of the New York State Energy Research and Development Authority, as required under New York State Real Property Tax Law §487(8)(a).

Section 4.

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

PASSED AND ADOPTED this 14th day of June, 2018, by the following vote:

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

ABSTRACT NO. 11 (General)	REGULAR BILLS
2018 # 931-1070	\$124,987.33
2018 # 50-55	<u>\$600.00</u>
TOTAL	\$125,587.33

RESOLUTION NO. 148 (2018) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited
MOTION BY BABCOCK, SECONDED BY MCEWEN
ROLL CALL VOTE: MCEWEN AYE, MAUL ABSENT, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Councilperson enters Board meeting at 8:16pm

RESOLUTION NO. 149 (2018) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:32 p.m. to discuss contracts/litigation.
MOTION BY MCEWEN, SECONDED BY PAGANO
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 150 (2018) OPEN SESSION

RESOLVED the Town Board return to Open Session at 9:25 p.m.
MOTION BY MCEWEN, SECONDED BY BABCOCK
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

Councilman Kenyon enters the Board meeting

RESOLUTION NO. 151 (2018) NY POWER AUTHORITY LED STREET LIGHTING PROPOSAL

Resolved the town supervisor is authorized to sign the proposal to proceed with the NY Power Authority LED Street Lighting Proposal
MOTION BY MCEWEN, SECONDED BY BABCOCK
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON ABSENT, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

MOTION BY MAUL, SECONDED BY BABCOCK THE MEETING BE ADJOURNED AT 9:30 PM.