

March 28, 2019
WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board of the Town of Macedon held March 28, 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:

Chief of Police	John Colella
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers

RESOLUTION NO. 88 (2019) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from the March 14, 2019 (regular meeting)
MOTION BY BABCOCK, SECONDED BY KENYON
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 89 (2019) HIGHWAY EQUIPMENT SURPLUS

RESOLVED the Town Board authorizes Christopher Countryman, Highway Superintendent, to declare a 2017 SCAG 60" Cheetah Zero Turn SCZ61V-27FS Mower – Serial No. K0304178 for surplus.
MOTION BY MAUL, SECONDED BY KENYON
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE, MOTION CARRIED

RESOLUTION NO. 90 (2019) FEE SCHEDULE AMENDED

RESOLVED the Town Board adopts the Fee Schedule for the Macedon Cemetery as presented:

REVISED FEE SCHEDULE

<u>Services:</u>	<u>New Rate:</u>
Cemetery Plots (Cremations Max 2 Urns per plot):	\$500.00
Grave Opening Week Days:	\$550.00
Baby Opening:	\$200.00
Saturday Opening:	\$650.00
Sunday/Holiday or After 3pm Opening:	\$750.00
Winter Time Opening (Dec.1st – March 31st):	\$750.00
Cremation Opening:	\$300.00
Cremation Opening Saturday:	\$450.00
Cremation Opening Sunday/Holiday or After 3pm:	\$550.00
Cremation Opening Winter (Dec.1st – March 31st):	\$550.00
Disinterment - Weekdays ONLY (7am-3pm):	\$775.00
Storage Rate per Month (Removal by May 1st):	\$75.00
Storage after May 1st Rate Per Day(s)_____X	\$15.00
Regular Foundations - per Square Surface Inch:	\$0.65
All Foundations Must be 2 inches Wider Than Monument on All Sides	
Veterans Foundations – per Square Surface Inch:	\$0.65
Moving Assistance – Per Hour/Per Man:	\$40.00

MOTION BY KENYON, SECONDED BY MAUL
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 30th from 3:30-6:00

*Highway Superintendent Chris Countryman stated that they are at 115 snow runs for the season. Tree trimming has started and they are Daansen Rd working. April 1st the leaf and brush pickup will start in the Hamlet. The pick up days are the 1st and 3rd Monday's of the month.

*The Macedon Library will be having an event titled Explore & Discover in 1825. The Genesee Country Museum will be there with 4 one hour long events. This event will be held on July 27, 2019. For more information regarding the event please stop in at the Macedon Library.

*Chief Colella stated that on April 27th from 10-2 will be "Take back drug days" at the public safety building. If you have old expired prescriptions you can drop them off at the police department.

RESOLUTION NO. 91 (2019) NOTICE OF RESOLUTION - SUBJECT TO PERMISSIVE REFERENDUM

Notice is hereby given that at a duly scheduled meeting of the Town Board of the Town of Macedon, Wayne County, New York, duly held at the Macedon Town Hall, located at 32 West Main Street, Macedon, New York, on the 28th day of March, 2019, at 7:30 P.M., the Town Board of the Town of Macedon duly adopted the following resolution pursuant to Section 64 of the New York State Town Law, which is subject to a permissive referendum:

WHEREAS, the Town is the fee simple owner of the building located at 30 West Main Street, Macedon, New York, 14502; and

WHEREAS, the Macedon Public Library was established and authorized to operate by the Regents of the University of the State of New York on March 25, 1997 by Absolute Charter Number 14.368; and

WHEREAS, the Town, pursuant to Education Law, § 256(1) and its general authority to lease or convey real property under Town Law, § 64(2), is authorized to permit a public library registered by the regents to lease space in a municipal building in exchange for library services (1983 N.Y. St. Comp. 146); and

WHEREAS, the parties are desirous of entering into this lease agreement legally authorizing the Tenant to continue operations at 30 West Main Street, Macedon, New York 14502, and provide library services to the Town's residents, under the terms and conditions specified in this Agreement.

BE IT RESOLVED, the Town hereby agrees to lease the subject property to the Macedon Public Library, subject to the terms and conditions of the written lease approved by the Macedon Public Library on March 25, 2019, a copy of which filed with the Town Clerk; and

BE IT FURTHER RESOLVED, the Town Supervisor is authorized to execute the aforesaid lease and cause a copy of the same to be delivered to the Macedon Public Library; and

BE IT FURTHER RESOLVED, this resolution is subject to permissive referendum and the Town Clerk shall publish and advertise this resolution as such in the manner prescribed by law.

MOTION BY MAUL, SECONDED BY KENYON

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

RESOLUTION NO. 92 (2019) WILLIAMSON LAW BOOK ANNUAL SOFTWARE SUPPORT CONTRACT

RESOLVED the Town Board authorizes the Town Clerk to sign the Williamson Law Book Town Clerk Plus Support Contract from 4/1/19-3/31/20.

MOTION BY MAUL, SECONDED BY KENYON

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

7:45 PM LOCAL LAW 2 (2019) LOCAL LAW TO AMEND CERTAIN PROVISIONS OF THE TOWN OF MACEDON LOCAL LAW 1 OF THE YEAR 1990

RESOLUTION NO. 93 (2019) WAIVE READING OF THE LEGAL NOTICE

RESOLVED the Town Board waives reading of the legal notice published in the March 16, 2019 issue of the Times.

MOTION BY MAUL, 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 if blending the Hamlet and Village does that change the flood maps? The Board stated that it is incorporating the hamlet in the flood boundary and floodway map, the public hearing is closed.

RESOLUTION NO. 94 (2019) PUBLIC HEARING CLOSED

RESOLVED the Public Hearing be closed at 7:49 p.m.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 95 (2019) LOCAL LAW 2 (2019) A LOCAL LAW TO AMEND CERTAIN PROVISIONS OF THE TOWN OF MACEDON LOCAL LAW 1 OF THE YEAR 1990

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

Section 1.

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.

MOTION BY MAUL, SECONDED BY KENYON

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

8:00 PM 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

RESOLUTION NO. 96 (2019) WAIVE READING OF THE LEGAL NOTICE

RESOLVED the Town Board waives reading of the legal notice published in the March 16, 2019 issue of the Times.

MOTION BY MAUL, SECONDED BY KENYON

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 the two thousand kilowatts capacity in which the Town Attorney explained that the number was taken directly from the Tax Law §487, the public hearing was closed.

RESOLUTION NO. 97 (2019) PUBLIC HEARING CLOSED

RESOLVED the Public Hearing be closed at 8:03 p.m.

MOTION BY MAUL, SECONDED BY KENYON

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

RESOLUTION NO. 98 (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

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

Section 1.

Real Property Tax Law §487 provides a real property tax exemption for certain fuel-flexible linear generator electric generating systems, defined therein as follows:

“Fuel-flexible linear generator electric generating system” means an arrangement or combination of fuel-flexible linear generator electric generating equipment designed to produce electrical energy from linear motion created by the reaction of gaseous or liquid fuels, including but not limited to biogas and natural gas.

“Fuel-flexible linear generator electric generating equipment: or “fuel-flexible linear generator” means an integrated system consisting of oscillators, cylinders, electricity conversion equipment and associated balance of plant components that directly convert the linear motion of the oscillators into electricity and which has a combined rated capacity of not more than two thousand kilowatts.

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 fuel-flexible linear generator electric generating system constructed subsequent to the effective date of this 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.

MOTION BY MAUL, SECONDED BY KENYON

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

MOTION CARRIED

8:10 PM LOCAL LAW 4 (2019) MACEDON LOCAL WATERFRONT REVITALIZATION PROGRAM LOCAL CONSISTENCY LAW

RESOLUTION NO. 99 (2019) WAIVE READING OF THE LEGAL NOTICE

RESOLVED the Town Board waives reading of the legal notice published in the March 16, 2019 issue of the Times.

MOTION BY MAUL, SECONDED BY KENYON

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

MOTION CARRIED

All persons desiring to be heard, a resident spoke regarding that in the LWRP and after reviewing it there are some good items and some items are not great. It was explained that these are the guidelines that the LWRP recommends, the public hearing was closed.

RESOLUTION NO. 100 (2019) PUBLIC HEARING CLOSED

RESOLVED the Public Hearing be closed at 8:14 p.m.

MOTION BY KENYON, SECONDED BY BABCOCK

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

MOTION CARRIED

RESOLUTION NO. 101 (2019) LOCAL LAW 4 (2019) MACEDON LOCAL WATERFRONT REVITALIZATION PROGRAM LOCAL CONSISTENCY LAW

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

I. Title.

This local law will be known and may be cited as the Town of Macedon Waterfront Consistency Review Law.

II. Purpose.

A. The purpose of this local law is to provide a framework for agencies of the Town of Macedon to incorporate the policies and purposes contained in the Town of Macedon Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions within the waterfront area; and to assure that such actions and direct actions by Town agencies are consistent with the LWRP policies and purposes.

B. It is the intention of the Town of Macedon to provide for the protection and beneficial use of the natural and man-made resources within the waterfront revitalization area of the Town of Macedon. The Town desires to find an appropriate balance between the protection of natural resources, enhancing waterfront lands, improving quality of life, promoting waterfront access, and general economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing loss and degradation of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural processes; impairment of scenic, cultural or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.

III. Authority.

A. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

B. The substantive provisions of this local law shall only apply when there is in existence a Town of Macedon Local Waterfront Revitalization Program which has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

IV. Applicability.

All agencies of the Town of Macedon must comply with this local law prior to directly undertaking, approving, or funding any action within the waterfront area.

This local law shall supersede and repeal any previous local regulations regarding Town of Macedon LWRP consistency law.

V. Severability.

The provisions of this local law are severable. If any part of this local law is found invalid, such findings will apply only to the particular provision and circumstances in question. The remainder of this local law, and the application of the disputed provision to other circumstances, will remain valid.

VI. Definitions.

(a) "Actions" include all the following, except minor actions:

- (1) projects or physical activities, such as construction or any other activities that may affect natural, manmade or other resources in the waterfront revitalization area or the environment by changing the use, appearance or condition of any resource or structure, that:
 - (i) are directly undertaken by an agency; or
 - (ii) involve funding by an agency; or
 - (iii) require one or more new or modified approvals, permits, or review from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and
- (4) any combination of the above.

(b) "Town" means the Town of Macedon.

(c) "Agency" means any board, agency, department, office, other body, or officers of the Town of Macedon.

(d) "Town Clerk's Office" means the Town of Macedon Clerk's Office.

(e) "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.

(f) "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to a capital project, rulemaking, procedure making and policy making.

(g) "EIS" means Environmental Impact Statement as defined in 6 NYCRR 617.2 (m).

(h) "Environment" means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the waterfront area.

(i) "Environmental Assessment Form" or "EAF" is a form used in determining the environmental significance or insignificance of actions in accordance with the State Environmental Quality Review Act (SEQRA).

(j) "Local Waterfront Revitalization Program" or "LWRP" means the Local Waterfront Revitalization Program of the Town of Macedon, originally approved by the Village of Macedon Board of Trustees and Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), and subsequently approved by the Macedon Town Board following the dissolution of the Village, a copy of which is on file in the Office of the Town Clerk of the Town of Macedon.

(k) "Minor Actions" include the following actions, which are not subject to review under this chapter:

- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in-place and in-kind, on the same site, including upgrading buildings to meet building or fire codes;
- (3) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (4) maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected;
- (5) minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
- (6) installation of traffic control devices on existing streets, roads and highways;
- (7) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (8) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any action;
- (9) official acts of a ministerial nature involving no exercise of discretion, including building permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building code;
- (10) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (11) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (12) collective bargaining activities;
- (13) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (14) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (15) adoption of regulations, policies, procedures and local legislative decisions in furtherance of any action on this list;
- (16) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (17) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (18) adoption of a moratorium on land development or construction;

- (19) interpreting an existing code, rule or regulation;
 - (20) designation of local landmarks or their inclusion within historic districts;
 - (21) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
 - (22) local legislative decisions such as rezoning where the Town of Macedon determines the action will not be approved.
- (l) "Planning Board" means the Town of Macedon Planning Board.
- (m) "Waterfront Assessment Form (WAF)" means the form, a sample of which is appended to this local law, used by an agency to assist in determining the consistency of an action with the Local Waterfront Revitalization Program.
- (n) "Waterfront Revitalization Area" that area located within the boundaries of the Town of Macedon delineated and described in the Town of Macedon Local Waterfront Revitalization Program (LWRP).

VII. Management and Coordination of the Review of Actions.

- A. The Town of Macedon Planning Board shall be responsible for coordinating review of actions in the Town's waterfront revitalization area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other Town agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.
- B. The Town of Macedon Planning Board Chair shall coordinate with the New York State Department of State regarding consistency review of actions by Federal agencies and with State agencies regarding consistency review of their actions.

VIII. Certification of Consistency.

7.1 - Review of Actions.

- A. Whenever a proposed action is located within the Town's waterfront revitalization area, each Town agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Subparagraph I herein. No action in the waterfront revitalization area shall be approved, funded or undertaken by that agency without such a determination.
- B. Whenever a Town agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront area, the agency shall refer a copy of the completed WAF to the Planning Board within ten (10) days of its receipt and prior to making its determination, shall consider the recommendation of the Planning Board with reference to the consistency of the proposed action.
- C. After referral from an agency, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards set forth in Section H herein. The Planning Board shall require the applicant to submit all completed applications, WAFs, EAFs, and any other information deemed necessary to its consistency recommendation.

The Planning Board shall render its written recommendation to the agency within thirty (30) days following referral of the WAF from the agency, unless extended by mutual agreement of the Planning Board and the applicant or in the case of a direct action, the agency. The Planning Board's recommendation shall indicate whether the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and shall elaborate in writing the basis for its opinion. The Planning Board shall, along with a consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards or to greater advance them.

In the event that the Planning Board's recommendation is not forthcoming within the specified time, the agency shall make its consistency decision without the benefit of the Planning Board's recommendation.

- D. If an action requires approval of more than one Town agency, decision making will be coordinated between the agencies to determine which agency will conduct the final consistency review, and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the Town Board shall designate the consistency review agency.
- E. Upon receipt of the Planning Board's recommendation, the agency shall consider whether the proposed action is consistent with the LWRP policy standards in Section I herein. The agency shall consider the consistency recommendation of the Planning Board, the WAF and other relevant information in making its written determination of consistency. No approval or decision shall be rendered for an action in the waterfront area without a written determination of consistency having first been rendered by a Town agency.
- F. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Planning Board in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.
- G. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies standards in Subparagraph I herein and include a thorough discussion of the effects of the proposed action on such policy standards.
- H. In the event the Planning Board's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and state the manner and extent to which the action is consistent with the LWRP policy standards.
- I. Actions to be undertaken within the waterfront revitalization area shall be evaluated for consistency in accordance with the following summary of LWRP policy standards, which are

derived from and further explained and described in the Town of Macedon LWRP Section III, a copy of which is on file in the Town Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions must also consult with LWRP Section IV, in making their consistency determination.

Any proposed action must be consistent with the following established policies:

- Policy 1: Foster a pattern of development in the waterfront area that enhances Community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.
- Policy 2: Preserve historic resources of the waterfront area.
- Policy 3: Enhance visual quality and protect scenic resources throughout the waterfront area.
- Policy 4: Minimize loss of life, structure, and natural resources from flooding and erosion.
- Policy 5: Protect and improve water quality and supply in the waterfront area.
- Policy 6: Protect and restore the quality and function of the waterfront ecosystem.
- Policy 7: Protect and improve air quality in the waterfront area.
- Policy 8: Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.
- Policy 9: Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area.
- Policy 10: Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.
- Policy 11: Promote sustainable use of living marine resources in the waterfront area.
- Policy 12: Protect agricultural lands.
- Policy 13: Promote appropriate use and development of energy and mineral resources.

J. The Town shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board. Such files shall be made available for public inspection upon request.

IX . Enforcement.

A. No action within the Town of Macedon waterfront revitalization area which is subject to review under this Article shall proceed until a written determination has been issued from a Town agency that the action is consistent with the Town of Macedon's LWRP policy standards.

B. In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Code Enforcement Officer or any other authorized official of the Town shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect. The Code Enforcement Officer, Town Attorney, and Police Department shall be responsible for enforcing this Article.

X. Violations.

A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this local law shall have committed a violation, punishable by a fine not exceeding five hundred dollars (\$500.00) for a conviction of a first offense and punishable by a fine of one thousand dollars (\$1000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.

B. The Town Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

XI. Effective Date.

This local law shall take effect immediately upon its filing in in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

ABSTRACT NO. 6	
2019 # 508-510	\$2,400.25

ABSTRACT NO. 7	
2019 # 511-583	\$93,270.83
2019 TA#22-24	5,152.80
	<hr/>
	\$98,423.63

RESOLUTION 102 (2019) PAYMENT OF CLAIMS

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

RESOLUTION NO. 103 (2019) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 8:16 p.m. to discuss litigations/contracts
MOTION BY KENYON, SECONDED BY BABCOCK
ROLL CALL VOTE: MCEWEN AYE, MAUL AYE, KENYON AYE, BABCOCK AYE, PAGANO AYE,
MOTION CARRIED

DECLARED OUT: 9:17PM

MOTION BY KENYON, SECONDED BY BABCOCK THE MEETING BE ADJOURNED AT 9:18 PM.

Karrie M. Bowers, Macedon Town Clerk