

July 22, 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 July 22, 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 McEwen
Councilperson	Richard Roets
Supervisor	Kim V. Leonard

Absent

Councilperson	David Maul
---------------	------------

Also Present:

Attorney	David Fulvio
Chief of Police	John Colella
Director of EMS	Paul Harkness
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

**RESOLUTION NO. 151 (2021) APPROVAL OF MINUTES**

RESOLVED the Board approves the minutes from the July 8, 2021, (regular meeting)

MOTION BY ROETS, SECONDED BY MCEWEN

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

**Reports:**

June Town Clerk Report

2<sup>nd</sup> Qtr. Historian Report

**RESOLUTION NO. 152 (2021) APPROVAL OF REPORTS**

RESOLVED the reports be approved as submitted.

MOTION BY BABCOCK, SECONDED BY ROETS

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

**RESOLUTION NO. 153 (2021) PERSONNEL – PART-TIME COURT CLERK**

RESOLVED the board appoints Dawn Yantch as part-time Court Clerk effective July 13, 2021 at a rate of \$25/hr. to be expensed from A1110.100.

MOTION BY ROETS, SECONDED BY MCEWEN

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

**RESOLUTION NO. 154 (2021) 2021 NYS CANAL CONFERENCE**

RESOLVED the Town Board approves Supervisor Leonard to attend the 2021 NYS Canal Conference in Schenectady, NY from 9/25 – 9/28/2021

At a cost not to exceed \$ 1,200.00 to be expensed from A 8510.400 Community Beautification.

MOTION BY ROETS, SECONDED BY MCEWEN

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

**RESOLUTION NO. 155 (2021) PROFESSIONAL SERVICES CONTRACT**

RESOLVED the Town Board authorizes the Supervisor to sign the "Professional Services Contract" for Independent Testing of our Law Enforcement Candidates as presented, contingent upon the approval of the Town Attorney.

MOTION BY MCEWEN, SECONDED BY ROETS

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

**RESOLUTION NO. 156 (2021) PAYMENT OF CLAIMS**

RESOLVED the bills be paid as audited

MOTION BY MCEWEN, SECONDED BY ROETS

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

**ABSTRACT NO. 16 (2021)**

2021 # 994 - 1070 \$360,755.05

2021 # 54 - 61 \$ 13,817.55

Total \$374,572.60

**7:40 PM PUBLIC HEARING HARVS EXPANSION OF NON-CONFORMING USE****RESOLUTION NO. 157 (2021) READING OF THE LEGAL NOTICE WAIVED**

RESOLVED the reading of the legal notice published in the July 11, 2021 issue of the Times be waived.

MOTION BY ROETS, SECONDED BY ROETS

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

Public hearing is now open for public comment. Having heard no public comment

**RESOLUTION NO. 158 (2021) PUBLIC HEARING CLOSED**

RESOLVED the public hearing be closed at 7:44 p.m.

MOTION BY ROETS, SECONDED BY MCEWEN

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

**RESOLUTION NO. 159 (2021) HARVS HARLEY DAVIDSON SPECIAL PERMIT – EXPANSION OF NON-CONFORMING USE**

WHEREAS, the Kimberly S. Wyman Family Trust owns the property at 3120 Kittering Road, tax I.D. number 61113-00-160792,

AND WHEREAS, the property is a legally pre-existing, non-conforming use in an AR-40 zoning district,

AND WHEREAS, the Applicant seeks to construct a new accessory structure on the property for storage and a dwelling unit,

AND WHEREAS, the Town Planning Board at their July 19, 2021 recommended the Town Board approve the Special Permit for this expansion,

AND WHEREAS, the Town Board held a public hearing on July 22, 2021 to hear any public comment on the application,

NOW THEREFORE BE IT RESOLVED, the Town Board issues a special permit pursuant to Town Code 300-167, to enable construction of a new 8,000 sf. detached accessory structure at 3120 Kittering Road.

MOTION BY MCEWEN, SECONDED BY ROETS

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

**RESOLUTION NO. 160 (2021) INDUS RESTAURANT SPECIAL USE PERMIT APPROVED**

WHEREAS, Indus Hospitality Group has made application to the Macedon Town Board to obtain a special use permit to operate a restaurant at property owned by Zurich Family, LLC located 362 NYS Route 31,

AND WHEREAS, the Wayne County Planning Board at their May 26, 2021 recommended approval of the Special Use Permit per their response letter dated June 4, 2021,

AND WHEREAS, the Town Board held a public hearing on the Special Use Permit application on June 24, 2021 to hear public comment on the application,

AND WHEREAS, the Town of Macedon Planning Board at its July 19, 2021 meeting, as Lead Agent, issued a SEQRA negative declaration and Final site plan approval for the overall development proposal of a Hotel and Restaurant for this Applicant,

NOW THEREFORE BE IT RESOLVED, the Town Board grants Indus Hospitality a Special Use Permit to operate a restaurant at 362 NYS Route 31 on tax parcel ID# 61111-00-274731 and 61111-00-274709 as per Town Code section 300-183, subject to the following conditions:

1. Compliance with all terms and conditions of the Planning Board site plan approval, including site design, landscaping, fencing, building architectural elevations, and air handling equipment for the restaurant.
2. Town Engineer's technical comments in letter dated July 7, 2021.
3. Hours of Operation to be Sunday-Thursday from 11 am to 9 pm, and Friday-Saturday 11 am to 10 pm.

MOTION BY MCEWEN, SECONDED BY ROETS

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

#### **Roundtable/discussion**

- Ambulance – EMS Director Harkness asked the Board what direction they would like to move in regarding purchasing a replacement ambulance as well as the purchase of the lift load systems by Stryker – The cost for two would be \$48,445.60.

#### **RESOLUTION NO. 161 (2021) STRYKER LIFT LOAD SYSTEM**

RESOLVED the Town Board authorizes the purchase of Stryker Lift Load systems in the amount of \$48,445.60, and

BE IT FURTHER RESOLVED that the purchase be made under the Federal Stimulus package.

MOTION BY BABCOCK, SECONDED BY ROETS

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

- Bldg & Zoning – Sewer lines are installed and clean up is underway on Victor Rd and Westview Circle.
- Police – Chief Colella stated that there will be a 1<sup>st</sup> responder motorcycle ride that will be happening on July 25<sup>th</sup>.
- Court – Judge Reinstein has spoken with Supervisor Leonard regarding the air conditioning at the new Court building.
- Supervisor Leonard spoke regarding the recreation department and that the Recreation Director has stepped down and the Board will be discussing if the Town will be hiring a new Director or if the Town will be contracting out.
- Macedon Center Fire Department will be holding a chicken b-b-que on July 31<sup>st</sup> from 4:00pm till gone.

#### **EXECUTIVE SESSION**

RESOLVED the Board enters Executive Session at 8:29 p.m. to discuss personnel/contracts.

MOTION BY MCEWEN, SECONDED BY ROETS

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

Declared out of executive at 9:42 pm

MOTION BY ROETS, SECONDED BY MCEWEN, THE MEETING BE ADJOURNED AT 9:43 PM.

*Karrie M. Bowers*

---

Karrie M. Bowers, Town Clerk RMC