

April 14, 2022
 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 April 14, 2022, at the Town Complex, 32 Main Street, Macedon NY, and 35115 Danny Drive, Zephyrhills, FL was called to order by Supervisor Kim V. Leonard at 6:30 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:

Chief of Police	Fabian Rivera
Director of Ambulance	Paul Harkness
Highway Superintendent	Christopher Countryman
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

RESOLUTION NO. 88 (2022) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 6:32 to discuss personnel/litigation
 MOTION BY MAUL, SECONDED BY ROETS
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

Declared out of executive at 7:08 pm

7:10 PM - PUBLIC HEARING – SPECIAL USE PERMIT AMAZING PROPERTIES

RESOLUTION NO. 89 (2022) WAIVE OF READING OF THE LEGAL NOTICE

RESOLVED the Board waives the reading of the legal notice published in the April 3, 2022 issue of the Times.
 MOTION BY ROETS, SECONDED BY BABCOCK
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

The public hearing is now open for public comment

RESOLUTION NO. 90 (2022) THE PUBLIC HEARING IS CLOSED

RESOLVED that the Public Hearing be closed at 7:20 p.m.
 MOTION BY ROETS, SECONDED BY MAUL
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

7:20 PM - PUBLIC HEARING – CDBG-CV CARES GRANT

RESOLUTION NO. 91 (2022) WAIVES OF READING OF THE LEGAL NOTICE

RESOLVED the Board waives the reading of the legal notice published in the April 3, 2022 issue of the Times.
 MOTION BY ROETS, SECONDED BY BABCOCK
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

Michael Cocquyt from LaBella gave a presentation CDBG-CV for the public and the Board.
 The public hearing is now open for public comment, having heard no public comment, the public hearing was closed.

RESOLUTION NO. 92 (2022) THE PUBLIC HEARING IS CLOSED

RESOLVED that the Public Hearing be closed at 7:46 p.m.
 MOTION BY MAUL, SECONDED BY BABCOCK
 ROLL CALL VOTE: BABCOCK AYE, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,
 MOTION CARRIED

RESOLUTION NO. 93 (2022) SPECIAL USE PERMIT – AMAZING PROPERTIES

Resolved the Town Board approves a special use permit for Amazing Properties to operate a 5-unit multi-family residential apartment building at 1936 NYS Route 31 in the General Commercial Zoning District.

MOTION BY BABCOCK, SECONDED BY ROETS

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

- The Town Board presented John P. Colella Retired Macedon Police Chief a Plaque for all the outstanding work that he did while he was the Macedon Town Police Chief.

RESOLUTION NO. 94 (2022) APPLICATION TO CDBG-CV CARES GRANT

Community Development Block Grant (CDBG) application for the 2022 program year. The CDBG-CV program is administered by the New York State Office of Community Renewal (OCR), The specific program which the Town is applying will provide grant funding to eligible local governments for small business assistance with the principal purpose of benefitting low/moderate-income persons. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 96 (2022) COMPLIANCE WITH THE TITLE II COMPLIANCE OF THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT OF 1973

WHEREAS, the Town of Macedon has received funding under the Community Development Block Grant (CDBG) Act and is required to take affirmative steps to ensure that the CDBG programs, services, and activities are accessible to and usable by, individuals with disabilities.

BE IT RESOLVED that the Town of Macedon hereby adopts the attached policy statement regarding compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, and

BE IT RESOLVED that the Town of Macedon hereby adopts the complaint procedures described in the policy statement to address complaints of discrimination with regard to the ADA and/or Section 504 of the Rehabilitation Act of 1973, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post the policy statement in the Town Clerk's Office and to publish a notice regarding the availability of the policy statement and complaint form

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 95 (2022) FAIR HOUSING/ANTI-DISPLACEMENT PLAN

WHEREAS, the Town of Macedon, State of New York, has been granted Community Development Block Grant (CDBG) funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires a certain statement of assurances and certifications;

NOW THEREFORE BE IT RESOLVED that pursuant to the Town of Macedon being granted CDBG funds by the State; the Town of Macedon, by an administrative act, does adopt Fair Housing and Anti-Displacement Plans for the Town; and

BE IT FURTHER RESOLVED that the Town Board appoints the Town Engineer to serve as the Fair Housing Officer for the Town of Macedon.

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 97 (2020) SECTION 3 COORDINATOR FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Macedon has received funding under the Community Development Block Grant (CDBG) Program, and

WHEREAS, the Town is required to maintain compliance with CDBG program regulations, including provisions of Section 3 of the HUD Act of 1968, as amended, and

WHEREAS, the Town is required to designate a Section 3 Coordinator for the CDBG-funded projects.

BE IT RESOLVED, that the Town Board hereby appoints The Town Engineer, to serve as the Section 3 Coordinator for the CDBG Program.

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 98 (2022) PROCUREMENT OF GOODS & SERVICES RELATED TO THE IMPLEMENTATION OF THE CDBG FUNDED PROGRAMS

WHEREAS, the Town of Macedon has received funding under the Community Development Block Grant (CDBG) Program, and

WHEREAS, under the CDBG program regulations, communities are required to comply with the procurement standards established for federal assistance programs, and

WHEREAS, these procurement standards require that, whenever possible, small, minority and women-owned businesses should be solicited as potential sources of supplies, services and construction and other contracts, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Macedon hereby amends its existing procurement policy to require that consideration in the solicitation of bids or quotes for services, supplies, or contracts be given to:

- small and/or locally-owned businesses, with priority to businesses owned by or which employ low or moderate-income persons, as defined by HUD, and
- qualified Minority and Women-owned Business Enterprises (M/WBE) firms listed in the directory of certified minority and women-owned businesses maintained by the Empire State Development Corporation.

BE IT FURTHER RESOLVED that these provisions shall apply to the procurement of goods and services related to the implementation of the CDBG-funded programs and activities by the Town of Macedon.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 99 (2022) CDBG-CV CARES – SMALL BUSINESS ASSISTANCE PROGRAM – CERTIFYING OFFICER RESOLUTION

RESOLVED, that in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFP Part 58, the Town Board of the Town of Macedon announces its intent to conduct an environmental review of a project to provide small businesses with funding within the Town community.

FURTHER RESOLVED, that the Town Board designates Kim Leonard, Town Supervisor, as the Certifying Officer, responsible for all activities associated with the environmental review process to be completed in conjunction with the NYS CDBG projects.

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 100 (2022) SEASONAL PARK EMPLOYEE

RESOLVED the Town Board authorizes the Town Clerk, Karrie Bowers, to advertise for a full-time seasonal Parks employee for 40 hours a week at a rate of \$17.00/hr.

MOTION BY MAUL, SECONDED BY ROETS

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

RESOLUTION NO. 101 (2022) HIGHWAY SURPLUS STERLING TRUCK

RESOLVED the Town Board authorizes the Highway Superintendent, Christopher Countryman, to surplus a 2001 Sterling 10-Wheeler Dump Truck, VIN: 2FZHAZAS61A-H94311.

MOTION BY ROETS, SECONDED BY MAUL

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

RESOLUTION NO. 102 (2022) SPEED LIMIT CHANGE – STATE ROUTE 350/31

RESOLVED the Town Board supports the speed limit change on State Route 350/31 between Quaker Rd and State Route 31 per a resident's request at the Board meeting held on Thursday, February 10, 2022.

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 103 (2022) RESIGNATION – HIGHWAY

RESOLVED the Town Board accepts the resignation of Mark Baker effective March 25, 2022.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 104 (2022) RESIGNATION – HIGHWAY

RESOLVED the Town Board accepts the resignation of Joshua DeMay effective April 8, 2022,

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 105 (2022) FIREWORKS DISPLAY PERMIT – HARV’S HARLEY DAVIDSON

RESOLVED the Macedon Town Board approves the Outdoor Fireworks Display Permit on May 2, 2022, at 3120 Kittering Rd as requested by Young Explosives Corporation.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 106 (2022) WAYNE FINGER LAKES BOCES NATURAL GAS BID

RESOLVED the Town Board authorizes the Supervisor to sign Cooperative Natural Gas bid with Wayne Finger Lakes Boces bid #WFL 2023-19

MOTION BY ROETS, SECONDED BY BABCOCK

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

RESOLUTION NO. 107 (2022) PERSONNEL – AMBULANCE

RESOLVED the Town Board appoints Jonathan Park as part-time EMT at the rate of \$16.80/hr effective April 24, 2022, to be expensed from A4540.100.

MOTION BY ROETS, SECONDED BY MAUL

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

RESOLUTION NO. 108 (2022) CERTIFICATION OF ELIGIBLES APPOINTMENTS FOR MACEDON TOWN AMBULANCE

RESOLVED the Board directs the Director of EMS, Paul Harkness, to canvass the Certification of Eligibles from the Wayne County Civil Service office for eligible ALS & BLS appointments for the Macedon Town Ambulance.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 109 (2022) PERSONNEL – SENIOR CLERK TYPIST

BE IT RESOLVED the Town Board appoints Shelly Baker to the position of full-time Senior Clerk Typist – lateral transfer, effective May 2, 2022, at a rate of \$36,000 to be expensed from A1220.100.

MOTION BY ROETS SECONDED BY MAUL

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

RESOLUTION NO. 110 (2022) PERSONNEL – POLICE DEPARTMENT

RESOLVED the Board authorizes Police Chief Rivera to search for lateral transfers to the Town of Macedon Police Department.

MOTION BY MAUL, SECONDED BY BABCOCK

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

RESOLUTION NO. 111 (2022) AGREEMENT WITH PRONEXUS, LLC – ACCOUNTING

RESOLVED the Town Board authorizes the Supervisor to sign the letter of intent from Pronexus at a range of \$110-\$140/hr to be expensed from A1320.400.

MOTION BY ROETS, SECONDED BY MAUL

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

RESOLUTION NO. 112 (2022) STIPEND FOR CERTIFICATION

RESOLVED the Town Board approves the Stipend for Certification in Fertilizer/Pesticide Spraying for John Anderson in the amount of \$1200 for the period of April to September 2022 and to be expensed from A7110.100.

MOTION BY ROETS, SECONDED BY MAUL

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

RESOLUTION NO. 113 (2022) RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town of Macedon is the successor to the Village of Macedon, which was the successor owner of Macedon Cemetery located at #20 Erie Street, Macedon, New York 14502 and designated as Tax Account No. 62111-08-884781; and

WHEREAS, James C. Wolter ("Owner") is the owner of the fee interest in certain premises in the Town of Macedon, County of Wayne and State of New York, known as 3 Cemetery Drive, Macedon, New York 14502 and designated Tax Account No. 62111-08-839794; and

WHEREAS, the existing stone driveway that is utilized by Owner is shown on a survey prepared by Land Tech Surveyor & Planning PLLC last dated March 21, 2022 ("Survey"), which existing stone driveway is located predominately within the Cemetery; and

WHEREAS, the Owner has requested and the Town has agreed to grant a perpetual non-exclusive easement for access, ingress, and egress to and from the lands of Owner to Erie Street, a public right-of-way, over the existing stone driveway as shown on the Survey, as the same may be relocated, and

WHEREAS, the Town has requested and Owner has agreed to grant a perpetual non-exclusive easement for access, ingress, and egress over the portion of the existing stone driveway located on Owner's property as shown on the Survey, for the limited purpose of turning around vehicles, which together with the remaining covenants sets forth in the easement, the Town has determined constitutes reasonable and adequate consideration for the reciprocal rights to be conveyed by the Town; and now therefore

BE IT RESOLVED, the Town Board authorizes the Town Supervisor to execute the Reciprocal Access Easement by and between the Town and James W. Wolter, and any additional paperwork to effectuate the conveyance and recording of the same in the Wayne County Clerk's Office; and

BE IT FURTHER RESOLVED, this resolution is adopted subject to a permissive referendum, pursuant to Town Law 198(12)(b), by qualified voters; and it is further

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise this resolution as subject to permissive referendum in the manner prescribed the New York State Law.

Dated: April 14, 2022

Karrie Bowers
Town Clerk
Town of Macedon, New York

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

Summer Glen Apartments

*The Town Board received a letter dated April 13, 2022, regarding Summer Glen Apartments requesting the waiving of the capital charges. The Board's response is based on the Town Engineer's recommendation that the fees not be waived. The Supervisor will send a letter to Mr. Mohamed Patrawala regarding the Boards decision.

RESOLUTION NO. 114 (2022) APPROVAL OF MINUTES

RESOLVED the Board approves the minutes from March 24, 2022 (regular meeting)

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

Reports:

- * Town Clerk Report
- * Police Report
- * Historian Qtrly Report

RESOLUTION NO. 115 (022) 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

ABSTRACT NO. 7 (2022)

2022 # 435 - 557	\$883,294.99
2022 # TA – 19 - 20	\$ 200.00
Total	<u>\$883,494.99</u>

RESOLUTION NO. 116 (2022) PAYMENT OF CLAIMS

RESOLVED the bills be paid as audited.

MOTION BY ROETS, SECONDED BY BABCOCK

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

Roundtable:

- The Assessor Dennine Leeson stated that they have had 234 informal meetings which will end on April 19th. Grievance Day will be on May 24
- Town Engineer Scott Allen stated that KFC will be opening the week of April 18th.
- The Highway Department has 92 Snow runs this season. Brush pick-up will start on Monday, April 18, 2022. The Highway Superintendent stated that the Greenway contract has expired and would like to put that out to bid again.
- Supervisor Leonard stated that the contractor working on the Court building will be returning April 23rd and the planned completion date will be May 20, 2022.
- Supervisor Leonard stated that the Town is waiting for paperwork to transfer the property from NYS Canal Corp. to the Town of Macedon and the Railroad culvert Project is preparing to move forward.
- The Town of Macedon still has N3 95 Masks and Covid testing Kits available.

RESOLUTION NO. 117 (2022) MOWING BIDS – CANAL GREENWAY

RESOLVED the Town Board authorizes the Town Clerk to advertise for sealed mowing bids for Canal Greenway on a per-trip basis with a contract not to exceed two years. Specs are to be provided by the Highway Superintendent and available at the Town Clerk's office on Friday, April 15, 2022. The bids will be opened on April 28, 2022, at 10:00am.

MOTION BY BABCOCK, SECONDED BY ROETS

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

RESOLUTION NO. 118 (2022) EXECUTIVE SESSION

RESOLVED the Board enters Executive Session at 9:40 to discuss personnel.

MOTION BY ROETS, SECONDED BY MAUL

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

MOTION BY ROETS, SECONDED BY MAUL, THE MEETING BE ADJOURNED AT 10:05 PM.

Karrie M. Bowers

Karrie M. Bowers, Town Clerk RMC