

May 23, 2024  
WEB SITE <http://macedontown.net>

The Town Board’s regular meeting is being held remotely by Executive Order 202.15, issued on June 2, 2020, by the Governor. The Town of Macedon held the Board meeting on May 23, 2024, at the Town Complex, 32 Main Street, Macedon, NY, and was called to order by Supervisor Kim V. Leonard at 6:15 p.m.

Pledge of Allegiance.

Upon Roll Call, the following members of the Board were

Present:

Councilperson	Bruce Babcock
Councilperson	William Hammond
Councilperson	David Maul
Councilperson	David McEwen
Supervisor	Kim V. Leonard

Absent

Also, Present:

Director of EMS	Paul Harkness
Historian	Linda Braun
Police Officer	William Murray
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

**RESOLUTION NO. 127 (2024) APPROVAL OF MINUTES**

RESOLVED the Board approves the May 9, 2024 amended (Regular) meeting.

MOTION BY MCEWEN, SECONDED BY BABCOCK

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

**Roundtable:**

**Building & Zoning:** Scott Allen, Bill Hammond, and Chris Countryman will meet on Tuesday, May 28, 2024, at 10:00 a.m. to discuss drainage and to go around to see what drainage projects are going on and what still needs to be done.

**Town Board:** Councilman Babcock met with the library and discussed the efforts that are being made to coordinate between the library and the historical society about moving the Bullis books to the Macedon Academy; the question is where is the money going to come from to upgrade the academy and the actual physical motion to move the books. The Librarian had written letters to our state representatives about funding and supporting it. Councilman Babcock and Scott Allen have discussed having Trane look in the Bullis room and make some recommendations on keeping climate control up to the same standard as the rest of the library. Because it is a south-facing building, the temperature is going up, and they do have a dehumidifier there, and they are going to below 50, which is what the recommendations are to prevent mold. We will wait on Trane to see what the next steps will be.

Councilman Babcock talked with Earl Lergner about the website that the Town of East Rochester uses, so he thought it might be good to talk to another company to see what they do. He saw how you navigate through the East Rochester website, which looked pretty clean. I forwarded the presentation to the town clerk to put up on the town website. The slides have some hyperlinks so you can see the type of work they do.

Councilman Maul entered the board meeting at 7:10 pm

7:15 – 7:45—Town of Macedon’s Comprehensive Plan Presentation—Kate Powers from the LaBella group presented the comprehensive plan, which will be posted on the town website for review. Councilman Maul asked that once the plan has been submitted and accepted, what is the custom for maintaining the plan? All the goals, direct action, and implementation matrix. Usually, a staff member in the Town will be in charge of documenting and keeping track of where you are and bringing it out, especially during budget time.

7:50 – Town of Macedon’s Franchise Agreement Draft Renewal – Lauren Kelly from Charter Communications reviewed the Cable Vision Agreement. The franchise has expired for about 10 years, and she knows that throughout the county. The old document across the board was antiquated when Time Warner and Charter merged in 2016; the legal party looked at it and put it in a new template, much like the old agreement. It is a 3% franchise fee and a 15-year term and can go down to 10 years if the town wants. There is not a lot there as we are just doing a renewal.

Councilman Maul stated that he was unaware that it had expired for 10 years, so what is the practical effect of that? In other words, what if we don’t renew? Ms. Kelly stated that she stated that you could let it go forever, and this is why there are things in the document that they do not do anymore. For instance, we don’t do tree trimming anymore. There is a tree-trimming passage, which would actually be the power companies. There is a lot of language that does not apply anymore. Ms. Kelly stated that this document protects the Town and Charter Communication. The Town is not obligated to sign it; however, Charter Communications hopes it will sign the agreement. This agreement just automatically renews. The Town Attorney, David Fulvio, did review it, and if the Board hasn’t had a chance to review it, we can wait until the board reviews it before setting the public hearing.

Councilman Maul stated that this is the first time he has spoken to Spectrum. Are there terms in the agreement about the services offered to people? For instance, my TV experience has decreased remarkably for the last year, and I have been on the phone with Spectrum. Are there terms about services available to your customers in this agreement? There are terms we must adhere to a certain standard, and Ms. Kelly would be happy to help. Ms. Kelly believes that Macedon is one of the first to do a high split, which will make all to special speeds. If anyone has interruptions, you should have received a notice that they are upgrading. Because this is a franchise, we have to have EFC, which allows us to offer any other services that Charter has.

**Supervisor:**

Supervisor Leonard wanted everyone to know that she wanted to caution everyone, and again, it was every existing home. Originally, it was supposed to be in every area in the county. So, say there is a house and 300 ft. that is left or say it was farmland, then it is not farmland that area will not be covered, and when I was on the cable committee, it was every single area of the county, and there a couple of people that will not get it. Ms. Kelly asked if it could be forwarded to her email so that she could look into this. The public hearing for the June 13<sup>th</sup> meeting is at 7:15 pm.

**RESOLUTION NO. 128 (2024) PUBLIC HEARING CABLE TELEVISION AGREEMENT BETWEEN SPECTRUM NORTHEAST, LLC TO BE SET**

Please take notice that the Town of Macedon will hold a Public Hearing on June 13, 2024, at 7:15 p.m. at the Macedon Town Hall, 32 Main Street, Macedon, New York, regarding the granting of a cable television franchise agreement by and between the Town of Mace and Sprectrum Northeast, LLC, an indirect subsidiary of Charter Communications.

A copy of the agreement is available for public inspection during normal business hours at the Town Clerk's office, 32 Main Street, Macedon, NY. At such public hearings, everyone will be allowed to be heard. Written and oral statements will be taken at that time. Time limitation will be imposed for each oral state, if necessary.

Date: May 23, 2024

By order of the Town of Macedon Board

MOTION BY MAUL, SECONDED BY HAMMOND

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

**Roundtable (continued):**

**Building & Zoning:**

There is a plot that Speedway owns, which is at the SW corner of Erie and Rt. 31, and information was sent over to Stephanie Holtz, the Assessor. She replied that as long as you do not approach their number, which is \$1300, as long as we do not get close to that number, then the Town of Macedon is good. Supervisor Leonard will send a resolution for an offer. Scott Allen said we are going back and forth informally now, so he doesn't believe we need to make formal dollars. Scott also told them this would need to be removed from the litigation. Scott does not think that we should get the lawyer involved. Councilman Hammond said that we should wait until the litigation is settled. Scott Allen put the map on the screen to show everything he discussed. The thought is that even if the 4.5 million NY forward is not a worthy project, it is small enough that the town could do it ourselves, but if we were to get a contract, it could become a gateway project or something to beautify downtown.

Historian Linda Braun stated that the Memorial Parade will not occur, but there will be a memorial at 10:00 am on Memorial Day, Monday, May 27, 2024.

Historian Linda Braun stated that the big American flag will be at the historical academy. A big thank you to everyone who donated to the new flag.

Historian Linda Braun stated that a resident has been working on the old Baptist Cemetery on Quaker Rd, cleaning headstones. The resident is asking volunteers to help on June 23, 2024, from 10-2. A resident asked if the website could be updated for the work that she has been doing. Historian Braun stated that they will be hosting on the historian website. Just google Old Baptist Cemetery, and it will come up.

A resident asked if the town received a payment yet for the SRO for Gananda Schools. Supervisor Leonard stated that the bill had been sent and that they would pay at their next school board meeting. There was a rate amount on the town side that was addressed. They have received the January 1, 2024 – April 5, 2024 invoice.

Officer Murray stated a resolution to hire a part-time police officer would be presented at the June 13 board meeting.

Tricia and Steve Kuntz want to thank the Board for all the work that you invested in the Town. She wanted the Board to know that everyone is very thankful for what the Board does.

Historian Linda Braun's mother asked the Board if they could please try to attend the Memorial Day ceremony at the cemetery.

Supervisor Leonard stated that our Town Crier, James Bush, has passed away. He was a wonderful man with many talents who was active in our community and surrounding communities.

**ABSTRACT NO. 10 (2024)**

2024 #720-807	\$130,678.10
TA# 34-37	\$ 13,157.10
<b>Total</b>	<b>\$143,835.20</b>

**RESOLUTION NO. 129 (2024) PAYMENT OF CLAIMS**

RESOLVED the bills be paid as audited

MOTION BY HAMMOND, SECONDED BY MCEWEN

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

**(Roundtable continued)**

Supervisor Leonard stated that she has received some emails regarding complaints on the Lock 60 trail. The emails were from a newsperson and a former canal trail volunteer, and we need to start thinking about how to help Myke Bueg.

Councilman Maul stated that they received the draft highway agreement and have forwarded it to each of you. and believes that it is being forwarded to the highway liaison simultaneously but does not know that for a fact. Supervisor Leonard thanked Councilman Maul and Councilman Hammond as she thought it would take a lot longer than it has.

Councilman Maul stated that he has spoken with the Department Head, Myke Bueg, regarding the fact that he and his team are running ragged. I could best describe what happened: a misunderstanding between what Myke was looking for in the 24 budget and what Councilman Maul submitted for his 2024 budget. Councilman Maul thought they were on the same page and learned they were not. The budget has obviously passed, and he is finding himself with a shorter staff level than he had the year before, and the work is multiplying. Myke did not ask for this and that Councilman Maul would propose to the board to advertise for a candidate to increase his staffing level by one full-time person and the understanding that will continue into the other years. Councilman Babcock stated that something was in the budget as they did not hire, and Supervisor Leonard stated that it is DA, which is the highway budget line. If you were looking at a town cost, it would be a wash or possibly less depending on if this candidate would need benefits or not, but just for the salary of \$27,000 to get through the year, and then it would become part of the budget for 2025. Supervisor Leonard, did this need to be advertised? Councilman Maul has said you know I am the last person who would want to spend money, and it was stated, "You are the last person that wants to spend money." Councilman Maul stressed that Myke did not call him and that he reached out to Myke regarding the position. Supervisor Leonard stated that Myke is new to the budget process, and Councilman Maul stated that he thought that when he communicated with me, he may have, but somehow, the wires got crossed, and when it all got passed, he asked what happened. A resident asked what is the number he has as his staff. He has himself, a full-time person, and two seasonal people, which is just not enough. So, in the off-season, what will that third full-time person do? His department does everything for building maintenance as well. Councilman Babcock asked if this is a resolution to move money from the fund balance, and Supervisor Leonard would like to suggest that she has no issue but needs to advertise or hire someone he already knows. Councilman Maul will inform the Board and Town Clerk if this needs to be advertised.

**RESOLUTION NO. 130 (2024) EXECUTIVE SESSION**

RESOLVED The Board enters Executive Session at 8:52 p.m. to discuss personnel/contracts

MOTION BY HAMMOND, SECONDED BY MAUL

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

Declared out of executive at 9:35 pm

MOTION BY MCEWEN, SECONDED BY HAMMOND, THE MEETING BE ADJOURNED AT 9:37 PM.

*Karrie Bowers*

\_\_\_\_\_  
Town Clerk, RMO