

**VILLAGE OF MACEDON
81 MAIN STREET
MACEDON, NEW YORK 14502
REGULAR MEETING
NOVEMBER 12, 2008
7:00 P.M.**

ORDER The meeting was called to order at 7:00 p.m. with Mayor James Hoteling leading the Pledge of Allegiance to the Flag. The following persons were in attendance, Deputy Mayor Ken Schreiber, John Murphy, David Sliney, Ron DeMena, Clerk Treasurer Lisa Davis, Village Attorney Jim Sapienza, Village Engineer Dan Cornwall and DPW Supervisor Dave LeMoyne. Also in attendance were Assistant Fire Chief Tim Wilcox and Phil Vandermullen with Sutphen Fire Apparatus, Robert Gross, Robert Palmiere and Chris Mago.

ABSTRACT The following motion was made by Ken Schreiber and seconded by Ron DeMena:

RESOLVED, that the Clerk Treasurer be authorized to pay the monthly abstract #6 in the following amounts:

Abstract #6
General Fund - \$36,281.31
Water Fund - \$10,509.11
Sewer Fund - \$7,065.74

Motion carried
Five votes in favor
None opposed

MINUTES The following motion was made by David Sliney and seconded by John Murphy:

RESOLVED, that the Minutes from meetings dated October 22, 2008 be approved as submitted.

Motion carried
Five votes in favor
None opposed

VISITOR Bob Gross came before the Board to request that a plan to negate any out of pocket ambulance fees be put in place for the volunteer members of our Village Fire and Ambulance Service. The Board stated that they would take it under advisement and communicate their response in writing.

VISITOR Robert Palmiere, owner of property located next to Gravino Park on Main Street came before the Village Board to discuss his offer of the donation of said property to the Village in exchange for the authorization of erecting a digital billboard. The Board could grant this utilizing an Incentive Zoning Plan.

FIRE TRUCK

BID/BOND The following motion was made by John Murphy and seconded by David Sliney:

THEREFORE BE IT RESOLVED that the Village of Macedon Board of Trustees approves the proposed bid for SL75 Mid-Mount Aerial Ladder Fire Truck submitted by Sutphen Fire Apparatus upon permissive referendum.

Motion carried
Five votes in favor
None opposed

John Murphy presented the following resolution and duly moved that it be adopted and was seconded by David Sliney:

BOND RESOLUTION DATED NOVEMBER 12, 2008
OF THE VILLAGE BOARD OF TRUSTEES OF THE
VILLAGE OF MACEDON, NEW YORK,
AUTHORIZING GENERAL OBLIGATION SERIAL
BONDS TO FINANCE THE ACQUISITION OF A FIRE
TRUCK, AUTHORIZING THE ISSUANCE OF BOND
ANTICIPATION NOTES IN CONTEMPLATION
THEREOF, THE EXPENDITURE OF SUMS FOR SUCH
PURPOSE, AND DETERMINING OTHER MATTERS
IN CONNECTION THEREWITH.

BE IT RESOLVED by the Board of Trustees of the Village of Macedon, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The acquisition of one fire truck, which may include apparatus required in connection therewith (hereinafter referred to as "purpose"), is hereby authorized and serial bonds in an aggregate principal amount up to \$640,000.00 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$640,000.00 and said amount is hereby appropriated therefore. The plan for financing of said purpose is to provide \$640,000.00 of such maximum cost by issuance of obligations as herein authorized, to be reduced

dollar for dollar by amounts to be expended from the existing capital reserve fund for such costs, consisting of \$270,000 authorized hereby and such additional amounts that may be made available by the Board in the next fiscal year.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 27 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty (20) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds

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and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Macedon.

Section 7. The faith and credit of the Village of Macedon, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An

annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution shall be published in full by the Village Clerk of the Village of Macedon together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9 This resolution is subject to a permissive referendum of the qualified electors of the Village of Macedon, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

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Ron DeMena - Yes
David Sliney - Yes

NAYS

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Ken Schreiber - Yes
John Murphy - Yes
Jim Hoteling - Yes

INCENTIVE

ZONING The following motion was made by Ron DeMena, and seconded Ken Schreiber:

RESOLVED, that the Village of Macedon Board of Trustees has instructed the Planning Board to create an Incentive Zoning Plan at their next regularly schedule meeting for submission and approval at the Village Board meeting scheduled for December 10, 2008.

Motion carried
Three votes in favor
Two opposed

Ayes _____ Nays

Ron DeMena
Ken Schreiber
Jim Hoteling

David Sliney
John Murphy

MULTIPLE

DWELLING The Village Board will propose an addendum to Local Law #3 of 2006 with regard to the inspection of multiple dwellings for resolution at the December 10, 2008 Village Board meeting.

WORKMAN'S

COMP The following motion was made by Ron DeMena, and seconded by Dave Sliney:

RESOLVED, that the Village Board of Trustees authorizes the Clerk Treasurer to pay the Wayne County Office of the Administrator the amount of \$14,020.00 for the proportioned 2008 share owed for Workman's Compensation Insurance.

Motion carried
Five votes in favor
None opposed.

TREE

REMOVAL The Board authorized the Clerk Treasurer to obtain quotes for the purpose of tree removal on Village property located directly behind Through the Garden Gate Florist on Main Street in response to Susan Fyfe's written request, owner of Through the Garden Gate Florist, as they are storm damaged and are a safety issue to her property.

EXECUTIVE

SESSION The following motion was made by Jim Hoteling, and seconded Ken Schreiber:

RESOLVED, that the regular meeting be adjourned at 10:50 and an Executive Session convene to include all Board members and Dave LeMoyné for discussion on a personnel issue.

Motion carried
Five votes in favor
None opposed

The Executive Session adjourned at 11:15 p.m.

ADJOURN The following motion was made by Ron DeMena and seconded by John Murphy:

RESOLVED, that there being no further business, now

THEREFORE BE IT RESOLVED, that the meeting be adjourned.

Motion carried
Five votes in favor
None opposed

The meeting adjourned at 11:15 p.m.

Respectfully submitted,

Lisa M. Davis
Clerk/Treasurer