

A regular meeting of the Town Board of the Town of Sweden was held at the Town Hall, 18 State Street, Brockport, New York, on Tuesday, January 22, 2019.

Town Board Members present were Supervisor Kevin G. Johnson, Councilperson Robert Muesebeck, Councilperson Patricia Hayles, Councilperson Mary Rich and Councilperson Lori Skoog. Also present were Finance Director Leisa Strabel, Town Attorney Jim Bell, Superintendent of Highways Brian Ingraham and Town Clerk Karen Sweeting.

Visitors present were Don Grentzinger, Randall and Patricia Wayner, Chet Fery, Joan Hamlin, Chris Hamlin, Charilla Conner, Nancy Bartlett and Solar Committee Members Mark Rabjohn and Don Pophal.

Supervisor Johnson called the meeting to order at 6:00 p.m. and asked everyone present to say the Pledge to the Flag and remain standing for a moment of silence to honor first responders and those defending our freedoms.

PRIVILEGE OF THE FLOOR:

No one spoke

CORRESPONDENCE:

- Letter from NYS DOT, Kevin Bush detailing Route 31 Study results – Supervisor Johnson said the letter informed the Town that NYS DOT was declining the request for a traffic light at Sherry Lane and Route 31. The letter mentioned other options and Mr. Johnson would like to discuss these with the board at a work session.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Councilperson Hayles reported several goals for 2019 that have been based on the survey results for facility and program use and demographics. The URMHC Healthy Living class on chronic disease prevention started. There were 28 in attendance and URMHC indicated it was the largest class they have had. Additional classes may be offered. They reviewed the data collected by Erin Waite at the Brockport Central School on childhood obesity. The obesity rate for children Pre-K through 5th grade is 16% for girls and 20% for boys – higher if overweight children are included. Mrs. Hayles reported that the SCCC intends to develop programs to try to reduce the trend. After school activities will be offered. SCCC staff will present these options on January 30th at the Barclay School Health & Wellness Night.

Mrs. Hayles reported that the Toddler gym had new carpet installed, border re-painted and new sensory toys added. She is happy to be moving forward on the cladding of the gymnasium. They will be looking at bathroom renovations next.

Councilperson Muesebeck commended the Highway Department on the wonderful job keeping the roads in Sweden safe during the recent snow storm. Mr. Muesebeck reported that Todd Dobson and Roger Evans from the Buildings and Grounds Department built beautiful bookcases for the SCCC and have been busy completing work inside buildings as well as with snow removal at the Town buildings. He reported approximately 30 rentals for the lodge so far this year. The Farmers Museum Committee has been busy planning the annual Harvest Festival, scheduled for September 21, 2019.

**Councilperson Muesebeck left the meeting at 6:12 p.m.

Councilperson Skoog attended a SSAI meeting and reminded members of the “Soup Bowl” event at the SCCC on Saturday, January 26th. Local merchants donated a variety of soups to try – 120 tickets available, all pre-sale. Mrs. Skoog also attended the Farmers Museum Committee meeting and commended Don Grentzinger for his hard work.

Councilperson Rich attended a Seymour Library Board meeting. They have not received any bids for the study room project. They will be advertising again for bids next week. There was a twelve percent (12%) increase in library visits in December of 2018 compared to the previous year. Mrs. Rich asked that postcards be available at the Town Hall for residents to complete indicating why the library is important. She asked that a poster of the proposed splash pad be displayed at the library. Several children visiting the library commented on the poster of the new accessible playground. Mrs. Rich confirmed that the consulting firm would begin on February 4th with a completion date of April 1st. She shared that the library board has requested to see the report before it is released to the public.

Supervisor Johnson asked the board members to respond with their preference of shade structures for the splash pad by next week. He would like to discuss Nietopski Field fencing repairs and quotes for air conditioning at the lodge at an upcoming work session. Mr. Johnson reported on the capital road repairs. Finance Director Leisa Strabel added that the estoppel period has ended so the Town can move forward. Mr. Johnson reported that the water district funding application is on hold due to the government shutdown. The Town is also waiting on the status of the grant application for the sidewalk project on Owens Road. Mr. Johnson will attend the Regional Transit Service officials meeting on January 29th. Another public meeting will be held on February 6th. Finance Director Leisa Strabel received a positive response for the proposed Holley Street sidewalk CDBG grant application idea, so Mr. Johnson suggested they move forward.

Supervisor Johnson reported that the new web designer was working on the new website and should have something to show by the end of the month. The IT upgrades are moving along. The vulnerabilities and outdates seem to be addressed and they are now working on functionality and enhancements. Mr. Johnson is working with Spectrum to install high speed internet at the SCCC. The utility audit is ongoing. Mr. Johnson is waiting for a response from NYS DEC on the MS-4 waiver for stormwater.

Superintendent of Highways Brian Ingraham reported that snow and ice operations went very well considering the “scary” forecast. Buildings and Grounds (Todd Dobson and Roger Evans) handled snow removal at the municipal lots. Many compliments were given to his crews for a job well done.

CONSENT AGENDA ITEMS:

Councilperson Rich made a motion that was seconded by Councilperson Hayles to approve **all** Consent Agenda items as listed below.

VOTE BY ROLL CALL:

Councilperson Hayles	<u>Aye</u>
Councilperson Muesebeck	<u>Absent</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Johnson	<u>Aye</u>

ADOPTED

- Approval of the minutes of the Organizational Meeting held on January 2, 2019.

- RESOLUTION NO. 21

Release Portion of Letter of Credit
for Stonebriar Glen Phase 1

WHEREAS, on June 26, 2018, Stonehaven Commercial submitted a cash deposit of two hundred fifteen thousand seventy-five and thirty hundredths dollars (\$215,075.30) as a Letter of Credit for Stonebriar Glen Phase I; and

WHEREAS, on September 11, 2018, the Town Board of the Town of Sweden released part of the deposit in the amount of forty-two thousand forty-four and nineteen hundredths dollars (\$42,044.19); and

WHEREAS, on October 9, 2018, the Town Board of the Town of Sweden accepted a Letter of Credit drawn on Canandaigua National Bank and Trust Company in the sum of one hundred seventy three thousand thirty one and eleven hundredths dollars (\$173,031.11) to replace the remaining cash deposit of one hundred seventy three thousand thirty one and eleven hundredths dollars (\$173,031.11).

WHEREAS, the Town Engineer has submitted written approval of a partial release of the Letter of Credit for Stonebriar Glen Phase 1 drawn on Canandaigua National Bank and Trust Company in the sum of fifty two thousand two hundred eighty one and eighty nine hundredths dollars (\$52,281.89); and

WHEREAS, the remaining Letter of Credit balance after this release will be one hundred twenty thousand seven hundred forty nine and twenty two hundredths dollars (\$120,749.22).

WHEREAS, the fiscal officer has reviewed the developer's accounts pertaining to engineering, inspection and legal fees and finds no outstanding fees remain to be paid.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby releases fifty two thousand two hundred eighty one and eighty nine hundredths dollars (\$52,281.89) to Stonehaven Commercial from the Canandaigua National Bank and Trust Company Letter of Credit for Stonebriar Glen Phase I.

Sec. 2. That this resolution shall take effect immediately.

- RESOLUTION NO. 22

Award Bid for the Repair and Replacement
of Community Center Gymnasium Cladding

WHEREAS, the Town Board of the Town of Sweden authorized Bids for the Repair and Replacement of the Community Center Gymnasium Cladding and related appurtenances on December 11, 2018 by Resolution 149 of 2018; and

WHEREAS, the Town Clerk advertised for bids pursuant to law and the following bids were received:

	Bid
Testa Construction	\$367,600.00
Arrow Sheetmetal	\$389,900.00
Whitney East	\$405,900.00

WHEREAS, after review by the Town Architect, the recommendation is to award the bid to Testa Construction.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden, upon the recommendation of the Architect, does hereby award the bid for the repair and replacement of the Community Center Gymnasium Cladding to Testa Construction, 12 Industrial Park Circle, Rochester, NY 14624 for the bid price of three hundred sixty-seven thousand six hundred and no cents dollars (\$367,600.00).

Sec. 2. That the Supervisor is authorized to execute all necessary documents.

Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 23 Authorize Community Center Cladding
from Building Reserve Fund

WHEREAS, a Building Reserve Fund was established on November 23, 2004 for the purpose of making improvements to town-owned municipal buildings; and

WHEREAS, the Town Board of the Town of Sweden has awarded a contract for the recladding of the Community Center gymnasium; and

WHEREAS, the Town Board desires that the project be funded from the Building Reserve Fund.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to three hundred eighty thousand and no cents dollars (\$380,000.00) from the Building Reserve Fund for capital improvements to repair and replace the Community Center gymnasium cladding.

Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.

Sec. 3. That the Town Clerk is directed to publish a public notice as required by law.

Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 24 Authorize Splash Pad and Site Improvements
from the Park Reserve Fund

WHEREAS, a Parks and Recreation Reserve Fund was established on December 29, 2004 for the purpose of making improvements to town-owned parks and recreation facilities; and

WHEREAS, the Town Board of the Town of Sweden has awarded the purchase and installation of a Splash Pad to Vortex USA, Inc.; and

WHEREAS, certain site and utility improvements are required to accommodate the installation of the Splash Pad; and

WHEREAS, the Town Board of the Town of Sweden desires to install additional improvements including a concrete patio, pavilion, shade structures and tables and/or benches.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of three hundred thirty-four thousand five hundred ninety-seven dollars (\$334,597.00) from the Parks and Recreation Reserve Fund for Type capital improvements; namely Splash Pad installation and associated site and facility improvements including a concrete patio, pavilion, shade structures and tables and/or benches.

Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.

Sec. 3. That the Town Clerk is directed to publish a public notice as required by law.

Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 25 Authorizing Purchase of One 2020 Volvo VHD64F300 Tandem Axel Cab/Chassis Truck with Equipment

WHEREAS, the Highway Superintendent has recommended the purchase of one 2020 Volvo VHD64F300 tandem axel cab/chassis truck equipped with plow, salt spreader and pre-wet equipment from Beam Mack Sales and Service, Inc., 6260 East Molloy Road, East Syracuse NY 13057, through Onondaga County Heavy Truck Class 8 Statewide Contract Bid Reference 8996, in an amount not to exceed two hundred thirty-one thousand one hundred thirty-nine and seventy-eight hundredths dollars (\$231,139.78).

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of one 2020 Volvo VHD64F300 tandem axel cab/chassis truck with plow, salt spreader and pre-wet equipment from Beam Mack Sales and Service, Inc, 6260 East Molloy Road, East Syracuse NY 13057, through Onondaga County Heavy Truck Class 8 Statewide Contract Bid Reference 8996, in an amount not to exceed two hundred thirty-one thousand one hundred thirty-nine and seventy-eight hundredths dollars (\$231,139.78).

Sec. 2. That upon delivery of the truck, the invoice will be paid from the Highway Equipment Reserve per Resolution No. 26 of 2019.

Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 26 Authorize Purchase of 2020 Volvo VHD64F300 Tandem Axel Cab/Chassis Truck from Highway Equipment Reserve

WHEREAS, a Reserve was established for Highway Equipment on December 13, 2005; and

WHEREAS, the Highway Superintendent has requested the purchase of a 2020 Volvo VHD64F300 Tandem Axel Cab/Chassis Truck with plow, salt spreader and pre-wet equipment from Beam Mack Sales and Service, Inc, 6260 East Molloy Road, East Syracuse NY 13057 through the Onondaga County Heavy Truck Class 8 Statewide Contract Bid Reference 8996, in an amount not to exceed \$231,139.78; and

WHEREAS, there are funds available in the Highway Equipment Reserve for the purchase of the truck.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$231,139.78 from the Highway Equipment Reserve for the purchase of the 2020 Volvo VHD64F300 Tandem Axel Cab/Chassis Truck with plow, salt spreader and pre-wet equipment.
- Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.
- Sec. 3. That the Town Clerk is directed to publish a public notice as required by law.
- Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 27 Authorizing Supervisor to Sign Agreement for Sale of Government Assets by Online Auction

WHEREAS, the Town of Sweden has the need to dispose of excess vehicles, machinery and equipment from time to time; and

WHEREAS, the current agreement with Auctions International, Inc., 11167 Big Tree Road, East Aurora, New York 14052, has expired.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the Agreement for Sale of Government Assets with Auctions International Inc.
- Sec. 2. The term of this agreement shall be for a period of two (2) years, commencing on January 22, 2019 and expiring January 21, 2021.
- Sec. 3. That this resolution shall take effect immediately.

EXECUTIVE SESSION:

Councilperson Skoog made a motion that was seconded by Councilperson Hayles to go into executive session at 6:28 p.m. to discuss a matter of real estate and the pay/benefits of

several employees. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Hayles made a motion that was seconded by Councilperson Rich to leave executive session and return to the regular meeting at 6:47 p.m. All voted in favor of the motion. Motion adopted.

*Supervisor Johnson called for a brief recess at 6:50 p.m.

PUBLIC HEARING:

At 7:00 p.m. Supervisor Johnson called to order the public hearing. The purpose of the public hearing was to hear all persons for or against the adoption of a Local Law proposing minor modifications to Chapter 174, Solar Energy Systems and Solar Energy Farms of the Sweden Town Code.

Additional visitors were Susan Smith, Shawn Lessord, Lynette Hibsich and Sean Cliff. Randall and Patricia Wayner had left the meeting.

Supervisor Johnson waived the reading of the legal notice published in the Town newspaper.

Supervisor Johnson explained that the Solar Committee had been meeting for some time to modify the Local Law passed in 2017. He introduced Solar Committee Member Don Pophal. Mr. Pophal stated the law is based on the NYS energy model law, there are no significant changes to the current local law and that most are “definitional” in nature.

Mr. Johnson opened the floor for comments. Resident Sean Cliff said that he has proposed solar projects to the town in the past. He asked if the installation of panels will affect the assessed value of the property. Supervisor Johnson explained that is not part of the local law and would be best to ask the Town Assessor. Mr. Cliff asked if the Town would adopt a unified solar permit process from NYS. Town Attorney Jim Bell answered the committee would have to research that. Mr. Cliff asked if a non-profit would be taxable. Supervisor Johnson referred him to the Town Assessor. Mr. Cliff asked if the Town of Sweden had a set of standards. Supervisor Johnson indicated that the local law is the set of standards.

Shawn Lessord, resident of Clarkson, explained that he has been in the solar industry for years and is on the committee in Clarkson developing a solar code. He has reviewed the proposed local law and asked the Town to consider a few changes. Mr. Lessord detailed the suggestions. He also provided the location of two completed solar projects in Parma that the committee members could visit.

No other comments. Public hearing closed at 7:11 p.m.

NON-CONSENT AGENDA:

- Approval for Payment of Bills

All of the Board members reviewed the invoice audit journal. Councilperson Skoog made a motion that was seconded by Councilperson Hayles authorizing payment of the bills in Abstract 1 dated January 23, 2019 in the amount of \$458,513.34.

General Fund: In the amount of \$334,651.17 as set forth in Abstract 1 dated January 23, 2019.

Highway Fund: In the amount of \$112,083.90 as set forth in Abstract 1 dated January 23, 2019.

Special Fund: In the amount of \$11,778.27 as set forth in Abstract 1 dated January 23, 2019.

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Aye</u>	
Councilperson Muesebeck	<u>Absent</u>	
Councilperson Rich	<u>Aye</u>	
Councilperson Skoog	<u>Aye</u>	
Supervisor Johnson	<u>Aye</u>	Adopted

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Nothing noted

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Hayles moved to adjourn the January 22, 2019 meeting of the Sweden Town Board at 7:17 p.m. Councilperson Rich seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk