

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, June 26, 2018.

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

Visitors present were Joan Hamlin, Susan Smith, Don Grentzinger, Don Pophal, Kathy Kandris, Wayne Zyra, Christine Hamlin, Jack Mitchell and Mike Bove from Monroe Ambulance. Iroquois Rock Geologist John Swierkos, Jr. arrived at 5:20 p.m.

Supervisor Johnson had previously appointed Councilperson Hayles to run the meeting. Councilperson Hayles called the meeting to order at 5:00 p.m. and asked everyone present to say the Pledge to the Flag and remain standing for a moment of silence to honor our military and first responders.

#### PRIVILEGE OF THE FLOOR:

Don Grentzinger, Farmers Museum Committee member, asked the board how to proceed with the bats in the barn at the Farmers Museum. He provided an estimated cost of \$500 and indicated that sealing the inside of the barn is the priority at this point for an additional \$100-200. The bats are protected until after August 1<sup>st</sup>, so Mr. Grentzinger suggested sealing off the barn with the exception of the area where the bats are coming in. Councilperson Hayles stated that the amount is well under what is necessary for formal approval and that she will share the information with the Supervisor. She suggested working with Superintendent of Highways Brian Ingraham to seal the barn. Mrs. Hayles asked if the barn was used during the summer months. Mr. Grentzinger indicated that the annual Harvest Festival is scheduled for September and they use the barn for storage and small events. He has put tarps over several items and on the floors and has spent time cleaning the residue left by the bats. Mrs. Hayles thanked Mr. Grentzinger for all his time spent at the barn.

Mr. Grentzinger also commented on the possibility of changing the time of the regular town board meetings. He does not feel that it would be a good idea, most residents cannot attend meetings that begin at 5 pm. Mrs. Hayles answered that it is hard to gauge what is better for the residents, so she appreciates the comment.

No other comments.

#### CORRESPONDENCE:

No correspondence noted.

#### REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Councilperson Rich attended a Seymour Library Board meeting. The Village of Brockport is applying for a grant for a community garden to be located at the library. The library will not be in charge of caring for the garden but will be able to use it for programs. Mrs. Rich reported that the Seymour Library Friends fabric sale made over \$1,000 and the bird house sale made \$275 for the foundation. Mrs. Hayles asked if a date was set for the ad-hoc library committee to meet. Mrs. Rich answered no date has been set yet.

Councilperson Skoog and Councilperson Rich attended the reception for the new CEO of Oak Orchard Health. Mrs. Skoog attended the clock tower ceremony. She said it was an outstanding event with many in attendance including Senator Ortt and Assemblyman Hawley.

Superintendent of Public Works Harry Donahue spoke and started the clock to chime at 5 pm during the ceremony. Mrs. Skoog added that Jimmy Z’s had ice cream available for all attendees and the Lions Club was on site for food/refreshments.

Councilperson Hayles presented a report from Town Architect David Strabel detailing three projects for consideration – updates to existing bathrooms, repairs to the outside wall due to erosion and deterioration and the proposed addition on the south side of the existing building. The report included an estimated cost of the addition for board consideration. The plans have been forwarded to Senator Ort’s office for possible funding assistance. Discussion of proposed updates to the bathroom facilities and ADA compliance.

Councilperson Hayles reported that information on the SCCC survey will be in the Snapshots. The board agreed to cancel the work session scheduled for Tuesday, July 3<sup>rd</sup> to allow the board to attend the Independence Celebration.

Councilperson Hayles reported for Councilperson Muesebeck that the Town had to keep a deposit for use of the Lodge at the Town Park due to extra cleaning and minor repairs – a bill was sent for remaining costs. She added that Roger Evans from Buildings and Grounds worked extra hard to make sure the lodge was ready for the next day’s rental and noted this was the first deposit kept in approximately 30 rentals.

CONSENT AGENDA ITEMS:

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

VOTE BY ROLL CALL:

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

- Approval of the minutes of the Regular Town Board meeting held on June 12, 2018
- Motion to approve the purchase of All Band Portable Radio from Skywave Communications not to exceed \$6,473.30.
- RESOLUTION NO. 74 Accepting Audit of Court Records

WHEREAS, the Town Board of the Town of Sweden retained Raymond F. Wager, Certified Public Accountants, to perform an audit of the Sweden Town Court records and dockets for the fiscal year ending December 31, 2017; and

WHEREAS, Raymond F. Wager, CPA submitted a report of the 2017 court audit on May 2, 2018; and

WHEREAS, the Sweden Town Board has had the opportunity to review the court audit report.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden accepts the findings of Raymond F. Wager, Certified Public Accountants pertaining to the 2017 Sweden Town Court records and dockets.

Sec. 2. That the Director of Finance is authorized to forward a copy of the Raymond F. Wager, CPA audit report to the NYS Office of Court Administration.

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

- RESOLUTION NO. 75 Authorize Payment from Workers Compensation Reserve

WHEREAS, a Workers Compensation Reserve was established on April 11, 2006 for the purpose of covering claim liabilities/judgments in excess of the deposits paid into the Municipal Workers Compensation Pool; and

WHEREAS, claims in excess of the deposits paid into the Municipal Workers Compensation Pool have arisen.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of \$65,000 from the Workers Compensation Reserve for payment of said claims.

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. 76 Authorizing Supervisor to Sign Bernard P. Donegan, Inc. Consulting Services Engagement Letter

WHEREAS, the Town Board of the Town of Sweden desires to engage the services of Bernard P. Donegan, Inc.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Town of Sweden.

Sec. 2. Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated June 19, 2018.

Sec. 3. The Supervisor is hereby authorized to execute said letter of services.

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

- RESOLUTION NO. 77 Calling Public Hearing Regarding the Adoption of Local Law No. 3 of 2018 – Addition of Chapter 58 Best Value Contract Award

WHEREAS, Section 103 Subdivision 16 of New York State General Municipal Law expands the use of cooperative contracts to include contracts let on the basis of best value; and

WHEREAS, Political subdivisions of the State of New York must adopt a law authorizing the use of best value contracts; and

WHEREAS, The Town Board of the Town of Sweden desires to adopt a Best Value Contract Award Local Law.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden will hold a Public Hearing at the Town Hall, 18 State Street, Brockport, New York, on July 24, 2018 at 7:00 p.m. to hear all persons for or against the adoption of Local Law No. 3 of 2018 – Addition of Chapter 58 Best Value Contract Award.
- Sec. 2. That the Town Clerk is hereby authorized and directed to cause a notice of this hearing to be published in the official newspaper of the town as required by Section 265 of the Town Law.
- Sec. 3. The text of the proposed addition is available in the office of the Town Clerk during regular business hours.
- Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 78 Authorizing Purchase of One 2019 Chevrolet Silverado 3500HD Crew Cab Pick-Up Truck

WHEREAS, the Superintendent of Highways has requested the purchase of one 2019 Chevrolet Silverado 3500 HD 4WD crew cab pick-up truck through the Onondaga County Contract 7974, Class 3-7 Vehicles from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of one 2019 Chevrolet Silverado 3500 HD crew cab pick-up truck through Onondaga County Contract 7974 for \$34,789.45(thirty-four thousand seven hundred eighty nine and 45 hundredths dollars) from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043.
- Sec. 2. That upon delivery of the truck and submission of an invoice that the purchase will be paid from the Highway Fund Equipment budget.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 79 Schedule Sweden Town Board Workshop for Tuesday, July 10, 2018

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby calls a Town Board Workshop to be held on Tuesday, July 10, 2018 at 5 pm at the Town of Greece Splash Pad at 1 Vince Tofany Boulevard (Greece Town Hall Campus).
- Sec. 2. That the Town Clerk is directed to publish a notice of the meeting in the official newspaper.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 80 Acceptance of Letter of Credit Cash Deposit by Stonebriar Glen Phase 1

WHEREAS, the Town Board of the Town of Sweden has received BME Associates Letter of Credit Estimate for Stonebriar Glen Phase I; and

WHEREAS, the Town Engineer has submitted written approval of the Stonebriar Glen Phase I Letter of Credit Estimate; and

WHEREAS, a cash deposit of two hundred fifteen thousand seventy-five and thirty hundredths dollars (\$215,075.30) has been received.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden agrees to accept the BME Letter of Credit Estimate of two hundred fifteen thousand seventy-five and thirty hundredths dollars (\$215,075.30) and the cash deposit thereof for Stonebriar Glen Phase I.

Sec. 2. In the event that Stonehaven Commercial, owner of Stonebriar Glen Phase I, desires to present an Irrevocable Letter of Credit to replace the cash deposit, the Irrevocable Letter of Credit must be approved in writing by the Town Attorney and Fiscal Officer as to form and substance before the substitution is made.

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

NON-CONSENT AGENDA:

- All of the Board members reviewed the invoice audit journal. Councilperson Rich made a motion that was seconded by Councilperson Skoog authorizing payment of the bills in Abstract 6 dated June 27, 2018 in the amount of \$349,336.40. All voted in favor of the motion – three ayes. Motion adopted.

General Fund: In the amount of \$94,785.12 as set forth in Abstract 6 dated June 27, 2018.

Highway Fund: In the amount of \$81,691.53 as set forth in Abstract 6 dated June 27, 2018.

Special Fund: In the amount of \$9,258.65 as set forth in Abstract 6 dated June 27, 2018.

Capital Fund: In the amount of \$163,601.10 as set forth in Abstract 6 dated June 27, 2018.

#### ADDITIONAL BUSINESS AND ANNOUNCEMENTS

Superintendent of Highways Brian Ingraham reported continued preparation work on Bader Way for paving and assisted Spencerport with a paving project.

\*\*Councilperson Hayles announced a short recess at 5:27 p.m. to wait for the advertised time of 5:45 p.m. to begin the public hearing.

#### PUBLIC HEARING

At 5:45 p.m. Councilperson Hayles called to order a public hearing located at the Town Hall, 18 State Street, Brockport, New York on Tuesday, June 26, 2018. The purpose of the public hearing was to review the application from Iroquois Rock Products, Inc. to renew their Excavation Permit in the Town of Sweden.

Reading of the legal notice was waived.

Councilperson Hayles opened the floor for comments.

John Swierkos, Jr., Geologist from Iroquois Rock, stated that business has slowed some compared to the previous year. Discussion of materials and commercial demand. Resident Wayne Zyra asked if this would slow the expansion. Mr. Swierkos answered yes and that they intend to stay in the same spot. They are proposing changing the driveway entrance and “squaring up” the quarry to help slow expansion to the west.

Resident Don Pophal said he spoke with RG&E a while ago to request bringing natural gas down Sweden Walker Road. He asked if Iroquois Rock would have an interest in pursuing that. Mr. Swierkos said that a letter would have to be addressed to other representatives of the company, but added that in the future natural gas could be helpful to them. Finance Director Leisa Strabel added that the Town facilitated a meeting last year and it was not feasible due to cost. Discussion.

Councilperson Rich asked if neighbors were notified prior to blasting. Mr. Swierkos indicated that they do have a call list, but can't contact everyone. Councilperson Skoog asked what impact blasting has on those neighbors closest to the quarry. Mr. Swierkos explained that they monitor each "shot" and if the shot exceeds limitations set by DEC, then DEC must be notified. They have used the same blaster for several years and have gone to digital blasters. Mr. Zyra complimented the owners of the quarry stating that it has improved over the last several years. Mr. Swierkos said they try to address situations immediately. When mining is done at this location, they have reclamation plans in place. Councilperson Hayles asked if any shots exceeded DEC limitations in the past several years. Mr. Swierkos answered no stating that he manages all the drilling and blasting and is on-site for the majority of the shots.

Mr. Swierkos stated that they come in front of the Town Board every three years and he hopes that they have been a good neighbor to residents. They are heavily regulated by DEC and are inspected twice a year. Councilperson Hayles said the board's responsibility is to be business friendly and to decide how best to serve our residents.

No other comments. Public hearing closed at 6:06 p.m.

#### NON-CONSENT AGENDA:

- RESOLUTION NO. 81 Granting Renewal of Excavation Permit to Iroquois Rock Products

WHEREAS, the Town Board of the Town of Sweden on March 28, 1984, duly enacted and adopted by resolution "Regulations for Issuance of Excavation Permit" (hereinafter referred to as the "Regulations") which regulations include procedures for the issuance of a renewal of the permit; and

WHEREAS, Iroquois Rock Products, Inc. has filed an application for renewal of its permit, originally granted June 24, 1997 for a term of three years, alleging in its application that there are no changes from the permit granted as aforesaid; and

WHEREAS, pursuant to the regulations the Town Board circulated a notice of the application to the Town of Sweden Planning Board, the Town Environmental Conservation Board, the Town Engineer and Monroe County Planning & Development; and

WHEREAS, the Town Board held a public hearing at the Town Hall, 18 State Street, Brockport, New York on June 26, 2018 at 5:45 p.m. to consider granting the renewal of the excavation permit, as requested, and at said time and place heard all persons interested in the subject thereof; and

WHEREAS, the Town Board after review of the application and all previous environmental submissions and proceedings by the applicant determined that the action will not have a significant environmental effect and under SEQRL Section 617.5(c)26 is a Type II Action; and

WHEREAS, the Town Board now desires to grant a renewal of the excavation permit to Iroquois Rock Products, Inc.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the approval and granting of the excavation permit renewal as requested in the Application would be in harmony with the intent and purpose of the Regulations for Excavation Permit and the Town's Zoning Ordinance, that the proposed use conforms to the standards prescribed therefore in said Regulations; and that there is fulfillment of any other conditions or standards specified in the regulations.

Sec. 2. That having given due consideration to all of the evidence referred to and recited in this Resolution, the Town Board of the Town of Sweden hereby grants to Iroquois Rock Products, Inc. an Excavation Permit for a term of three (3) years from June 26, 2018 to June 26, 2021.

Sec. 3. That the excavation as described in the Application for which this excavation permit is granted shall be carried out in compliance with the Town of Sweden Regulations for Issuance of Excavation Permit.

Sec. 4. The Town Clerk shall cause copies of this Resolution to be posted on the Town Clerk's signboard and filed in the office of the Town Clerk.

Sec. 5. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Rich  
Seconded by Councilperson Skoog

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – June 26, 2018

Adopted

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Skoog moved to adjourn the June 26, 2018 meeting of the Sweden Town Board at 6:08 p.m. Councilperson Rich seconded the motion. All voted in favor of the motion – three ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk