

A regular meeting of the Town Board of the Town of Sweden was held at the Lodge at the Town Park, 4761 Redman Road, Brockport, New York, on Tuesday, November 13, 2018.

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

Visitors present were Joan Hamlin, Joshua Stirk, Wayne Zyra, Christine Hamlin, Karen LoBracco, Don Grentzinger, Village Trustee Annie Crane, Nancy Hyde, Fred Harrison, and Frank and Julie Lapinski.

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 those in the armed forces and our first responders. He also asked for a moment of silence for the victims of the recent Pittsburgh synagogue shooting.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

Supervisor Johnson received an email from a resident complimenting the Highway Department for their efforts during the recent brush pick up.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Reports to be shared at the meeting of November 27th.

Councilperson Rich reminded the board members of the upcoming Seymour Library After Hours event on Saturday, November 17th from 7 pm to 10 pm and encouraged all to attend.

CONSENT AGENDA ITEMS:

Councilperson Hayles made a motion that was seconded by Councilperson Skoog 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 Regular Town Board Meeting held October 23, 2018
- Approval of the minutes of the Public Hearing held October 23, 2018
- RESOLUTION NO. 131

SEQR for Bond Resolution - Reconstruction Of Roads and Parking

WHEREAS, the Town Board of the Town of Sweden shall consider a bond resolution authorizing general obligation serial bonds (and bond anticipation notes in anticipation thereof) to finance a capital project consisting of reconstruction of roads and parking areas; and

WHEREAS, the Town Board has duly considered the nature and scope of the proposed project and financing and other proposed actions of the Town in connection therewith (the “action”);

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby declares itself lead agency to the extent necessary for this purpose, if any, and therefore responsible for assuring compliance with the procedural and substantive requirements of the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation of the State of New York (6 NYCRR Part 617, as amended) promulgated thereunder (“SEQRA”).

Sec. 2. Based upon the review by the Town Board of the proposed project, the Town Board hereby finds that the proposed action constitutes a “type II action” as such quoted term is defined in SEQRA and, therefore, is not subject to any further review by the Town under SEQRA. A listing of such type II actions is attached hereto. The action consists of no contemplated expansion of existing facilities, and improvements to such facilities will be in the nature of replacement, rehabilitation or reconstruction of a structure or facility in kind, on the same site.

Sec. 3. A copy of this resolution shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours.

Sec. 4. This resolution shall take effect immediately.

617.5 TYPE II ACTIONS

- (a) Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8. The actions identified in subdivision (c) of this section apply to all agencies.
- (b) Each agency may adopt its own list of Type II actions to supplement the actions in subdivision (c) of this section. No agency is bound by an action on another agency's Type II list. An agency that identifies an action as not requiring any determination or procedure under this Part is not an involved agency. Each of the actions on an agency Type II list must:
 - (1) in no case, have a significant adverse impact on the environment based on the criteria contained in subdivision 617.7(c) of this Part; and
 - (2) not be a Type I action as defined in section 617.4 of this Part.
- (c) The following actions are not subject to review under this Part:
 - (1) maintenance or repair involving no substantial changes in an existing structure or facility;
 - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;

- (3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
- (4) repaving of existing highways not involving the addition of new travel lanes;
- (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (6) maintenance of existing landscaping or natural growth;
- (7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- (8) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;
- (9) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
- (10) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
- (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- (12) granting of individual setback and lot line variances;
- (13) granting of an area variance(s) for a single-family, two-family or three-family residence;
- (14) public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (15) minor temporary uses of land having negligible or no permanent impact on the environment;
- (16) installation of traffic control devices on existing streets, roads and highways;
- (17) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (19) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated

- solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
 - (21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
 - (22) collective bargaining activities;
 - (23) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
 - (24) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
 - (25) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
 - (26) license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
 - (27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
 - (28) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
 - (29) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
 - (30) adoption of a moratorium on land development or construction;
 - (31) interpreting an existing code, rule or regulation;
 - (32) designation of local landmarks or their inclusion within historic districts;
 - (33) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
 - (34) actions undertaken, funded or approved prior to the effective dates set forth in SEQR (see chapters 228 of the Laws of 1976, 253 of the Laws of 1977 and 460 of the Laws of 1978), except in the case of an action where it is still practicable either to modify the action in such a way as to mitigate potentially adverse environmental impacts, or to choose a feasible or less environmentally damaging alternative, the commissioner may, at the request of any person, or on his own

motion, require the preparation of an environmental impact statement; or, in the case of an action where the responsible agency proposed a modification of the action and the modification may result in a significant adverse impact on the environment, an environmental impact statement must be prepared with respect to such modification;

- (35) actions requiring a certificate of environmental compatibility and public need under articles VII, VIII or X of the Public Service Law and the consideration of, granting or denial of any such certificate;
- (36) actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency or a local government pursuant to section 807, 808 and 809 of the Executive Law, except class B regional projects subject to review by local government pursuant to section 807 of the Executive Law located within the Lake George Park as defined by subdivision one of section 43-0103 of the Environmental Conservation Law; and
- (37) actions of the Legislature and the Governor of the State of New York or of any court, but not actions of local legislative bodies except those local legislative decisions such as rezoning where the local legislative body determines the action will not be entertained.

<http://www.dec.state.ny.us/website/regs/part617.html>

- RESOLUTION NO. 132 Appoint Recreation Assistant - Pool

WHEREAS, the Recreation Department is offering swim programs and lessons; and

WHEREAS, there is a need for an additional lifeguard/swim instructor.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Alexander LaMere Recreation Assistant PT- lifeguard.
- Sec. 2. That the rate of pay is \$12 per hour with a start date of November 17, 2018.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 133 Approving Bond for Receiver of Taxes and Assessments

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Receiver of Taxes and Assessments, as follows:

Type of Undertaking:
public employees dishonesty bond including faithful performance

Insurance company: Travelers Insurance Company
Amount: \$200,000

- Sec. 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

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

- RESOLUTION NO. 134 Accept Community Development Block Grant of \$85,000 and Authorize Supervisor to Sign Contract

WHEREAS, the Town of Sweden has been awarded a 2018 Community Development Block Grant in the amount of \$85,000 for a Splash Pad at the Sweden Town Park; and

WHEREAS, the Town Board wishes to accept this award and have the necessary contract documents signed by the Supervisor on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby accepts the award of the \$85,000 2018 Community Development Block Grant from the Monroe County Community Development Administration and accepts all terms and conditions set forth in the Community Development Force Account Agreement.

Sec. 2. That the Supervisor is authorized to act on behalf of the Town of Sweden and sign the necessary contract documents.

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

- RESOLUTION NO. 135 Agreement with National Purchasing Partners Government Division Regarding Purchasing

WHEREAS, New York State General Municipal Law allow New York State municipalities to engage in cooperative purchasing through National Purchasing Partners Government Division (NPPGov); and

WHEREAS The Town Board of the Town of Sweden desires to have the option to purchase materials, equipment and supplies through the National Purchasing Partners Government Division (NPPGov) as appropriate and in accordance with all Town and State purchasing policies and regulations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the purchase of materials, equipment and supplies through the National Purchasing Partners Government Division (NPPGov) so long as such purchases are made in conjunction with Town and State purchasing policies and regulations.

Sec. 2. That the Supervisor is authorized to sign the Membership Agreement with the National Purchasing Partners Government Division (NPPGov).

Sec. 3. That this resolution shall take effect immediately

NON-CONSENT AGENDA:

- RESOLUTION NO. 136 Award Seymour Library Consultant Contract

WHEREAS, at the May 22, 2018 intermunicipal meeting of the Towns of Sweden and Clarkson, the Village of Brockport and the Seymour Library Board it was proposed to engage a professional consultant to study and recommend efficiencies for the operation of the Seymour Library; and

WHEREAS, a subcommittee comprised of members of the Sweden Town Board, Clarkson Town Board, Brockport Village Board, Seymour Library Board and Seymour Library staff received proposals from two consultants and made a recommendation to the governing boards regarding the selection of a consultant; and

WHEREAS, the Town Board of the Town of Sweden has reviewed the consultant proposals, the committee recommendation and the recommendations of the two Sweden Town Board members serving on the committee.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does select the proposal of the Center for Governmental Research (CGR) for a fee not to exceed twelve thousand two hundred dollars (\$12,200.00).

Sec. 2. That the Town Board of the Town of Sweden reaffirms its commitment to a one-third share of the consultant fee not to exceed four thousand sixty seven dollars (\$4,067.00).

Sec. 3. That the Supervisor is authorized to sign any and all required documentation.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Nay</u>	
Councilperson Muesebeck	<u>Absent</u>	
Councilperson Rich	<u>Aye</u>	
Councilperson Skoog	<u>Aye</u>	
Supervisor Johnson	<u>Nay</u>	NOT Approved

- RESOLUTION NO. 137 Award Seymour Library Consultant Contract

WHEREAS, at the May 22, 2018 intermunicipal meeting of the Towns of Sweden and Clarkson, the Village of Brockport and the Seymour Library Board it was proposed to engage a professional consultant to study and recommend efficiencies for the operation of the Seymour Library; and

WHEREAS, a subcommittee comprised of members of the Sweden Town Board, Clarkson Town Board, Brockport Village Board, Seymour Library Board and Seymour Library staff received proposals from two consultants and made a recommendation to the governing boards regarding the selection of a consultant; and

WHEREAS, the Town Board of the Town of Sweden has reviewed the consultant proposals, the committee recommendation and the recommendations of the two Sweden Town Board members serving on the committee.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does select the proposal of the Bonadio Group for a fee not to exceed fifteen thousand dollars (\$15,000.00).
- Sec. 2. That the Town Board of the Town of Sweden reaffirms its commitment to a one-third share of the consultant fee not to exceed five thousand dollars (\$5,000.00).
- Sec. 3. That the Supervisor is authorized to sign any and all required documentation.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Aye</u>	
Councilperson Muesebeck	<u>Absent</u>	
Councilperson Rich	<u>Nay</u>	
Councilperson Skoog	<u>Nay</u>	
Supervisor Johnson	<u>Nay</u>	NOT Approved

ADDITIONAL BUSINESS AND ANNOUNCEMENTS

The Town Board agreed to CANCEL the work session scheduled for Tuesday, November 20, 2018.

Supervisor Johnson suggested that the last meeting of 2018, December 27th, and the first meeting of 2019, January 2nd, also be held at 6 p.m. Town Board members agreed.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Rich moved to adjourn the November 13, 2018 meeting of the Sweden Town Board at 6:10 p.m. Councilperson Hayles seconded the motion. All voted in favor of the motion. Motion adopted.

WATER DISTRICT INFORMATION PRESENTATION FOLLOWED AT 7 PM

Respectfully submitted,

Karen M. Sweeting
Town Clerk