

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, April 27, 2021.

Town Board Members present were Supervisor Kevin G. Johnson, Councilperson Patricia Hayles, Councilperson Randall Hoke, Councilperson Rhonda Humby, and Councilperson Gary Sullivan. Also present were Finance Director Leisa Strabel, Town Attorney Jim Bell, and Town Clerk Karen Sweeting.

Visitors present were Don Pophal, Wayne Zyra, Mark Rabjohn, Leslie Daum, and Seymour Library Director Jennifer Caccavale.

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 remember our fighting men and women around the world, our first responders, and all those affected by COVID.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

No correspondence noted.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Supervisor Johnson waived the reports. He introduced Seymour Library Board Director Jennifer Caccavale.

CONSENT AGENDA ITEMS:

Supervisor Johnson asked that Resolution No. 64 – Adopt Local Law of 2021 Calling a Moratorium on Solar Power Farms/Commercial Solar Power Projects be removed from the Consent Agenda and placed on the agenda after the public hearing is held.

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

*Discussion – Councilperson Hayles wanted to share a little background on why the Board is amending salaries at this time – due to restoration of revenues and they now feel it is ok. The Board did not feel they could give them in January like they wanted to. Supervisor Johnson added that in the Highway Department there was a desire to reduce personnel by one through normal attrition – someone retired. The Highway Superintendent and employees requested that instead of filling the position, current employees would take on those job duties with an increase in salary as a fair compromise. As you look at job titles and experience of those in our Town, some are underpaid compared to surrounding Towns. They went down one employee and have sustained, as requested by the Board, for over six months. Mrs. Hayles added that the work is sustainable without incurring significant overtime. Mr. Johnson added there will always be overtime, but as a percentage of the whole, there will not be additional overtime as compared to years past. Revenues have been strong through the first quarter, so the Board wanted to do this.

VOTE BY ROLL CALL:

Councilperson Hayles	<u>Aye</u>
Councilperson Hoke	<u>Aye</u>
Councilperson Humby	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Johnson	<u>Aye</u>

ADOPTED

- Approval of the minutes of the regular Town Board Meeting, including the Public Hearing, held on April 13, 2021.
- RESOLUTION NO. 49 Authorize CDBG CARES Act Grant Application “Senior Room Addition to Address Social Distancing Ventilation and Sanitation”

WHEREAS, there exists a New York State Community Development Block Grant CARES Act program to address issues created by the COVID pandemic; and

WHEREAS, the Town Board of the Town of Sweden recognizes Seniors as one of the most vulnerable populations during a pandemic; and

WHEREAS, the Town Board of the Town of Sweden recognizes that the ability to attend programs is vital to the health of Seniors; and

WHEREAS, the Town Board of the Town of Sweden wishes to seek CARES Act funding to address issues of social distancing, ventilation and sanitation at the Sweden/Clarkson Community Center by building a new Senior Room.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to submit a CDBG CARES Act application for funding to construct a new Senior Room at the Sweden/Clarkson Community Center in order to address social distancing, ventilation and sanitation issues as the result of the COVID pandemic.

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

- RESOLUTION NO. 50 Call Public Hearing CDBG CARES Act Grant Application “Senior Room Addition to Address Social Distancing Ventilation and Sanitation”

WHEREAS, there exists a New York State Community Development Block Grant CARES Act program to address issues created by the COVID pandemic; and

WHEREAS, the Town Board of the Town of Sweden recognizes Seniors as one of the most vulnerable populations during a pandemic; and

WHEREAS, the Town Board of the Town of Sweden recognizes that the ability to attend programs is vital to the health of Seniors; and

WHEREAS, the Town Board of the Town of Sweden wishes to seek CARES Act funding to address issues of social distancing, ventilation and sanitation at the Sweden/Clarkson Community Center by building a new Senior Room.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town of Sweden will hold a public hearing on Tuesday, May 11 at 6:45 pm at the Sweden Town Hall, 18 State Street, Brockport, NY 14420 for the purpose of hearing public comments on the Town of Sweden's Community Development Block Grant (CDB) CARES Act application, "Senior Room Addition to Address Social Distancing, Ventilation and Sanitation," for the 2021 program year.

Sec. 2. The CDBG CARES Act program is administered by the New York State Office of Community Renewal (OCR), and the Town of Sweden is seeking \$500,000 for public facilities with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the CDBG CARES Act program and will allow for citizen participation in the development of the proposed grant application for a Senior Room Addition and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG CARES Act program and proposed project will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

Sec. 3. The Sweden Town Hall, 18 State Street, Brockport is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Supervisor Kevin G. Johnson at 585-637-7588 or supervisor@townofsweden.org, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted to Supervisor Kevin G. Johnson, Town of Sweden, 18 State Street, Brockport, NY 14420 or supervisor@townofsweden.org until May 14, 2021.

Sec. 4. That the Town Clerk is directed to post the Legal Notice on the Town of Sweden website, www.townofsweden.org, and at the Town Hall and Community Center on April 28, 2021 and in the Suburban News publication date of May 2, 2021.

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

- RESOLUTION NO. 51

SEQR Determination of Non-Significance –
Application to Rezone 5625, 5635 and 5645
Brockport Spencerport Road

WHEREAS, the Town Board of the Town of Sweden has received, reviewed and does hereby accept Part 1 Environmental Assessment Form completed by Schultz Associates for the rezoning application of less than four (4) acres of properties identified as 084.02-1-34, 084.02-1-35 and 084.02-1-36 from R1-2 Single Family Residence to B-1 Retail Commercial; and

WHEREAS, the Town Board has (in accordance with the provisions of Section 617.7): considered the action as defined in subdivisions 617.2(b) and 617.3(g) of the State Environmental Quality Review Act; and reviewed the EAF (Part 1) and supporting information, the criteria contained in subdivision (c) of Section 617.7 and other supporting information that includes the adopted Town of Sweden Comprehensive Plan, the plans prepared by Schultz Associates, the public record from the Public Hearing on said action and the environmental record to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to supporting documentation.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board does hereby make this Determination of Non-Significance for the Action.
- Sec. 2. That the Town Board does hereby direct the Town Supervisor to sign the Negative Declaration Form for said Action.
- Sec. 3 That this resolution shall take effect immediately.

* RESOLUTION NO. 52 Rezoning Tax Parcels 084.02-1-34, 084.02-1-35 and 084.02-1-36 on Brockport Spencerport Road

WHEREAS, Bentley Bros. Inc., located at 5605 Brockport Spencerport Road, has submitted to the Town Board an application and proposal to re-zone less than 4 acres comprised of three tax parcels, 084.02-1-34, 084.02-1-35, and 084.02-1-36, from R1-2 Single Family Residence to B-1 Retail Commercial; and

WHEREAS, a map of the property and legal description has been filed with the Town, and the required fee paid; and

WHEREAS, the goal of the developer is to use a driveway to access their dealership at 5605 Brockport Spencerport Road; and

WHEREAS, the Town Board of the Town of Sweden held a Public Hearing on April 13, 2021 at 6:30 pm at the Sweden Town Hall, 18 State Street, Brockport and all persons wishing to comment were heard; and

WHEREAS, the proposed rezoning was reviewed various agencies as documented in the Town Clerk's office.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Sweden be amended to change the zoning classification from R1-2 Single Family Residence to B-1 Retail Commercial; That the property to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situate in part of Town Lot 6, Section 11, Township 3, Triangular Tract, Town of Sweden, County of Monroe, State of New York and more particularly described as follows:

Commencing at a point on the centerline of Brockport Spencerport Road West, State Route 31, said point being 313.51 feet west of the center line intersection with Sweden Walker Road, thence; southerly on an internal angle of 90° 00'00" in the southeast quadrant, a distance of 55.00 feet to a point on the south right of way of Brockport Spencerport Road, said point also being the northeast corner of lands conveyed to Bentley Bros. Inc. by deed filed in liber 12339 of Deeds, page 241 and the point of beginning of this description, thence;

1. Continuing southerly along the west line of other lands of Bentley Bros. Inc. and the west line of the lands now or formerly of Darrell Morgan, a distance of 345.00 feet to the southeast corner of said lands of Bentley Bros. Inc., thence;

2. Westerly along the north line of lands now or formerly of Darren Englert having an internal angle of 90°00'00" in the northwest quadrant, a distance of 378.00 feet to the southeast corner of lands now or formerly of Gerald D. Hegadorn, thence;

3. Northerly along the east line Hegadorn having an internal angle of 90°00'00" in the northeast quadrant, a distance of 356.88 feet to a point on the south right of way of Brockport Spencerport Road, State Route 31, and the northeast corner of said Hegadorn, thence;

4. Easterly along the south right of way of Brockport Spencerport Road having an internal angle of 89°20'54" in the southeast quadrant, a distance of 128.57 feet to an angle point in the south right of way of Brockport Spencerport Road, thence;

5. Continuing easterly along the south right of way of Brockport Spencerport Road having an internal angel of 176°11'17" in the southwest and southeast quadrants, a distance of 118.80 feet to an angle point in the south right of way of Brockport Spencerport Road, thence;

6. Continuing easterly along the south right of way of Brockport Spencerport Road having an internal angle of 183°57'06" in the northwest, southwest and southeast quadrants, a distance of 131.01 feet to the point of beginning.

Intending to describe a parcel of land containing 3.044 acres more or less to be rezoned to Retail Commercial B-1. Said parcel conveyed to Bentley Bros. Inc. by deed filed in liber 12339 of Deeds, page 241.

Sec. 4. That the Town Clerk is directed and authorized to publish a notice of adoption of this Resolution as required by law.

Sec. 5. That this amendment and change shall take effect immediately.

- RESOLUTION NO. 53

Resolution Calling a Moratorium on

Battery Energy Storage Systems

WHEREAS the Sweden Town Board is desirous of amending and/or modifying Sweden Town Chapter 176, and

WHEREAS a six (6) month period of time will be sufficient to accomplish this pursuant to a proposed Local Law concerning same, and

WHEREAS it is the intent of the Sweden Town Board to consider adopting said Local Law as soon as legally possible in May 2021.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. By passage of this Resolution the Sweden Town Board does hereby declare a moratorium in accepting any new applications for Battery Energy Storage Systems in the Town of Sweden until such time as the aforesaid Local Law is duly before the Sweden Town Board for consideration.

Sec. 2. The moratorium effective by passage of this Resolution shall remain intact for no longer than thirty (30) days.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 54 Calling a Public Hearing on Local Law 2021
Moratorium on Battery Energy Storage Systems

WHEREAS, the Town Board of the Town of Sweden is interested in amending and/or modifying Town Code Chapter 176 regulating the construction of battery energy storage systems; and

WHEREAS, the Town Board of the Town of Sweden is desirous of enacting a six-month moratorium on the establishment, construction or implementation of battery storage energy systems; and

WHEREAS, the Town Board of the Town of Sweden is required to hold a Public Hearing on the matter before enacting the moratorium.

NOW THEREFORE BE IT RESOLVED:

Sec. 1 That the Town Board of the Town of Sweden calls a Public Hearing to hear all persons for or against the adoption of a moratorium on the construction of battery storage energy systems on May 25, 2021 at 6:30 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York.

Sec. 2. That this public hearing will be held concurrently with a Public Hearing regarding a moratorium on the construction of Wind Energy Conversion Systems.

Sec. 3. That the Sweden Town Clerk is authorized and directed to cause an appropriate

notice of this hearing to be published in the official newspaper of the Town, in accordance with Town Law §265.

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

- RESOLUTION NO. 55 Resolution Calling a Moratorium on Wind Energy Conversion Systems

WHEREAS, the Sweden Town Board is desirous of amending and/or modifying Sweden Town Chapter 173, and

WHEREAS, a six (6) month period of time will be sufficient to accomplish this pursuant to a proposed Local Law concerning same, and

WHEREAS, it is the intent of the Sweden Town Board to consider adopting said Local Law as soon as legally possible in May 2021.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. By passage of this Resolution the Sweden Town Board does hereby declare a moratorium in accepting any new applications for Wind Energy Conversion Systems in the Town of Sweden until such time as the aforesaid Local Law is duly before the Sweden Town Board for consideration.

Sec. 2. The moratorium effective by passage of this Resolution shall remain intact for no longer than thirty (30) days.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 56 Calling a Public Hearing on Local Law 2021 Moratorium on Wind Energy Conversion Systems

WHEREAS, the Town Board of the Town of Sweden is interested in amending and/or modifying Town Code Chapter 173 regulating the construction of wind energy conversion systems; and

WHEREAS, the Town Board of the Town of Sweden is desirous of enacting a six-month moratorium on the establishment, construction or implementation of wind energy conversion systems; and

WHEREAS, the Town Board of the Town of Sweden is required to hold a Public Hearing on the matter before enacting the moratorium.

NOW THEREFORE BE IT RESOLVED:

Sec. 1 That the Town Board of the Town of Sweden calls a Public Hearing to hear all

persons for or against the adoption of a moratorium on the construction of wind energy conversion systems on May 25, 2021 at 6:30 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York.

Sec. 2. That this public hearing will be held concurrently with a Public Hearing regarding a moratorium on the construction of Battery Energy Storage Systems.

Sec. 3. That the Sweden Town Clerk is authorized and directed to cause an appropriate notice of this hearing to be published in the official newspaper of the Town, in accordance with Town Law §265.

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

- RESOLUTION NO. 57 Amended Highway Salary Schedule 2021

WHEREAS, a vacancy occurred in the Highway Department on August 1, 2020; and

WHEREAS, at the request of the Highway Superintendent, the vacancy was unfilled for a period of time to determine whether an 11-person full-time highway crew was sufficient to carry out the work of the department without incurring additional overtime; and

WHEREAS, after an eight-month review, the Town Board concurs with the Highway Superintendent’s finding that an 11-person full-time highway crew is able to carry out the work of the department without incurring additional overtime; and

WHEREAS, the Town Board returned a portion of the savings to the taxpayers by means of a highway tax levy decrease for 2021; and

WHEREAS, the Town Board desires to adjust the pay rates of certain highway department employees to account for a two-percent cost of living raise; and

WHEREAS, the Town Board wishes to further amend the pay rates of certain highway employees in acknowledgement of the extra duties and work absorbed by said highway employees due to the unfilled position.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the wage rates listed will become effective with PR 11 starting May 8, 2021.

Foreman Adam Shade	\$30.01
Mechanic Michael Dunham	\$29.01
HEO Megan Aradine	\$24.13
Laborer Justin Espenmiller	\$24.02
MEO Philip Herzog	\$25.25
Laborer Cody Hinchey	\$24.02
Laborer Jacob Moore	\$24.13

MEO Todd Swan	\$25.25
MEO Colin Willis	\$23.00
Laborer Richard Whitten	\$24.02
Jeffrey Moss	\$23.00

RESOLUTION NO. 58

Amended 2021 Salary Schedule

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the schedule of annual salaries is amended as follows effective for Payroll 11, starting May 8, 2021:

Receiver of Taxes	\$26,831
Town Justice	\$21,635
Assessor Tammy Baker	\$64,946
Deputy Town Attorney Lester	\$14,078
Director of Finance Leisa Strabel	\$72,987
Chief Court Clerk Tracy Caporale	\$41,979
Recreation Director Jill Wisnowski	\$58,366
Town Attorney James Bell	\$36,758

Sec. 2. That the following 2021 salaries be set:

Records Access Officer Karen Sweeting	\$1,002
Cemetery Superintendent Brian Ingraham	\$1,644

Sec. 3. That the schedule of hourly wages is hereby amended effective for Payroll 11, starting May 8, 2021:

Court Clerk Debbie Rath	\$15.30
Building Inspector Lyle Stirk	\$26.49
Fire Marshal Mike Vergari	\$24.04
Clerk PT Diane Samons	\$14.35
Deputy Receiver Darla Emmerson	\$21.65
Deputy Town Clerk Kathleen Roberts	\$22.22
Laborer PT Comm Ctr. Ed Stieve	\$13.98
Laborer PT Terry Graham	\$14.63
Laborer Full Time Todd Dobson	\$25.37
Laborer Full Time Roger Evans	\$25.03
Recreation Assistant FT Joe Kincaid	\$23.13
Recreation Assistant FT George Kimball	\$20.17
Recreation Assistant FT Tim Manuszewski	\$19.86
Secretary to Planning Board Phyllis Brudz	\$21.86
Secretary to Highway Super Ruth Kruppner	\$21.65

• RESOLUTION NO. 59

Retroactive Cost of Living Adjustments

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden authorizes a two-percent cost of living raise retroactive to January 1, 2021 through May 7, 2021 for hourly employees who did not receive a mandated pay raise on December 31, 2020.

Sec. 2. That the two-percent retroactive cost-of-living raise will be calculated as follows:

Full-time hourly employees with a standard 8-hour work day	Regular, vacation, sick, personal and holiday hours that were paid up to 40 hours per week.
Full-time hourly employees with a standard 7-hour work day	Regular, vacation, sick, personal and holiday hours that were paid up to 35 hours per week.
Part-time hourly employees	Hours actually worked.

- RESOLUTION NO. 60 Grant Administration Stipend

WHEREAS, the Town has written and secured \$4,950,500 in grants and low interest loans in the past three years without the use of a consultant; and

WHEREAS, the Town has additional grant applications in the development stages including water, CARES Act, skatepark and transportation grants; and

WHEREAS, the responsibility for finding, writing and administering the grants has grown exponentially; and

WHEREAS, the responsibility of administering each grant generally spans a two to five year period; and

WHEREAS, most grants include funding for an administrator.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That Leisa Strabel be approved as Grant Administrator for the aforementioned grants.

Sec. 2. That a stipend of \$10,000 annually be paid for this additional duty.

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

- RESOLUTION NO. 61 Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2021 Town Budget:

Increase A.1110.100 Justices Personal Services	\$2,000
Increase A.1310.100 Director of Finance Personal Services	\$16,230
Increase A.1330.100 Tax Collection Personal Services	\$ 850
Increase A.1355.100 Assessment Personal Services	\$1,850
Increase A.1420.100 Attorney Personal Services	\$ 725
Increase A.1410.100 Clerk Personal Services	\$2,750
Increase A.1620.100 Town Hall Personal Services	\$1,150
Increase A.1621.100 Senior Center Personal Services	\$ 75
Increase A.1622.100 Community Center Personal Services	\$1,250
Increase A.5010.100 Highway Superintendent Personal Services	\$ 765
Increase A.7020.100 Comm. Ctr. Director Personal Services	\$3,800
Increase A.7110.100 Park Personal Services	\$ 850
Increase A.8810.100 Cemetery Personal Services	\$5,595
Increase A.9030.800 Social Security	\$2,400
Increase A.9035.800 Medicare	\$ 575
Increase A2701 Refund Prior Years Expenses	\$10,300
Increase A3001 State Revenue Sharing	\$14,110
Increase A5031 Increase Transfer from Other Funds	\$17,455
Increase B.1420.100 Attorney Personal Services	\$ 280
Increase B.3620.100 Safety Inspection Personal Services	\$ 950
Increase B.8020.100 Planning Personal Services	\$1,000
Increase B.8160.100 Refuse and Garbage Personal Services	\$14,000
Increase B.9030.800 Social Security	\$1,000
Increase B.9035.800 Medicare	\$ 235
Increase B2701 Refund Prior Years Expenses	\$17,465
Increase DA.5130.100 Machinery Personal Services	\$1,670
Increase DA.5140.100 Misc. Brush & Weeds Personal Services	\$3,000
Increase DA.9030.800 Social Security	\$ 290
Increase DA.9035.800 Medicare	\$ 70
Decrease DA.0909.000 Unappropriated Fund Balance	\$5,030

Sec. 2 That this resolution shall take effect immediately.

- RESOLUTION NO. 62 Appoint Seasonal Laborer – Bailey

WHEREAS, there is a vacancy in the seasonal laborer position for the Town of Sweden highway summer operations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Phillip Bailey as a seasonal laborer for Town of Sweden highway department beginning on or after May 10, 2021 and ceasing on or before September 10, 2021, not to exceed 20 hours per week.

Sec. 2. That the appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

Sec. 3. That the rate of pay will be \$18.00 per hour.

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

- RESOLUTION NO. 63 Appoint Laborer PT Park Concessions - Arieno

WHEREAS, the Town of Sweden operates a concession stand at the Town Park during the summer months; and

WHEREAS, Jeanne Arieno has operated the concession stand for twelve seasons.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Jeanne Arieno to the position of Seasonal Laborer PT for the purpose of managing the concession stand.

Sec. 2. That the rate of pay is \$500 per week for a period not to exceed 12 weeks. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

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

NON-CONSENT AGENDA:

- Approval for Payment of Bills

All the Board members reviewed the invoice audit journal. Councilperson Hayles made a motion that was seconded by Councilperson Hoke authorizing payment of the bills in Abstract 4 dated April 28, 2021 in the amount of \$448,906.17.

General Fund: In the amount of \$164,713.19 as set forth in Abstract 4 dated April 28, 2021.

Highway Fund: In the amount of \$14,281.32 as set forth in Abstract 4 dated April 28, 2021.

Special Fund: In the amount of \$10,059.45 as set forth in Abstract 4 dated April 28, 2021.

Capital Fund: In the amount of \$259,852.21 as set forth in Abstract 4 dated April 28, 2021.

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Aye</u>	
Councilperson Hoke	<u>Aye</u>	
Councilperson Humby	<u>Aye</u>	
Councilperson Sullivan	<u>Aye</u>	
Supervisor Johnson	<u>Aye</u>	Adopted

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Supervisor Johnson, referring to the sidewalks and the unsuccessful joint grant application with the Village, stated that the Board has wanted to sidewalk portions of Owens Road and fill in the gaps on Route 31. The Town has now completed the project on Owens Road. Mr. Johnson reached out to NYS DOT to see if they would be willing to add sidewalks to their 2022-2023 planning project for the Route 31 improvements. Mr. Johnson shared the good news that NYS DOT has sidewalks within their plan.

Town Attorney Jim Bell requested permission to reconvene an ad-hoc committee to discuss the issues relative to the solar farms, wind energy systems, and battery storage systems. Mr. Johnson agreed and will make those appointments.

*Supervisor Johnson called for a brief recess at 6:12 p.m. and excused himself from the meeting.

PUBLIC HEARING:

At 7:00 p.m. Deputy Supervisor Hayles 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 concerning a six-month moratorium on the construction of solar power farms and commercial solar power projects.

Visitors present were Mark Rabjohn, Carol Gravetter, and committee member Don Pophal.

Deputy Supervisor Hayles waived the reading of the legal notice.

Resident Carol Gravetter said she was attending to ask questions and is curious as to why the code needs changing and what are the issues involved with the idea of a commercial solar farm in Sweden. Mrs. Hayles explained that a public hearing enables the board to listen to comments from the public. She added that Don Pophal, a member of the committee, and Town Attorney, Jim Bell, were present and both were involved in drafting the local law.

Mrs. Hayles explained that anyone who has already made an application can move forward at this time. Solar farms have been a rapidly evolving dynamic. The Board wanted to pause things and review what is in place to protect our Town and our residents. Town Attorney Jim Bell agreed and added that he does not anticipate many changes. The desire to amend the code is based on what the Planning Board is experiencing when applications come in – things need to be changed to accommodate various considerations in front of the Planning Board, for example, decommissioning. Mr. Bell suggested creating a new chapter of the code addressing decommissioning.

Resident Mark Rabjohn commended the Board on the phenomenal job with the current budget. He stated that solar farms typically go on land that have much lower tax rates, very low tax base. If you allow solar farms, that is additional revenue. Mr. Rabjohn also wanted the board to be aware of the limited capacity on the lines. He was concerned that if the projects keep moving forward in other communities it will affect our capacity at the college location. Mr. Rabjohn is also concerned that potential solar farms applicants will go to other communities instead of waiting for the moratorium to end.

Committee member Don Pophal stated he agrees with Mr. Rabjohn on the limited capacity. He suggests that time is of the essence in moving forward. Mrs. Hayles understands the concern and feels that any changes can be done well within the six-month period.

No other comments. Public hearing closed at 6:42 p.m.

- RESOLUTION NO. 64 Adopt Local Law 3 of 2021 -
 Calling a Moratorium on Solar Power
Farms/Commercial Solar Power Projects

WHEREAS the Sweden Town Board is desirous of amending and/or modifying the Sweden Town Code Chapter 174, and

WHEREAS a six (6) month period of time will be sufficient to accomplish this pursuant to a proposed Local Law concerning same, and

WHEREAS a duly advertised Public Hearing was held on April 27, 2021 at the Municipal Building, Town Hall, 18 State Street, Brockport, New York, and

WHEREAS all persons desiring to be heard were heard and due deliberation having been had thereon.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board hereby adopts Local Law 3 of 2021 – Imposing a Six (6) Month Moratorium on Solar Power Farms/Commercial Solar Power Projects in the Town of Sweden.

Sec. 2. The Town Clerk is authorized and directed to file a complete copy of Local Law 3 of 2021 with the Secretary of State as required by law.

Sec. 3. This Resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Deputy Supervisor Hayles	<u>Aye</u>	
Councilperson Hoke	<u>Aye</u>	
Councilperson Humby	<u>Aye</u>	
Councilperson Sullivan	<u>Aye</u>	
Supervisor Johnson	<u>Absent</u>	ADOPTED

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Humby moved to adjourn the April 27, 2021 meeting of the Sweden Town Board at 7:12 p.m. Councilperson Hoke seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk