

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, August 24, 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, Superintendent of Highways Brian Ingraham, Town Attorney James Bell, and Town Clerk Karen Sweeting.

Visitors present were Patricia Baker, David Baker, Chris Hamlin, Don Grentzinger, Wayne Zyra, Karen LoBracco, James Cenci, and Jared Morey from The Dolomite Group.

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 first responders as well as our fighting men and women around the world.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

No correspondence noted.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Reports will be given at the September 28, 2021 meeting.

CONSENT AGENDA ITEMS:

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

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 held on July 27, 2021.
- RESOLUTION NO. 96 SEQR for Senior Room Addition CDBG Project No. 2727CVPF1-21

WHEREAS, the Town Board of the Town of Sweden desires to construct a Senior Room Addition to the Sweden/Clarkson Community Center, 4927 Lake Road; 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:

Sect. 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”).

Sect. 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.

Sect. 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.

Sect. 4. This resolution shall take effect immediately.

- RESOLUTION NO. 97 Appoint Certifying Officer

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Director of Finance Leisa A. Strabel is designated as the Certifying Officer responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG Project number 2727CVPF1-21.

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

- RESOLUTION NO. 98 Authorizing Fall Clean-up Days for 2021 by the Highway Department

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that special fall clean-up days be set for the Town of Sweden; and

WHEREAS, the Highway Superintendent has also recommended that this be for brush pick up only and no other items will be accepted.

NOW THEREFORE, BE IT RESOLVED:

Sec. 1. That the Highway Superintendent is hereby authorized to execute said operation for pick up of brush within the Town of Sweden on the following days: October 25, 2021 through October 29, 2021.

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

- RESOLUTION NO. 99 Amend Procurement Policy

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby amend the procurement policy adding regulatory language.

Sec.2. That the amendments do not change dollar level limits or existing procedures.

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

- RESOLUTION NO. 100 Authorizing Acceptance of Easements and Right-of-Way Benedict Tax Parcel 083.01-4-2

WHEREAS, the Town Board of the Town of Sweden is desirous of entering into a water main easement and right-of-way on Tax Map Parcel 083.01-4-2 owned by Douglas M. Benedict and Karen L. Benedict; and

WHEREAS, the Town Engineer, MRB Group, has prepared a legal description and map of said easement; and

WHEREAS, the Town Attorney has prepared the easement.

NOW THEREFORE BE IT RESOLVED:

Sec. 1 The Board does hereby approve the aforesaid easement with modifications, if necessary, as approved by the Town Attorney.

Sec. 2 That the foresaid approval is contingent upon and conditional upon the signatures of the property owners.

Sec. 3 The Board hereby authorizes Sweden Town Supervisor Kevin G. Johnson to execute the aforesaid easement.

Sec. 4 The Board directs and authorizes that said easement be recorded in the Monroe County Clerk's Office with the fees for same to be borne by Sweden.

Sec. 5 This Resolution shall take effect immediately.

- RESOLUTION NO. 101 Authorize VOIP Phone System from Reserve Fund

WHEREAS, a Reserve for Information Technology Fund was established on October 25, 2011; and

WHEREAS, the Town Board of the Town of Sweden desires to replace the Town's existing phone system with a VOIP system.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to six thousand dollars from the Reserve for Information Technology Fund for the installation of a VOIP phone system.

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. 102 Authorizing Supervisor to Enter into Agreement for Dog Kennel Services with Town of Hamlin

WHEREAS, the Town of Sweden and the Town of Hamlin desire to enter into an agreement for dog kennel services.

WHEREAS, said agreement shall commence October 1, 2021 and shall continue through October 1, 2022.

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 with the Town of Hamlin for Dog Kennel Services.

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

- RESOLUTION NO. 103 Authorizing a Public Hearing Adding Chapter 152 to the Sweden Town Code.

WHEREAS the Sweden Town Board is desirous of adding Chapter 152 to the Sweden Town Code concerning the subject of opting out of adult use cannabis retail dispensaries and on-site consumption sites, and

WHEREAS a proposed Local Law has been drafted in relationship to adding this Chapter 152 to the Sweden Town Code, and

WHEREAS the Sweden Town Board is required to hold a Public Hearing on the matter before passage of this Local Law.

NOW THEREFORE BE IT RESOLVED:

Sec 1. The Sweden Town Board calls a Public Hearing to hear all persons for or against the adoption of adding Chapter 152 to the Sweden Town Code concerning the subject of opting out of adult use cannabis retail dispensaries

and on-site consumption sites on September 28, 2021 at 6:30 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York, 14420.

Sec 2. 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 and in accordance with Town Law §265.

Sec 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 104 Authorizing Supervisor to Sign Maintenance Agreement with Imperial Door Controls, Inc.

WHEREAS, the maintenance agreements between Imperial Door Controls, Inc. and the Town of Sweden will expire on October 31, 2021; and

WHEREAS, the Town Board desires to enter into new agreements for the Town Hall and Community Center.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize and direct the Supervisor to sign the Maintenance Agreement between the Town of Sweden and Imperial Door Controls, Inc.

Sec. 2. The term of this agreement shall be for a period of one (1) year, commencing on November 1, 2021 and ending on October 31, 2022 at an annual cost of \$185 per door: one at the Town Hall and four at the Community Center for a total cost of \$925.

Sec. 3. That the maintenance agreement will cover automatic door labor only to include travel time during business hours; special parts discounts; and two inspection visits per year to adjust, clean, lubricate and tune equipment.

Sec. 4. That this new agreement does hereby supersede the current agreement due to expire on October 31, 2021.

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

- Approval to purchase two doors for highway garage for \$5,717.48 from Alliance Door and Hardware.

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Supervisor Johnson commended Councilperson Humby on the successful rabies clinic held on August 14, 2021.

EXECUTIVE SESSION:

Councilperson Hayles made a motion that was seconded by Councilperson Sullivan to go into executive session at 6:08 p.m. subject to Public Officer's Law Section 105(h) proposed acquisition, sale, or lease of real property; Public Officer's Law Section 105(d) proposed, pending or current litigation; Public Officer's Law Section 105(f) employment history of a particular person; and Public Officer's Law Section 108(3) confidential consultation with the Town Attorney. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Hayles made a motion that was seconded by Councilperson Humby to leave executive session and return to the regular meeting at 6:30 p.m. All voted in favor of the motion. Motion adopted.

#### PUBLIC HEARING:

Additional visitors present were Bonnie Englert, Pete Englert, Don Pophal, Audrey Pratt, Robert Pratt, Lance Kepler, Julie Lapinski, Frank Lapinski, Shawn Condino, Sarene Condino and John Swierkos from the Dolomite Group. Others were present but did not sign in.

At 6:30 p.m. Supervisor Johnson called to order the public hearing. The purpose of the public hearing was to hear all persons desiring to be heard for or against the renewal of the Excavation Permit for Iroquois Rock Products located on Colby Street and Sweden Walker Road.

Supervisor Johnson waived the reading of the legal notice.

Resident David Baker shared a video with the Town Board showing truck traffic on Sweden Walker Road – speeding, using jake brakes, and hauling stone without tarps covering the load. He would like to see the trucks diverted to Colby Street.

Resident Shawn Condino has concerns with truck traffic, violations of traffic laws, the use of jake brakes, and the safety of children and pets. The noise is disturbing, and the traffic volume is decreasing the quality of life on that road.

Resident Bill Lafferty has concerns with truck traffic on Swamp Road which has a 4-ton weight limit and the effects of blasting on his well.

Resident Lance Kepler is concerned with truck traffic and aggressive driving. He said many of the residents would like to see the speed limit changed to 35 mph – he submitted a petition with 18 signatures to the Town Board.

Resident Don Pophal supports the comments shared. He would also like to see the speed limit lowered on Sweden Walker Road – trucks should not be going 55 mph down the hill. Supervisor Johnson explained that the Town has asked Monroe County DOT and NYS DOT for speed limit reductions in the past and have been denied.

Resident (?) asked if speed bumps or speed cameras could be placed so tickets could be issued to violators. Councilperson Hoke said that DOT indicated speed bumps in that area would be ineffective. DOT Law is specific and most road patrol officers do not have the authority to enforce those laws. The courts have upheld that the accuser cannot be a piece of equipment. The Town has approved the purchase of equipment to track speeds and differentiate between vehicle types. Mr. Hoke suggested the Town install the equipment on the road and work with DOT on enforcement.

Resident Don Pophal said the speed tracking devices seem to work – drivers see their speed and slow down.

John Swierkos from the Dolomite Group would like to be included on the petition requesting lower speed limits. He said the video speaks volumes and offered several suggestions to help enforce the speed limit. Discussion.

Jared Morey from the Dolomite Group provided details on the contracts they have been fulfilling. Discussion on ground monitoring during blasting – they are within the limits set forth by law. He explained that, unfortunately, they don't own the trucks that are violating the speed limits – they do not have direct control over them, DOT enforcement is necessary. Discussion.

Resident Robert Pratt shared concerns with safety, dust, and speeding. He felt the quality of life on the road has decreased due to the increase in traffic.

Resident Peter Englert was concerned with trucks using Swamp Road (4-ton weight limit). He is frustrated with truck traffic and the noise and no enforcement by Sheriff or DOT. Discussion.

Resident Julie Lapinski has written several letters to the Town and DOT over the years and is concerned with construction trucks that are not covered, noise, dust, gravel, and poor road conditions on Sweden Walker Road. She feels the problem is getting worse.

Jared Morey assured the residents that the jobs are winding down so some of the issues should be decreasing.

Discussion on blasting. (Several speaking at one time.)

Don Pophal suggests not deciding on the renewal until a conversation can take place on minimizing the issues.

No other comments. Public hearing closed at 7:20 p.m.

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 8 dated August 25, 2021 in the amount of \$810,738.84.

General Fund: In the amount of \$48,346.57 as set forth in Abstract 8 dated August 25, 2021.

Highway Fund: In the amount of \$48,076.15 as set forth in Abstract 8 dated August 25, 2021.

Special Fund: In the amount of \$7,890.76 as set forth in Abstract 8 dated August 25, 2021.

Capital Fund: In the amount of \$706,425.36 as set forth in Abstract 8 dated August 25, 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

- RESOLUTION NO. 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 August 24, 2021 at 6:30 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 SEQR 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 September 29, 2021 to June 26, 2024.

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 Hayles

Seconded by Councilperson Sullivan

Discussion: Councilperson Hayles made a motion that was seconded by Councilperson Sullivan to TABLE the resolution.

VOTE BY ROLL CALL AND RECORD ON MOTION TO TABLE:

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>	TABLED

\*At 7:23 p.m. Supervisor Johnson called for a brief recess. The meeting was re-convened at 7:30 p.m. for the joint Seymour Library budget presentation.

Sweden Town Board members present:

Supervisor Kevin Johnson  
Councilperson Patricia Hayles  
Councilperson Randall Hoke  
Councilperson Rhonda Humby  
Councilperson Gary Sullivan

Clarkson Town Board members present:

Councilperson Patrick Didas  
Councilperson Allan Hoy  
Councilperson Tom Guarino  
Councilperson Leslie Zink

Village of Brockport Board members present:

Mayor Margay Blackman  
Trustee Katherine Kristansen  
Trustee John LaPierre  
Trustee Shawn Halquist

Seymour Library Board members present:

Bernie LoBracco (Village of Brockport)  
Marilynn Brown (Clarkson)  
Scott Maar (Sweden)  
Dr. Patricia Galinski (Clarkson)

Seymour Library Director Jennifer Caccavale

Other visitors were present but did not sign in.

Supervisor Johnson welcomed all to the Town of Sweden. Seymour Library Board member Bernie LoBracco thanked everyone for attending. The board worked very hard to

gather the best information in drafting this budget, taking into consideration many different issues to bring forth a budget to support those services needed by the community.

Seymour Library Director Jennifer Caccavale presented the proposed 2022 budget. She detailed revenue sources and expenses. Municipal support is one of the largest revenue sources. Ms. Caccavale detailed payroll and payroll related expenses and explained the proposed payroll increases for 2022 – merit and standard cost of living. She shared full-time/part-time employee trends, hours of operation, part-time payroll trends, minimum wage increases, and non-payroll expenses (contractual). Ms. Caccavale shared several fundraising events – past and upcoming.

Ms. Caccavale presented a spreadsheet of the proposed 2022 budget and detailed several lines – proposed funding and where it will be used, total revenue and expenses, and personnel and benefits. There are no current plans for capital improvements in 2022. There is a budget gap of \$36,149 for 2022.

Ms. Caccavale provided the 2020 Census populations to explain the allocation of funding – funding amounts for Clarkson and Sweden will increase slightly and funding amount for the Village will decrease slightly. Ms. Caccavale provided key five-year metrics that show circulation, door counts, library hours, inter-library loans, borrowing/lending, and program attendance. She noted that they have surpassed the average number of inter-library loans and is very proud of that.

Ms. Caccavale shared photos of the landscape at the library and informed the boards that volunteer, Tim Smith, has been working hard getting things cleaned up, saving the library money. Ms. Caccavale said she is proud to be at the library. Opened for questions from the boards and discussion.

**ADJOURNMENT:**

As there was no further business to come before the Board, Councilperson Hayles moved to adjourn the August 24, 2021 meeting of the Sweden Town Board at 9:00 p.m. Councilperson Hoke seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk