

Supervisor Johnson: Ok, good evening everyone. We're going to call this evening's regular meeting of the Sweden Town Board to order. The first thing, I'd just like to remind everybody, if you could, please mute your phone unless you are ready to speak on something. I think it will help with clarity on the call. So, I'd ask you to please stand and we'll recite the Pledge together.

All Board Members: I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Supervisor Johnson: Ok, thank you and if you remain standing as we observe a moment of silence, remembering our fighting men and women around the world, all of our first responders, and as well as those who have been affected in the difficulty of this pandemic. (Silence) Thank you.

Alright, the first item on the agenda this evening is correspondence. I have nothing to report to the Board on that. And as a reminder we have reports on May 26<sup>th</sup>, which is our next regular meeting, two weeks from tonight, so please be prepared with those. No one signed up for privilege of the floor so there's no one to speak at this time so we'll move right into the consent agenda.

CONSENT AGENDA ITEMS:

Supervisor Johnson: The Consent Agenda has five items on it this evening. The first, is the approval of the minutes of our April 28, 2020 meeting. The second is a resolution awarding a bid for sidewalks and concrete projects. The third is a resolution authorizing sidewalk project from the Park Reserve Fund, that's for the one portion of the project. The fourth is a resolution authorizing the Supervisor to sign MRB Group's engineering services proposal. And, the fifth is a resolution accepting the decommissioning bond for Helios Sweden Solar Farm in accordance with the Town Engineer's recommendation. So, on the Consent Agenda, those five items, would the board like anything moved to the Non-Consent Agenda?

Councilperson Hayles: No

Councilperson Muesebeck: No

Supervisor Johnson: Ok, hearing no

Councilperson Hoke: No

Councilperson Humby: No

Supervisor Johnson: Thank you. Alright, hearing no objections to the Consent Agenda then, I'll ask for a motion on the Consent Agenda. (Multiple voices heard) Sorry about that, I think I heard Rhonda in there. So, Rhonda with the motion, could I have a second please.

Councilperson Hayles: Second, this is Patty.

Supervisor Johnson: Thank you, Patty. Alright, any discussion on the Consent Agenda? (Silence) Alright, Karen, would you please call the roll.

Clerk Sweeting: Councilperson Hayles.

Councilperson Hayles: Aye

Clerk Sweeting: Councilperson Hoke

Councilperson Hoke: Aye

Clerk Sweeting: Councilperson Humby

Councilperson Humby: Aye

Clerk Sweeting: Councilperson Muesebeck

Councilperson Muesebeck: Aye

Clerk Sweeting: Supervisor Johnson

Supervisor Johnson: Aye. Alright, the resolutions are approved as are the minutes. Thank you everyone.

**\*\*The following approved Consent Agenda items:\*\***

- Approval of minutes of regular meeting held on April 28, 2020

RESOLUTION NO.   62   Award Bid for Sidewalks/Concrete Projects

WHEREAS, the Town Board of the Town of Sweden authorized Bids for Sidewalks and Concrete Projects on April 14, 2020 by Resolution 54 of 2020; and

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

|                              | Bid          |
|------------------------------|--------------|
| Genesee Building Restoration | \$696,246.56 |
| Village Construction         | \$728,905.00 |
| Sunshine Concrete            | \$737,146.00 |
| Campobello Construction      | \$788,280.00 |

WHEREAS, after review by the Town Engineer, the recommendation is to award the bid to Genesee Building Restoration.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden, upon the recommendation of the Town Engineer, does hereby award the bid for sidewalk and concrete projects for the bid price of six hundred ninety-six thousand two hundred forty-six and fifty-six hundredths dollars (\$696,246.56) to Genesee Building Restoration.
- Sec. 2. That the Supervisor is authorized to execute all necessary documents.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 63 Authorize Sidewalk Project from 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, in 2015, the Town of Sweden received a New York State Office of Parks, Recreation and Historic Preservation grant which called for the connection of the Sweden Town Park to the New York State Erie Canal; and

WHEREAS, the Town of Sweden is undertaking the installation of sidewalks appurtenances to connect the Sweden Town Park to the New York State Erie Canal and the Village of Brockport.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to two hundred thousand dollars (\$200,000.00) from the Parks and Recreation Reserve Fund for Type capital improvements; namely sidewalks and appurtenances to connect the Sweden Town Park to the New York State Erie Canal and the Village of Brockport.
- 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. 64 Authorize Supervisor to Sign MRB Group Engineering Services Construction Phase for Sidewalk Projects – Holley St., Owens Road, Persistence Path, Isla Way and Highway Garage Apron

WHEREAS, the Town Board of the Town of Sweden desires to engage MRB Group to perform construction administration and construction observation services for the installation of sidewalks on parts of Holley Street, Owens Road, Persistence Path and Isla Way and the Highway Garage Apron; and

WHEREAS, MRB Group, the Town engineer, has submitted a proposal for services for the projects.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign the MRB Group Proposal for engineering services for the proposed sidewalk projects.

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

- RESOLUTION NO. 65 Accept Decommissioning Bond  
Helios Sweden Solar Farm

WHEREAS, Helios Energy New York 3 LLC & Helios Energy New York 10 LLC have submitted a Decommissioning Plan to the Sweden Planning Board and Sweden Town Engineer for two solar panel arrays located on lands identified as Tax Map No. 098.04-1-2.1 at Lake and Swamp Roads; and

WHEREAS, in a memo dated May 7, 2020, MRB Group approved the Decommissioning Plan as meeting the requirements of the Sweden Town Code; and

WHEREAS, in the same memo dated May 7, 2020, MRB Group deemed as adequate the sum of \$313,674.60 as the financial security required to cover the costs of removing said facilities from the site should the solar energy owner fail to do so; and

WEREAS, the applicant has submitted a draft form of the Decommissioning Bond.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden accepts the Decommissioning Plan for the Helios Energy Site on Lake and Swamp Roads, Tax Map No. 098.04-1-2.1 as recommended by the May 7, 2020 MRB Group memo.

Sec. 2. That the Town Board of the Town of Sweden accepts the financial security amount of \$313,674.60 for said Decommissioning Plan.

Sec. 3. That final acceptance is conditional upon the receipt of the Decommissioning Bond and the review and acceptance of such by the Sweden Town Attorney.

NON-CONSENT AGENDA:

Supervisor Johnson: We have nothing on the Non-Consent Agenda this evening.

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Supervisor Johnson: So, at this point, we'll move into other business. Is there anything that anyone on the Town Board would like to share with the Board or talk to the Board about before we do move into an Executive Session.

Town Attorney Bell: This is Jim. I would just put out there that our State of Emergency is going to expire in the next three or four days. Am I correct in assuming that we are extending that?

Supervisor Johnson: Jim, do you have any advice for the Board on that in terms of what other municipalities or the state is doing, anything you might recommend?

Town Attorney Bell: Well, I don't really know what's going to happen as far as funding is concerned with the next stimulus bill if there is one, but my opinion and advice would be to extend it. If something should happen that you want to rescind it, you could always rescind it before the next thirty-day period is up after you extend it. But it's going to expire here, I believe, on the, I'm doing the math as I'm talking to you, on the 14<sup>th</sup> of May. So, we're going to want to extend it by then if you are going to extend it.

Supervisor Johnson: Well Jim, I believe the State did extend theirs for another thirty days, if I'm not mistaken.

Town Attorney Bell: I think that's correct and I think some of the other municipalities, I haven't talked to a lot of municipal attorneys in the last week, but the ones I have talked to are continuing to extend them when they're getting close to the expiration date.

Supervisor Johnson: Ok, does the Board have any thoughts or objections?

Councilperson Hayles: Jim, are you saying that we should extend because of the possibility of funding for, if there's funds available because we are in a State of Emergency, we'd want to protect that possibility?

Town Attorney Bell: Yes, that is, that is what I am saying. I am not, necessarily, guaranteeing that it's going to trickle like that, but, yes, that is what I'm saying. I'm sure there would come a point where we would have to make a showing of law to be eligible for funds, but that's exactly what is being debated in Congress right now is this entire subject. So, it would seem to me as though we'd be in a better position to assert ourselves or our position if we still have a State of Emergency in effect.

Councilperson Hayles: Then I think we should extend the State of Emergency to protect that possible interest in those funds.

Town Attorney Bell: If that's what the Board is desirous of doing, and the Supervisor, I will prepare the documents.

Supervisor Johnson: I think, Jim, that simply can be done with my signature. I don't think that it requires any Board action but we have asked for consent on the past two.

Town Attorney Bell: You're correct it requires your signature only, that's correct.

Supervisor Johnson: Ok, and the date for that was?

Town Attorney Bell: Well, the last one, the last extension was April 14<sup>th</sup>, so, and that was for thirty days, so do the math, it's going to run out on the 14<sup>th</sup> of April which is the day after tomorrow. Uh, May.

Supervisor Johnson: Excellent. Well if you would get something to us, I will certainly sign it and extend it. Again, I don't, we did some research on this at the beginning as I recall and

we're not aware of any funding opportunities that are predicated on us having a State of Emergency. Nonetheless, we don't know what any final bill coming out of the Congress might be, so I think to preserve, to preserve that possibility I think we should, we should extend. Although, I think that, as we begin, as everybody begins the reopening process, albeit slowly, at some point, even just for symbolic reasons we should probably rescind it. But I think, let's keep it open until we see what the Feds do and go forward.

Town Attorney Bell: I will prepare it.

Supervisor Johnson: Ok, very good. Alright, anything else, other business from the rest of the Board? (Silence)

EXECUTIVE SESSION:

Supervisor Johnson: Ok, what I'm going to ask for is a motion to go into Executive Session. The purpose of this Executive Session is, has to do with matters which concern the safety of the public and I would like to invite into that Executive Session the Town Attorney, the Highway Superintendent, Brian Ingraham, and Jill Wisnowski the Recreation Director and then finally the Finance and HR Director of the Town, Leisa Strabel. So, could I have a motion for Executive Session, please?

Councilperson Muesebeck: So moved, Bob.

Councilperson Hayles: And a second, Patty.

Supervisor Johnson: Ok, any discussion on the motion? (Silence) Ok, then if I could, can I have a, we'll just do a voice vote on this. All in favor say aye. Aye.

Councilperson Hoke: Aye

Councilperson Muesebeck: Aye

Councilperson Humby: Aye

Councilperson Hayles: Aye

Supervisor Johnson: Any opposed say nay. (Silence) Alright, we will move into the Executive Session at this time. There will be no official business transacted in the Executive Session. We will be moving straight to adjournment after that. Thank you everyone. (Recording ended - Executive Session began at 6:10 p.m.)

At 7:42 p.m., Councilperson Hayles made a motion that was seconded by Councilperson Humby to leave executive session. All voted in favor of the motion. Motion adopted.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Hoke moved to adjourn the May 12, 2020 meeting of the Sweden Town Board at 7:43 p.m. Councilperson Humby seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk

\*\*I, Karen M. Sweeting, Town Clerk of the Town of Sweden, do hereby certify that the foregoing is the verbatim transcription of the Town Board meeting held telephonically on May 12, 2020 and shall also constitute the minutes of the meeting.

---

Karen M. Sweeting, Town Clerk