

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, November 24, 2020.

Town Board Members present were Supervisor Kevin G. Johnson, Councilperson Patricia Hayles, Councilperson Randall Hoke, and Councilperson Rhonda Humby. Councilperson Robert Muesebeck was absent. Also present were Finance Director Leisa Strabel, Superintendent of Highways Brian Ingraham, Town Attorney Jim Bell, and Town Clerk Karen Sweeting.

One visitor was present but did not sign in.

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 our health care workers working hard to fight COVID.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

Received a letter from John and Sandra Cassin pertaining to the proposed Gary Drive Extension project.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Superintendent of Highways Brian Ingraham reported the completion of town-wide brush pick-up and are currently grinding the brush pile. The leaf pick-up is going well with the final day being November 30th. They assisted Monroe County with the Household Hazardous Waste Collection held in Hilton and completed drainage work on Beadle Road. They are getting equipment ready for snow and ice operations and will be installing snow fence within the next few weeks.

Town Attorney Jim Bell requested a confidential communication with the Board under Public Officers Law Section 108 (3) to discuss the proposed Gary Drive Extension project and the ongoing litigation concerning 4 Tracy Terrace and potential litigation relating to Viking Apartments. Mr. Bell reported that the moratorium law committee for battery storage facilities has met. Another meeting is scheduled for this week. Mr. Bell asked the Board for guidance as to the status of the proposed local law changes to Chapter 175 of the Sweden Town Code. Discussion. Mr. Bell suggested meeting with Town Clerk Karen Sweeting and Councilperson Humby to discuss dog control.

Councilperson Hoke reported that the new clerk is working out very well in the court. The court is working on a “diminished capacity” per New York State due to COVID. Mr. Hoke has asked CETech to include the SCCC on the domain. Moving forward with several other projects.

Councilperson Humby reported that they have finished mowing and mulching of leaves at the cemetery and the fountain and water system has been winterized. There is a burial scheduled for November 27th – no others after December 1st for the season. Burials will resume after April 15th weather permitting. Mrs. Humby reported a slow month for Dog Control. No

report for the Farmers' Museum. She commented on the Trunk or Treat event – despite the rain and wind the kids seemed to really enjoy it. The recreation center staff and volunteers did a great job.

Councilperson Hayles provided the board members with the library's monthly financials pointing out a net revenue as of November 17, 2020. Mrs. Hayles is waiting for details from Mr. LoBracco as to the increased deficit for the proposed 2021 budget. Scott Maar will serve through 2024 and was placed on the Finance and Policy Committees. Mrs. Hayles met with the Sweden representatives of the Library Board to go over any questions and to welcome Mr. Maar. She set up a meeting with Finance Director Leisa Strabel to go over municipal funding, NYS investment regulations and the NYS purchasing guidelines. Mrs. Hayles indicated that the Library Board did not pass the proposed MOU. She detailed their concerns. Discussion relative to a temporary closing.

Councilperson Hayles provided a written report for the SCCC. They are scheduling another SilverSneakers class. The Winter Brochure will be out to homes by December 5th. As of now, there will be no house basketball, but they will offer basketball camps. The \$2,000 grant received for the purchase of a dishwasher will now be used to purchase new COVID compliant chairs for classroom use.

Supervisor Johnson also attended the Trunk or Treat event. He participated in the shared services panel – discussion on the ideas presented. Participated in the Supervisors' call, met with Clarkson Supervisor and Village Mayor to discuss the library MOU, participated in a Zoom call with MPACT to discuss their request for COMIDA and interviewed candidates for the part-time snow plowing position. Mr. Johnson also reported participating in a county call to discuss portions of Monroe County moving into "yellow". He met with Councilperson Humby, Finance Director Leisa Strabel, MRB Group representatives Jim Oberst and Jon Hinman regarding several items. Also met with Councilperson Muesebeck, Superintendent of Highways Brian Ingraham and Buildings and Grounds, Todd Dobson and Roger Evans, to discuss the snow plowing position.

Supervisor Johnson explained the reasoning behind closing the Town Hall on November 16 and 17. Mr. Johnson participated in several additional calls pertaining to COVID.

Supervisor Johnson attended a Sweden Community Foundation meeting and presented the idea of renovating the Skate Park. There are several candidates for the Sweden Village Safety Committee. He reported that the Town is waiting on a few regulatory approvals for the water formation. The Owens Road northern portion of the sidewalk project will have to wait until Spring due to weather.

Councilperson Hayles mentioned the holiday "reverse" parade being held at the Brockport Central School District on December 13, 2020 at 5 p.m.

Councilperson Hoke informed the board that there have been several vehicle break-ins in the Sweden Village area and advised caution in leaving valuables in vehicles.

CONSENT AGENDA ITEMS:

Councilperson Hayles made a motion that was seconded by Councilperson Hoke 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 Muesebeck	<u>Absent</u>	
Supervisor Johnson	<u>Aye</u>	ADOPTED

- Approval of the minutes of the Regular Town Board Meeting held on November 10, 2020
- RESOLUTION NO. 140 Appoint MEO – Willis

WHEREAS, a vacancy exists in the Town of Sweden Highway Department; and

WHEREAS, the Superintendent of Highways has recommended hiring Colin Willis as a full-time motor equipment operator (MEO).

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Colin Willis as a full-time motor equipment operator (MEO).
- Sec. 2. That the rate of pay will be \$21.00 per hour.
- Sec. 3. That the start date will be November 30, 2020.
- Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 141 Approve Inter-municipal Agreement with Monroe County for CARES Act Distribution

WHEREAS, the County of Monroe and the Town of Sweden desire to enter into an Inter-municipal Agreement for economic relief from the public health and economic impacts of COVID-19 through the CARES Act Distribution.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Inter-municipal Agreement between the Town and the County of Monroe for CARES Act Distribution.
- Sec. 2. That the Supervisor is hereby authorized to execute all necessary documents.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 142 Authorize Supervisor to Sign Amendment to MRB Group Owner Engineer Agreement for Lake Redman Road Water Project

WHEREAS, the Town of Sweden has received a commitment of US Rural Development Funds for the construction of the Lake-Redman Road Watermain Improvement Project; and

WHEREAS, Rural Development requires an Owner-Engineer agreement to be in place; and

WHEREAS, the Town Board of the Town of Sweden entered into such an agreement with MRB Group on October 22, 2019; and

WHEREAS, an amendment to the Owner-Engineer Agreement is needed for an environmental investigation on a particular property and for additional geotechnical investigative borings.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign the second amendment to the MRB Group Owner-Engineer agreement for the Lake-Redman Road Watermain Improvement Project.

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

- RESOLUTION NO. 143 Amending Fees for Dog Seizure and Impoundment

WHEREAS, the Town Board, as stated in Chapter 84 of the Sweden Town Code, shall establish fees by resolution for dog licensing and control.

NOW THEREFORE BE IT RESOLVED:

Sec. 1 That the Town Board of the Town of Sweden hereby amends the seizure and impoundment fees pursuant to Article III, Chapter 84 of the Sweden Town Code as:

- (1) \$25 for the first seizure of any dog owned by that person and additionally \$20 per day for each day held in the kennel.
- (2) \$45 for the second seizure of any dog owned by that person and additionally \$20 per day for each day held in the kennel.
- (3) \$60 for the third seizure of any dog owned by that person and additionally \$20 per day for each day held in the kennel.
- (4) \$75 for the fourth seizure of any dog owned by that person and additionally \$20 per day for each day held in the kennel.
- (5) \$100 for the fifth and subsequent seizure of any dog owned by that person and additionally \$20 per day for each day held in the kennel.

Sec. 2 That this resolution shall take effect immediately.

- RESOLUTION NO. 144 Proclamation Honoring the Birthday of Greater Western New York

WHEREAS, the Revolutionary War, fought on behalf of the independence of the thirteen British Colonies, ended with the Treaty of Paris, finalized on September 3, 1783 and signed by Benjamin Franklin, John Adams, and John Jay at the Hotel d'York in Paris, and ratified by the Continental Congress on January 14, 1784; and,

WHEREAS, the Treaty of Paris announced that the British Crown formally recognized a new and independent nation: The United States of America; and,

WHEREAS, The United States of America at that date consisted of the thirteen original colonies, each colony becoming a sovereign and independent state as defined by the Articles of Confederation; and,

WHEREAS, the Articles of Confederation stipulated that Congress served as the last resort on appeal of disputes; and,

WHEREAS, the States of Massachusetts and New York had a territorial dispute regarding which state had dominion over the region from (approximately) Seneca Lake to Lake Erie and the mile strip immediately east of the Niagara River; and,

WHEREAS, the Treaty of Hartford resolved this dispute in favor of New York State, but gave Massachusetts the title and the preemptive rights to that land, so designated as the region west of the 82nd millstone from the Pennsylvania border to the Lake Ontario shore; and

WHEREAS, the Treaty of Hartford was signed on December 16, 1786; thus, creating the Greater Western New York Region.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden, on behalf of all citizens hereof, does hereby proclaim December 16th as the birthday of the Greater Western New York Region and call this observance to the attention of all our citizens, encouraging them to observe this historic day in a manner they find most suitable.

NON-CONSENT AGENDA:

The Board members reviewed the invoice audit journal. Councilperson Hoke made a motion that was seconded by Councilperson Humby authorizing payment of the bills in Abstract 11 dated November 25, 2020 in the amount of \$406,452.17.

General Fund: In the amount of \$243,051.32 as set forth in Abstract 11 dated November 25, 2020.

Highway Fund: In the amount of \$120,055.37 as set forth in Abstract 11 dated November 25, 2020.

Special Fund: In the amount of \$5,488.42 as set forth in Abstract 11 dated November 25, 2020.

Capital Fund: In the amount of \$37,857.06 as set forth in Abstract 11 dated November 25, 2020.

VOICE BY ROLL CALL:

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

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Discussion - COVID Response Plan. A new state-compliant plan must be adopted by April 1, 2021. Supervisor Johnson presented the proposed plan to the board for comments.

Discussion – proposal of the adoption of a dog licensing late fee, proposed dog pantry project (by a member of the Girl Scouts), and the dog control vehicle.

EXECUTIVE SESSION:

Councilperson Hayles made a motion that was seconded by Councilperson Humby to go into executive session at 7:11 p.m. to discuss matters under Public Officers Law Section 105 (d) proposed litigation; Public Officers Law Section 105 (f) employment issues – recreation department, court and buildings and grounds; and Public Officers Law Section 108 (3) for a confidential consultation with the Town Attorney. All voted in favor of the motion – four ayes. Motion adopted.

No action taken.

Councilperson Hoke made a motion that was seconded by Councilperson Hayles to leave executive session and return to the regular meeting at 8:58 p.m. All voted in favor of the motion – four ayes. Motion adopted.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Hoke moved to adjourn the November 24, 2020 meeting of the Sweden Town Board at 8:59 p.m. Councilperson Hayles seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk