

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 9, 2021.

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

Visitors present were Don Grentzinger, Chris Hamlin, Wayne Zyra, Don Pophal, John and Ellen Zima, Kevin M. Johnson, and Tim Holland from Stonehaven Development.

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 and our fighting men and women around the world.

PRIVILEGE OF THE FLOOR:

No one spoke.

CORRESPONDENCE:

No correspondence noted.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Reports to be given November 30, 2021

**Supervisor Johnson asked Town Architect David Strabel to present the construction drawings for the senior room addition to the board. Mr. Strabel shared the details of the drawings, pointed out some changes, and answered questions.

CONSENT AGENDA ITEMS:

Supervisor Johnson asked that Resolution Nos. 129 through 139 be moved to Non-Consent Agenda.

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

Discussion: RE: Resolution No. 128 – Councilperson Hayles wanted to express her reasons for voting to opt out of cannabis dispensaries and on-site consumption sites. After listening to comments at the public hearing, she feels it is irresponsible to opt in to something that is not currently regulated. Mrs. Hayles added that she does not want to give up the flexibility of being able to opt out. Once we opt in or let things pass, it can't be reversed. Councilperson Humby agrees. Supervisor Johnson also agrees with Councilperson Hayles' comments. Mr. Johnson noted that NYS has yet to provide regulations on what it is that the board needs to decide on to determine what is best for the community. There are many concerns within the community and Mr. Johnson has heard opposition from many residents. He will not vote to opt in without knowing all the facts. Town Attorney Jim Bell encouraged the board to vote on this resolution due to the timeframe of adoption and filing with the Department of State.

Discussion: RE: Resolution Nos. 129 – 139 – Supervisor Johnson explained that the drafts were received over the weekend. He thanked the committee members for their hard work. Mr. Johnson noted a few changes. He suggested tabling the resolutions until the board discusses those changes – note Resolution No. 142.

Discussion: RE: Resolution No. 140 – Supervisor Johnson read:

“As to the resolution calling for an eminent domain hearing, I am going to read a joint statement from the members of the Town Board.

On January 7, 2019, the Town of Sweden received a letter from the New York State Department of Transportation confirming that DOT agreed that traffic volumes on Route 31 were substantial and indicating that the town might desire to have a signalized exit/entrance from Sweden Village onto Route 31 which, could be accomplished by extending Gary Drive to the Walmart signal.

An extension of Gary Drive to Route 31 would necessarily cross a small piece of property owned by the Baltz family. The property had been for sale for many years, an indication that the Baltz family had no intention of retaining the property for its own use. In fact, the Baltz properties were marketed as having great development potential.

In January 2020, the Town learned of a grant opportunity for development of Town roads to benefit the public interest and that a contemplated Gary Drive extension to Route 31 would be within the scope of projects for which grant money would be available. Supervisor Kevin Johnson, and the Deputy Supervisor at the time, met with a representative of the Baltz family on January 7, 2020 to discuss an easement across the property.

The representative subsequently reported back that the Baltz family was agreeable to granting an easement, that the family recognized the added value that would be brought to their property with a signalized access point and that they were not requesting compensation for the easement. We asked the representative to have the Baltz’s put this in writing so we could be certain of their intent.

On February 7, 2020, all of the Baltz property owners, Anne Baltz, Margaret Baltz, Fletcher Baltz, and Elizabeth Nash signed a written statement they prepared that read: “The Town of Sweden has contacted us as the owners of the property on Brockport Spencerport Road, tax account number 084.01-1-25.115, for the purpose of acquiring a right-of-way through our property from the current east end of Gary Drive approximately 200 feet to Brockport Spencerport Road. The purpose of the right-of-way would be the construction of the extension of Gary Drive, including appropriate drainage features and a sidewalk, to Brockport Spencerport Road. It is our intention to grant the right-of-way as soon as the legal documents are prepared.”

There was no request for payment, no request to enter negotiations. It was a simple and direct promise: we will sign as soon as the Town is ready.

The Town, relying on the written affirmation of the four property owners and statements by the Baltz family representative, submitted the grant application on February 12, 2020. The application included a copy of the Baltz's written intention to grant the easement.

The Town deliberately chose not to complete the easement paperwork until:

- 1. the grant was awarded*
- 2. public input was gathered from Sweden Village residents*
- 3. engineers determined the exact placement of the roadway in conjunction with the NYS DOT.*

In May 2020, the Town was awarded a grant in the amount of \$175,500 for the Gary Drive extension. Sweden Village residents were surveyed in July 2020, a public meeting was held in August 2020, a traffic study and an in-depth environmental review was completed in the fall of 2020, an appraisal and survey of the property were done in 2021, and plans were submitted to the NYS DOT for review.

Why are we beginning Eminent Domain proceedings tonight?

One or more of the Baltz's have determined, for whatever reason, not to sign the easement. The Baltz's have never formally withdrawn the offer to sign the easement and have not indicated to the Town why they are not proceeding to sign and deliver it to the Town; the property is still for sale meaning the Baltz's are still willing to transfer ownership of all their property; they have never made a demand of the Town for payment of any money for the needed easement and right-of-way. But the fact that the Town has not received a signed easement and right-of-way agreement and has no current expectation of receiving one obstructs the Town's ability to proceed with the project.

We know that safety on Route 31 between Owens Road and Route 19 is a serious public safety concern. The NYS DOT and the Town Engineer have made it clear that the Gary Drive extension is the safest, most efficient way to provide a traffic light-controlled entrance/exit to Route 31 from Sweden Village. The residents of Sweden Village are overwhelmingly in support of the Gary Drive extension. Understandably, the opposition to the project is largely limited to the owners of those homes most directly impacted by the extension.

The Town has an extraordinarily unique opportunity to improve safety at very little cost to Sweden taxpayers. The DOT has willingly absorbed the largest share of the project cost into its Route 31 Improvement Project budget. That is unheard of and it is a reflection of how important the State DOT believes the Gary Drive extension to be. Monroe County awarded the largest 2020 Community Development Block Grant funding to this project. That is how important the Monroe County Department of Planning and Development believes the Gary Drive extension to be.

Your Town Board has studied this project from every perspective at great length and is going forward. It is the right thing to do for public safety. It is the will of the people. There is no alternative that achieves the level of public safety that the Gary Drive extension provides for as

little cost to the Sweden taxpayer as the proposed project is. The traffic studies performed support this solution to the public safety concerns as the best alternative.

The NYS DOT is going forward with its improvements to Route 31 in this area. The improvements include acquiring a small piece of this same Baltz property. We have been told that New York State will make an offer for the very small piece of land it needs. We have been told that if the Baltz family rejects their offer, New York Sate will also proceed with Eminent Domain.

No Eminent Domain proceedings would be needed if the Baltz family were to deliver the easement and right-of-way agreement to the Town as they originally promised they would. Even if the Baltz’s had subsequently requested a reasonable dollar payment for delivery of the easement and right-of-way agreement, the Town would have considered it.

The Sweden Town Board is committed to completing the Gary Drive extension. We will improve access to Route 31 for Sweden Village residents. We will improve traffic safety in this area of Route 31. We will not break our promise to Sweden Village or compromise the public safety of all our residents.”

No other comments or discussion.

VOTE BY ROLL CALL:

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

ADOPTED

- Approval of the minutes of the regular meeting (including the public hearing) held on October 26, 2021
- RESOLUTION NO. 123 Authorize Bids for Senior Room Addition

WHEREAS, the Town Board of the Town of Sweden plans to construct a Senior Room Addition to the Community Center, 4927 Lake Road.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Town Architect to submit the necessary specifications and construction documents for the Senior Room Addition.
- Sec. 2. That the Town Clerk is directed to place the attached Notice to Bidders in the official newspaper of the Town of Sweden and to post on the Town of Sweden’s website.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 124 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. 125 Appoint Seasonal Laborer – Hess

WHEREAS, there is a need for an additional seasonal laborer for Town of Sweden-owned parking lot snow plowing.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Dennis Hess as a seasonal laborer for Town of Sweden-owned parking lot snow operations on an as-needed basis beginning on or after November 10, 2021 and ceasing on or before April 8, 2021.

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 \$15.00 per hour.

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

- RESOLUTION NO. 126 SEQR Determination of Non-Significance – Application to Rezone Portions of Two Parcels South of Fourth Section Between Lake and Redman Roads

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) is the designated Lead Agency (Resolution No. 63 of 2019) for making the determination of environmental significance for the application to rezone portions of two parcels south of Fourth Section Road between Lake and Redman Roads for development of Stonebriar Glen South (hereinafter referred to as Action); and

WHEREAS, the Town Board has received, reviewed and does hereby accept Part 1 Full Environmental Assessment Form completed by BME Associates, Part 2 Full Environmental Assessment Form (FEAF), Part 3 Full Environmental Assessment Form and Supplemental Information Narrative; Traffic Impact Letter of Findings

prepared by McFarland Johnson; NYSDOT review letter on the Traffic Impact Letter of Findings; and

- WHEREAS: the Town Board has (in accordance with the provisions of Section 617.7):
- (1) considered the action as defined in subdivisions 617.2(b) and 617.3(g) of the State Environmental Quality Review Act; and
 - (2) reviewed the EAF (Parts 1, 2 and 3) 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 BME Associates, the public record from informational meetings on said action and the environmental record to identify the relevant areas of environmental concern; and
 - (3) thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and
 - (4) 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 and to provide notice thereof to all identified Involved and Interested Agencies.
- Sec. 3 That this resolution shall take effect immediately.

- RESOLUTION NO. 127 Rezone Portions of Two Parcels South of Fourth Section Road Between Lake Road and Redman Road

WHEREAS, Stonehaven Commercial, 154 Cobblestone Court Drive, Victor, New York 14564, acting as developing agent for the owner of the properties, Estate of Eugene Jason, c/o Acea Mosey, 625 Delaware Avenue, Buffalo, NY 14202, has submitted to the Town Board an application and proposal to re-zone approximately 50 acres of portions of two tax parcels, 083.040-0001-001.21 and 083.040-0001-005.111, from R1-2S Single Family Residence to MR-1 Multiple Residence; 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 construct a residential community with mixed housing types of townhomes, apartments and duplexes; and

WHEREAS, a public hearing was held on April 23, 2019 at 7:00 PM and a second public hearing was held on May 25, 2021 at 7:00 PM and all persons desiring to be heard were heard: and

WHEREAS, the proposed rezoning was reviewed by the Town of Sweden Environmental Conservation Board, the Town of Sweden Highway Department, the Town of Sweden Planning Board, the Town of Sweden Zoning Board of Appeals, the Town Engineer, the New York State Department of Environmental Conservation, the New York State Department of Transportation, the Corp of Engineers, the Monroe County Planning & Development, Monroe County Water Authority, the Monroe County Department of Health and the Monroe County Department of Transportation and others; and

WHEREAS, Stonehaven Commercial recognizes the importance to its community of residents the proximity of the Sweden/Clarkson Community Center and associated recreational facilities and desires to make improvements to the same as part of its next phase of development. That these improvements tendered by Stonehaven Commercial include the renovation of the main restrooms at the Sweden/Clarkson Community Center and a Conservation Easement to certain areas of the Stonehaven project as identified on Drawing No. 1, BME Associates, Project 2498SO for passive recreation use by the Town of Sweden.

NOW, THEREFORE BE IT RESOLVED:

Sec.1. That the Zoning Map of the Town of Sweden be amended to changing the zoning classification from R1-2S Single Family Residence to MR-1 Multiple Residence, that the portion of property proposed to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land, containing 50.081 acres more or less, situate in the Phelps and Gorham Purchase, Triangle Tract, Township 3, Section 7, Town Lots 6 & 7, Town of Sweden, County of Monroe, and State of New York, as shown on the drawing entitled "Townhomes at Stonebriar Glen South, Rezoning Exhibit," prepared by BME Associates, dated February 12, 2019, being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of Edwin Duryea Properties LLC (T.Z. No. 083.02-1-12.001) with the westerly boundary line of lands now or formerly of Edwin Duryea Properties LLC (T.A. No. 083-04-1-18); thence

1. S 08°26'35" E, a distance of 1,458.72 feet to a point; thence
2. S 89°12'32" W, a distance of 1,602.69 feet to a point; thence
3. N 00°47'28"W, a distance of 1,451.57 feet to a point; thence
4. N 89°06'40" E, a distance of 854.25 feet to a point; thence
5. S 02°09'44" W, a distance of 9.97 feet to a point; thence
6. N 88°56'04" E, a distance of 554.73 feet to the point of beginning

Sec. 2. That no building permit shall be issued in connection with Stonehaven's development of this property prior to completion of the restoration of the main restrooms at the Sweden/Clarkson Community Center to the satisfaction of the

Steps Necessary in Connection Therewith and for
the Potential Acquisition of Permanent and
Temporary Easements for the Gary Drive and
Brockport Spencerport Road Expansion Project

WHEREAS, the Town of Sweden (the “**Town**”) is authorized and empowered by Article 4, Section 64 of the New York State Town Law, to acquire by acquisition in the manner provided by the New York State Eminent Domain Procedure Law (“EDPL”), any lands or rights therein, either within or outside the town boundaries, required for any public purpose; and

WHEREAS, the Town has undertaken the project which includes the expansion and extension of Gary Drive at the southwest corner of the Property as well as the expansion of the north side frontage of the Property at Brockport Spencerport Road a/k/a NYS Route 31 (the “**Project**”); and

WHEREAS, the Town is considering the acquisition of certain real property interests in connection with the Project for the public purpose of expanding and extending the southern portion of Gary Drive which will extend the existing street to Brockport Spencerport Road in order to facilitate traffic circulation within that area of the Town. The location of the real property under consideration for acquisition as described above is 36.57+/- acres of land abutting Brockport Spencerport Road and Gary Drive, such interests to include, or be adjacent to properties identified as SBL NO. 84.01-1-25.115, SBL No. 084.01-1-37 and SBL No. 084.01-1-52 (collectively the “**Property**”).

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec 1. That Town Attorney, James D. Bell, the Town’s staff and special counsel, Barclay Damon LLP, are hereby authorized and directed to do such things or perform such acts and execute such documents as are necessary and/or appropriate to duly notice and conduct a public hearing as provided for under EDPL Article 2 on November 30, 2021 at 7:30 pm in the courtroom at the Town Hall of the Town of Sweden located at 18 State Street, Brockport, New York 14420, in the Town of Sweden, Monroe County, New York.

Sec 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 141 Authorizing G & G Municipal Consulting
for Income Survey

WHEREAS, the Sweden Town Board desires to conduct a Median Household Income Survey in certain areas of the Town in order to determine eligibility for State and Federal

programs.

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 a services contract with G & G Municipal Consulting and Grant Writing.

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

- RESOLUTION NO. 142

Call Special Meeting for
Tuesday, November 16, 2021

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby calls a Special Town Board Meeting to be held on Tuesday, November 16, 2021 at 6:30 pm for the purpose of calling public hearings and declaring intent to be lead agency on several local laws.

Sec. 2. That the Town Clerk is directed to publish a notice of the meeting in the official newspaper.

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

NON-CONSENT AGENDA:

Supervisor Johnson asked for one single motion for Resolution Nos. 129 – 139 to be tabled until the special meeting on November 16, 2021:

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

Discussion: MOTION made by Councilperson Hayles and seconded Councilperson Humby to TABLE the resolution.

VOTE BY ROLL CALL AND RECORD ON MOTION TO TABLE:

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

Submitted – November 9, 2021

TABLED

- RESOLUTION NO. 129

Authorizing a Public Hearing Adding
Chapter 179 to the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of adding Chapter 179 to the Sweden Town Code concerning the subject of tobacco, vaping, e-cigarette and cannabis use on Town property; and

WHEREAS, a proposed Local Law has been drafted in relationship to adding this Chapter 179 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. That the Sweden Town Board calls a Public Hearing to hear all persons for or against the adoption of adding Chapter 179 to the Sweden Town Code concerning the subject of tobacco, vaping, e-cigarette and cannabis use on Town property on November 30, 2021 at 6:15 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York, 14420.

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

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

- RESOLUTION NO. 130 Authorizing a Public Hearing Amending Chapter 174 to the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 174 to the Sweden Town Code concerning Solar Energy Systems and Solar Energy Farms; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 174 of 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 amending Chapter 174 to the Sweden Town Code concerning Solar Energy Systems and Solar Energy Farms on November 30, 2021 at 6:45 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 in accordance with Town Law §265.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 131 Declaration of Intent to be Lead Agency Concerning Amendments to Chapter 174 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 174 of the Sweden Town Code concerning Solar Energy Systems and Solar Energy Farms; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 174 of the Sweden Town Code, and

WHEREAS, the Sweden Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of this proposed Local Law, and

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare its intent to be lead agency for the Coordinated Review and Determination of Significance under SEQRA Regulations for the above entitled matter.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 132 Authorizing a Public Hearing Amending Chapter 173 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 173 of the Sweden Town Code concerning Wind Energy Conversion Systems; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 173 of 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 amending Chapter 173 to the Sweden Town Code concerning Wind Energy Conversion Systems on November 30, 2021 at 6:45 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 in accordance with Town Law §265.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 133 Declaration of Intent to be Lead Agency Concerning Amendments to Chapter 173 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 173 of the Sweden Town Code concerning Wind Energy Conversion Systems; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 173 of the Sweden Town Code, and

WHEREAS, the Sweden Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of this proposed Local Law, and

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare its intent to be lead agency for the Coordinated Review and Determination of Significance under SEQRA Regulations for the above entitled matter.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 134 Authorizing a Public Hearing Amending Chapter 176 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 176 of the Sweden Town Code concerning Battery Energy Storage Systems; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 176 of 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 amending Chapter 176 to the Sweden Town Code concerning Battery Energy Storage Systems on November 30, 2021 at 6:45 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 in accordance with Town Law §265.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 135 Declaration of Intent to be Lead Agency Concerning Amendments to Chapter 176

of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 176 of the Sweden Town Code concerning Battery Energy Storage Systems; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 176 of the Sweden Town Code, and

WHEREAS, the Sweden Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of this proposed Local Law, and

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare its intent to be lead agency for the Coordinated Review and Determination of Significance under SEQRA Regulations for the above entitled matter.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 136 Authorizing a Public Hearing Amending Chapter 175 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 175 of the Sweden Town Code concerning Zoning; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 175 of 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 amending Chapter 175 to the Sweden Town Code concerning Zoning on November 30, 2021 at 6:45 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 in accordance with Town Law §265.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 137 Declaration of Intent to be Lead Agency Concerning Amendments to Chapter 175 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 175 of the Sweden Town Code concerning Zoning; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 175 of the Sweden Town Code, and

WHEREAS, the Sweden Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of this proposed Local Law, and

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare its intent to be lead agency for the Coordinated Review and Determination of Significance under SEQRA Regulations for the above entitled matter.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 138 Authorizing a Public Hearing Adding Chapter 178 to the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of adding Chapter 178 to the Sweden Town Code concerning Decommissioning Plans; and

WHEREAS, a proposed Local Law has been drafted in relationship to adding Chapter 178 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 178 to the Sweden Town Code concerning Decommissioning Plans on November 30, 2021 at 6:45 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 in accordance with Town Law §265.

Sec. 3. This Resolution shall take effect immediately.

- RESOLUTION NO. 139 Declaration of Intent to be Lead Agency Concerning Adding Chapter 178 to the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of adding Chapter 178 to the Sweden Town Code concerning Decommissioning Plans; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 178 of the Sweden Town Code, and

WHEREAS, the Sweden Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of this proposed Local Law, and

WHEREAS, the Sweden Town Board determines that it is the most appropriate agency to insure the coordination of this action and will provide written notifications to interested agencies for the purposes of conducting a coordinated review in making a determination of significance thereon under the SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare its intent to be lead agency for the Coordinated Review and Determination of Significance under SEQRA Regulations for the above entitled matter.

Sec. 2. This Resolution shall take effect immediately.

ADDITIONAL BUSINESS AND ANNOUCEMENTS:

No additional business or announcements.

EXECUTIVE SESSION:

Councilperson Hoke made a motion that was seconded by Councilperson Humby to go into executive session at 6:44 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; 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 Hoke to leave executive session and return to the regular meeting at 7:37 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 Hayles moved to adjourn the November 9, 2021 meeting of the Sweden Town Board at 7:38 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