

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, March 10, 2020.

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

Visitors present were Don Grentzinger, Chris Hamlin, Wayne Zyra, Marta Brongo, James Cenci, and Patricia Connors representing the Comprehensive Plan Committee.

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 honor first responders, those defending our freedoms, and those affected by the coronavirus.

PRIVILEGE OF THE FLOOR:

No comments

CORRESPONDENCE:

1. Kevin Bush, NYS DOT – completed review of Route 260. Supervisor Johnson said that NYS DOT may adjust some of the markings on the northern part of Route 260, no changes at this time to the section in the Town of Sweden.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Supervisor Johnson, in response to the recent COVID-19 concern, provided a memo to all employees on safe practices, reviewed the Town’s Emergency Operating Plan, developed an action plan in the event of an outbreak, identified essential services, and reviewed mutual aid agreements, shared service agreements, and building closing procedures.

Remaining Board reports to be given March 24, 2020.

CONSENT AGENDA ITEMS:

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

*Discussion – pertaining to Resolution No. 49 – Councilperson Hayles detailed the terms of the appointees.

*Discussion – pertaining to Resolution No. 51 – Councilperson Hayles said the individuals have taken on the additional duties now for six months. There is sustainable proof that the reallocation of duties will work.

VOTE BY ROLL CALL:

Councilperson Hayles	<u>Aye</u>
Councilperson Hoke	<u>Aye</u>
Councilperson Humby	<u>Aye</u>
Councilperson Muesebeck	<u>Aye</u>

Supervisor Johnson

Aye

ADOPTED

- Approval of the minutes of the Regular Town Board Meeting held on February 25, 2020

- RESOLUTION NO. 47 Authorizing General Obligation Serial Bonds to Finance Water System Capital Improvements within the Town, Authorizing the Issuance of Bond Anticipation Notes in Contemplation Thereof, the Expenditure of Sums for Such Purpose, and Determining Other Matters in Connection Therewith

WHEREAS, the Town of Sweden Lake Road Redman Road Water District of the Town of Sweden, New York, duly established by the Town Board pursuant to the Town Law; and

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on January 21, 2020, has duly adopted a negative declaration and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SWEDEN, NEW YORK (hereinafter referred to as the “Town”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Sweden shall undertake certain capital improvements consisting of the acquisition and construction of water district improvements for the Town of Sweden Lake Road/Redman Road Water District, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$4,327,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Sweden of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$4,327,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost from a USDA Rural Development loan to be evidenced by the issuance of bonds, as well as, bond anticipation notes in anticipation thereof as herein authorized to be offset and reduced dollar for dollar by the amount of USDA

Rural Development grant funds received, currently expected to be \$2,327,000.

- Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.
- Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.
- Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.
- Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Sweden.
- Section 7. The faith and credit of the Town of Sweden, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as

the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefore, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sweden together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

- RESOLUTION NO. 48 Accepting Audit of Court Records

WHEREAS, the Town Board of the Town of Sweden retained Raymond F. Wager, Certified Public Accountants, to perform an audit of the Sweden Town Court records and dockets for the fiscal year ending December 31, 2019; and

WHEREAS, Raymond F. Wager, CPA submitted a report of the 2019 court audit on February 12, 2020; and

WHEREAS, the Sweden Town Board has had the opportunity to review the court audit report.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden accepts the findings of Raymond F. Wager, Certified Public Accountants pertaining to the 2019 Sweden Town Court records and dockets.

Sec. 2. That the Director of Finance is authorized to forward a copy of the Raymond F. Wager, CPA audit report to the NYS Office of Court Administration.

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

- RESOLUTION NO. 49 Appoint Representatives to Seymour Library Board – Scheda & Sharpe

WHEREAS, two vacancies exist on the Town of Sweden Seymour Library Board; and

WHEREAS, the Town Board advertised the vacancies and letters of interest were received.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Mark Scheda to serve as a representative on the Seymour Library Board for a term beginning March 11, 2020 and expiring December 31, 2020.

Sec. 2. That the Town Board of the Town of Sweden hereby appoints Kristen Sharpe to serve as a representative on the Seymour Library Board for a term beginning March 11, 2020 and expiring December 31, 2021.

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

- RESOLUTION NO. 50 Sign Intermunicipal Agreement for Operation of Street Sweeper

WHEREAS, in September 2008, the Towns of Clarkson, Hamlin, Parma and Sweden entered into a five-year intermunicipal agreement for the purchase and operation of a jointly owned Street Sweeper; and

WHEREAS, on December 30, 2015, the four Towns approved a five-year Intermunicipal Agreement for the operation of the jointly owned Street Sweeper; and

WHEREAS, the 2015 Agreement has expired and a new five-year Intermunicipal Agreement for the operation of the jointly owned Street Sweeper has been prepared; and

WHEREAS, the Sweden Superintendent of Highways recommends that the Town of Sweden enter into the intermunicipal agreement.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby approve the intermunicipal agreement between the Towns of Sweden, Clarkson, Hamlin and Parma pertaining to the operation of said Street Sweeper.

Sec. 2. That the Supervisor is hereby authorized to execute all necessary documents.

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

- RESOLUTION NO. 51 Authorize Reallocation of Recreation Assistant Duties and Adjust Pay Rates

WHEREAS, there has been a full-time vacancy in the recreation department since September 2019; and

WHEREAS, the Town has not been able to fill the position with a qualified candidate, largely due to the below market pay rate budgeted; and

WHEREAS, the Recreation Department has successfully re-allocated the duties to other full-time staff without an interruption to programming; and

WHEREAS, the Recreation Director has recommended making the staff reduction permanent and using a portion of the unspent budgeted wages to compensate the full-time recreation assistants who have absorbed the additional duties; and

WHEREAS, the reallocation of duties and wages will result in a significant savings to the 2020 recreation budget and in future recreation budgets beyond 2020.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the following wage rates:

Joseph Kincaid	\$22.68 per hour
George Kimball	\$19.77 per hour
Tim Manuszewski	\$19.47 per hour

Sec. 2. That this resolution shall take effect with Payroll 7 beginning March 14, 2020.

NON-CONSENT AGENDA:

No items

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

No additional business or announcements.

**At 6:14 p.m., Supervisor Johnson asked for a brief recess.

PUBLIC HEARING

At 7:00 p.m. Deputy Supervisor Muesebeck (Supervisor Johnson left the meeting to attend the public information meeting on COVID-19 held at the Brockport High School) called to order a public hearing regarding the adoption of amendments to the Town of Sweden Comprehensive Plan Update and to hear all concerns regarding the environmental record on such action.

Deputy Supervisor Muesebeck asked Town Clerk Karen Sweeting to read the legal notice published in the Town newspaper. Notice was read.

Comprehensive Plan Committee member Patricia Connors stated that Chapter 5, page 80, the following was added:

“Areas designated for Rural Residential use currently are not served by public water or sewers. As of this writing, the Town applied for and was granted approval from USDA Rural Development for funding of a new water district for Lake Road (South) and Redman/Country View Terrace. It is recommended that larger lot sizes remain in these areas to maintain open space and the rural character in the area, as well as, to accommodate on-site sewage disposal.”

Resident Doug Kucmerowski, a Village resident, asked if the plan took dissolution into consideration. Mrs. Connors explained that previous plans included the Village. In 2015, the Village opted to draft their own plan. The proposed changes remove the Village and now only include general statements pertaining to the Village.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Hayles moved to adjourn the March 10, 2020 meeting of the Sweden Town Board at 7:07 p.m. Councilperson Humby seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk