

A regular meeting of the Town Board of the Town of Sweden was held at the Sweden Town Hall, 18 State Street, Brockport, New York, on Tuesday, May 24, 2022.

Town Board Members present were Supervisor Kevin Johnson, Councilperson Patricia Hayles, Councilperson Randall Hoke, Councilperson Rhonda Humby, and Councilperson Gary Sullivan. Also present were Finance Director Leisa Strabel, Town Attorney Jim Bell, Superintendent of Highways Brian Ingraham, Building/Code Enforcement Officer Lyle Stirk, and Town Clerk Karen Sweeting.

Visitors present were Chris Hamlin, Don Grentzinger, Kevin Jenkins, and James Cenci.

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 the victims of several recent mass shootings.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

No correspondence noted.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Town Attorney Jim Bell reported that he has been working with Building/Code Enforcement Officer Lyle Stirk on an unresolved code violation. Foreclosure has been pending on this property since 2016. A court date has been set for next week. Supervisor Johnson commented that the interest of our residents is not served by the lack of interest in maintaining these properties. He suggested Mr. Bell seek the maximum fine. Mr. Bell agreed.

Superintendent of Highways Brian Ingraham reported that they have wrapped up their portion of the Gary Drive Extension. They continue to water the trees and grass. The Sherry Lane lot restoration work is done and ready for phase two. Town and County roadside mowing continues, and they assisted the Village with work on Market Street.

Building/Code Enforcement Officer Lyle Stirk reported that between April 22nd and May 23rd twenty-four building permits, three certificates of compliance, one conditional certificate of occupancy, and three violations for property maintenance were issued. Mr. Stirk met with residents to discuss storm water/drainage issues.

Councilperson Hoke met with Councilperson Sullivan to help with some issues at the Town Park.

Councilperson Humby reported that Dog Control assisted thirteen Sweden residents with dog control issues. The free rabies clinic is scheduled for August. She met with Recreation Director Jill Wisnowski. The senior addition is moving along, and the Summer Scoreboard should be out to residents soon. Mrs. Humby attended the Memorial Day flag placement – great turnout. She attended a Harvest Festival planning meeting.

Councilperson Sullivan reported that the Highway Department filled the potholes along the drive at the Town Park. The baseball and soccer fields are in full use and summer mowing

has started. The pond at the Dog Park has been cleaned and will be filled and the Splash Pad will be opened this coming weekend. Lodge rentals are strong.

Councilperson Hayles reported that the Farmers Museum was open, along with several other museums in the area, for an evening event. She appreciates the hard work of the committee in maintaining the house. The Harvest Festival is coming along. Many animals will be at the festival – pony rides, miniature horses, and Clydesdale horses. There will be a 5K race, live music, and food provided by the Lions Club. They are still looking for vendors. Mrs. Hayles mentioned that the porch needs to be scraped and painted. She will contact Buildings and Grounds to see what can be done by the end of the year.

Councilperson Hayles asked to obtain a proposal from Town Architect David Strabel to assess the library building for upcoming repairs. She will contact the other municipalities to get their opinion. Buildings and Grounds looked at the roof of the library and suggested that certain areas of the roof be tarred.

Councilperson Hayles attended the Veterans event held in Hamlin. She was impressed by the services offered by local veterans' organizations. Mrs. Hayles would like to add this information to our next *Snapshots*. Councilperson Hoke said he would like to have more of these events on the west side. Mrs. Hayles said it is important for local government to make residents aware of services available.

Supervisor Johnson reported that groundbreaking for the new skate park will take place in June. The senior addition is coming along. Mr. Johnson signed a proposal for trees and benches for the Sherry Lane open space. The Crestview Sidewalk Project will begin next Spring due to CDBG timing. The Town's portion of the Gary Drive Extension is complete, we now must wait for NYS to do their portion. Mr. Johnson reported that the committee focusing on short-term rentals met and discussed some options. The flag placement event went well – over fifty adults and twenty children attended and placed flags. They obtained more information to refine the maps – 900 flags were placed in two hours. Mr. Johnson met with several Covell Road residents to brainstorm some ideas for water.

EXECUTIVE SESSION:

Councilperson Sullivan made a motion that was seconded by Councilperson Hayles to go into executive session at 6:24 p.m. subject to Public Officer's Law Section 108 (3) and Public Officer's Law Section 105(d) potential litigation. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Hoke made a motion that was seconded by Councilperson Humby to leave executive session and return to the regular meeting at 7:25 p.m. All voted in favor of the motion. Motion adopted.

CONSENT AGENDA ITEMS:

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

*Discussion: Town Attorney Jim Bell stated that financial securities for both the Wolf/CVE Solar Project (Resolution No. 65) and the Mantsi/CVE Solar Project (Resolution No. 66) have been received.

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

- RESOLUTION NO. 65 Granting Approval of Decommissioning Plan and Financial Security - Wolf/CVE Solar Project

WHEREAS the Sweden Planning Board has previously granted approval for the construction of a 3.6MW-AC Solar Project known as the Wolf Solar Project located at 7484 Fourth Section Road, Brockport, New York, County of Monroe (hereinafter referred to as the solar project) as well as conditional approval of a special use permit for said solar project; and

WHEREAS CVE North America Inc. (hereinafter referred to as CVE) has acquired said solar project; and

WHEREAS the Sweden Planning Board having made a negative determination of environmental significance on the application for SEQRA purposes; and

WHEREAS the Sweden Planning Board having granted the solar project owner Wolf Solar LLC, the conditional approval of a special use permit as set forth hereinabove pending final approval of the Decommissioning Plan and financial security by this Board.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby approve the Decommissioning Plan and financial security from the solar project owner, Wolf Solar LLC, said financial security being in the amount of \$362,236.00 and Sweden Town Supervisor Johnson is hereby authorized to sign the Decommissioning Plan.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 66 Granting Approval of Decommissioning Plan and Financial Security - Mantsi/CVE Solar Project

WHEREAS, the Sweden Planning Board has previously granted approval for the construction of a 5MW-AC Solar Project known as the Mantsi Solar Project located at 7497 Fourth Section Road, Brockport, New York, County of Monroe (hereinafter referred to as the solar project) as well as conditional approval of a special use permit for said solar project; and

WHEREAS, CVE North America Inc. (hereinafter referred to as CVE) has acquired said solar project; and

WHEREAS, the Sweden Planning Board having made a negative determination of environmental significance on the application for SEQRA purposes; and

WHEREAS, the Sweden Planning Board having granted the solar project owner, Mantisi Solar LLC, the conditional approval of a special use permit as set forth hereinabove pending final approval of the Decommissioning Plan and financial security by this Board.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby approve the Decommissioning Plan and financial security from the solar project owner, Mantisi Solar LLC, said financial security being in the amount of \$303,693.00 and Sweden Town Supervisor Johnson is hereby authorized to sign the Decommissioning Plan.

Sec. 2. This Resolution shall take effect immediately.

- RESOLUTION NO. 67 Acceptance of Letter of Credit for Highlands Senior Development – Villas at Brandon Woods, Section 2

WHEREAS, the Town of Sweden Planning Board requires a Letter of Credit be filed with the Town of Sweden prior to construction of any development; and

WHEREAS, a communication dated September 7, 2021 from the Town Engineer, MRB Group, identifies the work guaranteed by the Letter of Credit; and

WHEREAS, the Town Board has received a draft Letter of Credit for \$1,273,671 drawn on Canandaigua National Bank and Trust Company for improvements to property in connection with the Villas at Brandon Woods Section 2; and

WHEREAS, the Town Engineer has reviewed the draft Letter of Credit.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board agrees to accept the Canandaigua National Bank and Trust Company Letter of Credit for \$1,273,671 for improvements to property in connection with the Villas at Brandon Woods Section 2.

Sec. 2. That acceptance is conditional to updated subdivision approval by the Town of Sweden Planning Board.

Sec. 3. That acceptance is also subject to final review of the Letter of Credit by the Town Attorney.

- RESOLUTION NO. 68 Appoint Recreation Assistants PT

WHEREAS, there is a need for two Recreation Assistants for Summer Camp and the Before and After School Program; and

WHEREAS, Recreation Director Jill Wisnowski has recommended hiring Troy Leibert and Jessica DiFilippo.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Troy Leibert and Jessica DiFilippo as recreation assistants part-time for a maximum of 28 hours per week.

Sec. 2. That the hourly rate of pay is \$13.20 with a start date on or after June 13, 2022.

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

- RESOLUTION NO. 69 Eminent Domain Procedure Law - Acquisition of Property/Gary Drive and Brockport Spencerport Road Extension

WHEREAS, the Town of Sweden is authorized and empowered by the Eminent Domain Procedure Law of the State of New York and also Town Law §64 to acquire Property; and

WHEREAS, an Order of Condemnation having been signed and entered by Monroe County Supreme Court Justice Sam L. Valleriani on February 2, 2022; and

WHEREAS, a \$10,000.00 offer as payment in full for said acquisition having been made by counsel for Sweden to the following property owners M. Baltz, E. Nash, A. Baltz and J.F. Baltz all pursuant to Eminent Domain Procedure Law §304; and

WHEREAS, the property owners having rejected the aforesaid offer as payment in full and instead electing to accept the \$10,000.00 as an advance payment all pursuant to Eminent Domain Procedure Law §304(A)(3).

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does authorize payment of \$10,000.00 as advance payment in the above-entitled matter to the property owners through their attorney of record Daniel F. Brennan, Esq. pursuant to Eminent Doman Procedure Law §304(A)(3).

Sec. 2. The aforesaid payment is to be made by check payable to counsel for those Property owners, to wit: Daniel F. Brennan, Esq. as attorney for M. Baltz, E. Nash, A. Baltz and J.F. Baltz.

Sec. 3. This Resolution shall take effect immediately.

NON-CONSENT AGENDA:

- Approval of the minutes of the regular meeting held on May 10, 2022.

MOTION made by Councilperson Humby and seconded by Councilperson Hoke to approve the minutes of the regular meeting held on May 10, 2022.

VOTE BY ROLL CALL AND RECORD

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

- Approval for Payment of Bills

All the Board members reviewed the invoice audit journal. Councilperson Sullivan made a motion that was seconded by Councilperson Hayles authorizing payment of the bills in Abstract 5 dated May 25, 2022 in the amount of \$390,015.07.

General Fund: In the amount of \$61,452.21 as set forth in Abstract 5 dated May 25, 2022.

Highway Fund: In the amount of \$118,810.62 as set forth in Abstract 5 dated May 25, 2022.

Special Fund: In the amount of \$5,340.54 as set forth in Abstract 5 dated May 25, 2022.

Capital Fund: In the amount of \$204,411.70 as set forth in Abstract 5 dated May 25, 2022.

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

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

No additional business or announcements.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Hayles moved to adjourn the May 24, 2022 meeting of the Sweden Town Board at 7:27 p.m. Councilperson Humby seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk