

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 15, 2022.

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

Visitor present was James Cenci.

Deputy Supervisor Hayles 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 for all our Veterans and those actively serving in the armed forces, as well as our first responders.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

Nothing noted. Deputy Supervisor Hayles wanted to thank all the election workers for their long day of service on Election Day.

PRESENTATION OF SEYMOUR LIBRARY SURVEY:

Deputy Supervisor Hayles presented the survey results. The survey ran from August 17, 2022 through August 31, 2022 with a total of 570 participants. It was promoted very well and targeted users as well as non-users of the library. Mrs. Hayles detailed several of the survey questions and shared many comments.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Reports to be given November 29, 2022.

CONSENT AGENDA ITEMS:

Councilperson Humby 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 Sullivan	<u>Aye</u>	
Supervisor Johnson	<u>Absent</u>	ADOPTED

- RESOLUTION NO. 125 Approval of Regular Town Board Meetings for 2023

WHEREAS, the Town Clerk is directed to advertise in the official Town newspaper the regular Town Board meetings for 2023.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the dates for Town Board meetings for 2023 be approved as listed below:

*January 3, 2023 @ 6 PM	
January 10, 2023 @ 6 PM	July 25, 2023 @ 6 PM
January 24, 2023 @ 6 PM	
	August 22, 2023 @ 6 PM
February 14, 2023 @ 6 PM	
February 28, 2023 @ 6 PM	
	September 12, 2023 @ 6 PM
March 14, 2023 @ 6 PM	September 26, 2023 @ 6 PM
March 28, 2023 @ 6 PM	
	October 10, 2023 @ 6 PM
April 11, 2023 @ 6 PM	October 24, 2023 @ 6 PM
April 25, 2023 @ 6 PM	
May 9, 2023 @ 6 PM	November 14, 2023 @ 6 PM
May 23, 2023 @ 6 PM	November 28, 2023 @ 6 PM
	December 12, 2023 @ 6 PM
June 27, 2023 @ 6 PM	*December 28, 2023 @ 6 PM (Thursday)

Sec. 2 That Town Board workshops will be held on the first Tuesday of each month except for the month of July when the workshop will be on the second Tuesday.

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

- RESOLUTION NO. 126 Authorizing the Release of Cash Security Regarding Frances Apartments II, LLC Maintenance Deposit

WHEREAS, on October 27, 2020, the Town Board of the Town of Sweden released the Frances Apartments II, LLC \$87,034.00 Letter of Credit from Citizens Bank, NA (S911259) and accepted a cash security of \$8,703 (10% of the released Letter of Credit) to serve as Maintenance Deposit for the project’s sewer connection; and

WHEREAS, the two-year maintenance period has expired and the Town Engineer and Highway Superintendent have no objection to the release of the security; and

WHEREAS, the fiscal officer has reviewed the developer’s accounts pertaining to engineering, inspection and legal fees and finds no outstanding fees remain to be paid.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor of the Town of Sweden is hereby directed and authorized to release the \$8,703.00 Maintenance Deposit to Frances Apartments II LLC.

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

- RESOLUTION NO. 127 Authorizing the Release of a Portion of Letter of Credit for Brandon Woods LLC

WHEREAS, on July 27, 2021, the Town Board of the Town of Sweden accepted a Letter of Credit (1108958221) drawn on Canandaigua National Bank and Trust Company in the sum of one million two hundred seventy-three thousand six hundred seventy-one and 00/100 dollars (\$1,273,671.00) as guarantee for the installation of storm sewer, sanitary sewer, roadwork, earthwork, site erosion, sediment control, etc from Brandon Woods LLC for work at the Highlands Senior Development – Villas at Brandon Woods.

WHEREAS, the Town Engineer has submitted written approval of a partial release of the Letter of Credit (1108958221) drawn on Canandaigua National Bank and Trust Company in the sum of three hundred fifteen thousand four hundred six and 50/100 dollars (\$315,406.50) and

WHEREAS, the fiscal officer has reviewed the developer’s accounts pertaining to engineering, inspection and legal fees and finds no outstanding fees remain to be paid.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby releases to Brandon Woods LLC from the Canandaigua National Bank and Trust Company Letter of Credit (1108958221) for Highlands Senior Development – Villas at Brandon Woods the sum of three hundred fifteen thousand four hundred six and 50/100 dollars (\$315,406.50).

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

- RESOLUTION NO. 128 Authorizing Transfer of Trust Funds to General Fund

WHEREAS, Trust Accounts 93 and 94 have been inactive for a period of time and have de minimis funds; and

WHEREAS, the Director of Finance recommends closing Trust Accounts 93 and 94 to the general fund.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the transfer of the balances in Trust Accounts 93 and 94, \$115.35 and \$1,154.00 respectively, to the General Fund.

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

- RESOLUTION NO. 129 Declaration of Intent to Be Lead Agency Concerning Amendments to Chapter 64 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 64 of the Sweden Town Code; and

WHEREAS, a proposed Local Law has been drawn in relationship to amending Chapter 64 of the Sweden Town Code; and

WHEREAS, the Sweden Town Board recognizes the 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 ensure the coordination of this action and will provide written notification to interested agencies for the purposes of conducting a coordinated review and making the determination of significance thereon under SEQRA regulations.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby declare intent to be the 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. 130 Calling a Public Hearing for Amendments to Chapter 64 of the Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 64 of the Sweden Town Code; and

WHEREAS, a proposed Local Law has been drawn in relationship to amending Chapter 64 of the Sweden Town Code; and

WHEREAS, the Town Board of the Town of Sweden 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 hereby calls a Public Hearing to hear all persons for or against the amending Chapter 64 of the Sweden Town Code concerning the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation and Construction Code, same to be held on Tuesday, December 13, 2022, at 6:15 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York.

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 Notice of Intent to be Lead Agency in the SEQRA Process for the Zoning Application for Land on Colby Street in the Town of Sweden Tax Account No. 084.03-1-24.002

WHEREAS, the Town Board of the Town of Sweden has received an application and proposal to re-zone a 3.492 acre property located on Colby Street Road approximately 4,539 feet west of Sweden Walker Road, also known as Tax Account No. 084.03-1-24.002; and

WHEREAS, the property is currently zoned Airport-Commercial (B-2); and

WHEREAS, the applicant, Henry F. Conradt desires to re-zone the property to I-2 Light Industrial; and

WHEREAS, the Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act to classify, fully assess and determine the environmental significance of the impact of the proposed project; and

WHEREAS, the Town Board recognizes that the other involved agencies, as identified under the SEQRA Regulations are the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Monroe County Planning & Development, Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), and the Monroe County Department of Transportation, and thus the action of the proposed re-zoning is subject to a coordinated review under SEQRA.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden does hereby declare its intent to be designated the Lead Agency for the Coordinated Review and Determination of Significance under SEQRA for the above referenced action.

Sec. 2. The Town Clerk shall provide the previously identified involved agencies with a copy of the application and the EAF, together with a copy of this Resolution, and request of said involved agencies their concurrence therewith.

Sec.3. The Town Board intends to adopt a resolution at a Town Board meeting in January 2023, but in no event less than thirty (30) days after the Town Clerk furnishes to all involved agencies the papers directed to be furnished herein, by

which the Town Board will establish itself as the lead agency under SEQRA, providing that there are no objections thereto received from the above-mentioned agencies.

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

- RESOLUTION NO. 132 Ordering a Public Hearing on Application to Rezone Colby Street property, 084.03-1-24.002

WHEREAS, Henry Conradt of East Buffalo Street, Churchville, New York, has submitted to the Town Board an application and proposal to re-zone approximately 3.492 acres of tax account 084.03-1-24.002 from B-2 Airport Commercial to I-2 Light Industrial; 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 storage units.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden will hold a public hearing at the Town Hall, 18 State Street, Brockport, New York on January 10, 2023 at 6:30 PM to hear all persons interested in the re-zoning of approximately 3.492 acres of land on Colby Street approximately 4,539 west of Sweden Walker Road from B-2 Airport Commercial to I-2 Light Industrial.

Sec.2. That the property proposed to be rezoned, tax account 084.03-1-24.002, is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situated in Town Lot 10, Township 3, Section 7 of the Triangular Tract in the Town of Sweden, County of Monroe, State of New York and being more particularly bounded and described as follows:

1. Beginning at a point in the centerline of Colby Street at the southeast corner of Town Lot 10, a distance of 4,539.45 feet west of the centerline of Sweden Walker Road;
2. Thence northerly on a bearing of N 00°41'01" W a distance of 24.75 feet to a point, said point being in the north right-of-way of Colby Street;
3. Thence westerly along the north right-of-way of Colby Street on a bearing of N 89°51'34" W a distance of 762.00 feet to a point;
4. Thence northerly on a bearing of N 00° 08'26" E a distance of 200.00 feet to a point;
5. Thence easterly on a bearing of S 89° 51'34" E a distance of 759.12 feet to a point, said point being in the east line of Town Lot 10;
6. Thence southerly along the east line of Town Lot 10 on a bearing of S 00° 41'01" E a distance of 200.02 feet to a point in the north right-of-way of Colby Street, said point being the true point and place of beginning.

- 7. Subject to all covenants, easements, and restrictions of record if any affecting said premises as recorded in the Monroe County Clerk’s office
- 8. Being and herby intending to describe a parcel of land titled Lot “B” of the Gretchen’s Subdivision, containing 3.492 acres of land more or less to the right-of-way of Colby Street.

Sec. 3. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.

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

NON-CONSENT AGENDA:

- Approval of the minutes of the regular meeting held on October 25, 2022

MOTION made by Councilperson Sullivan and seconded by Councilperson Humby to approve the minutes of the regular meeting held on October 25, 2022.

VOTE BY ROLL CALL AND RECORD:

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

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

No additional business or announcements.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Humby moved to adjourn the November 15, 2022 meeting of the Sweden Town Board at 6:32 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