

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 29, 2022.

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

Visitors present were SUNY Brockport students Amanda Blakely and Margaret McSweeney.

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 and our first responders.

**PRIVILEGE OF THE FLOOR:**

No comments.

**CORRESPONDENCE:**

No correspondence noted.

**REPORTS OF DEPARTMENTS AND BOARD MEMBERS:**

Superintendent of Highways Brian Ingraham reported that Fall leaf pickup continues until December 9<sup>th</sup>. Snow and ice equipment preparation in progress and finishing the grading work at the new skate park.

Finance Director Leisa Strabel reported representatives from Albany will be coming to tour and complete the monitoring interview for the new senior addition and the last bills will be paid this evening. The Town audit will begin in three weeks.

Councilperson Hoke shared the Building Department report. Fire Marshal, Lyle Stirk, was called to a structure fire on Reed Road. They issued 19 building permits, bringing the total permits to 188 as of November 25<sup>th</sup>, up from last year; 35 certificates were issued (Certificate of Compliance, Certificate of Occupancy and Fire Inspection Certificate); and 2 violations were issued. Mr. Stirk is catching up on annual fire inspections and attended a Hazard Mitigation meeting. No report for IT.

Councilperson Humby reported that due to discussion at a work session, effective December 1, 2022, all new dog licenses issued will be required to sign an affidavit swearing that the dog has not been deemed dangerous by any court. Hamlin Dog Shelter is looking for donations. A new recreation brochure is out. They have a roller-skating event planned, a youth/adult dance program, and the swim program is back. A Valentine's Day event and movie event have been scheduled in the new senior addition. An Eagle Scout is proposing to construct benches near the GaGa Pit.

Councilperson Sullivan reported that Buildings and Grounds continue to winterize the Town Park. He provided updates on the construction of the new skate park and the brick paver patio. He will be meeting with some individuals to discuss improvements to the Disc Golf Course at the Town Park.

Councilperson Hayles reported that interviews will begin for the Library Director position at Seymour Library. Updates to the budget were provided pertaining to a surplus. Mrs. Hayles provided the library survey to the Seymour Library Board. She met with the President and Vice President of the Library Board to continue relations between the Town and library. The Farmers Museum will meet in January to start planning the 2023 Harvest Festival. The committee feels the museum is underutilized and will be working with Cornell Cooperative to bring a variety of programming to the museum. Mrs. Hayles attended the Veterans' Event held in the new senior addition.

Supervisor Johnson asked Superintendent of Highways Brian Ingraham for the timeline of removal for the old skate park. Mr. Ingraham intends to remove the fence and skate equipment during the winter season. Finance Director Leisa Strabel is working with a vendor to split the equipment into saleable pieces. Supervisor Johnson anticipates a May/June grand opening for the new skate park.

Supervisor Johnson reminded the Board that there is special legislation that allows the Town to sell advertising space on the fences at the Town Park. They are drafting some pricing to offer to local businesses. They are working on obtaining draft designs for signs at the entrances to Sweden Village – Sherry Lane, Crestview Drive, and Sweden Lane. The water study update is almost complete. MRB Group will be invited to present those changes to the Board and then a public meeting will be announced. The Crestview sidewalk project will begin in the Spring. The benches have been placed in the open lot on Sherry Lane and Highview Circle. Mr. Johnson also attended the Veteran's Day event.

Supervisor Johnson mentioned the increase in property crime in the Town. At a recent Supervisors Association meeting, he suggested writing a joint letter to New York State asking for their thoughts on the increase. A letter was drafted and sent to the state, copying the Sheriff. Mr. Johnson attended a meeting discussing the increase in crime all over Monroe County. Legislation was drafted and will be sent to Albany for consideration.

#### CONSENT AGENDA ITEMS:

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

Discussion: Supervisor Johnson noted for Resolution No. 138 – Authorize Supervisor to Sign Proposal Architectural Services Town Hall Renovations that this is the first step in moving forward with renovations at the Sweden Town Hall. They will gather information from the Town Hall staff.

Councilperson Hayles – referring to Resolution No. 139 – Authorize Purchase of 2023 F-550XL Dump Truck to Replace F-450 Dump Truck – stated she is in favor of the purchase but was concerned with the increase in “carrying” costs of a larger vehicle. The Superintendent of Highways, Brian Ingraham, felt the costs would be minimal.

#### 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. 133 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. 134 Encumbrances

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Director of Finance be authorized to establish accounts payable and encumber the applicable appropriation account balances to apply to unpaid obligations as filed with her at the close of the 2022 fiscal year by the heads of administrative units of the Town and to amend the 2022 budget by increasing the proper appropriations per any encumbrances so filed.

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

- RESOLUTION NO. 135 Ratifying an Agreement for Advance Payment and Authorizing Supervisor to Execute Closing Papers

WHEREAS, the State of New York has taken or is in the process of taking a portion of the land owned by the Town of Sweden through the process of Eminent Domain for the purposes of improving Brockport Spencerport Road; and

WHEREAS, the State has offered to pay the Town of Sweden the sum of \$6,850.00 for a portion of the Town of Sweden's property along Brockport Spencerport Road as depicted on Map(s) 317; 317 as Parcel(s) 317; 318; and

WHEREAS, an agreement to accept said money (an Agreement for Advance Payment) has been signed on behalf of the Town of Sweden by Kevin G. Johnson; and

WHEREAS, the Town Board of the Town of Sweden is the governing body of the Town of Sweden; and

WHEREAS, the Town Board is meeting on this 29 day of November 2022 after proper notice to consider this matter; and

WHEREAS, the Town of Sweden wishes to ratify the Agreement for Advance Payment and to appoint Kevin G. Johnson, as Supervisor, as the person to execute closing papers on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Agreement for Advance Payment is hereby accepted and ratified.

Sec. 2. That Kevin G. Johnson is hereby designated as the person to execute any and all closing papers with regard to this transfer to the State of New York.

• RESOLUTION NO. 136 Modify Sweden Town Code Chapter Numbers

WHEREAS, the Sweden Town Board adopted several local laws in 2021 to be added to the Sweden Town Code assigning chapter numbers to each; and

WHEREAS, General Code would like to revise the chapter numbers to correspond with the alphabetical organization of the Sweden Town Code and will include a footnote indicating the chapter adopted by the local law; and

WHEREAS, General Code has also suggested the addition of “Part 3: Zoning and Land Use” to the Code’s structure to maintain the category grouping; and

WHEREAS, the Town Attorney for the Town of Sweden agrees that numbering is considered non substantive and will not require a local law process.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board agrees to the revised chapter numbers to the Sweden Town Code as follows:

L.L. No. 6-2021 – adopted as Chapter 152 Cannabis  
> Revised to Chapter 71 Cannabis

L.L. No. 7-2021 – adopted as Chapter 179 Tobacco  
> Revised to Chapter 167 Tobacco

Sec. 2. That the Sweden Town Board agrees to the addition of “Part 3: Zoning and Land Use” to the Sweden Town Code with the addition and revision of the following chapter number:

L.L. No. 12-2021 – adopted as Chapter 178 Abandonment and Decommissioning Plan  
> Revised to Chapter 172 Abandonment and Decommissioning Plan

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

- RESOLUTION NO. 137 Authorizing the Release of Cash Security  
Regarding Villas at Brandon Woods

WHEREAS, on September 14, 2021, the Sweden Town Board authorized a phased Letter of Credit or Cash Deposit including a Phase One Security for clearing and grubbing only in the amount of \$22,692.00; and

WHEREAS, on February 11, 2022, Brandon Woods LLC made the cash deposit; and

WHEREAS, the Town Engineer and Highway Superintendent have no objection to the release of the security.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor of the Town of Sweden is hereby directed and authorized to release the \$22,692.00 Phase One Cash Security to Brandon Woods LLC.

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

- RESOLUTION NO. 138 Authorize Supervisor to Sign Proposal  
Architectural Services Town Hall Renovations

WHEREAS, the Town Board of the Town of Sweden desires the Town Architect, David Strabel, to provide architectural services for the renovation of the Sweden Town Hall; and

WHEREAS, the Town Architect David Strabel has submitted a proposal for services for the preparing construction drawings and specifications, project manual, bid process assistance and contract administration.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign the Proposal for Architectural Services for the Town Hall Renovation Project.

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

- RESOLUTION NO. 139 Authorize Purchase of 2023 F-550XL Dump Truck  
to Replace F-450 Dump Truck

WHEREAS, the Highway Superintendent has recommended replacing an F-450 dump truck with an F-550XL dump truck; and

WHEREAS, the 2023 Ford F-550XL 4x4 truck can be purchased through the Onondaga County Bid, ONGOV-106-19 2023 at a cost of seventy-eight thousand two

hundred ninety-three and five hundredths dollars (\$78,293.05) from Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of one 2023 Ford F-550XL 4x4 truck through the Onondaga County Bid, ONGOV-106-19 2023 for seventy-eight thousand two hundred ninety-three and five hundredths dollars (\$78,293.05) from Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445.

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

\*RESOLUTION NO. 140 Authorize Purchase of 2023 F-550XL Dump Truck  
from Highway Equipment Reserve

WHEREAS, a Reserve was established for Highway Equipment on December 13, 2005; and

WHEREAS, the Highway Superintendent has requested the purchase of a 2023 Ford F-550XL 4x4 truck through the Onondaga County Bid, ONGOV-106-19 2023 for seventy-eight thousand two hundred ninety-three and five hundredths dollars (\$78,293.05) from Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445; and

WHEREAS, there are funds available in the Highway Equipment Reserve for the purchase of the truck.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to seventy-eight thousand two hundred ninety-three and five hundredths dollars (\$78,293.05) for the purchase of a 2023 Ford F-550XL 4x4 truck through the Onondaga County Bid, ONGOV-106-19 2023.

Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.

Sec. 3. That the Town Clerk is directed to publish a public notice as required by law.

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

NON-CONSENT AGENDA:

- Approval of Town Board regular meeting minutes from November 15, 2022.

Councilperson Hoke made a motion that was seconded by Councilperson Humby to approve the Town Board regular meeting minutes from November 15, 2022.

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles

Aye

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

- Approval for Payment of Bills

All the Board members reviewed the invoice audit journal. Councilperson Hoke made a motion that was seconded by Councilperson Sullivan authorizing payment of the bills in Abstract 11 dated November 30, 2022 in the amount of \$435,696.58.

General Fund: In the amount of \$212,977.37 as set forth in Abstract 11 dated November 30, 2022.

Highway Fund: In the amount of \$119,882.78 as set forth in Abstract 11 dated November 30, 2022.

Special Fund: In the amount of \$6,476.91 as set forth in Abstract 11 dated November 30, 2022.

Capital Fund: In the amount of \$96,359.52 as set forth in Abstract 11 dated November 30, 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 noted.

#### EXECUTIVE SESSION:

Councilperson Hayles made a motion that was seconded by Councilperson Humby to go into executive session at 6:30 p.m. subject to Public Officer's Law Section 108(3) confidential consultation with the Town Attorney and Public Officer's Law Section 105 (f) employment of a particular person in the Buildings and Grounds Department and Zoning Board of Appeals. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Humby made a motion that was seconded by Councilperson Hayles to leave executive session and return to the regular meeting at 8:14 p.m. All voted in favor of the motion. Motion adopted.

#### ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Humby moved to adjourn the November 29, 2022 meeting of the Sweden Town Board at 8:15 p.m.

Councilperson Hayles seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk