

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, April 8, 2025.

Town Board members present were Supervisor Patricia Hayles, Councilperson Tyler Sharpe, Councilperson Adam Staskiewicz, and Councilperson Gary Sullivan. Councilperson Scott Maar was absent. Also present were Finance Director Hiedi Librock, Town Attorney James Bell, and Town Clerk Karen Sweeting.

One visitor was present – David Newman.

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 to keep in mind all those people that put themselves in harm's way for our safety – first responders, military, and those in public service.

PUBLIC HEARING:

At 6:02 p.m. Supervisor Hayles called to order the public hearing. The purpose of the public hearing was to hear all persons for or against the adoption of a Local Law imposing an additional six (6) month moratorium on Chapter 55 Assemblies, Public applications in the Town of Sweden.

Supervisor Hayles waived the reading of the legal notice.

Supervisor Hayles explained that this is just an extension to complete revisions to the chapter. The last time the chapter was revised was in the 1970s and the board feels it is currently overburdensome and suggests some changes.

Resident David Newman addressed the board stating that by continuing the moratorium you are making it unlawful for groups of 200+ to gather, which he feels is unconstitutional, citing the Brockport School District (football game) as an example. Supervisor Hayles explained that there are exceptions within the current law. The school and college are outside the Towns purview. The law is for outdoor assemblies. Dr. Newman asked about events in the Village. Town Attorney Jim Bell clarified that the Village would govern those events. Discussion. Supervisor Hayles explained the motivation is public safety; ensuring that the event has emergency services, restrooms, and water in place for those in attendance.

No other comments. The public hearing was closed at 6:11 p.m.

PUBLIC HEARING:

At 6:11 p.m. Supervisor Hayles called to order the public hearing. The purpose of the public hearing was to hear all persons for or against the adoption of a Local Law amending Chapter 172 Abandonment and Decommissioning Plans of the Town of Sweden.

Supervisor Hayles waived the reading of the legal notice.

Supervisor Hayles detailed the major revisions. The chapter applies to solar energy, battery storage, and wind energy systems to make sure that at the end of their useful life they are

disposed of properly. The amendments include (but are not limited to) notification of sale or transfer of ownership and an annual review of the decommissioning bond through the Planning Board. Town Attorney Jim Bell noted other minor changes. Originally the decommissioning was part of the solar law. It was made a separate chapter to the code to cover solar energy, battery storage, and wind energy.

Councilperson Sharpe asked if the decommissioning plan for Kreher Solar Farm was public and up to date. Attorney Bell said the plan is all public information and vetted through the Planning Board. Discussion of the Kreher project. The decommissioning plan relates to an amount of money and how the structures will be removed. They are specific to the project. Supervisor Hayles explained that the amendments detail what is under the purview of the Planning Board and Town Board. Mr. Bell added that it specifies what needs to be addressed in the decommissioning plan.

Supervisor Hayles noted that four moratoriums were adopted in October – Solar Energy, Battery Storage, Abandonment and Decommissioning Plans, and Assemblies, Public. They expire on April 9, 2025. No changes have been proposed to the Solar Energy and Battery Storage chapters.

No other comments. The public hearing was closed at 6:23 p.m.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

Supervisor Hayles received correspondence from Village of Brockport Mayor Blackman. The contract with Brockport Ambulance has been terminated effective April 30, 2025. Monroe Ambulance will service the Village of Brockport enhancing the service provided to Sweden and Clarkson due to a larger critical mass.

REPORTS OF BOARD AND DEPARTMENTS:

Reports will be given at the next meeting on April 22, 2025.

CONSENT AGENDA ITEMS:

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

Discussion:

VOTE BY ROLL CALL:

Councilperson Maar	<u>Absent</u>
Councilperson Sharpe	<u>Aye</u>
Councilperson Staskiewicz	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Hayles	<u>Aye</u>

ADOPTED

- Approval of the minutes of the regular Town Board meeting held on March 25, 2025.
- RESOLUTION NO. 57 Adopt Credit Card Policy

WHEREAS, the New York State Office of the State Comptroller recommends the adoption of Credit Card Policies; and

WHEREAS, the Town Board of the Town of Sweden has reviewed the attached Credit Card Policy [Attachment A] regarding credit card use.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden adopts the Credit Card Policy [Attachment A].

Sec. 2 That the Director of Finance is directed to disperse the Policy to all Department Heads with a Town Credit Card and to review said Policy as needed.

Attachment A
Credit Card Policy

Credit Cards Assigned to the Town of Sweden with Town employee names

Purpose – To establish the Policy and procedures for the use of town credit cards by department heads or their designee. These procedures are intended to accomplish the following:

- a. To ensure that the procurement with credit cards is accomplished pursuant to the policy and procedures established by the town board as may be appropriate.
- b. To enhance productivity, significantly reduce paperwork, improve internal controls and reduce the overall cost associated with approved purchases listed below.
- c. To ensure appropriate internal controls are established within each department procuring credit cards so that they are used for authorized purposes only.
- d. To ensure that the Town bears no legal liability from inappropriate use of credit cards.

Scope – The Town Supervisor (Administration) and Town Board as may be appropriate will make all decisions regarding the issuance and revocation of individual cards and the establishment of any and all additional controls of their use. The limit on each card shall be designated by the Supervisor and shall not exceed \$5,000.00.

Policy – Town credit cards may be used for the following purchases:

- a. Fuel, materials, supplies, and equipment. Only if a voucher cannot be issued. Charges for supplies and equipment are set in the Town Procurement Policy.
- b. Registrations.
- c. Travel and/or training expenses include other items specifically authorized by the town board.

The credit card will not be used for personal purchases of any kind. Use of credit cards for personal purchases or expenses with the intention of reimbursing the town is prohibited.

Splitting of charges to avoid the transaction limit set for the credit card is prohibited.

Use of the card for meals is limited to travelling outside of the town where at least one overnight stay will occur or when the meal is for business purposes only at the convenience of the town. Meals to promote goodwill or to boost morale are not considered at the convenience of the town. There will be no charges allowed for alcohol or entertainment.

Department Heads are required to authorize payment of the charge on their receipt. This includes charges made by any designated individual.

No cash advances (ATM, traveler's checks, money orders, etc.) are allowed using the credit card.

All users must ensure that tax is not charged, or they will be responsible for contacting the vendor and getting a refund or reimbursing the Town for charges.

All users must sign the receipt and submit it to the Bookkeeper/Financial Clerk. The Bookkeeper/Financial Clerk will receive the statements and reconcile the accounts to make sure of proper use. The Bookkeeper/Financial Clerk will not have any credit card privileges to comply with internal controls.

Receipts must be detailed and not be a summary of charges. Any charges not supported by a detailed receipt must be reimbursed to the Town by the user.

The following employees will have credit card privileges if authorized by the Town Board: Town Supervisor, Town Clerk, Highway Superintendent, Director of Finance, Buildings and Grounds Department, Recreation Director and Assistant Recreation Director.

- RESOLUTION NO. 58 Authorizing Supervisor to Sign
Bernard P. Donegan, Inc. Consulting
Services Engagement Letter – Water
Improvement Area

WHEREAS, the Town Board of the Town of Sweden desires to engage the services of Bernard P. Donegan, Inc.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Town of Sweden.

Sec. 2. Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated March 21, 2025, in connection with the Town's

proposed Water Improvement Benefit Area Project for Ladue, Swamp and West Sweden Roads.

Sec. 3. The Supervisor is hereby authorized to execute said letter of services.

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

- RESOLUTION NO. 59 Approve Town Clerk Travel Request

WHEREAS, the Town Clerk has requested permission to travel to Callicoon, NY on June 1, 2 and 3, 2025 to attend the NYS Association of Local Government Records Officers (NYALGRO) Annual training conference; and

WHEREAS, the cost to attend includes conference, travel, accommodations and meals at approximately \$1205.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby approves the expenditure of up to \$1205 for conference expenses in Callicoon, New York in order for the Town Clerk to attend the NYALGRO Annual Conference.

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

- RESOLUTION NO. 60 Approve Director of Finance Travel Request

WHEREAS, the Director of Finance has requested permission to travel to Rochester on May 8, 2025 to attend the New York State & Local Retirement System (NYSLRS) Employer Education Seminar; and

WHEREAS, the cost to attend includes conference, travel, and meals at approximately \$50.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby approves the expenditure of up to \$50 for conference expenses in Rochester, New York in order for the Director of Finance to attend the NYSLRS Employer Education Seminar.

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

- RESOLUTION NO. 61 Appoint Seasonal Laborers – Cemetery Operations

WHEREAS, there is a need for seasonal laborers for cemetery operations; and

WHEREAS, the Superintendent of Highways has recommended re-hiring seasonal laborers Cody DeToy, John P. Duthoy, Ruth Kruppner, Leonard Natiello, and Kevin Young; and

WHEREAS, the Superintendent of Highways has recommended hiring seasonal laborer Martin Haight.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Cody DeToy, John P. Duthoy, Martin Haight, Ruth Kruppner, Leonard Natiello, and Kevin Young, for seasonal cemetery operations not to exceed 40 hours per week each and not to exceed 112 hours per week in total.

Sec. 2. That this 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 \$16.50 per hour.

Sec. 4. That the term of appointment for Cody DeToy, John P. Duthoy, Martin Haight, Ruth Kruppner, Leonard Natiello, and Kevin Young will begin on or after April 28, 2025 and end on or before October 24, 2025.

Sec. 5. That this resolution shall take effect immediately.

- RESOLUTION NO. 62 Appoint Seasonal Laborer Sewer and Highway– Duthoy

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint seasonal cemetery laborer John P. Duthoy to additional seasonal duties in the sewer department and highway department as needed.

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 for hours worked on sewer and highway duties will be \$18.00 per hour for a maximum of 280 sewer work and 420 hours of highway work hours in 2025.

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

RESOLUTION NO. 63 Appoint Seasonal Laborers – Park

WHEREAS, the Buildings and Grounds department has recommended the hiring of Daniel Luce and Mark Boehm as Seasonal Laborers for the Sweden Town Park for the 2025 summer season.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Daniel Luce and Mark Boehm as Seasonal Laborers at a rate of pay of \$16.50 per hour, not to

exceed 28 hours per week, beginning on or after April 28, 2025 and ending on or before October 24, 2025.

Sec. 2. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

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

- RESOLUTION NO. 64 SEQR for Old Elm Drive CDBG
Application

WHEREAS, the Town Board of the Town of Sweden desires to complete maintenance and road repairs to Old Elm Drive; and

WHEREAS, the Town Board has duly considered the nature and scope of the proposed project and financing and other proposed actions of the Town in connection therewith (the “action”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby declares itself lead agency to the extent necessary for this purpose, if any, and therefore responsible for assuring compliance with the procedural and substantive requirements of the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation of the State of New York (6 NYCRR Part 617, as amended) promulgated thereunder (“SEQRA”).

Sec. 2. Based upon the review by the Town Board of the proposed project, the Town Board hereby finds that the proposed action constitutes a “type II action” as such quoted term is defined in SEQRA and, therefore, is not subject to any further review by the Town under SEQRA. A listing of such type II actions is attached hereto.

Sec. 3. A copy of this resolution shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours.

Sec. 4. This resolution shall take effect immediately.

617.5 TYPE II ACTIONS

- (a) Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8. The actions identified in subdivision (c) of this section apply to all agencies.
- (b) Each agency may adopt its own list of Type II actions to supplement the actions in subdivision (c) of this section. No agency is bound by an action on another agency's Type II list. An agency that identifies an action as not requiring any determination or procedure

under this Part is not an involved agency. Each of the actions on an agency Type II list must:

- (1) in no case, have a significant adverse impact on the environment based on the criteria contained in subdivision 617.7(c) of this Part; and
 - (2) not be a Type I action as defined in section 617.4 of this Part.
- (c) The following actions are not subject to review under this Part:
- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
 - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
 - (3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
 - (4) repaving of existing highways not involving the addition of new travel lanes;
 - (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
 - (6) maintenance of existing landscaping or natural growth;
 - (7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
 - (8) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;
 - (9) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
 - (10) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
 - (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
 - (12) granting of individual setback and lot line variances;
 - (13) granting of an area variance(s) for a single-family, two-family or three-family residence;

- (14) public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (15) minor temporary uses of land having negligible or no permanent impact on the environment;
- (16) installation of traffic control devices on existing streets, roads and highways;
- (17) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (19) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (22) collective bargaining activities;
- (23) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (24) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (25) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
- (26) license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
- (27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (28) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (29) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;

- (30) adoption of a moratorium on land development or construction;
- (31) interpreting an existing code, rule or regulation;
- (32) designation of local landmarks or their inclusion within historic districts;
- (33) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
- (34) actions undertaken, funded or approved prior to the effective dates set forth in SEQR (see chapters 228 of the Laws of 1976, 253 of the Laws of 1977 and 460 of the Laws of 1978), except in the case of an action where it is still practicable either to modify the action in such a way as to mitigate potentially adverse environmental impacts, or to choose a feasible or less environmentally damaging alternative, the commissioner may, at the request of any person, or on his own motion, require the preparation of an environmental impact statement; or, in the case of an action where the responsible agency proposed a modification of the action and the modification may result in a significant adverse impact on the environment, an environmental impact statement must be prepared with respect to such modification;
- (35) actions requiring a certificate of environmental compatibility and public need under articles VII, VIII or X of the Public Service Law and the consideration of, granting or denial of any such certificate;
- (36) actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency or a local government pursuant to section 807, 808 and 809 of the Executive Law, except class B regional projects subject to review by local government pursuant to section 807 of the Executive Law located within the Lake George Park as defined by subdivision one of section 43-0103 of the Environmental Conservation Law; and
- (37) actions of the Legislature and the Governor of the State of New York or of any court, but not actions of local legislative bodies except those local legislative decisions such as rezoning where the local legislative body determines the action will not be entertained.

<http://www.dec.state.ny.us/website/regs/part617.html>

- RESOLUTION NO. 65

Accepting Audit of Court Records

WHEREAS, the Town Board of the Town of Sweden retained Mengel Metzger Barr & Co., Certified Public Accountants, to perform an audit of the Sweden Town Court records and dockets for the fiscal year ending December 31, 2024; and

WHEREAS, MMB & Co. submitted a report of the 2024 court audit on March 3, 2025; 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 Mengel Metzger Barr & Co., Certified Public Accountants pertaining to the 2024 Sweden Town Court records and dockets.

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

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

- RESOLUTION NO. 66 Authorize Bids for Community Center RTU Replacement and Roof Restoration

WHEREAS, the Town Board of the Town of Sweden wishes to undertake building repairs at the Sweden/Clarkson 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 RTU Replacement and Roof restoration at the community center building.

Sec. 2. That the Town Clerk is directed to place the Notice to Bidders, when prepared, 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.

NON-CONSENT AGENDA:

- RESOLUTION NO. 67 Adopt Local Law 1 of 2025
Imposing an Additional Six (6)
Month Moratorium on Chapter 55
(Assemblies, Public)

WHEREAS, the Sweden Town Board is desirous of amending and/or modifying the Sweden Town Code Chapter 55; and

WHEREAS, the Sweden Town Board did impose an initial six (6) month moratorium in October 2024 and is now desirous of imposing an additional six (6) month Moratorium in order to accomplish the amendments and modifications to Chapter 55; and

WHEREAS, it is the intent of the Sweden Town Board to consider adopting said Local Law as soon as legally possible; and

WHEREAS, a duly advertised Public Hearing was held on April 8, 2025 at the Sweden Town Hall, 18 State Street, Brockport, New York; and

WHEREAS, all persons desiring to be heard were granted the opportunity to do so at that time; and

WHEREAS, due deliberation having been had thereon.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board does hereby adopt Local Law 1 of 2025 –
Imposing an Additional Six (6) Month Moratorium on Chapter 55.

Sec. 2. The Town Clerk is authorized and directed to file a complete copy of Local Law 1 of 2025 with the Secretary of State as required by law.

Sec. 3. This Resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Sullivan
Seconded by Councilperson Staskiewicz

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Maar	<u>Absent</u>	
Councilperson Sharpe	<u>Aye</u>	
Councilperson Staskiewicz	<u>Aye</u>	
Councilperson Sullivan	<u>Aye</u>	
Supervisor Hayles	<u>Aye</u>	ADOPTED

- RESOLUTION NO. 68 Adopt Local Law 2 of 2025
Amending Chapter 172 of the
Sweden Town Code

WHEREAS, the Sweden Town Board is desirous of amending Chapter 172 of the Sweden Town Code concerning the abandonment and decommissioning plans; and

WHEREAS, a proposed Local Law has been drafted in relationship to amending Chapter 172 of the Sweden Town Code; and

WHEREAS, a duly advertised Public Hearing was held on April 8, 2025 at the Sweden Town Hall, 18 State Street, Brockport, New York; and

WHEREAS, all persons desiring to be heard were granted the opportunity to do so at that time; and

WHEREAS, due deliberation having been had thereon.

NOW THEREFORE BE IT RESOLVED:

- Sec. 1. The Sweden Town Board does hereby adopt Local Law 2 of 2025 – Amending Chapter 172 of the Sweden Town Code.
- Sec. 2. The Town Clerk is authorized and directed to file a complete copy of Local Law 2 of 2025 with the Secretary of State as required by law.
- Sec. 3. This Resolution shall take effect immediately.

MOTION for adoption of this Resolution by Councilperson Staskiewicz
Seconded by Councilperson Sullivan

Discussion: Town Attorney Jim Bell explained the roles of the Planning Board and Town Board related to solar energy applications and decommissioning plans. The Planning Board has sole discretion and authority on approving the decommissioning plan and its substance including the amount of the security. The Town Board approves the form and substance of the decommissioning amount.

The primary changes to this chapter address successors of interest, annual review of the plan for the amount and any shortfalls for decommissioning added to the tax bill.

VOTE BY ROLL CALL AND RECORD:

Councilperson Maar	<u>Absent</u>
Councilperson Sharpe	<u>Aye</u>
Councilperson Staskiewicz	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Hayles	<u>Aye</u>

ADOPTED

- RESOLUTION NO. 69 Financial Security Decommissioning
Bond Approval – Kreher Solar Farm

WHEREAS, the Sweden Town Planning Board has given site plan approval for the construction of a 4.25 MW solar farm located at 4490 Sweden Walker Road, Town of Sweden, County of Monroe, State of New York (hereinafter referred as the solar farm); and

WHEREAS, the Planning Board having granted conditional approval to the application subject to this Board's Resolution concerning the approval of the Decommissioning Plan Bond from the solar farm, a copy of which is attached hereto (refer to Planning Board minutes of April 26, 2021); and

WHEREAS, the attached Bond is in the amount of \$310,653.15 as agreed upon by the Planning Board and the solar farm; and

WHEREAS, both the engineer and the town attorney having reviewed the attached Bond and approve it as to form and content.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. This Board does hereby approve the proposed Decommissioning Bond attached hereto from the solar farm to the Town of Sweden in the amount of \$310,653.15.

Sec. 2. The foregoing approval is contingent and conditioned upon the submission and approval of a Building Permit Application as well as the subsequent issue of said permit and commencement of the project all on or before April 11, 2025.

Sec. 3. The original Decommissioning Bond is to be filed with the Sweden Town Clerk.

Sec. 4. This Resolution shall take effect immediately.

MOTION for adoption of this Resolution by Councilperson Staskiewicz
Seconded by Councilperson Sullivan

Discussion: Councilperson Sharpe asked if the amount could be changed at this time by the Town Board. Town Attorney Jim Bell explained that the Town Board is approving the form of the security. Councilperson Sharpe pointed out that the application was approved a few years ago. The current amount was reviewed by the Town Attorney and the Town Engineer, MRB Group, both indicating the amount is sufficient at this time. Discussion on the timing of the project. All requirements have been met at this time, they require a permit to begin construction before April 11, 2025.

VOTE BY ROLL CALL AND RECORD

Councilperson Maar	<u>Absent</u>
Councilperson Sharpe	<u>Aye</u>
Councilperson Staskiewicz	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Hayles	<u>Aye</u>

ADOPTED

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

Town Attorney Jim Bell provided the Town Clerk with the original bond for Kreher Solar Farm.

Supervisor Hayles announced that Town Attorney Jim Bell provided the closing papers for the Supervisor's signature for 133 State Street scheduled to close on April 17, 2025.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Sullivan moved to adjourn the April 8, 2025 meeting of the Sweden Town Board at 6:52 p.m. Councilperson Sharpe seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting, Town Clerk