

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, May 11, 2021.

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, Superintendent of Highways Brian Ingraham, Town Attorney Jim Bell, and Town Clerk Karen Sweeting.

Visitor present was Wayne Zyra.

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 those in the armed services and those with COVID and their caretakers.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

1. Memorial Day celebration invitation from Brockport Area Vets Club – Deputy Supervisor Hayles announced the event will take place on May 29, 2021 at 10 a.m. at the West Avenue location.
2. Monroe County notification of a COVID vaccination clinic to be held at the Brockport High School on May 12, 2021 from 1 p.m. to 6:45 p.m. for ages 16 and older.

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Reports to be given May 25, 2021

CONSENT AGENDA ITEMS:

Councilperson Hoke made a motion that was seconded by Councilperson Humby 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

- Approval of the minutes of the regular meeting (including the public hearing) held on April 27, 2021
- RESOLUTION NO. 65 Approving Fireworks Application and Permit – Sweden Clarkson Community Center – July 3, 2021

WHEREAS, an application for the display of fireworks has been received from the Sweden Clarkson Recreation Supervisor, for the Sweden Clarkson Community Center located at 4927 Lake Rd., Brockport New York for consideration by the Town Board. Said display to be held on July 3, 2021 at dusk (9:45 PM) at the Sweden Clarkson Community Center grounds. In case of inclement weather, the date will be July 5, 2021; and

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board hereby approves the application for the display of fireworks at the Sweden Clarkson Community Center on July 3, 2021 and authorizes the Town Clerk to issue a permit for same.
- Sec. 2. That Young Explosives Corporation provide an indemnity policy with liability of at least \$2,000,000 conditioned for the payment of all damages which may be caused to a person or persons, or to property by reason of acts of the permittee, his agents, employees, etc. Such policy shall run to the Town.
- Sec. 3. That the Supervisor is authorized to sign the July 3, 2021 exhibition contract with Young Explosives at a cost of \$8,500.00.
- Sec. 4. That this resolution shall take effect immediately.

- RESOLUTION NO. 66 Authorizing Additional Sums to Be Deposited in Capital Reserve - Buildings Reserve Fund

WHEREAS, the Town of Sweden owns municipal buildings at 18 State Street, 133 State Street, 40 White Road, 4927 Lake Road, 4988 Lake Road and 4745 Redman Road; and

WHEREAS, from time to time a major repair project may arise that has not been identified in the Town’s annual budget; and

WHEREAS, the Town established a Buildings Reserve Fund on November 23, 2004 to fund said building repair projects; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the reserve fund from time to time.

NOW THEREFORE BE IT RESOLVED:

- Sec. 1. That the Supervisor is directed to transfer from the general fund to the Buildings Reserve Fund the sum of \$375,000.
- Sec. 2. That this resolution shall take effect immediately.

- RESOLUTION NO. 67 Adopt Use of Force Policy

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby adopt the following policy:

Town of Sweden Use of Force Policy

The Town Board of the Town of Sweden has reviewed the Use of Force Policies of the Village of Brockport Police Department and the Monroe County Sheriff’s Office, the primary law enforcement agencies operating within the Town of Sweden. The Town Board of the Town of Sweden supports these policies and the limits on the use of force so prescribed.

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

- RESOLUTION NO. 68 Adopt Policy against Barring Entrances & Exits

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby adopt the following policy:

Town of Sweden Policy against Barring Entrances and Exits

During a nonviolent civil rights demonstration within the Town of Sweden, the Town will not physically bar entrances to or exits from a facility or location which is the subject of such nonviolent civil rights demonstration.

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

- RESOLUTION NO. 69 Appoint Additional Seasonal Laborer Cemetery Operations - Hursh

WHEREAS, there is a need for an additional seasonal laborer for cemetery operations; and

WHEREAS, the Superintendent of Highways has recommended hiring Zachary Hursh; and

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Zachary Hursh for seasonal cemetery operations not to exceed 40 hours per week each and not to exceed 112 hours in total with all other seasonal cemetery laborers.

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 \$12.50 an hour.

Sec. 4. That the term of appointment will begin on or after May 12, 2021 and end on or before October 22, 2021.

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

- RESOLUTION NO. 70 Accept Tower Decommissioning Bond Verizon Waeghe Cell Tower, Canal Rd.

WHEREAS, EIP Holdings II LLC/Verizon Wireless Telecommunications Tower has submitted a Decommissioning Plan to the Sweden Planning Board and Sweden Town

Engineer for a 120' high monopole cell tower on property near 6793 Canal Road identified as Tax Map No. 069.04-1-5.114; and

WHEREAS, in a memo dated April 14, 2021, MRB Group approved the Decommissioning Plan as meeting the requirements of the Sweden Town Code; and

WHEREAS, in the same memo dated May 14, 2021, MRB Group deemed as adequate the sum of \$100,000.00 as the financial security required to cover the costs of removing said facilities from the site should the owner fail to do so; and

WEREAS, the applicant has submitted a draft form of the Decommissioning Bond.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden accepts the Decommissioning Plan for the 120' high monopole cell tower on property near 6793 Canal Road identified as Tax Map No. 069.04-1-5.114 as recommended by the April 14, 2021 MRB Group memo.

Sec. 2. That the Town Board of the Town of Sweden accepts the financial security amount of \$100,000.00 for said Decommissioning Plan.

Sec. 3. That final acceptance is conditional upon the receipt of the Decommissioning Bond and the review and acceptance of such by the Sweden Town Attorney.

*Deputy Supervisor Hayles called for a brief recess at 6:05 p.m.

PUBLIC HEARING:

At 6:30 p.m. Deputy Supervisor Hayles called to order the public hearing. The purpose of the public hearing was to hear all persons interested in the matter of the Petition for the Establishment of Extension No. 3 to the Fourth Section Road North Side Sewer District Extension of the Sweden Consolidated Sewer District.

Visitors present were Kris Schultz from Schultz Associates Engineers and Land Surveyors, P.C., and Recreation Director Jill Wisnowski.

Deputy Supervisor Hayles waived the reading of the legal notice.

Deputy Supervisor Hayles explained that the request is to extend the district by one household at no cost to the Town, decreasing the annual debt service for properties currently within the district.

Councilperson Humby asked how much lower the cost would be for properties within the district. Finance Director Leisa Strabel explained that there are approximately 150 units and adding one additional unit would lower the annual debt service by just a few dollars.

No other comments. Public hearing closed at 6:34 p.m.

NON-CONSENT AGENDA:

- RESOLUTION NO. 71 SEQRA Determination – One Lot
Extension to Fourth Section Road
North Sewer District

WHEREAS, the Town Board of the Town of Sweden intends to admit the one-lot Mohr Subdivision to the Fourth Section Road North Sewer District; and

WHEREAS, this action is defined by 6 NYCRR §617.5 as a Type II action for which no environmental review is necessary.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Sweden Town Board does declare the addition of the Mohr Subdivision Lot to the Fourth Section Road North Sewer District to be a Type II Action.
- Sec. 2. That this resolution shall take effect immediately.

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

Discussion:

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>Absent</u>	ADOPTED

- RESOLUTION NO. 72 Establishment of Extension No. 3 to the
Fourth Section Road North Side Sewer
District Extension of the Sweden
Consolidated Sewer District

WHEREAS, a written petition, dated March 24, 2021 in due form and containing the required signatures was presented to and filed with the Town Board of the Town of Sweden, Monroe County, New York together with the necessary map and plan attached hereto for the establishment of Extension Number 3 to the Fourth Section Road North Side Sewer District Extension of the Sweden Consolidated Sewer District; and

WHEREAS, a Public Hearing was held by the Town Board on May 11, 2021 at 6:30 pm to consider the proposal to establish Extension No. 3 to the Fourth Section Road North Side Sewer District and all persons desiring to be heard were heard; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law § 209-f.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board determines that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and it is in the public interest to grant in whole the relief sought.

Sec. 2. That the establishment of the contemplated sewer extension be approved: that such extension shall become a part of the Town of Sweden Consolidated Sewer District and as more particularly illustrated in the map attached hereto and made a part hereof and described in the legal description below:

**EXTENSION NO. 3
FOURTH SECTION ROAD NORTH SIDE SEWER DISTRICT
SWEDEN CONSOLIDATED SEWER DISTRICT**

ALL THAT TRACT OR PARCEL OF LAND situate in part of Town Lot 8, Section 7, Township 3 of the Triangular Tract, Town of Sweden, County of Monroe, and State of New York, being more particularly described as follows:

COMMENCING in the centerline of Fourth Section Road (NYS Route 31), at a point distant 2,260.92 feet easterly from said centerline's intersection with the centerline of Redman Road (County Road 236); thence, southerly a distance of 33.00 feet to a point on the southern right-of-way of Fourth Section Road, said point being the POINT OF BEGINNING; thence

1. Easterly, on a bearing of N 89°34'07"E, a distance of 226.62 feet to a point; thence
2. Southerly, on a bearing of S 00°40'39" W, a distance of 1342.33 feet to a point; thence
3. Westerly, on a bearing of S 89°12'32" W, a distance of 991.48 feet to a point; thence
4. Northerly, on a bearing of N 16°38'55" E, a distance of 137.39 feet to a point; thence
5. Northerly, on a bearing of N 45°42'10" W, a distance of 60.16 feet to a point; thence
6. Northerly, on a bearing of N 04°49'15" W, a distance of 226.88 feet to a point; thence
7. Northerly, on a bearing of N 00°24'47" W, a distance of 185.00 feet to a point; thence
8. Northerly, on a bearing of N 34°00'01" E, a distance of 400.14 feet to a point; thence
9. Easterly, on a bearing of N 89°34'07" E, a distance of 532.33 feet to a point; thence
10. Northerly, on a bearing of N 06°24'07" E, a distance of 436.48 feet to a point; thence

Sec. 3. The costs for the improvements proposed for Extension 3 will be borne solely by Derek Mohr; and

Sec. 4 The estimated cost of the district extension to the typical property shall be as follows:

Annual debt service	2021	\$ 91.00
Annual debt service	2022	\$ 77.00
Annual debt service	2023	\$ 77.00
Annual debt service	2024 and beyond	\$ 77.00

Sec. 5. A commodity charge by Monroe County Pure Waters is also borne by each parcel in the Town of Sweden Consolidated Sewer District and that annual commodity charge is estimated to be:

\$29.56 per parcel and 1.6775/1,000 gallons	\$228.02
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Sec. 6. That the Town Clerk is hereby authorized and directed to file a certified copy of this resolution in the Monroe County Clerk’s Office and in the New York State Department of Audit and Control within ten (10) days after adoption of this resolution pursuant to Town Law § 195.

Sec. 7. That this resolution shall take effect immediately.

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

Discussion:

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>Absent</u>

ADOPTED

*Deputy Supervisor Hayles called for a brief recess at 6:35 p.m.

PUBLIC HEARING:

At 6:45 p.m. Deputy Supervisor Hayles called to order the public hearing. The purpose of the public hearing was to hear all public comments on the Town of Sweden’s Community Development Block Grant (CDB) CARES Act application, “Senior Room Addition to Address Social Distancing, Ventilation, and Sanitation” for the 2021 program year.

Visitors present were Recreation Director Jill Wisnowski, Barb Grady, and Robert and Betty Coopenberg.

Deputy Supervisor Hayles waived the reading of the legal notice.

Mrs. Hayles explained that the addition of a senior room at the Sweden Clarkson Community Center will address social distancing, ventilation, and sanitation for seniors at the center. The current senior room has no windows and seniors must pass through public areas to get to it. The Town of Sweden is seeking \$500,000 for public facilities with the principal purpose of benefitting low to moderate income persons.

Mrs. Hayles stated that the current senior room is used for a variety of recreational programs and instructional classes, it is where the senior association plans trips and events and is a gathering place for seniors to socialize. Prior to COVID, the room was often filled to capacity, which is no longer possible. In order to continue delivering services to seniors, participants will require more space to facilitate social distancing, better ventilation to improve air quality, a hand washing station to help prevent the spread of viruses, and an entryway that does not pass through a large group of other citizens. Single user handicap accessible restrooms will also help protect seniors from the spread of viruses.

Mrs. Hayles said the Town proposes to construct a new Senior Room in order to prevent and respond to COVID. It will be double the size of the current room allowing the seniors to maintain social distancing, encouraging more seniors to return to the center. The new room will have windows and a ventilation system that will better clean the air. There will be a hand washing station in the room to facilitate frequent hand washing. The new room will be located directly off the front lobby eliminating the need for seniors to walk through other public areas, reducing close contact. The plan also includes two single occupancy handicap accessible restrooms. Mrs. Hayles shared an architectural draft of the proposed addition.

Mrs. Hayles detailed the project budget totaling \$1,100,000. The sources of funds would come from the Town's building reserve, operating budget, and the CARES Act grant. It is all predicated on getting the grant. Mrs. Hayles shared several US Census statistics relating to our population and door counts for the Sweden Clarkson Community Center. She feels the numbers justify the expenditure. The Clarkson Supervisor has expressed her support. Written public comments will be accepted through May 14, 2021.

Opened for comments.

Barb Grady, resident of the Town of Clarkson and member of the Sweden Senior Singers group, commented that windows and proper ventilation are important to singers. She said this proposed project was a positive thing for seniors and encourages the board to proceed. She also felt that the hand washing stations and restrooms were a positive addition to the proposed room. Mrs. Grady asked if the board felt they could maintain the space after construction. Mrs. Hayles explained that the board has considered the operating costs of the addition. The board would not propose an addition if they did not feel they could support it in the future.

Betty Coopenberg, resident of the Town of Clarendon, shared that the seniors used to hold many events, such as dinners, dances, etc. and asked if these events could continue and whether any of the funds could be used for kitchen updates. Mrs. Hayles agreed that the kitchen required updates, but it could not be part of this grant application. Finance Director Leisa Strabel confirmed that kitchen updates were not an allowable request. Discussion of the concerns with the current kitchen.

Mrs. Coopenberg said she and many other seniors are in favor of the addition and feels it will encourage more seniors to attend and participate. Mrs. Grady indicated that many of the singers were also in favor of the addition.

Recreation Director Jill Wisnowski spoke in favor of the proposed addition.
No other comments. Public hearing closed at 7:13 p.m.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Humby moved to adjourn the May 11, 2021 meeting of the Sweden Town Board at 7:14 p.m. Councilperson Sullivan seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk