

An additional regular meeting of the Town Board of the Town of Sweden, scheduled at the meeting of January 24, 2017, was held at the Town Hall, 18 State Street, Brockport, New York, on Tuesday, February 7, 2017.

Town Board Members present were Supervisor Robert Carges, Councilperson Robert Muesebeck, Councilperson Mary Rich and Councilperson Lori Skoog. Also present were Finance Director Leisa Strabel, Superintendent of Highways Brian Ingraham, Town Attorney Jim Bell and Town Clerk Karen Sweeting.

Visitors present were Joan Hamlin, Christine Hamlin, Don Grentzinger, Mike Cunningham, Don Pophal, Robert Connors, Susan Smith, Mark Rabjohn, Kevin Breiner, Justin Sullivan and Robert Cantwell from BME Associates.

Supervisor Carges called the meeting to order at 7:15 p.m. after the closure of the public hearing and asked everyone present to say the Pledge to the Flag.

Supervisor Carges asked if there were any comments from the visitors. No comments.

APPROVAL OF MINUTES

Councilperson Muesebeck made a motion that was seconded by Councilperson Skoog to approve the minutes of the regular Town Board meeting held on January 24, 2017. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2017 Received From:

Comments:

- *1. Todd Dobson, Buildings and Grounds

Request to purchase John Deere Gator

*Board has copies

RE: #1 Councilperson Muesebeck made a motion that was seconded by Councilperson Skoog to accept the request of Todd Dobson, Buildings and Grounds to purchase a John Deere Gator from Lakeland Equipment for a cost of \$7,644.64. All voted in favor of the motion. Motion adopted.

Supervisor Carges mentioned correspondence received indicating that the grant application for the construction of a lodge at the Town Park has moved forward another step at the state level – the Town is now “in-line” for the funds.

Councilperson Rich mentioned an email received from Mrs. Kandris asking for another means of communicating concerns at the SCCC – for example a suggestion box. Discussion.

DEPARTMENTAL REPORTS

January 2017 departmental reports were received and reviewed by the Town Board from the following departments: Building Department, Phyllis Brudz; Finance Director, Leisa Strabel; and Town Clerk, Karen M. Sweeting.

REPORTS

Councilperson Skoog attended the Greater Brockport Area Chamber of Commerce Annual Awards dinner along with Supervisor Carges and Councilperson Rich.

Supervisor Carges received a copy of a letter sent to Senator Ortt from the Village of Brockport regarding the Governor’s consolidation effort pointing out consolidated services already in place between the Village and Town.

RESOLUTIONS

RESOLUTION NO. 24

Appoint Representative to Seymour Library Board - Zimmer

WHEREAS, a vacancy has occurred on the Town of Sweden Seymour Library Board; and

WHEREAS, the Town Board is desirous of filling the position and Margaret Zimmer has expressed an interest in serving on the Board.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Margaret Zimmer to serve as a representative on the Seymour Library Board.

Sec. 2. That the term shall be effective from February 7, 2017 until December 31, 2021.

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

MOTION for adoption of this resolution by Councilperson Rich
Seconded by Councilperson Skoog

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – February 7, 2017

Adopted

RESOLUTION NO. 25

Accept Community Development Block Grant of \$25,000 and Authorize Supervisor to Sign Contract

WHEREAS, the Town of Sweden has been awarded a 2016 Community Development Block Grant in the amount of \$25,000 for a Sweden Clarkson Community Center ADA Parking Entry Project; and

WHEREAS, the Town Board wishes to accept this award and have the necessary contract documents signed by the Supervisor on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby accepts the award of the \$25,000 2016 Community Development Block Grant from the Monroe County Community Development Administration and accepts all terms and conditions set forth in the Community Development Force Account Agreement.

Sec. 2. That the Supervisor is authorized to act on behalf of the Town of Sweden and sign the necessary contract documents.

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

MOTION for adoption of this resolution by Councilperson Muesebeck
Seconded by Councilperson Skoog

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – February 7, 2017

Adopted

RESOLUTION NO. 26

SEQRA Determination – Local Law 2 of 2017
Chapter 164 Taxation - Addition of “Solar, Wind
Energy and Farm Waste Energy Systems”

WHEREAS, the Town Board of the Town of Sweden, intends to adopt an update to Chapter 164 Taxation – Addition of “Solar, Wind Energy and Farm Waste Energy Systems;” and

WHEREAS, such a Local Law 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 hereby designate the proposed Local Law as a Type II action.

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

MOTION for adoption of this resolution by Councilperson Muesebeck
Seconded by Councilperson Rich

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – February 7, 2017

Adopted

RESOLUTION NO. 27

Adopt Local Law No. 2 of 2017 – Update Chapter 164 “Taxation” in the Sweden Town Code – Addition of Article Entitled “Solar, Wind Energy and Farm Waste Energy Systems”

WHEREAS, Section 487 of the Real Property Tax Law allows for Solar or Wind Energy Systems or Farm Waste Energy Systems to be eligible for a 15-year exemption

from taxation to the extent of any increase in assessed value due to such systems;
and

WHEREAS, New York State Real Property Tax Law § 487 also allows for municipalities to elect by local law to disallow such exemptions from taxation effective as of the date of adoption of such local law; and

WHEREAS, the Town Board of the Town of Sweden desires to enact a local law to disallow such exemptions; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board at the Town Hall, 18 State Street, Brockport, New York, on February 7, 2017, at 7:00 PM., to hear all persons interested in the adoption of Local Law No. 2 of 2017 - Update to Chapter 164 “Taxation” in the Sweden Town Code – Addition of Article Entitled “Solar, Wind Energy and Farm Waste Energy Systems”; and

WHEREAS, all persons desiring to be heard were heard and due deliberation having been had.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That Local Law No. 2 of 2017 reads as follows:

§ 164-Article VII Solar, Wind Energy and Farm Waste Energy Systems

This article is adopted pursuant to the Authority of Real Property Tax Law § 487 which allows for the adoption of a Local Law providing that the provisions of §487 of the Real Property Tax Law allowing for exemptions from taxation to the extent of any increase in assessed value due to the construction of such systems shall not apply to any such systems constructed within the Town of Sweden after the effective date of this Article.

Sec. 2. That the Town Board of the Town of Sweden hereby adopts Local Law No. 2 of 2017 - Updates to Chapter 164 “Taxation” in the Sweden Town Code – Addition of Article Entitled “Solar, Wind Energy and Farm Waste Energy Systems”.

Sec. 3. That the Town Clerk is authorized and directed to file a complete copy of Local Law No.2 of 2017 with the Secretary of State, as required by law.

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

MOTION for adoption of this resolution by Councilperson Muesebeck

Seconded by Councilperson Skoog

Discussion: Councilperson Skoog stated that the comments heard during the public hearing included several good points that should be discussed. Board discussion.

*Councilperson Rich made a motion that was seconded by Councilperson Skoog to TABLE the resolution for further discussion. All voted in favor of the motion. Motion adopted.

Submitted – February 7, 2017

TABLED

RESOLUTION NO. 28

Notice of Intent to be Lead Agency in the SEQRA Process for the Zoning Application of Vacant Land on Fourth Section Road in the Town of Sweden

WHEREAS, the Town Board of the Town of Sweden has received an application and proposal to re-zone vacant land on Fourth Section Road for the purpose of developing a residential townhome community; and

WHEREAS, the property is currently zoned R1-3S Single Family Residence; and

WHEREAS, the applicant, Stonehaven Commercial, desires to re-zone to MR-1 Multiple Residence an approximate 24+/- acres of Tax Account No. 083.020-0001-007.1 (a 45+/- acre parcel); and

WHEREAS, the owner of the property, Brockport Free Methodist Church, has authorized the re-zoning application; 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 and the EAF, part 1, Item 25, are the Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Corp. of Engineers, 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 March 2017, 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.

MOTION for adoption of this resolution by Councilperson Skoog
Seconded by Councilperson Rich

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck Aye

3. Southerly, along said westerly boundary line of Edwin Duryea Properties LLC, a distance of 235 feet more or less to a point on a northerly boundary line thereof; thence
4. Westerly, a distance of 91 feet more or less to a point on the westerly boundary line of Edwin Duryea Properties LLC; thence
5. Southerly, along said westerly boundary line of Edwin Duryea Properties, LLC, and along the westerly boundary line of lands now or formerly of Genesee Media Corporation (T.A. No. 083.02-1-16.1), a distance of 855 feet more or less to a point on the northerly boundary line of lands now or formerly of WSR, LLC (T.A. No. 083.04-1-1.21); thence
6. Westerly, along said northerly boundary line of WSR, LLC., a distance of 611 feet more or less to a point; thence
7. Northerly, through lands now or formerly of the First Free Methodist Church of Brockport (T.A. No. 083.02-1-7.1), a distance of 300 feet more or less to a point; thence
8. Westerly, continuing through said lands of the First Free Methodist Church of Brockport, a distance of 372 feet more or less to a point; thence
9. Northerly, continuing through said lands of the First Free Methodist Church of Brockport, a distance of 625 feet more or less to a point; thence
10. Northeasterly, continuing through said lands of the First Free Methodist Church of Brockport, a distance of 399 feet more or less to appoint; thence
11. Northerly, continuing through said lands of the First Free Methodist Church of Brockport, a distance of 183 feet more or less to a point on the aforementioned southerly right-of-way line of Fourth Section Road; thence
12. Easterly, along said southerly right-of-way line of Fourth Section Road, a distance of 279 feet more or less to the Point of Beginning.

Sec. 4. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.

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

MOTION for adoption of this resolution by Councilperson Muesebeck
Seconded by Councilperson Skoog

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – February 7, 2017

Adopted

DISCUSSION AND ANNOUNCEMENTS

No discussions or announcements

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Rich moved to adjourn the February 7, 2017 meeting of the Sweden Town Board at 7:35 p.m. Councilperson Muesebeck seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk