

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, March 28, 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, Town Attorney Jim Bell, Building Inspector Steve Lauth and Town Clerk Karen Sweeting.

Visitors present were Don Grentzinger, Joan Hamlin, Christine Hamlin, Dale Robinson, Susan Smith, Deputy Village Mayor Bill Andrews, Ron Coyle representing Monroe Ambulance, Kirk Golden from Clarkson and Martin J. Brancato, Jr. from Rochester.

Supervisor Carges called the meeting to order at 7:00 p.m. and asked everyone present to say the Pledge to the Flag.

Supervisor Carges asked if there were any comments from the visitors.

Resident Joan Hamlin reminded the board that the Town has had a vacant board seat since the end of September 2016. A name was brought forward and the resolution was tabled and another name has been mentioned for the position since. Mrs. Hamlin does not feel that the residents are getting total representation. She asked that the board bring names for the position forward again and vote on those brought forward to fill the vacant seat.

Kirk Golden, Clarkson resident and representative of Rochester Solar and Wind, introduced the locally owned company and expressed his interest in any proposed local laws pertaining to solar power farms/commercial solar projects.

**APPROVAL OF MINUTES**

Councilperson Rich made a motion that was seconded by Councilperson Muesebeck to accept the minutes of the Public Hearing – Stonebriar Glen Rezoning Application held on February 28, 2017. All voted in favor of the motion. Motion adopted.

Councilperson Muesebeck made a motion that was seconded by Councilperson Skoog to accept the minutes of the regular Town Board meeting held on February 28, 2017. All voted in favor of the motion. Motion adopted.

**SUPERVISOR’S CORRESPONDENCE**

2017 Received From:	Comments:
*1. Brian Ingraham, Superintendent of Highways	Request – Lawn Mower Purchase, Cemetery Operations
*2. Brian Ingraham, Superintendent of Highways	Request – Purchase 2017 S570 T4 Bobcat Skid-Steer Loader
*3. Brian Ingraham, Superintendent of Highways	Request – Purchase 2017 Caterpillar 930M Wheel Loader
*4. Jill Wisnowski, Recreation Supervisor	Request to attend National Recreation and Parks Association Conference
*Board has copies	

RE: #4 Councilperson Muesebeck made a motion that was seconded by Councilperson Rich to grant the request of Jill Wisnowski to attend the National Recreation and Parks Association Conference. All voted in favor of the motion. Motion adopted.

REPORTS

Supervisor Carges commended the highway department for an excellent job during the recent storms – wind and snow.

Don Grentzinger, member of the Farmers Museum Committee, reported on several rentals of the barn and museum in the past year. The fourth grade Brockport class held a Pioneer Day event at the museum. He also mentioned several upcoming events including a speaker on bee keeping on June 20<sup>th</sup> and an event (date to be determined) featuring farm equipment. Mr. Grentzinger informed the board of recent donations to the museum – a racing sulky, sleigh and cabinet maker’s bench.

Building Inspector Steve Lauth reported that permit applications are increasing with the nicer weather. The Building Department is continuing their weekly training with the software vendor for CIVICgov – new building department program.

Town Attorney Jim Bell requested time at an upcoming work session to discuss the Association of Towns conference.

Councilperson Rich reported that she attended the Village of Brockport meeting. The Town Assessor, Tammy Baker, was invited to speak and answer questions. Mrs. Rich mentioned that Mrs. Baker did a nice job and explained things well. Mrs. Rich also reported that she is still working on covering the concession stands at the Town Park.

Councilperson Skoog asked for discussion on the status of the baseball field improvements. She wants to communicate with the teams that use those fields. Mrs. Skoog reported that the advertisement for the upcoming Water Information meeting would be in newspapers this weekend. Supervisor Carges presented a draft agenda for the meeting.

Councilperson Muesebeck reported that the Town Attorney has drafted an outline for the solar committee and they are moving along. Mr. Muesebeck is in favor of extending the moratorium so the committee can do additional research.

Supervisor Carges had a preliminary meeting with the auditor. A final report should be ready by April 11<sup>th</sup>.

RESOLUTIONS

RESOLUTION NO.   32  

Calling a Public Hearing on the Extension of  
Moratorium on Solar Power  
Farms/Commercial Solar Power Projects

WHEREAS, the Town Board of the Town of Sweden is interested in developing a Town Code regulating the construction of solar power farms and commercial solar power projects; and

WHEREAS, Local Law #1 of 2016 declared a six (6) month moratorium on solar power farms/commercial solar power projects; and

WHEREAS, the Town Board of the Town of Sweden is now desirous of extending said moratorium for an additional period of time in order to sufficiently accomplish this; and

WHEREAS, the Town Board of the Town of Sweden is required to hold a Public Hearing on the matter before enacting the moratorium.

NOW THEREFORE BE IT RESOLVED:

Sec. 1 That the Town Board of the Town of Sweden calls a Public Hearing to hear all persons for or against the adoption of a moratorium on the construction of solar power farms and commercial solar power projects on April 25, 2017 at 7:00 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York.

Sec. 2 That 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 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 - March 28, 2017

Adopted

RESOLUTION NO. 33 Declaration of Lead Agency Status for the Action of the Request by Application to Rezone Portion of Vacant Parcel on Fourth Section Road

WHEREAS, the Town Board of the Town of Sweden, has given public notice to Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT and

WHEREAS, the Town Board has not received any written objection from the Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT; and

WHEREAS, a duly advertised public hearing was held on February 28, 2017 at 7 pm and no objections were raised regarding the Town Board acting as Lead Agency.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced action.

Sec. 2. 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
Councilperson Rich	Aye
Councilperson Skoog	Aye
Supervisor Carges	Aye

Submitted March 28, 2017

Adopted

RESOLUTION NO. 34

Authorizing Refund of Property  
Maintenance Charge 20 Bader's Way

WHEREAS, the Town of Sweden levied a property maintenance charge of \$1,187.00 in the fall of 2015 on 20 Bader's Way, Tax Acct. No. 083.04-1-1.1; and

WHEREAS, through a computer error at the Monroe County Office of Real Property Services the charge was not levied on the Town of Sweden's January 2016 Town and County tax bill; and

WHEREAS, Monroe County subsequently levied the charge on the January 2017 Town and County tax bill; and

WHEREAS, the property had been sold during the interim period; and

WHEREAS, the new owner has stated that the property maintenance charge was not disclosed to him when he paid the back property taxes on the property; and

WHEREAS, the new owner has asked for relief from the property maintenance charge.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden grants relief from the 2015 property maintenance charge of \$1,187.00 on 20 Bader's Way, Tax Acct. No. 083.04-1-1.1.

Sec. 2. That the property maintenance charge of \$1,187.00 will be released by the Director of Finance once the entire 2017 Town and County Property Tax Bill for 20 Bader's Way, Tax Acct. No. 083.04-1-1.1 has been paid.

Sec. 3. 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	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>

Supervisor Carges  
Submitted - March 28, 2017

Aye

Adopted

RESOLUTION NO. 35                      Approving Purchase of 2017 Caterpillar Backhoe Loader

WHEREAS, the Town of Sweden Highway Superintendent has recommended the purchase of a 2017 Caterpillar 420F2 IT Backhoe/Loader; and

WHEREAS, the 2017 Caterpillar 420F2 IT Backhoe/Loader is available through New York State OGS NJPA Heavy Equipment Contract, Number – PC66988 from Milton CAT, 4610 East Saile Drive, Batavia, NY 14020.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1.                      That the Town Board of the Town of Sweden hereby authorizes the purchase of one 2017 Caterpillar 420F2 IT Backhoe/Loader from New York State OGS NJPA Heavy Equipment Contract, Number PC 66988 from Milton Cat, 4610 East Saile Drive, Batavia, NY 14020 at a cost of \$94,055.00.

Sec. 2.                      That in addition, the Town Board of the Town of Sweden authorizes the purchase of the hydraulic angle broom option for an additional \$11,868.00 and the pallet fork option for an additional \$2,766.00, both options also to be purchased from Milton Cat, Batavia.

Sec. 3.                      That upon receipt of the invoice and conclusion of the permissive referendum period, the total of \$108,689.00 will be paid from the Highway Equipment Reserve.

Sec. 4.                      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                      Aye  
Councilperson Rich                                      Aye  
Councilperson Skoog                                      Aye  
Supervisor Carges                                      Aye

Submitted - March 28, 2017

Adopted

RESOLUTION NO. 36                      Authorize Purchase of Backhoe/Loader From Reserve

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

WHEREAS, the Highway Superintendent has recommended the purchase of a backhoe loader and attachments from the Highway Equipment Reserve; and

WHEREAS, there are funds available in the Highway Equipment Reserve for the purchase of the backhoe/loader and attachments.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$108,689.00 from the Highway Equipment Reserve for the purchase of a backhoe/loader and attachments.
- 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.

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

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 - March 28, 2017

Adopted

RESOLUTION NO. 37 Authorize Purchase of Exmark Mower for Cemetery Operations

WHEREAS, the Highway Superintendent has recommended the purchase of a 72” Exmark Lazer X zero-turn mower product LZX980EKC72600 for cemetery operations; and

WHEREAS, the following quotes have been received:

Vendor	
Bobcat of Buffalo	\$15,249.00
Erie Power Equipment, Inc.	\$12,348.00
Brodner Equipment, Inc.	\$11,586.00

WHEREAS, the Highway Superintendent recommends the purchase of the Exmark Lazer X LZX980EKC72600 from Brodner Equipment, Inc. 3918 Lyell Road, Rochester, NY 14606.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1 That the Town Board of the Town of Sweden hereby authorizes the purchase of a 72” Exmark Lazer X Mower LZX980EKC72600 from Brodner Equipment at a total cost of \$11,586.00.
- Sec. 2 That upon delivery of the mower the invoice shall be paid from the cemetery equipment budget line.
- 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 - March 28, 2017

Adopted

RESOLUTION NO. 38 Authorizing Purchase of One 2017 Caterpillar 930 M Wheel Loader

WHEREAS, the Highway Superintendent has requested the purchase of one 2017 Caterpillar 930 M Wheel Loader under the New York State OGS NJPA Heavy Equipment Contract No. PC 66988; and

WHEREAS, the 2017 OGS NJPA Caterpillar 930M Wheel Loader pricing is \$148,339.00 available through Milton Cat, 4610 East Saile Drive, Batavia, NY 14020; and

WHEREAS, Milton Cat has offered a trade value of \$143,229.00 for the Town of Sweden's 2016 Caterpillar 930 M Loader.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of one 2017 Caterpillar 930 M Wheel Loader, the supplier being Milton Cat, 4610 East Saile Drive, Batavia, NY 14020 at a price of \$148,339.00.
- Sec. 2. That the Town Board of the Town of accepts the offer of \$143,229.00 from Milton Cat for the Town of Sweden's 2016 Caterpillar 930 M Wheel Loader.
- Sec. 3. That upon delivery of the 2017 Caterpillar 930 M Wheel Loader, the balance of the trade, in the amount of \$8,110.00 will be paid from the Highway Fund.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion: The \$8,110.00 includes the balance of the trade and the charge for approximate use of hours.

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 - March 28, 2017

Adopted

RESOLUTION NO. 39 Authorizing Purchase of Bobcat Skid Steer Loader

WHEREAS, the Superintendent of Highways has recommended the purchase of a 2017 S570 T4 Bobcat skid-steer loader; and

WHEREAS, the 2017 S570 T4 Bobcat skid-steer loader is available through New York State Contract Group 40625, Award PGB 22792, Contract PC 67141 from Clark Equipment Co, Bobcat of the Finger Lakes, 7216 Pittsford Palmyra Road, Fairport, NY 14450 at a cost of \$34,177.50; and

WHEREAS, Clark Equipment Co, Bobcat of the Finger Lakes, has offered a trade value of \$30,000.00 for the Town of Sweden’s 2016 Bobcat Skid Steer Loader S570 T4.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the purchase of one (1) 2017 Bobcat Skid Steer Loader from New York State Contract Group 40625 Award PGB 22792, Contract PC 67141 from Clark Equipment Co, Bobcat of the Finger Lakes, 7216 Pittsford Palmyra Road, Fairport, NY 14450 at a cost of \$34,177.50.

Sec. 2. That the Town Board of the Town of Sweden accepts the trade value of the 2016 Bobcat Skid Steer Loader of \$30,000.00 from Clark Equipment Co, Bobcat of the Finger Lakes.

Sec. 3. That upon delivery of the 2017 Bobcat Skid Steer Loader, the balance of the trade, in the amount of \$4,177.50, will be paid from the Highway Fund.

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

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

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 - March 28, 2017

Adopted

RESOLUTION NO. 40 Appoint Recreation Assistant PT – Croc Rocs

WHEREAS, there is a vacancy a for part-time Recreation Assistant in the Croc Rocs program; and

WHEREAS, Recreation Supervisor Jill Wisnowski has recommended hiring Mia Harp.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Mia Harp as a recreation assistant part-time for a maximum of 24 hours per week.

Sec. 2. That the hourly rate of pay is \$9.70 with a start date of April 4, 2017.

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

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



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 - March 28, 2017

Adopted

RESOLUTION NO. 41 Authorize Sale of Equipment

WHEREAS, the Building and Grounds Department has recommended the sale of the 2011 Ford F150 XL Regular Cab Truck and the Aerway six-foot slicer/roller to be sold at the municipal auction in Palmyra on May 13, 2017.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the sale of the following equipment from the buildings and grounds department at the municipal auction in Palmyra on May 13, 2017:

2011 Ford F150 XL Regular Cab Truck  
Aerway six-foot slicer/roller

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

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

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 - March 28, 2017

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Muesebeck made a motion that was seconded by Councilperson Skoog authorizing payment of the bills in Abstract 3 dated March 29, 2017 in the amount of \$79,808.84. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$53,312.05 as set forth in Abstract 3 dated March 29, 2017.  
Highway Fund: In the amount of \$24,323.11 as set forth in Abstract 3 dated March 29, 2017.  
Special Fund: In the amount of \$2,173.68 as set forth in Abstract 3 dated March 29, 2017.

DISCUSSION AND ANNOUNCEMENTS

No discussions or announcements.

\*\*Councilperson Skoog made a motion that was seconded by Councilperson Rich to go into a confidential consultation with the Town Attorney under Public Officer's Law Section 108(3). All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Skoog made a motion that was seconded by Councilperson Muesebeck to leave the confidential consultation and return to the regular meeting at 8:50 p.m. All voted in favor of the motion. Motion adopted.

\*\*Motion made by Councilperson Muesebeck and seconded by Councilperson Skoog to amend the "Rules and Regulations for Building Control Fees" – addition of *Home Occupation Approval - \$300* under Zoning Board of Appeals, effective immediately. All voted in favor of the motion. Motion adopted.

\*\*Motion made by Councilperson Muesebeck and seconded by Councilperson Skoog to amend the "Peddling – Soliciting Application" to include food trucks. All voted in favor of the motion. Motion adopted.

#### ADJOURNMENT

As there was no further business to come before the Board, Councilperson Muesebeck moved to adjourn the March 28, 2017 meeting of the Sweden Town Board at 8:54 p.m. Councilperson Skoog seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk