

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, June 14, 2016.

Town Board Members present were Supervisor Robert Carges, Councilperson Robert Muesebeck, Councilperson Mary Rich and Councilperson Lori Skoog. Councilperson Danielle Windus-Cook was absent. Also present were Finance Director Leisa Strabel, Town Attorney James Bell, Superintendent of Highways Brian Ingraham, Town Assessor Tony Eaffaldano and Town Clerk Karen Sweeting.

Visitors present were Joan Hamlin, Chris Hamlin, Janice Waeghe, Bernie LoBracco, representative of Brockport Volunteer Ambulance Colin Arthur and representative of Monroe Ambulance Michael Bove.

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 Janice Waeghe introduced herself to the board and explained that she submitted an application for re-zoning of a vacant parcel on Sweden Walker Road. Mrs. Waeghe completed the long form Environmental Assessment Form for the project and asked the board when they would discuss the project. Supervisor Carges would like to discuss it at the June 21st work session.

No other comments.

APPROVAL OF MINUTES

Councilperson Rich made a motion that was seconded by Councilperson Muesebeck to approve the minutes of the regular Town Board meeting held on May 24, 2016. All voted in favor of the motion – four ayes. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2016	Received From:	Comments:
*1.	Brian Ingraham, Superintendent of Highways	Request to Hire Megan Aradine

*Board has copies

Supervisor Carges reported additional correspondence received from Frontier Communications announcing a new type of TV service with an invitation to Towns to attend an information meeting. Mr. Carges was happy to see another option available to residents.

DEPARTMENTAL REPORTS

May 2016 departmental reports were received and reviewed by the Town Board from the following departments: Building Department, Phyllis Brudz; Finance Director, Leisa Strabel; Dog Control Officer Kathy Beaumont; and Deputy Town Clerk, Kathleen Roberts.

REPORTS

Superintendent of Highways Brian Ingraham reported that interviews were conducted for the vacant laborer position – resolution appointing Megan Aradine on the agenda. Ms. Aradine is highly qualified, has her CDL license and experience in construction and snow plowing. Mr.

Ingraham also reported the completion of the first course and oil on Whittier Road; they are assisting the Village of Brockport with phase one of the West Avenue water line; and they will begin the county paving work on Sweden Walker Road.

Town Attorney Jim Bell reported on the Notice of Denial received for Sweden Plaza Associates relative to assessment and gave updates to a court matter involving a “zombie home” on Tracy Terrace.

Finance Director Leisa Strabel reported that she has been working with Tax Receiver Kathleen Bahr-Seever and Chase Bank to set up a new platform for tax payments.

Councilperson Muesebeck reported that he conducted interviews for the vacant highway laborer position with Superintendent of Highways Brian Ingraham and Adam Shade. It was a difficult decision – they had many qualified applicants and are confident with their decision. Mr. Muesebeck reported on the dedication of the gazebo at Lakeview Cemetery to Staff Sergeant Nicholas Reid and thanked all that were involved – Amy Tausch, President/Founder of NY Warrior Alliance and Dave Kern, owner of Eagle Exteriors and Captain of the NYS Patriot Guard. Mr. Kern built the gazebo. Mr. Muesebeck was impressed with the 160+ motorcycle riders that attended.

Councilperson Rich (along with the other members of the Board) attended the Brockport Area Veterans Memorial Day event; met with Town Clerk Karen Sweeting and Fire Marshal Michael Vergari to discuss updates to the Emergency Operating Plan for the Town of Sweden; announced the Seymour Library Summer Kick-off event on June 18th; and announced the Vietnam Veterans Moving Wall coming to Spencerport on June 16th. Mrs. Rich shared with the board information on the local family that lost two boys in a tragic accident at Letchworth State Park.

Councilperson Skoog reported that the garden at the Center has been planted, mulched and fertilized. They have two volunteers that have been working on the grounds around the building, doing a lot of landscaping. Pam Ketchum has several community service workers that will be assisting with the landscaping in preparation for the grand re-opening event scheduled for July 17th. Mrs. Skoog complimented the work being done by Roger Evans of the Buildings and Grounds Department and by Deanna Irvine in keeping things running at the Center. Mrs. Skoog would like to discuss marketing of the Center and proposed increases in rental fees at an upcoming work session.

Town Assessor Tony Eaffaldano presented a letter of response to an article written by Josephine Matela in the May 1st edition of the Suburban News. Discussion.

This is in response to the article written by Josephine Matela in the May 1st edition of the Suburban News. She states that “The Town of Sweden Assessor refuses to follow New York State guidelines and assess income producing properties as commercial entities”. And that 365 single family homes have been converted. Converted to what? They are still single family homes – according to the Village. Let me explain The Bundle of rights as it pertains to New York State Real Property Tax law. It states that the Owner has:

- 1) The right of possession – the property is owned by whoever holds title.
- 2) The right of control – within the laws, the owner controls the use of the property.
- 3) The right of exclusion – others can be excluded from using or entering the property.
- 4) The right of enjoyment – the owner can enjoy the use of the property in any legal manner.

- 5) The right of disposition – The title holder can sell, **RENT** or transfer ownership or use of the property at will.

Ownership of land is holding title to it. The evidence of that title is the deed. The seller executes a deed to transfer title *to real property* and the bundle of rights that go with it.

There are 1,166 single family parcels in the Village of Brockport. Josephine states that 365 of them are owned by landlords. That would be just over 30%. There are 123 two family residences and 36 three family residences, most of which are owned by landlords. The landlord can't take advantage of the Star Exemptions or Veterans exemptions except on their primary residence so they pay the full tax bill. Now add in all the commercial and industrial parcels; **MOST OF THE TAXES IN THE VILLAGE are being paid by commercial and rental properties – which doesn't mean that residential properties don't have a high tax burden. They do.**

Mrs. Matela also states that, "the Town of Sweden Assessor refuses to follow New York State guidelines and assess the income producing properties as commercial entities. According to the state, the assessor is the one who makes the decision about whether a property is classified commercial or residential". **That is partially correct.**

According to NYS Real Property Tax Law, properties classified as 210-single family, 220-two family and 230-three family residences **by law** are valued by market value. In order to value them as commercial properties, the classification would have to be changed to 411-apartment houses or 418-rooming houses.

The Pro Brockport advocates would need to ask the Village Trustees to pass legislation to change the properties to commercial. Just send me a letter stating that the Village has done an inspection and determined that the property should legally be classified as a 411 or a 418, but that will not likely happen. Why? If the Village reclassified these single family, two family and three family homes to apartment houses or rooming house – they could not prevent more than 3 unrelated people from living in them. And the Village wants to continue defining a family as no more than 3 unrelated.

Please learn what NYS Real Property Tax Law **really** says, and not how a special interest group prefers to interpret it.

Tony Eaffaldano, IAO
Assessor Town of Sweden

RESOLUTIONS

RESOLUTION NO. 61 Authorize Supervisor to Sign National Grid Energy Conservation Program Agreements

WHEREAS, the Director of Finance has recommended that the Town of Sweden enter into an agreement with National Grid for energy conservation programs at the Town Hall, 18 State Street; Community Center, 4927 Lake Road; and the Highway Garage, 40 White Road; and

WHEREAS, the Town Board of the Town of Sweden has selected the two-year no-interest payment option for the energy conservation programs.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Supervisor be authorized to sign the National Grid Energy Conservation Program Agreements.
- Sec. 2. 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>
Councilperson Windus-Cook	<u>Absent</u>
Supervisor Carges	<u>Aye</u>

Submitted – June 14, 2016

Adopted

RESOLUTION NO. 62

Appoint Laborer – Aradine

WHEREAS, a vacancy exists in the Town of Sweden Highway Department; and

WHEREAS, the Superintendent of Highways has recommended hiring Megan Aradine as a full-time laborer.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Megan Aradine as a full-time laborer.

Sec. 2. That the rate of pay will be \$18.25 per hour.

Sec. 3. That the start date will be June 16, 2016.

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	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Councilperson Windus-Cook	<u>Absent</u>
Supervisor Carges	<u>Aye</u>

Submitted – June 14, 2016

Adopted

DISCUSSION AND ANNOUNCEMENTS

No discussion or announcements

EXECUTIVE SESSION

Councilperson Rich made a motion that was seconded by Councilperson Skoog to go into executive session at 7:34 p.m. to discuss a personnel matter. All voted in favor of the motion – four ayes. Motion adopted.

No action taken.

Councilperson Rich made a motion that was seconded by Councilperson Skoog to leave executive session and return to the regular meeting at 8:16 p.m. All voted in favor of the motion – four ayes. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Muesebeck moved to adjourn the June 14, 2016 meeting of the Sweden Town Board at 8:18 p.m. Councilperson Skoog seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk