

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, August 28, 2018.

Town Board Members present were Councilperson Robert Muesebeck (Deputy Supervisor), Councilperson Patricia Hayles, Councilperson Mary Rich, and Councilperson Lori Skoog. Supervisor Kevin Johnson was absent. Also present were Finance Director Leisa Strabel and Town Clerk Karen Sweeting. Town Attorney Jim Bell arrived at 7:20 p.m.

Visitors present were Joan Hamlin, Susan Smith, Don Grentzinger, Wayne Zyra, Christine Hamlin, Ena Farley, Lifetime Assistance representatives Ernest Haywood and Joanna Davis, Ryan Brandt from Rochester's Cornerstone Group and Tim Harris from Passero Associates.

Deputy Supervisor Muesebeck called the meeting to order at 7:00 p.m. and asked everyone present to say the Pledge to the Flag and remain standing for a moment of silence to honor our military and first responders.

#### PRIVILEGE OF THE FLOOR:

Ernest Haywood from Lifetime Assistance introduced himself along with Ryan Brandt from Rochester's Cornerstone Group, Tim Harris from Passero Associates and Joanna Davis from Lifetime Assistance. Mr. Haywood informed the board that there has been a demand for more apartments so they are proposing Phase II of Frances Apartments located on Owens Road. Their proposal includes more units to the north and south of the current development. The parcel to the north is currently zoned Heavy Industrial. A rezoning application has been submitted to the Town Board requesting the zoning be changed to Retail Commercial. The Town's Comprehensive Plan references the area for commercial zoning. Mr. Haywood added that Frances Apartments Phase I has gone very well and they currently have a waiting list to get into the complex. Phase II will consist of 48 units.

Tim Harris indicated that they are asking to rezone a portion of the north parcel – approximately 2.6 acres of undeveloped land covered in thick vegetation. The parcel will consist of 16 units – 2 buildings, one with 8 three-bedroom units and one with 8 one-bedroom units. Mr. Haywood added that 12 units will be set aside for Lifetime Assistance residents.

Ryan Brandt said the second phase is smaller and will connect the corridor between the current Frances Apartments and Lowes. A continuous sidewalk is part of that plan. Mr. Haywood added that the sidewalk would benefit the Town's proposed sidewalk project and are supportive of that grant application and project. The application to rezone is running concurrent with the subdivision process.

Opened the floor for comments.

Resident Ena Farley asked for clarification on the placement of the sidewalks. Mr. Haywood answered on Owens Road near Lowes.

Councilperson Skoog asked if the additional units would have use of the current community center building. Mr. Haywood answered yes and added that they intend to have laundry service in the new units.

No other comments.

#### CORRESPONDENCE:

No correspondence noted.

## REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Councilperson Rich attended an After Hours Planning Committee meeting for the Seymour Library event. She extended the invitation to the Board to attend the event on November 17<sup>th</sup> from 7 pm to 10 pm – theme is the “Great Seymour Caper”. Mrs. Rich, along with Councilperson Hayles attended the library sub-committee meeting to draft the request for proposals for a library consultant.

Councilperson Skoog attended the Farmers Museum Committee meeting and also attended the “What’s Behind the Fence” presentation held at the museum. She learned that the farm operation includes 200 acres of organic mixed greens. They employ 35-60 workers, depending on the season. The farm made the decision to locate in our area due to length of shipping to the east coast. They package the produce in Medina. Mrs. Skoog said it was an outstanding event attended by many.

Mrs. Skoog participated in the Building/Code Enforcement Officer interviews. She attended Clarkson Good Neighbor Days and commented on the promotion of community acts of kindness.

Mrs. Skoog took a “tour” of the Sweden Clarkson Community Center with Town Architect David Strabel to see the shape of the building on the north side and the interior. She suggested that the playground mulch and netting be replaced. Mrs. Skoog announced that the seniors would have a “booth” at the upcoming Harvest Festival on September 15<sup>th</sup> offering bake sale items and a quilt display.

Councilperson Hayles has been working with the recreation department on a healthier living initiative for the area. She announced two participants to the upcoming Health Fair on October 17<sup>th</sup> – Strong West and Rochester Regional Health. They will be encouraging cancer screening and offering a class on healthy living and working toward cancer prevention to be held in January. The survey committee will be meeting again to review the results. Mrs. Hayles hopes to have a report to share at the September 25<sup>th</sup> board meeting. Mrs. Hayles reported that the recreation staff are developing evaluations for participants to complete for each program attended hoping to continue ongoing feedback. Summer camp has ended and the new brochure has been delivered to homes.

Mrs. Hayles also reported that the request for proposals for the library consultant has been sent to five potential consultants. She plans to attend the Greater Rochester Quality Council workshop to be held on September 13<sup>th</sup>. Mrs. Hayles also attended the “What’s Behind the Fence” presentation and added that it is nice to see this kind of business in our area.

Mrs. Hayles will communicate with Superintendent of Highways Brian Ingraham on replacing the mulch in the playground area at the SCCC.

Town Attorney Jim Bell reported that he is meeting with the Supervisor and Attorney Buddy Lester to discuss the solar farm applications and incentive zoning. He also provided an update to an assessment litigation.

Don Grentzinger, Farmers Museum, reported that six college students participating in the Day of Service spent several hours cleaning the museum and barn. He added that the bats in the barn seem to be under control.

Councilperson Muesebeck reported that activity at the Town Park is going well and he commented on the new payment window for the Tax Office at the Town Hall.

Mr. Muesebeck read from a submitted report from Superintendent of Highways, Brian Ingraham. The Highway Department has been working on a county paving project on Redman Road finishing with driveway adjustments, stone shoulders and pavement markings. They are also working on another county paving project on West Sweden Road and assisting the Towns of Wheatland and Parma with road work. Mr. Muesebeck said that the highway department has

been helping with the bats at the barn installing bat boxes and sealing holes to keep the bats out of the barn.

CONSENT AGENDA ITEMS:

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

VOTE BY ROLL CALL:

Councilperson Rich	<u>Aye</u>	
Councilperson Skoog	<u>Aye</u>	
Councilperson Hayles	<u>Aye</u>	
Councilperson Muesebeck	<u>Aye</u>	
Supervisor Johnson	<u>Absent</u>	ADOPTED

- Approval of the minutes of the Regular Town Board meeting held on July 24, 2018
- Approval of the minutes of the Special Emergency meeting held on July 25, 2018
- Approval of the minutes of the Special Emergency meeting held on July 27, 2018
- Approval of the minutes of the Special meeting held on August 7, 2018
- Approval of the request of Assessor, Tammy Baker to attend the Assessors Conference.
- Approval of the proposal from Wolf Mechanical to replace air conditioner at 133 State Street in the amount of \$4,100. (second proposal received from Ace Cooling in the amount of \$4,468)
- RESOLUTION NO. 88                      Extending Agreement with New York State for Control of Ice and Snow To Expire 2018

WHEREAS, the State Commissioner of Transportation and the Town of Sweden have entered into an Agreement No. D139795 entitled "Snow and Ice Agreement between New York State Department of Transportation and the Municipality of the Town of Sweden" dated July 17, 1978; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 1978, and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2018; and

WHEREAS, Section 7 of the said Agreement provides that the Commissioner shall furnish the Municipality with a suitable map for each term of the agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement; and

WHEREAS, Section 10 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner subject to the provisions of Section 10, at the time for extension of the Agreement.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The aforementioned “Snow and Ice Agreement between New York State Department of Transportation and the MUNICIPALITY” is hereby extended for a period of one year; now to expire on June 30, 2019 unless further extended.

Sec. 2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2018, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.

Sec. 3. All the terms and conditions of the original contract remain in effect except as follows. The estimated expenditure as specified in Section 10 of the aforementioned Agreement shall be \$4,002.9158 per lane mile for 40.51 lane miles for a total of \$162,158.12 for the 2018/19 season and for the remainder of the term of the Agreement commencing July 1, 2018, unless changed by future update.

- RESOLUTION NO. 89 Appoint Laborer – Rombaut

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

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

NOW, THEREFORE, BE IT RESOLVED:

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

Sec. 2. That the rate of pay will be \$20.00 per hour.

Sec. 3. That the start date will be September 4, 2018.

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

- RESOLUTION NO. 90 Appoint Seasonal Laborers – Cemetery Operations

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

WHEREAS, the Superintendent of Highways has recommended retaining John L. Duthoy, John P. Duthoy, Matt List and Slade Murphy-Whiteley for seasonal cemetery operations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby extend the seasonal appointments of John P. Duthoy, John L. Duthoy, Matt List and Slade Murphy-Whiteley as seasonal laborers for cemetery operations ending on or before October 26, 2018.

Sec. 2. That the total hours allotted for the four seasonal laborers is not to exceed 28 hours per individual employee per week.

Sec. 3. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

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

- RESOLUTION NO. 91 Authorize Sale of Highway Equipment

WHEREAS, the Superintendent of Highways has requested permission to dispose of following items of excess highway equipment through Auctions International:

2008 Ford F-250 4 x 4 with 8' Western Pro Plus snow plow  
2000 Bobcat high flow cold planer with 16" fast cut drum

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board hereby authorizes the sale of the above-listed equipment through Auctions International.
- Sec. 2. That the Town Board of the Town of Sweden authorizes the Superintendent of Highways to reject any and all bids for the above-listed equipment received through Auctions International.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 92 Appoint Seasonal Laborer – Park

WHEREAS, there is a need for extended seasonal labor for park operations; and

WHEREAS, the Buildings and Grounds Department has recommended retaining Anthony Bryant and Dale Taber.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby extend the seasonal appointment of Anthony Bryant and Dale Taber as seasonal laborers for park operations ending on or before October 12, 2018.
- 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. 93 Appoint Recreation Assistant PT – Before & After School Program

WHEREAS, two part-time Recreation Assistants in the Before and After School Program are not returning for the 2018-2019 school year; and

WHEREAS, Recreation Supervisor Jill Wisnowski has recommended hiring Maranda Dobbertin.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Maranda Dobbertin as a recreation assistant part-time for a maximum of 24 hours per week.
- Sec. 2. That the hourly rate of pay is \$10.40 with a start date of September 4, 2018.
- Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 94 Ordering a Public Hearing to Rezone Portion of Vacant Parcel on Owens Road

WHEREAS, Rochester's Cornerstone Group, Ltd., 460 White Spruce Boulevard, Rochester, New York 14623, along with Lifetime Assistance, Inc. 425 Paul Road, Rochester, New York 14624, acting as developing agents for the owner of the property, AK Brockport, Inc., 180 Churchill Drive, Rochester, New York, 14616, has submitted to the Town Board an application and proposal to re-zone a portion of the property located on the east side of Owens Road north of the Owens Road/ Route 31 intersection, from I-1 Heavy Industrial to B-1 Retail-Commercial; and

WHEREAS, a map of the property and legal description for the 2.512 acre portion to be re-zoned has been filed with the Town, and the required fee paid; and

WHEREAS, the applicants will be submitting an application to the Planning Board for subdivision and site plan approvals; and

WHEREAS, the goal of the developer is to construct a family rental apartment community called Frances Apartments Phase II with a special set-aside for developmentally disabled clients of Lifetime Assistance; and

WHEREAS the number of apartment units on this rezoning subject 2.512 acre parcel is 16; and

WHEREAS, the number of apartment units proposed on 4.12 acres south of this parcel and not requiring a rezoning is 32, bringing the total number of new apartment units for the Frances Apartments Phase II project to 48; and

WHEREAS, the Developer has requested that the Town Board of the Town of Sweden waive the 45-day period for holding a Public Hearing as the requested Public Hearing date of October 9, 2018 is 42 days from this date of August 28, 2018.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden waives the 45-day Public Hearing Requirement as the 42-day time period is deemed sufficient and will hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, in the Town of Sweden on October 9, 2018 at 7:00 PM to hear all persons interested in the rezoning of the portion of the property located on the east side of Owens Road north of the Owens Road/ Route 31 intersection, from I-1 Heavy Industrial to B-1 Retail-Commercial.

Sec. 2. That the portion of property proposed to be re-zoned is 2.512 +/- acres of the whole 19.41 acre parcel, tax account number 084.01-1-19.143.

Sec.3. That the portion of property proposed to be re-zoned is more particularly described as follows:

**Frances Apartments Phase II, Town of Sweden, NY**  
**Description of Parcel to be Rezoned**

All that tract or parcel of land, situate in the Town of Sweden, County of Monroe and State of New York, being part of Town Lot 7, Township 3, Section 12 of the Triangular Tract, and being a portion of Lot R-2B of the Hogan Resubdivision Lot 2, as shown on a

map filed in the Monroe County Clerk's Office on October 13, 2016 in Liber 353 of Maps, at page 23, and being more particularly described as follows.

Beginning at a point located at the intersection of the northerly line of Lot R-2B of the Hogan Resubdivision, and the easterly right-of-way of Owens Road (60 foot wide right-of-way); thence,

1. South 89° 38' 22" East, along said northerly line a distance of 654.38 feet to a point; thence,
2. South 00° 28' 16" West, a distance of 167.80 feet to a point at the northeasterly corner of Lot R-2A as the aforementioned Resubdivision; thence,
3. North 89° 38' 22" West, along the northerly line of said Lot R-2A, a distance of 649.98 feet to the point of intersection with the easterly right-of-way line of Owens Road; thence,
4. North 01° 01' 45" West, along said easterly right-of-way line a distance of 167.85 feet to the point of beginning, containing 2.512 acres of land more or less. Bearings refer to New York State Plane Coordinate System, West Zone, Transverse Mercator System.

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.

#### NON-CONSENT AGENDA:

- All of the Board members reviewed the invoice audit journal. Councilperson Rich made a motion that was seconded by Councilperson Skoog authorizing payment of the bills in Abstract 8 dated August 29, 2018 in the amount of \$112,652.29. All voted in favor of the motion – four ayes. Motion adopted.

General Fund: In the amount of \$63,914.41 as set forth in Abstract 8 dated August 29, 2018.

Highway Fund: In the amount of \$38,142.01 as set forth in Abstract 8 dated August 29, 2018.

Special Fund: In the amount of \$10,458.37 as set forth in Abstract 8 dated August 29, 2018.

Capital Fund: In the amount of \$137.50 as set forth in Abstract 8 dated August 29, 2018.

#### ADDITIONAL BUSINESS AND ANNOUNCEMENTS

No additional business or announcements

#### ADJOURNMENT

As there was no further business to come before the Board, Councilperson Hayles moved to adjourn the August 28, 2018 meeting of the Sweden Town Board at 7:30 p.m. Councilperson Rich seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk