

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, September 26, 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, Superintendent of Highways Brian Ingraham and Town Clerk Karen Sweeting.

Visitors present were Deputy Village Mayor Bill Andrews, Joan Hamlin, Chris Hamlin, William Johnson, Don Grentzinger, Susan Smith, Patricia Hayles, Karla Linn Merrifield, Shirley Vetere, Mike and Janice Waeghe, Seymour Library Board President LuAnne Cenci and Seymour Library Director Carl Gouveia.

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.

Seymour Library Director Carl Gouveia presented the 2018 Budget and shared statistics for the past year which included program attendance, items borrowed and website visits. He showed slides of 2017 – 2018 expenditure and revenue comparisons and indicated that Sweden taxpayers would see a 0.04% increase that will allow the library to continue with reduced hours.

Supervisor Carges asked if there would be a deficit this year and Mr. Gouveia answered yes a very slight deficit. Councilperson Skoog asked what cuts were made in the budget this year. Mr. Gouveia answered library hours, staff hours and materials purchases. Library Board President LuAnne Cenci also mentioned that Mr. Gouveia agreed to a cut in hours and salary for himself. Discussion of other purchasing options for materials.

Resident Joan Hamlin mentioned a meeting in April 2016 - a resident attended a meeting to voice her concern over a vacant property in Sweden Village on Tudor Road recently purchased by a landlord. Mrs. Hamlin informed the board that the owner of the property held an open house for the neighbors to show the improvements that were made to the home – beautiful hardwood floors, finished lower level and updated bathroom. She said many of the neighbors attended and were impressed with the improvements – the owner did a great job! (Owner of said property – Norman GianCursio)

Resident Shirley Vetere commented on the “phenomenal” library. She indicated that she has lived in other communities and the Seymour Library is amazing. The Director and staff are very knowledgeable and many programs are offered at no cost. Ms. Vetere and her family spend a large amount of time there participating in programs that she describes as amazing, enjoyable, stimulating and educational.

No other comments.

APPROVAL OF MINUTES

Clerk error – submitted August 29, 2017 regular meeting and public hearing meeting minutes for approval – both were previously approved at the meeting of September 12, 2017. (September 12, 2017 meeting minutes to be submitted for approval at the October 10, 2017 meeting.)

SUPERVISOR’S CORRESPONDENCE

2017 Received From:

- *1. Brian Ingraham, Superintendent of Highways
- *2. Assemblyman Steve Hawley

Comments:

Request approval to purchase Petrovend Hybrid Plus Fuel System
 Copy letter sent to NYS DOT re: repaving portion of Sweden Walker Road

*Board has copies

REPORTS

Superintendent of Highways Brian Ingraham reported that they are finishing road work on White Road; assisted the county with work in Ogden and Riga; and assisted the Town of Hamlin and the Village of Brockport. Prepared Ellis Drive, Timber Trail and Talamora Trail for surface treatment next year.

Supervisor Carges reported the lodge at the park is moving along, the roof on the gazebo at the Lodge on the Canal (133 State Street) has been replaced and Lifetime Assistance has started renovations to the building.

RESOLUTIONS

RESOLUTION NO. 119

Authorize Replacement of Town Hall Exterior Entryway & Sidewalk from Building Reserve Fund

WHEREAS, a Building Reserve Fund was established on November 23, 2004 for the purpose of making improvements to town-owned municipal buildings; and

WHEREAS, the Town Board of the Town of Sweden desires to replace the exterior entryway and sidewalk at the Sweden Town Hall, 18 State Street; and

WHEREAS, the Town Board desires that the project be funded from the Building Reserve Fund.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$34,000 from the Building Reserve Fund for capital improvements to replace the exterior entryway and sidewalk at the Sweden Town Hall, 18 State Street.

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 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
Submitted – September 26, 2017

Aye

Adopted

RESOLUTION NO. 120

Authorizing the Release of the Citizens Bank,
NA Letter of Credit No. S911259 Regarding
Frances Apartments, LLC

WHEREAS, on November 2, 2016, Frances Apartments, LLC, 425 Paul Road, Rochester, New York established a \$36,548.00 Letter of Credit from Citizens Bank, NA (S911259) to guarantee sanitary sewer and erosion control and stabilization work as identified by MRB Group Review Letter dated November 10, 2015; and

WHEREAS, MRB Group has no outstanding engineering concerns and has no objection to the full Letter of Credit being released as per a review letter dated September 21, 2017; and

WHEREAS, the fiscal officer has reviewed the developer’s accounts pertaining to engineering, inspection and legal fees and finds no outstanding fees remain to be paid.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor of the Town of Sweden is hereby directed and authorized to release the \$36,548.00 Letter of Credit for Frances Apartments LLC, identified as Citizens Bank, NA S911259 dated November 2, 2016 and set to expire November 1, 2017.

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 – September 26, 2017

Adopted

RESOLUTION NO. 121

Authorize Purchase of Petrovend Hybrid System

WHEREAS, the Highway Superintendent wishes to install a new fuel system at the highway garage; and

WHEREAS, the following quotes were received:

S&W Services Inc.	Petrovend Hybrid System	\$12,578
Cortland Pump & Equip.	Petrovend Hybrid System	\$12,750
S&W Services Inc.	FuelMaster 2500 Plus	\$14,084
Cortland Pump & Equip.	FuelMaster 2500 Plus	\$13,125

WHEREAS, the Highway Superintendent has recommended the purchase of the Petrovend Hybrid System from S&W Services Inc. for \$12,578.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden authorizes the purchase of a Petrovend Hybrid System from S&W Services Inc. for \$12,578.

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>
Supervisor Carges	<u>Aye</u>

Submitted – September 26, 2017

Adopted

RESOLUTION NO. 122 Notice of Intent to be Lead Agency in the SEQRA Process for the Zoning Application of Two Lots 4740 Lake Road and 25 Crestview Drive, Sweden

WHEREAS, the Town Board of the Town of Sweden has received an application and proposal to re-zone two lots at 4740 Lake Road and 25 Crestview Drive; and

WHEREAS, the properties are currently zoned R1-2 Single Family Residence; and

WHEREAS, the applicant, Samuel Simone, desires to re-zone to B1 Commercial approximately 1.01+/- acres identified as Tax Account Nos. 083.080-08-001.12 and 083.080-08-002; 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 October or November 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 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 – September 26, 2017

Adopted

RESOLUTION NO. 123 Ordering a Public Hearing to Rezone
 Two Parcels – 4740 Lake Road and 25 Crestview
Drive from Residential R1-2 to B1 Commercial

WHEREAS, Samuel Simone, of Simone Properties LLC, PO Box 26767, Rochester, New York, together with Christopher J. Dempsey, owners of two parcels at 4740 Lake Road and 25 Crestview Drive, has submitted to the Town Board an application to re-zone the two parcels at 4740 Lake Road and 25 Crestview Drive currently zoned Residential R1-2 to Commercial (B-1); and

WHEREAS, Part I of the State Environmental Quality Review (SEQR) Full Environmental Assessment Form and a map of the property has been filed with the Town along with the required fee.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden will hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, on Tuesday, October 24, 2017 at 7:00 PM to hear all persons interested in the re-zoning of the two parcels at 4740 Lake Road and 25 Crestview Drive.
- Sec. 2. That the area proposed to be re-zoned is 1.01 +/- acres, Tax Account Nos. 083.080-08-001.12 and 083.080-08-002.
- Sec.3. That the area proposed to be re-zoned is more specifically described as follows:

Legal Description
4740 Lake Road and 25 Crestview Drive
Tax Account #083.080-08.001.2 and 083.080-08-002

All that tract or parcel of land, situate in the Town of Sweden, County of Monroe and the State of New York, being part of Town Lot 11, Section 8, Township 3 of the Triangular Tract, and more particularly described as follows:

Beginning at a point on the easterly right of way line of Lake Road (NYS Route 19), said point also being at the south right of way line of Crestview Drive, said point being the northwest corner of lands now or formerly of Simone Properties, LLC as recorded in liber 9122 of deeds, page 575, thence;

1. Easterly along the south right of way of Crestview Drive on a line bearing S 89°52'43" E, a distance of 200.00 feet, to a point, said point being on the northeast corner of Simone Properties, LLC, thence;
2. Continuing easterly along the south right of way of Crestview Drive on a line bearing S 89°52'43" E, a distance of 172.71 feet, to a point, said point being on the northeast corner of lands now or formerly of Christopher J. Dempsey as recorded in liber 10510 of deeds page 213, thence;
3. Southerly along the east line of said Dempsey, on a bearing of S 02°10'04" W, a distance of 89.59 feet, to an angle point on the east line, thence;
4. Southwesterly along the east line of said Dempsey, on a bearing of S 35°01'24" W, a distance of 20.52 feet, to an angle point on the southeast line of Dempsey, thence;
5. Continuing southwesterly along the southeast line of said Dempsey, on a bearing of S 72°54'56" W, a distance of 30.00 feet, to a point on the south line of Dempsey, thence;
6. Westerly along the south line of Dempsey on a line bearing N 89°58'53" W, a distance of 153.86 feet, to a point, said point being on the southeast corner of Simone Properties, LLC, thence;
7. Continuing westerly along the south line of Simone Properties, LLC on a line bearing N 89°58'53" W, a distance of 200.00 feet, to a point, said point being on the east right of way of Lake Road (NYS Route 19), thence;
8. Northerly along the east right of way of Lake Road (NYS Route 19) on a bearing N 12°10'47" E, a distance of 118.48 feet, to a point, said point being the true point and place of beginning.

Intending to describe a parcel of land comprising lands now or formerly of Simone Properties, LLC as recorded in liber 9122 of deeds, page 575 and lands now or formerly of Christopher J. Dempsey as recorded in liber 10510 of deeds page 213. Said parcel having a combined area of 43,925 square feet or 1.008 acres more or less.

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 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	<u>Aye</u>

Submitted – September 26, 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 Rich authorizing payment of the bills in Abstract 9 dated September 27, 2017 in the amount of \$173,922.86. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$53,890.32 as set forth in Abstract 9 dated September 27, 2017.

Highway Fund: In the amount of \$91,847.54 as set forth in Abstract 9 dated September 27, 2017.

Special Fund: In the amount of \$4,889.00 as set forth in Abstract 9 dated September 27, 2017.

Capital Fund: In the amount of \$23,296.00 as set forth in Abstract 9 dated September 27, 2017.

DISCUSSION AND ANNOUNCEMENTS

The Budget Officer's Tentative Budget for 2018 was presented to the Town Clerk.

EXECUTIVE SESSION

Councilperson Muesebeck made a motion that was seconded by Councilperson Rich to go into Executive Session at 7:37 p.m. to discuss a matter of assessment litigation with Sweden Plaza Associates and also a confidential consultation under Public Officer's Law Section 108 (3). All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Muesebeck made a motion that was seconded by Councilperson Rich to leave the executive session and return to the regular meeting at 8:25 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Rich moved to adjourn the September 26, 2017 meeting of the Sweden Town Board at 8:31 p.m. Councilperson Muesebeck seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk