

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, October 27, 2015 after the conclusion of the Public Hearing addressing the 2016 Budget.

Town Board Members present were Supervisor Robert Carges, Councilperson Rebecca Donohue, Councilperson Robert Muesebeck, Councilperson Danielle Windus-Cook and Councilperson Donald Roberts, Jr. Also present were Finance Director Leisa Strabel, Highway Superintendent Brian Ingraham, Town Attorney Jim Bell, Fire Marshal Michael Vergari and Town Clerk Karen Sweeting.

Visitors present were Deputy Village Mayor Bill Andrews, Jack Merritt, Annie Crane, Lori Skoog, Joan Hamlin, Mary Rich, Kevin McCarthy, Peter Hare, Jessica James from SUNY Brockport 89.1 The Point, Tim Harris and Jess Sudol from Passero Associates, and Roger Brandt and Ryan Brandt from Rochester’s Cornerstone Group.

Supervisor Carges called the meeting to order at 7:18 p.m. at the close of the public hearing and asked everyone present to say the Pledge to the Flag.

APPROVAL OF MINUTES

Councilperson Donohue made a motion that was seconded by Councilperson Roberts to accept the minutes of the regular meeting held on October 13, 2015. All voted in favor of the motion – four ayes. Councilperson Muesebeck abstained due to his absence from such meeting. Motion adopted.

No Correspondence Noted

REPORTS

Superintendent of Highways Brian Ingraham reported that Fall Brush Pick Up has started and should be done by the end of the week. Leaf collection started a week prior and will continue until all leaves have fallen.

No other reports.

RESOLUTIONS

RESOLUTION NO. 83

Adopting 2016 Town of Sweden Budget

WHEREAS, the Town Board has met at the time and place specified in the notice of public hearing on the Preliminary Town Budget for 2016, and heard all persons desiring to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Preliminary Budget for 2016, as amended, and as hereinafter set forth and filed by the Budget Officer in the Office of the Town Clerk be adopted as the Annual Budget for the Town of Sweden for the fiscal year commencing January 1, 2016, and ending December 31, 2016.

Sec. 2. That the several amounts stated in the column entitled "Adopted" be and are appropriated for the objects and purposes specified, that all amounts stated in the summary as "Amounts to be raised by Tax" be and are the tax levy for the year 2016, and that salaries of elected officers as stated shall be fixed at the amounts shown effective January 1, 2016.

Sec. 3. That the Town Clerk is directed to publish notice that a summary of this enacted budget is available for public inspection on the Town’s website and during normal business hours in the Town Clerk’s Office.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook
Seconded by Councilperson Muesebeck

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Donohue	<u>Aye</u>
Councilperson Muesebeck	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – October 27, 2015

Adopted

RESOLUTION NO. 84

SEQR Determination of Non-Significance –
Application to Rezone Portion of Vacant Land
Owens Road for Proposed Development -
Frances Apartments

WHEREAS, the Sweden Town Board (hereinafter referred to a Town Board) is the designated Lead Agency (Resolution No. 78 of 2015) for making the determination of environmental significance for the application to rezone a portion of vacant land on Owens Road for development of Frances Apartments (hereinafter referred to as Action); and

WHEREAS, the Town Board has received, reviewed and does hereby accept Part 1 Full Environmental Assessment Form completed by Passero Associates, Part 2 Full Environmental Assessment Form (FEAF), Part 3 Full Environmental Assessment Form and Supporting Information to Part 2 FEAF completed by MRB Group on said Action; and

WHEREAS: the Town Board has (in accordance with the provisions of Section 617.7):

- (1) considered the action as defined in subdivisions 617.2(b) and 617.3(g) of the State Environmental Quality Review Act; and
- (2) reviewed the EAF (Parts 1, 2 and 3) and supporting information, the criteria contained in subdivision (c) of Section 617.7 and other supporting information that includes the adopted Town of Sweden Comprehensive Plan, the plans prepared by Passero Associates, the public record from informational meetings on said action and the environmental record to identify the relevant areas of environmental concern; and
- (3) thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and

- (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to supporting documentation.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board does hereby make this Determination of Non-Significance for the Action.
- Sec. 2. That the Town Board does hereby direct the Town Supervisor to sign the Negative Declaration Form for said Action and to provide notice thereof to all identified Involved and Interested Agencies.
- Sec. 3 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Roberts
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Donohue	<u>Aye</u>
Councilperson Muesebeck	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Councilperson Windus-Cook	<u>Nay</u>
Supervisor Carges	<u>Aye</u>

Submitted – October 27, 2015

Adopted

RESOLUTION NO. 85 Rezoning a Portion of Vacant Parcel
Tax Acct. No. 084.01-1-19.142 on Owens Road

WHEREAS, Rochester’s Cornerstone Group, Ltd., 366 White Spruce Boulevard, Rochester, New York 14623, along with Lifetime Assistance, Inc., acting as developing agents for the owner of the property, Brockport Land Associates II, LLC, 1941 Davis Road, West Falls, New York, 14170, 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, the goal of the developer is to construct a family rental apartment community called Frances Apartments with a special set-aside for developmentally disabled clients of Lifetime Assistance; and

WHEREAS, the Town Board of the Town of Sweden duly called a public hearing by legal notice published on the 4th day of October 2015 to consider said application; and

WHEREAS, the Town Board of the Town of Sweden held the public hearing on October 13, 2015 at 7 pm at the Sweden Town, 18 State Street, Brockport and all persons wishing to comment were heard; and

WHEREAS, the proposed rezoning was reviewed by the Town of Sweden Environmental Conservation Board, the Town of Sweden Zoning Board of Appeals, the Town of

Sweden Highway Department, the Town of Sweden Planning Board, Village of Brockport, the New York State Department of Environmental Conservation (NYSDEC), the Monroe County Planning & Development, Monroe County Department of Health (MCDOH), US Army Corp of Engineers, Monroe County Pure Waters, Monroe County Water Authority (MCWA), NYS Environmental Conservation Natural Heritage, NYS Office of Parks, Recreation and Historic Preservation (NYSOPRHP), Monroe County Soil & Water and NYS Homes & Community Renewal.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Sweden be amended to change the zoning classification from I-1 Heavy Industrial to B-1 Retail Commercial; that the portion of property proposed to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land, situate in the Town of Sweden, County of Monroe, State of New York, being part of Town Lots 2 and 7, Township 3, Section 12 of the Triangular Tract, more particularly described as follows:

Beginning at a point located at the intersection of the southwesterly corner of the property now or formerly of Brockport Land Associates, Owens Road, Tax Acct. #084.01-1-19.142, being Lot 2 of the Hogan Subdivision and the easterly right-of-way of Owens Road (60 foot wide right-of-way); thence

1. North 01° 01' 45" west, along said easterly right-of-way of Owens Road, a distance of 450.00 feet to a point; thence
2. South 89° 38' 22" east, a distance of 649.98 feet to a point; thence
3. South 0° 28' 16" west, a distance of 451.10 feet to a point; thence
4. North 89° 31' 44" west, a distance of 638.20 feet to the point of beginning, containing 6.661 acres of land more or less. Bearings refer to New York State Plane Coordinate System, West Zone, Transverse Mercator System.

Sec. 2. That the Town Clerk is directed and authorized to publish a notice of adoption of this Resolution as required by law.

Sec. 3. That this amendment and change shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Donohue	<u>Aye</u>
Councilperson Muesebeck	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Councilperson Windus-Cook	<u>Nay</u>

Supervisor Carges
Submitted – October 27, 2015

Aye

Adopted

RESOLUTION NO. 86

Appoint Seasonal Laborers –
Chapman and Duthoy

WHEREAS, there is a need for seasonal laborers for snow operations; and

WHEREAS, the Superintendent of Highways has recommended hiring Gary Chapman and John Duthoy for seasonal snow operations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Gary Chapman and John Duthoy as seasonal laborers for snow operations not to exceed 24 hours each per week beginning on or after November 21, 2015 and ceasing on or before April 11, 2016.

Sec. 2. That the appointments do not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

Sec. 3. That the rate of pay will be \$14.00 per hour for Mr. Chapman.

Sec. 4. That the rate of pay will be \$11.00 per hour for Mr. Duthoy.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook
Seconded by Councilperson Muesebeck

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Donohue	<u>Abstain</u>
Councilperson Muesebeck	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – October 27, 2015

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 Donohue authorizing payment of the bills in Abstract 10 dated October 28, 2015 in the amount of \$150,811.96. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$73,682.11 as set forth in Abstract 10 dated October 28, 2015.

Highway Fund: In the amount of \$50,236.68 as set forth in Abstract 10 dated October 28, 2015.

Special Fund: In the amount of \$4,987.89 as set forth in Abstract 10 dated October 28, 2015.

Capital Fund: In the amount of \$21,905.28 as set forth in Abstract 10 dated October 28, 2015.

DISCUSSION AND ANNOUNCEMENTS

Deputy Village Mayor Bill Andrews informed the board that the application to the State/National Registry of Historic Places for the High Street Cemetery would be reviewed by that board in December.

EXECUTIVE SESSION

Councilperson Muesebeck made a motion that was seconded by Councilperson Roberts to go into executive session at 7:30 p.m. to discuss a legal matter concerning Fox Five, LLC. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Muesebeck made a motion that was seconded by Councilperson Donohue to leave executive session and return to the regular meeting at 7:42 p.m. 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 October 27, 2015 meeting of the Sweden Town Board at 7:44 p.m. Councilperson Donohue seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk