

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, November 8, 2016.

Town Board Members present were Supervisor Robert Carges, Councilperson Robert Muesebeck, Councilperson Mary Rich and Councilperson Lori Skoog. Also present were Town Attorney Jim Bell, Superintendent of Highways Brian Ingraham and Town Clerk Karen Sweeting.

Visitors present were Chris Hamlin, Norm GianCursio and Bill Johnson.

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 acknowledged the visitors and asked if anyone wanted to address the board.

No comments.

APPROVAL OF MINUTES

Councilperson Rich made a motion that was seconded by Councilperson Skoog to accept the minutes of the Public Hearing – 2017 Budget held on October 25, 2016. All voted in favor of the motion – three ayes. Councilperson Muesebeck abstained due to his absence from such meeting. Motion adopted.

Councilperson Skoog made a motion that was seconded by Councilperson Rich to accept the minutes of the regular Town Board meeting held on October 25, 2016. All voted in favor of the motion – three ayes. Councilperson Muesebeck abstained due to his absence from such meeting. Motion adopted.

DEPARTMENTAL REPORTS

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

SUPERVISOR'S CORRESPONDENCE

Supervisor Carges noted correspondence pertaining to the Genesee Finger Lakes Regional Planning Council. Councilperson Rich mentioned that she received an email confirming the student volunteers that will be entering the water survey data.

REPORTS

Superintendent of Highways Brian Ingraham reported the following: leaf collection continues; equipment maintenance and preparation for snow removal; status of the Colby Street project; and repair/replacement of catch basins on Ogee Trail, Old Elm and Transit Way. Mr. Ingraham informed the board that he participated in the annual interview event for seniors at Kendall High School. He met with students interested in his field and conducted "mock" interviews to help sharpen their skills for employment.

Town Attorney Jim Bell reported that he met with the new Assessor, Tammy Baker to discuss pending Article 7 actions in the Town.

Councilperson Lori Skoog mentioned that she is impressed with the information drawn from the water surveys sent to the residents that do not have public water. Discussion on survey analysis using Survey Monkey.

RESOLUTIONS

RESOLUTION NO. 101 Appoint Councilperson – Patricia Hayles

WHEREAS, as of September 28, 2016 Councilperson Danielle Windus-Cook resigned from the Sweden Town Board thereby creating a vacancy; and

WHEREAS, the name of Patricia Hayles of Hickory Way has been brought forward to fill the vacancy.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Patricia Hayles as a Councilperson on the Sweden Town Board for the period November 9, 2016 through December 31, 2017.

Sec. 2. That the annual salary for this position is \$7,559.

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

MOTION for adoption of this resolution by Councilperson Muesebeck
Seconded by Supervisor Carges

Discussion: **Motion made by Councilperson Rich and seconded by Councilperson Skoog to TABLE the resolution for further 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>Nay</u>

Submitted – November 8, 2016

TABLED

RESOLUTION NO. 102 Authorizing Supervisor to Enter Into Agreement for Dog Kennel Services To Town of Ogden

WHEREAS, the Town of Sweden and the Town of Ogden desire to continue their Dog Kennel Services Contract,

WHEREAS, said agreement shall continue to and through December 31, 2017 and may be renewed each year.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the Agreement with the Town of Ogden for Dog Kennel Services.

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	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – November 8, 2016

Adopted

RESOLUTION NO. 103

SEQRA Determination – Local Law 1 of 2016
Moratorium on Solar Power Farms/Commercial
Solar Power Projects

WHEREAS, the Town Board of the Town of Sweden, intends to adopt a moratorium on Solar Power Farms/Commercial Solar Power Projects for the purpose of developing a Town Code regulating the construction of solar power farms and commercial solar power projects in the Town of Sweden; and

WHEREAS, such a Local Law is defined by 6 NYCRR §617.5 as a Type II action for which no environmental review is necessary.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby designate the proposed Local Law as a Type II action.

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 – November 8, 2016

Adopted

RESOLUTION NO. 104

Authorizing Preventative Maintenance
Contract – AIRCON for the Sweden
Clarkson Community Center - 2017

BE IT HEREBY RESOLVED:

Sec. 1. That the Town Board authorizes the Supervisor to enter into a contract with AIRCON, P.O. Box 184, Hilton, New York, for preventative maintenance of the heating system and air conditioning units at the Sweden Clarkson Community Center located at 4927 Lake Road South for the amount of ONE THOUSAND THREE HUNDRED SEVENTEEN AND NO/100 DOLLARS (\$1,317.00) for the

year beginning January 1, 2017, and ending on December 31, 2017, with said amount to be paid semi-annually in installments of \$658.50.

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	<u>Aye</u>
Councilperson Rich	<u>Aye</u>
Councilperson Skoog	<u>Aye</u>
Supervisor Carges	<u>Aye</u>

Submitted – November 8, 2016

Adopted

RESOLUTION NO. 105

Authorizing Preventative Maintenance Contract for 2017 – AIRCON

BE IT HEREBY RESOLVED:

Sec. 1. That the Town Board authorizes the Supervisor to enter into a contract with AIRCON, P.O. Box 184, Hilton, New York, for preventative maintenance of the heating system and air conditioning units at the Town Hall and the heating systems, air conditioning units and coolers and freezers at the Senior Center for the amount of ONE THOUSAND SEVEN HUNDRED SIXTY-FOUR AND NO/100 DOLLARS (\$1,764.00) for the year beginning January 1, 2017, and ending on December 31, 2017, with said amount to be paid in quarterly installments of \$441.00.

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

MOTION for adoption of this resolution by Councilperson Muesebeck
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 – November 8, 2016

Adopted

RESOLUTION NO. 106

Authorizing 2016 Town Funds Audit

WHEREAS, Christopher Trento, Certified Public Accountant, has submitted a proposal to perform an audit of the Sweden Town funds for the fiscal year ending December 31, 2016; and

WHEREAS, Mr. Trento’s proposal requests a fee of \$9,125.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden accepts proposal of Christopher Trento, Certified Public Accountant, for the audit of Sweden Town funds for the fiscal year ending December 31, 2016.
- Sec. 2. That the Supervisor is authorized to execute the necessary documents.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Muesebeck
Seconded by Supervisor Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Muesebeck	<u>Aye</u>	
Councilperson Rich	<u>Nay</u>	
Councilperson Skoog	<u>Nay</u>	
Supervisor Carges	<u>Aye</u>	
Submitted – November 8, 2016		Failed

RESOLUTION NO. 107 Ordering a Public Hearing Regarding the Adoption of Local Law No. 2 of 2016 – Proposed Amendments to Sweden Town Code – Chapter 170 – Vehicles and Traffic

WHEREAS, recommendations have been made to change several sections of Chapter 170 Vehicles and Traffic of the Sweden Town Code; and

WHEREAS, the Sweden Town Board is desirous of adopting the proposed changes by Local Law.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. The Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York on the 6th day of December 2016 at 7:00 pm to hear all interested persons for or against the adoption of Local Law No. 2 of 2016 – proposed amendments to Chapter 170 Vehicles and Traffic of the Sweden Town Code.
- Sec. 2. The proposed Local Law will be made available for public inspection in the Town Clerk’s office and on the Town’s website.
- Sec. 3. The Town Clerk is authorized and directed to cause a notice of the public hearing to be published in the Town’s official newspapers, as required by law.
- Sec.4. 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 – November 8, 2016

Adopted

RESOLUTION NO. 108

Ordering a Public Hearing Regarding the Adoption of Local Law No. 3 of 2016 – Proposed Amendments to Sweden Town Code – Chapter 55 – Assemblies, Public (Special Events)

WHEREAS, the Sweden Town Board is proposing lawful and appropriate procedures and requirements for conducting special events in the Town of Sweden that will replace the current Chapter 55 – Assemblies, Public in the Sweden Town Code; and

WHEREAS, the Sweden Town Board desires to adopt the proposed changes by Local Law.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. The Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York on the 6th day of December 2016 at 7:15 pm to hear all interested persons for or against the adoption of Local Law No. 3 of 2016 – proposed amendments to the Sweden Town Code – Chapter 55 – Assemblies, Public (Special Events).
- Sec. 2. The proposed Local Law will be made available for public inspection in the Town Clerk’s office and on the Town’s website.
- Sec. 3. The Town Clerk is authorized and directed to cause a notice of the public hearing to be published in the Town’s official newspapers, as required by law.
- Sec.4. 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 – November 8, 2016

Adopted

RESOLUTION NO. 109

Ordering a Public Hearing Regarding the Adoption of Local Law No. 4 of 2016 – Proposed Amendments to Sweden Town Code – Chapter 175 - Zoning and Chapter 97 – Farming

WHEREAS, certain recommendations have been made to change various portions of the Sweden Town Code concerning the subject of zoning and farming; and

WHEREAS, the Sweden Town Board desires to adopt the proposed changes by Local Law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York on the 6th day of December 2016 at 7:30 pm to hear all interested persons for or against the adoption of Local Law No. 4 of 2016 – proposed amendments to the Sweden Town Code – Chapter 175 – Zoning and Chapter 97 - Farming.

Sec. 2. The proposed Local Law will be made available for public inspection in the Town Clerk’s office and on the Town’s website.

Sec. 3. The Town Clerk is authorized and directed to cause a notice of the public hearing to be published in the Town’s official newspapers, as required by law.

Sec.4. 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 – November 8, 2016

Adopted

DISCUSSION AND ANNOUNCEMENTS

Councilperson Muesebeck made a motion that was seconded by Councilperson Skoog to go into a confidential consultation with the Town Attorney under Public Officers Law Section 108(3) at 7:27 p.m. All voted in favor of the motion. Motion adopted.

Councilperson Muesebeck made a motion that was seconded by Councilperson Rich to go back to the regular meeting at 8:12 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Skoog moved to adjourn the November 8, 2016 meeting of the Sweden Town Board at 8:13 p.m.

Councilperson Muesebeck seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk