

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 28, 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 Joan Hamlin, Christine Hamlin, Don Grentzinger, Susan Smith, Patricia Hayles, Ena L. Farley, Bernie LoBracco, Kevin Johnson, Wayne Zyra, Village Trustee Annie Crane, Kristina Gabalski from the Suburban News and Mike Bove from Monroe Ambulance.

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 gave Kris Schultz an opportunity to address the board on the rezoning application of Samuel Simone, along with Christopher Dempsey, for properties at 4740 Lake Road and 25 Crestview Drive.

Mr. Schultz was approached by the property owner, Mr. Simone, and asked to come up with a proposed plan that would include 25 Crestview Drive. He realizes that several previous rezoning applications for the property were denied in the past because the property would not work for any type of commercial development due to setback requirements, etc. Mr. Schultz pointed out the recommendation to rezone the property as listed in the Town Comprehensive Plan and added that he felt it made sense. He also suggested that the Town Board approve the rezoning with restrictions as to what type of business structure could be built and offered the Heritage Square project as an example. He added that the proposed plan offers a structure that would be a nice transition from the heavy commercial area to the residential area. The current two parcels are surrounded by blacktop. Mr. Schultz does not feel that they are "prime" residential properties. He stated by rezoning the parcels it would be the last block of commercial with the road (Crestview Drive) acting as the buffer between the zones.

Mr. Muesebeck was concerned that if they rezone these parcels, what would prevent property owners along Lake Road from asking to rezone their properties in the future. Mr. Schultz said the Town Board could fall back on their Comprehensive Plan where it is indicated those properties remain residential.

Supervisor Carges expressed his concern that the owner's did not have a potential business in mind for the property. Mr. Schultz answered that the approval of the rezoning application with conditions would give the owner the information needed to market the property to specific developers/businesses. Mr. Schultz asked the board to postpone the vote on the rezoning application to a later date when the applicant, Mr. Simone, could be present.

Resident Ena Farley expressed concern with all the commercialization along Route 19 and Route 31, particularly the empty businesses.

Mike Bove, from Monroe Ambulance, wanted to update the Board due to the recent news of Brockport Ambulance no longer continuing service. Mr. Bove said that Monroe did not have a lot of time to prepare for this. They are reviewing the situation and adjusting staff and resources. He assured the Board that this would not have an adverse effect on Sweden residents.

Monroe Ambulance is adding another truck to the area and will be meeting with SUNY Brockport and the Village.

No other comments.

CORRESPONDENCE

Supervisor Carges received an email from the NYS Department of State regarding the Clean Energy Update and an email from Bob King, Monroe County Department of Agriculture regarding the USDA Conservation Easement regulations.

REPORTS

Superintendent of Highways Brian Ingraham reported that it has been fairly quiet. They are continuing with leaf pick up and preparing snow and ice equipment. Monroe County Jail assisted with snow fence installation and their 24/7 shift coverage has begun. Mr. Ingraham participated in Kendall HS Senior mock interviews, which he does each year. The department is connecting the sidewalk at the Town Park to the parking lot at the new lodge.

Finance Director Leisa Strabel reported that the NYS Comptroller’s auditor performed the Town’s tax cap audit.

Councilperson Rich reported on the success of the Seymour Library After Hours event. She felt there were more people in attendance and also noted lower corporate sponsorships than previous years.

Councilperson Skoog reported on the Open House event at the Sweden Clarkson Community Center emphasizing the seniors. She thanked reporter Kristina Gabalski from the Suburban News for the front page story on the event. Mrs. Skoog feels the room is really functioning and informed the members of the board that Bob and Betty Coopenberg are using the kitchen to continue baking cookies to sell.

Supervisor Carges updated the Board on the progress of the Lodge at the Town Park and the entryway repairs at the Town Hall. He visited the Dog Park and noted 18 or so dogs and was happy to see so many people utilizing the park at this time of year.

RESOLUTIONS

RESOLUTION NO. 138

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, 2018 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 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 28, 2017

Adopted

RESOLUTION NO. 139

Declaration of Lead Agency Status for the Action to Rezone Vacant Parcel on Fourth Section Road (at Redman Road Intersection)

WHEREAS, the Town Board of the Town of Sweden, has given public notice to Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT and

WHEREAS, the Town Board has not received any written objection from the Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT; and

WHEREAS, a Public Hearing was held on July 25, 2017 at 7:15 pm and all were heard; and

WHEREAS, no objections have been raised regarding the Town Board acting as Lead Agency.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced action.

Sec. 2. 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 – November 28, 2017

Adopted

RESOLUTION NO. 140

Declaration of Lead Agency Status for the Action of the Request by Application to Rezone Two Lots

4740 Lake Road and 25 Crestview Drive, Sweden

WHEREAS, the Town Board of the Town of Sweden, has given public notice to Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT and

WHEREAS, the Town Board has not received any written objection from the Town of Sweden Planning Board, the New York State Department of Environmental Conservation (NYSDEC), Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the U.S. Army Corps of Engineers (USCOE); NYS DOT; and

WHEREAS, a duly advertised public hearing was held on October 24, 2017 at 7 pm and no objections were raised regarding the Town Board acting as Lead Agency.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced action.

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 28, 2017

Adopted

RESOLUTION NO. 141 SEQR Determination of Non-Significance –
Application to Rezone Two Parcels – 4740 Lake
Road and 25 Crestview Drive

WHEREAS, the Sweden Town Board is the designated Lead Agency for making the determination of environmental significance for the application to rezone two parcels – 4740 Lake Road and 25 Crestview Drive; and

WHEREAS, the Town Board has received, reviewed and does hereby accept Part 1 Full Environmental Assessment Form completed by Schultz Associates; 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) 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 Schultz Associates, the public record from the Public Hearing 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 Rich
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 28, 2017

Adopted

RESOLUTION NO. 142

Rezone Parcels – 4740 Lake Road and 25 Crestview Drive from Residential R1-2 to B1 Commercial

WHEREAS, the Town Board of the Town of Sweden duly called a public hearing to consider the request of 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, 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, said Public Hearing was held by the Town Board on October 24, 2017 at 7 pm; and

WHEREAS, the proposed rezoning was reviewed by interested agencies and a SEQR determination made.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Zoning Map of the Town of Sweden be and same hereby is amended to change the Zoning Classification from Residential (R1-2) to Commercial (B-1) of the following: Tax Account numbers 083.080-08-001.12 and 083.080-08-002, more specifically described as follows:
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. 2. That the Town Clerk is hereby directed and authorized to publish a notice of adoption of this Resolution as required by law; and.

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

MOTION for adoption of this resolution by Councilperson Muesebeck

Seconded by Councilperson Rich

Discussion: Councilperson Skoog made a motion that was seconded by Councilperson Rich to TABLE the resolution until the meeting of December 12, 2017 so that the applicant, Samuel Simone, could be present. All voted in favor of the motion. Motion adopted.

Submitted – November 28, 2017

TABLED

APPROVAL OF MINUTES

Councilperson Muesebeck made a motion that was seconded by Councilperson Rich to approve the minutes of the regular Town Board meeting held on November 14, 2017. All voted in favor of the motion. Motion adopted.

APPROVAL FOR PAYMENT OF BILLS

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 11 dated November 29, 2017 in the amount of \$506,832.00. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$213,187.75 as set forth in Abstract 11 dated November 29, 2017.

Highway Fund: In the amount of \$160,840.03 as set forth in Abstract 11 dated November 29, 2017.

Special Fund: In the amount of \$11,649.51 as set forth in Abstract 11 dated November 29, 2017.

Capital Fund: In the amount of \$121,154.71 as set forth in Abstract 11 dated November 29, 2017.

**Councilperson Rich made a motion that was seconded by Councilperson Muesebeck to go into a confidential consultation at 7:45 p.m. with the Town Attorney under Public Officer's Law Section 108(3). All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Skoog made a motion that was seconded by Councilperson Muesebeck to leave the confidential consultation and return to the regular meeting at 8:40 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 November 28, 2017 meeting of the Sweden Town Board at 8:42 p.m. Councilperson Skoog seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk