

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 11, 2005.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Building Inspector Bill Weber, Town Attorney James Bell, Highway Superintendent Fred Perrine and Town Clerk Karen Sweeting.

Visitors present were Tim Bates from 69 Royal Garden Way, Frank and Julie Lapinski from 4016 Sweden Walker Road, Jim Hamlin from 50 Park Avenue, Gilbert and Elizabeth Glidden from 6000 Sweden Walker Road, Charilla Conner from 4226 Sweden Walker Road, and Francisco and Linda Borrayo from 155 Utica Street.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Lester then acknowledged the presence of the visitors and asked if there was anyone that would like to speak. There was no one.

APPROVAL OF MINUTES

Councilperson Windus-Cook made a motion that was seconded by Councilperson Carges to accept the minutes of the Public Hearing – Fourth Section Road North Side Sewer District Extension held on September 27, 2005. All voted in favor of the motion. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Regular Town Board Meeting held on September 27, 2005. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2005	Received From:	Comments:
1.	Gilbert Glidden and Elizabeth Glidden	Town of Sweden Sign Code
2.	George Lloyd	Thank you to the Supervisor for offer to explain budget.
3.	Marleen Cain, Deputy Town Clerk	Web Site
4.	Senior Center 25 th Anniversary Committee	Thank you to the Supervisor for speaking at the 25 th Anniversary Celebration

RE: #1 Supervisor Lester stated that a letter had been mailed to the Glidden's suggesting a meeting to discuss their concerns. The Glidden's were given a copy and left the meeting at 7:40 p.m.

RE: #3 The members of the Board suggested holding a workshop meeting to discuss the Town Web Site. Tim Bates from 69 Royal Garden Way commented that he had some suggestions regarding the web site and offered to submit them to the Board.

REPORTS

Town Clerk Karen Sweeting reported that General Code Publishers had sent the Codification Portfolio. The next step is reviewing General Code's comments and making the necessary changes.

Building Inspector Bill Weber reported that he is starting to review General Code's Codification Portfolio and is formulating a list of changes relative to the zoning chapters. The Board is considering a workshop session to discuss the comments.

Highway Superintendent Fred Perrine reported that the department’s focus has been on the Colby Street/Sweden Walker Road Water District Extension project. The blasting company, Nothnagle Enterprises, Inc., is almost done with that part of the project. Mr. Perrine stated that they would work on Saturdays to avoid truck traffic from Iroquois Rock Products. Once the main is completed, it will be tested and ready for use. Mr. Perrine reported that they have also been working on the soccer fields at the Town Park for use next season.

Councilperson Carges had no report.

Councilperson Connors had no report.

Councilperson Ferris had no report.

Councilperson Windus-Cook mentioned the upcoming Stone Soup Auction to be held on October 14.

Supervisor Lester reported he met with engineers relative to traffic issues for the proposed Lowes store on the corner of Owens Road and Brockport Spencerport Road and the proposed Wal-Mart.

RESOLUTIONS

RESOLUTION NO. 143 Appoint Temporary Nutrition Aide - Liese

WHEREAS, due to an extended illness there is a continued need for additional assistance in the nutrition program at the Senior Center.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby continue the temporary appointment of Marilyn Liese to the position of Nutrition Aide.
- Sec. 2. That the temporary appointment begins October 1, 2005, and continues as long as necessary but ends no later than November 11, 2005.
- Sec. 3. That the rate of pay is \$6.50 per hour for a maximum of fifty-five (55) hours per pay period.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Ferris
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 144 Approving 2006 Preliminary Budget and Ordering Hearing on General Budget for 2006

WHEREAS, the Town Clerk has presented the Budget Officer’s Tentative budget for 2006 to the Town Board who has given it due consideration.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board hereby approves the 2006 Budget Officer’s Tentative Budget, as amended, and filed herewith in the Office of the Town Clerk as the 2006 Preliminary Budget
- Sec. 2. That a summary of the entire proposed budget is as follows:

<u>PURPOSE</u>	<u>TOTAL BUDGET</u>
<u>Operating & Maintenance:</u>	
General Government	\$ 1,045,282
Public Safety	74,431
Health	1,000
Transportation	1,168,505
Economic Assistance	247,558
Culture & Recreation	658,277
Home & Community	215,750
Employee Benefits	508,738
Debt Service	<u>291,594</u>
TOTAL:	\$ 4,211,135
<u>Other-Special Improvement Districts:</u>	<u>391,738</u>
TOTAL BUDGET APPROPRIATIONS	\$ 4,602,873

- Sec. 3. That the Town Board shall hold a public hearing at 7:00 p.m. at the Town Hall, 18 State Street in said Town on the 25th day of October 2005 for the purpose of hearing comments, either written or verbal from all interested persons in favor of or against the Preliminary Budget for 2006 or any item therein.
- Sec. 4. That the Town Clerk is directed to publish notice of public hearing on the Preliminary Budget, which notice shall state: (1) the time, place and purpose of the hearing; (2) Sec. 2. of this resolution; (3) that a copy of the detailed Preliminary Budget is available for inspection by any interested person at the office of the Town Clerk during regular office hours; and (4) the compensation proposed to be paid to all elected town officials pursuant to Town Law, Sec. 108.
- Sec. 5. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
 Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

- | | |
|---------------------------|------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Ferris | <u>Aye</u> |
| Councilperson Windus-Cook | <u>Aye</u> |
| Supervisor Lester | <u>Aye</u> |

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 145

Order for Public Hearing on
Special District Assessments - 2006

WHEREAS, special assessments for improvement districts, which are assessed on a benefits derived basis, have been prepared and herewith filed with the Town Clerk.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing on the 25th day of October 2005 at 6:45 p.m. at the Town Hall, 18 State Street, Brockport, New York, in said town on the matter of Special District Assessments, to hear all persons interested in the subject of special assessment rolls for the following improvement districts:

- Sweden Consolidated Sewer District
- Sweden Consolidated Water District
- Drainage Districts
- Lighting Districts
- Park Districts

Sec. 2. That the Town Clerk is authorized and directed to publish notice of said hearing as required by law.

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

MOTION for adoption of this resolution by Councilperson Carges
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 146

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2005 Town Budget:

\$603 from A1310.4 Director Finance Contractual to
A1310.2 Director Finance Equipment

\$54 from A1330.4 Tax Collector Contractual to
A1330.2 Tax Collector Equipment

\$603 from A1355.4 Assessment Contractual to
A1355.2 Assessment Equipment

\$571 from A7020.4 Comm. Ctr. Admin Expense to
A1662.4 Comm. Ctr. Office Supplies

\$16,900 from A7310.4 Comm. Ctr. Youth Services Cont. to
A7310.1 Comm. Ctr. Youth Services Pers.

\$10 from A9055.8 Disability Insurance to
A9050.8 Unemployment

\$681 from A1670.4 Central Printing & Mailing to
A9785.601 Lease Copier

Increase A2770 Miscellaneous Revenues	\$23,995
Increase A1621.1 Sen. Center Personnel	\$18,605
Increase A1621.2 Sen. Center Equipment	\$ 590
Increase A8810.4 Cemetery Contractual	\$ 4,800

Increase B2115 Planning Board Fees	\$ 5,300
Increase B1440.4 Engineering Contractual	\$ 5,300

\$1,458 from DB5112.1 Road Con. Perm. Per. to
DB5147.1 County Road Mowing

\$18,032 from DB5112.1 Road Con. Perm. Pers. To
DB5148.1 Ser Other Govt. Pers. Services

Increase DB2401 Interest & Earnings	\$ 3,040
Increase DB9060.8 Hosp. & Medical	\$ 3,040

Increase SW2801 Interfund Revenues	\$50,000
Increase SW8340.1SW Trans/ Dist. Per. Ser.	\$50,000

\$8,725 from SW8 9710.6 Bond Principal to
SW8 9710.7 Bond Interest

Sec. 2 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 147

SEQR Regarding Formation of Fourth
Section Road North Side Sewer
District Extension

WHEREAS, the Sweden Town Board is desirous of considering the creation of an extension to the Sweden Consolidated Sewer District as set for hereinabove; and

WHEREAS, the Sweden Town Board authorized preparation of a Short Environmental Assessment Form for the proposed extension to the Sweden Consolidated Sewer District; and

WHEREAS, the Short Environmental Assessment Form contains sufficient information to allow the Sweden Town Board to formulate a basis for its initial determination of environmental significance in this action; and

WHEREAS, there are no federal, state and/or local governmental agencies involved in this action as that term is more specifically defined under Article 8 of the New York State Environmental Conservation Law or the regulations promulgated there under and/or the Sweden Environmental Quality Review Ordinance duly enacted and adopted by the Sweden Town Board on May 18, 1977 and consequently the Sweden Town Board is the “lead agency” with respect to the determination of any environmental significance in this action.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board, as Lead Agency, has determined that based on information presented in the Short Environmental Assessment Form (EAF) and other supporting project information has concluded that the proposed action (Town of Sweden-Fourth Section Road North Side Sewer District Extension Project) is an Unlisted Action and will not have a significant impact on the environment and therefore, moves to declare a Negative Declaration, and have such Negative Declaration prepared and filed with the Town.

Sec. 2. That the Sweden Town Board, based on the conditions stated in the Negative Declaration, authorizes the Supervisor to take all necessary action to file the Negative Declaration and conclude the SEQR process for the proposed action.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 148

Formation of Fourth Section Road North Side Sewer District Extension

WHEREAS, a petition for the creation of a sewer district to be known as the Fourth Section Road North Side extension of the Sweden Consolidated Sewer District, in the Town of Sweden, Monroe County, New York, said petition being dated August 9, 2005 was duly presented to this Town Board together with the necessary map and plan attached hereto; and

WHEREAS, an order was duly adopted by the Town Board of the Town of Sweden on August 9, 2005 calling for a Public Hearing to be held to consider the proposal of the Town of Sweden to establish an extension to the Sweden Consolidated Sewer District located on Fourth Section Road North Side; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a Public Hearing was held by the Town Board in this matter on September 27, 2005 at 7:00 PM and all persons desiring to be heard were heard; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law §209-f.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board determines that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and it is in the public interest to grant in whole the relief sought; and

Sec. 2. That the establishment of the contemplated sewer extension be approved: that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for: and that such extension shall become a part of the Town of Sweden Consolidated Sewer District and as more particularly illustrated in the map attached hereto and made a part hereof and described in the legal description below:

All that tract, or parcel of land, situate in the Town of Sweden, County of Monroe, State of New York, as shown on a map entitled "Sanitary Sewer District Extension A, District Map and Plan", designated as Parcel A, and prepared by MRB Group, P.C., dated March, 2005, and being more particularly bound and described as follows:

Beginning being at the intersection of the southerly extension of the existing common division line between Tax Map Parcel #083.02-20.112 and Tax Map Parcel #083.02-1-3 with the existing centerline of Fourth Section Road; thence,

1. Northerly, along the last mentioned common division line and its southerly extension a distance of 449'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.02-20.112 with Tax Map Parcel # 083.02-1-5; thence
2. Westerly, along the last mentioned common division line a distance of 642'± to an angle point; thence

3. Southerly, continuing along the existing common division line between Tax Map Parcel # 083.02-20.112 with Tax Map Parcel # 083.02-1-5 a distance of 409'± to a point at its intersection with the existing northerly highway boundary of Fourth Section Road; thence
4. Westerly, along the last mentioned existing northerly boundary a distance of 25'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel #083.02-1-5; thence
5. Northerly, along the last mentioned westerly boundary a distance of 565'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.02-1-2.52 with Tax Map Parcel # 083.02-1-2.2; thence
6. Westerly, along the last mentioned common division line and its westerly extension a distance of 360'± to a point at its intersection with the existing westerly highway boundary of Hartshorn Place; thence
7. Northerly, along the last mentioned existing westerly highway boundary a distance of 50'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.02-1-2.53 with Tax Map Parcel # 083.02-1-2.51; thence
8. Westerly, along the last mentioned common division line a distance of 657'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.02-1-2.51 with Tax Map Parcel # 083.01-2-2; thence
9. Southerly, along the last mentioned common division line a distance of 145'± to a point said point being 500' northerly of, as measured at right angles of, the existing centerline of Fourth Section Road; thence
10. Westerly, running parallel to and 500' northerly of, as measured at right angles of the existing centerline of Fourth Section Road a distance of 2644'± to a point at its intersection with the existing easterly highway boundary of Redman Road (C.R. 236); thence
11. Northerly, along the last mentioned existing easterly highway boundary a distance of 45'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-2-8 with Tax Map Parcel # 083.01-2-2; thence
12. Easterly, along the last mentioned common division line a distance of 203'± to an angle point; thence
13. Northerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-2-8 with Tax Map Parcel # 083.01-2-2 a distance of 151'± to a point at its intersection with the existing common division line between Map Parcel # 083.01-2-9 with Tax Map Parcel # 083.01-2-2; thence
14. Easterly, along the last mentioned common division line a distance of 25'± to an angle point; thence
15. Northerly, continuing along the last mentioned common division line a distance of 150'± to and angle point; thence
16. Westerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-2-9 with Tax Map Parcel # 083.01-2-2 a distance of 25'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-2-10 with Tax Map Parcel # 083.01-2-2; thence
17. Northerly, along the last mentioned common division line a distance of 94'± to an angle point; thence

18. Westerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-2-10 with Tax Map Parcel # 083.01-2-2 a distance of 207'± to a point at its intersection with the abovementioned existing easterly highway boundary of Redman Road (C.R. 236); thence
19. Northerly, along the last mentioned existing easterly highway boundary a distance of 98'± to a point at its intersection with the easterly prolongation of the existing common division line between Tax Map Parcel # 083.01-1-09 with Tax Map Parcel # 083.01-1-08; thence
20. Westerly, along the last mentioned common division line and its easterly prolongation a distance of 316'± to an angle point; thence
21. Southerly, continuing along the last mentioned common division line and also along the existing common division line between Tax Map Parcel # 083.01-1-10 with Tax Map Parcel # 083.01-1-08 a distance of 250'± to an angle point; thence
22. Easterly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-1-10 with Tax Map Parcel # 083.01-1-08 a distance of 57'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-11 with Tax Map Parcel # 083.01-1-08; thence
23. Southerly, along the last mentioned common division line and also along the existing common division lines between Tax Map Parcel # 083.01-1-11, 083.01-1-12 with Tax Map Parcel # 083.01-1-08 a distance of 292'± to a point said point being 500' northerly of, as measured at right angles of, the existing centerline of Fourth Section Road; thence
24. Westerly, running parallel to and 500' northerly of, as measured at right angles of, the existing centerline of Fourth Section Road a distance of 2436'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-27 with Tax Map Parcel # 083.01-1-08; thence
25. Southerly, along the last mentioned common division line a distance of 192'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-26 with Tax Map Parcel # 083.01-1-27; thence
26. Westerly, along the last mentioned common division line a distance of 129'± to an angle point; thence
27. Southerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-1-26 with Tax Map Parcel # 083.01-1-27 a distance of 271'± to a point at its intersection with the abovementioned northerly highway boundary of Fourth Section Road; thence
28. Westerly, along the last mentioned northerly highway a distance of 162'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-28 with Tax Map Parcel # 083.01-1-27; thence
29. Northerly, along the last mentioned common division line a distance of 197'± to an angle point; thence
30. Westerly, along the last mentioned common division line between Tax Map Parcel # 083.01-1-28 with Tax Map Parcel # 083.01-1-27 and also along the existing common division line between Tax Map Parcel # 083.01-1-29 with Tax Map Parcel # 083.01-27 a distance of 298'± to an angle point; thence
31. Southerly, along the last mentioned common division line between Tax Map Parcel # 083.01-1-29 with Tax Map Parcel # 083.01-1-27 a distance of 58'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-30 with Tax Map Parcel # 083.01-1-27; thence

32. Westerly, along the last mentioned common division line between Tax Map Parcel # 083.01-1-30 with Tax Map Parcel # 083.01-1-27 a distance of 174'± to an angle point; thence
33. Southerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-1-30 with Tax Map Parcel # 083.01-1-27 a distance of 150'± to a point at its intersection with the abovementioned existing northerly highway boundary of Fourth Section Road; thence
34. Westerly, along the last mentioned existing northerly highway boundary a distance of 94'± to a point at its intersection with the existing common division line between Tax Map Parcel # 083.01-1-31 with Tax Map Parcel # 083.01-1-27; thence
35. Northerly, along the last mentioned common division line a distance of 150'± to an angle point; thence
36. Westerly, continuing along the last mentioned common division line between Tax Map Parcel # 083.01-1-31 with Tax Map Parcel # 083.01-27 and also along the existing common division line between Map Parcel # 083.01-1-32, 083.01-1-33 and 083.01-1-34 with Tax Map Parcel # 083.1-27 a distance of 364'± to a point at its intersection with the existing common division line between Map Parcel # 083.01-1-35 with Tax Map Parcel # 083.01-1-27; thence
37. Northerly, along the last mentioned common division line a distance of 100'± to an angle point; thence.
38. Westerly, along the last mentioned common division line between Map Parcel # 083.01-1-35 with Tax Map Parcel # 083.01-27 a distance of 118'± to a point at its intersection with the existing common division line between Tax Map Parcel # 082.01-1-15 with Tax Map Parcel # 083.01-1-35; thence
39. Southerly, along the last mentioned common division line a distance of 60'± to a point at its intersection with the existing common division line between Tax Map Parcel # 082.02-1-15 with Tax Map Parcel # 082.02-1-17; thence
40. Westerly, along the last mentioned common division line a distance of 150'± to an angle point; thence
41. Southerly, continuing along the last mentioned common division line between Tax Map Parcel # 082.02-1-15 with Tax Map Parcel # 082.02-1-17 and its southerly extension a distance of 226'± to a point at its intersection with the existing centerline of Fourth Section Road; thence
42. Easterly, along the last mentioned centerline of Fourth Section Road a distance of 8520'± to the point and place of beginning.

Sec. 3. That all expenses including construction, material, engineering, administrative and legal shall be borne by the district benefiting from the improvement. The cost of construction for said district shall be considered a "benefit" district, so to speak, for purposes of paying off the bond. That maximum amount proposed to be expended for the contemplated sewer extension herein shall not exceed the sum of TWO HUNDRED FORTY-SEVEN THOUSAND SIX HUNDRED THIRTY-FIVE DOLLARS (\$247,635.00).

Sec. 4. That the estimated cost per year for a single family dwelling is approximately FOUR HUNDRED TWENTY-SEVEN DOLLARS (\$427.00) and the total first year cost including the commodity charge for a single family dwelling is approximately FIVE HUNDRED FORTY-TWO DOLLARS (\$542.00), all as

more specifically set forth in an engineer’s report prepared by MRB group PC and on file with the Town of Sweden.

Sec. 5. That the Town Clerk is hereby authorized and directed to file a certified copy of this resolution in the Monroe County Clerk’s Office and in the New York State Department of Audit and Control within ten (10) days after the adoption of this resolution pursuant to Town Law §195.

Sec. 6. That any new tax parcels created in the future within the boundaries of this district will share proportionately in the annual debt service charged to all district property owners.

Sec. 7. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 149

Bond Resolution Authorizing General Obligation Bonds of the Town of Sweden To Finance Sewer System Capital Improvements Within the Town, Authorizing the Issuance of Bond Anticipation Notes in Contemplation Thereof, the Expenditure of Sums for Such Purpose, and Determining Other Matters In Connection Therewith

WHEREAS, the Town of Sweden Fourth Section Road North Side Extension to the Sweden Consolidated Sewer District is a Sewer District Extension of the Town of Sweden, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the Town has duly complied with the requirements of the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder with respect to the purpose hereinafter described and the financing therefor; now therefor, be it

NOW, THEREFORE IT BE RESOLVED BY THE TOWN BOARD OF THE TOWN OF SWEDEN, NEW YORK, (hereinafter referred to as the “Town”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Sec. 1. The Town of Sweden shall undertake the acquisition and construction of sewer improvements for the Fourth Section Road North Side Extension to the Sweden Consolidated Sewer District, and the acquisition of land or rights in land

necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$247,635 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Sec. 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$247,635 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized.

Sec. 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Sec. 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Sec. 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Sec. 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Sweden.

Sec. 7. The faith and credit of the Town of Sweden, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be

payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Sec. 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sweden together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Sec. 9. This resolution shall take effect immediately upon its adoption.

MOTION for adoption of this resolution by Councilperson Carges
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 150

Accepting Dedication of Remaining Feet of
Eisenhauer Drive In the Town of Sweden

WHEREAS, the Town Board has received a dedication request for Eisenhauer Drive being a part of Lot No. 3 of the Triangle Tract, Section 11, Township 3, the Town of Sweden, County of Monroe, State of New York and being more particularly described and definitely shown on a map prepared by Passero Associates, Architects, Engineers, Surveyors, 100 Liberty Pole Way, Rochester, NY 14604; and

WHEREAS, Big Fella Enterprises, Inc., owner of premises, has delivered a deed for the roadway conveying to the Town of Sweden, the fee title to lands to be known as Eisenhauer Drive; and

WHEREAS, the Town of Sweden Highway Superintendent now recommends the acceptance of the remaining road footage, all as set forth on the aforesaid map prepared by Passero Associates, said highway to be known as Eisenhower Drive, and the Town Board has been advised by the Highway Superintendent that the roadway meets Town specifications; and

WHEREAS, the Town has accepted the aforesaid deed dedication release and easement to the lands known as Eisenhower Drive; and

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor is authorized to accept the dedication of the remaining feet as set forth and being more particularly described and definitely shown on a map prepared by Passero Associates, Architects, Engineers, and Surveyors of Eisenhower Drive being part of Lot No. 3 of the Triangle Tract, Section 11, Township 3, situated in the Town of Sweden, Monroe County, New York.

Sec. 2. That consent is hereby given to the Town Highway Superintendent to make an order laying out the lands described in said Deed and Easement, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

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

MOTION for adoption of this resolution by Councilperson Connors
Seconded by Councilperson Ferris

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 151

Accepting Engineering Proposal
Fourth Section Road North Side
Sewer District Extension Project

WHEREAS, sewer line extensions are proposed for Fourth Section Road North Side in the Town of Sweden; and

WHEREAS, a proposal to prepare the design plans/engineering reports and obtain regulatory approvals for the construction of sewer lines has been received from MRB/group.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby accepts the proposal for professional services and all the terms and conditions set forth from MRB/group for the Fourth Section Road North Side Sewer District Extension Project.

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

MOTION for adoption of this resolution by Councilperson Ferris
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 11, 2005

Adopted

RESOLUTION NO. 152 Appoint Members to Records Advisory Board 2005

WHEREAS, the Town Board of the Town of Sweden adopted Local Law #4 on November 28, 1995 establishing the Records Management Program; and

WHEREAS, the Town Board created a Records Advisory Board on December 12, 1995; and

WHEREAS, the Town Clerk of the Town of Sweden wishes to recommend the appointment of new members.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint the following persons to serve on the Records Advisory Board:

- Karen M. Sweeting, Town Clerk, Records Management Officer
- Marleen Cain, Deputy Town Clerk, Records Management Clerk
- Kathleen C. Goetz, Town Historian
- Charlotte Wright, Member of the Community
- Gail DeToy, Former Town Clerk
- Jill Wisnowski, Recreation Department
- Danielle Windus-Cook, Town Board Member
- James Bell, Town Attorney

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

MOTION for adoption of this resolution by Councilperson Connors
Seconded by Councilperson Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>

Supervisor Lester
Submitted – October 11, 2005

Aye

Adopted

RESOLUTION NO. 153

Ordering Public Hearing for Special Districts
The Woods at Sable Ridge

WHEREAS, on October 11, 2005, WSR, LLC owner of The Woods at Sable Ridge did hereby petition the Sweden Town Board to establish an extension to the Sweden Consolidated Sewer District and the Sweden Consolidated Water District and to create drainage and lighting districts; and

WHEREAS, Mr. Jerome D. Means, of Stantec Consulting Services, Inc. duly licensed by the State of New York has filed the required maps, plans and specifications for the special districts which will make up the development known as The Woods at Sable Ridge as described in Schedule A.

WHEREAS, the amount to be expended in the construction of the Special Districts is to be borne entirely by the petitioner/owner.

WHEREAS, the permission of the State Comptroller is not required pursuant to Section 209f of the Town Law.

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 the 22nd day of November 2005 at 7:00 p.m. to consider the Special Districts of The Woods at Sable Ridge and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to such Special Districts as may be required by law.

Sec. 2. That the Town Clerk be authorized and directed to publish and post such notice of Public Hearing as required by Town Law.

Sec. 3. That this resolution shall become effective immediately.

MOTION for adoption of this resolution by Councilperson Ferris
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Ferris Aye

Councilperson Windus-Cook Aye

Supervisor Lester Aye

Submitted – October 11, 2005

Adopted

DISCUSSION AND ANNOUNCEMENTS

No discussion or announcements.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the October 11, 2005 meeting of the Sweden Town Board at 8:00 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk