

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, 2006.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Pat Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Town Attorney Jim Bell, and Town Clerk Karen M. Sweeting.

Visitors present were residents Tim Bates, Jim and Joan Hamlin, Robert Connors, Bob Canham and Daniel Fleming, the Town Supervisor of the Town of Scio.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag led by Bob Canham. Supervisor Lester then acknowledged the presence of the visitors. Mr. Lester introduced a special guest, Daniel Fleming the Town Supervisor of the Town of Scio. Mr. Fleming was present to thank the Town Board for the adoption of Resolution No. 169, Declaring Corporal Jason Dunham Week in the Town of Sweden adopted on November 14, 2006. Jason Dunham grew up in the Town of Scio. Supervisor Lester asked Councilperson Ferris, who was the driving force in the adoption of this resolution to say a few words.

Councilperson Ferris welcomed Mr. Fleming to the Town of Sweden and stated that the Town was honored to have Mr. Fleming here. Mr. Ferris felt strongly about honoring Jason for his actions, which were truly extraordinary. It was noted that there were veterans present in the room and to receive the "Congressional Medal of Honor", the nation's highest award, you truly stand apart from the rest. Mr. Ferris felt that Jason's values were formed in the Town of Scio from his parents, teachers, coaches, and friends. We lost Jason, but the United States gained a true hero. Jason Dunham holds a special place in the heart of America. Mr. Ferris presented to Mr. Fleming a framed copy of the resolution adopted on November 14, 2006 to deliver to Jason Dunham's parents.

Mr. Fleming read the dedication he prepared when the Town of Scio's Post Office was named in Jason's honor. Mr. Fleming stated that Jason was a friend of the family and they shared many memories, particularly one vacation to Myrtle Beach. Jason was a typical teenage boy that was kind, gentle, loving, caring, humble and strong of character. Mr. Fleming stated that Jason's parents would be the first to say that everyone serving our country is a hero. Mr. Fleming presented an American flag to the members of the Board.

Supervisor Lester asked if any other visitor would like to speak. Resident Bob Canham stated he had a couple of questions for the Supervisor regarding the Sweden Senior Center.

No other visitor spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Ferris to accept the minutes of the Public Hearing – Rezoning Duryea Property held on November 14, 2006. 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 meeting held on November 14, 2006. All voted in favor of the motion. Motion adopted.

Brockport Post reporter Mike Costanza arrived at 7:50 p.m.

REPORTS

Councilperson Carges reported that he contacted the Monroe County Water Authority to schedule a meeting to discuss the water extension on Shumway Road. Mr. Carges attended the Seymour Library anniversary celebration. He estimated that 50+/- people were in attendance and Pat Trek was honored for her 30 years of service.

Councilperson Connors reported that the Board should schedule a meeting with the Town of Clarkson to review the needs of RPAC. Mrs. Connors also met with representatives from the Village of Brockport and the Town of Clarkson regarding the mass dispensing of vaccinations and the Emergency Preparedness Plan. *She will be attending a county meeting in December to review the logistics of the program.* (Amended December 12, 2006 to read: Mrs. Connors will be meeting with a county representative in December to review the logistics of the program.)

Councilperson Ferris attended a Sweden Community Foundation meeting and reported that the Foundation is now tax-exempt under 501-C3. This will allow the Foundation to pursue grants and continue with what they have tasked themselves to do.

Councilperson Windus-Cook had no report.

Supervisor Lester reported that he visited the site of the Super Wal-Mart to review some issues that have been raised by residents regarding the size of the berm behind the store. Mr. Lester stated that minor modifications were required, i.e. planting of trees. Mr. Lester reported that he also visited the site of the Woods at Sable Ridge. The Town Engineer Jim Oberst sent a letter recommending the release of funds from the Letter of Credit on file for the project. A lien release has been received from the blasting contractor and Town Attorney Jim Bell suggested that a signed affidavit be received from the owner relative to outstanding contractor debt. Mr. Lester met with Jack Hassall to discuss the incentive zoning project currently in front of the Town Board. Mr. Lester stated that the Zoning Board of Appeals would be meeting to discuss a change to the existing commercial use variance for 5384 Brockport Spencerport Road and an area variance for the proposed Byrne Dairy on the corner of Brockport Spencerport Road and Sweden Walker Road.

SUPERVISOR'S CORRESPONDENCE

2006	Received From:	Comments:
1.	Fred Perrine, Superintendent of Highways	Recommendation to accept outside contractor for installation of service connections for Shumway Road/Sweden Walker Road water main project.
2.	Fred Perrine, Superintendent of Highways	Request to purchase small sander

RE: #1 Councilperson Carges made a motion that was seconded by Councilperson Ferris to accept the recommendation of the Superintendent of Highways and contract with Upstate Utilities for the proposed \$1,730.00 per connection for the Shumway Road/Sweden Walker Road water main project. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to accept the recommendation of the Superintendent of Highways to purchase a small sander from Thruway Spring for \$3,999. All voted in favor of the motion. Motion adopted.

Superintendent of Highways Fred Perrine arrived at 8:10 p.m.

Superintendent of Highways Fred Perrine reported that water sampling would be done on the Shumway Road/Sweden Walker Road water main project and if the samples were good,

individual service connections would begin. The manholes for the sewer project on Redman Road will be delivered soon and Mr. Perrine stated that leaf collection is done.

Town Attorney Jim Bell reported that a stipulation agreement was received relative to the Peters case. Mr. Bell will present a resolution for the next meeting.

RESOLUTIONS

RESOLUTION NO. 188 Approving Bond for Receiver of Taxes and Assessments

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Receiver of Taxes and Assessments, as follows:

Type of Undertaking: public employees dishonesty bond including faithful performance

Insurance company: Selective Insurance Company

Amount: \$200,000

Sec. 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Ferris

Discussion: The Town is required to provide the Monroe County Treasury with a certified copy of this resolution before the Tax Warrant can be issued to the Tax Receiver.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Ferris Aye

Councilperson Windus-Cook Aye

Supervisor Lester Aye

Submitted – November 28, 2006

Adopted

RESOLUTION NO. 189 Authorizing Amended Agreement with Office for the Aging for 2006 re: Nutrition Program

WHEREAS, the County of Monroe acting through the Office for the Aging has requested an Amendment to the 2006 Nutrition Program Agreement, and

WHEREAS, the Town Board has favorably considered the matter.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor be authorized to enter into an amended negotiated contract with the County of Monroe relative to administering the Sweden Senior Center Nutrition Program and to execute all pertinent documents thereto.

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

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

Discussion: Finance Director Leisa Strabel explained that the contract amount is being increased by \$266 for the contract year of 2006.

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 – November 28, 2006

Adopted

RESOLUTION NO. 190

Authorizing Payment of Stipend to Court Clerk – Corcoran

WHEREAS, the court office has been short-staffed since an unexpected resignation on September 29, 2006; and

WHEREAS, Katie Corcoran has been responsible for completing work beyond her normal duties as a Court Clerk; and

WHEREAS, the Town Justices have recommended that Ms. Corcoran receive additional compensation for the extra duties she has undertaken.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby awards to Katie Corcoran a stipend of \$250 per pay period from Pay Period 24 of 2006 through Pay Period 3 of 2007 which ends on February 2, 2007 in recognition of her additional duties during this time period.
- Sec. 2. This stipend may cease at an earlier date upon the recommendation of the Town Justices or if determined by the Town Board to no longer be appropriate.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – November 28, 2006

Adopted

RESOLUTION NO. 191

Extend All Seasons County/Town Work Agreement - 2007

WHEREAS, Monroe County and the Town of Sweden entered into an agreement regarding all seasons county/town work in 2002, such agreement included a clause for extension in one-year terms for a maximum agreement term of five years; and

WHEREAS, two new appendices (A & B) have been added for 2007; and

WHEREAS, the Superintendent of Highways and the Town Board recommend extending the agreement for 2007.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Amendatory Agreement for All Seasons County/Town Work for the period starting January 1, 2007, and ending December 31, 2007.

Sec. 2. That the Supervisor is hereby authorized to execute all necessary documents.

Sec. 3. 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 – November 28, 2006

Adopted

RESOLUTION NO. 192

Determination of Non-Significance –
Duryea Property Rezoning, Lake Road

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) is the designated Lead Agency for making the determination of environmental significance for the rezoning of the Duryea Property tax account 083.04-1-18 (hereinafter referred to as the Action); and

WHEREAS, the Town Board has received, reviewed and does hereby accept the Part 1 Environmental Assessment Form (EAF) completed by Jeffrey R. Martin, Attorney for the Applicant, Erwin L. and Marilyn L. Duryea Revocable Trust on such Action; and

WHEREAS, the Town Board has in accordance with Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and the implementing regulation under 6 NYCRR Part 617:

- (1) considered the action as defined in the State Environmental Quality Review Act; and

- (2) reviewed the EAF Part 1, the criteria contained in subdivision (c) of Section 617.7 and other supporting information that includes the adopted Town of Sweden Comprehensive Plan, the maps prepared by Bernard C. Schmieder, Consulting Engineer and Land Surveyor, the public record from public hearings 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 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 – November 28, 2006

Adopted

RESOLUTION NO. 193

Rezoning – Duryea Property, Lake Road
Tax Account No. 083.04-1-18

WHEREAS, the Town Board of the Town of Sweden duly called a public hearing by legal notice published on the 29th day of October 2006 in the Suburban News and the 2nd day of November 2006 in the Brockport Post, to consider the request of Erwin and Marilyn Duryea owners of the property, tax account no. 083.04-1-18, to rezone the property on the west side of Lake Road ¼ mile south of the intersection of Fourth Section Road (NYS Route 31A) and Lake Road (NYS Route 19) from its current R1-2 Residential to B-1 Commercial; and

WHEREAS, said public hearing was held by the Town Board on the 14th day of November 2006 at 7:15 PM; and

WHEREAS, the proposed rezoning was reviewed by the Sweden Planning Board, Sweden Environmental Conservation Board, Sweden Zoning Board of Appeals, Sweden Highway Superintendent, Sweden Town Engineer, Monroe County Planning and

Development, Monroe County Pure Waters, Monroe County Water Authority and Monroe County Soil and Water Department; and

WHEREAS, the Town Board of the Town of Sweden feels that the change is consistent with the Comprehensive Plan for the growth and development of the Town.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Sweden be and the same hereby is amended to change the zoning classification from Residential R1-2 to B-1 Commercial of the following:

LEGAL DESCRIPTION

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

Beginning at a point on the west right-of-way line of Lake Road (NYS Route 19) being a distance of 182.49 feet southerly as measured from its intersection with the south right-of-way line of Duryea Drive (60"ROW), thence;

1. S 01° 03' 41" E and along the said westerly right-of-way line of Lake Road, a distance of 124.74 feet to a point being the northeast corner of lands now or formerly North Star Holding, LLC, by deed on file in the Monroe County Clerk's Office in Liber 9327 of Deeds Page 27, thence;
2. N 89° 32' 21" W and along the north line of said lands now or formerly North Star Holding, LLC, a distance of 340.80 feet to a point on the northwest corner of lands thereof, thence;
3. S 05° 11' 55" E and along the west line of said lands now or formerly North Star Holding, LLC, a distance of 305.24 feet to a point on the northeast corner of lands now or formerly Town of Sweden by deed on file in the Monroe County Clerk's Office in Liber 9716 of Deeds, Page 288, thence;
4. S 88° 54' 56" W and along the north line of said lands now or formerly Town of Sweden, a distance of 1111.76 feet to a point on the east line of lands nor or formerly WSR, LLC by deed on file in the Monroe County Clerk's Office in Liber 9947 of Deeds, Page 129, thence;
5. N 08° 26' 35" W and along the said east line of lands now or formerly WSR, LLC, a distance of 423.49 feet to a point on the south line of lands now or formerly Erwin L. Duryea Revocable Trust by deed on file in Monroe County Clerk's Office in Liber 9414 of Deeds Page 108, thence;
6. N 88° 54' 56" E and along the said south line of lands now or formerly Erwin L. Duryea Revocable Trust and continuing along the south line of lands now or formerly Aldi, Inc. (NY) by deed on file in the Monroe County Clerk's Office in Liber 8993 of Deeds Page 150, a combined distance of 1484.83 feet to the point and place of beginning.

Containing 11.131 acres of land more or less.

Excepting a 60' right-of-way crossing the property from north to south per deed of dedication on file in the Monroe County Clerk's Office in Liber 9951 of Deeds Page 80.

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 said amendment and change 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 – November 28, 2006

Adopted

RESOLUTION NO. 194

Determination of Non-Significance –
Ledgesdale Airpark Portion of Lots 1 and 3

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) is the designated Lead Agency for making the determination of environmental significance for the rezoning of the Ledgesdale Airpark, a portion of Lots 1 and 3 tax account 084.04-1-25.11 (hereinafter referred to as the Action); and

WHEREAS, the Town Board has received, reviewed and does hereby accept the Part 1 Environmental Assessment Form (EAF) completed by Mary Kay Genthner, Passero Associates on such Action; and

WHEREAS, the Town Board has in accordance with Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and the implementing regulation under 6 NYCRR Part 617:

- (5) considered the action as defined in the State Environmental Quality Review Act; and
- (6) reviewed the EAF Part 1, the criteria contained in subdivision (c) of Section 617.7 and other supporting information that includes the adopted *Town of Sweden Comprehensive Plan*, the maps prepared by Passero Associates, the public record from public hearings on said action and the environmental record to identify the relevant areas of environmental concern; and
- (7) thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and
- (8) 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 this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
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 – November 28, 2006

Adopted

RESOLUTION NO. 195

Rezoning – Ledgeale Airpark Property A
Portion of Lots 1 and 3 Tax Account
No. 084.04-1-25.11

WHEREAS, the Town Board of the Town of Sweden duly called a public hearing by legal notice published in the Suburban News on the 20th day of August 2006 and in the Brockport Post on the 24th day of August 2006, to consider the request of Walt Eisenhower/Big Fella Enterprises, Inc., owner of the property, tax account no. 084.04-1-25.11, to rezone a portion of property in Lots 1 and 3 approximately 1,450 feet north of Colby Street/Sweden Walker Road intersection from its current Residential (R1-2) to Airport Commercial (B-2); and

WHEREAS, said public hearing was held by the Town Board on the 12th day of September 2006 at 7:15 PM; and

WHEREAS, the proposed rezoning was reviewed by the Sweden Environmental Board, Highway Superintendent, Town Planning Board, Town Engineer, Monroe County Planning and Development, Monroe County Pure Waters, and Monroe County Water Authority; and

WHEREAS, this Town Board feels that the change is consistent with the Comprehensive Plan for the growth and development of the Town; and

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Sweden be and the same hereby is amended to change the zoning classification from Residential (R1-2) to Airport Commercial (B-2) of the following:

LEGAL DESCRIPTION

North Edge of Lots 1 and 3 – R1-2 to B-2

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

Beginning at a point on the division line between lands now or formerly of Perry Perkins on the east, as described in a deed recorded in the Monroe County Clerk’s office in Liber 8094 of Deeds, Page 594, and lands now or formerly of the County of Monroe Industrial Development Agency on the west, as described in a deed recorded in Liber 9734 of Deeds, Page 330, said point being the most northwesterly corner of lands of Perkins; thence,

1. North 89° 59’ 27” west, along the existing northerly limit of the Airport Commercial Zone, a distance of 1655.35 feet to a point; thence,
2. Continuing along the existing northerly limit of the Airport Commercial Zone, on a line having a bearing of South 89° 50’ 42” west, a distance of 279.34 feet to a point on the southerly right-of-way line of Eisenhower Drive; thence,

3. North 81° 30' 22" east, along the southerly right-of-way line of Eisenhower Drive, a distance 34.06 feet to a point of curvature; thence,
 4. Northeasterly, along said right-of-way, on a curvature to the right, having a radius of 994.00 feet and a central angle of 08° 32' 36", an arc distance of 148.22 feet to a point of tangency; thence,
 5. South 89° 57' 01" east, continuing along the southerly right-of-way line of Eisenhower Drive, a distance of 1,753.34 feet to a point; thence,
 6. South 00° 02' 59" west, continuing along right-of-way, a distance of 13.92 feet to the point of beginning, containing 27,372 square feet or 0.628 acres.
- Intending to describe Lot No. 5 of the Ledge Dale Airpark Subdivision, as shown on a map prepared by Passero Associates and filed in the Monroe County Clerk's office.

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 said amendment and change 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 – November 28, 2006

Adopted

RESOLUTION NO. 196 Approval of Regular Town Board Meetings for 2007

WHEREAS, it is the intention of the Sweden Town Board to have the Clerk advertise in the official Town newspaper the regular Town Board meetings for 2007.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the dates for regular Town Board meetings for 2007 be approved as listed below:

2nd and 4th Tuesday of each month, or as noted below*
 Regular Town Board meetings 7:30 p.m.

January 2, 2007- 4:00 PM - Organizational Meeting	
January 9, 2007	July 10, 2007
January 23, 2007	July 24, 2007
February 13, 2007	August 14, 2007
February 27, 2007	August 28, 2007
March 13, 2007	September 11, 2007
March 27, 2007	September 25, 2007
April 10, 2007	October 9, 2007
April 24, 2007	October 23, 2007
May 8, 2007	November 13, 2007
May 22, 2007	November 27, 2007

June 12, 2007
June 26, 2007

December 11, 2007
December 27, 2007*

Sec. 2. 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 – November 28, 2006

Adopted

RESOLUTION NO. 197 Appointing Clerk Part Time Sweden Justice Court
For Justice Coapman - Hoy

WHEREAS, there has been a vacancy in the position of Court Clerk in the Sweden Town Court; and

WHEREAS, the Sweden Town Justices have recommended appointing a part-time court clerk for each judge; and

WHEREAS, Justice Carl A. Coapman recommends the appointment of Donna Hoy as Clerk Part Time in the Justice Court.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Donna Hoy as Justice Carl A. Coapman’s Clerk Part Time in the Justice Court starting on November 20, 2006.

Sec. 2. That this position is for a maximum of 24 hours a week at an hourly rate of pay of \$14.00.

Sec. 3. 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 – November 28, 2006

Adopted

RESOLUTION NO. 198

Authorize Release of a Portion of the Letter of Credit – WSR LLC, The Woods at Sable Ridge

WHEREAS, the Town of Sweden Planning Board requires a Letter of Credit be filed with the Town of Sweden prior to construction of any development; and

WHEREAS, the Town Board accepted a draft Letter of Credit by motion on September 26, 2006 provided that the original of same draft is received with proper signatures; and

WHEREAS, WSR, LLC filed the original Letter of Credit with proper signatures on November 22, 2006 in the amount of \$2,126,037.56; and

WHEREAS, the Applicant, WSR, LLC is requesting a release of a portion of the Letter of Credit for materials and labor performed to the satisfaction of the Sweden Highway Superintendent and the Town Engineer; and

WHEREAS, the Sweden Highway Superintendent and the Town Engineer have inspected the work completed and recommend the release of \$225,474.31 from the current Letter of Credit.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon the recommendation of the Highway Superintendent and the Town Engineer upon satisfactory completion of a portion of work at the Woods at Sable Ridge, the Town Board of the Town of Sweden hereby accepts the release of \$225,474.31 from the Letter of Credit submitted by WSR, LLC on November 22, 2006.

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

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

Discussion: Supervisor Lester made a motion that was seconded by Councilperson Ferris to add as follows:

Sec. 3. That attached hereto is the recommendation letter from Jim Oberst, MRB/group, Town Engineer for the Letter of Credit Release, Draw #1.
All voted in favor of the motion. Motion adopted.

VOTE BY ROLL CALL AND RECORD AS AMENDED:

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

Submitted – November 28, 2006

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Ferris made a motion that was seconded by Councilperson Carges authorizing payment of the bills in Abstract 11 dated November 29, 2006 in the amount of \$150,634.99. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$99,317.08 as set forth in Abstract 11 dated November 29, 2006.

Highway Fund: In the amount of \$33,146.31 as set forth in Abstract 11 dated November 29, 2006.

Capital Fund: In the amount of \$18,171.60 as set forth in Abstract 11 dated November 29, 2006.

DISCUSSION AND ANNOUNCEMENTS

Workshop is scheduled for Tuesday, December 5, 2006 at 7:00 p.m.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the November 28, 2006 meeting of the Sweden Town Board at 8:40 p.m.

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

Respectfully submitted,

Karen M. Sweeting
Town Clerk