

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, February 12, 2002.

Town Board Members present were Supervisor Nat O. Lester, III, Councilperson Rob Carges, Councilwoman Patricia Connors, Councilperson Carl Wheat, and Councilwoman Danielle Windus-Cook.

Also present were Assessor Alan Bader, Director of Finance Elaine Jones, Deputy Highway Superintendent Keith Beadle, and Town Attorney Jim Bell arrived later in the meeting.

Visitors present were George F. Lloyd, 5490 Redman Rd., Lauren McCracken, 650 White Rd., Kenneth Heinlein, 58 White Rd., Julie Lapinski, 4016 Sweden Walker Rd, Jelmer Kenyon, 1488 Manitou Rd., Eric McCracken, 660 White Rd., Jim Holtz, 385 Gillett Rd., Jim Hamlin, 50 Park Ave..

Supervisor Lester acknowledged the visitors and welcomed public comment. Mr. Lloyd wanted to know the status of the petition that was submitted to the Town Board for water on Redman Road. He mentioned the Public Hearing regarding the "sale" of the Sweden water to the Monroe Co. Water Authority and wanted to know how this would affect the project. The estimate of cost was acceptable to the State, but now an outside contractor's cost estimate is necessary. Supervisor Lester stated that within two weeks he would be able to provide some answers to Mr. Lloyd.

Mr. Lauren McCracken would like to tour the Highway Dept. Mr. Lester said that arrangements would be made.

Mr. Lloyd is planning to construct a radio tower on his property. He wanted to know if height regulations. Supervisor Lester said that if the information was put in writing it can be directed to the appropriate department.

#### APPROVAL OF MINUTES

Councilperson Carges made a motion that was seconded by Councilwoman Connors to accept the minutes of the Regular Meeting held on January 22, 2002. Councilwomen Connors and Windus-Cook abstained. The remaining board members voted aye. Minutes accepted.

Councilman Wheat moved and Councilman Carges seconded the motion to accept the minutes of the first Public Hearing held on January 22, 2002. Councilwomen Connors and Windus-Cook abstained. The remaining board members voted aye. Carried.

Councilman Wheat moved and Councilman Carges seconded the motion to accept the minutes of the second public hearing held on January 22, 2002. Councilwoman Connors and Windus-Cook abstained. The remaining board members voted aye. Carried.

#### SUPERVISOR'S CORRESPONDENCE

2001	Received From:	Comments:
*1	Terrence Rice, Mon. Co. DOT, 01/23	Policy for sign fabrication (charge for re-signing)

- |     |   |  |
|-----|---|--|
| *2  | Bob Bryant, BJBL, 01/28   | Using Redman Rd. baseball fields beginning April 2002                                    |
| *3  | Mort Wexler, Village Trustee 1/29                               | Requesting joint meeting with Village of Brockport                                       |
| *4  | Residents at Royal Gardens Apts. 1/30                           | Thank you for lighting on Bethel Dr.   |
| *5  | Gerald Mecca, Monroe Co. Dept. of Finance 02/06                 | Sales Tax Distribution 4 <sup>th</sup> Quarter 2001 (Sales Tax Revenue Comparison)       |
| *6  | Susan Bixler, SUNY Brockport, 02/06                             | Invitation to Dance/Rochester Philharmonic Concert February 19 at Hartwell Hall, 7:30 PM |
| *7  | Ellen Zinni, BCS, 02/08   | Invitation to participate in "Read Across America", March 2, 2002, Ginther School        |
| *8  | Jim Oberst, MRB, 2/08   | Copy of letter to Alan Bader re: Ledgeale Watermain - Engineering review                 |
| *9  | Keith Beadle, Deputy Hgwy. Superintendent, 2/11                 | Action items and Hgwy./Water Dept. update  |
| *10 | Kris Schultz, Schultz Engineers, 1/12                           | Proposal for Phase I Archeological Investigation for Sanitary Sewer Fourth Section Road. |
| *11 | Brockport Ambulance and Fire Depts., 2/12<br>* Board has copies | Monthly activity report  |

Re: No. 8 Mr. Eisenhower is to pay for the engineering fees regarding Ledgeale Airpark.

#### DEPARTMENTAL REPORTS

The Deputy Highway Superintendent reported that the department continues to work on the White Road water line extension and the removal of snow and ice.

Departmental reports for the month of January were submitted from the following: Supervisor, Building, Dog Control, Fire Marshal, Justice Court, Senior Center, Tax Receiver, and Town Clerk

#### REPORTS

Councilman Carges reported that he has been negotiating the Monroe County Water Authority lease. He has been in contact with Steve Gould and Chris Pike from the Water Authority. There will be a Public Hearing regarding the lease of the Sweden Water District.

Councilwoman Connors reported that she attended a Planning and Zoning training session. She also attended a training session on the SEQR process. The Comprehensive Plan committee is diligently working on finalizing the Comprehensive Plan. A draft will be ready for the Planning Board on Monday night.

Councilwoman Windus-Cook has given each member of the Board a packet containing rules for the Town Park and a draft application for facility use of the new community center. She would like to finalize this in two weeks. There will be an ad in the D & C this weekend for

the position of Recreation Director. It is a full time position. The deadline for applications is March 1<sup>st</sup>. Councilwoman Windus-Cook holds a monthly meeting with the Highway Superintendent. She also stops in at the Department at least once a week to touch base.

Councilman Wheat reported on the meeting at the Community Center on Jan. 30<sup>th</sup>. I was a meeting of the various Town Boars and Village Board members. The Towns of Clarkson and Hamlin wish to participate in the start up of the center. There will be another meeting with Town and Village Boards on February 20<sup>th</sup>.

Supervisor Lester expressed his thanks to Councilman Wheat, Mr. Zyra and Mr. Moore for the time they have spent representing the Town of Sweden on the Community Center Committee. Mr. Lester reported that there were about 60 volunteers at the center this past Saturday to help clean. The ceiling tiles are now being replaced. Residents of the community have volunteered to chaperone or monitor or do various other tasks to help out. Supervisor Lester said that he met with Gerry Dowd and Lauren McCracken.

Alan Bader arrived. He reported that the permits and plans for the Dollar General Store are moving along. The CDA grant application is complete. The grant request is for a bathroom facility at the Town Park. Cole, Layer and Trumble started 2002 assessment updates in the Town of Sweden. Next week Mr. Bader will be attending the Association of Towns meeting in New York City.

At this time Councilman Carges made a motion for the Town to go out to bid for the construction of the Sweden Walker Road water line expansion. Mr. Prosser of Lakeside Engineers will prepare the bid specs. The bid opening will be on March 15<sup>th</sup>, 2002. Councilwoman Connors seconded the motion. All voted in favor of the motion. Carried.

## RESOLUTIONS

### RESOLUTION NO. 16

### SEQR Regarding Formation of Sweden Walker Road Water District Extension

WHEREAS: The Sweden Town Board is desirous of considering the creation of an extension to the Sweden Consolidated Water District as set forth generally hereinabove and as more particularly illustrated and described by the map and legal description attached hereto and made a part hereof; and

WHEREAS: The Sweden Town Board has prepared a Short Environmental Assessment Form with the proposed extension to the Sweden Consolidated Water 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 other 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 thereunder 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 based upon a review of all paperwork and proceedings herein, the proposed extension as more specifically set forth hereinabove and the Short Environmental Assessment Form, the extension constitutes an “Unlisted Action” as more specifically defined in the 6 NYCRR, Part 617.
- Sec. 2. That based upon a review of all paperwork and proceedings herein, the proposed extension as more specifically set forth hereinabove, the Short Environmental Assessment Form and after due consideration of both the magnitude and importance of each environmental impact therein indicated, the Sweden Town Board hereby initially makes a determination that the extension will result in no major impact and therefore is one which may not cause significant damage to the environment. Consequently, the Sweden Town Board hereby makes a determination that the construction of the Sweden Walker Road extension will not have a significant effect on the environment and has decided to prepare a negative declaration relating to the formation of the water district.
- Sec. 3. That the Town Board is desirous of finalizing its determination of non-significance in an expeditious fashion and the Town Clerk is hereby authorized and directed to file and circulate a negative declaration to all appropriate and/or proper State, County and/or Town administrative and/or regulatory agencies.
- Sec. 4. That a copy of the negative declaration shall be published in an official newspaper of the Town of Sweden and shall be worded in sum and substance, as follows:

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

In accordance with Article 8 (State Environmental Quality Review) of the Environmental Conservation Law (the “Act”), the statewide regulations under the Act (6 NYCRR part 617) and the Sweden Environmental Quality Review Ordinance, NOTICE IS HEREBY GIVEN that the Sweden Town Board (the “Agency”) has prepared a Short Environmental Assessment Review Form in connection with the proposed action described below; has determined (I) that said proposed action is an “Unlisted Action” pursuant to 6 NYCRR, Part 617; (ii) that there are no other “involved” agencies in this action as that term is defined under Article 8 of the New York Environmental conservation Law, the regulations promulgated thereunder and the Sweden Environmental Quality Review Ordinance and thus the Town Board is the “lead agency”; (iii) that said action will result in no major impact and therefore will not have a significant effect on the environment; and therefore (iv) that an environmental impact statement is not required to be prepared with respect to said action.

THIS NOTICE IS A NEGATIVE DECLARATION FOR PURPOSED OF THE ACT.

1. Lead Agency: The lead agency is the Sweden Town Board.
2. Person to contact for further information:  
Gail A. DeToy, Town Clerk, Town of Sweden, 18 State Street, P.O. Box 366 Brockport, New York 14420, telephone number (585) 637-2144.
3. This declaration relates to the formation of the Sweden Water Road Water District Extension. A copy of the map, legal description and Resolution concerning same is on file at the office of the Sweden Town Clerk.
4. The reasons for determination of Non-Significance: No significant environmental effects were identified in the proposed extension of the Sweden Consolidated Water District and Short Environmental Assessment Form prepared by the Agency and none are known to the Agency.
5. Comment Period: All interested agencies, groups and persons disagreeing with or otherwise desiring to comment upon the Agency's initial determination with respect to the proposed extension to the Sweden Consolidated Water District are invited to submit written comments for consideration by the Agency; all such comments set by mail addressed to Gail A. DeToy, Clerk, Town of Sweden, 18 State Street, P.O. Box 366, Brockport, New York 14420, on or before the close of business by March 14, 2002, will be considered part of the official record and the Agency will not take any final action on the above described extension to the Sweden Consolidated Water district prior to said date.

Dated: February 12, 2002

TOWN OF SWEDEN

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Gail A. DeToy, Clerk

MOTION for adoption of this resolution by Councilman Carges  
Seconded by Councilwoman Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 17

Authorize Purchase of Ford Model F-550  
One Ton Dump Truck

WHEREAS: the Highway Superintendent has recommended the purchase of one (1) 2002 Ford Model F-550 One Ton Dump Truck; and

WHEREAS: funds are available in the 2002 appropriations for the purchase of said equipment.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Highway Superintendent to purchase one (1) 2002 Ford F-550 4X2 One Ton Dump Truck at the New York State bid price of \$34,709 from Genesee Truck Sales, 1290 Jefferson Road, PO Box 23320, Rochester, New York 14692 under state contract number PC58421, Group Number 40570, item number 7A.
- Sec. 2. That upon delivery of the vehicle, the invoice be paid for from the 2002 appropriations for purchase of equipment
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Windus-Cook  
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 18

Authorizing Purchase of Sander

WHEREAS: The Superintendent of Highways has recommended the purchase of one (1) highway sander; and

WHEREAS: Funds are available in the 2002 appropriations for the purchase of said equipment.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the purchase of one (1) Warren 16' Sander AC2420A Stainless Steel with extended grease fittings, mounting kit – J hooks, and 6:1 gear reduction at the cost of \$9,957 from George and Swede Sales and Service, Inc., Pavillion, NY.
- Sec. 2. That upon delivery of this equipment, the invoice is to be paid from the 2002 Highway Fund appropriations for the purchase of equipment in the amount of \$9,957.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Connors  
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 19

Ordering Public Hearing on Request  
For Rezoning – Crystal Ridge

WHEREAS: On November 24, 1999 Edmund Martin of Schultz Associates, Inc. on behalf of Al Spaziano submitted an application to rezone two parcels of land for development; and

WHEREAS: The request is to rezone tax account numbers 083.04-1-14.1, 083.04-1-1, 083.04-1-5.1, and 083.04-1-15 from R1-2 to Planned Unit Development (P.U.D.); and

WHEREAS: Edmund Martin of Schultz Associates, Inc. has filed in the Town Clerk’s office the required maps, which are available for public inspection, and paid the required fee.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That a Public Hearing will be held by the Town Board of the Town of Sweden at the Town Hall, 18 State Street, Brockport, New York on the 5<sup>th</sup> day of March at 7:00 PM to hear all persons interested in the proposal for re-zoning of the property as described below.

**LEGAL DESCRIPTION  
PARCEL A  
OF THE  
CRYSTAL RIDGE PLANNED UNIT DEVELOPMENT**

All that tract of land, situated in, Town Lots 5 & 6, Section 7, Township 3, Triangle Tract, Town of Sweden, County of Monroe, State of New York, and more particularly described as follows:

Commencing at the centerline of Lake Road and Shumway Road; thence

Southerly along the centerline of Lake Road bearing S 02°10’05”W a distance of 317.43 feet to a point, thence;

Westerly to a point on the West right-of-way of Lake Road along a line bearing N 89°17’00”W a distance of 50.06 feet to the point of beginning, thence;

Westerly, along a line bearing N 89°17’40”W a distance of 707.82 feet to a point, thence;

Southerly, along a line bearing S 00°42’58” E a distance of 282.34 feet to a point, thence;

Westerly, along a line bearing N 89°17'00" W a distance of 2221.87 feet to a point, thence;

Southerly, along a line bearing S 00°28'45" E a distance of 707.50 feet to a point, thence;

Westerly, along a line bearing N 89°27'36" W a distance of 472.12 feet to a point, thence;

Westerly, along a line bearing 89°20'25" W a distance of 240.58 feet to a point, thence

Northerly, along a line bearing N 02°02'44" W a distance of 620.99 feet to a point, thence;

Westerly, along a line bearing S 89°21'48" W a distance of 1039.87 feet to a point, said point being on the easterly line of Redman Road, thence;

Northerly, along the easterly line of Redman Road, bearing N 00°05'42" W a distance of 297.31 feet to a point, thence;

Northwesterly, along the easterly line of Redman Road, bearing N 54°58'42" W a distance of 30.34 feet to a point, thence;

Northerly, along a line bearing N 00°13'50" W a distance of 952.26 feet to a point, thence;

Northerly, along a line bearing N 00°11'00" E a distance of 1330.25 feet to a point, thence;

Northerly, along a line bearing N 00°30'10" W a distance of 684.27 feet to a point, thence;

Easterly, along a line bearing N 89°06'40" E a distance of 2801.17 feet to a point, thence;

Southerly, along a line bearing S 02°13'45" W a distance of 10.15 feet to a point, thence;

Easterly, along a line bearing N 88°54'56" E a distance of 554.76 feet to a point, thence

Southerly, along a line bearing S 08°26'35" E a distance of 1,458.72 feet to a point, thence;

Easterly, along a line bearing N 62°45'05" E a distance of 180.94 feet to a point, thence;

Southerly, along a line bearing S 00°53'20" E a distance of 104.40 feet to a point, thence;

Easterly, along a line bearing N 89°06'40" E a distance of 375.15 feet to a point, thence;

Southerly, along a line bearing S 00°53'20" E a distance of 60.00 feet to a point, thence;

Easterly, along a line bearing N 89°06'40" E a distance of 397.02 feet to a point, thence;

Southerly, along a line bearing S 02°04'30" W a distance of 200.00 feet to a point, thence;

Easterly, along a line bearing N 89°06'40" E a distance of 100.00 feet to a point, thence;

Southerly, along a line bearing S 02°04'30" W a distance of 200.01 feet to a point, thence;

Easterly, along a line bearing N 89°06'40" E a distance of 186.19 feet to a point, thence;

Southerly, along a line bearing S 02°04'30" W a distance of 5.13 feet to a point, thence;

Westerly, along a line bearing S 89°06'40" W a distance of 326.52 feet to a point, thence;

Southerly, along a line bearing S 02°04'30" W a distance of 310.02 feet to a point, thence;

Easterly, along a line bearing N 89°30'50" E a distance of 100.02 feet to a point, thence;



Southerly, along a line bearing S 02°04'30" W a distance of 317.33 feet to a point, thence; Easterly, along a line bearing N 89°30'50" E a distance of 213.26 feet to a point, thence;

Southerly, along a line bearing S 02°19'54" E a distance of 105.91 feet to a point, thence;

Southerly, along a line bearing S 02°10'05" W a distance of 317.43 feet to a point, said point being the true point and place of beginning.

Intending to describe a 310.99 ± acre parcel of land to be known as Parcel A of the Crystal Ridge Planned Unit Development.

This conveyance is made subject to any and all covenants, easements and restrictions of record, affecting said premises.

Sec. 2. That the Town Clerk is hereby authorized and directed to cause a notice of public hearing to be published in the manner provided by §193 of the Town Law.

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

MOTION for adoption of this resolution by Councilwoman Connors  
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 20

SEQR Determination  
Sprint PCS 85' Tower  
40 White Road

WHEREAS: Sprint PCS proposes to construct an 85' telecommunications tower at 40 White Road in the Town of Sweden; and

WHEREAS: to aid the Town, the application and project has been reviewed by the County of Monroe Planning Board, the Town Planning Board, the Town Conservation Board, and the Town's engineer; and

WHEREAS: THE Town Board has duly reviewed the EAF and other related documents (Visual EAF Addendum) with respect to the above-referenced action and duly considered the impacts which may be expected to result from such action with the criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations promulgated thereunder (SEQRA)

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. Based upon the review by the Town Board of the Full Environmental Assessment Form (SEQRA) and other necessary criteria, the Board hereby finds that the object of the above-referenced action therefore (a) will result in no major impacts, and therefore is not one which “may have a significant effect on the environment”, (b) will not have a “significant effect on the environment” and (c) no “environmental impact statement” need be prepared, as such quoted terms are used in SEQRA.
- Sec. 2. The proposed project constitutes Type I Unlisted Action as quoted terms are defined in the regulations of the Department of Environmental Conservation of the State of New York.
- Sec. 3. Reasons for supporting this determination are set forth in the Full Environmental Assessment Form (SEQRA) attached hereto and hereby made a part of this resolution for the purposes of SEQR. This determination constitutes a negative declaration for the purposes of SEQR.
- Sec. 4. A copy of this resolution, together with the notice of negative declaration, shall be placed on file in the office of the Clerk of the Town where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such newspapers as shall be necessary to conform to the requirements of SEQR.
- Sec. 5. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Connors  
 Seconded by Councilman Wheat

Discussion: The Right-of-Way easement to June Northrop is shown. The utilities are outside the Right-of-Way. Sprint PCS is paying for the road to be built.

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 21

Granting Communication  
 Facility Permit – Sprint PCS  
40 White Road

WHEREAS: Sprint PCS has filed an application to construct an 85’ self supporting telecommunications tower at 40 White Road in the Town of Sweden; and

WHEREAS: Pursuant to the Town Code, the Town Board circulated a notice of the application to the Town of Sweden Planning Board, the Town Environmental Conservation Board, the Town Engineer, Monroe County Planning & Development, and the Town Highway Superintendent; and

WHEREAS: The Town Board declared the application to be complete for the purposes of holding a public hearing and the Town Board upon due notice as required by law published a notice calling a Public Hearing on the 22nd day of January, 2002 at 6:55 PM at the Town Hall, 18 State Street, Brockport, New York, in said Town, for the purpose of hearing all persons interested in the application; and

WHEREAS: the Town Board met to review and consider the application, their investigation and knowledge thereof, the evidence submitted and the public comments made at the hearings; and

WHEREAS: the Town Board now desires to grant the Communications Facility Permit to Sprint PCS affixing conditions and safeguards thereto that it deems appropriate.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That having given due consideration to all the evidence referred to and recited in this resolution, the Town Board of the Town of Sweden hereby grants to Sprint PCS a Communications Facility Permit.

Sec. 2. That construction of the tower as described in the application for which this permit is granted shall be carried out in compliance with the Town of Sweden Regulations for issuance of the Communications Facility Permit and such permit is granted with the provisions that the following additional conditions shall apply throughout the term of the permit.

Cessation of operations and abandonment:

- A. Prior to the issuance of the special permit, the owner and operator of a communications tower shall provide the town with a surety bond or other financial security acceptable to the Town Attorney to assure that the funds are available to dismantle such tower, remove any debris and to restore the site to a state acceptable to the Town Board. The estimate shall be prepared by the applicant's licensed engineer, verified by the Town Engineer, and approved, as to form, by the Town Attorney. The amount of such bond shall be approved by the Town Board.
- B. In the event that the use of any telecommunications facility has been discontinued by all operators on such facility for a period of 180 consecutive days or more, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Building Inspector, who shall have the right to request documentation from the owner/operator of the facility regarding usage thereat. Upon such abandonment, the town may remove the facility at the owner/operator's expense. All special permits, variances and

approvals of the nature granted by the town shall automatically expire as of the date of abandonment of the facility.

Sec. 3. Prior to the issuance of the permit Sprint PCS will give written notice to the Town Building Inspector that approval has been received from the NYS Dept. of Parks, Recreation and Historic Preservation.

Sec. 4. Prior to issuance of the permit the Town of Sweden will sign the lease between the Town and Sprint PCS and the Town shall have the Town Engineer’s written approval of the plans that have been submitted.

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

MOTION for adoption of this resolution by Councilman Carges  
Seconded by Councilwoman Connors

Discussion: Councilman Carges made the motion to amend the resolution by adding the conditions in section four. Councilman Wheat seconded the motion. All voted in favor. Carried.

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 22

Authorizing Installation of Stop Signs

WHEREAS: New York State law requires that the Superintendent of Highways be given authorization and approval by the Town Board to erect STOP signs at specific locations within the Town; and

WHEREAS: The Town Board is desirous of erecting additional STOP signs on Gary Drive within the Town of Sweden.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Superintendent of Highways to erect STOP signs at the following location within the Town of Sweden:

<u>STOP sign on</u>	<u>Direction of Travel</u>	<u>Intersection Of</u>
Gary Drive	Both	Rogers Parkway
Gary Drive	Both	Highview Circle – west intersection

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

MOTION for adoption of this resolution by Councilman Carges  
Seconded by Councilwoman Connors

Discussion: Councilman Wheat made a motion seconded by Councilwoman Windus-Cook to add the STOP signs in both directions of travel at the Highview Circle west intersection. Three Councilpersons voted in favor of the motion. Councilman Carges voted Nay. Carried.

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Nay</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 23

Appoint Member Environmental  
Conservation Board - Felerski

WHEREAS: A vacancy exists on the Town of Sweden Environmental Conservation Board;  
and

WHEREAS: Richard R. Felerski of Brockport, New York has applied expressing an interest to serve on the Environmental Conservation Board and the desire to contribute to the community.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Richard R. Felerski, Brockport, NY to fill the two-year term effective February 12, 2002 and ending December 31, 2003.

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

MOTION for adoption of this resolution by Councilwoman Connors  
seconded by Councilwoman Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

RESOLUTION NO. 24

Calling Public Hearing Re: Lease  
Sweden Consolidated Water District

WHEREAS: The Town of Sweden can no longer maintain and operate the Sweden Consolidated Water District at a reasonable cost to water customers; and

WHEREAS: The Monroe County Water Authority has offered to sign a lease with the Town of Sweden to operate and maintain the Consolidated Water District for a period of 40 (forty) years.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby calls a Public Hearing to be held at the Town Hall, 18 State Street, Brockport, New York on Wednesday, March 6, 2002 at 7:00 PM to hear all persons interested in the matter of leasing the Sweden Consolidated Water District to the Monroe County Water Authority for a period of 40 (forty) years.

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

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

MOTION for adoption of this resolution by Councilman Carges  
Seconded by Councilwoman Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 12, 2002

Adopted

DISCUSSION AND ANNOUNCEMENTS

There will be a Town Board Work Session on February 19, 2002.  
Public Hearing March 5, 2002, 7:00 PM – Crystal Ridge  
Public Hearing March 6, 2002, 7:00 PM – Lease Sweden Consolidated Water  
Informational Meeting March 7, 2002, 7:00 PM – Comprehensive Plan

At this time Councilman Carges made a motion to go into executive session to discuss the Niagara Mohawk litigation. Councilman Wheat seconded the motion. All voted in favor of the motion. Carried.

Councilman Carges made the motion to close the executive session and return to the regular meeting. Councilman Wheat seconded the motion. Carried.

I, Gail A. DeToy, Town Clerk of the Town of Sweden, do hereby certify that the Town Board in executive session discussed the item reflected in the foregoing motion, and that no formal action was taken.

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Gail A. DeToy, Clerk

At this time, there was discussion regarding the replacement appointment for the vacancy in the Highway Superintendent position.

There will be an Open House at the Sweden Community Center on March 10, 2002, from 1:00 to 4.

#### ADJOURMENT

As there was no further business to come before the Board, Councilman Wheat made a motion to adjourn the Regular Meeting of February 12, 2002, at 10:05 PM. All voted in favor of the motion. Meeting adjourned.

Respectfully submitted,

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Gail A. DeToy  
Town Clerk