

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, March 22, 2005.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, and Councilperson Danielle Windus-Cook. Councilperson Tom Ferris was absent. Also present were Director of Finance Leisa Strabel and Town Clerk Karen Sweeting. Visitors present were Jim Hamlin from 50 Park Avenue, Jarl Boyst from 35 Cherry Drive, Frank and Julie Lapinski from 4016 Sweden Walker Road, Richard Jubenville, and Brockport Central School students, Matt Edmonds from 777 Salmon Creek Road, Kara Hage from 14 Cloverwood Drive, Dustin Hartman from 13 Hillcrest Drive, Hamlin, and Christina Chinappi from 560 Holley 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. Visitor Jarl Boyst spoke. Mr. Boyst stated that he was from the Recreation and Park Advisory Council and his reason for attending the meeting was to personally invite the Board members to the April 11th meeting at the Community Center. The RPAC members wanted a chance to meet the Sweden Board members and also stated that the Town of Clarkson Board members had also been invited. The meeting begins at 7:00 pm and they would like to hear any questions from the board that they may have.

Supervisor Lester stated that he intended on being at the meeting. He thanked Mr. Boyst for the invitation. Mr. Boyst left the meeting at 7:35 pm. No other visitors wanted to speak.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Regular Town Board Meeting held March 8, 2005. All voted in favor of the motion – four ayes. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2005 Received From:	Comments:
1. Daniel D. Decker, Biologist, Department of the Army	Determination of No Jurisdiction for Colby Street/Sweden Walker Road Water-Main Installation
2. Brian B. Wirth, VP Public & Government Affairs, Time Warner Cable	Discontinuance of Fox Sports New York and MSG Network

REPORTS

Councilperson Carges reported that he received the maintenance contract renewal for the HVAC at the Community Center. He asked the remaining board members for permission to solicit other maintenance proposals – they agreed. Mr. Carges would provide the proposed figures at the next workshop. The current contract is good until the end of March and it wouldn't hurt to review the options every couple of years. The maintenance contract is currently with Monroe Piping.

Councilperson Connors reported that the Comprehensive Plan Committee has completed their updates and will hold a public hearing on April 5, 2005 at 7:00 pm.

Councilperson Windus-Cook reported that she attended the Route 531 meeting held on March 8, 2005. She felt that the meeting did not provide a lot of new information and that the studies would continue.

Supervisor Lester reported that he met with Wayne Zyra, Jack Milner, and Charlie Militello regarding the formation of a charitable, not-for-profit organization for the purpose of fundraising for community activities. Mr. Lester met with SUNY Brockport student, Mark Beckwith regarding a community service tree project. Mr. Beckwith stated that the Village of Brockport has put in \$2.00 per “head” to support this project and was asking the same from the Town of Sweden. Mr. Lester explained to Mr. Beckwith that he didn’t feel the Town was in the position to do so at this time, but would monitor the progress of the Village. Mr. Lester reported that Gerald Dowd from Fourth Section Road would try to encourage his neighbors to sign the petition for the sewer district formation. He met with Mike Sentiff regarding trees which Sentiff alleges were damaged by the highway department in 1999. He explained that there may be issues relative to the statute of limitations and filing timely, but Fred Perrine would look into it. Mr. Lester attended the Supervisor’s luncheon held on March 18th. Cheryl Dinolfo spoke at the luncheon regarding the possibility of expanding the DMV Mobile Unit into more Towns.

RESOLUTIONS

RESOLUTION NO. 40

SEQR Determination – Daniel C. Hogan to the
Town of Sweden Drainage Easement

WHEREAS: Daniel C. Hogan wishes to grant a permanent drainage easement to the Town of Sweden; and

WHEREAS: to aid the Town Board in determining whether such actions in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form (EAF), a copy of which is attached hereto; and

WHEREAS: the Town Board has duly reviewed the EAF and related documents 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 the applicable regulations promulgated thereunder (SEQR).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based on the review by the Town Board of the EAF 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 impact on the environment,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are used in SEQR. The proposed action does not constitute a “Type I Action” as quoted term is defined in the regulations of the Department of Environmental Conservation of the State of New York (6NYCRR Part 617, as amended). Reasons for supporting this determination are set forth on the notice of negative declaration of the Board attached hereto and hereby made a part of this resolution for the purposes of SEQR. This determination constitutes a negative declaration for purposes of SEQR.

Sec. 2. 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. 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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted –March 22, 2005

Adopted

RESOLUTION NO. 41

Granting to the Town of Sweden a Drainage Easement for Property Located on Transit Way – Parcel ID#084.01-1-1.119– Daniel C. Hogan

WHEREAS: Daniel C. Hogan is desirous of granting to the Town of Sweden a permanent drainage easement at his property located on Transit Way – Parcel ID#084.01-1-1.119, legally described as follows:

Drainage Easement

Daniel C. Hogan to the Town of Sweden

All that tract or parcel of land, situated in part of Town Lot 14, Section 7, Township 3, Triangular Tract of the Morris Reserve, Town of Sweden, County of Monroe, State of New York, and more particularly described as follows:

1. Commencing at a point on the north right-of-way of Transit Way, said point being 315.92 feet east of a point of curvature of Transit Way, and also being the southwest corner of the grantors premises, thence;
2. North on a line bearing N 00-00'-08" W, a distance of 380.00 feet to a point, said point being the true place of beginning, thence;
3. Continuing north on the same bearing, a distance of 20.00 feet to a point, said point being the northwest corner of the premises, thence;
4. East on a line bearing N 89-59'-52" E, a distance of 967.91 feet to a point, thence;
5. Southeasterly on a line bearing S 59-35'-12" E, a distance of 81.87 feet to a point, thence;
6. Southwesterly on a line bearing S 23-25'-43" W, a distance of 138.11 feet to a point, thence;
7. Westerly on a line bearing N 88-18'-57" W, a distance of 444.39 feet to a point, thence;
8. Northwesterly on a line bearing N 36-13'-13" W, a distance of 167.45 feet to a point, thence;
9. West on a line bearing S 89-59'-52" W, a distance of 440.45 feet to a point, said point being the true point and place of beginning.

Intending to describe an easement over the northerly portion of the grantors premises for the construction and maintenance of a storm water detention facility; and

WHEREAS: the Town of Sweden is desirous of obtaining a permanent drainage easement from the owner of the subject property; and

WHEREAS: The owner is amenable to granting such drainage easement with the understanding that the owner shall retain the right to otherwise use the lands in which the permanent easement is granted and to exercise rights of ingress and egress over same, among other things; and

Section 84-5. Penalties for offenses:

The addition of the words: ‘Nothing contained in this section is intended to eliminate, reduce, diminish or replace the provisions set forth in Section 121 of the Agriculture and Markets Law with respect to fines, civil penalties or imprisonment with respect to dangerous dog violations.’

Sec. 3. That the Town Clerk is authorized and directed to cause a notice of this hearing to be published in the official newspaper of the Town, in accordance with Section 265 of Town Law.

Sec. 4. 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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted –March 22, 2005

Adopted

APPROVAL OF PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 3 dated March 23, 2005. All voted in favor of the motion – four ayes. Motion adopted.

General Fund: In the amount of \$71,071.53 as set forth in Abstract 3 dated March 23, 2005.

Highway Fund: In the amount of \$58,028.33 as set forth in Abstract 3 dated March 23, 2005

Special Districts: In the amount of \$72,841.53 as set forth in Abstract 3 dated March 23, 2005

DISCUSSION AND ANNOUNCEMENTS

Supervisor Lester wanted to announce that the High Street Cemetery would be taken over by the Town of Sweden. The bank acting as trustee for the cemetery made an application to the Town stating that it is not financially worth it for them to continue with the cemetery. The bank is deeming it abandoned and state law requires the Town to take over. He also announced that Building Inspector Bill Weber had to red tag a home on Brockport-Spencerport Road and that the Dog Control Officer Kathy Beaumont had to remove two dogs. Mr. Lester wanted to share a letter received from Larry Sherman from the NYS Department of Transportation regarding the speed limit between 580 East Avenue and Sweden Walker Road. The DOT does not feel it is warranted to reduce the speed limit in that area.

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to change the status of civil service classification of Anna Dolby and Jessica Grossman to Student Helper. All voted in favor of the motion – four ayes. Motion adopted.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to move into executive session at 8:00 pm to discuss a personnel issue at the Community Center. All voted in favor of the motion – four ayes. Motion adopted.

No action taken. Councilperson Carges made a motion that was seconded by Supervisor Lester to leave executive session at 8:15 pm. All voted in favor of the motion – four ayes. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the March 22, 2005 meeting of the Sweden Town Board at 8:16 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk