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, April 12, 2005.

Town Board Members present were Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Windus-Cook. Supervisor Lester was not present at the beginning of the meeting. Also present were Director of Finance Leisa Strabel, Town Clerk Karen Sweeting, and Building Inspector Bill Weber. Visitors present were Jim Hamlin from 50 Park Avenue and Julie Lapinski from 4016 Sweden Walker Road.

Acting as Deputy Supervisor, Councilperson Carges called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag led by Councilperson Connors. Councilperson Carges 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 Connors to accept the minutes of the Regular Town Board Meeting held on March 22, 2005. There were three ayes in favor of the motion. Councilperson Ferris abstained due to his absence on March 22, 2005. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

SUPE	RVISOR'S CORRESPONDENCE	
2005	Received From:	Comments:
1.	Monroe County Environmental	Invitation re: Stormwater Pollution – 4/19/05
	Management Council	
2.	William Adriance, Chief Permit	Changes to General State Pollutant Discharge
	Administrator, NYS Dept. of	Elimination System permit
	Environmental Conservation	
3.	Arthur Appleby	Notification of CROP Walk – 5/01/05
4.	Village of Brockport	Notice of Intent – Lead Agency – Sunflower
		Landing Subdivision
*5.	Karen Sweeting, Town Clerk and	Request to attend Southern Tier West Local
	Phyllis Brudz, Planning Board	Government Conference – 5/12/05
	Secretary	
*6.	Karen Sweeting, Town Clerk, Leisa	Request to attend Digital Towpath Training –
	Strabel, Finance Director, Kathy	5/04/05
	Roberts, Tax Receiver, Kathy	
	Alvito, Deputy Tax Receiver, and	
	Phyllis Brudz, Planning Board	
	Secretary	
*7.	Karen Sweeting, Town Clerk	Notification of Training - schedule
*8.	Fred Perrine, Highway	Request to attend Highway School – 6/06-
	Superintendent	6/08/05
LD.	11 '	

*Board has copies

RE: #5 Councilperson Ferris made a motion that was seconded by Councilperson Connors to grant the request to attend the Southern Tier West Local Government Conference. All voted in favor of the motion – four ayes. Motion adopted.

RE: #6 Councilperson Ferris made a motion that was seconded by Councilperson Connors to grant the request to attend the Digital Towpath Training sessions. All voted in favor of the motion – four ayes. Motion adopted.

REPORTS

Building Inspector Bill Weber reported that one single family building permit has been issued. He also had to close a house down located at 6272 Brockport-Spencerport Road. Mr. Weber has sent a follow-up letter explaining to the owner what needs to be done. The letter was returned. He was able to track down the owner and let them know that the house must be secured and cleaned up. If there is no action, then an appearance ticket will be issued to appear in court. Neighbors have been calling with concerns regarding the property. Mr. Weber also reported that he issued an appearance ticket to Firestone for continuous violation of the sign ordinance. He asked that the board discuss the zoning changes previously submitted at the next workshop meeting.

Town Clerk Karen Sweeting reported that the Monroe County Board of Elections sent results from the US Department of Justice's audit of polling site accessibility. The Town Hall had some very minor issues that we may be required to deal with. Copies of the report will be given to the Board members for review. Mrs. Sweeting will keep the Board members informed when further information is received from the Board of Elections as to a possible "game plan".

Councilperson Windus-Cook reported that Earth Day is April 23, 2005. As part of the Stormwater Coalition requirement, the Town of Sweden, specifically Highway Superintendent Fred Perrine, is organizing a "Stormwater Stewardship" to be held on April 23. The purpose of this event is to stencil storm drains and clean up areas of the Town. Councilperson Windus-Cook also met with Don Grentzinger regarding the cemetery house being used as a Town Farmers' Museum. The consideration of a committee was discussed. Only minor changes need to be done to make the house handicap accessible. Leisa Strabel added that Fred Perrine was working on a grant to remove the existing barn. Councilperson Windus-Cook led a discussion on the concession stand at the Redman Road Park. She will continue to look into possible vendors for that purpose.

Councilperson Carges reported that he had some concerns regarding security at the Redman Road Park. Councilperson Windus-Cook agreed. He will collect proposals for security cameras and look into the possibilities that will serve the park most efficiently.

Town Attorney Jim Bell arrived at 7:50 pm.

Councilperson Ferris reported that he attended the RPAC meeting. The state of affairs of the Sweden/Clarkson Community Center was discussed and the numbers are outstanding. There were no programs "in the red" and the programs have gone beyond expectations for the year. The papers will be ready to sign creating the 501-C3 Tax Exempt Foundation to receive money to support projects in the community and the Community Center. It is a wonderful tool. They already have individuals within the community waiting to make donations.

Councilperson Connors reported that she attended the Springdale Farms Visitor Center grand opening. They built a separate building behind the parking area intended for meeting space and classrooms. Councilperson Connors also reported that the public hearing regarding the Comprehensive Plan Update 2002 was well attended by West Canal Road residents. They had many questions on the possibility of rezoning on Redman Road. It was explained that the purpose of the plan was to open up the possibilities to spread out the tax base and potentially create jobs.

Town Attorney Jim Bell reported that he had been dealing with some litigation matters for the Town.

RESOLUTIONS RESOLUTION NO. 43

WHEREAS, the Superintendent of Highways has requested additional assistance in the Highway Department during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

<u>Sec. 1.</u> That the Town Board of the Town of Sweden does hereby appoint Corey Merritt as a Seasonal Laborer.

Sec. 2. That the rate of pay will be \$8.00 per hour and the start date is May 2, 2005.

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 CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. 44

Appoint Seasonal Laborer - Bopp

WHEREAS, the Superintendent of Highways has requested additional assistance in the Highway Department during the spring/summer seasons.

WHEREAS, Kevin Bopp worked for the department during the 2004 summer season and Superintendent of Highways Fred Perrine is recommending hiring him back for the 2005 season.

NOW, THEREFORE, BE IT RESOLVED:

<u>Sec. 1.</u> That the Town Board of the Town of Sweden does hereby appoint Kevin Bopp as a Seasonal Laborer.

Sec. 2. That the rate of pay will be \$8.00 per hour and the start date is April 11, 2005.

<u>Sec. 3.</u> That this resolution shall take effect immediately.

MOTION for adoption of this resolution by <u>Councilperson Connors</u> Seconded by Councilperson Ferris

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. 45 Appoint Seasonal Laborer – L. Wade

WHEREAS, the Superintendent of Highways has requested additional assistance in the Highway Department during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Larry J. Wade as a

Seasonal Laborer.

Sec. 2. That the rate of pay will be \$9.00 per hour and the start date is April 11, 2005.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Windus-Cook

Discussion: Councilperson Carges stated that Mr. Wade was worth paying the extra \$1.00 per hour. He really did a great job for the Town of Sweden last year.

VOTE BY ROLL CALL AND RECORD:

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

Aye
Aye
Aye
Absent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. 46

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:

\$200 from A7020.4 Comm. Cen. Admin. Contractual to

A1662.4 Comm. Cen. Office Supplies

\$11,000 from A7140.4 Comm. Cen. Contractual to

A7140.1 Comm. Cen. Personnel

\$20,000 from A7310.4 Youth Services Contractual to

A7310.1 Youth Services Personnel

\$265 from B9010.8 State Retirement to

B7410.4 Library Contractual

\$1,906 from DB9050.8 Unemployment Insurance Highway to

DB9010.8 State Retirement Highway

Increase SW2401 Interest & Earnings \$1,060 Increase SW8310.4 Water Admin Contractual \$1,060

Sec. 2 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by <u>Councilperson Ferris</u>

Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAye

Supervisor Lester Absent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. <u>47</u> Authorize Material Bids for Colby Street/Sweden

Walker Road Water Main Project

WHEREAS, the Colby Street/Sweden Walker Road water district extension has been created in 2005;

and

WHEREAS, the Town of Sweden Highway Department desires to proceed with installation of said

materials for the Colby Street/Sweden Walker Road Watermain Improvement Project;

and

WHEREAS, there is a need for all related materials and appurtences to complete the Colby

Street/Sweden Walker Road Watermain Improvement Project.

WHEREAS, the Town Board has contracted with MRB Group for engineering services to proceed

with the specific plans for the construction of the water mains.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That MRB Group has been contracted to create the necessary material specifications for

the Colby Street/Sweden Walker Road Watermain Improvement Project.

Sec. 2. That upon receipt of such specifications, the Town Clerk is directed to advertise for bids

as required by law.

<u>Sec. 3.</u> 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 CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. <u>48</u> Authorize Blasting Bids for Colby Street/Sweden

Walker Road Water Main Project

WHEREAS, the Colby Street/Sweden Walker Road water district extension has been created in 2005;

and

WHEREAS, the Town of Sweden Highway Department desires to proceed with installation of said

materials for the Colby Street/Sweden Walker Road Watermain Improvement Project;

and

WHEREAS, there is a need for blasting to complete the Colby Street/Sweden Walker Road Watermain

Improvement Project.

WHEREAS, the Town Board has contracted with MRB Group for engineering services to proceed

with the specific plans for the construction of the water mains.

Adopted

NOW, THEREFORE, BE IT RESOLVED:

<u>Sec. 1.</u> That MRB Group has been contracted to create the necessary blasting specifications for the Colby Street/Sweden Walker Road Watermain Improvement Project.

<u>Sec. 2.</u> That upon receipt of such specifications, the Town Clerk is directed to advertise for bids as required by law.

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

MOTION for adoption of this resolution by <u>Councilperson Connors</u> Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005

RESOLUTION NO. 49 Notice of Intent to be Lead Agency in the SEQR

Update for the Adoption of Amendments to the

Town of Sweden Village of Brockport Comprehensive Plan Update 2002

WHEREAS, the Town Board of the Town of Sweden, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon the proposed amendments to the adopted Town of Sweden Village of Brockport Comprehensive Plan Update 2002; and

WHEREAS, the Town Board recognizes that there is a need to fully assess the impact of adopting said amendments; and

WHEREAS, the Town Board recognizes that the adoption of said amendments is a Type I Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board recognizes that the only other involved agency, as identified under the SEQR Regulations, is the Brockport Village Board and thus the action to adopt said amendments is subject to a coordinated review under SEQR.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby declare its intent to be designated the Lead Agency for the Coordinated Review and Determination of Significance under SEQR for the above referenced action.

<u>Sec. 2.</u> That the Town Clerk is to provide the Village Board with a copy of this declaration of intent and request the Village Board's concurrence therewith.

Sec. 3. That the Town Board intends to pass a resolution at its April 26, 2005, meeting establishing itself the lead agency under SEQR, provide that there are no objections thereto received from the Village Board.

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 FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005 Adopted

RESOLUTION NO. <u>50</u> Call Public Hearing Regarding the Adoption of

Amendments to the Town of Sweden Village of Brockport Comprehensive Plan Update 2002

WHEREAS, a committee with representatives from both the Town and Village was formed to review the town of Sweden Village of Brockport Comprehensive Plan Update

2002; and

WHEREAS, the committee performed a review and a public hearing was held on April 5, 2005, and a

second public hearing will be held on April 25, 2005, and in anticipation of amendments being submitted for adoption the Town Board would like to schedule a joint public

hearing with the Village.

NOW. THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board and the Village Board will hold a public hearing on the 3rd day of

May 2005, at 7:00 p.m. at the Sweden Town Hall, 18 State Street, Brockport, New York, regarding the adoption of the amendments to the Town of Sweden Village of Brockport Comprehensive Plan Update 2002 and to hear all concerns regarding the environmental

record on such action.

Sec. 2. That the amendments to the Plan be available for review at the Town Offices, Village

Offices and Seymour Library during regular business hours.

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.

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAbsent

Submitted – April 12, 2005 Adopted

Supervisor Buddy Lester arrived at 8:30 pm.

RESOLUTION NO. <u>51</u> Ordering a Public Hearing Regarding the Adoption

of Local Law No. 2 of 2005 - Proposed

Amendments to the Sign Ordinance of the Sweden

Town Code

WHEREAS, certain recommendations and proposals have been made to change various

portions of the Sweden Town Code concerning the subject of sign ordinances; and

WHEREAS, the Sweden Town Board is desirous of proceeding forward with said

recommendations and proposals to change by Local Law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Sweden Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York on the 10th day of May, 2005 at 7:00 pm to hear all interested persons for or against the adoption of Local Law No. 2 of 2005 – proposed amendments to the sign ordinance of the Sweden

Town Code.

Sec. 2. The proposed amendments relate to various sign ordinance changes to include but

are not limited to the definition of a sign, regulations for political, home

occupation, and business signs, and new regulations for special event signs in the Sweden Town Code. The complete amendments are fully described and on file in

the Town Clerk's office.

<u>Sec. 3.</u> The Town Clerk is authorized and directed to cause a notice of the public hearing

to be published in the Town's official newspapers, as required by law.

Sec.4. 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 CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAye

Submitted – April 12, 2005 Adopted

RESOLUTION NO. <u>52</u> Ordering Public Hearing Regarding the Adoption of

Local Law 3 of 2005 – Proposed Amendment to Section 175-5 Zoning Definitions – Family In the

Sweden Town Code

WHEREAS, the Sweden Town Code Section 175-25 contains, among other things, a definition

for "Family" to be used in that chapter of the code; and

WHEREAS, the Building Inspector has recommended a change to the definition of "Family"

that will enhance enforcement of the code; and

WHEREAS, the Sweden Town Board is desirous of proceeding forward with said recommendation and proposal to change by Local Law.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, on the 10th day of May, 2005, at 6:45 pm to hear all interested persons for or against the adoption of Local Law 3 of 2005 proposed amendment to Section 175-5 Zoning Definitions Family in the Sweden Town Code.
- <u>Sec. 2.</u> That the proposed amendment redefining the definition of Family in the Sweden Town Code is as follows:
 - 175-5 FAMILY One (1) or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boardinghouse, lodging house, elub, fraternity or hotel.

A. Includes:

- 1. One (1), two (2) or three (3) persons occupying a dwelling unit; or
- 2. Four (4) or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.
- B. It shall be presumptive evidence that four (4) or more persons living in a single dwelling unit who are not related by blood, marriage or legal adoption do not constitute the functional equivalent of a traditional family.
- C. In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:
 - 1. The group is one, which in theory, size, appearance, structure and function resembles a traditional family unit.
 - 2. The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family.
 - 3. The group shares expenses for food, rent or ownership costs, utilities and other household expenses.
 - 4. The group is permanent and stable. Evidence of such permanency and stability may include:
 - a. The presence of minor dependent children regularly residing in the household who are enrolled in a local school.
 - b. Members of the household having the same address for the purposes of voter registration, driver's license, motor vehicle registration and filing of taxes.
 - c. Members of the household are employed in the area.
 - d. The household has been living together as a unit for a year or more, whether in the current dwelling unit or other dwelling units.
 - e. Common ownership of the furniture and appliances among the members of the household.
 - f. The group is not transient or temporary in nature.
 - 5. Any other factor reasonably related to whether or not the group is the functional equivalent of a family.
- Sec. 3. That the complete amendment is on file in the Town Clerk's office.
- <u>Sec. 4.</u> That the Town Clerk is directed to cause a notice of the public hearing to be published in the Town's official newspapers as required by law.
- <u>Sec. 5.</u> That this resolution shall take effect immediately.

Seconded by Councilperson Connors

Discussion: Building Inspector Bill Weber stated that this was a clarification of the definition of family and has been upheld by the Supreme Court in certain Village of Brockport proceedings.

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAye

Submitted – April 12, 2005 Adopted

RESOLUTION NO. 53

Authorize Sale of Excess Equipment

WHEREAS, there are five Town vehicles (1997 Ford 555E Backhoe, 1974 International 1600 Sewer Truck, 1991 International 2574 Six Wheel Dump Truck, 1973 Ford 880 Ten Wheel Dump Truck, and a Toro Lawnmower) that are considered excess and/or obsolete; and

WHEREAS, the Superintendent of Highways, Fred Perrine, has recommended that these vehicles be sold at the municipal auction in Palmyra on May 21, 2005.

NOW. THEREFORE BE IT RESOLVED:

Sec. 1. That upon recommendation of the Superintendent of Highways, the Town Board hereby authorizes the sale of the 1997 Ford 555E Backhoe, 1974 International 1600 Sewer Truck, 1991 International 2574 Six Wheel Dump Truck, 1973 Ford 880 Ten Wheel Dump Truck, and a Toro Lawnmower.

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

MOTION for adoption of this resolution by <u>Councilperson Ferris</u> Seconded by <u>Councilperson Connors</u>

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAye

Submitted – April 12, 2005 Adopted

RESOLUTION NO. 54

Authorizing Purchase of Hydroseeder

WHEREAS, a hydroseeder is necessary to efficiently complete all work relative to seeding sewer lines, water lines, and roadsides that have been disturbed by construction; and

WHEREAS, the Highway Superintendent has obtained the following quotes:

Stephenson Equipment Turfmaster TM60-6R 600 Gallon Skid Type \$7,395.00 Turbo Technologies Turbo Turf HS500-E 750 Gallon Skid Type \$9,895.00

Merritt Seed Company Finn Model T-60S 11 600 Gallon Skid Type

\$18,685.00 + Frt.

WHEREAS, the Highway Superintendent recommends accepting the quote from Stephenson Equipment, of \$7,395.00.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden authorizes the purchase of an Turfmaster TM60-6R 600 Gallon Skid Type from Stephenson Equipment at a cost not to exceed \$7,395.00.

Sec. 2 That the purchase will be made out of the Highway Department DB Budget and will be offset by the income received from the sale of equipment at the municipal auction.

<u>Sec. 3.</u> That this resolution shall take effect immediately.

MOTION for adoption of this resolution by <u>Councilperson Connors</u> Seconded by Councilperson Windus-Cook

Discussion: Supervisor Lester stated that the hydroseeder is necessary for restoration projects and that the Highway Superintendent feels that it is easier than leasing and makes more economic sense to purchase one.

VOTE BY ROLL CALL AND RECORD:

Councilperson CargesAyeCouncilperson ConnorsAyeCouncilperson FerrisAyeCouncilperson Windus-CookAyeSupervisor LesterAye

Submitted – April 12, 2005 Adopted

DISCUSSION AND ANNOUNCEMENTS

Councilperson Connors made a motion that was seconded by Councilperson Carges to hold a special meeting on Tuesday, May 3, 2005 at 7:00 pm following the public hearing for the purpose of acting on resolutions relative to the Comprehensive Plan Update 2002. All voted in favor of the motion. Motion adopted.

There will be a workshop meeting Tuesday, April 19, 2005 at 7:00 pm.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Ferris moved to adjourn the April 12, 2005 meeting of the Sweden Town Board at 8:35 pm. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting Town Clerk