

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, May 10, 2005.

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

Visitors present were George Lloyd from Redman Road, Jim Hamlin from 50 Park Avenue, Carrie Maziarz from 42 Adams Street, Dolores and Fred Corell from Colby Street, Julie Lapinski from 4016 Sweden Walker Road, Don Shetler from West Sweden Road, and Curt Conklin from 1215 West Sweden Road.

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

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Ferris to accept the minutes of the Regular Town Board Meeting held on April 26, 2005. All voted in favor of the motion. Motion adopted.

Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the minutes of the Joint Public Hearing with the Village of Brockport on May 3, 2005. All voted in favor of the motion. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Special Town Board Meeting on May 3, 2005. All voted in favor of the motion. Motion adopted.

Highway Superintendent Fred Perrine arrived at 7:35 pm.

SUPERVISOR'S CORRESPONDENCE

2005	Received From:	Comments:
1.	Terry Cooley, 8023 West Canal Road, Brockport	Assessment
*2.	Steve Gleason, Chief Financial Officer, Monroe County Dept. of Finance	Monroe County Sales Tax Distribution for First Quarter 2005
3.	Disabled Children of Monroe County Golf Tournament, Inc.	Invitation to attend The 2005 Time Warner Cable Million Dollar Hole-In-One Event
*4.	Karen Richardson, Brockport Ecumenical Outreach Committee	Bienvenida Celebration
*5.	David Scott, Recreation Director	Request to appoint Summer Day Camp positions
6.	Dawn C. Nettnin, Community Development Manager, Monroe County Dept. of Planning & Development	Continued Membership in Monroe County's Consolidated Plan Consortium – 3 Year Period
7.	Kenneth Naugle, Engineer, Monroe County Dept. of Public Health	Approval of Plans for Public Water Supply Improvement – Colby St./Sweden Walker Rd.
8.	Richard Keil, State Board of Real	Notice of Tentative Railroad Ceiling

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| | Property Services | |
| 9. | David Haight, American Farmland Trust | Request for Support of the Community Preservation Act |
| 10. | Katie Evans, Assistant Planner, Monroe County Dept. of Planning & Development | Review Response Form for Comprehensive Plan Update 2002 |
| 11. | James R. Vogel, Chairman, Rochester Area ESGR Committee | Invitation to attend meeting of Rochester Committee for the Employer Support of the Guard and Reserve |
| 12. | William Reilich, Assemblyman | CHIPS Funding |
| *13. | David Scott, Recreation Director | Resignations |
| 14. | David Hale | First Presbyterian Church application to NY Office of Parks, Recreation, and Historic Preservation for a grant |

*Board has copies

RE #4: Supervisor Lester requested that a member of the board attend the celebration.

RE #13: Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the resignations as received. All voted in favor of the motion. Motion adopted.

REPORTS

Building Inspector Bill Weber reported that he met with the landscaper that would be doing the work at the Senior Center. He recommended to Nancy Duff that plans should be drawn up and submitted to the Town Board for approval. The plans would be a reference for any future work; the plans could be used to match products, etc. Mr. Weber attended a meeting regarding the Community Block Grant. The Town is still on target to receive money from the grant. The funds should be available by the first of August. Mr. Weber reported a number of businesses that have opened or will be opening, i.e., Jim's Tavern and a video store. It was mentioned that the Town of Sweden has one of the highest commercial occupancy rates in the county.

Town Attorney Jim Bell arrived at 7:40 pm.

Town Clerk Karen Sweeting reported that the department is looking into the possibility of offering passports. Mrs. Sweeting will present the information to the Board once it is gathered.

Highway Superintendent Fred Perrine reported that Spring Cleanup was in progress and they were dealing with a normal volume. He acknowledged the Village of Fairport for use of a packer. The sewer line restoration on Fourth Section Road is moving along and they have started the parking lot expansion at the Senior Center. Supervisor Lester thanked the Village of Brockport for the property that the parking expansion was covering. Town Attorney Jim Bell would be finalizing the legal description and easement request. Mr. Perrine also reported that he received some concerns regarding the dust at the Redman Road Park. He has since ordered a dust control substance to be put down.

Councilperson Carges reported that he had been working to secure a vendor for the concession stand. Bob Coopenburg will be delivering a refrigerator and grill to the site and Jim Bell will be preparing an outline of expectations from the vendors.

Councilperson Connors reported that she attended a municipal law seminar on how to handle employee issues.

Councilperson Ferris reported that he met with Shannon Hiscock regarding the Community Awards Banquet. They are just about ready and have a full panel of award recipients.

Councilperson Windus-Cook reported that she would be attending a Cemetery Committee meeting this week to discuss the cemetery house.

Supervisor Lester reported that he met with a group of representatives regarding the 501-C3 Not-For-Profit Organization. The necessary paperwork will be filed with Albany. Mr. Lester also reported that the High Street Cemetery transfer is near completion. He met with the County representative to the Emergency Preparedness Program to discuss the communications tower proposal that would be placed near the Village DPW building. Visitor Carrie Maziarz mentioned that the dispatch office is in need of this tower to meet new code requirements and bandwidth requirements. Supervisor Lester stated that they seem to want to move quickly on this project. Mr. Lester also reported that the Colby Street/Sweden Walker Road Watermain Improvement Project blasting bid was awarded.

Supervisor Lester put the regular meeting on hold at 7:45 pm to begin the Public Hearing regarding Local Law 4 of 2005.

Supervisor Lester called to order the continuation of the regular meeting at 8:00 pm.

RESOLUTIONS

RESOLUTION NO. 75

Rescinding and Repealing Resolution No. 128 of 2004 (SEQR Determination – Amending Section 175-25 Signs in the Sweden Town Code.)

WHEREAS, the Town Board of the Town of Sweden on November 9, 2004 adopted Resolution No. 128 SEQR Determination for the amendments to the Sweden Town Code Section 175-25 Signs; and

WHEREAS, the Town Board of the Town of Sweden is now desirous of rescinding and repealing Resolution No. 128 pursuant to Town Law Sec. 93.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby rescind and repeal Resolution No. 128 of November 9, 2004.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 76

Rescinding and Repealing Resolution No. 129 of 2004 (Adopt Amendments to Section 175-25 Signs in the Sweden Town Code.)

WHEREAS, the Town Board of the Town of Sweden on November 9, 2004 adopted Resolution No. 129 Adopt Amendments to Section 175-25 Signs in the Sweden Town Code; and

WHEREAS, the Town Board of the Town of Sweden is now desirous of rescinding and repealing Resolution No. 129 pursuant to Town Law Sec. 93.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby rescind and repeal Resolution No. 129 of November 9, 2004.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 77

SEQRA Determination – Amending Sweden
Dog Ordinance – Dangerous Dogs

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York, intends to amend the Town of Sweden Dog Ordinance; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“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 (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon 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 (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. The proposed Project does not constitute a “Type I Action” as such 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 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 SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

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 SEQRA.

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 – May 10, 2005

Adopted

RESOLUTION NO. 78

Adopt Local Law No. 1, 2005
Amendment to the Sweden Dog
Ordinance – Dangerous Dogs

WHEREAS, it has been determined that a definition of “dangerous dog” is needed to allow the Sweden Dog Control Officer to issue appearance tickets to owners of dogs that attack other dogs and cats; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Municipal Building, 18 State Street, Brockport, New York on May 10, 2005, at 7:15 PM, to hear all persons interested in the adoption of Local Law No. 1 – Amendment to the Sweden Dog Ordinance – Dangerous Dogs; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 1, 2005 – Amendment to the Sweden Dog Ordinance – Dangerous Dogs.

Sec. 2. That the text of the Local Law No. 1, 2005 is as follows:
Section 84-3. Definitions:

DANGEROUS DOG – In addition to the definitions set forth in Section 108, Subdivision 24, of the Agriculture and Markets Law, a dog shall be considered a dangerous dog and subject to the provisions of Section 121, Subdivision 3 et seq. of the Agriculture and Markets Law if such dog, without justification, attacks a dog or cat and causes physical injury or death to such dog or cat.

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. All Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Sec. 4. That the Town Clerk is authorized and directed to file a complete copy of Local law No. 1, 2005, with the Secretary of State, as required by law.

Sec. 5. That this resolution shall take effect immediately upon the filing in the office of the Secretary of State.

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 – May 10, 2005

Adopted

RESOLUTION NO. 79

SEQRA Determination – Amending Section 175-25
Signs in the Sweden Town Code

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York, intends to amend the Town of Sweden Zoning Ordinance Chapter 175-25 Signs; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“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 (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon 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 (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. The proposed Project does not constitute a “Type I Action” as such 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 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 SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

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 SEQRA.

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 – May 10, 2005

Adopted

RESOLUTION NO. 80

Adopt Local Law No. 2 of 2005 –
Amending Section 175-25 Signs in the
Sweden Town Code.

WHEREAS, the Town Board has determined that the intent of the Sign Ordinance would be better served if there were changes to several sections; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Town Hall, 18 State Street, Brockport, New York, on May 10, 2005, at 7:00 PM., to hear all persons interested in the adoption of Local Law No. 2 of 2005 – Amendments to the Sign Ordinance of the Sweden Town Code; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 2, 2005 – Amendments to the Sign Ordinance of the Sweden Town Code, a copy of the which is attached hereto and made a part hereof.
- Sec. 2. All Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.
- Sec. 3. That the Town Clerk is authorized and directed to file a complete copy of Local Law No .2, 2005, with the Secretary of State, as required by law.
- Sec. 4. That this resolution shall take effect immediately upon the filing in the office of the Secretary of State.

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

Discussion: Councilperson Windus-Cook made a motion that was seconded by Councilperson Ferris to amend the proposed amendments to the sign ordinance. Specifically, section B (2) adding the words “On premise...”, section B (5) adding the word “each”, and section D (1)(i) adding the words “and any trailers”.... All voted in favor of the motion. Motion adopted.

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 – May 10 2005

Adopted

RESOLUTION NO. 81

SEQRA Determination – Amending Section 175-5
Zoning Definition - Family in the Sweden Town
Code

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York, intends to amend the Sweden Town Code Chapter 175-5 Zoning Definitions - Family; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“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 (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon 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 (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. The proposed Project does not constitute a “Type I Action” as such 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 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 SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

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 SEQRA.

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 – May 10, 2005

Adopted

RESOLUTION NO. 82

Adopt Local Law No. 3 of 2005 –
Amending Section 175-5 Zoning Definition
– Family in the Sweden Town Code

WHEREAS, the Sweden Town Board has determined that the Zoning Definition of Family would be better served if redefined; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Town Hall, 18 State Street, Brockport, New York on May 10, 2005, at 6:45 PM, to hear all persons interested in the adoption of Local Law No. 3 of 2005 – Amending Section 175-5 Zoning Definition – Family in the Sweden Town Code; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 3 2005 – Amending Section 175-5 Zoning Definition – Family in the Sweden Town Code.

Sec. 2. That the text of Local Law 3 2005 be 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, club, 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 all Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Sec. 4. That the Town Clerk is authorized and directed to file a complete copy of Local Law No. 3 2005 with the Secretary of State, as required by law.

Sec. 5. That this resolution shall take effect immediately upon the filing in the office of the Secretary of State.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 83 SEQRA Determination – Amending Section 175-15
Permit Requirements in the Sweden Town Code

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York, intends to amend the Sweden Town Code Chapter 175-15 Permit Requirements; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“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 (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon 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 (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. The proposed Project does not constitute a “Type I Action” as such 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 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 SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

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 SEQRA.

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 – May 10, 2005

Adopted

RESOLUTION NO. 84

Adopt Local Law No. 4 of 2005 – Amending Section 175-15 Permit Requirements in the Sweden Town Code

WHEREAS, the Sweden Town Board has determined that the certain are recommended in Section 175-15 Permit Requirements in the Sweden Town Code; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Town Hall, 18 State Street, Brockport, New York on May 10, 2005, at 7:45 PM, to hear all persons interested in the adoption of Local Law No. 4 of 2005 – Amending Section 175-15 Permit Requirements in the Sweden Town Code; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 4 2005 – Amending Section 175-15 Permit Requirements in the Sweden Town Code.

Sec. 2. That the text of Local Law 4 2005 be as follows:

- I. ~~Permit I, signs.[†]~~
 - (2) ~~The Town Clerk may issue a temporary sign permit covering on premises signs, posters, flags, etc., for grand openings and similar events for a specified time, not exceeding fifteen (15) days, upon receipt of a fee as set by the Town Board and an application containing the following information:~~
 - (a) ~~A description of signs.~~
 - (b) ~~The dates of beginning and end of temporary sign use.~~
 - (c) ~~The signature of the applicant.~~
 - (d) ~~The signature of the owner, if different.~~
- J. ~~Permit J, posters.~~
 - (1) ~~Before the erection or placing of temporary posters for any advertising purpose, application for permit shall be made to the Town Clerk and a deposit paid. The deposit will be returned to the applicant or agent (less permit fee) if posters are removed within thirty (30) days after the event advertised. If posters are not removed by the applicant or his agent, work will be done by the Town Highway Department, and a deposit forfeited. Fees and deposits required hereunder shall be as set by the Town Board. In applying for a permit, the applicant must state:~~
 - (1) ~~The name and address of the applicant sponsoring the posters and of the applying agent.~~
 - (2) ~~The purpose of the posters.~~
 - (3) ~~A sample of the poster. This requirement may be waived by the Clerk.~~

- Sec. 3. That all Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.
- Sec. 4. That the Town Clerk is authorized and directed to file a complete copy of Local Law No. 4 2005 with the Secretary of State, as required by law.
- Sec. 5. That this resolution shall take effect immediately upon the filing in the office of the Secretary of State.

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 – May 10, 2005

Adopted

RESOLUTION NO. 85 Appoint Seasonal Laborer - Davenport

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 James R. Davenport as a Seasonal Laborer.
- Sec. 2. That the rate of pay will be \$8.00 per hour and the start date is May 10, 2005.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 86 Recognizing & Welcoming Migrant Farm Workers

WHEREAS, agriculture is the number one industry in New York State and the approximately 1000 migrant farm workers who come to the Sweden area constitute the backbone of our area's agricultural workforce; and

WHEREAS, these farm workers are members of our community for approximately six months of each year while they plant and harvest crops; and

WHEREAS, as residents of the Sweden community, migrant farm workers make a substantial contribution to our local business economy.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden designates the week of June 19 through June 26, 2005 as a week of recognition of the presence and contributions of our local farms and farmworkers
- Sec. 2. That Sunday June 26, 2005 is proclaimed the Day of Welcome, "Bienvenida", the special welcome celebration for the migrant workers.
- Sec. 3. That the Town Board of the Town of Sweden does give their support to the good relations between the migrant farm workers and the residents of the Town of Sweden.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
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 – May 10, 2005

Adopted

RESOLUTION NO. 87 Appoint Student Helpers – Summer Day Camp

WHEREAS, the Recreation Director, David Scott, has recommended the appointment of several students for the summer day camp program for 2005 at the Sweden Clarkson Community Center as Student Helpers.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints the following at a rate of pay of \$9.50 per hour:
Janet Langer
Stephanie Ingraham
- Sec. 2. That the Town Board of the Town of Sweden hereby appoints the following at a rate of pay of \$7.50 per hour:
Jamie Pricola
Cary Ellen Stevens
- Sec. 3. That the Town Board of the Town of Sweden hereby appoints Mark Hoy at a rate of pay of \$7.00 per hour.
- Sec. 4. That the Town Board of the Town of Sweden hereby appoints the following at a rate of pay of \$6.00 per hour:
Molly Pricola
Javon Frater
Colleen Quinn
Amber Hermance
Mark Streb
Amanda Westcott
Asia Wells

Adam Nowak
Katie Pearson
Renee Catlin
Traci O’Sullivan
Daniel Ange
Jennifer Gerling
Colby Jones

Sec. 5. That the starting date be May 14, 2005.

Sec. 6. That this resolution shall take effect immediately

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 88 Appoint Representative to Recreation and
Park Advisory Council (RPAC) – Hage

WHEREAS, a vacancy has occurred on the Town of Sweden Recreation and Park Advisory Council (RPAC); and

WHEREAS, the Town Board is desirous of filling the position and Charles L. Hage has expressed an interest in serving on RPAC.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Charles L. Hage to serve as a representative on the Recreation and Park Advisory Council (RPAC).

Sec. 2. That his term shall be effective for a period of two years beginning May 11, 2005 until December 31, 2006.

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

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

Discussion: Councilperson Ferris said that as a member of RPAC he feels that Charlie Hage is one of the best appointments. He has a history of involvement in youth sports and recreation. RPAC is very lucky to have Charlie Hage interested in joining the committee; he is very enthusiastic. Supervisor Lester agreed and said that Charlie Hage cares about the youth in this community. He is the boys’ basketball coach for Brockport School District and he takes part of his February break from school to run a basketball camp for youth at the Community Center.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

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

Submitted – May 10, 2005

Adopted

RESOLUTION NO. 89

Award Bid for Blasting Colby Street/Sweden Walker Road Watermain Improvement Project

WHEREAS, the Town Clerk of the Town of Sweden advertised for the submission of sealed bids in accordance with Section 103 of Article 5-A of the General Municipal Law for line drilling and blasting of rock along the proposed Colby Street/Sweden Walker Road Watermain Extension and the following bids were received and opened on May 6, 2005 at 10:00 AM:

Nothnagle Enterprises, Inc.	\$15.85/LF
1821 Scottsville Mumford Road	
Scottsville, New York 14546	

MERK Drilling & Blasting Corporation	\$18.00/LF
8068 Dennis Road	
Angola, New York 14006	

WHEREAS, after review by MRB/Group, Engineering, Architecture, Surveying, P.C. and the Highway Superintendent, they have recommended awarding the bid for blasting to Nothnagle Enterprises, Inc., 1821 Scottsville Mumford Road, Scottsville, NY 14546.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board, upon recommendation of MRB/Group and the Highway Superintendent, awards the bid for line drilling and blasting of rock along the proposed Colby Street/Sweden Walker Road Watermain Extension to Nothnagle Enterprises, Inc., 1821 Scottsville Road, Scottsville, NY 14546 for the bid price of \$15.85/LF.
- Sec. 2. That the Supervisor is authorized to pay the invoices from the Colby Street Water Project Capital Fund for the Colby Street/Sweden Walker Road Watermain Improvement Project.
- 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>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – May 10, 2005

Adopted

DISCUSSION AND ANNOUNCEMENTS

Highway Superintendent Fred Perrine announced that he has met with Jim Oberst, Town Engineer, to discuss whether it is beneficial for the Town to award the material bid for the Colby Street/Sweden Walker Road Watermain Improvement Project as a whole or itemized. They are reviewing the bids to see if all items meet the necessary specifications. The cost savings will be determined and compared for each option and a decision will be made for the next Board meeting.

Town Assessor Tony Eaffaldano arrived at 8:10 pm. He discussed the agreement received from the New York State Office of Real Property Services. State aid is available to any Town that makes the commitment to keep the tax roll at 100% valuation. The program allows the Town to receive \$5.00 per parcel if the goal is met. Councilperson Carges made a motion that was seconded by Councilperson Connors to authorize the Supervisor to sign the agreement. All voted in favor of the motion. Motion adopted. Mr. Eaffaldano also reported that some of the area builders are looking for a 485-B exemption on building lots. The exemption would lower the assessments to below market value for a period of three years. Mr. Eaffaldano is not recommending the exemption at this time.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Ferris to move into executive session at 8:20 pm to discuss a personnel issue. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Carges made a motion that was seconded by Councilperson Connors to leave executive session at 8:50 pm. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the May 10, 2005 meeting of the Sweden Town Board at 8:52 pm. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk