

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, June 28, 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 Finance Director Leisa Strabel, Building Inspector Bill Weber, Highway Superintendent Fred Perrine, and Town Clerk Karen Sweeting.

Visitors present were Attorney Richard Olson from 24 West Avenue in Spencerport, Michael and Sean McLean, Kris Schultz from Schultz Associates, and Jim Hamlin from 50 Park Avenue. Visitor Julie Lapinski from 4016 Sweden Walker Road arrived at 7:35 pm and Village of Brockport Chief of Police Daniel Varrenti arrived at 7:40 pm.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag led by Highway Superintendent Fred Perrine. Supervisor Lester then acknowledged the presence of the visitors. Mr. Lester introduced Kris Schultz from Schultz Associates who turned the floor over to his clients, Michael and Sean McLean.

Michael and Sean McLean stated that they were in the process of submitting an application to rezone four parcels on Redman Road north of the Town Park totaling 130 acres from R1-2 to B-1 to create a residential, mixed use community. The community would feature Victorian style buildings, patio homes, assisted living facility, and a Victorian square with a two-acre park, to name a few. The residential community would include commercial amenities to service the residents of the development – small local retail shops.

The McLeans explained that the proposed development would create another entrance to the Town Park and connect to the Northrup Subdivision. They believe in smart growth and are conscientious in preserving wetlands and natural growth to increase the environmental quality on the site. The development will include a “green belt path” that will surround the development and meet with the towpath area by the canal. The path will continue through the historic Village to SUNY Brockport and back to the Town Park, creating a loop for bikers, walkers, and etc., totaling approximately 10 miles. The McLeans stated that this residential community will grow over time. They noticed a need for a senior community with services on site and will focus on those services to meet the needs of the seniors living in this community.

The McLeans stated that the property has designated wetlands that will remain. They will work toward clean environmental growth for plants and wildlife. The development has plans for the construction of a lake determined by natural water runoff. Supervisor Lester asked how deep the lake would be. The McLeans answered that the lake would be formed to follow the natural flow. Kris Schultz added that the lake would not be deeper than the canal, but would be deep enough to allow for natural thermal turnover. The McLeans added the lake would be naturally maintained and become part of the lasting environment and be accessible to the public for waterfront enjoyment.

Councilperson Carges asked what part of the community development would come first, the commercial or the residential. The McLeans answered that the development is proposed as primarily a residential community. The beginning stages of the project will include the connector road to the Town Park and the Northrup Subdivision. Once this stage is complete they will continue to build north of the connector road. The McLeans stated that it is not their intention to develop along Redman Road. They are not approaching this project from a traditional developing standpoint. If they don't use the land, the land will remain “wild”.

Supervisor Lester asked if there would be a hotel included in this project. The McLeans answered that there is a hotel proposed. They feel there is a need for one due to comments from

college officials. Their idea includes possibly a three-story hotel with approximately 60 rooms. The design would integrate with the entire community.

Supervisor Lester asked if this would be a gated community. The McLeans answered no, that they didn't feel that it would add value to the community. Their intention is to provide a high quality of living to the senior community. The McLeans believe that quality development is meant to be there forever.

Councilperson Carges asked how long of a span the project would take to complete. The McLeans answered that with all the stages of development and research, it would be a number of years. It could be up to three years before the housing units start to go up.

Supervisor Lester explained that the Board members would need some time to review the Environmental Assessment Form and any proposed conditions that will be placed with the proposed rezoning. The McLeans stated that they were seeking a rezoning change to B-1 to most fluidly integrate their ideas. They felt that it would be most efficient to apply one single zoning to the site with specific conditions.

Supervisor Lester stated that he would recuse himself from any and all decisions relative to this particular project. Mr. Lester stated that he had represented one of the property owners on a land transaction several years ago. There are rumors circulating in the community that Supervisor Lester has financial interests in the project; he does not. Mr. Lester stated that his only connection with the property is the aforementioned real estate transaction. Mr. Lester feels that recusing himself will squelch the rumors and prevent unfounded political attacks. Councilperson Carges will take the lead as Deputy Supervisor. All meetings regarding this project will be scheduled through him.

Supervisor Lester then introduced Village of Brockport Police Chief Daniel Varrenti. Chief Varrenti briefly talked about the Sex Offender Registry Act, which was signed into law and effective in 1996. He provided the Board with reading materials pertaining to this subject.

Supervisor Lester asked if there was anyone else that would like to speak. There was no one.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Public Hearing – Rezone Lana Property held on June 14, 2005. All voted in favor of the motion – four ayes. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the minutes of the Regular Town Board Meeting held on June 14, 2005. All voted in favor of the motion – four ayes. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2005	Received From:	Comments:
*1.	Kathy Alvito, Deputy Receiver of Taxes	Request to attend class at Cornell University July 17-22
*2.	Michelle Hatfield	Resignation from Laborer PT
*3.	Paradigm Development	Thank you for cooperation
4.	Jennifer Ries-Taggart, Director Seymour Library	Resignation
5.	NYS Real Property Services	Certificate of Final Special Franchise Assessment
6.	Village of Brockport Planning Board	Request to review SEQR for Sunflower

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| 7. | Bernadette Castro, State Historic Preservation Officer | Landing Subdivision
Recommendation for Town to Receive Federal Funding – Hiking and Biking Trail Project |
| 8. | Department of Environmental Services | Thank you for cooperation in Household Hazardous Waste collection |

*Board has copies

RE:#1 Councilperson Windus-Cook made a motion that was seconded by Councilperson Connors to grant Kathy Alvito’s request to attend a class at Cornell University July 17-22. All voted in favor of the motion – four ayes. Motion adopted.

RE:#2 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the resignation of Michelle Hatfield from Laborer PT. All voted in favor of the motion – four ayes. Motion adopted.

REPORTS

Building Inspector Bill Weber reported that he had received the plans for the Senior Center landscaping project. The new video store has gutted their location and is installing a new roof. Tractor Supply will be receiving their final Certificate of Occupancy. Mr. Weber also reported that he and Town Clerk Karen Sweeting met with General Code Publisher to determine what is needed to begin the re-codification process.

Highway Superintendent Fred Perrine reported that the Senior Center parking lot is ready for the top layer of asphalt, the striping, and the signs. The water line for the Colby Street/Sweden Walker Road project will begin soon.

Councilperson Carges had no report.

Councilperson Connors had no report.

Councilperson Windus-Cook had no report.

Supervisor Lester reported that he had attended the Assessor’s Association dedication to Alan Bader at the Sweden/Clarkson Community Center. He also attended the County Workers’ Compensation meeting. The Village of Brockport has now joined the group and it seems to be working well at providing cost savings to Towns within Monroe County. Supervisor Lester also reported that he attended the Bienvenida celebration and read the Proclamation in Spanish.

RESOLUTIONS

RESOLUTION NO. 105 Authorizing Amended Agreement with Office
For the Aging for 2005 re: Nutrition Program

WHEREAS, the County of Monroe acting through the Office for the Aging has requested an Amendment to the 2005 Nutrition Program Agreement, and

WHEREAS, the Town Board has favorably considered the matter.

NOW, THEREFORE, BE IT RESOLVED:

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

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

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

Discussion: The County is requesting an amendment to the agreement so that the steam table can be replaced.

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 – June 28, 2005

Adopted

RESOLUTION NO. 106

Ordering Public Hearing on Proposed Sale Of Easement and Telecommunication Lease(s) 4927 Lake Road South in the Town of Sweden

WHEREAS, the Nextel telecommunications tower is presently situated on a portion of the property located at 4927 Lake Road South, Brockport, New York 14420, in the Town of Sweden; and

WHEREAS, on May 27, 2005 a Letter of Intent was entered into by Unison Site Management, LLC, a Delaware limited liability company, to purchase, for a lump sum amount of \$110,000.00, an easement on said portion of the property, including an assignment of the associated telecommunication lease(s); and

WHEREAS, Unison Site Management, LLC, has provided a proposed Easement Agreement and Assignment Agreement, substantially in the form to be executed at the closing of the sale.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden will hold a Public Hearing at the Town Hall, 18 State Street, Brockport, New York on the 26th day of July 2005 at 7:15 pm to consider said sale of the easement and telecommunication lease(s) and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to such sale as may be required by law.
- Sec. 2. That the Town Clerk be 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 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
Submitted – June 28, 2005

Aye

Adopted

RESOLUTION NO. 107

Appoint Recreation Leader - Hiscock

WHEREAS, according to Civil Service Law, Shannon Hiscock was appointed provisionally to the title of Recreation Leader; and

WHEREAS, examination number OC68800, Recreation Leader, has been given and an eligible list was established on May 12, 2005; and

WHEREAS, notification was received from Monroe County Department of Human Resources that Ms. Hiscock passed the examination and is presently reachable.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Shannon Hiscock as Recreation Leader, permanently, effective May 12, 2005.

Sec. 2. That the annual salary for this position will increase to \$24,160.00 starting on June 25, 2005.

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 – June 28, 2005

Adopted

RESOLUTION NO. 108

Authorizing School Tax Penalties - 2005

WHEREAS, it is permissible for the Town to charge a penalty for late payment of school taxes.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Receiver of Taxes and Assessments shall receive school district taxes on bills for the 2005-2006 budget year for thirty (30) days after the first day specified in the notice for payment of such taxes without additional charge.

Sec. 2. That the Receiver of Taxes and Assessments, after the expiration of the thirty-day period of 2005, shall receive such school district taxes only upon payment of a penalty of three per centum (3%) of the tax payment received.

Sec. 3. That this resolution shall be in effect October 1, 2005 to October 31, 2005

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – June 28, 2005

Adopted

RESOLUTION NO. 109

Reappoint Members of Landmarks Advisory Committee – Hunt, Strabel

WHEREAS, the terms of appointment are about to expire for two current members of the Landmarks Advisory Committee; and

WHEREAS, the residents who currently serve in the positions are willing to serve another three -year term.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Christine Hunt and David Strabel to serve on the Landmarks Advisory Committee commencing on August 1, 2005 and ending on July 31, 2008.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – June 28, 2005

Adopted

RESOLUTION NO. 110

Changes to the Student Helper List for Summer Lifeguards 2005

WHEREAS, the Recreation Director, David Scott, has submitted changes to the Student Helper list for Summer Lifeguards 2005 that was adopted on June 14, 2005, Resolution No. 100.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby removes the following from the list of appointments to the position of Student Helper at the Sweden Clarkson Community Center and from payroll.

David Robinson
Holland Gurslin

Sec. 2. That the Town Board of the Town of Sweden hereby appoints Nathan Hullfish to the position of Student Helper at a rate of pay of \$6.00 per hour with a start date of June 27, 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:

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 – June 28, 2005

Adopted

RESOLUTION NO. 111

Authorize Salary Increase –
Recreation Leader - Gaffke

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an increase in salary for Joshua Gaffke, Recreation Leader to \$24,160.00 effective as of June 25, 2005.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook
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 – June 28, 2005

Adopted

RESOLUTION NO. 112

Advantage Machine, LLC – Shift of Operation
Into An Economic Development Zone

WHEREAS, Advantage Machine, LLC manufactured CNC Production Machined Parts in the Town of Sweden from 1990 to 2005; and

WHEREAS, Advantage Machine, LLC employed sixteen people in 2005, all residents within close proximity of the Town of Sweden; and

WHEREAS, growth of business prevented Advantage Machine, LLC from remaining at 1900 Transit Way, in the Town of Sweden, beyond 2005; and

WHEREAS, Advantage Machine, LLC met with the City of Rochester Economic Development program to receive a proposal to relocate to an Economic Development Zone while remaining in close proximity to the Town of Sweden; and

WHEREAS, Advantage Machine, LLC found it more economically feasible to relocate to a City of Rochester Economic Development Zone than to build or relocate within the Town of Sweden; 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 June 28, 2005, at 7:15 PM., to hear all persons for or against the relocation of Advantage Machine, LLC into the Rochester Economic Development Zone; and

WHEREAS, the Town Board has heard public comments that extraordinary circumstances existed to warrant the relocation of Advantage Machine, LLC in to the Rochester Economic Development Zone.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden consents to the relocation of Advantage Machine, LLC from the Town of Sweden to the Rochester Economic Development Zone.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – June 28, 2005

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook authorizing payment of the bills in Abstract 6 dated June 29, 2005 in the amount of \$386,450.31. All voted in favor of the motion – four ayes. Motion adopted.

General Fund: In the amount of \$130,713.44 as set forth in Abstract 6 dated June 29, 2005.

Highway Fund: In the amount of \$29,180.38 as set forth in Abstract 6 dated June 29, 2005

Special Fund: In the amount of \$226,556.49 as set forth in Abstract 6 dated June 29, 2005.

DISCUSSION AND ANNOUNCEMENTS

There will be a workshop meeting on Tuesday, July 5, 2005 at 7:30 pm.

EXECUTIVE SESSION

At 9:05 pm Councilperson Carges made a motion that was seconded by Councilperson Connors to move into executive session to discuss a personnel issue. All voted in favor of the motion – four ayes. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to leave executive session at 9:55 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 June 28, 2005 meeting of the Sweden Town Board at 9:57 pm. Councilperson Connors seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk