

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, July 23, 2002.

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

Also present was Director of Finance Elaine Jones and Highway Superintendent Fred Perrine.

Visitors present Jim Hamlin, 50 Park Ave. and Julie Lapinski, 4016 Sweden Walker Road.

Supervisor Lester called the meeting to order and everyone said the pledge to the flag. He called on visitors for public comment. Mrs. Lapinski asked where the Town board was with Sweden Walker Road water project. Councilman Carges said that he spoke with Jim Oberst of MRB. Mr. Carges will get all the materials, maps etc. to Jim to expedite the plans. Within a week he should have a cost estimate.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Wheat to accept the minutes of the Regular Meeting held on June 25, 2002. All voted in favor of the motion. Carried.

Councilperson Connors made a motion seconded by Councilperson Wheat to accept the minutes of the Public Hearing held on June 27, 2002. All voted in favor of the motion. Carried.

Councilperson Connors made a motion to accept the minutes of the Special Meeting held on July 10, 2002. Councilperson Wheat abstained. The remaining members voted in favor of the motion. Carried.

SUPERVISOR'S CORRESPONDENCE

2002	Received From:	Comments:
*1	Debra Hamel, 07/01	Re: upcoming changes in management of Lakeview Cemetery
*2	NYS Board of Real Property Services, 07/01	Notice of Tentative Equalization Rate for 2002 Assessment Roll – 100.00
*3	Gail DeToy, Town Clerk, 07/02	Request permission to purchase new computer
4	Association of Towns and NY Planning Federation, 07/02	Planning and Zoning Summer School 8/08/02, Nazareth College
5	Gary Zastrow, 07/03	Letter of intent for Recreation Advisory Board
6	Brockport Fire Department, 07/08	Acknowledgement of brick dedication for 9/11 Firefighter's Monument
7	Danielle Windus-Cook 07/04	Notes from meeting with B. Coopenberg
8	Val Malzewski, 07/08	Thank you for opportunity to lease to the Town
*9	John E. Graham, NYS DEC, 07/08	Household Hazardous Waste Collection Event (next year 6/14/03)

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| *10 | Rodney Rosser, Lakeside Engineering, 07/09 | Notification that he received Board's decision re: Sweden Walker Rd. water project. |
| *11 | Jack Doyle, County Executive, 07/10 | Application for funding from CDBG has been approved \$50,000 for ADA compliant restrooms @ Sweden Town Park |
| *12 | Thomas Kelly, NYS Dept. of Health 07/15 | Drinking Water State Revolving Fund Draft Intended Use Plan Funding Period 10/01/02-09/30/03 |
| 13 | Janet L. Smith, bpd Municipal Finance, 07/15 | Town of Sweden \$1,000,000 Bond Anticipation Notes 2001 (renewals) |
| 14 | John J. Frazer, Monroe Co. Dept. of Health, 07/15 | Approval of Completed Works Lake and White Rds. (Trask water) |
| 15 | Fran Weisberg, Lifespan, 07/16 | Re: Lifespan presentation at Supervisor's Assoc. mtg. PlanIt (retirement seminars) |
| *16 | Jim Oberst, MRB, 07/16 | Fieldhouse Building – Sweden Town Park |
| 17 | Brockport Ambulance Corps 07/17 | Activity Report – June |
| 18 | Monroe County Planning & Development 07/17 | Land Use Decision Making Training Program Fall 2002 |
- *Board has copies

Re: No. 3 Councilperson Connors made a motion seconded by Councilperson Carges to honor the Town Clerk's request for a new computer. All voted in favor of the motion. Carried.

Re: No. 4. Councilperson Carges made a motion to have Alan Bader attend the Association of towns Planning and Zoning Summer School on August 8, 2002. Councilperson Connors seconded the motion. All voted in favor of the motion. Carried.

DEPARTMENTAL REPORTS

Alan Bader said that there would be a new facade at the old Bell's Plaza. Plans for Bill Gray's Restaurant are moving along. Next summer there will be an outside dining patio. Plans are in the works for a Laser Car Wash. There have been a few housing starts. There were three garage sale close downs before the 4th of July.

Highway Superintendent Fred Perrine reported that the Department has been working in the Town Park. Some changing in the landscape is necessary for the road building work and field preparation. The old field house has been demolished and removed from the property. The Department is currently working on preparation for the soccer fields.

REPORTS

Councilperson Carges reported that he continues to work on the Sweden Walker Road water project. He has spoken with Jim Nealon and he has met the new Recreation Directors for the Community Center. He ordered the new computers for the Community Center.

Councilperson Connors met with Senior Center Director Nancy Duff and was brought up to date on what has been going on. Dave Strabel has been engaged to do plans for a gift shop the seniors would like to start up. Their plans would be brought before the Center Site Council. The

seniors are talking about doing a roast beef dinner instead of the spaghetti suppers they have been doing. The new exercise bikes are in.

Councilperson Wheat had no report.

Councilperson Windus-Cook reported that she had sat in on the interviews for the new part-time clerical help at the Community Center. They are ready to make an appointment.

Supervisor Lester reported that he had received a call from John Stirk regarding garage sales (continuous). He spoke with Steve Galor from Nextel regarding a cell tower. He was present for accepting the bond bid, which was at a 1.44% interest rate. He met with Bill Reillich who is going to run for NYS Assembly in this district. The Supervisor met with Bud Gearhart and 15 of his neighbors. The discussion centered on covenants in deeds. A committee was established to work on zoning issues. They will meet again.

RESOLUTIONS

RESOLUTION NO. 79

Adopt Local Law No. 1, 2002
NYS Retirement Incentive Program

WHEREAS: the Town of Sweden elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 69 of the Laws of 2002; and

WHEREAS: this law requires the adoption of a local law by any local government wishing to participate; 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 July 23, 2002 at 7:15 PM to hear all persons interested in the adoption of Local Law No. 1, 2002 NYS Retirement Incentive Program; 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, 2002 – NYS Retirement Incentive Program authorized by Chapter 69 of the Laws of 2002.

Sec. 2. That the commencement date of the Retirement Incentive Program shall be September 30, 2002 and the open period during which eligible employees may retire and receive additional retirement benefit shall be 90 days in length.

Sec. 3. That the Town Clerk is authorized and directed to file a complete copy of Local Law No. 1, 2002, with the Secretary of State, as required by law, and a copy to the New York State Retirement System.

Sec. 4. That this resolution shall take effect immediately.

WHEREAS, this necessitates the hiring of two Recreation Leaders, which title is a Monroe County Civil Service competitive position; and

WHEREAS, a Certification of Eligibles list number OC-63179 was received from Monroe County Civil Service, candidates canvassed, and only one candidate responded which, according to Civil Services rules, enables us to hire outside of the list provisionally; and

WHEREAS, two candidates were interviewed, their minimum qualifications meet the standard for Civil Service, and they are being recommended for hiring provisionally, and when Civil Service offers the Recreation Leader exam again, they will be required to take the exam and have appropriate test results per the Civil Services rules.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint provisionally to the position of Recreation Leader Jason M. Rhodes and Matthew S. Beeman to be effective July 22, 2002.

Sec. 2. That the annual salary for each position is \$23,000.

Sec. 3. That a 7-hour workday be established as the standard workday for retirement purposes for the position of Recreation Leader.

Sec. 4. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

RESOLUTION NO. 82 Add Recreation Leader Position to Employee Handbook

WHEREAS, the Town now has a Community Center and has created two positions to be called Recreation Leader; and

WHEREAS, the Town of Sweden Employee Handbook Office Employees needs to be updated to reflect these positions.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the position of Recreation Leader be added to the Town of Sweden Employee Handbook Office Employees in the Employee classification of 205 FLSA Non-Covered Employees (page 200-1).

Sec. 2. That under 504 Time Records, Policy Statement, the term FLSA Non-Covered Employees be added in the first sentence of the first paragraph so that it reads as follows:

“All FLSA non-exempt and FLSA non-covered employees are required to complete an individual time record showing the daily hours worked.”

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

RESOLUTION NO. 83 Proclaiming Public Educational and Governmental
Access Week 7/29 to 8/02

WHEREAS: On July 29, 1982 the signal of Channel 12 became visible in the communities of Gates, Greece and Chili; and

WHEREAS: Angie and Sal Caterino’s dream of Cable 12 west became a reality; and

WHEREAS: Today Educable Communications Corporation broadcasts on Cable Channel 12 and 15 to sixteen towns in western Monroe County and parts of Orleans and Genesee Counties.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby congratulates Sal and Angie Caterino and Educable Communications Corporation on the 20th Anniversary of operation.

Sec. 2. That the Sweden Town Board hereby declares the week of July 29, 2002 as Public Educational and Governmental Access Week in the Town of Sweden.

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

- 14. Page 7-1, first paragraph, first sentence, add, *sewer infrastructure*, after the words streets and bridges. In the second sentence, add *sewers*, after bridges and before public buildings.
- 15. Page 7-2, delete ~~Craig S. Smith~~ and replace with *Fred Perrine* and the appropriate phone numbers.
- 16. Page 7-2, delete ~~Bob Hafner~~ and ~~William Streb~~.
- 17. Page 7-2, delete ~~Roy S. Huseher~~ and replace with *Monroe County Water Authority* and the appropriate phone numbers.
- 18. Page 7-2, add *Shaun Castle* and *Brian Ingraham* with the appropriate phone numbers.
- 19. Page 7-2, under Village DPW Telephone List, delete ~~Fred Perrine~~ and replace with *Bradley Upson* with the appropriate phone numbers.
- 20. Page 8-1, delete ~~Water/Sewer Superintendent~~ and replace with *Monroe County Water Authority*.
- 21. Page 8-1, replace Water/Sewer Superintendent with Monroe County Water Authority and delete references to sewers so that the first paragraph reads as follows:

The *Monroe County Water Authority* is responsible for the maintenance of the water infrastructure and related equipment. *They* will direct action to check, restore and maintain essential public water facilities and services, calling upon all Public Works and Engineering Services of Monroe County for such assistance. *They* will work in conjunction with the utility companies or authorities in the restoration of various essential services.
- 22. Page 8-1, paragraph after the Checklist, delete in parentheses (~~Water/Sewer Superintendent~~) and replace with (*Monroe County Water Authority Personnel*).
- 23. Page 11-6, delete ~~Arthur G. Zimmer~~ and replace with *Daniel Varrenti* and the appropriate phone numbers.

Sec. 2. That the Town Clerk is directed to continue updating changes in personnel and telephone numbers.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted: 07/23/02

Adopted

RESOLUTION NO. 85 Accepting the Full Environmental Assessment Form Parts I, II and III as the Environmental Record on the Action to Adopt the Town of Sweden/Village of Brockport Comprehensive Plan Update 2002

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) has received and did review the Full Environmental Assessment Form, Parts I, II and III of the action to adopt the update the Town of Sweden/Village of Brockport Comprehensive Plan; and

WHEREAS, the Town Board finds the Environmental Record to be complete and in order for the Board, as the designated Lead Agency under the State Environmental Quality Review (SEQR) Regulations to make the necessary Determination of Significance on the action to adopt the update to the Town of Sweden/Village of Brockport Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. that the Town Board does hereby accept the Environmental Record prepared by the RLB Planning Group as being a true and accurate evaluation of the importance of the impacts associated with the adoption of the document entitled Town of Sweden/Village of Brockport Comprehensive Plan Update – 2002.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

RESOLUTION NO. 86 Create a Recreation and Park Advisory Council (RPAC)

WHEREAS, the Town of Sweden now has a Community Center and Park and has hired a Recreation Director; and

WHEREAS, the Town Board has recommended that an advisory council be formed to oversee recreation activities.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. The Town Board of the Town of Sweden does hereby adopt the attached Charter for the Town of Sweden & Clarkson Recreation and Park Advisory Council (RPAC) (attachment A).
- Sec. 2. Appointment of members from the towns of Sweden and Clarkson will start in staggered terms of office as follows: two (2) members from each town appointed for three (3) years, two members from each town appointed for two (2) years, and one (1) member from each town appointed for one (1) year. Following the completion of these initial terms, all members will be appointed for three-year terms.
- Sec. 3. The terms of office will be on an annual schedule of January first of each year through December 31st of each year. The initial appointments will be made in the middle of the year 2002 and will terminate on December 31, 2003, 2004, 2005, as per the term of office.
- Sec. 4. The initial appointment of the chairperson will be made by the Sweden Town Board.
- Sec. 5. The Town Board of the Town of Sweden does hereby adopt the attached Council Job Descriptions (attachment B).
- Sec. 6. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Attachment A
Town of Sweden & Clarkson
Recreation and park Advisory Council (RPAC)

- I. Mission Statement: The mission of the Recreation and Park Advisory Council (hereinafter called RPAC) is to provide support for innovative, safe and cost effective recreation and parks programs and facilities for the residents of Sweden and Clarkson in a proactive and timely manner.
- II. Vision Statement: The vision of the RPAC is to provide timely and comprehensive input that will enable Sweden and Clarkson recreation and park programs and facilities to be recognized as providing substantial value to the residents of the towns of Sweden and Clarkson and that these programs and facilities will be viewed as a major benefit of living in these towns.

- III. Council Purpose: To advise and provide recommendations to the Recreation Director in matters relevant to existing recreation and park programs as well as pertaining to the development of new programs in a manner that supports the mission, vision and annual goals of the Recreation Departments of the towns of Sweden and Clarkson and maximizes the use of town resources so that the residents of these towns are provided with recreation and park services which satisfy their needs and increase the quality of their lives.
- IV. Council Responsibilities:
- A. Establish goals and implementation strategies that support the mission of the Recreation Departments of the towns of Sweden and Clarkson.
 - B. Provide input to the Recreation Director on programs or projects through general policy recommendations, review of program effectiveness and suggestions for improvement.
 - C. Strategize for efficient and cost effective programming.
 - D. Explore opportunities to provide training or field experience for Recreation & Leisure Studies students at SUNY Brockport in conjunction with SUNY Brockport faculty and staff.
 - E. Provide communications to the Sweden and Clarkson communities regarding activities, programs and Recreation Department needs.
 - F. Advocate community financial and volunteer support for programs and projects through fund raising and grants.
- V. Council Process:
- A. Goal setting.
 - B. Goal implementation.
 - C. Project management.
 - D. Communications.
 - E. Data collection and analysis.
 - F. Meeting management.
 - G. Evaluation and revision.
- VI. Council Principles:
- A. Provide recreation programs and facilities that meet the needs of Sweden and Clarkson residents.
 - B. Utilize efficient project management techniques.
 - C. Recreation and park functions are a people oriented service so listens to the customer while keeping in mind the mission of the RPAC and of the Recreation Departments of the towns of Sweden and Clarkson.
- VII. Council Values:
- A. Honesty.
 - B. Diversity.
 - C. Respect.
 - D. Open communication.
- VIII. Council Organization: There will be fifteen (15) members on the RPAC.
- A. The Sweden Town Board shall appoint five (5) members that are residents of or property owners in the Town of Sweden. The term of office will be three (3) years.
 - B. The Clarkson Town Board shall appoint five (5) members that are residents of or property owners in the Town of Clarkson. The term of office will be three (3) years.
 - C. The Brockport Central School District shall appoint three (3) members to include one (1) administrator and two (2) high school students. The students will be one (1)

female and one (1) male student that live in either Sweden or Clarkson. The terms of office are one (1) year.

D. The President of the Sweden Senior Center Site Council, or designee appointed as such, shall be a member. The term of office will be one (1) year.

E. A faculty member from the Recreation and Leisure Studies Department at SUNY Brockport will also be a member. The term of office will be one (1) year.

F. Council members shall elect a chairperson annually by a simple majority vote.

G. Council members shall elect a vice-chairperson annually by a simple majority vote.

H. In order to maintain active membership and participation in the RPAC it is a requirement to attend all meetings. If a member is unable to attend a meeting he/she should provide the chairperson with advance notification of the reason for his/her absence. Missing three (3) consecutive unexcused meetings or more than 50 percent of the meetings in a calendar year will require the member to resign.

I. RPAC meetings will be held monthly. Additional meetings may be scheduled if necessary.

J. A council member may resign from his/her position on the RPAC by submitting a letter of resignation to the chairperson.

Attachment B
Town of Sweden and Clarkson
Recreation and Park Advisory Council (RPAC)
Job Descriptions

- I. Chairperson:
 - A. Distribute the agenda for each scheduled meeting as prepared by the Recreation Director.
 - B. Lead and manage the scheduled meetings.
 - C. Ensure the election of a vice-chairperson annually.
 - D. Interface with the Recreation Director on needs, issues, programs, and projects.
 - E. Member must serve on the RPAC for a minimum of one (1) year before becoming eligible for appointment to the chairperson position.

- II. Vice-Chairperson: Fulfills the duties of the chairperson in his/her absence.

At this time Supervisor Lester excused himself from the meeting for the following two resolutions. Deputy Supervisor Carges conducted the meeting.

RESOLUTION NO. 87

Determination of Non-Significance –
Northrup Property Rezoning

WHEREAS: the Sweden Town Board (hereinafter referred to as Town Board) is the designated Lead Agency for making the determination of environmental significance for the rezoning of the Northrup Property tax account 083.01-1-27 (hereinafter referred to as the Action); and

WHEREAS: the Town Board has received, reviewed and does hereby accept the Part 1 Environmental Assessment Form (EAF) completed by Frank Sciremammano Jr. of F-E-S Associates on such Action; and

WHEREAS: The Town Board has in accordance with Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and the implementing regulation under 6 NYCRR Part 617: considered the action as defined in the State Environmental Quality Review Act; and reviewed the EAF Part 1, the criteria contained in subdivision (c) of Section 617.7 and other supporting information that includes the adopted *Town of Sweden Comprehensive Plan*, the plans prepared by Bernard C. Schmieder, Consulting Engineer and Land Surveyor, the public record from public hearings on said action and the environmental record to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to supporting documentation.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board does hereby make this Determination of Non-Significance for the Action.
- Sec. 2. That the Town Board does hereby direct the Town Supervisor to sign the Negative Declaration Form for said Action and to provide notice thereof to all identified Involved and Interested Agencies.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

RESOLUTION NO. 88

Rezoning – Northrup Property
Tax Account No. 083.01-1-27

WHEREAS: The Town Board of the Town of Sweden duly called a public hearing by legal notice published on the 23rd day of May, to consider the request of James Northrup, President of Northrup Contracting, Inc. and owner of the property, tax account no. 083.01-1-27, to rezone the property on the north side of Fourth Section Rd. just west of Redman Road from its current R1-2 to R1-3S; and

WHEREAS: Said public hearing was held by the Town Board on the 11th day of June, 2002 at 7:00 PM; and

WHEREAS: The proposed rezoning was reviewed by the Sweden Environmental Board, Highway Superintendent, Town Engineer, Monroe County Planning and Development, Monroe County Pure Waters, Monroe County Water Authority and the New York State DOT; and

WHEREAS: This Town Board feels that the change is consistent with the Comprehensive Plan for the growth and development of the Town, to wit the land shall remain single family residential; and

WHEREAS: The Town Board has found the action to be of non-significance in accordance with Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act)

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Zoning Map of the Town of Sweden be and the same hereby is amended to change the zoning classification from Residential R1-2 to R1-3S of the following:

ALL OF THAT TRACT OR PARCEL OF LAND, situate in Town Lot 7, Township 3 of the Triangular Tract, Town of Sweden, County of Monroe, State of New York, and more particularly described as follows:

Beginning at a point in the centerline of Fourth section Road (66' R.O. W.), said point being a distance of 1212.23 feet easterly, as measured along the centerline of Fourth Section Road from its intersection with west line of Town Lot, thence;

- 1) S 88°20'25" W and along the centerline of Fourth Section Road, a distance of 158.90 feet to a point on the centerline of Fourth Section Road being the southeasterly corner of lands now or formerly Daniel D. and Susan Carlson as recorded in the Monroe County Clerk's Office in Liber 8494 of Deeds, Page 467, thence;
- 2) N 00°39'07" W and along the east line of said lands now or formerly Daniel C. and Susan Carlson 237.99 feet to a point being the northwest corner of said lands, thence;
- 3) S 88°00'53" W and along the north line of lands, now or formerly Daniel D. and Susan Carlson and continuing along the north line of lands now or formerly Jame E. and Lisa Juby, as recorded in the Monroe County Clerk's Office in Liber 8784 of Deeds, Page 467, a total distance of 300.00 feet to a point being the northwest corner of said Juby lands, thence;
- 4) S 00°39'07" E and along the westerly line of lands now or formerly Jame E. and Lisa A. Juby, a distance of 50.00 feet to a point also being the northeast corner of lands now or formerly Kenneth R. and Sue H. Lower as recorded in the Monroe County Clerk's Office in Liber 4895 of Deeds, page 120, thence;
- 5) S 88°00'53" W and along the north line of lands now or formerly Kenneth R. and Sue H. Lower, a distance of 180.00 feet to a point being the northwest corner thereof, thence;
- 6) S 00°39'07" E and along the west line of lands now or formerly Kenneth R. and Sue H. Lower, a distance of 185.26 feet to a point in the centerline of Fourth Section Road, thence;
- 7) S 88°20'25" W and along the centerline of Fourth Section Road, a distance of 89.99 feet to a point being the southeast corner of lands now or formerly Mark E. Lutes, as recorded in the Monroe County Clerk's Office in Liber 8218 of Deeds, page 229, thence;
- 8) N 00°39'07" W and along the east line of said lands now or formerly Mark E. Lutes, a distance of 184.75 feet to a point being the northeast corner of said lands, thence;

- 9) S 88°00'53" W and along the north line of lands now or formerly Mark E. Lutes, and continuing along the north line of lands now or formerly David G. Herman, as recorded in the Monroe County Clerk's Office in Liber 8474 of Deeds, page 410, can continuing along the north line of lands now or formerly Francis S. and Merle B. Murphy, as recorded in the Monroe County Clerk's Office in Liber 8363 of Deeds, Page 425, and continuing along the north line of lands now or formerly Francis S. and Merle B. Murphy, as recorded in the Monroe County Clerk's Office in Liber 3068 of Deeds, Page 381, a total distance of 360.00 feet to a point on the east line of lands now or formerly Dwayne M. and Heather Sisk, as recorded in the Monroe County Clerk's Office in Liber 8307 of Deeds, Page 177, thence;
- 10) N 00°39'07" W and along the east line of said lands now or formerly Dwayne <. And Heather Sisk, a distance of 100.00 feet to a point being the northeast corner of said lands, thence;
- 11) S 88°00'53" W and along the north line of lands now or formerly Dwayne M. and heather Sisk, a distance of 120.00 feet to a point on the east line of lands now or formerly Steven Wolk, as recorded in the Monroe County Clerk's Office in Liber 6493 of Deeds, Page 149, also being the west line of Town Lot 7, thence;
- 12) N 00°03'02" E and along the west line of Town Lot 7, also being the east line of lands now or formerly Steven Wolk, a distance of 3192.00 feet to a point being the southwest corner of lands now or formerly Eileen Swartout, as recorded in the Monroe county Clerk's office in Liber 4069 of Deeds, page 407, thence;
- 13) N 88°01'01" E and along the south line of lands now or formerly Eileen M. Swartout, a distance of 1328.58 feet to a point being the southeast corner thereof, also being on the east line of Town 7, and the west line of said lands now or formerly Eileen M. Swartout, as recorded in the Monroe County Clerk's Office in Liber 3539 of Deeds, Page 163, thence;
- 14) S °00 03'39" E and along the east line of Town Lot 7, and the west line of lands now or formerly Eileen M. Swartout, a distance of 502.93 feet to an angle point, also being the southwest corner of said land, now or formerly Eileen M. Swartout and northwest corner of said lands now or formerly the Town of Sweden as recorded in the Monroe County Clerk's Office in Liber 9151 of Deeds, Page 45, thence;
- 15) S 00°56'13" W and continuing along the east line of Town Lot 7, and the west line of lands now or formerly the Town of Sweden, a distance of 1004.74 feet to an angle point, thence;
- 16) S 00°14'20" E and continuing along the east line of Town Lot 7, and the west line of lands now or formerly the Town of Sweden, a distance of 1004.74 feet to an angle point, thence;
- 17) S 88°35'07" W and along the north line of lands now or formerly Ronald and Michele Gill, a distance of 125.00 feet to the northwest corner therof, thence;
- 18) S 02°47'08" E and along the west line of said lands now or formerly Ronald L. and Michelle Gill, a distance of 304.00 feet to a point in the centerline of Fourth Section Road being the point and place of beginning.

The above described parcel contains 99.891 acres of land to centerline, more or less.

Sec. 2. That the Town Clerk is hereby directed and authorized to publish a notice of adoption of this Resolution as required by law, and

Sec. 3. That said amendment and change shall take effect immediately.

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

Discussion: Councilwoman Windus-Cook said that this property is already zoned residential, only the lot size is different.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

Supervisor Lester returned to the meeting.

Resolution No. 89

Determination of Non-Significance
SEQR Town of Sweden/Village of
Brockport Comprehensive Plan Update 2002

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) has considered the final draft of the document entitled Town of Sweden/Village of Brockport Comprehensive Plan Update 2002 (hereinafter referred to as The Plan); and

WHEREAS, the Town Board has also given consideration to the public hearing record and to the advisory report from the County of Monroe Department of Planning and Economic Development, made under the provisions of the New York State General Municipal Law; and

WHEREAS, there have been no written comments or concerns submitted to the Town Clerk on the Environmental Record prepared on the Action to adopt said Plan; and

WHEREAS, the Town Board is the established Lead Agency under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board is obligated to make a determination of significance as set forth in Section 617.7 (c) of the SEQR Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby makes the following determination of the criteria set forth in Section 617.7 (c) of the SEQR Regulations as to whether or not the adoption of The Plan will (or will not) likely result in a significant adverse impact upon the environment:

- (i) The Plan does not envision a substantial change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The Plan provides specific goals, objectives and recommended actions to promote the protection of these environmental features. Adoption of The Plan and implementation of the recommended actions is likely to result in the mitigation of these development components upon the environment in the Town.

- (ii) The Plan does not provide for the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; adverse impacts on significant habitat areas; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; or any other significant adverse impact upon the natural resources.

The Plan provides specific goals, objectives and recommended actions to promote the protection of these environmental features. Adoption of The Plan and implementation of the recommended actions is likely to result in positive environmental impacts on these criteria.

- (iii) The Plan does not provide for the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14 (g) of the SEQR Regulations.

The Plan provides recommended actions involving the creation of Environmental Protection Overlay District (EPOD) Regulations. The EPOD regulations provide for documentation and regulation of the environmental characteristics normally associated with Critical Environmental Areas. The heightened awareness of these environmental characteristics will have positive effects upon the protection of the environment in the Town and Village.

- (iv) The Plan does not propose the creation of a material conflict with the Town's c Current comprehensive plan or the officially adopted goals contained in said plan.

The Plan builds upon the foundation (the adopted goals, objectives and recommended actions) that has been established and implemented by the Town of Sweden, as contained in the adopted Town of Sweden/Village of Brockport Comprehensive Plan Update – 1995. As such, the specific goals, objectives and recommended action statements have been formatted to address, to the level determined appropriate by each community, the functional areas that comprise a comprehensive plan as defined under Sections 272-a of the New York State Town Law and 7-722 of the New York State Village Law.

- (v) The Plan does not propose action that would impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Plan recommends several rezonings of areas that have been evaluated by both planning boards and the residents of the Town and Village. There is no record of community or neighborhood opposition to the recommended rezonings. In addition, the Plan recommends enactment of new overlay zones to protect the historical and aesthetic resources deemed +important to the community. Adoption of the Plan provides the foundation for both municipalities to proceed with the creation of these land use regulations and zoning map amendments. Adoption of the new regulations, in turn, would provide criteria and a structured review process that would not create a pattern of development that would

adversely impact upon the character or quality of the important resources identified within this section of the SEQR criteria.

- (vi) The Plan does not recommend a major change in the use of either the quantity or type of energy used to support existing and planned areas of growth and development.

The Plan recommends a pattern of growth and development that has been reviewed by and accepted by the residents of the community, as evidenced by the extensive public participation process, including the survey of town and village residents and the public hearing record. This pattern of development builds upon the energy infrastructure used to support existing growth and planned areas for development.

- (vii) The Plan does not propose action that would create a hazard to human health.

The Plan recommends the enactment of additional land use regulations that would further reduce the adverse impacts associated with uncontrolled development along major highways. In addition, The Plan recommends the creation of EPODs to give public notice of the natural constraints to development, which exist with development within floodplain areas, within certain distances of known landfills, or within areas having soils that have a high characteristic of erosion.

- (viii) The Plan does not proposed action which would likely result in a substantial change in the use, or intensity of use, or land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The Plan recommends the completion of the Town of Sweden/Village of Brockport Open Space Index, the preparation of the Town of Sweden Open Space, Parks & Recreation Master Plan and the adoption of these important documents, as part of The Plan's specific recommended actions to protect open space and recreational resources in the community. In addition, The Plan provides for an evaluation of farmland preservation techniques to include Conservation Easements and the Purchase of Development Rights. Each of these recommended actions would not likely result in a substantial change in the use of these features of the community. On the contrary, such action would clarify the priorities of the community to protect and preserve these attributes.

- (ix) The Plan does not encourage or attract a large number of people to a particular place or places for more than a few days, when compared to the number of people who would come to such place absent the action.

The Plan does not promote events or activities that would encourage or attract large numbers of people to a particular place. Existing community events and festivals have not been promoted in The Plan, as this is not one of the planning considerations set forth in Section 272-a of New York State Town Law, or Section 7-722 of New York State Village Law.

- (x) The Plan does not create a material demand for other actions that would result in one of the above consequences.

Adoption of the Plan, by both the Sweden Town Board and the Brockport Village Board, establishes a heightened level of awareness of the short-term and long-term impacts of growth and development in the community. Maintaining the Plan, implementing the recommended actions and providing a basis for consistent and accountable decision-making will not result in actions felt likely to have a significant adverse effect upon the environment.

- (xi) The Plan does not recommend changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

The Plan does, however, recommend that any future site-specific actions that have the potential to adversely affect the environment identify appropriate mitigation measures as part of any review under the SEQR provisions. The strict adherence to carefully evaluating the anticipated impacts of an action will minimize the potential for two or more elements together having a substantial adverse impact on the environment.

- (xii) The Plan does not propose two or more related actions to be undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, or when considered cumulatively would meet one or more of the criteria in this section of the SEQR Regulations.

The Plan provides the foundation for subsequent actions to be undertaken, funded or approved which, if in accordance with the recommendations contained in this Plan Update would not have a significant adverse impact upon the environment, or when considered cumulatively would meet one or more of the criteria in the SEQR Regulations.

BE IT FURTHER RESOLVED BY THE TOWN BOARD, that:

- (1) The adoption and maintenance of the Town of Sweden/Village of Brockport Comprehensive Plan Update - 2002, sets forth a logical and environmentally sensitive pattern for future land use growth and development in both the Town and Village; and
- (2) The Plan contains goals, objectives and recommended actions that adequately identify each of the considerations set forth in Section 272-a of the New York State Town Law and Section 7-722 of New York State Village Law to adequately protect and preserve the environment in the Town of Sweden and the Village of Brockport, Monroe County, New York; and
- (3) The Plan's adoption by the Town Board and Village Board will provide a comprehensive basis for municipal and private sector decisions affecting growth and development that are felt most likely to result in positive effects upon the

environmental quality of life in the Town of Sweden and the Village of Brockport; and

- (4) The Plan’s adoption and maintenance will not result in any potentially significant adverse impacts upon the environment.

BE IT FINALLY RESOLVED, that:

- (1) The Town Board directs the Town Supervisor to sign and to issue a Negative Declaration on the action to adopt The Plan.
- (2) Public notice of this determination are to be filed in accordance with the procedures set forth in the State Environmental Quality Review (SEQR) Regulations and a copy hereof placed in the Appendix of the adopted Plan document.

The above resolution was offered by Councilman Wheat and seconded by Councilman Carges at a regular meeting of the Sweden Town Board, held on Tuesday, July 23, 2002. Following discussion thereon the following roll call vote was taken and recorded.

Councilperson Robert Carges	<u>Aye</u>
Councilperson Patricia Connors	<u>Aye</u>
Councilperson Carl Wheat	<u>Aye</u>
Councilperson Danielle Windus-Cook	<u>Aye</u>
Supervisor Nat O. Lester	<u>Aye</u>

I, Gail A. DeToy, Sweden Town Clerk, do hereby attest to the accuracy of the above resolution and to it being acted upon by the Sweden Town Board on Tuesday, July 23, 2002.

Gail A. DeToy, Town Clerk
Town of Sweden

RESOLUTION NO. 90 Adoption of The Town of Sweden/Village of Brockport Comprehensive Plan Update 2002

WHEREAS, the Sweden Town Board (hereinafter referred to as Town Board) has completed its review of the Full Environmental Assessment Record, prepared by the RLB Planning Group, on the action to adopt the update to the Town of Sweden/Village of Brockport Comprehensive Plan; and

WHEREAS, the Town Board has made a Determination of Non-Significance on the action to adopt the Plan Update; and

WHEREAS, the Town Board has reviewed the public hearing records on the proposed update to the Plan and has considered the Monroe County Department of Planning and Economic Development Referral on said Plan adoption.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. that the Town Board hereby adopts, in accordance with the provisions of Section 272-a of New York Town Law, the document entitled Town of Sweden/Village of Brockport Comprehensive Plan Update – 2002 as the Official Planning document for the Town of Sweden.

Sec. 2. that the Town of Sweden/Village of Brockport Comprehensive Plan Update 2002 shall be reported upon by the Town Planning Board each year, in the form of a written report to the Town Board. Said report is to be dated in February of each year.

Sec. 3. that the Town Board shall provide for a major update to the Plan in the year 2006 or sooner if, in the review of the 2000 U.S. Census information it is determined by the Town Board that a major update should occur sooner.

Sec. 4. that the Town Board shall forward a copy of this resolution to the Village Board along with this Board’s recommendation that the Village Board also take action to adopt the Plan as the Village’s Official Planning document.

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

Discussion: Thank you to Councilwoman Connors who served on the committee.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

RESOLUTION NO. 91

Appoint Members to Recreation and Parks
Advisory Council (RPAC)

WHEREAS, the Town Board has created a Recreation and Park Advisory Council (RPAC);
and

WHEREAS, members and a chairman need to be appointed.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint the following to a three (3) year term on the RPAC. The term to be July 24, 2002, through December 31, 2005.
Jarl Boyst
Michael Rockow

Sec. 2. That the Town Board of the Town of Sweden does hereby appoint the following to a two (2) year term on the RPAC. The term to be July 24, 2002, through December 31, 2004.

Gary Zastrow
Wayne Zyra

Sec. 3. That the Town Board of the Town of Sweden does hereby appoint the following to a one (1) year term on the RPAC. The term to be July 24, 2002, through December 31, 2003.

Charles Militello

Sec. 4. That the chairperson for the first year (until December 31, 2003) shall be Dr. Jewel from SUNY Brockport

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – July 23, 2002

Adopted

At 8:25 PM Councilperson Wheat made a motion to go into executive session regarding a personnel matter in the highway department and a litigation matter regarding a Redman Rd. resident. Councilperson Connors seconded the motion. All voted in favor. Carried.

At 10:25 PM Councilperson Carges moved to go out of executive session. Councilperson Connors seconded the motion. All voted in favor of the motion. Carried.

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

Gail A. DeToy, Town Clerk

Councilperson Carges made a motion seconded by Councilperson Wheat to reinstate former employee William Streb. Mr. Streb will work at his prior pay rate and will receive all prior benefits. All voted in favor of the motion. Carried.

APPROVAL FOR PAYMENT OF BILLS

All Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Wheat authorizing payment of the bills in Abstract 6 dated July 23, 2002. All voted in favor of the motion. Carried.

General Fund: In the amount of \$69,792.88 as set forth in Abstract 7 dated July 23, 2002.

Highway Fund: In the amount of \$4,031.76 as set forth in Abstract 7 dated July 23, 2002.

Recreation Fund: In the amount of \$38,921.41 as set forth in Abstract 7 dated July 23, 2002.

Special District: In the amount of \$135,352.82 as set forth in Abstract 7 dated July 23, 2002.

Capital Fund: In the amount of \$14,636.14 as set forth in Abstract 7 dated July 23, 2002.

DISCUSSION AND ANNOUNCEMENTS

There will be a budget workshop meeting on August 6, 2002 at 4:00 PM.

Supervisor Lester said that he would like Councilperson Connors to look into a property maintenance code for the town. He asked that Councilperson Wheat look into an ordinance for garage sales. And he asked that Councilperson Windus-Cook check into a recreation fee for developers to pay to the town.

ADJOURNMENT

There being no further business to come before the Board, Councilperson Carges made a motion that was seconded by Councilperson Wheat to adjourn the Regular Town Board meeting of July 23, 2002, at 11:00 PM. All voted in favor of the motion. Carried.

Respectfully submitted,

Gail A. DeToy, Town Clerk