

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, August 8, 2006.

Town Board Members present were Deputy Supervisor/Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Building Inspector Jim Butler and Town Clerk Karen Sweeting. Supervisor Buddy Lester was present at the meeting but excused himself to attend a conference with M/M Dragani's attorney, James Grossman.

Visitors present were residents Jim Hamlin, Harold Mundy and Tim Bates. Also present was Attorney Kelly Pronti. Kris Schultz from Schultz Associates arrived at 7:45 p.m.

Deputy Supervisor/Councilperson Carges called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Deputy Supervisor/Councilperson Carges then acknowledged the presence of the visitors and asked if anyone would like to speak. No one spoke.

DEPARTMENTAL REPORTS

July 2006 departmental reports were received and reviewed by the Town Board from the following: Finance Director, Leisa Strabel; Building Inspector, James Butler; Justice Court, Lynette Lemcke; Dog Control Officer, Kathy Beaumont; and Town Clerk, Karen Sweeting.

RESOLUTIONS

RESOLUTION NO. 110

Wal-Mart Stores East, LP Granting to the Town of Sweden a Sanitary Sewer Easement and the Town of Sweden Granting to Wal-Mart Stores East, LP a Temporary Grading Easement

WHEREAS, Wal-Mart Stores East, LP ("Wal-Mart"), having succeeded to the interests of Wal-Mart Real Estate Business Trust ("Wal-Mart's Predecessor"), is the owner of certain real property identified as tax parcel identification numbers 084.01-1-35, 084.01-1-14.12, 084.01-1-14.112, 084.01-1-14.2, and portions of 084.01-1-1.119 and 084.01-1-12 (the "Wal-Mart Tract"); and

WHEREAS, Wal-Mart's Predecessor submitted an application for subdivision approval and a final subdivision plan (the "Subdivision Plan") to the Town of Sweden Planning Board (the "Planning Board") evidencing its proposed subdivision of the Wal-Mart Tract; and

WHEREAS, Wal-Mart's Predecessor submitted an application and final site plan (the "Site Plan") to the Planning Board in connection with construction of a Wal-Mart Supercenter on the Wal-Mart Tract; and

WHEREAS, the Planning Board, acting as State Environmental Quality Review Act ("SEQRA") Lead Agency, engaged in a lengthy review process which culminated in the issuance of a SEQRA findings statement adopted by the Lead Agency on November 2, 2005 and amended by the Board on November 14, 2005; and

WHEREAS, by resolution dated January 23, 2006, the Planning Board granted Wal-Mart’s Predecessor’s applications for final subdivision approval and site plan approval; and

WHEREAS, several improvements will be constructed upon the Wal-Mart Tract in connection with construction of the Wal-Mart Supercenter, including a twenty (20) foot wide sanitary sewer; and

WHEREAS, in consideration of the above, Wal-Mart desires to grant to the Town of Sweden a “Twenty (20) Foot Wide Sanitary Sewer Easement”, a copy of which is attached hereto; and

WHEREAS, the Town of Sweden desires to grant to Wal-Mart a “Temporary Grading Easement”, a copy of which is attached hereto; and

WHEREAS, the Sweden Town Board, after due review and consideration, further deems it appropriate to enter into the “Twenty (20) Foot Wide Sanitary Sewer Easement” and “Temporary Grading Easement” with Wal-Mart.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board accepts the above-referenced easements and agreements, descriptions and maps, all of which are attached hereto and further authorizes the Town Supervisor, Nat O. Lester, III to sign such agreements on behalf of the Town of Sweden.

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>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Excused</u>

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 111

Authorizing Town of Sweden to Abandon Various Easements Located on the Wal-Mart Tract

WHEREAS, Wal-Mart Stores East, LP (“Wal-Mart”), having succeeded to the interests of Wal-Mart Real Estate Business Trust (“Wal-Mart’s Predecessor”), is the owner of certain real property identified as tax parcel identification numbers 084.01-1-35, 084.01-1-14.12, 084.01-1-14.112, 084.01-1-14.2, and portions of 084.01-1-1.119 and 084.01-1-12 (the “Wal-Mart Tract”); and

WHEREAS, Wal-Mart’s Predecessor submitted an application for subdivision approval and a final subdivision plan (the “Subdivision Plan”) to the Town of Sweden Planning Board (the “Planning Board”) evidencing its proposed subdivision of the Wal-Mart Tract; and

WHEREAS, Wal-Mart’s Predecessor submitted an application and final site plan (the “Site Plan”) to the Planning Board in connection with construction of a Wal-Mart Supercenter on the Wal-Mart Tract; and

WHEREAS, the Planning Board, acting as State Environmental Quality Review Act (“SEQRA”) Lead Agency, engaged in a lengthy review process which culminated in the issuance of a SEQRA findings statement adopted by the Lead Agency on November 2, 2005 and amended by the Board on November 14, 2005; and

WHEREAS, by resolution dated January 23, 2006, the Planning Board granted Wal-Mart’s Predecessor’s applications for final subdivision approval and site plan approval; and

WHEREAS, in order to facilitate the development of the Wal-Mart Supercenter, it is necessary that the Town of Sweden abandon the following easements located on the Wal-Mart Tract and shown on the map entitled “West Development Corp. Lot #1 Subdivision, a One-Lot Subdivision”, prepared by Clark Engineers, PC, dated May 5, 1989 and recorded in the Monroe County Clerk’s Office on February 21, 1990 in Liber 262 of Maps at Page 11:

1. Access easement;
2. 20’ wide sanitary sewer easement; and
3. Stormwater detention pond easement; and

WHEREAS, the Sweden Town Board, after due review and consideration, further deems it appropriate to abandon the above-referenced easements.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby abandons and relinquishes all rights, title and interest in and to the above-referenced easements.

Sec. 2. That this resolution shall take effect immediately

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

RESOLUTION NO. 112

Ordering a Public Hearing to Rezone Lot 2 and Lot 5 and a small portion of Lots 1 and 3 of the Property Owned by Walt Eisenhower/Big Fella Enterprises.

WHEREAS, Walt Eisenhower/Big Fella Enterprises located at 2400 Colby Street, Brockport, New York, the owner of the properties north of the intersection of Colby Street and Sweden Walker Road and northwest of the intersection of Colby Street and Sweden Walker Road in the Town of Sweden, has submitted to the Town Board an application and proposal to re-zone Lot 2 from Residential (R1-2) to Light Industrial (I-2); Lot 5 from Residential (R1-2) to Airport Commercial (B-2); and a small portion of each on the north edge of Lot 1 and Lot 3 from Residential (R1-2) to Airport Commercial (B-2); and

WHEREAS, a map of the property has been filed with the town, and the required fee paid.

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, in said Town on September 12, 2006 at 7:15 PM to hear all persons interested in the re-zoning of the properties located near the intersection of Colby Street and Sweden Walker Road, from R1-2 to I-2 and R1-2 to B-2.

Sec. 2. That the area proposed to be re-zoned is 40.543 +/- acres, tax account Nos.

Sec.3. That the area proposed to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

Lot 2 – R1-2 to I-2

All that tract or parcel of land, situated in and being part of Town Lot 3, in Section 11, Township 3 of the Triangular Tract, in the Town of Sweden, County of Monroe, State of New York, and being more particularly described as follows:

Beginning at a point on the centerline of Sweden Walker Road, County Route 242, at the division line between lands now or formerly of Walter J. and Helen W. Eisenhower on the north, as described in a deed recorded in the Monroe County Clerk’s office in Liber 7028, Page 24, and Lands now or formerly of Walter J. and Helen W. Eisenhower on the south, as described in a deed recorded in Liber 6855, Page 50; thence,

1. South 12° 57’ 29” west, along the centerline of Sweden Walker Road, a distance of 32.28 feet to a point; thence,
2. South 89° 50’ 40” west, a distance of 33.88 feet to the point on the westerly right-of-way line of Sweden Walker Road at the northerly right-of-way line of Eisenhower Drive; thence,
3. South 89° 50’ 40” west, along the northerly right-of-way line of Eisenhower Drive, a distance 218.08 feet to a point of curvature; thence,
4. Northwesterly, continuing along right-of-way, on a curve to the left, having a radius of 858.12 feet and a central angle of 03° 42’ 43”, an arc distance of 55.60 feet to a point tangency; thence,

5. North 89° 57' 01" west, continuing along the northerly right-of-way line of Eisenhower Drive, a distance of 1,429.72 feet to a point; thence,
6. North 07° 40' 36" east, a distance of 304.06 feet to a point, said point being the most southeasterly corner of lands now or formerly of Richard A. and Patricia Nothnagle, as described in a deed recorded in the Monroe County Clerk's office in Liber 4948, Page 108; thence,
7. North 07° 40' 36" east, along the division line between Nothnagle on the west and Eisenhower on the east, a distance of 660.64 feet to a point on the southerly line of lands now or formerly of Gene F. and Mary Louise Bater; thence,
8. South 89° 43' 47" east, along the southerly line of lands of Bater, a distance of 150.00 feet to the most southeasterly corner thereof; thence,
9. North 84° 52' 50" east, across lands of Eisenhower, a distance of 212.60 feet to a point, said point being the most southwesterly corner of lands now or formerly of Allen W. Phillipp; thence,
10. South 89° 43' 47" east, along the southerly line of lands of Phillipp, and the easterly extension thereof, a distance of 428.39 feet to a point; thence,
11. South 00° 16' 32" west, a distance of 83.48 feet to a point; thence,
12. South 89° 43' 28" east, a distance of 20.20 feet to a point on the westerly line of lands now or formerly of Michelle Marie Eisenhower, as described in a deed recorded in the Monroe County Clerk's office in Liber 8272, Page 456; thence,
13. South 00° 16' 32" west, along the westerly line of lands of Michelle Marie Eisenhower, a distance of 257.27 feet to the most southwesterly corner thereof; thence,
14. South 89° 43' 28" east, along the southerly line of land of Michelle Marie Eisenhower, a distance of 645.27 feet to a point on the westerly line of lands now or formerly of Donald W. Pophal, as described in a deed recorded in Liber 7591, Page 96 said point being the most southeasterly corner of lands of Eisenhower; thence,
15. South 12° 57' 29" west, along the westerly line of Pophal, a distance of 235.16 feet to the most southwesterly corner of lands of Pophal; thence,
16. North 89° 37' 29" east, along the southerly line of lands of Pophal, a distance of 65.00 feet to a point, said point being the northwesterly corner of lands Paul M. Malarz, as described in a deed recorded in the Monroe County Clerk's office in Liber 9383, Page 508; thence,
17. South 12° 57' 29" west, along the westerly line of Malarz, and continuing along the westerly line of lands of Walter J. and Helen W. Eisenhower, a distance of 381.80 feet to the southwesterly corner of Eisenhower; thence,
18. North 89° 37' 44" east, along the southerly line of Eisenhower, a distance of 201.09 feet to a point on the westerly right-of-way line of Sweden Walker Road; thence,
19. North 89° 37' 44" east, continuing along the southerly line of Eisenhower, a distance of 33.91 feet to a point on the centerline of Sweden Walker Road, being the point of beginning, containing 1,237,068 square feet or 28.399 acres to right-of-way.

Intending to describe Lot No. 2 of the Ledgeale Airpark Subdivision, as shown on a map prepared by Passero Associates and filed in the Monroe County Clerk's office in Liber _____ of Maps, Page _____.

Lot 5 – R1-2 to B-2

All that tract or parcel of land, situated in and being part of Town Lot 3, in Section 11, Township 3 of the Triangular Tract, in the Town of Sweden, County of Monroe, State of New York, and being more particularly described as follows:

Beginning at a point on the northerly right-of-way line of Eisenhower Drive (60 foot wide right-of-way), at the division line between Lot 2 and Lot 5 of the Ledgesdale Airpark Subdivision, as filed in the Monroe County Clerk's office in Liber _____ of Maps, Page _____; thence,

1. North 89° 57' 01" west, along the northerly right-of-way line of Eisenhower Drive, a distance of 663.99 feet to a point of curvature; thence,
2. Southwesterly, continuing along said right-of-way line, on a curve to the left, having a radius of 1,054 feet and a central angle of 08° 32' 36", an arc distance of 157.16 feet to a point of tangency; thence,
3. South 81° 30' 22" west, continuing along the northerly right-of-way line of Eisenhower Drive, a distance 609.73 feet to a point of curvature; thence,
4. Southwesterly, along said right-of-way, on a curvature to the left, having a radius of 180.00 feet and a central angle of 12° 12' 08", an arc distance of 38.34 feet to a point; thence,
5. North 00° 13' 57" west, along a line that is the southerly extension of the division line between lands now or formerly of Lewis E. Defrank on the west, and land now or formerly of Walter J. and Helen W. Eisenhower on the east, a distance of 433.97 feet to the northwesterly corner of lands of Eisenhower; thence,
6. South 89° 09' 49" east, along the northerly line of lands of Eisenhower, a distance of 1,503.19 feet to a point on the division line between Lot 2 and Lot 5 of the Ledgesdale Airpark Subdivision; thence,
7. South 07° 40' 36" west, along said division line, a distance of 304.06 feet to the point of beginning, containing 501,096 square feet or 11.504 acres of land more or less.

Intending to describe Lot No. 5 of the Ledgesdale Airpark Subdivision, as shown on a map prepared by Passero Associates and filed in the Monroe County Clerk's office in Liber _____ of Maps, Page _____.

North Edge of Lots 1 and 3 – R1-2 to B-2

All

All that tract or parcel of land, situated in and being part of Town Lot 3, in Section 11, Township 3 of the Triangular Tract, in the Town of Sweden, County of Monroe, State of New York, and being more particularly described as follows:

Beginning at a point on the division line between lands now or formerly of Perry Perkins on the east, as described in a deed recorded in the Monroe County Clerk's office in Liber 8094 of Deeds, Page 594, and lands now or formerly of the County of Monroe Industrial Development Agency on the west, as described in a deed recorded in Liber 9734 of Deeds, Page 330, said point being the most northwesterly corner of lands of Perkins; thence,

1. North 89° 59' 27" west, along the existing northerly limit of the Airport Commercial Zone, a distance of 1655.35 feet to a point; thence,
2. Continuing along the existing northerly limit of the Airport Commercial Zone, on a line having a bearing of South 89° 50' 42" west, a distance of 279.34 feet to a point on the southerly right-of-way line of Eisenhower Drive; thence,
3. North 81° 30' 22" east, along the southerly right-of-way line of Eisenhower Drive, a distance 34.06 feet to a point of curvature; thence,
4. Northeasterly, along said right-of-way, on a curvature to the right, having a radius of 994.00 feet and a central angle of 08° 32' 36", an arc distance of 148.22 feet to a point of tangency; thence,
5. South 89° 57' 01" east, continuing along the southerly right-of-way line of Eisenhower Drive, a distance of 1,753.34 feet to a point; thence,

6. South 00° 02' 59" west, continuing along right-of-way, a distance of 13.92 feet to the point of beginning, containing 27,372 square feet or 0.628 acres. Intending to describe Lot No. 5 of the Ledgeale Airpark Subdivision, as shown on a map prepared by Passero Associates and filed in the Monroe County Clerk's office in Liber _____ of Maps, Page _____.

Sec. 4. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.

Sec. 5. 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>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Excused</u>

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 113

Call Public Hearing on Proposed L.L. of 2006 – A Local Law to provide for the codification of the local laws, ordinances and certain resolutions of the Town of Sweden into a Municipal Code to be designated the “Code of the Town of Sweden”

WHEREAS, the Town Board of the Town of Sweden has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Sweden for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation and protecting the health, safety and welfare of town inhabitants; and

WHEREAS, the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 22nd day of August, 2006, at 7:15 p.m., in the Town Hall, 18 State Street, Brockport, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 3 of 2006

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF SWEDEN INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF SWEDEN"

Sec. 2. That copies of the text of the above-mentioned local law shall be filed in the office of the Town Clerk.

Sec. 3. That the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and §§ 264 and 265 of the Town Law of the State of New York.

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>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Excused</u>

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 114 Appoint Seasonal Laborer – Wisnowski

WHEREAS, there is a vacancy in the position of Seasonal Laborer at the Sweden Highway Department in the Town of Sweden; and

WHEREAS, Scott Wisnowski has been recommended for the position by the Superintendent of Highways.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Scott Wisnowski as a Seasonal Laborer.

Sec. 2. That the rate of pay will be \$8.00 per hour and the start date is July 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:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>

Councilperson Windus-Cook
Supervisor Lester
Submitted – August 8, 2006

Aye
Excused

Adopted

RESOLUTION NO. 115

Authorize Wage Increase – Alvito

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an increase in the hourly rate of pay for Kathy Alvito to \$14.00 per hour.

Sec. 2. That this resolution shall take effect as of August 19, 2006.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 116

Authorize Wage Increase – Brudz

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an increase in the hourly rate of pay for Phyllis Brudz to \$14.00 per hour.

Sec. 2. That this resolution shall take effect as of August 19, 2006.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 117

Authorize Additional Payroll Duties – Roberts

WHEREAS, there is a need for additional assistance in the finance office to complete payroll.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes Kathleen Roberts to assist with payroll at \$14.00 per hour.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 118

Adopt National Incident Management System for the Town of Sweden

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local, and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state’s ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby mandate the National Incident Management System be utilized for all incident management in the Town of Sweden.

Sec. 2. That this system is effective immediately.

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

Discussion: Councilperson Connors stated that this system is similar to the state’s command system. The system will enable the local municipalities to be familiar with the language and procedures in the event of an emergency. Several town officials and employees will be required to take the NIMS training and pass an exam. The Town of Sweden will be eligible for FEMA reimbursements by adopting this system and completing the required training.

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>Excused</u>

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 119

Granting Boy Scouts of America
Troop 111 Use of Sweden Town Park

WHEREAS, the Boy Scouts of America Troop 111 will be holding their Fall Lighthouse District Camperee the weekend of October 13-15, 2006 and their Winter Klondike Camperee the weekend of January 26-27, 2007; and

WHEREAS, the Assistant Commissioner has requested permission from the Town of Sweden to use the Sweden Town Park for these events; and

WHEREAS, the Superintendent of Highways and the Recreation Director for the Town of Sweden approve of their request.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby grants permission to the Boy Scouts of America Troop 111 to use the Sweden Town Park for their scheduled events on October 13-15, 2006 and January 26-27, 2007.

Sec. 2. 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>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Excused</u>

Submitted – August 8, 2006

Adopted

RESOLUTION NO. 120

Extending Last Date for Preparing
Final Environmental Impact
Statement (FEIS) as Complete

WHEREAS, the project sponsor, MacLean Development, LLC, has applied for a change of zone, for purposes of a mixed-use project to be known as HERITAGE SQUARE, of four parcels located on the west side of Redman Road north of the Town Park directly across from the intersection of Redman Road and New Campus Drive, bearing tax lot numbers 068.03-1-13.111; 068.03-1-14.1; 068.03-1-18; and 068.03-1-19; and

WHEREAS, this Board, the Lead Agency, issued a Positive Declaration on or about September 26, 2005, pursuant to the State Environmental Quality Review Act (SEQRA), and required an Environmental Impact Statement; and

WHEREAS, this Board adopted a Final Scoping Outline by Resolution No. 199, dated December 29, 2005; and

WHEREAS, the project sponsor, MacLean Development, LLC, by its consultant, Schultz Associates Engineering & Land Surveyors, P.C., submitted a Draft Environmental Impact Statement (DEIS) on April 24, 2006; and

WHEREAS, this Board, as Lead Agency, accepted the DEIS as complete and established a comment period of 45 days after the filing of the Notice of Completion with the Environmental Notice Bulletin; and

WHEREAS, various comments on the DEIS were received and the sponsor engaged in the process of responding to the comments with a view toward completing the Final Environmental Impact Statement (FEIS); and

WHEREAS, the Lead Agency is required by 6 NYCRR §617.9 to prepare and file an FEIS within 60 days of the filing of the completed DEIS (where there has been no public hearing); and

WHEREAS, the Town Board, as Lead Agency has reviewed the first submission of the proposed responses to comments and has determined that additional time is necessary for the completion of said responses and of the FEIS, and the Lead Agency has the authority to extend such time pursuant to 6 NYCRR §617.9(a)(5)(ii),

NOW, THEREFORE, BE IT RESOLVED THAT:

Sec. 1. This Board, as Lead Agency under SEQRA, hereby determines that additional time is necessary to complete the FEIS adequately.

Sec. 2. This Board, as Lead Agency, hereby extends the time for preparation and filing of the FEIS to September 26, 2006.

Sec. 3. This Resolution shall be effective immediately.

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>Excused</u>

Submitted – August 8, 2006

Adopted

SUPERVISOR’S CORRESPONDENCE

2006	Received From:	Comments:
1.	Fred Perrine, Superintendent of Highways	Discharge of employee
2.	Lynette Lemcke, Chief Court Clerk	Request to attend NYS Magistrates Court Clerks Association Annual Fall Conference in October
3.	Tony Eaffaldano, Assessor	Request to attend the NYS Assessors Association meeting in September

*Board has copies

RE: #1 Councilperson Ferris made a motion that was seconded by Councilperson Windus-Cook to discharge William Becker from the Highway Department. All voted in favor of the motion – four ayes. Motion adopted.

RE: #2 Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to grant the request of Lynette Lemcke to attend the NYS Magistrates Court Clerks Association Annual Fall Conference in October. All voted in favor of the motion – four ayes. Motion adopted.

RE: #3 Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to grant the request of Tony Eaffaldano to attend the NYS Assessors Association meeting in September. All voted in favor of the motion – four ayes. Motion adopted.

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 July 25, 2006. All voted in favor of the motion – four ayes. Motion adopted.

Supervisor Lester arrived back at the regular meeting at 8:00 p.m.

REPORTS

Building Inspector Jim Butler reported that the MOBIL station at the intersection of Route 19 and Route 31 has closed. The tanks would be removed this week and soil samples would be taken to test for any contamination. Mr. Butler stated that he received an inquiry for the Sodoma property on the corner of Sweden Walker Road and Brockport Spencerport Road. Mr. Butler reported that the developer for the Woods at Sable Ridge is acquiring the necessary estimates for the Letter of Credit. Mr. Butler updated the Board on the activity at 6655 East Canal Road. A fill permit was issued last year and a secondary request was filed for this year. The fill exceeded the scope of the application and the applicant was directed to file a letter of intent to the NYS Department of Environmental Conservation. The applicant was directed to revise the permit application and appear before the Planning Board for subdivision and site plan approval.

Councilperson Carges reported that the Sweden Clarkson Community Center fall brochure would be ready to go out before the end of August.

Councilperson Connors reported that she, along with Councilperson Windus-Cook, Building Inspector Jim Butler, and Superintendent of Highways Fred Perrine, attended the NIMS (National Incident Management System) meeting in Clarkson. Monroe County is requesting that the Towns adopt a resolution to accept the NIMS procedures. Mrs. Connors stressed the importance of the NIMS program and encouraged the members of the Board to seek the required training. Mrs. Connors reported that the Brockport High School is the Town's designated location to deal with mass population for vaccinations (PODS).

Councilperson Ferris reported that he met with Supervisor Lester, Nancy Duff and Ann Grey from the Sweden Senior Center to discuss the nutrition program. Mr. Ferris stated that the Senior Center staff had a decent collection of action points. Mr. Ferris felt that only minor changes would need to be made. The Board would like to continue to provide the program at the same level if not at an improved level. Mr. Ferris stated that a good number of seniors take advantage of the program that are not Sweden residents. The Town Board's primary responsibility is to the Sweden taxpayers.

Councilperson Windus-Cook reported that she presented Father David Robinson of the Episcopal Church with a proclamation for his service. Ms. Windus-Cook also attended a luncheon with the Sweden Records Advisory Board. Ms. Windus-Cook met with Recreation Director David Scott to discuss several educational program ideas to be held at the Lakeview Cemetery house. The house requires a few minor renovations, roof repairs and removal of carpeting. Finance Director Leisa Strabel mentioned that there would be four programs scheduled at the house in the upcoming recreation brochure.

Supervisor Lester reported that he attended a Sweden Community Foundation meeting and reminded the Board that their annual Corporate Business Challenge event is August 16, 2006. Mr. Lester met with the first resident to hook up to the Fourth Section Road north side sewer. Mr. Lester reported that he had met with Dragani's attorney James Grossman during this meeting and would update the Board during executive session. Mr. Lester reminded the Board that the Lakeside Hospital grand opening of the OB/GYN department renovation is August 15, 2006.

DISCUSSION AND ANNOUNCEMENTS

There is a workshop meeting tentatively scheduled for August 15, 2006 at 7:30 p.m.

EXECUTIVE SESSION

Supervisor Lester made a motion that was seconded by Councilperson Ferris to enter into executive session to discuss a legal matter at 8:20 p.m. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Ferris to leave executive session and return to the regular meeting at 8:30 p.m. All voted in favor of the motion. Motion adopted.

I, Karen M. Sweeting, Town Clerk of the Town of Sweden, do hereby certify that the Town Board in executive session discussed a legal matter and that no formal action was taken.

Karen M. Sweeting, Town Clerk

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the August 8, 2006 meeting of the Sweden Town Board at 8:32 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk