

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, September 13, 2005.

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

Visitors present were Tim Bates from 69 Royal Garden Way, Frank and Julie Lapinski from 4016 Sweden Walker Road, Joan and Jim Hamlin from 50 Park Avenue, and George Lloyd from 5490 Redman Road. Ken Schlecht from 5859 Brockport Spencerport Road arrived at 7:35 p.m.

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

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the minutes of the Public Hearing – Shumway Road Water District Extension held on August 23, 2005. All voted in favor of the motion – four ayes. Councilperson Ferris abstained due to his absence on August 23rd. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Regular Town Board Meeting held on August 23, 2005. All voted in favor of the motion – four ayes. Councilperson Ferris abstained due to his absence on August 23rd. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2005	Received From:	Comments:
*1.	Kathy Harter, Town of Sweden Environmental Conservation Board Chairperson	Rural Residential Zoning
2.	Jack Barton, Building Inspector, Town of Parma	Project Notification and Request for Lead Agency Designation for Adoptions of Revisions to the Town of Parma Zoning Code
3.	Richard Perrin, Executive Director for Genesee Transportation Council	Call for Projects 2006-2007 applications for transportation planning
*4.	Leisa Strabel, Finance Director	Request to attend NYS Government Finance Officers Association Budgeting Best Practices Workshop
5.	Mark Aesch, Rochester Genesee Regional Transportation Authority	Modification of Route 20 in the Town of Sweden (Bus Service)
6.	Peter Lehner, Bureau Chief, Environmental Protection Bureau	Pressure Treated Wood in Public Facilities
7.	Matthew Minor, President of Seymour Library Board of Trustees	Town of Sweden's budget assessment for library funding.

*Board has copies.

RE: #4 Councilperson Carges made a motion that was seconded by Councilperson Ferris to grant the request of Leisa Strabel to attend the NYS Government Finance Officers Association Budgeting Best Practices Workshop. All voted in favor of the motion. Motion adopted.

RE: #7 Supervisor Lester read a portion of the correspondence submitted by Matthew Minor. Mr. Lester stated that the Seymour Library requires tax dollars to run. If you do a comparison between the Community Center, Seymour Library, and the Senior Center, the Community Center is the least burden. Mr. Lester stated that people tend to focus on the Community Center and not the others, Seymour Library and Senior Center.

RE: #1 Supervisor Lester read a portion of the correspondence submitted by Kathy Harter, Environmental Conservation Board and also an excerpt from the minutes of the meeting of the Environmental Conservation Board. Supervisor Lester recommended that a sub-committee be formed to include Councilperson Connors, Building Inspector Bill Weber, Kathy Harter and others to research the possibility of rural residential zoning that would require five (5) acre minimum lots.

REPORTS

Building Inspector Bill Weber reported that he continues to pick up illegal signs and sending letters notifying the violators. Mr. Weber stated that he spoke with a possible storeowner interested in opening in the Wal-Mart plaza.

Councilperson Carges commented that he noticed from the Building Department report that the Town has one new home for the month of August. Mr. Carges made reference to a newspaper ad placed by Timothy Bates. Mr. Carges reported that he attended the Planning Board meeting held the night before. Discussion took place relative to Lowe's of Brockport, Sable Ridge, and the FEIS of Wal-Mart Super Center.

Councilperson Connors reported that the Senior Center landscaping project is near completion. Volunteers from a local church have helped out with cleaning and they received mulch from Sara's Farm Market. Mrs. Connors stated that things are really shaping up for the upcoming 25th Anniversary celebration.

Councilperson Ferris reported that he was at the Community Center this past Saturday and there were approximately 150 kids participating in programs that day. He stated that the soccer fields were full and the programs appeared to be very popular. Mr. Ferris commended the director, David Scott, and the recreation staff.

Councilperson Windus-Cook had no report.

Supervisor Lester wanted to comment on the recent ads placed in the newspapers. He stated that the bonded indebtedness of the Town is a result of several years and is far below the Constitutional limit set by the State. The million-dollar park borrowing took place many elections ago and has already been borrowed. This was an election issue in the past. As for special improvement districts, the Town borrows the money, but the parcels in the districts are the only ones paying on that portion. If the Town does not borrow, then the Town could not form water districts. Mr. Lester stated that the reconstruction of Town roads such as Hollybrook Road and the Community Center access road involved borrowing. If the Town did not borrow, then the Town would have to increase the tax levy tremendously. Mr. Lester stated that recreation used to be divided three ways, between the Town outside the Village, the Village of Brockport, and the Town of Clarkson. The cost was levied on all the tax bills. Since the Village of Brockport decided not to be a part of the recreation, the cost shifted to the Town's portion of the tax bill; the Town of Clarkson is still contributing. Mr. Lester stated that you couldn't just look at the expenses; you also have to look at the revenues. Mr. Lester commented that the Sweden Conservation Board made a compliment relative to the Lowe's developer. They were pleased that the developer was addressing the issues and considering trees, wildlife, etc.

RESOLUTIONS

RESOLUTION NO. 132

Completing Order for Conveyance of Easement and Telecommunication Lease(s) 4927 Lake Road South in the Town of Sweden

WHEREAS, on August 9, 2005 the Town Board of the Town of Sweden (the "Town Board") adopted that certain Resolution No. 125, with respect to the acquisition by Unison Site Management, LLC, a Delaware Limit Liability Company ("Unison"), for a lump sum amount of \$110,000.00, the associated telecommunication lease(s) and easement on a portion of the property located at 4927 Lake Road South, Brockport, New York 14420, in the Town of Sweden, on which the Nextel telecommunications tower is presently situated; and

WHEREAS, said resolution was subject to permissive referendum; and

WHEREAS, the thirty (30) day referendum period has lapsed and no petition has been filed.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Supervisor is authorized and directed to act on behalf of the Town of Sweden to execute and deliver the Easement Agreement and Assignment Agreement and all other closing documents, and to take all other action necessary and proper to close the transaction and complete the conveyance.

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

Sec. 3. That this resolution shall not be subject to rescission, withdrawal or repeal by the Town Board.

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

Discussion: Supervisor Lester made a motion that was seconded by Councilperson Carges to amend Section 3 to read, "That this resolution shall not be subject to rescission, withdrawal or repeal by the Town Board after the review and approval of the Town Attorney subject to the Town Attorney's sole discretion." All voted in favor of the motion. Motion adopted.
Councilperson Ferris made a motion that was seconded by Councilperson Windus-Cook to adopt the resolution as amended. All voted as follows:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 13, 2005

Adopted

RESOLUTION NO. 133

Appoint Student Helper - Cohen

WHEREAS, the Recreation Director, David Scott, has recommended the appointment of a student for the Croc Roc’s Program for 2005 as Student Helper.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Ben Cohen to the position of Student Helper at the Sweden Clarkson Community Center.
- Sec. 2. That the rate of pay be \$6.00 per hour with a maximum of 15 hours per week and a starting date of September 2, 2005.
- Sec. 3. That this resolution shall take effect immediately

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

Discussion: The appointment of Ben Cohen is to replace two Student Helpers that have left.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 13, 2005

Adopted

RESOLUTION NO. 134 Authorizing Fall Clean-up Days
for 2005 by the Highway Department

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that special fall clean-up days be set for the Town of Sweden, and

WHEREAS, the Highway Superintendent has also recommended that this be for brush pick up only and no other items will be accepted.

NOW THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Highway Superintendent is hereby authorized to execute said operation for pick up of brush within the Town of Sweden on the following days: October 24, 2005 through October 28, 2005.
- Sec. 2. That this resolution shall take effect immediately.

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

Discussion: Supervisor Lester stated that this is a service offered to residents in the Town outside the Village that is supported by tax dollars. There is no revenue to offset the expenses.

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye

Councilperson Windus-Cook Aye
Supervisor Lester Aye
Submitted – September 13, 2005

Adopted

RESOLUTION NO. 135

Declaration of Lead Agency Status for
SEQR Compliance for the Action of the
Request by Application to Rezone Four (4)
Parcels on Redman Road

WHEREAS, the Town Board of the Town of Sweden, has given public notice to Town of Sweden Planning Board, the Town of Sweden Environmental Conservation Board, The Monroe County Department of Transportation (MCDOT), the Monroe County Department of Public Works (MCPW), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Monroe County Planning & Development, Monroe County Pure Waters and the Monroe County Water Authority; and

WHEREAS, the Town Board has not received any written objection from the Town of Sweden Planning Board, the Town of Sweden Environmental Conservation Board, The Monroe County Department of Transportation (MCDOT), the Monroe County Department of Public Works (MCPW), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Monroe County Planning & Development, Monroe County Pure Waters and the Monroe County Water Authority within the time period specified; and

WHEREAS, it has been brought to the attention of the Town Board that it has not received all information reasonably necessary to make a determination as to the significance of the action proposed by the applicant.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced action.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye
Councilperson Connors Aye
Councilperson Ferris Aye
Councilperson Windus-Cook Aye
Supervisor Lester Abstain
Submitted – September 13, 2005

Adopted

RESOLUTION NO. 136

Amend Employee Handbook
Use of Vehicles

WHEREAS, the cost of fuel has risen dramatically in the past weeks; and

WHEREAS, the County of Monroe has initiated changes to its vehicle use policies in order to conserve fuel; and

WHEREAS, the Town Board has reviewed its vehicle usage policy in order to also conserve fuel; and

WHEREAS, the Town Board desires to amend the Town of Sweden Handbook Vehicle Usage Section in both the Office Employees Handbook and Highway Employees Handbook.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The following language be added to the Town of Sweden Handbook Vehicle Usage Section:

· Town Vehicles should be shut down when not in use. Town Vehicles should not be allowed to “idle” for periods of time.

· Employees should share rides to job sites to the fullest extent practical.

· All Town Vehicles should be left on Town property during non-business hours with the following exceptions: vehicles driven by the Highway Superintendent, Deputy Highway Superintendent, Fire Marshal and Dog Control Officer.

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

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

Discussion: Supervisor Lester stated that the Board has been discussing this matter over the past few months and due to the rising cost of fuel had to act to save money.

VOTE BY ROLL CALL AND RECORD:

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

Submitted –September 13, 2005

Adopted

RESOLUTION NO. 137

Authorizing Dog Control Officer to use 825
White Spruce Boulevard Animal Emergency
Service for after hours care of injured dogs

WHEREAS, the Town of Sweden Dog Control Officer has occasional need of after hours veterinary care for injured dogs; and

WHEREAS, the Town of Sweden Dog Control Officer has recommended the use of 825 White Spruce Boulevard Animal Emergency Services at a cost of \$150 - \$200 per emergency visit.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Dog Control Officer to use 825 White Spruce Boulevard Animal Emergency Service for after hours veterinary care for injured dogs at a cost of \$150 - \$200 per emergency visit.

Sec. 2. That the Town Supervisor be authorized to execute any and all documents necessary to engage services of 825 White Spruce Boulevard Animal Emergency Service.

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

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

Discussion: Councilperson Ferris asked if the Dog Control Officer looked into using a local veterinarian for this purpose. Finance Director Leisa Strabel stated that the local veterinarian previously used for this purpose would no longer take emergency visits. Supervisor Lester stated that the 825 White Spruce Boulevard Animal Emergency Service was the most reasonable in cost.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 13, 2005

Adopted

DISCUSSION AND ANNOUNCEMENTS

Town Clerk Karen Sweeting stated that Northrup Contracting, Inc. has submitted a Letter of Credit to the Town of Sweden and Town Attorney Jim Bell has reviewed it. Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the Letter of Credit as offered by Northrup Contracting, Inc. for Northview Subdivision in the amount of \$317,264.20. All voted in favor of the motion – four ayes. Supervisor Lester abstained. Motion adopted.

EXECUTIVE SESSION

At 8:05 p.m. Councilperson Carges made a motion that was seconded by Councilperson Ferris to move into executive session to discuss a legal issue. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Carges made a motion that was seconded by Councilperson Connors to leave executive session at 8:20 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the September 13, 2005 meeting of the Sweden Town Board at 8:25 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk