

A special 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 29, 2009. The meeting was held immediately after the Swamp Road/Salmon Creek Road Water District Extension public hearing.

Town Board Members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Patricia Connors, and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Town Clerk Karen M. Sweeting, Highway Superintendent Fred Perrine and Town Engineer Jim Oberst.

Visitors present were Chris Kepler, Mike Kepler, Vic Kepler, Jim Hamlin, Rob Pratt, Natalie Trenton, Michael and Susan Myers, Mike Crooks, Ron Russell, Bill and Joyce Connors, Robert Connors, Edward and Cheryl Wingate, JoAnne Paolucci and Angelo and Maria Rota.

Supervisor Milner called the meeting to order at 7:35 p.m. and asked everyone present to say the Pledge to the Flag.

RESOLUTIONS:

RESOLUTION NO. 115 SEQR Regarding Formation of Swamp/Salmon Creek Road Water District Extension

WHEREAS, the Sweden Town Board is desirous of considering the creation of an extension to the Sweden Consolidated Water District as set forth hereinabove; and

WHEREAS, the Sweden Town Board authorized preparation of a Short Environmental Assessment Form for the proposed extension to the Sweden Consolidated Water District; and

WHEREAS, the Short Environmental Assessment Form contains sufficient information to allow the Sweden Town Board to formulate a basis for its initial determination of environmental significance in this action; and

WHEREAS, there are no federal, state and/or local governmental agencies involved in this action as that term is more specifically defined under Article 8 of the New York State Environmental Conservation Law or the regulations promulgated there under and/or the Sweden Environmental Quality Review Ordinance duly enacted and adopted by the Sweden Town Board on May 18, 1977 and consequently the Sweden Town Board is the "lead agency" with respect to the determination of any environmental significance in this action.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board, as Lead Agency, has determined that based on information presented in the Short Environmental Assessment Form (EAF) and other supporting project information has concluded that the proposed action (Town of Sweden-Swamp/Salmon Creek Road Water District Extension) is an Unlisted Action and will not have a significant impact on the environment and therefore, moves to declare a Negative Declaration, and have such Negative Declaration prepared and filed with the Town.

Sec. 2. That the Sweden Town Board, based on the conditions stated in the Negative Declaration, authorizes the Supervisor to take all necessary action to file the Negative Declaration and conclude the SEQR process for the proposed action.

Sec. 3. 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 Windus-Cook Aye
Supervisor Milner Aye

Submitted – September 29, 2009

Adopted

RESOLUTION NO. 116Formation of Swamp/Salmon Creek
Road Water District Extension

WHEREAS, a petition for the creation of a water district to be known as the Swamp/Salmon Creek Road extension of the Sweden Consolidated Water District, in the Town of Sweden, Monroe County, New York, the said petition being dated May 27, 2009 was duly presented to this Town Board together with the necessary map and plan attached hereto and;

WHEREAS, an order was duly adopted by the Town Board of the Town of Sweden on July 28, 2009 calling for a Public Hearing to be held to consider the proposal of the Town of Sweden to establish an extension to the Sweden Consolidated Water District located on Swamp and Salmon Creek Roads.

WHEREAS, a Public Hearing was held by the Town Board in this matter on September 29, 2009 at 7:00 PM and all persons desiring to be heard were heard; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law §209-f.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board determines that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and it is in the public interest to grant in whole the relief sought; and

Sec. 2. That the establishment of the contemplated water extension be approved and become a part of the Town of Sweden Consolidated Water District and as more particularly illustrated in the map attached hereto and made a part hereof and described in the legal description below:

**Swamp Road/ Salmon Creek Road Extension
TO
SWEDEN CONSOLIDATED WATER DISTRICT**

All that tract, or parcel of land, situate in the Town of Sweden, County of Monroe, State of New York, as shown on a map entitled “Swamp Road Water District, District Map and Plan”, and prepared by MRB Group, P.C., dated July, 2009, and being more particularly bound and described as follows:

Beginning being at the intersection of the southerly extension of the existing westerly bounds of Tax Map Parcel #099.02-1-5.511 with the existing southerly highway boundary of Swamp Road; thence,

1. Northerly, along the last mentioned existing westerly boundary a distance of 578'± to a point at its intersection with the existing northerly bounds of Tax Map Parcel #099.02-1-5.511; thence
2. Easterly, along the last mentioned northerly boundary a distance of 868'± to a point at its intersection with the existing easterly boundary of Tax Map Parcel #099.02-1-5.511; thence
3. Southerly, along the last mentioned existing easterly boundary a distance of 222' to a point at its intersection with the existing northerly bounds of Tax Map Parcel #099.02-1-5.2; thence
4. Easterly, along the last mentioned northerly boundary and also along the existing northerly bounds of Tax Map Parcel # 099.02-1-5.1 a distance of 170'± to a point at its intersection with the existing westerly bounds of Tax Map parcel # 099.02-1-21; thence
5. Northerly, along the last mentioned westerly boundary a distance of 490'± to a point at its intersection with the existing northerly bounds of Tax Map Parcel 099.02-1-21; thence
6. Easterly, along the last mentioned northerly boundary and also along the existing northerly bounds of Tax Map Parcels 099.02-1-20, 099.02-1-14.1 and 099.02-1-12 and its easterly extension a distance of 1709'±, crossing Salmon Creek Road, to a point at its intersection with the existing easterly boundary of Salmon Creek Road; thence
7. Northeasterly, along the last mentioned existing easterly highway boundary a distance of 270' to a point; thence
8. Southeasterly, along the existing northerly bounds of Tax Map Parcel # 100.01-1-6.21 a distance of 271'± to and angle point; thence

9. Easterly, continuing along the last mentioned existing northerly boundary of Tax Map Parcel # 100.01-1-6.21 a distance of 552'± to a point; thence
10. Southerly, through lands of Tax Map Parcel # 100.01-1-6.21 a distance of 808'± to a point at its intersection with an existing angle point in the southerly boundary of Tax Map Parcel # 100.01-1-6.21; thence
11. Southwesterly, along the existing easterly boundary of Tax Map Parcel # 100.01-1-6.21 a distance of 887'± to a point at its intersection with the existing southerly boundary of Tax Map Parcel # 100.01-1-6.21; thence
12. Northwesterly, along the last mentioned southerly boundary and its northwesterly extension a distance of 1337'± crossing, Salmon Creek Road, to a point at its intersection with the existing westerly highway boundary of Salmon Creek Road; thence
13. Southwesterly, along the last mentioned existing westerly highway boundary a distance of 32'± to a point at its intersection with the existing southerly bounds of Tax Map Parcel # 099.04-1-26; thence
Along the last mentioned southerly boundary the following four (4) courses and distances.
14. Northwesterly, a distance of 131'± to a point; thence
15. Westerly, a distance of 298'± to a point; thence
16. Southerly, a distance of 46'± to a point; thence
17. Southwesterly, a distance of 103'± to a point at its intersection with the existing easterly bounds of Tax Map Parcel # 099.04-1-25; thence
18. Southerly, along the last mentioned easterly boundary and also along the existing easterly bounds of Tax Map Parcel # 099.04-1-23.1 a distance of 219'± to an angle point; thence Continuing along the last mentioned existing easterly boundary the following three (3) courses and distances.
19. Southeasterly, a distance of 69'± to an angle point; thence
20. Westerly, a distance of 108'± to an angle point; thence
21. Southwesterly, a distance of 416'± to a point at its intersection with the existing northerly bounds of Tax Map Parcel # 099.04-1-23.2; thence
22. Easterly, along the last mentioned existing northerly boundary a distance of 127'± to a point at its intersection with the existing easterly boundary of Tax Map Parcel # 099.04-1-23.2; thence
23. Southwesterly, along the last mentioned existing easterly boundary a distance of 206'± to an angle point; thence
24. Southerly, continuing along the existing easterly bounds of Tax Map Parcel 099.04-1-23.2 a distance of 177'± to a point at its intersection with the existing southerly boundary of Tax Map parcel 099.04-1-23.2; thence
25. Westerly, along the last mentioned existing southerly boundary and also along the existing southerly bounds of Tax Map Parcels # 099.04-1-23.3, 099.04-1-3 and 099.04-1-22 a distance of 1175'± to a point at its intersection with the existing westerly bounds of Tax Map parcel 099.04-1-22; thence
26. Northerly, along the last mentioned existing westerly boundary a distance of 548'± to a point at its intersection with the existing southerly boundary of Tax Map Parcel # 099.04-1-2.11; thence
27. Westerly, along the last mentioned existing southerly boundary a distance of 491'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel # 099.04-1-2.11; thence
28. Northerly, along the last mentioned existing westerly boundary a distance of 757' to a point at its intersection with the existing southerly highway boundary of Swamp Road; thence
29. Easterly, along the last mentioned existing highway boundary a distance of 501'± to the point and place of beginning.

Sec. 3. That all expenses including construction, material, engineering, administrative and legal shall be borne by the district benefiting from the improvement. The cost of construction for said district shall be considered a "benefit" district, so to speak, for purposes of paying off the bond. That maximum amount proposed to be expended for the contemplated water extension herein shall not exceed the sum of FOUR HUNDRED TWELVE THOUSAND TWENTY DOLLARS (\$412,020).

Sec. 4. That the estimated cost per year for a single family dwelling is approximately TWO HUNDRED EIGHTY EIGHT DOLLARS (\$288.00) and the total first year cost including water usage for a single family dwelling is approximately FIVE HUNDRED NINETEEN DOLLARS (\$519.00), all as more specifically set forth in an engineer's Information Sheet prepared by MRB group PC and on file with the Town of Sweden.

Sec 5. That the Town Clerk is hereby authorized and directed to file a certified copy of this resolution in the Monroe County Clerk's Office and in the New York State Department of Audit and Control within ten (10) days after the adoption of this resolution pursuant to Town Law §195.

Sec. 6. That any new tax parcels created in the future within the boundaries of this district will share proportionately in the annual debt service charged to all district property owners.

Sec. 7. That this resolution shall take effect immediately.

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

VOTE BY ROLL CALL AND RECORD:

| | |
|---------------------------|------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Windus-Cook | <u>Aye</u> |
| Supervisor Milner | <u>Aye</u> |

Submitted - September 29, 2009

Adopted

RESOLUTION NO. 117

Authorize Agreement with the County Pertaining to the Financial Relationship regarding the Integrated County Plan 2009

WHEREAS, the Town wishes to participate in the Integrated County Plan 2009 (Plan) approved by the New York State Office of Children and Family Services for Monroe County; and

WHEREAS, the Monroe County Legislature authorized the execution of an agreement with the Town for youth services; and

WHEREAS, an agreement is deemed necessary to outline the financial relationship between the Town and County regarding the Plan.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize participation in the Integrated County Plan 2009 (Plan).

Sec. 2. That the Town Board of the Town of Sweden does hereby authorize the adoption of the Agreement between Monroe County and the Town of Sweden and does hereby direct the Supervisor to execute all necessary documents.

Sec. 3. That the term of this Agreement is for one year, starting January 1, 2009, and ending December 31, 2009.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

| | |
|---------------------------|------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Windus-Cook | <u>Aye</u> |
| Supervisor Milner | <u>Aye</u> |

Submitted – September 29, 2009

Adopted

RESOLUTION NO. 118

Appoint Councilperson - Myers

WHEREAS, as of September 11, 2009 Councilperson Thomas F. Ferris resigned from the Sweden Town Board *due to a residency change to the Town of Ogden* thereby creating a vacancy on the Town Board.

WHEREAS, the Town Board of the Town of Sweden agrees that it is in the best interest of the Town to appoint Michael C. Myers to the vacancy on the Town Board.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Michael C. Myers as a Councilperson on the Sweden Town Board for the period September 29, 2009 through December 31, 2009.

Sec. 2. That the remaining two years of the four-year term for the Town Board seat will be filled by the general election to be held November 3, 2009.

Sec. 3. That the annual salary for this position is \$6,716.

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

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

Discussion: Councilperson Carges made a motion that was seconded by Councilperson Connors to add to the first WHEREAS, "due to a residency change to the Town of Ogden". Mr. Ferris resigned as Councilperson because he no longer resides within the Town of Sweden. All voted in favor of the motion. Motion adopted.

VOTE BY ROLL CALL AND RECORD AS AMENDED:

| | |
|---------------------------|------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Windus-Cook | <u>Aye</u> |
| Supervisor Milner | <u>Aye</u> |

Submitted – September 29, 2009

Adopted

ADJOURNMENT

Councilperson Connors moved to adjourn the September 29, 2009 special meeting of the Sweden Town Board at 7:50 p.m. Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk