

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, April 24, 2007.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Pat Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Superintendent of Highways Fred Perrine, Town Attorney Jim Bell, Head of Maintenance Jeremy Oakden, Deputy Town Clerk Kathy Roberts and Town Clerk Karen M. Sweeting.

Visitors present were Michael Carter and James Carter from Boy Scout Troop #111; Kris Schultz from Schultz Associates; Reuben Ortenberg, Attorney; and Jack R. Hassall. Resident Bob Canham 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.

Michael Carter introduced himself as a member of Boy Scout Troop #111. He was present to ask the Board for ideas to fulfill his Eagle Scout project. Councilperson Windus-Cook stated that Mr. Carter could come in to discuss possible projects with the Town Board at a workshop. Ms. Windus-Cook had several ideas to share with Mr. Carter and will contact him to go over some of them.

No other visitor spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Ferris to accept the minutes of the regular meeting held on April 10, 2007. All voted in favor of the motion – three ayes. Supervisor Lester and Councilperson Carges abstained due to their absence at the April 10, 2007 meeting. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2007 Received From:	Comments:
1. Sweden Town Board	Receipt of quotes for acoustical panels
*2. Arthur Appleby	CROP Walk – Sunday, May 6, 2007
3. James Branciforte, President, Lifetime Assistance, Inc.	Interest and intent to establish a Community Residence in the Town of Sweden
4. Kevin Bush, Regional Design Engineer, NYSDOT	Route 531 Extension Project
*5. Karen M. Sweeting, Town Clerk	Refuse/Recycling Permits
6. Fred Perrine, Superintendent of Highways	Lakeview Cemetery – improvements to radar station for storage
7. Jeremy Oakden, Head of Maintenance	Recommendation to hire Laborer PT at the Sweden Clarkson Community Center
8. Mary Anne Young, NYS Office of Real Property Services	2007 Final Special Franchise Full Values
9. Carmella Mantello, Director, NYS Canal Corporation	Waiver of recreational tolls for the 2007 navigation season.
10. David Scott, Recreation Director	Recommendation to appoint Joshua Gaffke as Recreation Supervisor
11. David Scott, Recreation Director	Recommendation to appoint Kelly Wiest as

Clerk PT

- *12. Chris Conway, Recreation Assistant Thank you to Town Board for support of 25th Annual Community Awards Banquet
- 13. Phyllis Brudz, Building Department Request for Jim Butler to attend United Spinal Association’s Accessibility Update Workshop – May 22, 2007

*Board has copies

RE: #5 Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to approve the request from Town Clerk Karen M. Sweeting to extend the expiration date of the refuse/recycling permits to a Saturday a year from the date of purchase. All voted in favor of the motion. Motion adopted.

RE: #13 Councilperson Connors made a motion that was seconded by Councilperson Ferris to grant the request of Phyllis Brudz for Jim Butler to attend the United Spinal Association’s Accessibility Update Workshop on May 22, 2007. All voted in favor of the motion. Motion adopted.

REPORTS

Councilperson Carges commented on a report from Governor Elliott Spitzer that was recently in the newspapers regarding sharing services between municipalities. Mr. Carges felt that the Town of Sweden has been leading the way with shared services between the Village of Brockport and the Town of Clarkson as well as some projects with Monroe County, ie. Seymour Library, fire districts, Brockport Joint Recreation, and currently the Sweden Clarkson Community Center, to name a few.

Councilperson Connors reported that she, along with other members of the Board, attended the Community Awards Banquet held at the Sweden Clarkson Community Center. Mrs. Connors stated that Councilperson Ferris had done a good job as the Master of Ceremonies. Councilperson Connors received the 2007 Adult Community Service Award at the banquet. Mrs. Connors also reported that she attended the Association of Mayors meeting with Village of Brockport Mayor Wexler and the Point of Dispensing was a topic of discussion.

Councilperson Ferris had no report.

Councilperson Windus-Cook had no report.

Supervisor Lester had no report.

RESOLUTIONS

RESOLUTION NO. 65

Determination of Significance under SEQRA for the Proposed Incentive Zoning for the Highlands at Brandon Woods, Town of Sweden, Monroe County, New York

WHEREAS, the Town Board has received an application from Homestead NY Properties, Inc. for incentive zoning for the unimproved portions of approximately 30 acres of land (“the subject parcel”), bearing Tax Account No. 084.01-1-14.113, lying south of Route 31, adjacent to the recently approved Wal-Mart Super-Center site. The subject parcel is already subdivided under the R-1 residential zone, the applicant seeks to have the unimproved portions of the land rezoned under the Town of Sweden Incentive Zoning Law; and

WHEREAS, in connection with said application for incentive zoning approval, the applicant has submitted an Environmental Assessment Form Part 1 (EAF), and

WHEREAS, the Town Board of the Town of Sweden, has, by Resolution No. 208, dated December 28, 2006, declared itself as Lead Agency for Environmental Review of the Project; and

WHEREAS, the Town Board has caused Part 2 of the EAF to be completed prior to making a determination of significance, as required by 6 NYCRR §617.6; and

WHEREAS, the Town Board recognizes that the proposed adoption of said rezoning is a Type I Action under the State Environmental Quality Review Act (SEQRA) Regulations, 6 NYCRR §617.4; and

WHEREAS, based upon a review of the application, the Environmental Assessment Form, Parts 1 and 2; the exhibits annexed thereto; the various comments received; the Phase One Archeological Report received by the Town, the correspondence from the New York State Office of Parks, Recreation and Historic Preservation, and the Traffic Impact Study, the Town Board has made a determination as to the environmental significance of the proposed rezoning action; and

WHEREAS, pursuant to 6 NYCRR §617.7, a Lead Agency is required to make, publish and file its determination.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby issue a Negative Declaration, as set forth in the completed Negative Declaration form annexed hereto.

Sec. 2. That the ~~Planning Board~~ *Town Clerk* is authorized and directed to cause the Negative Declaration adopted hereby to be published and filed as required by law, and to cause notice thereof to be given as required by SEQRA Regulations.

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

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

Discussion: Supervisor Lester made a motion that was seconded by Councilperson Ferris to amend Sec. 2 to read “That the *Town Clerk* is authorized...”. 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 Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – April 24, 2007

Adopted

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law of the State of New York and 6 NYCRR Part 617, the Town of Sweden Town Board, acting as the Lead Agency, provides the following reasons in support of declaring a Negative Declaration for the following project:

Name of Action: Incentive Zoning for unimproved portion of Highlands at Brandon Woods Subdivision (Section 5).

Description of Action:

Homestead NY Properties, Inc. (Applicant) proposes to re-zone the unimproved portion of Highlands at Brandon Woods Subdivision (approximately 30 acres) under the Town’s incentive zoning law. The applicant desires to re-zone this land from residential to mixed use with the intent of constructing various density residential, specialty residential, such as senior citizen, affordable housing and assisted living, along with commercial retail. A portion of the residential component of this project would be supported by a dedicated infrastructure system including roads, water, sewer and a storm water management system. As part of this project, a connecting road is to be constructed between Nathaniel Poole Trail and Talamora Trail, to be dedicated to the Town. The commercial portion of this project would include paved parking, access drives, stormwater management system, and utilities to support the proposed retail use. The maximum density and minimum setbacks and parking requirements for this project are to meet the requirements of the MR-1 Multiple Residence District zoning.

Location: The Project will be located north of the Wal-Mart Super Center located on Brockport-Sweden Road (NYS Route 31), between Talamora Trail and Nathaniel Poole Trail (the “Site”). The Site is bounded on the north by commercial development (Wal-Mart) and by commercial development to the west (ABVI-Goodwill). The southern boundary of the Site is undeveloped while the eastern boundary of the Site is developed with several single-family residences (Talamora Trail - Highlands at Brandon Wood, Section 1-4).

Lead Agency: Sweden Town Board
 Sweden Town Hall Building Department
 18 State Street
 Brockport, New York 14420
 (585) 637-7588

Project Information Contact: Nat O. Lester, III - Town Supervisor

Agency Jurisdiction: Approvals and permits required for the construction and operation of the proposed project are summarized in the following table:

Agency	Permit or Approval
Sweden Planning Board	Site Plan Special Use Permit
Building Inspector	Building Permit, Certificate of Occupancy, Sign Review
County Planning Department	Zoning/Planning Review
Town of Sweden DPW	Sanitary Sewer Connection
Monroe County Water Authority	Potable Water Supply Connection
Monroe County Health Department	Water Main Extension and Connection Review
NYS Department of Environmental Conservation	Stormwater NPDES Permit, Water Quality Certification for Army Corps Authorization (only if wetlands are affected)
US Army Corps of Engineers	Wetlands Permit (only if wetland areas are affected)
Monroe County Pure Waters	Sanitary Sewer Connection
NYS Office of Parks, Recreation and	Cultural Resource Clearance

Historic Preservation (SHPO)	
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Facts and Conclusions Relied Upon to Support Findings:

I. The Proposed Action

Homestead NY Properties, Inc. (Applicant) proposes to re-zone the unimproved portion of Highlands at Brandon Woods Subdivision under the Town’s incentive zoning law. The applicant desires to re-zone this land from residential to mixed use with the intent of constructing various density residential, specialty residential, such as senior citizen, affordable housing and assisted living, along with commercial retail.

II. Environmental Review Process

August 8, 2006	Town Board Meeting in which Applicant applied for Incentive Zoning.
September 12, 2006	Town Board refers proposal to the Planning Board for an advisory opinion, pursuant to Section 175-22D(1) through (3) of Article IV, inclusive.
September 25, 2006 October 2, 2006	Planning Board holds Public Hearing to discuss Incentive Zoning proposal for Highland’s at Brandon Wood.
August 23, 2006	Planning Board adopts an Advisory Opinion on the Incentive Re-Zoning request.
November 14, 2006	Town Board declares intent to act as Lead Agency for SEQRA review. Notice of Town Board’s intent provided to all involved agencies, with no objections.
December 28, 2006	Town Board declares itself Lead Agency.
February 27, 2007	Town Board holds Public Hearing on the Application for Incentive Zoning

III. Project Environmental Impacts

A. Project Need and Benefits

The Applicant has identified the Site as being consistent with its goals and guidelines for a mixed use (commercial/residential) development area. The Applicant has identified a need for additional senior housing in the community. The proposed development is compatible with surrounding land uses and with the Town’s current Comprehensive Plan. In addition, the Applicant states that the proposed development will provide a nice transition from the new commercial developments located along Route 31 to the existing residential homes.

The Applicant has also identified benefits, which include the generation of tax revenues to the school district without increasing enrollment, the increase of funds to local emergency service providers (fire, police, ambulance) thanks to tax revenue collected from the senior-oriented development, and the provision of temporary construction and expanded permanent employment. In addition to property taxes, the project will also generate sales tax revenue for the State and County. A portion of sales tax revenue is distributed to municipalities and school districts throughout Monroe County, including the Town of Sweden and the Village of Brockport.

B. Land Impacts

Description of Impacts

An initial impact is that the construction of the proposed project will involve surface grading and the installation of buildings, pavement and supporting utilities. The majority of the earthwork for the project area is planned to be performed with mainly on-site materials, consisting of primarily granular fill material (sand/silt/gravel) located in the uppermost 5 feet, and is not expected to generate substantial, excess import or export quantities. Import materials will be required for asphalt and concrete pavement base, typically consisting of gravel or crushed stone. This surface grading work is not

proposed to result in any impacts to the underlying geology of the site or surrounding areas.

According to the Full EAF submitted by the Applicant, there exists a possibility for construction to continue for more than one year or involve more than one phase or stage. There are no anticipated impacts to groundwater resources at the Site.

C. Stormwater Impacts

Description of Impacts

In general, land development results in the replacement of pervious, vegetated land areas with impervious buildings and pavement. If unmitigated, this results in an increase in the rate and volume of run-off and an increase in the pollutant loads carried by the stormwater.

According to the Applicant, the proposed action will result in an increase on Site of impervious surfaces when compared to the present state of this land. When comparing the proposed mixed-use development to the previously proposed and approved residential development for this Site, the increase in impervious areas would appear to be slightly greater. This potential impact will be mitigated with a closed conduit drainage system that will be directed towards the on-site stormwater management basin proposed for the northwest corner of the Site near the Proposed Commercial Building. The proposed project shall be designed to comply with the most recent NYS Standards and Guidelines for Erosion and Sedimentation Control and NYS Stormwater Management Design Manual (in accordance with the EPA – Phase II Stormwater Regulations). The proposed action will also be required to obtain a NYSDEC SPDES Permit for the discharge of stormwater runoff. Based on this information, any stormwater impacts will be mitigated to the point where they will not be significant.

D. Impacts on Plants and Animals

Description of Impacts

Wildlife habitats on the Site are common in the project site area and within this region of western New York State. The upland and wetland habitats are likely to support common small and large mammal and avian species. No rare, endangered or threatened species have been found to be utilizing the Site with the exception of the potential of the species, Shining Bedstraw. The Applicant has stated they are awaiting the growing season of this species, at which time a site visit will be conducted to verify whether or not this species is present on site. Information obtained from this site visit will need to be sent to the U.S. Department of Fish and Wildlife for their review and confirmation of the findings.

Impacts to wildlife will include the displacement of a portion of resident populations to other areas may result in some reduction in the area population of some species. However, these animals are abundant in the project area and this region of Western New York and are extremely resilient. These species will most likely migrate to other grassland or woodland areas within the region. Based on receipt of confirmation from the Department of Fish and Wildlife with regard to the absence of the Shining Bedstraw and based on the information stated above, the anticipated impacts, due to the proposed action, to plants and animals will not be significant. In the event that the Shining Bedstraw was found anywhere on this site, the Applicant would be required to provide a 30 meter buffer around the area occupied by this species and avoid disturbance of this area as part of the project mitigation.

G. Historic and Archaeological Resources Impacts

Description of Impacts

A Phase I Archeological Report was completed for the proposed project by Butterbaugh Archeological Consulting, Inc. A New York State Office of Parks, Recreation, and Historic Preservation (SHPO) dated April 16, 2007, states that SHPO has no further archeological concerns. Based on this information, there are no anticipated significant impacts to cultural resources due to the proposed action.

H. Transportation Impacts

Description of Impacts

The Town of Sweden is experiencing substantial, potential future growth in the vicinity of the Route 31/Route 19 corridor. Projects with approved plans or projects that have been constructed in the Town of Sweden include new residential subdivisions (Fieldstone Acres, Northview Subdivision and Sable Ridge), a Wal-Mart Super Center, and a Lowe's Home Improvement Store. This growth will result in an increase in the motor vehicle traffic entering, and leaving, the Route 31/Route 19 corridors.

According to the Traffic Impact Study prepared for the Highlands – Section 5, dated January 2007, the proposed site development will not have a significant impact on the traffic in the surrounding area when compared to the background levels service after the Wal-Mart and Lowe's developments are in place. The Wal-Mart is currently in operation and the Lowe's store is under construction at the time of this application. According to the Traffic Impact Study, the driver safety and level of service at the unsignalized intersection of Talamora Trail and Transit Way should improve from the current conditions with the recently installed Wal-Mart Drive traffic signal in use. The Lowe's project which is currently underway will also provide improvements along Route 31, including installation of a westbound left turn lane into Talamora Trail. As part of the Incentive Rezoning approval, the Applicant will be required to complete the construction of a dedicated road which will connect Talamora Trail to Nathaniel Poole Trail, thus providing a second means of ingress/egress for the current and future Highland's residents. Based on these improvements and the findings of the traffic impact study, significant adverse impacts to transportation due to the proposed action are not anticipated.

J. Impact on Growth, Character of Community or Neighborhood

Description of Impacts

According to the Applicant, the proposed project will provide additional tax revenue to the school district with a lack of increasing enrollment. Local emergency service responders will also most likely see additional funds via tax revenue collected from this development. Therefore, it is anticipated that no adverse impacts to the growth and character of the community will occur due to the proposed action.

FINDINGS STATEMENT

Pursuant to §175-22 of the Town Code of the Town of Sweden, the Town Board hereby issues its Findings Statement, in regard to the application of Homestead NY Properties, Inc. for Incentive Zoning to allow a Mixed –Use on Lands Previously Subdivided as Highland at Brandon Woods, Tax Account No. 084.01-1-14.113.

1. The Town Board has received from Homestead NY Properties, Inc. an application for incentive zoning pursuant to the Town of Sweden Code for property known as Highlands at Brandon Woods, of property previously subdivided and bearing Tax Account No. 084.01-1-14.113.

2. Pursuant to Article IV of the Town of Sweden Code, one of the permitted incentives which may be granted to applicants is found in §175-19E, "...the development of properties with mixed uses, including various density residential, various specialty residential, such as senior citizen, affordable housing and assisted living, and commercial retail ...uses".

3. The Town Board, as Lead Agency, has performed an environmental review, has determined that the proposed incentive zoning will not have a significant negative environmental impact, and has this date issued a Negative Declaration.

4. The proposed project, including the incentive, can be adequately supported by the public facilities available or provided as a result of the project, including, but not limited to water, transportation, waste disposal and fire protection, without reducing the availability of such facilities for projects permitted as of right under the Town of Sweden Code.

5. The amenities offered in return for the incentives sought are reasonable, readily conducive to furthering the goals of the incentive zoning law, and the public benefit to be realized by the amenity is commensurate with the incentive granted by the Town Board.

6. The project is in harmony with the purpose and intent of the incentive zoning provisions of the Town of Sweden Code, and with its stated objectives, specifically §175-19E, and will promote the purposes of the incentive zoning provision, that the project is sufficiently advantageous to make the grant of the requested incentive appropriate. The project will add to the long-term assets of the Town of Sweden. Specifically, the project will provide additional ingress and egress of residents of the area who will be able to avoid Route 31 traffic, while simultaneously relieving the pressure on that traffic. The project will also provide an area within which residents will be able to shop near their homes.

7. The use of incentive zoning for the proposed project is consistent with the Comprehensive Plan.

8. Pursuant to §175-22G(2), the Town Board hereby imposes the following conditions on the proposed project:

a. The connecting road between Talamora Trail and Nathaniel Poole Trail, and completion of the work on the Kuster property (remove existing driveway and install new binder and top coat and the planting of trees and shrubs along Kuster's west boundary line adjacent to the Wal-Mart site) said property known as Tax Map No. 084.01-1-15, all as shown on "Map Showing Proposed Improvements of Route 31" prepared by Schultz Associates dated April 12, 2006, shall be completed and with the road dedicated to the Town of Sweden no later than November 30, 2007. Upon the failure of the connecting road to be installed and dedicated by said date, the incentive zoning approval shall be void and the lands subject thereto shall revert to the zoning designation in effect on the date the application for incentive zoning was made.

b. The commercial structures to be constructed as part of the proposed project shall be substantially similar in architectural style to that depicted in the photograph submitted to the Town Board on March 22, 2007, of a plaza in Lubbock, Texas, which photograph is on file with the Town Board. The Town

Clerk is hereby directed to transmit a copy of said photograph to the Town of Sweden Planning Board for its use in the site plan approval process.

c. The cash amenity of \$60,000.00 shall be deposited with the Town Clerk of the Town of Sweden prior to, and as a pre-condition of the issuance of a building permit for any portion of the project.

d. The ownership of the portion of the project proposed to be set aside for a green area shall be transferred to and owned by a homeowners association, with a conservation easement to the Town of Sweden.

e. The maximum density and minimum setbacks and parking requirements of the MR-1 Multiple Residence District (§175.39. B [3-6], C [1-3]) be used in determining the maximum density, minimum setbacks and parking requirements for the project.

f. The Planning Board shall determine, as a part of site plan review, the appropriate limits to be placed on commercial uses, such as parameters for low-volume business or neighborhood retail.

g. The issues raised by the Planning Board in its advisory opinion dated October 23, 2006, are to be considered and resolved by the Planning board as part of site plan review, provided, however, that the proposed commercial use shall not be excluded by the Planning Board.

Motion to adopt the within Findings Statement was made by Councilperson Connors
Seconded by Councilperson Windus-Cook

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>

**Kris Schultz from Schultz Associates commented that this project had been in front of the Town Board for over a year. The Board had insisted that no re-zoning would be done unless the residents of Talamora Trail received a “tangible” benefit. Mr. Schultz stated that the tangible benefit to the residents of Talamora Trail is the connector road between Talamora Trail and Transit Way. The Town Board required this benefit to be completed immediately. Mr. Schultz mentioned that it is almost unheard of to make such a request of the developer to invest in infrastructure without the ability to get back on the investment for several years. Mr. Schultz stated that the Town Board’s concern for the quality of life of current residents is apparent.

Mr. Schultz added that for the past few years he has noticed the Town Board requiring developers to follow through with the concerns of the Town’s residents. Mr. Schultz stated that if he were a resident of the Town of Sweden, he would congratulate the Board, Mr. Schultz does not see many towns advocate for their residents as strongly as the Town of Sweden.

Jack Hassall, present on behalf of his father, Jack Hassall, Sr. of Homestead NY Properties, Inc. wanted to thank the Board for their time spent on this re-zoning process.

Supervisor Lester acknowledged the comments and thanked the Town Engineer, Attorney Ortenberg, and Town Attorney Jim Bell. Mr. Lester stated that it was nice to see the community receive benefits from such projects.

RESOLUTION NO. 66 Determination Under Chapter 175, Article IV, Incentive Zoning Local Law for a Mixed –Use on Lands Previously Subdivided as Highland at Brandon Woods, Tax Account No. 084.01-1-14.113

WHEREAS, the Town Board has received from Homestead NY Properties, Inc. an application for incentive zoning pursuant to Chapter 175, Article IV et seq. of the Town of Sweden Code for property known as Highland at Brandon Woods, of property previously subdivided and bearing Tax Account No. 084.01-1-14.113; and

WHEREAS, pursuant to Article IV of the Town of Sweden Code, one of the permitted incentives which may be granted to applicants is found in §175-19E, "...the development of properties with mixed uses, including various density residential, various specialty residential, such as senior citizen, affordable housing and assisted living, and commercial retail ...uses"; and

WHEREAS, the Town Board, as Lead Agency, has performed an environmental review, has determined that the proposed incentive zoning will not have a significant negative environmental impact, and has this date issued a Negative Declaration; and

WHEREAS, the Town Board of the Town of Sweden has reviewed the application of Homestead NY Properties, Inc., and has determined that the amenities offered in return for the incentives sought are reasonable and readily conducive to furthering the goals of the incentive zoning law; and

WHEREAS, the Town Board has conducted a public hearing as required under Article IV of the Town Code; and

WHEREAS, the Town Board has issued a written statement of Findings, pursuant to §175-22G of the Town of Sweden Code.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Sweden Town Board does hereby approve the incentive zoning application of Homestead NY Properties, Inc. for the lands above described, subject to the terms and conditions set forth in the Findings Statement adopted simultaneously herewith.

Sec. 2. That the Planning Board is hereby granted the right to engage a consultant, or consultants, as necessary, at the expense of the Applicant, to assist the Planning Board on any technical matters which may arise.

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	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 67

Authorize Supervisor to Enter Into Agreement With Gill Dassance for Display of Historic Reaper

WHEREAS, the Town of Sweden is interested in promoting the appreciation and study of the Town’s agricultural history; and

WHEREAS, Gill Dassance, owner of a Salesman Sample of the Morgan Reaper, is willing to allow the reaper to be on display at the Sweden Town Hall for a period of one year.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to enter into an agreement with Gill Dassance for the display of one Salesman Sample of the Morgan Reaper subject to the terms and conditions set forth in the agreement and subject to the Town Attorney’s approval.

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	<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 – April 24, 2007

Adopted

RESOLUTION NO. 68

Authorizing Supervisor to Enter into Agreement with Troy & Banks, Inc.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby authorizes the Supervisor to enter into agreement with Troy & Banks, Inc., 4536 Main Street, Suite 102, Buffalo, New York 14226.

Sec. 2. That the Town Board, by such agreement, authorizes Troy & Banks to audit the Town’s utility accounts, and to process and secure refunds of any overpayments owed to the Town of Sweden on these accounts.

Sec. 3. That the Town Board agrees that Troy & Banks will receive as its compensation for this service fifty percent (50%) of the amount received by or credited to the Town of Sweden.

Sec. 4. That if there is no refund or credit obtained for the benefit of the Town of Sweden, Troy & Banks acknowledges that there will be no fee payable.

Sec. 5. 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>Aye</u>

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 69 Authorize Wage Increase – Larry Wade

WHEREAS, the Highway Superintendent has recommended a wage increase for Larry Wade in both of his roles as recycling center manager and park grounds manager.

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 Larry Wade from \$9.00 per hour to \$11.00 per hour.

Sec. 2. That this resolution shall take effect as of March 31, 2007.

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>Aye</u>

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 70 Appoint Seasonal Laborers - 2007

WHEREAS, the Superintendent of Highways has requested additional assistance in the Highway Department during the spring/summer season; and

WHEREAS, the Superintendent of Highways has recommended hiring William White, Seth Kent and Bryon Rockow as Seasonal Laborers for the spring/summer season of 2007.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints William White, Seth Kent and Bryon Rockow as Seasonal Laborers.

Sec. 2. That the rate of pay will be \$8.50 per hour.

Sec. 3. That the start dates are as follows:
William White start date of April 23, 2007
Seth Kent start date of April 30, 2007
Bryon Rockow start date of April 30, 2007

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 71 Appointing Clerk PT - Sweden
Clarkson Community Center - Wiest

WHEREAS, there is a vacancy in the position of Clerk PT at the Sweden Clarkson Community Center; and

WHEREAS, the position was duly advertised and applications were received; and

WHEREAS, Kelly Wiest has been recommended for the position by the Recreation Director.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Kelly Wiest as Clerk PT at the Sweden Clarkson Community Center starting April 18, 2007.

Sec. 2. That this position is for a maximum of 24 hours a week at an hourly rate of pay of \$7.50 per hour.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 72

Appoint Recreation Supervisor - Gaffke

WHEREAS, according to Civil Service Law, Joshua Gaffke was appointed provisionally to the title of Recreation Supervisor; and

WHEREAS, examination number P-79911, Recreation Supervisor, has been given and an eligible list was established on April 16, 2007; and

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

WHEREAS, the Recreation Director has recommended an increase in salary for Mr. Gaffke based on the results of the examination.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Joshua Gaffke as Recreation Supervisor, permanently, effective April 24, 2007.
- Sec. 2. That the hours remain the same as before the permanent appointment.
- Sec. 3. That the salary increase to \$28,000 per year.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion: Councilperson Ferris congratulated Mr. Gaffke on passing the exam and added that Mr. Gaffke has a lot to offer the Town. Supervisor Lester stated that Mr. Gaffke is a great addition to the team. Mr. Gaffke came to the Town of Sweden from Wisconsin.

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 – April 24, 2007

Adopted

RESOLUTION NO. 73

Appoint Director of Buildings and Grounds – Oakden

WHEREAS, the Town Board of the Town of Sweden wishes to establish the position of Director of Buildings and Grounds; and

WHEREAS, Jeremy Oakden is employed with the Town of Sweden as head of maintenance for the Community Center and has exhibited the on-the-job capabilities necessary to fulfill the requirements of the Director of Buildings and Grounds position.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Jeremy Oakden to the position of Director of Buildings and Grounds for the Town of Sweden beginning April 28, 2007.
- Sec. 2. That Mr. Oakden's annual salary be set at \$35,000.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 74

Appoint Laborer PT to Sweden
Clarkson Community Center – Dobson

WHEREAS, there is a vacancy for a part-time laborer at the Sweden Clarkson Community Center; and

WHEREAS, this position was duly advertised as required by law; and

WHEREAS, several applications were received and applicants interviewed; and

WHEREAS, Jeremy Oakden has recommended the appointment of Todd Dobson to the position of Laborer PT at the Sweden Clarkson Community Center.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Todd Dobson to the position of Laborer PT, not to exceed 20 hours per week.
- Sec. 2. That the rate of pay is \$8.50 per hour.
- Sec. 3. That the start date is April 30, 2007.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – April 24, 2007

Adopted

RESOLUTION NO. 75

Reject Bids for Acoustical Foam Baffles –
Sweden Clarkson Community Center

WHEREAS, the Sweden Town Board authorized bids on March 13, 2007, Resolution No. 47 for the purchase of Open-Cell Willtec Sonex Valueline Double Sided Acoustical Foam Panels in satisfactory colors; and

WHEREAS, the following three bids were received:

Acoustical Surface Inc. 123 Columbia Court North Chaska, MN 55318	white panels	\$13,798.00
Conking & Calabrese Co. 111 Parce Avenue Fairport, NY 14450	two color panels	\$26,586.18
Noisemaster PO Box 276 Monroe, CT 06468	two color panels	\$26,675.00

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby rejects any and all Acoustical Foam Baffle/Panel bids that were opened for public inspection on April 5, 2007.

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	<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 – April 24, 2007

Adopted

**Supervisor Lester stated that the Town has received quotes for 55 boxes of white acoustical

panels from three vendors. Supervisor Lester made a motion that was seconded by Councilperson Carges to accept the lowest quote for 55 boxes of white acoustical panels from Acoustical Surfaces in the amount of \$9,792.75.

Discussion: Councilperson Ferris stated that he felt this expense could wait; he did not feel that it was a critical expense at this time. Councilperson Connors added that she agreed the Sweden Clarkson Community Center needed something to take care of the noise in the gym. Mrs. Connors was willing to accept the purchase of white panels for the lower cost.

Vote By Roll Call and Record:

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

RESOLUTION NO. 76

Authorize Installation of Acoustical
Baffles from Reserve Fund

WHEREAS, a reserve was established for Building Maintenance on November 23, 2004 for the purpose of making improvements and/or repairs to Town Buildings; and

WHEREAS, the Town Board desires to install acoustical baffles in the gymnasium at the Community Center, 4927 Lake Road.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$9,999 from the Buildings Maintenance Reserve to install (white) acoustical baffles at the Community Center.

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

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

Discussion: Councilperson Connors stated that she would like to see the cost come out of the operating budget not the reserve. Councilperson Carges stated that the reserve was set up for improvements such as this one that are long lasting.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – April 24, 2007

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook authorizing payment of the bills in Abstract 4 dated April 25, 2007 in the amount of \$101,091.94. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$77,622.22 as set forth in Abstract 4 dated April 25, 2007.

Highway Fund: In the amount of \$18,300.69 as set forth in Abstract 4 dated April 25, 2007.

Special Fund: In the amount of \$5,169.03 as set forth in Abstract 4 dated April 25, 2007.

DISCUSSION AND ANNOUNCEMENTS

Workshop meeting scheduled for Tuesday, May 1, 2007 at 7:00 p.m.

Town Attorney Jim Bell presented several code changes to the Board for discussion at a workshop.

Superintendent of Highways Fred Perrine reported that Spring Pick Up for 2007 went well; the department noticed a high amount of tires this year. Mr. Perrine met with MRB/group, Town Engineers, to stakeout the baseball field at the Town Park on Redman Road. Mr. Perrine commented on Councilperson Carges' report and stated that the Sweden Highway Department has been sharing several services with the Village of Brockport for years, particularly people and equipment.

Superintendent of Highways Fred Perrine requested the Board adjourn to Executive Session to discuss a particular employee.

EXECUTIVE SESSION

Supervisor Lester made a motion that was seconded by Councilperson Carges to go into executive session at 8:25 p.m. to discuss a particular employee. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Carges to leave executive session and return to the regular meeting at 9:35 p.m. All voted in favor of the motion. Motion adopted.

REGULAR MEETING

Councilperson Connors made a motion that was seconded by Councilperson Ferris to change Jonathan Wade's hourly rate of pay to \$10 per hour effective April 14, 2007. 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 April 24, 2007 meeting of the Sweden Town Board at 9:37 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk