

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, October 28, 2003.

Town Board Members present were Supervisor Nat O. Lester III, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Carl Wheat, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Superintendent of Highways Fred Perrine, Town Attorney Jim Bell, and Deputy Town Clerk Marleen Cain.

Visitors present were Thomas Ferris from 82 Erie Street, Jerry Dowd from 7000 Fourth Section Road, Lori and Gary Skoog from 6142 Lake Road South, Jim Hamlin from 50 Park Avenue, Julie and Frank Lapinski from 4016 Sweden Walker Road, Tim and Cheryl Bates from 69 Royal Gardens Way, Robert Capo Jr from 8 Sweden Hill Road, Neil Dube from 12 Hickory Way, Mary Battisti, and Robert Connors arrived later in the meeting.

Supervisor Lester called the meeting to order at 7:34 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Lester acknowledged the presence of the visitors and asked if there were any comments or questions. There were none.

#### APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the minutes of the Regular Town Board meeting held on October 14, 2003. All voted in favor of the motion. Motion carried.

#### REPORTS

Town Attorney Jim Bell announced that two tax certiorari cases are close to settlement and the easement on Skidmore Drive is almost done.

Superintendent of Highways Fred Perrine reported that the brush pickup has been started and will take most of this week to complete. They are working on a county project on Beadle Road and Sweden Ogden Town Line Road.

Supervisor Buddy Lester reported that there had been an information meeting regarding the Gallup Road water district on October 25, 2003. There were over 200 people present at the Halloween Party at the Community Center last Saturday. The party had been paid for by Wegmans.

#### SUPERVISOR'S CORRESPONDENCE

2003	Received From:	Comments:
1.*	Alison Friedo 10/15	Notice of end of employment on October 15, 2003.
2.*	Dianne Hickerson 10/28	Letter of thanks and support.
3.*	Josephine Matela, Mayor, Village of Brockport 10/20	Request for future collaboration.
4.*	Hal Legg 10/20	Thank you and thoughts about the town newsletter.
5.*	John Frazer, Associate Public Health Engineer, Monroe County Department of Health 10/20	Copy of letter to Monroe County Water Authority stating approval of completed works for transmission mains on Routes 19 and 31.
6.*	Monroe County Youth Bureau	Invitation to the 2003 Community Asset

- |       |  |   |
|-------|--|---|
| 10/21 |  | Breakfast on December 4, 2003 at Eastman Kodak Company's Riverwood Facility from 8 to 10:30 am.   |
| 7.*   | Mary LaVilla-Parsons, Sr.<br>Community Development Specialist,<br>Monroe County Department of<br>Planning and Development<br>10/28 | Copy of contract for 2003 Redman Road Sanitary Sewer, Phase II project that expires on July 31, 2004, and reminder that 2002 Sweden Park ADA Restroom Project expires on December 31, 2003. |
| 8.    | Youth Services Quality Council of<br>Rochester and Monroe County   | Invitation to 10 <sup>th</sup> annual event on December 12, 2003, Building a Better Community for Youth and Families.   |
| 9.    | NYS Public Service Commission<br>10/24   | Notice of public statement hearings on a joint proposal regarding Niagara Mohawk Power Corporation's security deposit policies for residential service.                                     |
| 10.   | Daniel Powers, Senior Vice<br>President, HRH<br>10/24  | Update on pooling of insurance for Monroe County.   |
| 11.   | Frank Dean, Project Director, US<br>Department of the Interior<br>10/22  | Invitation and announcement of next meeting of the Erie Canalway National Heritage Corridor Commission on Monday, November 3, 2003, in Albany.  |
| 12.   | Samuel Liberatore, Project<br>Engineer, Schultz Associates<br>10/15  | Copy of letter to Thomas Dreyer, SUNY Office of Facilities and Planning regarding sanitary sewer easement.  |

\* Board has copies

In regard to number 1, Councilperson Carges made a motion that was seconded by Councilperson Wheat to accept with regret the resignation of Alison Friedo. All voted in favor of the motion. Motion carried.

In regard to number 6, Supervisor Lester has asked that David Scott, Asset Coordinator, attend.

RESOLUTIONS

RESOLUTION NO. 129

Appoint Full-time Deputy Receiver of  
Taxes/Assessments - Alvito

WHEREAS, Kathy Alvito has already been appointed Deputy Receiver of Taxes/Assessments on a part-time basis with variable hours during tax seasons; and

WHEREAS, with the retirement of June Killigrew from the Assessor's office there is now a need for assistance in that department.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Kathy Alvito to the full-time (35 hour week) position of Deputy Receiver of Taxes/Assessments to assist the Receiver of Taxes and Assessments and the Assessor.

Sec. 2. That the rate of pay will be \$11.00 per hour with a start date of November 1, 2003.

Sec. 3. 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 Wheat	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 28, 2003

Adopted

RESOLUTION NO. 130                      Endorsing Ledgesdale Airpark Watermain and Authorizing Supervisor to Sign Environmental Assessment Form and Agency Compliance Statement

WHEREAS: Big Fella Enterprises, Inc. proposes to install an 8 inch diameter watermain and appurtenances along the length of Eisenhower Drive at Ledgesdale Airpark. The project title is: “Re-Installation of Ledgesdale Airpark Watermain”; and

WHEREAS: the project involves only installation of the watermain and appurtenances in accordance with plans approved by the Monroe County Water Authority; and

WHEREAS: Passero Associates, engineers for the project have prepared a Short Environmental Assessment for Unlisted Actions under Part 617 of the SEQR of the State of new York.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden endorses the above described project for the purpose of making the project eligible for Monroe County Health Department approval.

Sec. 2. That the adoption of this resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of Sweden to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Ledgesdale Airpark;

Sec. 3. It has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQR), of the State of New York, that the

aforesaid project to Re-Installation of Ledgesdale Airpark Watermain, including basic data collection, research and engineering studies, constitutes an Unlisted Action which will not have a significant impact upon the environment. The Supervisor of the Town of Sweden is hereby authorized to sign and date form DV-21-RI Agency Compliance Statement, as attached herewith.

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

Submitted: October 28, 2003

Adopted

RESOLUTION NO. 131                      Approval of Regular Town Board Meetings for 2004

WHEREAS, it is the intention of the Sweden Town Board to have the Clerk advertise in the official Town newspaper the regular Town Board meetings for 2004.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the dates for regular Town Board meetings for 2004 be approved as listed below:

2nd and 4th Tuesday of each month  
Regular Town Board meetings 7:30 p.m.

January 2, 2004- 4:00 PM - Organizational Meeting

January 13, 2004	July 13, 2004
January 27, 2004	July 27, 2004
February 10, 2004	August 10, 2004
February 24, 2004	August 24, 2004
March 9, 2004	September 14, 2004
March 23, 2004	September 28, 2004
April 13, 2004	October 12, 2004
April 27, 2004	October 26, 2004
May 11, 2004	November 9, 2004
May 25, 2004	November 23, 2004
June 8, 2004	December 14, 2004
June 22, 2004	December 28, 2004

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

Submitted – October 28, 2003

Adopted

RESOLUTION NO. 132

Accepting Proposal for Electric Installation  
Sweden Town Park Concession Stand

WHEREAS: Bids were received for the Town Park concession stand, but no bids for the electrical installation portion were received; and

WHEREAS: The Town can accept proposals for work under the \$20,000 threshold; and

WHEREAS: Landmark Electric, Inc. has submitted a proposal for the electrical work totaling \$19,814.00.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden, upon the recommendation of the Highway Superintendent, does hereby accept the proposal of Landmark Electric, Inc. for \$19,814.00 to do the electrical work at the Town Park concession stand.

Sec. 2. That the invoice for completed work will be paid from the Capital Fund for the Sweden Town Park.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

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

Submitted: October 28, 2003

Adopted

RESOLUTION NO. 133

Order for Public Hearing on  
Special District Assessments - 2004

WHEREAS: special assessments for improvement districts, which are assessed on a benefits derived basis, have been prepared and herewith filed with the Town Clerk.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing on the 25th day of November 2003 at 7:00 PM at the Municipal Building, 18 State Street, Brockport, New York, in said town on the matter of Special District Assessments, to hear all persons interested in the subject of special assessment rolls for the following improvement districts:

Sweden Consolidated Sewer District  
Lighting Districts  
Park Districts

Sec. 2. That the Town Clerk is authorized and directed to publish notice of said hearing as required by law.

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

Submitted: October 28, 2003

Adopted

RESOLUTION NO. \_\_\_\_\_

Amend Building Control Fees-Garage Sale Permit

WHEREAS, Local Law 2-2003 was adopted and filed with the Department of State to regulate garage sales in the Town of Sweden; and

WHEREAS, a permit fee needs to be established and added to the Rules and Regulations for Building Control Fees.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby establish the nonrefundable fee for a garage sale permit to be \$15.00 and that such fee will be added to the Rules and Regulations for Building Control Fees.

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

MOTION to table this resolution by Councilperson Carges  
Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – October 28, 2003

Tabled

RESOLUTION NO. 134

Ordering Public Hearing on Expansion to Sweden Consolidated Water District Gallup, Skidmore and Gordon Roads

WHEREAS: A petition has been received to expand the Sweden Consolidated Water District on Gallup Road, north of the canal, Skidmore Drive and part of Gordon Road; and

WHEREAS: The Sweden Town Board authorized MRB engineers to prepare the proposal for the extension of the Sweden Consolidated Water District on Gallup, Skidmore and Gordon Roads; and

WHEREAS: The required petition, maps and plans for the proposed improvement are on file in the Town Clerk’s office for public inspection; and

WHEREAS: The Gallup Road extension to the Sweden Consolidated Water District shall be bounded and described as follows:

**Description of Proposed Gallup Road Water District Boundary**

Beginning at point the point of beginning (P.O.B.), at the apparent intersection of the southeast property line of tax account number 070.03-16 and the centerline of Gallup Road in the Town of Sweden, as shown on Proposed Water District Expansion, as drawn by Lakeside Engineering, P.C., dated June 19, 2001; thence

1. Northwesterly, a distance of 351’±, along a line, said line being the southerly property line of tax account number 070.03-16, to an angle point; thence

2. Northerly, a distance of 180'±, along a line, said line being parallel to and 376'± offset off the center line of Gallup Road, to an angle point; thence
3. Northeasterly, a distance of 224'±, along a line, said line being parallel to and 302'± offset off the center line of Gallup Road, to an angle point; thence
4. Northeasterly, a distance of 287'±, along a line, said line being parallel to and 250'± offset off the center line of Gallup Road, to an angle point; thence
5. Northwesterly, a distance of 126'±, along a line, said line being parallel to and 327'± offset off the center line of Gallup Road, to an angle point; thence
6. Northerly, a distance of 415'±, along a line, said line being parallel to and 389'± offset off the center line of Gallup Road, to an angle point; thence
7. Westerly, a distance of 1154'±, along a line, said line being parallel to and 726'± offset off the center line of Gordon Road, to an angle point; thence
8. Northeasterly, a distance of 112'±, along a line, said line being a partial westerly property line of tax account number 070.03-9.1, to an angle point; thence
9. Westerly, a distance of 760'±, along a line, said line being the southerly property line of tax account number 070.03-6, to an angle point; thence
10. Westerly, a distance of 559'±, along a line, said line being the southerly property line of tax account number 070.03-6 to an angle point; thence
11. Easterly, a distance of 236'±, along a line, said line being the centerline of Gordon Road to an angle point; thence
12. Northerly, a distance of 425'±, along a line, said line being the westerly property line of tax account 070.03-6, to an angle point; thence
13. Easterly, a distance of 194'±, along a line, said line being the northerly property line of tax account number 070.03-6 to an angle point; thence
14. Northerly, a distance of 920'±, along a line, said line being the westerly property line of tax account number 70.03-7 to an angle point; thence
15. Westerly, a distance of 1,340'±, along a line, said line being the southerly property line of tax account numbers 070.03-34, 070.03-35, 070.03-36, and 070.03-37 to an angle point; thence
16. Northerly, a distance of 651'±, along a line, said line being the westerly property line of tax account number 070.03-38, to an angle point; thence
17. Easterly, a distance of 1333'±, along a line, said line being the northerly property line of tax account numbers 070.03-29, 070.03-40, 070.03-41, and 070.03-42, to an angle point; thence
18. Northerly, a distance of 1985'±, along a line, said line being parallel and 1357'± offset off the center line of Gallup Road, to an angle point; thence
19. Easterly, a distance of 1768'±, along a line, said line being the northerly property line of tax account numbers 070.01-7 and 070.01-16.1, to an angle point; thence
20. Southerly, a distance of 1532'±, along a line, said line being parallel to and 417'± offset of the center line of Gallup Road, to an angle point; thence
21. Easterly, a distance of 1158'±, along a line, said line being the northerly property line of tax account number 070.03-20, to an angle point; thence
22. Southwesterly, a distance of 4746'±, along a line, said line being the easterly property line for tax account numbers 070.03-20, 070.03-21, 070.03-23, 070.03-24, 070.03-26, 070.03-27, 070.03-28, 070.03-29, 070.03-30, 070.03-31, 070.03-32, 070.03-33.1, 070.03-33.2, 070.03-33.3 and to the center line of Gallup Road, thence to the place and point of beginning.

WHEREAS: The maximum amount to be expended for the improvement is \$475,000.

WHEREAS: It is proposed to finance the construction of the water district by the issuance of serial bonds in an amount not to exceed \$375,000 for a maturity not to exceed thirty years all in accordance with the provisions of the Local Finance Law of the State of New York; and

WHEREAS: The estimated cost in the first year for a typical property in the proposed district is estimated as follows:

- A. Payment on indebtedness \$ 403.
- B. Water usage \$185.



WHEREAS: The permission of the State Comptroller is not required pursuant to Sec. 209F of the Town Law.

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, NY on the 13th day of November, 2003 at 7:00 PM to consider said petition and to hear all persons in the subject thereof concerning the same and for such other action on the part of the Town Board with relation to said petition and proposed extension as may be required by law.
- Sec. 2. That the Town Clerk be authorized and directed to publish and post such notice of Public Hearing as required by Town Law.
- 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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Wheat	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted: – October 28, 2003

Adopted

RESOLUTION NO. 135 Appoint Laborer - Herzog

WHEREAS, there is a vacancy in the Highway Department for a Laborer; and

WHEREAS, the Superintendent of Highways has recommended that Philip Herzog be appointed to the position.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Philip Herzog to the full-time position of Laborer in the Highway Department at the rate of pay of \$10 per hour.
- Sec. 2. That the start date will be November 10, 2003, pending the results of pre-employment alcohol and drug testing as required in the Employee Handbook.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – October 28, 2003

Adopted

RESOLUTION NO. 136

Authorize Agreement Between Monroe County and Town of Sweden for the Provision of Snow Removal and Ice Control Services 2003-2013

WHEREAS: The Agreement between Monroe County and the Town of Sweden for the Control of Snow and Ice Services expired on September 30, 2003; and

WHEREAS: A new agreement has been received from the Monroe County Department of Transportation and has been reviewed by the Superintendent of Highways; and

WHEREAS: The County desires the Town to continue to provide these services on County highways within the Town of Sweden.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby approves the Agreement between Monroe County and the Town of Sweden for the Provision of Snow Removal and Ice Control Services.

Sec. 2. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to execute the contract on behalf of the town.

Sec. 3. That the Town Clerk is hereby directed to transmit a copy of this resolution to the Monroe County Department of Transportation, Terrence J. Rice, Director.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Councilperson Windus-Cook      Aye  
Supervisor Lester                      Aye

Submitted – October 28, 2003

Adopted

**APPROVAL FOR PAYMENT OF BILLS**

The Board members present reviewed the Invoice Audit Journal. Councilperson Carges made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 10 dated October 29, 2003. All voted in favor of the motion. Motion carried.

General Fund: In the amount of \$75,270.97 as set forth in Abstract 10 dated October 29, 2003.

Highway Fund: In the amount of \$24,455.07 as set forth in Abstract 10 dated October 29, 2003.

Special Districts: In the amount of \$3,926.37 as set forth in Abstract 10 dated October 29, 2003.

**DISCUSSION AND ANNOUNCEMENTS**

Reminder given that the next meeting will be on **Wednesday**, November 12, 2003. There will be a Special Meeting of the Town Board on Thursday, November 13, 2003, at 7:00 p.m.

Local laws 2 and 3 of 2003 have been filed with the Department of State on October 8, 2003.

**ADJOURNMENT**

As there was no further business to come before the Board, Councilperson Carges made a motion that was seconded by Councilperson Connors to adjourn the October 28, 2003, meeting of the Sweden Town Board at 7:57 p.m. All voted in favor of the motion. Motion carried.

Respectfully submitted,

Marleen M. Cain  
Deputy Town Clerk