

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, February 25, 2003.

Town Board Members present were, Supervisor Nat O. Lester III, Councilperson Patricia Connors, Councilperson Carl Wheat, and Councilperson Danielle Windus-Cook.

Councilperson Rob Carges was absent.

Also present were Superintendent of Highways Fred Perrine, Assessor Alan Bader, Director of Finance Elaine Jones, and Attorney Jim Bell.

Visitors present were Jim Hamlin, 50 Park Ave., Sean Wilcox, Pres. of Seymour Library Board.

Supervisor Lester called the meeting to order at 7:30 PM. and asked everyone present to say the Pledge to the Flag. He called on Sean Wilcox the current Seymour Library Board President. His term of office is two years. He has served on the Library Board for three years. A new Children's Librarian has been hired. This past November there was an increase in fines. Out of county residents pay \$30.00 to have a library card at Seymour Library. This is now a countywide policy. There is a committee set up to search for a new director. A Civil Service list should be out in March. Mr. Wilcox said that Sweden's representative Dave Stettner is doing a fine job on the Board. The Supervisor told Mr. Wilcox that the Board would be appointing a new Sweden representative to the Library Board this evening.

#### APPROVAL OF MINUTES

Councilperson Connors made a motion to accept the minutes of the Town Board meeting held on February 11, 2003. Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. . Motion carried.

#### SUPERVISOR'S CORRESPONDENCE

2003	Received From:	Comments:
*1	Shawn Elliff, Risk Control Specialist, St. Paul Ins. 2/13	Copy of letter sent to St. Paul Companies re: Insurance for Town of Sweden Skate Park
*2.	Burgess, DiRaddo, Nier & Case, 02/03	Copy of letter to Brockport Fire District Joint Committee. Draft of proposed legislation
*3	Brian B. Wirth, Time Warner Cable, 02/19	Announce Chris Mueller employed as Manager of Government Affairs
*4	John Centrone, Brockport Symphony Orchestra, 02/19	Requesting donations for the orchestra
*5	Peter McCann, Monroe Co. Legislator, 02/21	Forwarded a copy of a letter received from a Town resident residing on Brockport Spencerport Road re: speed limit
*6	John Centrone, Brockport Symphony Orchestra, 02/21	Request use of the Senior Center for rehearsals
*7	Kathy Harter, Env. Conservation Bd., 02/24	Looking for comments on educational sign to be placed at Community Center
8	Sheila S. Maynard, 02/24	Opinion about Super Wal Mart coming to

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| *9  | Jim Oberst, MRB group, 02/24                                       | Sweden<br>Proposal for services re: lighting 4927 Lake Rd.   |
| *10 | Muffy Meisenzahl, Mon. Co. Office of Emergency Preparedness, 02/24 | Pre-Disaster Mitigation Planning Meeting<br>3/20/03, 1 – 2:30PM at Office of Emergency Preparedness  |
| *11 | Ronald E. Piester, NYS Dept. of State, 02/24                       | The State Fire Prevention and Building Code Council will review all previously adopted more restrictive standards in June. Submission of information for consideration by May 2003 |

\* Board has copies

Re: No. 1 The Town Insurance Agent Rick Dollard has gone to 15 Insurance Companies regarding insurance for the skate park project. Only one company has responded. Ms. Windus-Cook said that the Town should also be looking into insurance for the BMX park.

Re. No. 2. Supervisor Lester reported that the formation of a fire district is on hold in that further investigation will continue.

Re: No. 5. The Town Clerk will send to Wayne Zyra, Pete McCann and the town resident a copy of the reply that was received from NYS regarding the reduction of the speed limit on Brockport Spencerport Rd.

Re: No. 6 Elaine Jones will draft a letter to John Centrone with regards to use of the Senior Center for orchestra rehearsals. After Nancy Duff and Pat Connors talked about it, it was decided that the community center is a better place.

Re: No. 7 Councilperson Connors made a motion to approve the construction of a sign about the Niagara escarpment at the Community Center. Councilperson Wheat seconded the motion. All voted in favor of the motion. Carried.

Re: No. 10 Councilperson Windus-Cook moved that Councilperson Connors attend the Pre-Disaster Mitigation Planning meeting. Councilperson Wheat seconded the Motion. All voted in favor of the motion. Carried.

Re: No. 11 Supervisor Lester asked Mr. Bader to review this request and help to complete it.

#### DEPARTMENTAL REPORTS

Highway Superintendent Fred Perrine reported that many towns and villages are having problems with their salt supply. The Town of Sweden is still 160 tons short of the 120 tons over the amount allowed by the state. If snowstorms taper off the Town should be in pretty good shape.

Alan Bader thanked the Town Board for the opportunity to attend the Association of Towns Conference in NY City and being the designated delegate to vote. The Planning Board had an informal presentation by Tim Horton's, a breakfast and lunch restaurant. They are looking at a site east of the EconoLodge. The Planning Board is still working on the Crystal Ridge project. There was a proposed modification of the plans, but the Planning Board decided to proceed with the Environmental Record for the original proposal. Cole Layer Trumble has analyzed sales and assessments and said that the results are within the state guidelines. No new assessments will need to be done. They will be looking more closely at land values.

Town Attorney Jim Bell would like to go into executive session to discuss the current litigations. He also reported that Clarkson might want to change engineers on the East Ave. water district project. A change would end up in further delay for this project.

## REPORTS

Councilperson Connors reported that she attended the Association of Towns Conference. She and Danielle split up attendance at the various seminars. Some presenters did not make it due to the bad weather in New York City. Ms. Connors talked with Nancy Duff about the “snow day” policy at the Senior Center. Carl Wheat has written up the policy. Nancy Duff wants to have the employees trained in CPR, perhaps during the regular work hours. The request by the Brockport Symphony Orchestra to use the center for a place to practice was discussed. They agreed that use of the center is OK for a performance, but not for use as a regular practice venue.

Councilperson Wheat has written the “snow day” closing policy for Senior Center employees.

Councilperson Windus-Cook met with representatives from Amtek regarding some issues that are currently not addressed by the Town’s handbook. There was a meeting with David Strabel regarding plans for the rest rooms and concession for the Sweden Town Park. They expect to remain within the proposed budget.

Supervisor Lester reported that last Wednesday there was a meeting with Sweden Walker Rd. residents regarding the water line expansion project. Today he met with the Water Authority and the town engineer regarding the same. The Water authority is willing to pay to upsize the pipe going to the project. If the project doesn’t take place, they will reline the pipe for Clarkson residents’ use.

## RESOLUTIONS

RESOLUTION NO. 29

Appoint Representative to  
Seymour Library Board - Minor

WHEREAS: A vacancy has occurred on the Town of Sweden Seymour Library Board; and

WHEREAS: the Town Board is desirous of filling the position and Matthew Minor has expressed an interest in serving on the Board.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Matthew Minor to serve as a representative on the Seymour Library Board.
- Sec. 2. That his term shall be effective from February 25, 2003 until December 31, 2005.
- Sec. 3. That this resolution shall take effect immediately.



Section I – Fieldstone Acres Subdivision

WHEREAS: Northrup Contracting, Inc., a business corporation of the State of New York, with its principal place of business at 32 Sweden Hill Road, Brockport, NY 14420, has delivered a deed conveying to the Town of Sweden, the fee title to lands to be known as Gary Drive, which lies in Section I of Fieldstone Acres Subdivision, a map of which subdivision is recorded in Liber \_\_\_ of Maps at page \_\_\_ in the Office of the Monroe County Clerk; and

WHEREAS: acceptance of the dedication has been recommended by the Town Superintendent of Highways, and the Town Board has been advised by the Superintendent that the roadway, as installed, meets Town specifications; and

WHEREAS: the Town Board desires to accept the dedication of the roadway in the best interest of the health and safety of its residents and in keeping with the subdivision approvals of the Planning Board and the transportation needs and demands of the Town.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town of Sweden hereby agrees to accept delivery of the deed and transfer documents, dated \_\_\_\_\_, dedicating lands to be known as Gary Drive lying in Section I of Fieldstone Acres Subdivision, as shown on a map of said subdivision recorded in the Monroe County Clerk’s office in Liber \_\_\_ of Maps at page \_\_, and authorizes the Town Superintendent of Highways to begin operation and provide maintenance of the roadway in accordance with applicable statutes and regulations.

Sec. 2. That the Town Attorney is directed to record the deed and transfer documents, in behalf of the Town in the Office of the Monroe County Clerk.

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

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 32

Authorizing Dissolution of  
Brockport-Clarkson-Sweden

Joint Recreation Commission and  
Issuance of a Final Accounting

WHEREAS, in the years 1961 and 1962, the municipal corporations of Sweden, Clarkson and Brockport, on a voluntary basis, did create a Joint Recreation Commission pursuant to Sec. 244(d) of the General Municipal Law, and

WHEREAS, over the past 40 years this commission has evolved into a 15 member volunteer board whose function has been to establish, manage and coordinate recreational activities and programs for the youth and for the senior citizens residing in the foregoing municipalities, and

WHEREAS, the costs to operate the Joint Recreation Commission were shared among its participating municipalities with each municipality levying real property taxes to pay for the cost of administering the recreation programs, and

WHEREAS, the Town of Sweden was recently the recipient of a three (3) million dollar gift of a community center from Richard L. Booth, Jr., and

WHEREAS, the Town of Sweden has chosen to expand the recreational opportunities offered to all of its constituents, and

WHEREAS, the Town of Clarkson agreed to partner with the Town of Sweden in offering expanded recreational programs for its Clarkson constituents, and

WHEREAS, the Town of Sweden was informed that the Village of Brockport did not desire to participate as a partner in the new community center, and

WHEREAS, the Town advised the Village that it would proceed on its own in expanding recreational opportunities to all of its constituents, and

WHEREAS, by previous agreement entered into between the Town of Sweden and the Village of Brockport, it was agreed that the Supervisor of the Town of Sweden would act as custodian for the Joint Recreation Program and that the Supervisor would administer the funds and expend them in accordance with the stated purpose, and

WHEREAS, Supervisor Lester as said custodian of the joint recreation funds has offered to render a final accounting to the participating municipalities, including disbursement of all cash remaining on hand, and

WHEREAS, the Town of Sweden desired to formally withdraw from the Joint Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby withdraw from the Joint Recreation Commission effective January 1, 2003.

Sec. 2. That upon receiving a certified list of all inventory on hand from Scott Fake, Brockport-Clarkson-Sweden Joint Recreation director, the Supervisor shall be

authorized to enter into an agreement with Clarkson and Brockport as to the distribution of said assets.

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

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 33 Authorizing Agreement with Office  
for the Aging for 2003 re: Nutrition Program

WHEREAS, the Monroe County Office for the Aging has requested that the Town of Sweden continue to administer its Nutrition Program at the Sweden Senior Center for senior citizens of this area, and

WHEREAS, the Town Board has favorably considered the matter.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor be authorized to enter into a negotiated contract with the Office for the Aging relative to administering the Sweden Senior Center Nutrition Program and to execute all pertinent documents thereto for the year 2003.

Sec. 2. That the Town Board agrees to sponsor the Nutrition Program at the Sweden Senior Center for the year beginning January 1, 2003.

Sec. 3. 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:

Councilman Carges	<u>Absent</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilman Windus-Cook	<u>Aye</u>



Supervisor Lester                      Aye

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 34

SEQR Determination of Non-Significance  
Hollybrook Road and Sweden Lane  
Improvements, Parking Improvements  
Sweden/Clarkson Community Center,  
Access Road Plan

WHEREAS: The Town Board of the Town of Sweden, Monroe County, New York proposes improvements to Hollybrook Road and Sweden Lane and the parking lot at the Sweden/Clarkson Community Center, and to construct an access road between Bethel Drive and Duryea Drive in the Town of Sweden.

WHEREAS: To aid the Town Board in determining whether such actions of the Town in connection therewith (the “actions”) may have significant effect on the environment, the Town Board has caused to be prepared by the Town Engineers, MRB group, environmental assessment forms or similar information (“EAF”), copies of which are attached hereto; and

WHEREAS: the Town Board has duly reviewed the EAFs, and other related documents, and duly considered the impacts which may be expected to result from such actions with the criteria set forth in Section 617.11 of SEQR regulations.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden, after review of the actions, does hereby declare itself as Lead Agency.
- Sec. 2. That the Town Board of the Town of Sweden based upon review of the actions, does hereby find that the above-referenced actions therefore (a) will result in no major impacts, and therefore are not ones which “may have a significant effect on the environment”, and (b) will not have a “significant effect on the environment.” This determination constitutes a negative declaration for the purposes of SEQR.
- Sec. 3. That it is hereby determined that the proposed projects constitute a Type I Actions as defined in 6NYCRR 617.12 of the SEQR regulations.
- Sec. 4. That the Supervisor be directed to sign the Environmental Determination of Significance Form and attachment thereto.
- Sec. 5. That the Town Clerk is directed to file copies of the Environmental Determination of Significance and Attachment thereto with of copy of this resolution in the office of the Clerk of the Town where the same shall be available for public inspection during regular business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such newspapers as shall be necessary to conform to the requirements of SEQR.



Sec. 6. 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>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Wheat	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 35

Authorize Engineering Services for  
Electrical Design for Lighting System  
Community Center Parking Lot

WHEREAS: The Town Board is preparing to make improvements to the Community Center parking lot and part of the scope of the plan is to improve the lighting system; and

WHEREAS: MRB group Engineering has presented a proposal to perform the investigation and prepare the plans for the electrical design of the parking lot lighting system.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes MRB group Engineering to complete the electrical design for the Community Center parking lot lighting system, for a cost not to exceed \$2,100.

Sec. 2. That the Town Board hereby authorizes the Supervisor to sign the acceptance for this proposal.

Sec. 3. That payment will be from the Reserve for the Community Center.

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>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Wheat	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>

Supervisor Lester Aye

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 36

Accepting Proposal to Install Fire Rated Counter Shutters – Sweden Community Center Gymnasium

WHEREAS: In order to be in compliance with the fire code and approved standards, fire rated counter shutters need to be installed in the “press box” on the second floor of the gymnasium at the Sweden Community Center; and

WHEREAS: Proposals have been received from Alliance Door and Hardware, Inc. and Rochester Colonial.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That after review of the proposals, the Town Board of the Town of Sweden hereby accepts the proposal from Alliance Door and Hardware, Inc. for an amount of \$1,649.00 to furnish material and labor for the installation of fire rated counter shutters.

Sec. 2 That payment for this work will come from the Reserve for the Community Center.

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

MOTION for adoption of this resolution by  
Seconded by

Discussion: Bob Coopenberg looked at the items and consulted with the Fire Marshal.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – February 25, 2003

Adopted

RESOLUTION NO. 37

Authorizing Supervisor to Sign Notice of Intent in Regards to Phase II Storm Water Management Program

WHEREAS: The Sweden Town Board is in receipt of a Notice of Intent for coverage under an SPEDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems; and

WHEREAS: This Notice of Intent outlines requirements and initiatives that the Town must implement within the next five years; and

WHEREAS: these requirements and goals are identified in the Notice of Intent as follows:

1. Public Education and Outreach on Storm Water Impact
2. Public Involvement/Participation
3. Illicit Discharge and Elimination
4. Construction Site Storm Water Run-off and Control
5. Post-Construction Storm Water Management
6. Pollution Prevention/Good Housekeeping for Municipal Operations

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden being fully cognizant of the requirements as put forth, hereby authorizes the Supervisor to sign the Notice of Intent in regards to the Phase II Storm Water Management Program.

Sec. 3. That the executed Notice of Intent will be filed with the NYS DEC by March 10, 2003.

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

Submitted – February 25, 2003

Adopted

APPROVAL OF PAYMENT OF BILLS

All of the Board members present reviewed the invoice audit journal. Councilperson Wheat made a motion that was seconded by Councilperson Windus-Cook authorizing payment of the bills in Abstract 2 dated February 25, 2003 with the exception of the few vouchers for the recreation lifeguards. There needs to be some clarification in them. All voted in favor of the motion. Carried.

General Fund: In the amount of \$93,388.94 as set forth in Abstract 2 dated February 25, 2003.

Highway Fund: In the amount of \$80,818.84 as set forth in Abstract 2 dated February 25, 2003.

Special Districts: In the amount of \$4,835.75 as set forth in Abstract 2 dated February 25, 2003.

At this time Supervisor Lester made a motion to allow the Town of Sweden Planning Board to be lead agency in the Wal-Mart Supercenter application process. Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Carried.

At 8:25 PM Councilperson Wheat made a motion to go into executive session to discuss the current litigations of Battisti, Paul and Peters. Councilperson Connors seconded the motion. All voted in favor. Motion carried.

AT 9:45 PM Councilperson Connors moved to go out of executive session. The motion was seconded by Councilperson Wheat. All voted in favor of the motion. Carried.

#### DISCUSSION AND ANNOUNCEMENTS

There will be a work meeting on March 4, 2003 at 7:30 PM.

#### ADJOURNMENT

As there was no further business to come before the Board, Councilperson Wheat moved to adjourn the February 25, 2003 meeting of the Sweden Town Board at 9:46 PM. Councilperson Connors seconded the motion. All voted in favor of the motion. Carried

Respectfully submitted,

Gail A. DeToy  
Town Clerk