

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, March 23, 2004.

BOARD MEMBERS PRESENT

Councilperson Rob Carges
Councilperson Patricia Connors
Councilperson Thomas Ferris
Councilperson Danielle Windus-Cook
Supervisor Lester

OTHERS IN ATTENDANCE

Jim Bell, Town Attorney
Alan Bader, Assessor
Fred Perrine, Highway Superintendent
Town Clerk Janet Olivieri
Director of Finance Leisa Strabel

Visitors:

Kathy Beaumont, Town Dog Control Officer
John Eeckhout, Ogden Dog Control Officer
Carrissa Eeckhout
Jim Hamlin, 50 Park Avenue
Julie & Frank Lapinski, 4016 Sweden Walker Road

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 acknowledged the presence of the visitors and asked if there were any comments or questions.

- John Eeckhout, Ogden Dog Control Officer, addressed the Board regarding the possibility of the Town of Sweden entering into a contract with the Town of Ogden for animal control services. The Town of Ogden needs to find a new facility to contain their stray animals. Kathy Beaumont stated that there is space available at the Sweden Dog Kennel and is in favor of assisting the Town of Ogden.

The Sweden Town Attorney will compose an inter-municipal agreement.

APPROVAL OF MINUTES

- On motion by Councilperson Connors seconded by Councilperson Windus-Cook the Board unanimously approved the minutes of the Regular Meeting on March 9, 2004. Motion carried.

CORRESPONDENCE

SUPERVISOR'S CORRESPONDENCE

2004 Received From:

Comments:

- | | | |
|------|--|--|
| 1.* | Kathryn Beaumont
3\21 | Letter of resignation from position at the Sweden Recycling Center effective 5/29/04 |
| 2. | Gay Lenhard, Ogden Supervisor
3\21 | Worker's Compensation Self-Insurance Consortium |
| 3. | Brian J. McMahon, NYSDOT
Regional Design Engineer
3\19 | Copy of letter to residents regarding surveying for the Rt. 531 extension on their property |
| 4. | Cathy Henderson, Children's Librarian, Seymour Library
3\18 | Invitation for Supervisor to participate in The Great New York State Read Aloud on April 27th |
| 5. | NYS Dept of Health | Public Meeting Study of Cancer in the area of 3M/Dynacolor and GE/ Black & Decker sites in the Village of Brockport on 3/30 at 7:00 p.m. |
| 6. | Gilbert Glidden, Sweden Walker Rd
3\21 | Letter and petition from neighbors expressing interest forming a water district around Iroquois Stone Quarry |
| 7. | Judy Davis, Sweden Walker Rd
3\21 | Letter expressing interest in water district around Iroquois Stone Quarry |
| 8. | Candy Thompson
3\22 | E-mail stating opposition to the Wal-Mart project |
| 9. | Bill Carpenter
3\17 | Request for Proclamation for Joe Esposito who will receive the 2004 Outstanding Citizenship Award |
| 10. | Bruce Levine, Developer
Belmont Development Corp.
3\18 | Redevelopment Company Contract for Village Centre Senior Citizen Apartments – 222 Main Street |
| 11.* | Jim Oberst, Town Engineer
2\24 | Proposal for Professional Services for Colby St & Sweden-Walker Rd. Watermain Project |
| 12. | Frank Lapinski | Comments Regarding Sweden Walker Water |
| 13.* | Jim Oberst, Town Engineer
3/17 | Response to 3/15/04 letter from Frank Lapinski (Sweden-Walker Rd. Water) |

* Board has copies

In regard to correspondence #1:

- On motion by Councilperson Connors seconded by Councilperson Windus-Cook the Board unanimously approved the resignation of Kathryn Beaumont from her position at the Sweden Recycling Center effective May 29, 2004.

In regard to correspondence #13:

- Mr. & Mrs. Frank Lapinski reviewed and commented on Town Engineer Jim Oberst's letter regarding water on Sweden-Walker Road. The Lapinski's requested the Board's assistance in investigating this matter further with the Monroe County Water Authority.

DEPARTMENT REPORTS

- Alan Bader reported that the Grossman Outlet store located in Sweden Corners will be opening in a few weeks.

Mr. Bader is preparing the tax roll and Cole-Layer-Trumble will notify residents if their tax assessments will be changing.

Mr. Bader thanked the Board for the opportunity to fly over the Town of Sweden and take aerial photographs of the Town Park and Iroquois Rock Quarry.

Fred Perrine reported that that the watermain installation at the Town Park will be completed by the baseball season and work has begun on the interior of the concession stand.

BOARD REPORTS

- Councilperson Carges reported that he has been investigating the possibility of changing the internet provider from Time Warner to DSL. Councilperson Carges believes that this change will provide monetary savings to the town.

On motion by Councilperson Carges seconded by Councilperson Ferris the Board unanimously agreed to support the investigation of changing our internet provider. Motion carried.

- Councilperson Connors reported that she will be attending a Farmers Market meeting this week with Village representatives. The committee will be meeting with local area farmers in April.
- Councilperson Ferris – no report
- Councilperson Windus-Cook reported that she will be attending a Park Sub-Committee meeting this week

Councilperson Windus –Cook stated that Brett Handley’s class from the Brockport High School will be drafting several sign designs for the Town Park. The Board will choose which sign they prefer.

Councilperson Windus-Cook attended a cemetery meeting. The Town Attorney will be composing a petition regarding the Lakeview Cemetery that will be filed with the State Attorney General’s Office for approval.

- Supervisor Lester reviewed the meetings he attended. Supervisor Lester stated that he and several Board members attended Shirley Mercer’s retirement party.

RESOLUTION NO. 36

Authorize Supervisor to Sign Grant Contract for the Reconstruction and Realignment of Bethel Drive

WHEREAS, an increase in recreation program participation at the Community Center has created several safety concerns for both vehicular and pedestrian traffic to the Center; and

WHEREAS, the Town would like to reconstruct and realign Bethel Drive to connect to a signal controlled intersection with paved shoulder areas for bicycles and pedestrians.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the Agreement with the NYS Office of Parks, Recreation and Historic Preservation.

Sec. 2. That this Agreement is a grant contract in the amount of \$15,000 to fund the engineering costs for the reconstruction and realignment of Bethel Drive.

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

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

Discussion: Councilperson Connors requested that the concept drawing for the realignment of Bethel Drive that is located in the Comprehensive Plan be considered for this project. Highway Superintendent Perrine stated that this project will begin in May 2004.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – March 23, 2004

Adopted

RESOLUTION NO. 37 Authorize Supervisor to Sign
Monroe Piping Agreement-MP&SM, Inc.

WHEREAS: The Town of Sweden owns the building at 4927 Lake Road S. for use as a community center; and

WHEREAS: New heating and cooling equipment, hot water heaters, and exhaust fans have been installed in this building, and

WHEREAS: Monroe Piping & Sheet Metal, Inc. has proposed to provide all service material and equipment necessary for planned maintenance on the equipment for a period of one year commencing on April 1, 2004 and ending March 31, 2005.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board hereby authorizes the Supervisor to sign the service agreement with Monroe Piping & Sheet Metal, Inc. for the one year period at a total price of \$3,190.00 to be billed quarterly.

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

MOTION for adoption of this resolution by Councilperson Carges
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 – March 23, 2004

Adopted

RESOLUTION NO. 38 Authorize Wage Increase - Mascioletti

WHEREAS: Karen Mascioletti has satisfactorily completed her six months probationary period; and

WHEREAS: the Director of the Senior Center recommends an increase in salary.

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 Karen Mascioletti from \$8.00 per hour to \$8.24 per hour.

Sec. 2. that this resolution shall take effect as of March 8, 2004.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – March 23, 2004

Adopted

RESOLUTION NO. 39

Appointment Laborer PT - Hatfield

WHEREAS: The Town Board has decided to hire cleaning staff instead of using an outside agency; and

WHEREAS: The Town Board has recommended hiring Michelle Hatfield.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Michelle Hatfield to the position of Laborer PT.
- Sec. 2. That the rate of pay is \$10.00 per hour.
- Sec. 3. That Ms. Hatfield has a start date of Wednesday, March 24, 2004.
- Sec. 4. 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	Aye
Councilperson Connors	Aye
Councilperson Ferris	Aye
Councilperson Windus-Cook	Aye
Supervisor Lester	Aye

Submitted- March 23, 2004

Adopted

RESOLUTION NO. 40

Appointment Laborer PT - Groszewski

WHEREAS: The Town Board has decided to hire cleaning staff instead of using an outside agency; and

WHEREAS: The Town Board has recommended hiring Leonard Groszewski.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Leonard Groszewski to the position of Laborer PT.

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

Sec. 3. That Mr. Groszewski has a start date of Wednesday, March 24, 2004.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted- March 23, 2004

Adopted

RESOLUTION NO. 41

Authorizing a Refund to Brockport Junior League Baseball

WHEREAS: On April 7, 2003 Brockport Junior League Baseball (hereinafter referred to as BJLB) did pass a resolution that, in sum or substance and along other things, turned over title and ownership of all BJLB assets, money and inventory to the Town of Sweden; and

WHEREAS: Since that date, various BJLB board members have indicated to the Town of Sweden that they have rescinded said resolution, do not intend to dissolve and are desirous of receiving a portion of the money back that was previously turned over to the Town of Sweden; and

WHEREAS: The Town of Sweden and BJLB have come to a meeting of the minds whereby the Town of Sweden is to give back to BJLB the sum of Six Thousand Dollars (\$6,000.00) conditioned and contingent upon the execution of a release executed by BJLB and with the further understanding that the Town of Sweden shall retain title to all other assets and inventory previously turned over by BJLB.

NOW, THEREFORE BE IT RESOLVED:

Section 1. The Town Board of the Town of Sweden authorizes payment back to the BJLB of Six Thousand Dollars (\$6,000.00) conditioned and contingent upon the execution of a release by BJLB in this matter, said release also containing a recognition that the Town of Sweden is to retain title and ownership of all other assets and inventory previously turned over by BJLB.

Section 2. 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	Aye
Councilperson Connors	Aye
Councilperson Ferris	Aye
Councilperson Windus-Cook	Aye
Supervisor Lester	Aye

Submitted – March 23, 2004

Adopted

RESOLUTION NO. 42

Authorizing Settlement of Litigation
Under Article 78 of the CPLR entitled
Lammes Construction, Inc. v.
Town of Sweden, New York and
Beardsley Pipeline, Inc., Monroe County
Supreme Court, Index Number 2004/2198

WHEREAS: Lammes Construction, Inc. has undertaken the commencement and pursuance of litigation under Article 78 of the CPLR against the Town of Sweden and Beardsley Pipeline, Inc. in relationship to the Gallup Road/Gordon Road/ Skidmore Drive Water Main Contract; and

WHEREAS: The Sweden Town Board is desirous of settling all aspects of said litigation by entering into a Stipulation and Release describing the settlement terms of same with the understanding that said Stipulation and Release would also discontinue the above described litigation.

NOW, THEREFORE BE IT RESOLVED:

Section 1. The Sweden Town Board hereby authorizes the settlement of the above described pending litigation entitled Lammes Construction, Inc. v. Town of Sweden, New York and Beardsley Pipeline, Inc., Monroe County Supreme Court, Index Number 2004/2198 pursuant to the terms and conditions of the Stipulation and Release in this matter.

Section 2. The Sweden Town Board hereby authorizes Sweden Town Supervisor Nat O. Lester III to execute the Stipulation and Release.

Section 3. The Sweden Town Board hereby authorizes the Sweden Town Attorney to take whatever legal action is necessary and appropriate to finalize the settlement of this matter.

Section 4. 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	Aye
Councilperson Connors	Aye
Councilperson Ferris	Aye
Councilperson Windus-Cook	Aye
Supervisor Lester	Aye

Submitted – March 23, 2004

Adopted

RESOLUTION NO. 43

Authorizing Acceptance of an Easement
From the State of New York to the Town of
Sweden for the installation of a New Sewer
System along State Road 31

WHEREAS: The Town of Sweden is desirous of installing a new sewer system along State Road 31; and

WHEREAS: Said installation will involve access to property on State University of New York At Brockport; and

WHEREAS: SUNY BROCKPORT BY THE PEOPLE OF THE STATE OF NEW YORK in the Town of Sweden are desirous of entering into an easement in furtherance of the installation of the sanitary sewer system.

NOW, THEREFORE BE IT RESOLVED:

Section 1. The Town Board of the Town of Sweden does hereby approve and authorize the Easement with SUNY Brockport through the People of the State of New York or access to campus property in relationship to the installation of the sanitary sewer system.

Section 2. The Sweden Town Board hereby authorizes the Supervisor to execute the Easement upon receipt of the original Easement in an executed form from the People of the State of New York.

Section 3. The Sweden Town Board also hereby authorizes the Sweden Town Attorney to take whatever legal action is necessary to finalize same.

Section 4. 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	Aye
Councilperson Connors	Aye
Councilperson Ferris	Aye
Councilperson Windus-Cook	Aye
Supervisor Lester	Aye

Submitted – March 23, 2004

Adopted

RESOLUTION NO. 44 Authorizing Supervisor to Sign Agreement For Permanent and Temporary Water Easement Regarding the Gallup Road Watermain Project

WHEREAS: The residents of the Gallup Road Watermain Project are desirous of forming a new water district; and

WHEREAS: Access to the Wright property located at 443 Gallup Road is necessary for the installation of the watermain; and

WHEREAS: The Town of Sweden is desirous of entering into an agreement for a permanent and temporary water easement in furtherance of the installation of the Gallup Road Watermain Project.

NOW, THEREFORE BE IT RESOLVED:

Section1. The Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the agreement with Mr. & Mrs. Wright for Permanent and Temporary Water Easement regarding the Gallup Road Watermain Project.

Section 2. 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	Aye
Councilperson Connors	Aye
Councilperson Ferris	Aye
Councilperson Windus-Cook	Aye
Supervisor Lester	Aye

Submitted – March 23, 2004

Adopted

APPROVAL FOR PAYMENT OF BILLS

The Board members reviewed the invoice audit journal.

- On motion by Councilperson Carges seconded by Councilperson Ferris the Board unanimously agreed to authorize payment of the bills in Abstract 3 dated March 23, 2004.

General Fund: In the amount of \$87,938.50 as set forth in Abstract 3 dated March 23, 2004.

Highway Fund: In the amount of \$14,629.50 as set forth in Abstract 3 dated March 23, 2004.

Special District: In the amount of \$2,239.80 as set forth in Abstract 3 dated March 23, 2004.

EXECUTIVE SESSION

On motion by Councilperson Carges seconded by Councilperson Ferris the Board unanimously agreed to recess to Executive Session to discuss litigation matters regarding Paul, Peters, Lammes, Farrash properties, Natapow, and a personnel issue at 8:50 p.m.. Janet Olivieri was asked to participate.

On motion by Councilperson Carges seconded by Councilperson Ferris the Board unanimously agreed to move out of Executive Session at 9:20 p.m.

I, Janet L. Olivieri, Town Clerk of the Town of Sweden do hereby certify that the Town Board, in Executive Session, discussed the items reflected in the foregoing motion and that no formal action was taken.

Janet L. Olivieri, Town Clerk

ADJOURNMENT

On motion by Councilperson Carges seconded by Councilperson Ferris the Board unanimously agreed to adjourn at 9:20 p.m.

Respectfully submitted,

Janet L. Olivieri
Town Clerk