

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 27, 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 and Town Clerk Karen M. Sweeting.

Visitors present were residents Bob Canham and Tim Bates (arrived at 7:55 pm) and Jeffrey Smith from SUNY Brockport.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag led by Councilperson Connors. Supervisor Lester then acknowledged the presence of the visitors and asked if there was anyone that would like to speak. No one 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 March 13, 2007. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2007 Received From:	Comments:
*1. Leisa Strabel, Finance Director	Request to attend Annual Town Finance and Management School – May 17 & 18, 2007
*2. Rebecca Donohue, Resident	Conditions on Fourth Section Road and impact of 531 extension
3. Katie Leyrer, Student Helper, SCCC	Resignation as of March 27, 2007
4. Bob Coopenberg, Laborer, SCCC	Resignation as of March 29, 2007
5. David Scott, Recreation Director	Recommendation to hire two Laborer PT
6. David Scott, Recreation Director	Recommendation to hire Student Helper

*Board has copies.

RE: #1 Councilperson Connors made a motion that was seconded by Councilperson Ferris to grant the request of Finance Director Leisa Strabel to attend the Annual Town Finance and Management School May 17 & 18, 2007. All voted in favor of the motion. Motion adopted.

RE: #3 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept with regrets the resignation of Katie Leyrer from the Sweden Clarkson Community Center. All voted in favor of the motion. Motion adopted.

RE: #4 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept with regrets the resignation of Bob Coopenberg from the Sweden Clarkson Community Center. All voted in favor of the motion. Motion adopted.

REPORTS

Councilperson Windus-Cook had no report.

Councilperson Connors reported that she attended the Point of Dispensing Exercise held by Monroe County (March 27, 2007). Mrs. Connors went through the exercise as a patient along with 632 other volunteers. The process flowed nicely and the average time for a patient to go

through from start to finish was approximately six (6) minutes. Mrs. Connors suggested that the committee for POD Sector 2 should set up a similar exercise for this area.

Councilperson Ferris reported that he attended a SEQR training session with Supervisor Lester and Town Attorney Jim Bell; attended a Sweden Community Foundation meeting whereas the establishment of a web site was discussed; and attended a Land Use training series with Supervisor Lester and Town Attorney Jim Bell. Mr. Ferris shared a personal accident experience with the Board. His family was involved in a motor vehicle accident. Mr. Ferris stated that the Brockport Fire Department and Brockport Ambulance responded to the scene and Mr. Ferris commented on the professionalism of both. Mr. Ferris recognized several individuals that assisted his family, Tim Rombaut, Byron Green, Ron Coyle, Jim Weber, and Bob Wood (not a complete list of all that assisted; individuals that Mr. Ferris had contact with). Mr. Ferris added that the Brockport Fire Department and the Brockport Ambulance are tremendous assets to this community.

Councilperson Carges reported that the specifications for the request for proposals to operate the concession stands at the Sweden Town Park are complete and an ad is ready to run in the newspapers. Mr. Carges stated that he would head a committee to interview and choose the vendors upon receipt of proposals. (Proposals will be accepted until April 20, 2007 at 4:00 pm) Mr. Carges referenced the current Snapshots newsletter and stated that the issue went out at a good time due to the recent assessment changes in the Town of Sweden and Village of Brockport. The Snapshots included information explaining the assessment process. Mr. Carges met with Head of Maintenance Jeremy Oakden and Mike Cardillo from AIRCON to discuss minor airflow changes to the heating/cooling system of the Sweden Clarkson Community Center. Mr. Carges mentioned the traffic flow at the intersection of Routes 31 and 19 in the Town. Mr. Carges suggested that the Board draft a letter to NYSDOT to change the timing of the traffic light for the left turning lane (when turning east from Route 19 heading toward Rochester).

Superintendent of Highways Fred Perrine reported that the Highway Department was busy with normal spring duties – drainage, catch basin repair, removal of snow fences. The department is doing some electrical work at the Town Garage – updating boxes and running electrical service to the refuse/recycling center for the compactor. Mr. Perrine hopes to blacktop the refuse/recycling center lot by the end of the summer. Mr. Perrine attended a pre-construction meeting with Lowe's. Lowe's anticipates the completion of the building pad by June and are scheduled to be open by Christmas this year.

Town Attorney Jim Bell reported updates on the PetsMart and GBR settlements and local zoning violations.

Finance Director Leisa Strabel stated that Iroquois Rock Products had invited the members of the Board to the quarry for a blasting tour.

Supervisor Lester had no report.

RESOLUTIONS

RESOLUTION NO. 49

Appoint Laborers PT to Sweden Clarkson
Community Center – Mulligan and Flann

WHEREAS, there is a vacancy for two part-time maintenance/cleaning personnel 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, David Scott has recommended the appointment of Michael Mulligan and Mark Flann 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 Michael Mulligan and Mark Flann to the position of Laborer PT.
- Sec. 2. That the rate of pay is \$8.50 per hour.
- Sec. 3. That the start date is March 18, 2007.
- Sec. 4. 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – March 27, 2007

Adopted

RESOLUTION NO. 50

Authorizing Preventative Maintenance
Contract – AIRCON For the Sweden Clarkson
Community Center – 4/07 to 3/08

BE IT HEREBY RESOLVED:

- Sec. 1. That the Town Board authorizes the Supervisor to enter into a contract with AIRCON, P.O. Box 184, Hilton, New York, for preventative maintenance of the heating system and air conditioning units at the Sweden Clarkson Community Center located at 4927 Lake Road South for the amount of ONE THOUSAND THREE HUNDRED SEVENTEEN AND NO/100 DOLLARS (\$1,317.00) for the year beginning April 1, 2007, and ending on March 31, 2008, with said amount to be paid semi-annually in installments of \$658.50.
- Sec. 2. 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – March 27, 2007

Adopted

RESOLUTION NO. 51

Authorize Release of a Portion of the Letter of Credit – WSR LLC, The Woods at Sable Ridge – Draw #3

WHEREAS, the Town of Sweden Planning Board requires a Letter of Credit be filed with the Town of Sweden prior to construction of any development; and

WHEREAS, the Town Board accepted a draft Letter of Credit by motion on September 26, 2006 provided that the original of same draft is received with proper signatures; and

WHEREAS, WSR, LLC filed the original Letter of Credit with proper signatures on November 22, 2006 in the amount of \$2,126,037.56; and

WHEREAS, the Sweden Town Board authorized Draw #1 in the amount of \$225,474.31 on November 28, 2006 by Resolution No. 198 of 2006 and authorized Draw #2 in the amount of \$80,109.00 on February 13, 2007 by motion.

WHEREAS, the Applicant, WSR, LLC is requesting a third release of a portion (\$20,698.00) of the Letter of Credit for materials and labor performed to the satisfaction of the Sweden Highway Superintendent and the Town Engineer; and

WHEREAS, the Sweden Highway Superintendent and the Town Engineer have inspected the work completed and recommend the release of \$20,698.00 from the current Letter of Credit.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon the recommendation of the Highway Superintendent and the Town Engineer upon satisfactory completion of a portion of work at the Woods at Sable Ridge, the Town Board of the Town of Sweden hereby accepts the release of \$20,698.00 from the Letter of Credit submitted by WSR, LLC on November 22, 2006.

Sec. 2. That attached hereto is the recommendation letter from Jim Oberst, MRB/group, Town Engineer for the Letter of Credit Release, Draw #3.

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

MOTION for adoption of this resolution by Councilperson Ferris

Seconded by Councilperson Windus-Cook

Discussion:

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 – March 27, 2007

Adopted

RESOLUTION NO. 52

Appoint Student Helper – Wiley

WHEREAS, the Recreation Director, David Scott, has recommended the appointment of a Student Helper.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Elizabeth Wiley to the position of Student Helper at the Sweden Clarkson Community Center.
- Sec. 2. That the rate of pay be \$7.15 per hour with a starting date of March 18, 2007.
- Sec. 3. That this resolution shall take effect immediately

MOTION for adoption of this resolution by Councilperson Windus-Cook
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 27, 2007

Adopted

RESOLUTION NO. 53

Authorize Request for Proposals for the Operation of the Concession Stands

WHEREAS, the Sweden Town Park has two (2) concession stands that are traditionally operated on an annual basis from approximately May 1st to October 1st; and

WHEREAS, the Town of Sweden wishes to solicit proposals for the operation of the concession stands for the 2007 park season.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the specifications for operation of the concessions have been established by the Sweden Town Board.
- Sec. 2. That upon receipt of such specifications, the Town Clerk is directed to advertise for proposals 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 Carges

Discussion:

VOTE BY ROLL CALL AND RECORD AS AMENDED:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye

Councilperson Windus-Cook
Supervisor Lester
Submitted – March 27, 2007

Aye
Aye

Adopted

RESOLUTION NO. 54

Granting to the Town of Sweden an
Easement for Purposes of Access,
Construction and Maintenance of Proposed
Lighting District – Transit Way

Agreement made the 19th day of March 2007, by and between DANIEL C. HOGAN, residing at 15 Old Elm, Brockport, New York (hereinafter “Grantor”), and the TOWN OF SWEDEN, New York, a municipal corporation of the State of New York having offices at 18 State Street, Brockport, New York 14420 (hereinafter the “Town”)

WHEREAS, the Grantor is the owner, in fee, or premises in the Town of Sweden, New York, located on the westerly side of Transit Way, as shown on the annexed map (Schedule A), and being a portion of premises bearing tax account number 084.01-1-1.119; and

WHEREAS, the Town is in the process of forming a new lighting district for the purpose of the construction and maintenance of lighting facilities along Nathaniel Poole Trail; and

WHEREAS, it has been determined and it is agreed that the Town requires an easement over the lands of the Grantor for the purpose of the maintenance of the power source for said lighting district; and

WHEREAS, the Grantor is willing to grant such an easement to the Town; and

NOW, THEREFORE BE IT RESOLVED in consideration of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby grants to the Town an easement for purpose of access, construction and maintenance of the lighting district facilities in the lighting district being formed, subject to the following terms and conditions to which the parties hereto agree:

Sec. 1. That the Grantor hereby grants to the Town an easement for access and maintenance purposes, including, but not limited to the right access, for personnel and equipment usage and storage across the area shown on the map ~~entitled Temporary Construction Easement~~ annexed hereto as Schedule A, which area is more particularly described in Schedule B.

Sec. 2. That in connection with the maintenance of the lighting district facilities, the activities of the Town shall include access by vehicles, storage of materials on a temporary basis as needed, the right to work on underground conduit/wires to be run between the pole facility in the easement area and the lights within the lighting district. The activities of the Town shall be generally typical for maintenance of lighting district facilities.

Sec. 3. That in the event of any damage to the premises which are subject to the within easement, caused by the activity of the Town, the Town shall restore the area of

the easement to substantially the same condition the area was in when the easement commenced, and prior to the grant of the easement.

Sec. 4. That the Town shall cause the area of the easement to be included in the properties covered by its general and automobile liability policies and its workers compensation insurance carriers, and shall name the Grantor as an additional insured, at no cost to the Grantor.

Sec. 5. That this agreement, together with the attached map, constitutes the entire agreement between the parties hereto, and supersedes any and all prior agreements related to said area between the parties.

Sec. 6. That this agreement may be amended only by a writing subscribed by the parties hereto, and shall be governed by the law of the State of New York.

Sec. 7. That this agreement shall be binding upon and will inure to the benefit of the successors and assigns of the parties hereto.

Sec. 8. That this resolution shall take effect immediately.

Sec. 9. *That the Town Board hereby authorizes the Town Attorney to record the easement and associated documents with the Monroe County Clerk’s Office and bill back the recording fees to the Town of Sweden.*

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

Discussion: Superintendent of Highways Fred Perrine asked for a motion to amend Section 1 and remove “entitled Temporary Construction Easement”. The easement is a permanent easement to the Town of Sweden. Councilperson Carges made the motion that was seconded by Councilperson Ferris to amend Section 1 and remove the phrase “entitled Temporary Construction Easement”. All voted in favor of the motion. Motion adopted.

Supervisor Lester made a motion that was seconded by Councilperson Carges to amend the resolution by *adding Section 9* as stated above in italics. All voted in favor of the motion. Motion adopted.

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 – March 27, 2007

Adopted

RESOLUTION NO. 55

SEQRA Determination – Sweden Walker
Road Walking Trail Grant Application

WHEREAS, the Town of Sweden, Monroe County, New York, has made application to the New York State Office of Parks, Recreation and Historic Preservation Grant Under the Recreation Trails Program; and

WHEREAS, to aid the Town Board in determining whether such Project and other actions of the Town in connection therewith (the "action") may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which is attached hereto; and

WHEREAS, the Town Board has duly reviewed the EAF and related documents with respect to the above-referenced action and duly considered the impacts which may be expected to result from such action with the criteria set forth in Article 8 of the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA").

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. Based upon the review by the Town Board of the EAF and other necessary criteria, the Board hereby finds that the object of the above-referenced action (a) will result in no major impacts and, therefore, is not one which "may have a significant effect on the environment," (b) will not have a "significant effect on the environment," and (c) no "environmental impact statement" need be prepared, as such quoted terms are used in SEQRA. The proposed Project does **not** constitute a "Type I Action" as such quoted term is defined in the regulations of the Department of Environmental Conservation of the State of New York (6NYCRR Part 617, as amended). Reasons supporting this determination are set forth on the notice of negative declaration of the Board attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA.

Sec. 2. A copy of this resolution, together with the notice of negative declaration, shall be placed on file in the office of the Clerk of the Town where the same shall be available for public inspection during 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 SEQRA.

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 – March 27, 2007

Adopted

RESOLUTION NO. 56

Authorize Supervisor to Sign National Grid Application for Service

WHEREAS, the Superintendent of Highways has recommended that the Town of Sweden enter into an agreement to provide street lighting on Transit Way; and

WHEREAS, the Town Attorney has reviewed and approved the attached Application for Service.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That Niagara Mohawk Power Corporation is hereby authorized to do the following work in the Town of Sweden:
Attach to and supply electric service to the Town of Sweden installed and owned street lighting system off Transit Way. The street lighting system will consist of 3 overhead lights being served by National Grid Pole NM 5 served via underground distribution owned and maintained by the Town of Sweden (S.C.3 energy only account).
- Sec. 2. That a \$139.03 connection fee will be invoiced to the Town of Sweden from National Grid’s Syracuse Office.
- Sec. 3. That the Supervisor be authorized to sign the application for service and related documents.
- Sec. 4. 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – March 27, 2007

Adopted

EXECUTIVE SESSION

Councilperson Connors made a motion that was seconded by Councilperson Carges to go into executive session at 8:10 p.m. to discuss a particular department. All voted in favor of the motion. Motion adopted.

No action taken.

I, Karen M. Sweeting, Town Clerk of the Town of Sweden, do hereby certify that the Town Board in executive session discussed the item reflected in the foregoing motion, and that no formal action was taken.

Karen M. Sweeting, Town Clerk

Councilperson Connors made a motion that was seconded by Councilperson Carges to leave executive session and return to the regular meeting at 8:45 p.m. All voted in favor of the motion. Motion adopted.

RESOLUTION

RESOLUTION NO. 57

Appointing Court Office Training Consultant

WHEREAS, the Town Board of the Town of Sweden supports adequate and needed training for all of its employees; and

WHEREAS, the Sweden Town Justices have recommended hiring a consultant to provide additional training to the Court Office staff and to make other recommendations concerning staffing and systems; and

WHEREAS, the Honorable Louis E. Amarosa, Riga Town Justice, has agreed to serve as a consultant to the Sweden Town Court for the purpose of providing said training; and

WHEREAS, the Sweden Town Board appreciates Judge Amarosa’s willingness to provide training to the Sweden Town Court staff.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints the Honorable Louis E. Amarosa as a consultant to the Sweden Court office for the purpose of providing training in court administration including training in the use of software specifically maintained for Court use.
- Sec. 2. That Judge Amarosa will be compensated at a rate of \$20 per hour payable by monthly voucher as audited by a Sweden Town Justice.
- Sec. 3. That the number of training hours will be limited to 250 except if extended by resolution of the Sweden Town Board.
- Sec. 4. That the training may be terminated at any time by resolution of the Sweden Town Board.
- Sec. 5. That the appointment shall commence upon a letter to Judge Amarosa from Supervisor Lester directing same; said letter to be sent after the Board has further reviewed other circumstances relative to this appointment and authorizing same.
- Sec. 6. That Judge Amarosa will be asked to submit a monthly “report” or “evaluation” to both the Court and to the Sweden Town Board.

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 27, 2007

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Ferris made a motion that was seconded by Councilperson Carges authorizing payment of the bills in Abstract 3 dated March 28, 2007 in the amount of \$215,397.32. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$69,073.35 as set forth in Abstract 3 dated March 28, 2007.

Highway Fund: In the amount of \$68,149.97 as set forth in Abstract 3 dated March 28, 2007.

Special Fund: In the amount of \$78,174.00 as set forth in Abstract 3 dated March 28, 2007.

DISCUSSION AND ANNOUNCEMENTS

Workshop meeting scheduled for Tuesday, April 3, 2007 at 7:00 p.m.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the March 27, 2007 meeting of the Sweden Town Board at 8:55 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk