

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 8, 2003.

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

Also present were Director of Finance Elaine Jones and Deputy Town Clerk Marleen Cain.

Visitors present were Jim Hamlin of 50 Park Avenue, Hanny Heyen of 142 Frazier Street, Chris Vito of 325 Harmon, Joel Carrera of 2 Woodstock Lane, Julie Boltano of 4016 Sweden Walker Road, Frank Lapinski of 4016 Sweden Walker Road, Ken Arnold of 58 Sweden Hill Road, Addam Lauth of 3 Sweden Lane #11, and Merle Drake of 30 Smith Street.

Supervisor Lester called the meeting to order at 7:30 PM. and asked everyone present to say the Pledge to the Flag. The meeting then moved to the Court Room for the presentation by the Engineering Design Development Group. The group gave their monthly update on the skate park. There will be a meeting with professionals from TrueRide on Friday, April 11, 2003, at 7:00 pm. Town Board members and involved parties are invited to this presentation on Friday. The students will also work with the professionals face to face on Saturday.

The meeting then moved back to the conference room and Supervisor Lester then asked for any comments from the visitors. Mr. Lapinski asked about recent minutes on the town's web site.

#### APPROVAL OF MINUTES

Councilperson Wheat made a motion to accept the minutes of the Regular Town Board meeting held on March 25, 2003. Councilperson Connors seconded the motion. Councilperson Connors abstained and all others voted in favor of the motion. Motion carried.

#### SUPERVISOR'S CORRESPONDENCE

2003 Received From:	Comments:
1. Jim Oberst via Rob Carges 4/7	Decision needed regarding Duryea access. Request for additional fee to prepare a NYS DEC Notice of Intent and Storm Water Pollution Prevention Plan report for the pond.
2. Letter to Village Mayor from Jim Bell, Town Attorney 4/7	Draft of the proposed Fire Protection Contract for the year 2003.
3. NYS Energy Research and Development Authority	Announcement that the Wind Energy Development in New York – A Guide for Local Authorities is now available.
4. Copy of letter to Mr. Jeff Sweet from Marty Weiss, Sr. PH Sanitarian Monroe Cty Department of Health 4/7	Notice of extension of approval for the installation of an Individual Sewage Disposal System at Campbell Road Subdivision, Lot 1 to April 3, 2005.
5. Arthur Appleby 4/7	Announcing CROP Walk to be held Sunday, May 4, 2003, with the route going through part

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|      |   | of the Town.   |
| 6.   | Brockport Planning Board<br>4/7   | Copy of resolution designating the Village Planning Board as lead agent and issuing a negative declaration under SEQR for the Remington Woods subdivision.                   |
| 7.   | Black Creek Watershed Coalition and Bergen Swamp Preservation Society<br>4/2  | Invitation to join the Black Creek Watershed Coalition for a Guided Hike at Bergen Swamp on Saturday, May 17, 2003 at 10 am.   |
| 8.   | Copy of letter to Greg Wing, Fire Chief and Bill Duff, Ambulance President from Scott Rightmyer, Village Treasurer<br>4/1 | Notification that both the fire and ambulance budgets were exceeded for the 2002 contract year.  |
| 9.*  | Kim T. Blot, Director, NYS Department of Agriculture and Markets<br>3/31  | Notice of department's acceptance as complete the Final Notice of Intent for the Gallup Road water main project.   |
| 10.* | NYS Executive Department State Board of Real Property Services<br>3/31  | Notice of Tentative Special Franchise Assessment with a hearing date of April 30, 2003 at 10 am in Albany, NY.   |
| 11.* | Danielle Knapp, Lease Administrator, Nextel Partners Inc<br>3/28  | Notice of intent to exercise the option in paragraph 10 of lease agreement and payment of first rent check for the period of 3/17/03 to 4/30/03 in the amount of \$1,706.45. |

\* Board has copies

In regard to number 1, Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook authorizing MRB Group to complete the NYS DEC Notice of Intent and Storm Water Pollution Prevention Plan report for a fee not to exceed \$950. This is for the road work to be done at the community center. All voted in favor of the motion. Motion carried. For the first part, Attorney Jim Bell is directed to contact MRB Group regarding access.

#### DEPARTMENTAL REPORTS

Departmental reports for the month of March were accepted from the following: Building Department, Fire Marshal, Justice Court, Town Clerk, Receiver of Taxes and Assessments, and Dog Control Officer. Supervisor Lester noted that the Mayor had cancelled a meeting regarding parking tickets. The issue is still unresolved.

Superintendent of Highways Fred Perrine was excused from the meeting.

#### REPORTS

Councilperson Carges reported that when the power was turned off at the community center for the installation of the cell tower it was found that some of the emergency lights did not work and that there is a need for lights in other areas. This will be taken care of.

Councilperson Connors reported that she had invited the Village to work on a joint draft disaster mitigation plan for the town and village. A plan is required by August 2003.

Councilperson Wheat will attend the Good Neighbors meeting this coming Thursday, April 10, 2003.

Councilperson Windus-Cook reported that the park committee met last week. They are looking at two smaller concession stands and restrooms instead of one so one would be located nearer the baseball fields and the other in the middle of the soccer fields. They also discussed moving the skate park closer to the road.

Supervisor Lester reported that several people went to the community center during the power outages in the ice storm. This will be looked at for preparation as an emergency shelter in the future. The Planning Board will hold a public hearing for the proposed WalMart project later this month. Mr. Lester reiterated that the Planning Board will be making the decisions regarding the project, that it does not fall under the jurisdiction of the Town Board.

RESOLUTIONS

RESOLUTION NO. 48

Authorize Supervisor to Sign  
Intermunicipal Agreement - Federal  
Phase II Stormwater Regulation

WHEREAS: The Sweden Town Board has a current Federal Phase II Stormwater Regulation Intermunicipal Agreement with the County of Monroe that expired on March 10, 2003; and

WHEREAS: It is desired by the parties to amend the Agreement to extend the period of performance to March 10, 2004.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to sign the amended Federal Phase II Stormwater Regulation Intermunicipal Agreement between the Town of Sweden and the County of Monroe.

Sec. 2. 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	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – April 8, 2003

Adopted

RESOLUTION NO. 49 Appoint Clerk PT - Alvito

WHEREAS, there has been established a need for more assistance at the Town Hall; and

WHEREAS, the position of Clerk PT was advertised and several applications were received and candidates interviewed; and

WHEREAS, the Town Clerk and Receiver of Taxes and Assessments recommend hiring Kathleen Alvito.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Kathleen Alvito as Clerk PT at the Town Hall at the rate of pay of \$8.50 per hour for a 20 hour work week.

Sec. 2. That Ms. Alvito will start working on Monday, April 28, 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:

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 – April 8, 2003

Adopted

RESOLUTION NO. 50 Appoint Temporary Clerk/Typist-Friedo

WHEREAS, the Recreation Director has requested a second full-time clerical person at the Community Center; and

WHEREAS, the Recreation Director has requested that Clerk PT Alison Friedo be appointed a full-time Clerk/Typist; and

WHEREAS, Clerk/Typist is a competitive position with Civil Service and there is a current list for the title; and

WHEREAS, Civil Service Law allows a temporary appointment, not from an existing list, for a maximum of three (3) months; and

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Alison Friedo as Clerk/Typist for a period of three (3) months beginning on April 9, 2003, and ending July 9, 2003, at which time she will return to Clerk PT for a maximum of 21 hours per week.

Sec. 2. That the rate of pay remains at \$8.00 per hour for 35 hours per week.

Sec. 3. That Ms. Friedo shall be eligible for all benefits available to Sweden full-time employees during the period of temporary appointment.

Sec. 4. 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 – April 8, 2003

Adopted

RESOLUTION NO. 51

Authorizing Spending and Transfer  
From Reserve for Community Center

WHEREAS: a reserve fund known as “Recreation/Community Center” Reserve Fund has been duly established; and

WHEREAS: the Town is allowed to use the monies for management and expenses of the Sweden Community Center; and

WHEREAS: It has been deemed necessary to scrub and recoat the 10,500 square foot gymnasium floor at the Sweden Community Center and a proposal for this work has been received from DeClerk Flooring, Inc. of Arkport, NY

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the transfer of \$4,431.00 from the Reserve for Recreation/Community Center Fund to the Town of Sweden General Fund.

Sec. 2. That the monies transferred be utilized solely for the labor and materials to scrub and recoat the 10,500 square foot gymnasium floor at the Sweden Community Center.

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 – April 8, 2003

Adopted

Attorney Jim Bell arrived at this time.

RESOLUTION NO. 52

Accept Dedication of Talamora Trail  
Section II – Highlands at Brandonwood

WHEREAS, Homestead Properties, Inc., a business corporation of the State of New York, with its principal place of business at S. Lake Road, Brockport, NY 14420, has delivered a deed conveying to the Town of Sweden, the fee title to lands to be known as Talamora Trail, which lies in Section II of the Highlands at Brandonwoods Subdivision, a map of which subdivision is recorded in Liber 275 of Maps at page 31 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 October 4, 1996, dedicating lands to be known as Talamora Trail lying in Section II of Highlands at Brandonwoods Subdivision, as shown on a map of said subdivision recorded in the Monroe County Clerk’s Office in Liber 275 of Maps at page 31, and authorizes the Town Superintendent of Highways to begin operation and provide maintenance of the roadway in accordance with applicable statutes and regulations.

Section 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 – April 8, 2003

Adopted

RESOLUTION NO. 53

Authorizing Spending and Transfer  
From Reserve for Community Center

WHEREAS: a reserve fund known as “Recreation/Community Center” Reserve Fund has been duly established; and

WHEREAS: the Town is allowed to use the monies for management and expenses of the Sweden Community Center; and

WHEREAS: it has been deemed necessary to install security cameras and accessory equipment.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the transfer of \$12,000.00 from the Reserve for Recreation/Community Center Fund to the Town of Sweden General Fund.
- Sec. 2. That the monies transferred be utilized solely for the purchase and installation of the security cameras and accessory equipment at the Sweden/Clarkson Community Center.
- Sec. 3. That this resolution shall take effect immediately.

Motion for adoption of this resolution by Councilperson Wheat  
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 – April 8, 2003

Adopted

DISCUSSION AND ANNOUNCEMENTS

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to accept for review the SBA application for AT&T Wireless to co-locate on the tower at 441 Sweden Ogden TL Road. All voted in favor of the motion. Motion carried.

Attorney Jim Bell reported that he is in receipt of a resolution of dissolution adopted by Brockport Junior League Baseball. This will enable the baseball program to come under the umbrella of Sweden Clarkson Recreation.

At 8:40 pm Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to go into executive session to discuss the current litigations of Battisti, Paul and Peters and to discuss a personnel matter. All voted in favor of the motion. Motion carried.

At 9:30 pm Councilperson Carges made a motion that was seconded by Councilperson Wheat to go out of executive session. All voted in favor of the motion. Motion carried.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges made a motion that was seconded by Councilperson Wheat to adjourn the April 8, 2003, meeting of the Sweden Town Board at 9:31 pm. All voted in favor of the motion. Motion carried

Respectfully submitted,

Marleen M. Cain  
Deputy Town Clerk