

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 9, 2002.

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

Also present were Assessor Alan Bader, Director of Finance Elaine Jones, Deputy Town Clerk Marleen Cain, and Town Attorney James Bell arrived late.

Visitors present were Lauren McCracken, 650 White Road; Keith Beadle, 35 Fairview Drive, George Corman, PO Box 15501 Rochester; Mark Wieczorek, 3097 Redman Road; Mary Battisti, 2730 Colby Street; Jim Hamlin, 50 Park Avenue; P. Smith, 217 Willower Drive; Mark Jaccarino, 158 Gary Drive; Scott Avery, Brockport Baseball; Rob Sweeting, 40 Crestview Drive; Dick Lavarelle, 16473 Route 31, Holley; Mike Sodoma, 155 Gordon Road; Tim Bates, 69 Royal Garden Way; and Andy Pacitto, 37 Tea Rose.

Supervisor Lester called the meeting to order and everyone said the pledge to the flag. Supervisor Lester called on Mark Wieczorek a Boy Scout with Troop 111. Mark is proposing to build a playground at the Sweden Town Park as an Eagle Scout project. He presented a picture showing two options. He is requesting that the Town Board pick which option and choose colors. There is a three week turnaround once ordered. The project has to go out to bid. Councilperson Carges will obtain the specs so that bid packets can be created. The playground should be able to be constructed in June.

Supervisor Lester asked for public comment from the visitors. Mark Jaccarino, President, Brockport Junior League Baseball, has concerns regarding the baseball season at the Town Park and questions regarding tournaments. He was referred to Jim Nealon, Recreation Director.

Mary Battisti submitted a letter to the Board proposing consideration of Welcome to the Town of Sweden signs. This will be discussed at a work session.

George Corman, ABATE, requested permission to hold helmet less rides through the Town of Sweden. This was referred to the Town Attorney.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Regular Town Board meeting held on March 26, 2002. Councilperson Wheat abstained. All others voted in favor of the motion. Carried.

SUPERVISOR'S CORRESPONDENCE

2002	Received From:	Comments:
1	Brockport Volunteer Ambulance Corp	Invitation to 40 year celebration, no date, RSVP by April 20 th .
2*	Jim Oberst, MRB Group 03/28	Review of the proposed Sanitary Sewer Improvements to be constructed to serve the Town Park at Redman Road.
3	Cindy Baxter, Jazzercise	Letter regarding class schedules, rent, and

	04/02	thanks to Bob and Tom.
4*	Brian Wirth, Vice President, Public and Gov't Affairs, Time Warner Cable 03/27	Franchise fees on cable modem service will no longer be charged to customers and received by the Town.
5	Brockport Area Veterans Club Parade Committee 03/27	Invitation to participate in Memorial Day Parade on May 25, 2002. RSVP due by May 1 st .
6	Regional Canalway Trail Group for Monroe County 04/08	Invitation to next meeting April 17, 2002.
7*	James Bell, Town Attorney 04/08	Written opinion as to the requirements of the Town to legally lease its water system to the MCWA as is currently contemplated.
8*	Angela Whitney 04/05	Letter of resignation as of April 19, 2002.
9*	Miss Marty and the Schoolhouse Bugs & Critters	Contribution to the new Community Center.
10*	Dennis Brown, Lifetime Assistance 04/05	Notification of plans to vacate the offices at 18 State Street on or before May 31 st .
11	Thomas Carpenter, Chatfield Engineers 04/04	Meeting Summary of the March 5 joint public hearings on Crystal Ridge.
12*	George Gorman, ABATE of New York, Inc. 04/04	Request for permission to hold protest rides without helmets through the Town.
13	Southern Tier West Regional Planning & Development board	9 th Annual Southern Tier West Local Government Conference information, May 9 th
14	Renard Powell	Proposal for mowing at Community Center.
15	Paul Chatfield, Chatfield Engineers 04/09	Engineering Services Proposal for Redman Road Water Main Project
16	Jim Oberst, MRB Group 04/09	Proposal for Services for Redman Road Water Main Project.
17	Timothy Oakes, Larsen Engineers 04/08	Qualifications and Cost Proposal for Engineering Services Redman Road Water District

* Board has copies

In regard to number 5, Councilperson Wheat will be unable to participate in the parade. All other Board members will participate.

In regard to number 14, a letter will be sent to Mr. Powell notifying him that his proposal has not been accepted.

In regard to numbers 15, 16 and 17, Councilperson Carges will review the proposals.

REPORTS

Alan Bader reported that the Dollar General is now open and the ES&L bank will be opening April 29th. There was discussion regarding the Allied expansion on Owens Road in regards to assessment, taxes, and the formulation of the fire contract with the Village.

Fred Perrine, Superintendent of Highways, had submitted a written report. Three quotes have been received for the shell to the building frame at the highway garage. Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to accept the proposal from Streamline for the completion of the building at a cost not to exceed \$16,000. All voted in favor. Motion carried.

Reports from the Supervisor, Town Clerk, Receiver of Taxes, Water Department, Court, and Dog Control Officer were presented and filed.

Councilperson Carges reported that he was at the bid opening for the water main projects on Sweden Walker Road and Gallup Road. There were eight bidders. He has just received a letter from the Monroe County Water Authority regarding the projects that included a review by their engineers. Mr. Carges also met with Jim Nealon, Recreation Director. Phones at the Community Center will be installed next week and he is reviewing software for the Director.

Councilperson Windus-Cook has been reviewing the Emergency Operating Plan. She met with the highway department and reported that things are going well and the garage area is being cleaned up.

Supervisor Lester was at the meeting with the Recreation Director. There will be a budget meeting tomorrow regarding the Community Center. He had lunch with the Mayor and Town Supervisors.

RESOLUTIONS

RESOLUTION NO. 41

Award Bid for Rock Crushing
Sweden Town Park

WHEREAS: The Town Clerk advertised for bids pursuant to law to do rock crushing on site at the pond in the Sweden Town Park and the following bids were received and opened on March 18, 2002 at 10:30 AM:

RMS Gravel, Inc. Mott Road P.O. Box 455 Dryden, NY 13053	\$4.00/Ton
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Sinisgalli, Inc. P.O. Box 23505 Rochester, New York 14692	\$6.73/Ton
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Sweeting Enterprises 87 Gary Drive Brockport, New York 14420	\$6.15/Ton
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WHEREAS: After review, the Highway Superintendent recommends awarding the bid for the on site rock crushing to RMS Gravel, Inc., Mott Rd., P.O. Box 455, Dryden, NY 13053.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board, upon recommendation of the Highway Superintendent, awards the bid for the on site rock crushing at the Sweden Town Park to RMS, Inc., Mott Rd., P.O. Box 455, Dryden, NY 13053 for the bid price of \$4.00/Ton.
- Sec. 2. That upon completion of the job, the Supervisor shall pay the invoice from the Capital Fund for the Sweden Town Park Project.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
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 9, 2002

Adopted

RESOLUTION NO. 42

Authorizing Clerk to Enter Into Agreement
With NYS DEC for DECALS

WHEREAS: New York State Department of Environmental Conservation is implementing an automated licensing system (DECALS) in July; and

WHEREAS: Signing a Licensing Issuing Agent Agreement is required to be a part of this program.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby gives the Clerk of the Town of Sweden authorization to enter into agreement with the New York State Department of Environmental Conservation to be an Agent to issue hunting and fishing licenses and that the NYS DEC will provide the necessary equipment for sales and reporting as said agreement states.
- 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 9, 2002

Adopted

RESOLUTION NO. 43

Rescinding and Repealing Resolution #32
(Authorizing Lease Agreement with Monroe
County Water Authority)

WHEREAS, the Town Board of the Town of Sweden authorized the Supervisor to enter into a Lease Agreement with the Monroe County Water Authority, and

WHEREAS, the Town Board of the Town of Sweden is now desirous of rescinding and repealing Resolution No. 32 pursuant to Town Law Sec. 93.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby rescind and repeal Resolution No. 32.

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	<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 9, 2002

Adopted

RESOLUTION NO. 44

Authorizing Supervisor to Enter Into
Lease Agreement with Monroe
County Water Authority

WHEREAS, the Town Board of the Town of Sweden has determined that the Town of Sweden can no longer operate and maintain the Town of Sweden water system at a reasonable cost to the water customers, and

WHEREAS, the Monroe County Water Authority has offered to lease said water system to both operate and maintain it for a period of 40 years, and

WHEREAS, the Town Board held a Public Hearing on March 6, 2002 at which time all those in favor of or against said lease had an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to sign the lease with the Monroe County Water Authority to operate and maintain the Sweden water system for a period 40 (forty) years.
- Sec. 2. That this resolution shall take effect 30 days after the date of adoption as set forth hereinbelow subject to the provisions set forth in Town Law Sec. 90 and Town Law Sec. 91.
- Sec. 3. That this resolution is subject to a permissive referendum pursuant to Town Law Sec. 198 (12)(b).

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 9, 2002

Adopted

RESOLUTION NO. 45

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2002 Town Budget:

Create the following budgetary appropriations

A7020.1 Community Center Director (Pers. Serv.)	\$28,900
A7020.2 Community Center Director (Equip.)	3,900

Increase the following budgetary appropriations

A7140.4 Community Center (Cont. Exp.)	\$11,700
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A9030.4 Social Security (Emp. Ben.)	2,000
A9035.4 Medicare (Emp. Ben.)	500
A9060.4 Hosp/Med Ins (Emp. Ben.)	4,000

Increase the following revenues accounts

A2705 Gifts and Donations	\$ 1,000
A2801 Interfund Transfers	50,000

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	<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 9, 2002

Adopted

RESOLUTION NO. 46

Authorizing Engagement Of Professional Services
For SEQR Review Regarding Crystal Ridge
Development

WHEREAS, the Town of Sweden Planning Board has requested the assistance of a professional experienced in the field of SEQR Review in the State of New York, and

WHEREAS, the Planning Board currently does not have its own attorney to so advise the Planning Board on SEQR issues, and

WHEREAS, the rules and regulations for building control fees provides for the applicant to pay 100 per cent of all professional services incurred by the Town in regard to a Planned Unit Development application, and

WHEREAS, the Planning Board is in immediate need of the aforesaid professional services.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1 The Town Board of the Town of Sweden does hereby authorize the engagement of professional services for SEQR review regarding Crystal Ridge Development.

Sec. 2. The Town Board shall engage the services of an attorney familiar with SEQR review.

- Sec. 3. That the retainer to be paid to the aforesaid attorney shall not exceed the sum of \$2,500.
- Sec. 4. That the entity whose application is currently before the Planning Board shall deposit with the Town of Sweden the sum of \$2,500 within thirty (30) days of the date of this resolution.
- Sec. 5. 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 9, 2002.

Adopted

Councilperson Carges made a motion at 8:40 p.m. that was seconded by Councilperson Connors to go into executive session to discuss legal issues regarding the Gallup Road, East Avenue, and Sweden Walker Road water main projects. All voted in favor of the motion. Carried

Councilperson Connors made a motion at 9:15 p.m. that was seconded by Councilperson Carges to go out of executive session. All voted in favor of the motion. Carried

I, Marleen M. Cain, Deputy 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.

 Marleen M. Cain

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to accept the agreement with the Town of Clarkson that formalizes the procedure that will be followed in the creation, operation, and maintenance of the East Avenue water district. All voted in favor of the motion. Carried

DISCUSSION AND ANNOUNCEMENTS

There was discussion regarding the proposed playground. Option one will be put out to bid without the wood chip ground cover. A coordinated theme for colors and styles will be

researched for both the park and the community center prior to choosing the colors for the equipment.

A letter of credit is about to expire for Fieldstone Acres. Councilperson Carges made a motion that was seconded by Councilperson Connors to approve the letter of credit in the amount of \$56,622 for Jim Northrup, Northrup Contracting, Inc. for Section I Fieldstone Acres. Supervisor Lester abstained. All others voted in favor. Carried.

The Recreation Director has proposed picture identification cards for the Community Center. Software and equipment for identification cards will be researched. In the mean time temporary cards, without a picture, will be used with a short-term expiration date.

Finance Director Elaine Jones had received information regarding AFLAC supplemental insurance. The Board decided not to offer it to employees at this time.

Councilperson Windus-Cook has been asked questions regarding sick time and retirement. Councilperson Wheat offered to meet with her and the highway department to go over benefits.

ADJOURNMENT

There being no further business to come before the Board, Councilperson Carges made a motion that was seconded by Councilperson Connors to adjourn the Regular Town Board meeting of April 9, 2002, at 10:18 p.m. All voted in favor of the motion. Carried.

Respectfully submitted,

Marleen M. Cain
Deputy Town Clerk