

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, May 24, 2005.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Town Clerk Karen Sweeting, Highway Superintendent Fred Perrine, and Building Inspector Bill Weber. Visitor present was Jim Hamlin from 50 Park Avenue. Joan Hamlin from 50 Park Avenue arrived at 8:15 pm.

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 then acknowledged the presence of the visitor and asked if he would like to speak. He did not.

APPROVAL OF MINUTES

Councilperson Ferris made a motion that was seconded by Councilperson Carges to accept the minutes of the Public Hearing Local Law 1 2005, Public Hearing Local Law 2 2005, Public Hearing Local Law 3 2005, Public Hearing Local Law 4 2005 and the Regular Town Board Meeting all held on May 10, 2005. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2005 Received From:	Comments:
1. William McDonald, Executive Director, Medical Motor Service	Funding For Connect-A-Ride program – Request for Support
2. Leslie Zinck, Camp Good Days and Special Times, Inc.	Promotion of Smash the Cancer Bug event
3. Mark Aesch, CEO, Regional Transit Service	Invitation to 25 th Annual Rodeo
4. Brian Wirth, VP, Time Warner Cable	Winners of the Time Warner Cable National Teacher Awards
*5. Office of the State Comptroller	Rochester Metropolitan Area Regional Issues Forum
6. Jennifer Ries-Taggart, Director, Seymour Library	2004 Seymour Library Annual Report Highlights

*Board has copies

RE #1: Discussion among the Board members. Forty-two (42) individuals from the Town of Sweden, including the Village of Brockport, utilize the Medical Motor Service. They are requesting support from the Town of over \$10,000. The Board feels at this time that the amount is high; it was not in the budget for 2005. Councilperson Ferris made a motion that was seconded by Councilperson Windus-Cook to decline the request for support at this time. All voted in favor of the motion. Motion adopted.

REPORTS

Highway Superintendent Fred Perrine reported that the Senior Center parking lot expansion is coming along. The area is dug out and he will be meeting with the concrete contractor to set up the curbing. They will binder the new area and then top the whole lot. Mr. Perrine met with a representative from the DEC regarding the removal of contaminated soil from the Senior Center location. The DEC took samples from the location and the sites in which the soil was transported. The DEC reported no concerns with the samples and will send the report to

the Town Hall to be filed. Mr. Perrine also reported that Matt Jensen from Boy Scout Troop #111 would be building a park pavilion at the Town Park June 3 through June 5 for his Eagle Scout Project. Councilperson Carges discussed with Mr. Perrine the parking situation at the Town Park. Mr. Perrine informed the Board that the driveway into the Town Park has been treated with dust control. The piles of stone in the parking lot are from a vendor completing a nearby job. They needed a place to stockpile the stone. The Highway Department is continuing the restoration of properties on the sewer line on Fourth Section Road. They have been waiting for a topsoil screener that can be used for other projects as well. The department has begun maintenance on the High Street Cemetery and it should be ready for Memorial Day weekend. Mr. Perrine has been working on an application for the New York State Division of Cemeteries Grant to purchase a backhoe for the Town cemeteries. The grant application will be ready to submit next week. Supervisor Lester discussed with Mr. Perrine the offer made by Rob Sweeting to donate his time and paver to pave the driveway leading to the concession stand located near the baseball fields at the Town Park.

Building Inspector Bill Weber reported that he has been sending notices out for sign violations and junk car violations.

Councilperson Carges reported that the concession stands at the Town Park are now open; a vendor has been secured. He is requesting a motion to authorize the supervisor to sign the contractual agreement between the Town and the vendor. Mr. Carges also reported that the grills were delivered and are working well. The security cameras have been placed at the park and he is looking into some other camera options for additional security, long-range and day/night vision.

Councilperson Connors had no report.

Councilperson Ferris reported that he met with the Sweden Community Foundation to begin organizing the plans for donations to support community recreation activities. There will be another meeting to entice other community leaders to participate. Mr. Ferris attended a Brockport Museum Committee meeting. They are looking for four members and the committee accepted the resignation of Carl Petronio.

Councilperson Windus-Cook reported that she met with a formed committee for the cemetery house. They are brainstorming ideas of their options relative to the cemetery house. They are looking toward a Farmer's Museum with an office location for the Town Historian and possibly office space for the cemetery records and incoming cemetery business. Councilperson Ferris stated that he has knowledge of several members of the Village that are supportive of the proposed ideas. Councilperson Windus-Cook stated that they would begin searching for material donations. The idea is to utilize the cemetery house completely. The area of concern is staffing the house.

Town Attorney Jim Bell arrived at 8:10 pm.

Supervisor Lester dispensed with his report.

RESOLUTIONS

RESOLUTION NO. 90

Award Material Bid for Colby Street/Sweden
Walker Road Water Main Improvement Project

WHEREAS, the Town Clerk advertised for bids pursuant to law for water main materials for the Colby Street/Sweden Walker Road Water Main Improvement Project and the following bids were received and opened on May 6, 2005 at 10:00 AM:

Blair Supply Corporation
785 Beahan Road

Total Bid Price \$149,481.89

Rochester, New York 14624

Vellano Bros., Inc. 795 Beahan Road Rochester, New York 14624	Total Bid Price \$150,560.75
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Everett J. Prescott, Inc. 797 Main Road – Route #5 Corfu, New York 14036	Total Bid Price \$159,084.11
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M.J. Pipe & Supply Corporation 609 Buffalo Road Rochester, New York 14611	Total Bid Price \$155,554.70
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RAMSCO 1220 Brighton Henrietta TL Road Rochester, New York 14623	Total Bid Price \$151,947.75
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WHEREAS, after review by MRB/Group, Engineering, Architecture, Surveying, P.C and the Highway Superintendent, they have recommended awarding the bid for the water main materials to Blair Supply Corporation, 785 Beahan Road, Rochester, New York 14624.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board, upon recommendation of MRB/Group, Engineering, Architecture, Surveying, P.C. and the Highway Superintendent, awards the bid for the water main materials for the Colby Street/Sweden Walker Road Water Main Improvement Project to Blair Supply Corporation, 785 Beahan Road, Rochester, New York 14624 for the bid price of \$149,481.89.

Sec. 2. That the Supervisor is authorized to pay the invoices from the Colby Street Water Project Capital Fund for the Colby Street/Sweden Walker Road Water Main Improvement Project.

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

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

Discussion: Highway Superintendent Fred Perrine stated that the Town placed the option of accepting the material bids as a whole or itemized. Upon review, the itemized option had some cost savings, but a few of the bid specs from the bidders did not meet the required specifications set forth. An itemized award would not be worth the low savings.

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 – May 24, 2005

Adopted

RESOLUTION NO. 91

Appoint Recreation Director - Scott

WHEREAS, according to Civil Service Law, David Scott was appointed provisionally to the title of Recreation Director; and

WHEREAS, examination number OC69174, Recreation Director, has been given and an eligible list was established on May 12, 2005; and

WHEREAS, notification was received from Monroe County Department of Human Resources that Mr. Scott passed the examination and is presently reachable.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint David Scott as Recreation Director, permanently, effective May 12, 2005.

Sec. 2. That the hours and salary remain the same as before the permanent appointment.

Sec. 3. 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	<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 – May 24, 2005

Adopted

RESOLUTION NO. 92

Appoint Recreation Leader - Gaffke

WHEREAS, according to Civil Service Law, Joshua Gaffke was appointed provisionally to the title of Recreation Leader; and

WHEREAS, examination number OC68800, Recreation Leader, has been given and an eligible list was established on May 12, 2005; and

WHEREAS, notification was received from Monroe County Department of Human Resources that Mr. Gaffke passed the examination and is presently reachable.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Joshua Gaffke as Recreation Leader, permanently, effective May 12, 2005.

Sec. 2. That the hours and salary remain the same as before the permanent appointment.

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

Submitted – May 24, 2005

Adopted

RESOLUTION NO. 93 Authorizing Renewal of Software Support Contract
With Williamson Law Book Company

WHEREAS, Williamson Law Book Company has sent the renewal contract for Town Clerk Plus; and

WHEREAS, the Town Clerk of the Town of Sweden requests the renewal of the Software Support Contract for the Town Clerk Plus program; and

WHEREAS, the Town now wishes to engage Williamson Law Book Company to perform the support services described in such contract.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to sign the renewal Software Support Contract with Williamson Law Book Company.
- Sec. 2. That the term of the renewal contract shall be one (1) year from June 1, 2005 to May 31, 2006.
- Sec. 3. That the Town shall pay the sum of \$550.00 (Five Hundred Fifty and no/100 Dollars).
- 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	<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 – May 24, 2005

Adopted

RESOLUTION NO. 94 Accept Amendments For Fuel Adjustments

to the Snow and Ice Agreement With New
York State Department of Transportation

WHEREAS, the State Commissioner of Transportation and the Town of Sweden have entered into an Agreement No. D139795 entitled "Snow and Ice Agreement Between New York State Department of Transportation and the Municipality of the Town of Sweden" dated July 17, 1978; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2007; and

WHEREAS, the New York State Department of Transportation has received approval for the fuel adjustment for the 2004/05 Snow and Ice Municipal contracts and request the Town of Sweden to amend the existing Snow and Ice Agreement.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town of Sweden hereby accepts the Revised Estimated Expenditure amount of \$108,634.20 as shown in Amendment B of the Snow and Ice Agreement.

Sec. 2. That the Supervisor is hereby authorized to sign the Amendment B Agreement.

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

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

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 – May 24, 2005

Adopted

RESOLUTION NO. 95

SEQR Determination – Dedication
of Eisenhower Drive

WHEREAS, the Town Board of the Town of Sweden, Monroe County, New York proposes to accept dedication of the first three hundred (300) feet of Eisenhower Drive as a public highway; 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 therefore (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 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 for 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 SEQR. This determination constitutes a negative declaration for the purposes of SEQR.

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 SEQR.

Sec. 3. 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 Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – May 24, 2005

Adopted

RESOLUTION NO. 96

Accepting Dedication of Eisenhower Drive In the Town of Sweden

WHEREAS, the Town Board has received a dedication request for the first three hundred (300) feet of roadway and an easement for the entire length of Eisenhower Drive being a part of Lot No. 3 of the Triangle Tract, Section 11, Township 3, the Town of Sweden, County of Monroe, State of New York and being more particularly described and definitely shown on a map prepared by Passero Associates, Architects, Engineers, Surveyors, 100 Liberty Pole Way, Rochester, NY 14604; and

WHEREAS, Big Fella Enterprises, Inc., owner of premises, has offered to deliver a deed for the first three hundred (300) feet of roadway conveying to the Town of Sweden, the fee title to lands to be known as Eisenhower Drive; and

WHEREAS, the Town wishes to accept the aforesaid deed dedication release and easement to the lands known as Eisenhower Drive; and

WHEREAS, the Town of Sweden Highway Superintendent recommends the acceptance of the dedication release and easement, dated May 24, 2005, of lands described on the aforesaid document as a public highway of the Town of Sweden, which highway shall be known as Eisenhower Drive, and the Town Board has been advised by the Highway Superintendent that the roadway meets Town specifications; and

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor be authorized to accept the dedication release and easement of Eisenhower Drive being part of Lot No. 3 of the Triangle Tract, Section 11, Township 3, situated in the Town of Sweden, Monroe County, New York.

Sec. 2. That the Town Board of the Town of Sweden agrees to accept delivery of the deed from Big Fella Enterprises, Inc., which describes the lands known as Eisenhower Drive. And said lands are more particularly shown on the map prepared by Passero Associates, Architects, Engineers, Surveyors, 100 Liberty Pole Way, Rochester, NY 14604.

Sec. 3. That consent is hereby given to the Town Highway Superintendent to make an order laying out the lands described in said Dedication, dated May 24, 2005, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

Sec. 4. That the Town Attorney is directed to record the deed and transfer documents, on behalf of the Town of Sweden, in the Monroe County Clerk’s office.

Sec. 5. 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	<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 – May 24, 2005

Adopted

RESOLUTION NO. 97

Changes to the Student Helper List
for Summer Day Camp 2005

WHEREAS, the Recreation Director, David Scott, has submitted changes to the Student Helper list for Summer Day Camp 2005 that was adopted on May 10, 2005, Resolution No. 87.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby removes the following from the list of appointments to the position of Student Helper at the Sweden Clarkson Community Center and from payroll.
 Jamie Pricola
 Molly Pricola
 Jennifer Gerling
- Sec. 2. That the Town Board of the Town of Sweden hereby changes the wage rate of Traci O’Sullivan from \$6.00 per hour to \$6.75 per hour.
- Sec. 3. That the Town Board of the Town of Sweden hereby appoints the following additional Student Helpers for the Summer Day Camp program at a rate of pay of \$6.00 per hour with a start date of May 25, 2005:
 Jason Lipinczyk
 Christyna Cain
- Sec. 4. That the Town Board of the Town of Sweden hereby appoints Dorothy Reid as an additional Student Helper for the Summer Day Camp program at a rate of pay of \$6.75 per hour with a start date of May 25, 2005.
- Sec. 5. That the Town Board of the Town of Sweden hereby appoints Brittany Jones as an additional Student Helper for the Summer Day Camp program at a rate of pay of \$7.50 per hour with a start date of May 25, 2005
- 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>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – May 24, 2005

Adopted

RESOLUTION NO. 98

Ordering a Public Hearing – Shift of Operation
Into An Economic Development Zone

WHEREAS, Advantage Machine, LLC has found it more economically feasible to relocate to a City of Rochester Economic Development Zone than to build or relocate within the Town of Sweden; and

WHEREAS, the City of Rochester Economic Development Program requires the local governing body from which the business is leaving to hold a public hearing to discuss the shift of operations and adopt a resolution consenting to the relocation of Advantage Machine, LLC.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, on the 28th day of June 2005 at 7:15 PM, to hear all persons for or against the relocation of Advantage Machine, LLC from the Town of Sweden to the Rochester Economic Development Zone.
- Sec. 2. That the Town Clerk is authorized and directed to cause a notice of this hearing to be published in the official newspaper of the town, in accordance with Section 265 of Town Law.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
 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 – May 24, 2005

Adopted

RESOLUTION NO. 99

Ordering a Public Hearing to Rezone Lana
Property – Route #31 and Owens Road

WHEREAS, Paradigm Development, Inc. located at 8348 Boston Colden Road, Colden, New York, acting as developing agent of Carl Lana, the owner of the property on the northeast corner of Route 31 and Owens Road in the Town of Sweden, has submitted to the Town Board an application and proposal to re-zone this property from Industrial (I) to Commercial (B-1); and

WHEREAS, a map of the property has been filed with the town, and the required fee paid.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town board of the Town of Sweden will hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, in said Town on June 14, 2005 at 7:00 PM to hear all persons interested in the re-zoning of the property located at the intersection of Route 31 and Owens Road, from I to B-1.
- Sec. 2. That the area proposed to be re-zoned is 50 +/- acres, tax account No. 084.01-1-19.1
- Sec. 3. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.
- 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	<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 – May 24, 2005

Adopted

APPROVAL OF PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Windus-Cook made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 5 dated May 25, 2005 in the amount of \$93,536.60. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$74,592.97 as set forth in Abstract 5 dated May 25, 2005.

Highway Fund: In the amount of \$11,313.01 as set forth in Abstract 5 dated May 25, 2005

Special Fund: In the amount of \$7,630.62 as set forth in Abstract 5 dated May 25, 2005.

DISCUSSION AND ANNOUNCEMENTS

Councilperson Ferris made a motion that was seconded by Councilperson Connors to authorize the Supervisor to sign the contractual agreement between the Town of Sweden and the vendor for the Town Park concession stands. All voted in favor of the motion. Motion adopted.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to move into executive session at 8:25 pm to discuss a Workers' Compensation issue concerning an employee. All voted in favor of the motion. Motion adopted.

No action taken. Councilperson Carges made a motion that was seconded by Councilperson Connors to leave executive session at 8:55 pm. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the May 24, 2005 meeting of the Sweden Town Board at 8:57 p.m. Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk