

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, June 25, 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 was Director of Finance Elaine Jones. Town Attorney James Bell arrived late.

Visitors present Jim Hamlin, 50 Park Ave., Chris Fein, Brockport Post.

Supervisor Lester called the meeting to order and everyone said the pledge to the flag. He called on visitors for public comment. There was none.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Wheat to accept the minutes of the Public Hearing held on June 11, 2002. Councilwoman Connors, Councilman Wheat and Councilwoman Windus-Cook voted in favor of the motion. Councilman Carges and Supervisor Lester abstained. Carried.

Councilperson Connors made a motion seconded by Councilperson Windus-Cook to accept the minutes of the regular meeting held on June 11, 2002. Councilwoman Connors, Councilman Wheat and Councilwoman Windus-Cook voted in favor of the motion. Councilman Carges and Supervisor Lester abstained. Carried.

SUPERVISOR'S CORRESPONDENCE

2002	Received From:	Comments:
*1.	Christopher Martin, Brockport Fire Department 6/13	Firefighter's Memorial Monument – Dedication August 18, 2002, 2:00PM
*2	James Fallon, BCS, 6/13	Board of Education granted leave of absence for Shannon Zielinski, Youth Asset Coordinator through 6/30
*3.	Josephine Matela, Mayor Village of Brockport, 6/14	Coca Cola – Pouring Rights
*4	Fred Perrine, Highway Superintendent, 6/12	Copy of letter sent to Mr. John Maume re: poor condition of Sweden Walker Rd.
*5	Muffy Meisenzahl, Monroe Co. Office of Emergency Preparedness, 6/14	Looking for participation in Pre-Disaster Mitigation Plan Development
*6	Jack Crooks, Town of Ogden, Planning Bd. Secretary 6/14	Public Hearing 6/27 Applications Colby St., Gallup Rd. (subdivide)
*7	Lakeside Engineering, 6/17	Copy of letter sent to Mon Co. DOH regarding fee to be submitted by Town (Sweden Walker and Gallup Rd. water line expansion
*8	Josette Palmieri, Monroe Co. Treasury, 6/17	Town's share of Mortgage Tax Distribution 10/01/01 to 04/30/02 \$82,434.43

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| 9 | Jerry A. Goldman, SEQR Attorney,
6/14 | Copy of letter sent to Crystal Ridge PUD attorney re: Town of Sweden SEQR Review |
| *10 | Phillip Teum, NYS Dept. of Public Service, 6/15 | Information abt. damage prevention regulations and role municipalities play in prevention program (One Call System) |
| *11 | Susan Carlson, 6/18 | Copy of letter to Gail & Marleen thanking for help with rezone (Northrup) questions |
| *12 | Kenneth M. Naugle, Monroe Co. DOH, 6/18 | Comments on Gallup Rd. & Sweden Walker Rd. water main project |
| *13 | David Hunke, United Way/Red Cross Campaign, 6/18 | Thanks and congratulations on United Way Certificate of Achievement |
| *14 | Rod Prosser, Lakeside Engineering, 6/19 | Gallup Rd. and Sweden Walker Rd. Water Main Project Breakdown of fee portion of work |
| *15 | John t. Auberger, Mon. Co. Supervisor's association, 6/19 | Copy of letter to Federal Communications Commission supporting Mon. Co. request to license a countywide paging system. |
| *16 | Edward Marianetti, MC Highway Superintendent Assoc., 6/19 | Reduction in roadside mowing program by MCDOT |
| *17 | Shirley Mercer, Sweden Tax Receiver, 6/19 | Report on NYSATRC seminar |
- *Board has copies

Re: No. 7. Councilman Carges moved and Councilwoman Windus-Cook seconded the motion to pay the \$183.00 application fee to Monroe Co. Dept. of Health for the Sweden Walker Rd. water expansion. All voted in favor of the motion. Carried.

DEPARTMENTAL REPORTS

Highway Superintendent Fred Perrine submitted a written report. Included was a quote from Terry Tree for grinding up the field house at the Town Park if it were demolished. Discussion took place regarding removal of the field house. Councilman Carges didn't think that our people should do the demolition. It would be a tremendous liability as there is danger of injury or damage to equipment. Councilman Carges moved that the town get RFP's for demolition and removal of the field house. The motion was seconded by Councilwoman Windus-Cook. All voted in favor. Carried.

REPORTS

Councilman Carges had no report.

Councilwoman Connors had no report.

Councilman Wheat reported that he met last Monday with Fred Perrine to discuss capital projects. The reconstruction of Hollybrook Rd. is a project that will take 9 to 10 weeks. They looked at the specs from one year ago. They discussed sidewalks and Transit Way needs work.

Councilwoman Windus-Cook reported that she attended Bienvenida and presented the Proclamation. It was a very nice program attended by many.

RESOLUTIONS

RESOLUTION NO. 67

Approving Fireworks Application and Permit
SUNY Brockport Campus Life Office 08/25/02

WHEREAS, an application for the display of fireworks has been received from SUNY BROCKPORT CAMPUS LIFE OFFICE, Brockport, New York, for consideration by the Town Board. Said display to be held on August 25, 2002 at 8:30 to 9:00 P.M. at the plateau fields (behind the Allen Administration Building) Brockport State University Campus. In the case of inclement weather there will be no rain date.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board hereby approves the application for the display of fireworks by the SUNY Brockport Campus Life Office on August 25, 2002 and authorizes the Town Clerk to issue permit for same.

Sec. 2. That the applicant provide an indemnity policy with liability of at least \$1,000,000 conditioned for the payment of all damages which may be caused to a person or persons, or to property by reason of acts of the permittee, his agents, employees, etc. Such policy shall run to the Town.

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

MOTION for adoption of this resolution by Councilwoman Connors
Seconded by Councilwoman Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 68

Approving Fireworks Application and Permit
SUNY Brockport Campus Life Office 10/04/02

WHEREAS, an application for the display of fireworks has been received from SUNY BROCKPORT CAMPUS LIFE OFFICE, Brockport, New York, for consideration by the Town Board. Said display to be held on October 4, 2002 at 9:30 to 10:00 P.M. at the plateau fields (behind the Allen Administration Building) Brockport State University Campus. In the case of inclement weather there will be no rain date.

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 70

Declaration of Lead Agency Status for SEQR Compliance for the Action to Adopt the Town of Sweden/Village of Brockport Comprehensive Plan Update - 2002

WHEREAS, the Town Board of the Town of Sweden, has given public notice to the Village Board of the Village of Brockport, of its declared intent to be the Lead Agency for the Coordinated Review and Determination of Significance under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has not received any written objection from the Village Board within the time period specified.

NOW, THEREFORE, BE IT RESOLVED

Sec. 1 that the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced Action.

Sec. 2 that this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Connors
Seconded by Councilwoman 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 - June 25, 2002

Adopted

RESOLUTION NO. 71

Authorizing Penalty for Dishonored Check

WHEREAS: The Town Board of the Town of Sweden adopted Resolution No. 79 on October 13, 1998 authorizing a charge of \$15.00 for all checks payable to the "Town of Sweden" that are returned for insufficient funds according to General Municipal Law; and

WHEREAS: Previous law allowed a municipality to charge for a check that is returned for insufficient funds only; and

WHEREAS: The Legislature has enacted Chapter 474 of the year 2001 increasing the amount a municipality may charge for a returned check from \$15.00 to the maximum authorized under section 5-328 of the General Obligations Law, currently \$20.00 for checks dishonored for any reason.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby rescinds the previous established charge of \$15.00 and authorizes a charge of \$20.00 for all dishonored checks no matter the reason.

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

MOTION for adoption of this resolution by Councilman Carges
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 72

Authorizing School Tax Penalties

WHEREAS, it is permissible for the Town to charge a penalty for late payment of school taxes.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Receiver of Taxes and Assessments shall receive school district taxes on bills for the 2002-2003 budget year for thirty (30) days after the first day specified in the notice for payment of such taxes without additional charge.

Sec. 2. That the Receiver of Taxes and Assessments, after the expiration of the thirty-day period of 2002, shall receive such school district taxes only upon payment of a penalty of three per centum (3%) of the tax payment received.

Sec. 3. That this resolution shall be in effect October 1, 2002 to October 31, 2002

MOTION for adoption of this resolution by Councilwoman Windus-Cook
seconded by Councilwoman Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 73

Authorizing Supervisor to Sign
Lease/Purchase Agreement with Val
Malzewski Equipment Leasing

WHEREAS: The Town Board of the Town of Sweden is in the process of planning and equipping the Sweden Community Center facility; and

WHEREAS: It has been recommended by the Community Center Director to contract with Val Malzewski Equipment Leasing, Erie, PA to lease fitness equipment; and

WHEREAS: Said contract is based on State bid price for said fitness equipment.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to enter into an agreement with Val Malzewski Equipment Leasing, Erie, PA for the lease of fitness equipment.
- Sec. 2. That the lease/purchase agreement is subject to the approval of the Town Attorney.
- Sec. 3. That the monthly lease payment for 48 months shall not exceed \$757.26.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Windus-Cook
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>

Councilwoman Windus-Cook Aye
Supervisor Lester Aye

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 74

Authorize Purchase of Fitness Equipment
And Flooring Sweden Community Center

WHEREAS: The Sweden Community Center is in need of fitness equipment and flooring to complete the furnishing of a fitness room at the Center; and

WHEREAS: NYS Senator George Maziarz of the 61st District announced securing grant money for the Town in the amount of \$25,000 from the Senate Program of Member Initiatives in the 2002-2003 state budget.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of fitness equipment and flooring from Advantage Sport & Fitness, Inc.
- Sec. 2. That the total cost of the equipment shall not exceed an amount of \$23,175.29 and the total cost of the flooring shall not exceed an amount of \$1,840.00, both at the NYS bid price.
- Sec. 3. That the invoice be paid for with the NYS grant money awarded to the Town of Sweden by the State of New York.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Connors
Seconded by Councilman Wheat

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges Aye
Councilwoman Connors Aye
Councilman Wheat Aye
Councilwoman Windus-Cook Aye
Supervisor Lester Aye

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 75

Authorizing Purchase of Mirrors for
Sweden Community Center

WHEREAS: To complete the outfitting of the fitness room at the Sweden Community Center, the Town needs to purchase mirrors for the wall; and

WHEREAS: The Community Center Director has received the following proposals:

Frontier Glass, Inc.	\$1,375.00 labor, materials, installation
	<u>425.00</u> security backing
	\$1,800.00

Flower City Glass \$1,975.00 furnish and install

Chark's Glass & Mirror	\$874.00 materials
	<u>674.50</u> labor, metal, installation, glazing
	\$1,548.50

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon the recommendation of the Sweden Community Center Director, the Town Board hereby authorizes the purchase of the mirrors from Chark's Glass & Mirror, Bergen, NY.

Sec. 2. That the cost shall not exceed \$1,548.50 and that upon completion of installation the invoice be paid from the General Fund.

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

MOTION for adoption of this resolution by Councilwoman Windus-Cook
Seconded by Councilwoman Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. 76

Authorizing Purchase of Playground
Equipment Sweden Community Center

WHEREAS: As part of the program plans for the Sweden Community Center it will be necessary to provide playground equipment outside the center; and

WHEREAS: The Director of the Community Center has received a proposal for Game Time Equipment and recommends the purchase of playground equipment from Marturano Recreation Co.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the purchase of Game Time Playground Equipment from Marturano Recreation Co., Brick Town, NJ.
- Sec. 2. That the cost of the equipment shall be no more than \$8,269.27 and the invoice shall be paid from the General Fund.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilwoman Connors

Seconded by Councilman Wheat

Discussion

VOTE BY ROLL CALL AND RECORD:

Councilman Carges	<u>Aye</u>
Councilwoman Connors	<u>Aye</u>
Councilman Wheat	<u>Aye</u>
Councilwoman Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – June 25, 2002

Adopted

RESOLUTION NO. _____

Authorize Agreement with Terry Tree LLC to Grind Field House Material Sweden Town Park

WHEREAS: The Town is desirous of removing the field house from the Sweden Town Park property; and

WHEREAS: Highway Department personnel agrees to strip all electrical and steel out of the field house and to knock down and demolish the field house with their equipment.

WHEREAS: The Highway Superintendent has received a proposal from Terry Tree Service, LLC to grind the wood material from the demolished field house.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Town Supervisor to sign the agreement with Terry Tree Service, LLC for a cost not to exceed \$7,500.
- Sec. 2. That Terry Tree Service LLC agrees to supply a Morbark Tub Grinder with operator to grind all wood material to a small enough size, 3" - 4" grinding.
- Sec. 3. That the Highway Department will haul away the resulting debris.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by

Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilman Carges
- Councilwoman Connors
- Councilman Wheat
- Councilwoman Windus-Cook
- Supervisor Lester

Submitted – June 25, 2002

Tabled

RESOLUTION NO. 77

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 revenue account

A2390 Share of Joint Activity \$10,000

Increase the following appropriation

A1622.4 Community Center (Cont. Exp.) \$10,000

MOTION for adoption of this resolution by Councilman Carges
Seconded by Councilwoman Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted June 25, 2002

Adopted

Town Attorney Jim Bell arrived.

There was discussion regarding the back up generator. Monroe County Water Authority has it. The Town received a \$50,000 CDA grant. The generator cost about \$42,000. The remaining \$8,000 can be used for the lift station at the Sweden Town Park.

Councilwoman Connors made a motion that the Town Board adopt the Sweden Town Park Rules. Councilwoman Windus-Cook seconded the motion. All voted in favor of the motion. Carried.

At 8:25 PM Councilman Carges made a motion that the Board move into executive session to discuss a particular personnel matter.

At 9:25 PM Councilman Carges moved to go out of executive session. Councilwoman Connors seconded the motion. All voted in favor of the motion. Carried

I, Gail A. DeToy, 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.

Gail A. DeToy, Town Clerk

General discussion took place regarding the new Community Center

APPROVAL FOR PAYMENT OF BILLS

Elaine Jones brought to the Board's attention the bill for Lakeside Engineering. The Board did not authorize payment for this particular bill.

All Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Wheat authorizing payment of the bills in Abstract 6 dated June 25, 2002. All voted in favor of the motion. Carried.

General Fund: In the amount of \$75,917.21 as set forth in Abstract 6 dated June 25, 2002.

Highway Fund: In the amount of \$10,963.62 as set forth in Abstract 6 dated June 25, 2002.

Recreation Fund: In the amount of \$11,085.49 as set forth in Abstract 6 dated June 25, 2002.

Special District: In the amount of \$91,153.29 as set forth in Abstract 6 dated June 25, 2002.

Capital Fund: In the amount of \$12,604.25 as set forth in Abstract 6 dated June 25, 2002.

DISCUSSION AND ANNOUNCEMENTS

There will be a joint meeting with Town of Clarkson Town Board at 4:00 PM on July 9, 2002.

On June 27, 2002 at 7:00 PM there will be the Village/Town joint Public Hearing on the Comprehensive Plan.

ADJOURNMENT

There being no further business to come before the Board, Councilperson Carges made a motion that was seconded by Councilwoman Connors to adjourn the Regular Town Board meeting of June 25, 2002, at 10:10 PM. All voted in favor of the motion. Carried.

Respectfully submitted,

Gail A. DeToy, Town Clerk