

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, September 26, 2006.

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, Town Attorney Jim Bell, Superintendent of Highways Fred Perrine and Town Clerk Karen M. Sweeting.

Visitors present were student Leedra N. Crawford and residents Jim Hamlin and Tim Bates.

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 Carges. Supervisor Lester then acknowledged the presence of the visitors and asked if anyone would like to speak. No one spoke.

APPROVAL OF MINUTES

Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the minutes of the Public Hearing – Eminent Domain, Dragani Property held on September 12, 2006. All voted in favor of the motion. Motion adopted.

Councilperson Carges made a motion that was seconded by Councilperson Ferris to accept the minutes of the Public Hearing – Rezoning Ledgesdale Airpark held on September 12, 2006. All voted in favor of the motion. Motion adopted.

Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the minutes of the regular meeting held on September 12, 2006. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2006 Received From:

1. Everett Peake
- *2. George Maziarz, Senator
3. Rudy Aceto, Treasurer of Western Monroe Historical Society

Comments:

Thank you for cost saving change in health care
Notification of receipt of grant for improving
Town recreational facilities
Town support

*Board has copies

REPORTS

Councilperson Carges had no report.

Councilperson Ferris reported that he attended a Sweden Community Foundation meeting.

Councilperson Connors reported that she met with representatives from the Town of Clarkson and the Village of Brockport along with Fire Marshall Charles Sanford and Building Inspector Jim Butler to discuss the county's strategic plan for the Point of Distribution (POD) program involving local municipalities. Mrs. Connors stated the committee was waiting for a template from the county and will be attending a regional workshop in October to go over local preparedness and the dispensing plan.

Councilperson Windus-Cook reported that she, along with Councilperson Connors, attended the ribbon cutting for the new Sherwin Williams store. Ms. Windus-Cook also met with Dr. Bill Andrews and the Town Engineer at the Sweden Town Park to go over the details for a Recreation Trail Program grant application that Dr. Andrews was working on for the Town.

Supervisor Lester reported that he attended an RPAC public information meeting. The master plan for recreation was discussed. Mr. Lester met with the Town Engineer and Superintendent of Highways regarding the baseball field at the Sweden Town Park. Mr. Lester attended a Council of Government meeting to discuss the Workers' Compensation Pool. The Town of Sweden was one of the moving forces in the creation of this pool to save local municipalities money.

Mr. Lester and other members of the Board met with the Office of the Aging for Monroe County. The Board learned that ABVI, which services most Towns in Monroe County, serves the same nutritional value menus that our nutrition program offers at the Senior Center. Monroe County is strongly recommending that the Town of Sweden use ABVI to service the seniors of the Town of Sweden. Nick Trotto of the Office of the Aging pointed out that the federal/state contributions would not cover the cost of having a cook on site. Sweden is the only municipality in Monroe County's nutrition program that has an on site cook. Mr. Lester would like to discuss the County comments at a workshop. Mr. Lester reported to the Board that the City of Rochester, Hamlin, Clarkson and many other Towns budget little to zero dollars for senior nutrition programs. Mr. Lester added that 50% of seniors that are taking advantage of the nutrition program are not residents of the Town of Sweden, but the Town of Sweden is responsible for 100% of the gap between federal funding/participation contributions and the actual cost. The same nutritious meal could be provided at the center by ABVI at a fraction of the cost. The Town Board's primary responsibility is to the taxpayers of the Town of Sweden.

Mr. Lester also reported that he accompanied Building Inspector Jim Butler on a few inspections, one of which was the new Wal-Mart building. The distance of the building to the roadway was discussed and the Town Engineer confirmed that the building was 75 feet from the right-of-way.

Superintendent of Highways Fred Perrine reported that they are continuing to work on the water and sewer lines. There is 1,500 feet left to install for the Shumway Road water line and approximately another week remaining for a portion of the Fourth Section sewer.

Town Attorney Jim Bell was meeting with tax assessment experts on complaints received by the Town of Sweden. Mr. Bell updated the Board on some legal matters.

RESOLUTIONS

RESOLUTION NO. 144

Appoint Recreation Assistants PT
Pricola and Wahl

WHEREAS, there is a need for two part time Recreation Assistants at the Sweden Clarkson Community Center; and

WHEREAS, Recreation Director David Scott has recommended hiring Jamie Pricola and Sean Wahl.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Jamie Pricola and Sean Wahl as Recreation Assistants PT at the Sweden Clarkson Community Center.

Sec. 2. That the hourly rate of pay is \$6.75.

Sec. 3. That the starting date for Jamie Pricola is September 18, 2006 and the starting date for Sean Wahl is September 27, 2006.

Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution 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 – September 26, 2006

Adopted

RESOLUTION NO. 145

Authorize Installation Bids for Fourth
Section Road North Side Sewer Main
Project – Redman Road Section

WHEREAS, the Fourth Section Road North Side Sewer Main Extension was created in 2005;
and

WHEREAS, the Town of Sweden Highway Department desires to publicly bid the installation
of the sewer main specifically on Redman Road; and

WHEREAS, the Town Board has contracted with MRB Group for engineering services to
proceed with modifications of the specific plans for the construction of the sewer
main on Redman Road.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That MRB Group has been contracted to create the necessary modifications to the
specific plans for the construction of the section of sewer main on Redman Road
for the Fourth Section Road North Side Sewer Main Project.

Sec. 2. That the Town Clerk is directed to advertise for bids as required by law.

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

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

Discussion: The bid must come within the threshold for the project.

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 – September 26, 2006

Adopted

RESOLUTION NO. 146

Authorize Bids for “V” Hopper Material Spreader

WHEREAS, the Highway Superintendent recommends the purchase of a “V” Hopper Stainless Steel Material Spreader (Auger Conveyor Type) for winter operations; and

WHEREAS, the funds to purchase said material spreader are available in the Highway Budget for 2006.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Highway Superintendent has prepared the required specifications for the “V” Hopper Stainless Steel Material Spreader (Auger Conveyor Type).

Sec. 2. That upon receipt of such specifications, the Town Clerk is directed to advertise for bids 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:

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 – September 26, 2006

Adopted

RESOLUTION NO. 147

Authorize Application of the New York State Office of Parks, Recreation and Historic Preservation Grant Under the Recreation Trails Program

WHEREAS, the Town of Sweden is applying to the New York State Office of Parks, Recreation and Historic Preservation for a grant under the Recreational Trails Program for a trail project to be located on the Sweden Town Park to connect with the Erie Canalway Trail, a site located within the territorial jurisdiction of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden does hereby approve and endorse the application for a grant under the Recreation Trails Program for a trail project known as the Town Park Walking and Biking Trail and located within this community.

Sec. 2. That said property shall be maintained by the Town of Sweden consistent with the rules promulgated by OPRHP.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook
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 – September 12, 2006

Adopted

RESOLUTION NO. 148

Authorize Supervisor to Sign Documents Pertaining to Dedication of Portion of Property Owned by William G. and Martha M. Schmitt

WHEREAS, the Sweden Highway Superintendent has recommended and the current property owners are in agreement to such, that the Town of Sweden accept dedication of the following described portion of property owned by William G. and Martha M. Schmitt, tax account number 084.01-1-36.1, for the purpose of realignment to facilitate a three-way intersection on Transit Way in the Town of Sweden; and

WHEREAS, a legal description has been prepared by Thew Associates, PLLC as follows:

LEGAL DESCRIPTION

Contains: 0.014+/- acres

All that tract or parcel of land situate in the Town of Sweden, County of Monroe, State of New York, being part of Lot 14, Section 7, Township 3 of the Triangular Tract, and being more precisely described as follows:

Beginning at a 5/8-inch rebar set on the southerly bounds of Transit Way, said rebar also being at the northeasterly corner of a parcel of land conveyed by Daniel C. Hogan to William G. and Martha M. Schmitt by deed dated September 30, 1999 and recorded in the Monroe County Clerk’s Office on November 15, 1999 in Liber 9240 of Deeds at Page 36, said rebar having New York State Plane Coordinates (NAD-83 West Zone) of 1,165,022.19 feet North and 1,321,780.68 feet East;

Thence South 00 degrees 00 minutes 08 seconds East, along the easterly line of William G. and Martha M. Schmitt, a distance of 22.36 feet to a set 5/8-inch rebar;

Thence South 89 degrees 59 minutes 52 seconds West, through the land of William G. and Martha M. Schmitt, a distance of 86.89 feet to a 5/8-inch rebar set on the southerly bounds of Transit Way;

Thence along the southerly bounds of Transit Way, along a non-tangent curve deflecting to the left having a central angle of 28 degrees 51 minutes 48 seconds and a radius of 180.00 feet, an arc distance of 90.68 feet (chord: North 75 degrees 33 minutes 58 seconds East, 89.72 feet) to the Point of Beginning.

To contain 0.014 acres of land, more or less.

The above-mentioned parcel of land is intended to be a portion of the same premises conveyed by Daniel C. Hogan to William G. and Martha M. Schmitt by deed dated September 30, 1999 and recorded in the Monroe County Clerk’s Office on November 15, 1999 in Liber 9240 of Deeds at Page 36.

The above-mentioned bearings are grid bearings referenced to the North American Datum of 1983 (NAD-83) and projected on the New York State Plane Coordinate System West Zone.

WHEREAS, the owner and the Town of Sweden are desirous of executing the dedication for the purpose set forth herein.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Sweden Town Board hereby accepts dedication of the aforesaid property and hereby authorizes the Supervisor to sign and execute Form RP-5217, Form TP-584, and any accompanying documents necessary for the recordation of the deed dedication documents on behalf of the Town of Sweden.
- Sec. 2. That after execution, the Sweden Town Attorney is authorized to attend to the recording of same in the Monroe County Clerk’s Office and the payment of any and all necessary recording fees imposed by the Monroe County Clerk’s Office.
- 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – September 26, 2006.

Adopted

RESOLUTION NO. 149

Ordering a Public Hearing to Rezone Vacant Land West Side of Lake Road Owned by Erwin L. Duryea and Marilyn Duryea Revocable Trust

WHEREAS, Erwin L. Duryea and Marilyn L. Duryea Revocable Trust located at 4026 Lake Road, Brockport, New York, the owner of the property approximately ¼ mile south of the intersection of Fourth Section Road (NYS Route 31A) and Lake Road (NYS Route 19) on the west side, has submitted to the Town Board an application and proposal to re-zone from Residential (R1-2) 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 Tuesday, November 14, 2006 at 7:15 PM to hear all persons interested in the re-zoning of the property located approximately ¼ mile south of the intersection of Fourth Section Road (NYS Route 31A) and Lake Road (NYS Route 19) on the west side, from R1-2 to B-1.
- Sec. 2. That the area proposed to be re-zoned is 11.131 +/- acres, tax account Nos. 083.04-1-18.
- Sec.3. That the area proposed to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situate in part of Lot 7, Section 7, Township 3, of the Triangular Tract, Town of Sweden, County of Monroe, and State of New York and more particularly described as follows:

Beginning at a point on the west right-of-way line of Lake Road (NYS Route 19) being a distance of 182.49 feet southerly as measured from its intersection with the south right-of-way line of Duryea Drive (60"ROW), thence;

1. S 01° 03' 41" E and along the said westerly right-of-way line of Lake Road, a distance of 124.74 feet to a point being the northeast corner of lands now or formerly North Star Holding, LLC, by deed on file in the Monroe County Clerk's Office in Liber 9327 of Deeds Page 27, thence;
2. N 89° 32' 21" W and along the north line of said lands now or formerly North Star Holding, LLC, a distance of 340.80 feet to a point on the northwest corner of lands thereof, thence;
3. S 05° 11' 55" E and along the west line of said lands now or formerly North Star Holding, LLC, a distance of 305.24 feet to a point on the northeast corner of lands now or formerly Town of Sweden by deed on file in the Monroe County Clerk's Office in Liber 9716 of Deeds, Page 288, thence;
4. S 88° 54' 56" W and along the north line of said lands now or formerly Town of Sweden, a distance of 1111.76 feet to a point on the east line of lands nor or formerly WSR, LLC by deed on file in the Monroe County Clerk's Office in Liber 9947 of Deeds, Page 129, thence;
5. N 08° 26' 35" W and along the said east line of lands now or formerly WSR, LLC, a distance of 423.49 feet to a point on the south line of lands now or formerly Erwin L. Duryea Revocable Trust by deed on file in Monroe County Clerk's Office in Liber 9414 of Deeds Page 108, thence;
6. N 88° 54' 56" E and along the said south line of lands now or formerly Erwin L. Duryea Revocable Trust and continuing along the south line of lands now or formerly Aldi, Inc. (NY) by deed on file in the Monroe County Clerk's Office in Liber 8993 of Deeds Page 150, a combined distance of 1484.83 feet to the point and place of beginning.

Containing 11.131 acres of land more or less.

Excepting a 60' right-of-way crossing the property from north to south per deed of dedication on file in the Monroe County Clerk's Office in Liber 9951 of Deeds Page 80.

- Sec. 4. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.

Sec. 5. 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 – September 26, 2006

Adopted

RESOLUTION NO. 150 Award Bid Trailer Mounted Vacuum Leaf Collector

WHEREAS, the Town Clerk advertised for bids pursuant to law for the purchase of (one) trailer mounted vacuum leaf collector, and the following bid was received and opened on September 25, 2006, at 10:00 a.m.:

<u>Supplier</u>	<u>Amount of Bid</u>
The ODB Company	\$17,380.00
Rick Timmerman	
5118 Glen Alden Drive	
Richmond, VA 23231	

WHEREAS, after review by the Highway Superintendent, he recommends awarding the bid to The ODB Company, 5118 Glen Alden Drive, Richmond, Virginia, for the trailer mounted vacuum leaf collector, for a bid price of \$17,380.00.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board, upon the recommendation of the Highway Superintendent, awards the bid for the trailer mounted vacuum leaf collector to The ODB Company for a total bid price of \$17,380.00.
- Sec. 2. That upon delivery of said equipment the Supervisor shall pay the invoice from the Highway Equipment Reserve Fund.
- 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
Submitted – September 26, 2006

Aye

Adopted

RESOLUTION NO. 151 Authorize Purchase of Plotter from GIS Reserve Fund

WHEREAS, a reserve was established for records management (GIS); and

WHEREAS, the plotter used to print maps generated from the GIS system has malfunctioned;
and

WHEREAS, the Town Board passed a resolution (20) on January 10, 2006 authorizing the
repair of the plotter from the GIS Reserve Fund; and

WHEREAS, the repair of the plotter is not feasible; and

WHEREAS, the deputy supervisor has recommended the purchase of an HP 110+ Model
#C7796E#ABA listed on the New York State Contract.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the
expenditure of \$368 plus any accrued interest from the Reserve for Record
Management (GIS) to purchase an HP plotter from state bid.

Sec. 2. That the Finance Director is directed to close the Reserve for Record Management
(GIS) upon payment of the HP plotter invoice.

Sec. 3. That the remainder of the monies to purchase the HP plotter will come from the
General Fund.

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 Aye

Councilperson Connors Aye

Councilperson Ferris Aye

Councilperson Windus-Cook Aye

Supervisor Lester Aye

Submitted – September 26, 2006

Adopted

RESOLUTION NO. 152 Authorize Sale of Surplus Equipment

WHEREAS, there are two Town vehicles (1996 Crown Victoria VIN #2FALP73W5TX196322
and 1986 Ford LTL 9000 Truck VIN#1FDYA92X1GVA15999) that are
considered surplus; and

WHEREAS, the Superintendent of Highways has recommended that these vehicles be sold at
the municipal auction on October 7, 2006.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon recommendation of the Superintendent of Highways, the Town Board hereby authorizes the sale of the 1996 Crown Victoria VIN #2FALP73W5TX196322 and 1986 Ford LTL 9000 Truck VIN#1FDYA92X1GVA15999.

Sec. 2. 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 – September 26, 2006

Adopted

DISCUSSION AND ANNOUNCEMENTS

Supervisor Lester made a motion to appoint Patricia Connors, James Butler and Charles Sanford as contacts for the Town of Sweden for purposes of the National Incident Management System (NIMS). Councilperson Carges seconded the motion. All voted in favor of the motion. Motion adopted.

Supervisor Lester made a motion that was seconded by Councilperson Ferris to approve a draft Letter of Credit for the Woods at Sable Ridge provided that the original of same draft is received with the proper signatures. Superintendent of Highways added that the developer should not begin work until the original is received. The Board agreed. All voted in favor of the motion. Motion adopted.

The Budget Officer’s Tentative Budget for 2007 was presented.

Councilperson Windus-Cook announced that two Eagle Scouts have approached the Town to complete two projects at the Town Park. The Town Board agreed and suggested that Councilperson Windus-Cook contact the scouts and invite them to a workshop to discuss the details of the projects.

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 9 dated September 27, 2006 in the amount of \$211,636.67. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$102,331.09 as set forth in Abstract 9 dated September 27, 2006.

Highway Fund: In the amount of \$28,567.05 as set forth in Abstract 9 dated September 27, 2006.

Special Districts: In the amount of \$80,738.53 as set forth in Abstract 9 dated September 27, 2006.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the September 26, 2006 meeting of the Sweden Town Board at 8:35 p.m.

Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk