

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 23, 2009.

Town Board Members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Patricia Connors and Councilperson Danielle Windus-Cook. Councilperson Tom Ferris was absent. Also present were Finance Director Leisa Strabel, Town Clerk Karen Sweeting, Superintendent of Highways Fred Perrine and Recreation Assistant Jill Wisnowski.

Visitors present were residents Jim Hamlin, Dan and Nancy Breslawski and Seymour Library Board member Rebecca Donohue.

Supervisor Milner called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Milner then acknowledged the presence of the visitors and asked Councilperson Carges and Recreation Assistant Jill Wisnowski to present an award to Nancy Breslawski.

Councilperson Carges read:

In 2008, the Sweden Clarkson Recreation department nominated Nancy Breslawski for a volunteerism award of the Genesee Valley Recreation and Parks Society. Not surprisingly Nancy was chosen from many wonderful candidates as the GVRPS Volunteer of the year and presented her an award at a conference which took place November 14, 2008 at the Woodcliff Hotel and Spa. Because Nancy was recognized at the local level, she was automatically in the running for recognition at the state level. The Town was notified late in March that Nancy had won. Neither the recreation staff nor Nancy could attend the state conference this year so the Town chose tonight to present Nancy's award and let her know how much she really means - not only to the recreation department, but to the entire community.

I am pleased to present Nancy with this plaque from the New York State Recreation and Parks Society and offer congratulations and thanks from the Sweden Clarkson Recreation Department and the Sweden Town Board.

Seymour Library Board member Rebecca Donohue reported that the "kick-off" for the summer reading program took place. Several creative programs and reading games for young adults are being offered. The 2008 annual report has been released and the library has been designated a "Safe Place" for children ages 12-21.

No other visitor spoke.

APPROVAL OF MINUTES

Councilperson Windus-Cook made a motion that was seconded by Councilperson Connors to accept the minutes of the regular meeting held on May 26, 2009. All voted in favor of the motion – four eyes. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2009 Received From:

- *1. David Goehring, Regional Traffic Engineer, NYS DOT
- *2. Ruth Pierpont, Division for Historic Preservation, NYSOPRHP

Comments:

Heritage Square – Redman Road – Review of traffic analysis
 Lakeview Cemetery – Property listed on the State Register of Historic Places and nominated to the National Register of Historic Places

*Board has copies

REPORTS

Superintendent of Highways Fred Perrine reported that crews have been busy at the Sweden Town Park installing water main from Fourth Section Road to the northern boundary of the park and the irrigation system has been installed and is running. The Town Highway Garage parking lot is being prepped for paving and drainage repair. A county Household Hazardous Waste collection was held at the Town Highway Garage on June 13th and was successful. A community service clean up of the entrance to Sweden Village was completed by the Brockport Free Methodist Church. The county culvert replacement and water main relocation job on Gordon Road has been postponed.

Councilperson Connors attended a Citizen Preparedness conference in Albany. Also in attendance were representatives from the American Red Cross, Salvation Army, Monroe County Health and Homeland Security Management Institute (HSMI). They stressed the importance of volunteers and the need for individuals to attend a Community Emergency Response Team (CERT) training to prepare individuals to take care of themselves and their neighbors until emergency staff can respond. HSMI will be looking for a host organization to hold the 8-week CERT course. Councilperson Connors would like to see the Town of Sweden host a CERT

training and reach out to residents of the Towns of Sweden and Clarkson and the Village of Brockport as well. This would also assist us in obtaining volunteers for our Point of Dispensing (POD) at the Middle School. Also, HSMI is offering a free program for individuals and businesses on Public Health Emergencies & Business Continuity. The course will provide information on how to protect your family, business or organization from epidemic outbreaks and help you to address emergencies and prepare your organization to survive as seamlessly as possible, so your loss is minimal. Training will be held on July 15, 2009 from 8 am to noon at the Public Safety Training facility on Scottsville Road in Rochester. For more information, visit www.monroeccc.edu/go/hsmi.

Councilperson Windus-Cook reported that the Sparkleberry Twig sponsored movie night at the Farmers' Museum was a success and a very enjoyable evening. Spurr Dealerships on Brockport Spencerport Road donated the movie and projection equipment and all money received was donated to Lakeside Hospital and the Farmers' Museum.

Councilperson Carges had no report.

Supervisor Milner reported that he and other members of the board attended the Senior Center Open House on June 6th. The event was very well received. Mr. Milner also attended a Sweden Senior Association meeting, Council of Government meeting and the Supervisors' Association meeting. Mr. Milner toured the college suites on Redman Road.

Finance Director Leisa Strabel reported on behalf of Fire Marshal Charles Sanford. Mr. Sanford responded to the house fire at 529 White Road. After several hours on site, Mr. Sanford "red tagged" the home due to the amount of damage done to the house. Mrs. Strabel reported that she is continuing negotiations with Frontier on a proposed phone system for the Town buildings. Mrs. Strabel also reported that she has heard from several concerned residents regarding the Village of Brockport no longer accepting tax payments. All tax payments are now received by Chase Bank. Mrs. Strabel assured the residents that the Town has no intention of doing the same. The Town will continue personal service to residents wanting to pay in person at the Town Hall. An upcoming issue of the town newsletter (Snapshots) will detail all payment options for tax collection.

RESOLUTIONS

RESOLUTION NO. 59

Award Bid Fiberglass Reinforced
Plastic Enclosure

WHEREAS, the Town Clerk advertised for bids pursuant to law for the purchase of a Fiberglass Reinforced Plastic Enclosure, and the following bid was received and opened on June 12, 2009, at 10:00 a.m.:

<u>Supplier</u>	<u>Amount of Bid</u>
Siewert Equipment 175 Akron Street Rochester, NY 14609	\$34,495.00

WHEREAS, after review by the Highway Superintendent, he recommends awarding the bid to Siewert Equipment, 175 Akron Street, Rochester, New York for the purchase of a Fiberglass Reinforced Plastic Enclosure, for a bid price of \$34,495.00.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board, upon the recommendation of the Highway Superintendent, awards the bid for the Fiberglass Reinforced Plastic Enclosure to Siewert Equipment, 175 Akron Street, Rochester, New York for a total bid price of \$34,495.00.

Sec. 2. That upon delivery of said enclosure the Supervisor shall pay the invoice from the proper fund.

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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>

Supervisor Milner
Submitted – June 23, 2009

Aye

Adopted

RESOLUTION NO. 60

Ordering Public Hearing on Renewal of
Iroquois Rock Products Excavation Permit

WHEREAS, the Excavation Permit for Iroquois Rock Products quarry on Colby Street and Sweden Walker Road, in the Town of Sweden expires on July 24, 2009; and

WHEREAS, Mr. John Swierkos, Jr. of Iroquois Rock Products has submitted an Application for an Excavation Permit to the Town Board for review and study; and

WHEREAS, it is in the interest of the residents of the Town of Sweden to hold a public hearing so all persons desiring to be heard for or against such renewal shall be heard.

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 on Tuesday, July 28, 2009 at 6:30 p.m. to hear all persons desiring to be heard for or against the renewal of the Excavation Permit for Iroquois Rock Products located on Colby Street and Sweden Walker Road.

Sec. 2. That the Town Clerk is hereby authorized and directed to publish said Public Hearing in the official newspaper of the Town as required by law.

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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 61

Ordering a Public Hearing to Rezone 5150
Sweden Walker Road from Commercial
(B-1) to Light Industrial (I-2)

WHEREAS, Daniel R. Seeler, 53 South Main Street, Holley, New York, the owner of 5150 Sweden Walker Road located 474 feet south of Colby Street on the east side of Sweden Walker Road in the Town of Sweden, has submitted to the Town Board an application and proposal to re-zone 5150 Sweden Walker Road from Commercial (B-1) to Light Industrial (I-2); 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 July 28, 2009 at 7:00 PM to hear all persons interested in the re-zoning of the property located at 5150 Sweden Walker Road.

Sec. 2. That the area proposed to be re-zoned is 5.32 +/- acres, tax account No. 099.02-1-7.22.

Sec.3. That the area proposed to be re-zoned is more specifically described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Sweden, County of Monroe and State of New York and being a part of Lot No. 8 in Township No. 3 of the Triangular Tract, and being more particularly described as follows:

Beginning at a point in the centerline of Sweden Walker Road (County Route #242, 66.00' wide right of way) at a distance of 474.11'southerly, as measured in said centerline, from the centerline of Colby Street, thence;

North 89 37' 30" east, a distance of 556.22' to a point, thence;

South 10 32' 30" west, a distance of 417.20' to a point, thence;

South 89 37' 30" west, a distance of 574.99' to a point in the centerline of Sweden Walker Road, thence;

North 13 03' 00" east, and along the centerline of Sweden Walker Road, a distance of 421.16' to the Point of Beginning containing 231,700 +/- square feet or 5.319 +/- acres.

Parcel is known as Lot R-2B of a Resubdivision of Lot 2 of the Edward White Subdivision as shown on a map recorded in the Monroe County Clerk's Office at Liber 315 of Maps, Page 51.

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 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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 62

Ordering a Third Public Hearing to Rezone 4740 Lake Road from Residential (R1-2) to Commercial (B-1)

WHEREAS, Samuel A. Simone of Simone's Properties, LLC located at 81 Marc-Mar Trail, Rochester, New York, the owner of 4740 Lake Road located on the southeast corner of Lake Road and Crestview Drive in the Town of Sweden, submitted to the Town Board an application and proposal to re-zone 4740 Lake Road from Residential (R1-2) to Commercial (B-1); and

WHEREAS, the Town Board held a public hearing on the 22nd day of July, 2008 to hear all persons interested in the re-zoning of said parcel and the applicant was present at such public hearing; and

WHEREAS, the Town Board voted by Resolution No. 116 dated August 26, 2008 to reject Mr. Simone's application to rezone 4740 Lake Road from Residential (R1-2) to Commercial (B-1); and

WHEREAS, the Town Board gave the applicant another opportunity to present a proposal to re-zone 4740 Lake Road and scheduled a public hearing on the 27th day of January 2009; and

WHEREAS, the applicant requested an adjournment of the Public Hearing to be scheduled at a future date and the Town Board desires to reschedule the Public Hearing.

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 July 28, 2009 at 7:15 PM to hear all persons interested in the re-zoning of the property located at 4740 Lake Road.

- Sec. 2. That the area proposed to be re-zoned is 0.551 +/- acres, tax account No. 083.08-8-1.12
- Sec.3. That the area proposed to be re-zoned is more specifically described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Sweden, County of Monroe and State of New York and being a part of Lot No. 11 in the 8th Section of Town No. 3 of the Triangular Tract, bounded and described as follows:

Beginning at a point in the north line of Lot No. 11 and the east line of the Lake Road and running thence southerly along the east line of the Lake Road 394.15 feet to an angle point; thence
 Continuing southerly along the east line of the Lake Road making an exterior angle of 179 23' with the last described course a distance of 440.18 feet to a point in the east line of said Lake Road, said point being the place of beginning of the property herein conveyed; thence
 Running easterly making an interior angle of 77 13'50" a distance of 200 feet to a point; thence
 Running northerly making an interior angle of 102 46'10" a distance of 100 feet to a point; thence
 Running westerly making an interior angle of 70 13'50" a distance of 200 feet to a point in the east line of the Lake Road; thence
 Running southerly along the east line of the Lake Road a distance of 100 feet to the place of beginning.

Also all that tract or parcel of land situate in the Town of Sweden, County of Monroe and State of New York, and being a part of Lot No. 11 in the 8th Section of Town No. 3 of the Triangular Tract, bounded and described as follows:

Beginning at the northwest corner of premises conveyed by Fred Harrier to Elmer G. Adams and Phyllis H. Adams, his wife, by deed dated May 8, 1951, recorded in Monroe County Clerk's Office in May 21, 1951 in Liber 2683; thence
 Running easterly along the north boundary of the said Adams lot a distance of 200 feet to the northeast corner thereof; thence
 Running northerly at an interior angle of 102 46'10" to the south boundary of Crestview Drive; thence
 Running west along the south boundary of Crestview Drive 200 feet to a point in the west line of Lake Road; thence
 Running south along the west boundary of Lake Road to the point of beginning above specified. The said Crestview Drive is laid out on a map made by A.P. Mussi on file in Monroe County Clerk's Office in Liber 128 of Maps at page 54.

- 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 be subject to the written approval of the Sweden Town Attorney.
- Sec. 6. 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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 63 Accept Community Development Block Grant of \$80,000 for 2009 – Fitness Room Expansion and Authorize Supervisor to Sign Contract Documents

WHEREAS, the Town of Sweden has been awarded a Community Development Block Grant in the amount of \$80,000 for a Fitness Room Expansion at the Sweden Clarkson Community Center, and

WHEREAS, the Town Board wishes to accept this award and have the necessary contract documents signed by the Supervisor on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby accepts the award of an \$80,000 Community Development Block Grant from the Monroe County Community Development Administration and accepts all terms and conditions set forth in the Community Development Force Account Agreement.
- Sec. 2. That the Supervisor is authorized to act on behalf of the Town of Sweden and sign the necessary contract documents.
- 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>Absent</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – June 23, 2009		Adopted

RESOLUTION NO. 64 Authorize Bids for Fitness Room Expansion
And Entrance Modification to the
Sweden Clarkson Community Center

WHEREAS, the Town of Sweden wishes to construct an expansion of the Fitness Room at the Sweden Clarkson Community Center; and

WHEREAS, the Town of Sweden wishes to modify the entrance to the Sweden Clarkson Community Center; and

WHEREAS, the Town of Sweden has been awarded CDBG funds and additional grant monies to help fund the projects.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board hereby authorizes the Town Architect to submit the necessary specifications for the construction of an expansion to the Fitness Room at the Sweden Clarkson Community Center.
- Sec. 2. That the Town Board hereby authorizes the Town Architect to submit the necessary specifications for the modification to the entrance of the Sweden Clarkson Community Center.
- Sec. 3. That upon receipt of said specifications the Town Clerk is directed to advertise for bids for said construction as required by law.
- Sec. 4. 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>Absent</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – June 23, 2009		Adopted

RESOLUTION NO. 65 Ordering a Public Hearing on the Shumway Road
Extension No. 1 to the Sweden Consolidated Water District

In the matter of the Petition for the Establishment of the Shumway Road Extension Number 1 to the Sweden Consolidated Water District in the Town of Sweden, Monroe County, New York

WHEREAS, a written petition, dated May 27, 2009 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Sweden, Monroe County, New York for the establishment of a water district extension in said town to be bounded and described as follows:

**SHUMWAY ROAD EXTENSION No. 1
TO
SWEDEN CONSOLIDATED WATER DISTRICT**

All that tract, or parcel of land, situate in the Town of Sweden, County of Monroe, State of New York, as shown on a map entitled "District Map and Plan", prepared by MRB Group, P.C., dated January, 2009, and being more particularly bound and described as follows:

Beginning at the intersection of the existing northerly boundary line of the Shumway Road / Sweden-Walker Road Extension of the Sweden Consolidated Water District, said boundary line also being the existing centerline of Shumway Road to a point at its intersection with the existing western boundary line of the Shumway Road / Sweden-Walker Road Extension of the Sweden Consolidated Water District; thence,

1. Westerly, along the last mentioned existing centerline, a distance of 872'+/- feet to a point, at its intersection with the existing easterly boundary line of the Sweden Consolidated Water District and the westerly bounds of Tax Map Parcel 084.03-1-6.21; thence,
2. Northerly, along the last mentioned existing westerly boundary line of Tax Map Parcel 084.03-1-6.21, a distance of 1,179'+/- to a point, at its intersection with the existing southerly boundary of the Sweden Consolidated Water District and the existing northern boundary line of Tax Map Parcel 084.03-1-6.21; thence,
3. Easterly, along the last mentioned existing southerly boundary, said boundary line also being the existing northern boundary line of Tax Map Parcels 084.03-1-6.21, 084.03-1-6.22, and 084.03-1-8, a distance of 615'+/- to a point, at its intersection with the existing easterly boundary line of the Sweden Consolidated Water District, said boundary line also being the existing common division line between Tax Map Parcel 084.03-1-1 with Tax Map Parcel 084.01-1-14.113; thence,
4. Southerly, along the last mentioned common division line, a distance of 10'+/- to a point, at its intersection with the existing southern boundary line of the Sweden Consolidated Water District, and also the existing common division line between Tax Map Parcel 084.01-1-14.113 with Tax Map Parcel 084.03-1-8; thence
5. Easterly, along the last mentioned existing common division line, a distance of 246'+/- to a point, at its intersection with the existing common westerly boundary line of the Shumway Road / Sweden-Walker Road Extension to the Sweden Consolidated Water District, and also the common division line between Tax Map Parcel 084.03-1-8 with Tax Map Parcel 084-1-9.1; thence
6. Southerly, along the last mentioned existing westerly boundary to the point and place of beginning.

WHEREAS, the improvements proposed for Phase 4 of the extension of municipal water service to the proposed Shumway Road Extension No. 1 to the Sweden Consolidated Water District are as follows:

1. Install approximately 1,700 linear feet of 8-inch ductile iron watermain and appurtenances westerly along Shumway Road, connecting the two dead end 8-inch watermains that exist on this road.
2. Test holes performed in the general project areas indicated the presence of rock which may expected to be encountered during excavation. To address the potential for rock being encountered, the plan watermain trench details and project specifications have been modified accordingly and bids will be solicited for rock blasting services prior to installation of this watermain.

WHEREAS, a map, plan and report prepared by MRB Group, competent engineers duly licensed by the state of New York showing the proposed boundaries of the proposed extension and a general plan of the water system to be installed is on file in the Town Clerk's office and is available for public inspection; and

WHEREAS, the maximum amount proposed to be expended for the said improvement, as stated in the said petition, is the sum of one hundred eighty one thousand one hundred twenty eight dollars (\$181,128.00), of which fourteen thousand eight hundred seventy seven dollars (\$14,877) will be borne by the properties within the district on a benefits basis, and of which up to one hundred sixty six thousand two hundred fifty one dollars \$166,251.00 will be provided as a capital

contribution from the Shumway/Sweden Walker Water District as part of a system looping improvement project; and

WHEREAS, the annual cost for debt service is to be financed by a benefits charge to be levied to all existing parcels within the proposed district. The benefits charge will include vacant parcels, provided they do not have an agricultural exemption. Commodity charges (for water used) will be made to all users on a quarterly scheduled and based upon their individual metered consumption multiplied by the adopted rates of the Monroe County Water Authority. Initially the water rate is estimated to be in the range of \$2.50 per 1,000 gallons along with a base charge of approximately \$11 per quarter; and

WHEREAS, at the Town’s discretion individual 1 inch water services may be charged a one time connection charge estimated initially to be \$1,500 - \$1,650 per establishment, inclusive of the meter, appurtenances and inspection charges which will cover the cost of installing a service from the water main to the right of way. A separate charge arrangement for larger size services will be based upon the actual costs of upsized meter and appurtenances. In addition to this charge the individual property owner will be responsible for hiring a contractor to install the water service from the right of way to his residence or place of business, along with any reduced pressure zone devices and MCWA meter connection fees. Additional development occurring after the creation of the proposed district extension will be charged at whatever the current Water Authority connection fee is at the time; and

WHEREAS, the cost of the district extension to the typical property shall be as follows:

Annual debt service	\$276
Commodity charge	<u>\$231</u>
Total estimated annual charge per occupied parcel	\$507

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That a public hearing of the Town Board of the Town of Sweden shall be held at the Town Hall, 18 State Street, Brockport, New York on the 28th day of July, 2009, at 6:45 pm to consider the said petition and to hear all persons interested in the subject thereof concerning the same and for such other action on the vote of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Sec. 2. That the Town Clerk be authorized and directed to publish and post such notice of Public Hearing as required by Town Law.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Windus-Cook

Discussion: District includes four (4) parcels

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 66

Declare June 30, 2009 James C. Fallon Day

WHEREAS, James C. Fallon has been a resident of the Town of Sweden for 30 years; and

WHEREAS, he has served as a teacher and administrator in the Brockport Central School District since 1970; and

WHEREAS, he has been the Superintendent of Brockport Central Schools since 1993; and

WHEREAS, he has made extraordinary contributions to the well-being of our community in the areas of education, recreation, community service and municipal cooperation; and

WHEREAS, James C. Fallon is among the most dedicated, respected and well-loved leaders of our community.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden declares June 30, 2009 as James C. Fallon Day.

Sec. 2. That the Community is encouraged to offer its congratulations to Superintendent Fallon and thank him for his years of service.

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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 67

Designating Time Warner Cable to
Administer Public Access Channels

WHEREAS, Time Warner Cable has agreed to administer public access channels at no charge to municipalities; and

WHEREAS, the Town of Sweden previously contracted with Educable to provide that service at a cost to the Town; and

WHEREAS, several municipalities in Western Monroe County and Orleans County have or will designate Time Warner Cable as the administrator of public access channels in their respective communities; and

WHEREAS, the Town Board of the Town of Sweden desires to do the same.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby designate Time Warner Cable to administer the playback of programming on PEG access channels 12 and 15.

Sec. 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 Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 68

Authorize Supervisor to Sign Escrow
Agreement for Villas at Brandon Woods
Subdivision Section One

WHEREAS, the Town of Sweden requires a letter of credit to be posted by a developer when constructing a subdivision with facilities that will be dedicated to the Town upon completion; and

WHEREAS, the Town Engineer determines the amount of the letter of credit to be posted by the developer; and

WHEREAS, the Town Board of the Town of Sweden can accept an escrow deposit in lieu of a letter of credit if the Town Board so desires; and

WHEREAS, Jack W. Hassall, 10 Slayton Avenue, Spencerport, NY 14559 owner of the Villas at Brandon Woods Subdivision has requested to make an escrow deposit in lieu of a letter of credit for the dedication of the certain facilities in the Villas at Brandon Woods Subdivision Section One; and

WHEREAS, the Town Engineer will determine the amount of the escrow deposit required for the completion of said facilities in the Brandon Woods Subdivision Section One.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to enter into an escrow agreement between the Town of Sweden and Jack W. Hassall for the proposed dedicated facilities in the Villas at Brandon Woods Subdivision Section One.

Sec. 2. That the dollar amount of escrow agreement shall be determined by an estimate approved by the Town Engineer

Sec. 3. That the escrow agreement is subject to the written approval of the Town Attorney.

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

MOTION for adoption of this resolution by Councilperson Carges

Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
CouncilpersonConnors	<u>Aye</u>
Councilperson Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 69

Appoint Recreation Assistant FT - Ward

WHEREAS, there is a vacancy for a full-time recreation assistant at the Community Center; and

WHEREAS, Recreation Director David Scott has recommended Leonard Ward for the recreation assistant position.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Leonard Ward as Recreation Assistant full-time at the Sweden Clarkson Community Center.

Sec. 2. That the rate of pay be set at \$13.58/hour.

Sec. 3. That the date of appointment is June 23, 2009.

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

MOTION for adoption of this resolution Councilperson Connors

Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
CouncilpersonConnors	<u>Aye</u>

Councilperson Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 70

Appoint Seasonal Laborer – Hutchison

WHEREAS, the Director of Buildings and Grounds has requested a part-time Seasonal Laborer for the Sweden Town Park during the spring/summer seasons; and

WHEREAS, the Director of Buildings and Grounds has recommended the appointment of Frank Hutchison as Seasonal Laborer for the Sweden Town Park during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Frank Hutchison as Seasonal Laborer.
- Sec. 2. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.
- Sec. 3. That the rate of pay will be \$9.00 per hour for a maximum of thirty-two (32) hours per week for the period June 8, 2009 through September 1, 2009.
- Sec. 4. 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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 71

Appoint Seasonal Laborer – Gauthier

WHEREAS, the Director of Buildings and Grounds has requested a part-time Seasonal Laborer for the Sweden Town Park during the spring/summer seasons; and

WHEREAS, the Director of Buildings and Grounds has recommended the appointment of Bryant Gauthier as Seasonal Laborer for the Sweden Town Park during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Bryant Gauthier as Seasonal Laborer.
- Sec. 2. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.
- Sec. 3. That the rate of pay will be \$8.50 per hour for a maximum of thirty-two (32) hours per week for the period June 11, 2009 through September 1, 2009.
- Sec. 4. 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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 72 Appoint Seasonal Laborers- Vincent and Mutton

WHEREAS, there is a need for seasonal labors for cemetery operations; and

WHEREAS, the Superintendent of Highways has recommended hiring Matthew Vincent and Tyler Mutton for seasonal cemetery operations.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Matthew Vincent and Tyler Mutton as seasonal laborers for cemetery operations.
- Sec. 2. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.
- Sec. 3. That the rate of pay will be \$8.00 per hour.
- Sec. 4. That Mr. Vincent’s appointment is effective June 1 – October 31, 2009.
- Sec. 5. That Mr. Mutton’s appointment is effective June 2- October 31, 2009.
- 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>Absent</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – June 23, 2009		Adopted

RESOLUTION NO. 73 Adjust Pay Rates for Employees Johnson and Dupree

WHEREAS, the Federal minimum wage will rise to \$7.25 per hour on July 24, 2009; and

WHEREAS, the New York State minimum wage will follow; and

WHEREAS, the Town of Sweden has two returning student helpers for the summer recreation program last earning the current minimum wage of \$7.15 per hour; and

WHEREAS, the Director of Finance has recommended that the Town adjust the hourly rate of Douglas Dupree and Bryan Johnson to \$7.25 per hour.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby increases the hourly rate for Douglas Dupree and Bryan Johnson to \$7.25 per hour.
- Sec. 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 Ferris	<u>Absent</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – June 23, 2009		Adopted

RESOLUTION NO. 74 Authorizing Supervisor to Enter into Agreement with SUNY Brockport - 2009

WHEREAS, the Town of Sweden requires the use of certain facilities located on the SUNY Brockport campus; and

WHEREAS, SUNY Brockport has such facilities available; and

WHEREAS, the parties desire to enter into an agreement whereby SUNY Brockport will make such facilities available to the Town of Sweden; and

WHEREAS, SUNY Brockport will grant a revocable permit to the Town of Sweden, subject to the terms and conditions provided, to use the facilities and services designated by the agreement on the date(s) and at the times specified.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to enter into an agreement with SUNY Brockport for the use of on-campus facilities.

Sec. 2. That this agreement will be for a period starting August 30, 2009 and ending August 30, 2010.

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>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – June 23, 2009

Adopted

RESOLUTION NO. 75 Authorize Capital Improvements to Highway Garage Parking Lot from Reserve Fund

WHEREAS, a Building Reserve Fund was established on November 23, 2004 for the purpose of making improvements to town-owned municipal buildings; and

WHEREAS, the Town Board transferred \$25,000 to the reserve for the express purpose of funding parking lot improvements at the Highway Garage, 40 White Road; and

WHEREAS, the Highway Superintendent recommends that improvements to the Highway Garage Parking Lot be undertaken this summer; and

WHEREAS, the Town Board desires that the improvements be funded in part from the Building Reserve Fund.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$25,000 from the Building Reserve Fund for capital improvements to the Sweden Highway Garage, 40 White Road, including drainage and repaving work.

Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.

Sec. 3. That the Town Clerk is directed to publish a public notice 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 Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>

Councilperson Ferris	<u>Absent</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – June 23, 2009		Adopted

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 6 dated June 24, 2009 in the amount of \$139,127.11. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$113,294.12 as set forth in Abstract 6 dated June 24, 2009.

Highway Fund: In the amount of \$23,325.46 as set forth in Abstract 6 dated June 24, 2009.

Special Fund: In the amount of \$2,507.53 as set forth in Abstract 6 dated June 24, 2009.

DISCUSSION AND ANNOUNCEMENTS

Work session meeting to be held Tuesday, July 7, 2009 at 7:30 pm.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to go into executive session at 8:42 p.m. to discuss particular personnel. 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 and return to the regular meeting at 9:55 p.m. 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 June 23, 2009 meeting of the Sweden Town Board at 9:56 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk