

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, January 23, 2007.

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, and Town Clerk Karen M. Sweeting. Superintendent of Highways Fred Perrine arrived at 7:40 p.m.

Visitors present were residents Martin Weezorak, Bob Canham and Tim Bates; student Cory Brogan; and reporter from the Suburban News Robbi Hess.

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 visitors and asked if there was anyone that would like to speak.

Resident Bob Canham shared with the Town Board some examples of mission statements from the newly formed COGS (Citizens for Open Government) and the Sweden Senior Center. Mr. Canham stated that the point of having a mission statement is to let people know the purpose and aims of the organization. Mr. Canham asked for any questions, the Board had none.

APPROVAL OF MINUTES

Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the minutes of the regular meeting held on January 9, 2007. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2007	Received From:	Comments:
*1.	Jill Wisnowski, Recreation Department	Resignation
*2.	Bruce Smith, Brockport Area CATV Commission	Resignation as Sweden delegate
*3.	Jim Oberst, Town Engineer	Lowe's – Route 31 Improvement Status
*4.	David Scott, Recreation Director	Recommendation of appointments, Student Helpers
*5.	David Scott, Recreation Director	Recommendation of appointment, Clerk PT
*6.	Jeanne Ianita, Business Services Rep from NYS Department of Labor	Thank you from NYS Dept. of Labor and ABVI Goodwill for permitting use of SCCC to recruit new employees for ABVI Goodwill store under construction

RE: #1 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept with regrets the resignation of Jill Wisnowski from the Sweden Clarkson Recreation Center. Mr. Carges added that Mrs. Wisnowski has served the center well since day one and it is unfortunate for the Town that she is moving on to a new career. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept with regrets the resignation of Bruce Smith from the Brockport Area CATV Commission. Mr. Carges added that Mr. Smith has been on the commission since the beginning. All voted in favor of the motion. Motion adopted.

RE: #6 Supervisor Lester stated that the newly constructed ABVI Goodwill Store would create 60 plus jobs.

REPORTS

Councilperson Carges reported that he continues to pursue the sound baffling options for the Sweden Clarkson Recreation Center. He feels that it is essential to focus on the ceiling at this time the walls are optional. The quotes Mr. Carges has received are basically in the same price range.

Councilperson Connors reported that she attended the Public Hearing for the Route 531 extension held at the Hill School on January 10, 2007. Mrs. Connors met with Allan Hoy and Chris Conway to discuss the Community Awards Banquet that is tentatively set for April 18, 2007.

Councilperson Ferris reported that he had discussed with Nancy Duff staffing for the lunch hour at the Senior Center. Mr. Ferris stated that Mrs. Duff has control over how and who is staffed for kitchen assistance. Mrs. Duff will need to base her staff decisions on what she observes as critical needs of the program. Mr. Ferris stated it was in Mrs. Duff's plan to decrease the hours of the kitchen staff. Supervisor Lester stated that he received notice that a current part time kitchen employee would not be staying on due to the decrease in hours. Supervisor Lester asked Mrs. Duff if she had other tasks those employees could be assigned to and she had indicated no. Supervisor Lester asked if Mrs. Duff was still communicating to Mr. Ferris the comments received from the seniors on the lunch program. Mr. Ferris answered the comments have been positive. Mrs. Duff did receive a couple complaints during the intermediary week, but the complaints have been less than before the change to ABVI.

Councilperson Windus-Cook reported that she met with the Farmers Museum Committee to plan the Fall Harvest Festival in September 2007.

Superintendent of Highways Fred Perrine arrived at 7:40 p.m.

Supervisor Lester reported that he also attended the Public Hearing for the Route 531 extension. Mr. Lester complimented Robbi Hess from the Suburban News for the article published regarding the Route 531 extension. Mr. Lester attended the funerals for Town employee Dan Kepler and long-time realtor Russell Schleede. Mr. Lester attended the Supervisors Association meeting and was assigned to the County Fisheries Committee. Mr. Lester also met with resident Bob Canham.

Town Attorney Jim Bell reported that the assessment litigations between GBR and Petsmart have been settled. Mr. Bell is asking that the two resolutions on for this meeting be tabled so that he may review the numbers with Assessor Tony Eaffaldano.

Superintendent of Highways Fred Perrine reported that the contractor is finishing the sewer line on Redman Road and will begin clean up and testing. Mr. Perrine will be meeting with the Town Engineer Jim Oberst and Wal-Mart representatives to address several items on a "punch list" before dedication of any roadways and facilities, ie. landscaping, grading, and seeding.

RESOLUTIONS

RESOLUTION NO. 21

Appointment Laborer PT - Coopenberg

WHEREAS, Robert Coopenberg, Head Custodian for the Sweden Clarkson Community Center retired/resigned as a full time employee of the Town of Sweden effective January 12, 2007; and

WHEREAS, Robert Coopenberg desires to continue part time employment with the Sweden Clarkson Community Center; and

WHEREAS, the Recreation Director recommends the appointment of Robert Coopenberg as Laborer PT.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Robert Coopenberg to the position of Laborer PT.

Sec. 2. That the rate of pay is \$10.50 per hour with a start date of January 16, 2007.

Sec. 3. 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 – January 23, 2007

Adopted

RESOLUTION NO. 22 Appoint Student Helpers – Sturm & Altieri

WHEREAS, Recreation Director, David Scott, has recommended the appointment of two students as Student Helpers.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Raymond Sturm and Michael Altieri to the position of Student Helper at the Sweden Clarkson Community Center.

Sec. 2. That the rate of pay be \$7.15 per hour with a maximum of 24 hours per week.

Sec. 3. That the start date will be January 22, 2007 for each.

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
Submitted – January 23, 2007

Aye

Adopted

RESOLUTION NO. 23

Appointing Clerk PT - Sweden Clarkson
Community Center - Gilbert

WHEREAS, there is a vacancy in the position of Clerk PT at the Sweden Clarkson Community Center; and

WHEREAS, the position was duly advertised and applications were received; and

WHEREAS, Pamela Gilbert has been recommended for the position by the Recreation Director.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden agrees with the recommendation of the Recreation Director as being in the best interests of the Town.
- Sec. 2. That the Town Board of the Town of Sweden does hereby appoint Pamela Gilbert as Clerk PT at the Sweden Clarkson Community Center starting January 17, 2007.
- Sec. 3. That this position is for a maximum of 24 hours a week at an hourly rate of pay of \$9.50 per hour.
- Sec. 4. 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 – January 23, 2007

Adopted

RESOLUTION NO. 24

Authorizing Settlement in the Matter of
the Petitions of Petsmart Direct, Inc. vs.
Vito Eaffaldano Assessor, and The Board of
Assessment Review of the Town of Sweden,
County of Monroe and State of New York.

WHEREAS, Petsmart Direct, Inc. (the petitioner) has previously initiated various Petitions under Article 7 of the Real Property Tax Law against the Town of Sweden in Monroe County Supreme Court to review assessments placed upon the parcel of real property in the Town of Sweden and more specifically identified on the assessment roll as Tax Account Number 084.01-1-1.121 (hereinafter referred to as the subject property) as of the taxable status dates in the tax years 2005 and 2006; and

WHEREAS, the foresaid Petitions are currently pending in Monroe County Supreme Court, Index Numbers 2005-07860 and 2006-7893; and

WHEREAS, the parties have reached a settlement in this matter not only for the years set forth hereinabove but also in relationship to future years, all as more specifically set forth in the attached proposed Stipulation and proposed Final Order.

NOW THEREFORE BE IT RESOLVED:

Sec 1. The assessments on the subject property for the tax years 2007/2008 and 2008/2009 shall be set as follows:

TAX YEAR: 2007/2008		
<u>S/B/L</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>
084.01-1-1.121	\$ 10,240,000	\$ 5,000,000

TAX YEAR: 2008/2009		
<u>S/B/L</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>
084.01-1-1.121	\$ 5,000,000	\$ 7,800,000

Sec 2. The Assessor for the Town of Sweden, shall correct the assessment rolls to indicate that the assessment of the subject property for the tax years 2007-2009 have been changed as hereinabove set forth.

Sec 3. The Town of Sweden, the Brockport Central School District and the County of Monroe shall refund to the petitioner a sum equal to the difference between the real property taxes paid for the tax year 2006/2007 and the tax, which would have been imposed if the assessment had been settled in the settlement amounts, together with interest on overpayments at six (6%) percent from the date the taxes were paid to the date of payment refunds, except that there will be no refund or interest for the tax year 2005/2006 paid to the petitioner.

Sec 4. The assessment of the subject property for the tax years 2007/2008 shall be \$5,000,000 and for the tax years 2008/2009 shall be \$7.8 million, subject to the provisions of Real Property Tax Law §727 except that Real Property Tax Law §727(2)a shall not apply.

Sec 5. The Attorney for the Town of Sweden is hereby authorized to execute a Stipulation and to approve a Final Order to be entered.

Sec. 6. That this resolution shall take effect immediately.

**Upon the request of Town Attorney Jim Bell, Councilperson Carges made a motion that was seconded by Councilperson Ferris to table the resolution. Mr. Bell would like to review the numbers with Assessor Tony Eaffaldano. All voted in favor of the motion. Motion adopted.

MOTION for the adoption of this Resolution by
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges
- Councilperson Connors
- Councilperson Ferris
- Councilperson Windus-Cook
- Supervisor Lester

Submitted - January 23, 2007

RESOLUTION NO. 25

Authorizing Settlement in the Matter of the Petitions of GBR Spencerport Limited Liability Company & Brockport 31 vs. Vito Eaffaldano Assessor, and The Board of Assessment Review of the Town of Sweden, County of Monroe and State of New York.

WHEREAS, GBR Spencerport Limited Liability Company & Brockport 31 (the petitioner) has previously initiated various Petitions under Article 7 of the Real Property Tax Law against the Town of Sweden in Monroe County Supreme Court to review assessments placed upon the parcel of real property in the Town of Sweden and more specifically identified on the assessment roll as Tax Account Numbers 084.01-1-4.1, 084.01-1-4.2 and 084.01-1-005 (hereinafter referred to as the subject property) as of the taxable status dates in the tax years 2004, 2005 and 2006, and

WHEREAS, The foresaid Petitions are currently pending in Monroe County Supreme Court, Index Numbers Index Numbers 2004-08030, 2005-07859 and 2006-07892, and

WHEREAS, The parties have reached a settlement in this matter not only for the years set forth hereinabove but also in relationship to future years, all as more specifically set forth in the attached proposed Stipulation and proposed Final Order.

NOW THEREFORE BE IT RESOLVED:

Sec 1. The assessments on the subject property for the tax years 2006/2007 shall be set as follows:

TAX YEAR: 2006/2007

<u>S/B/L/</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>
084.01-1-4.1	\$6,131,300	\$4,830,000
084.01-1-4.2	530,600	461,400
084.01-1-005	112,800	112,800

Sec 2. The Assessor for the Town of Sweden, shall correct the assessment rolls to indicate that the assessment of the subject property for the tax years 2004-2007 have been changed as hereinabove set forth.

Sec 3. The assessment on the subject property for the tax years 2007/2008 and 2008/2009 will be set at the Settlement Assessment figures set forth herein

above, subject to the provisions of Real Property Tax Law §727 except that Real Property Tax Law §727(2)a shall not apply.

Sec 4. The Attorney for the Town of Sweden is hereby authorized to execute a Stipulation and to approve a Final Order to be entered.

Sec. 5. That this resolution shall take effect immediately

**Upon the request of Town Attorney Jim Bell, Councilperson Carges made a motion that was seconded by Councilperson Ferris to table the resolution. Mr. Bell would like to review the numbers with Assessor Tony Eaffaldano. All voted in favor of the motion. Motion adopted.

MOTION for the adoption of this Resolution by
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges
Councilperson Connors
Councilperson Ferris
Councilperson Windus-Cook
Supervisor Lester

Submitted - January 23, 2007

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 1 dated January 24, 2007 in the amount of \$425,596.60. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$314,702.81 as set forth in Abstract 1 dated January 24, 2007.

Highway Fund: In the amount of \$66,267.32 as set forth in Abstract 1 dated January 24, 2007.

Special Fund: In the amount of \$44,626.47 as set forth in Abstract 1 dated January 24, 2007.

DISCUSSION AND ANNOUNCEMENTS

Workshop meeting scheduled for Tuesday, January 3, 2007 at 7:00 p.m.

ADJOURNMENT

As there was no further business to come before the Board, Supervisor Lester moved to adjourn the January 23, 2007 meeting of the Sweden Town Board at 7:55 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk