

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, October 9, 2007.

Town Board members present were Supervisor Nat O. Lester, III, Councilperson Rob Carges, Councilperson Patricia Connors and Councilperson Tom Ferris. Councilperson Danielle Windus-Cook arrived a few minutes after the meeting was called to order. Also present were Director of Finance Leisa Strabel, Town Attorney Jim Bell, Town Clerk Karen Sweeting and Superintendent of Highways Fred Perrine.

Visitors present were residents Jim Hamlin, Jeffrey Davignon, Bob Canham and Pat Pawlaczyk.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Mr. Lester then acknowledged the presence of the visitors and asked if there were any comments, questions or concerns for the Town Board. No one spoke. Mr. Lester asked Mr. Davignon if he had any questions or concerns for the record. Mr. Davignon stated no.

#### APPROVAL OF MINUTES

Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the minutes of the Regular Town Board Meeting held on September 25, 2007. All voted in favor of the motion – four ayes. Councilperson Windus-Cook had not arrived yet. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

2007	Received From:	Comments:
1.	Donna Hoy, Justice Court	Resignation
*2.	David Scott, Recreation Director	Recommendation to hire Clerk PT
3.	Kevin Bush, Regional Design Engineer	Route 531 Extension Study
*4.	Pamela Gilbert, Recreation	Resignation
5.	Dan Wechsler, Gibraltar Management	Condition of parking lot – Sweden Plaza
*6.	Cherie Rockow, Chairperson of Evangelism Board at St. John Ev. Lutheran Church	Invitation to attend Military Support Program special worship service and reception

\*Board has copies

RE: #1 Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the resignation of Donna Hoy from the Sweden Justice Court. All voted in favor of the motion – four ayes. Councilperson Windus-Cook had not arrived yet. Motion adopted.

RE: #4 Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the resignation of Pamela Gilbert from the Sweden Clarkson Community Center. All voted in favor of the motion – four ayes. Councilperson Windus-Cook had not arrived yet. Motion adopted.

Councilperson Windus-Cook arrived.

RE: #5 Supervisor Lester met with Dan Wechsler regarding the condition of the parking lot of the Sweden Corners Plaza. Mr. Wechsler stated in his letter that the parking lot would be

repaved as requested by the Supervisor. Mr. Lester added that the plaza was privately owned and it makes sense to improve the appearance and condition of the parking lot for the tenants.

Councilperson Carges made a motion that was seconded by Councilperson Connors to terminate Katie Corcoran with cause from the Sweden Justice Court effective September 13, 2007. All voted in favor of the motion. Motion adopted.

#### DEPARTMENTAL REPORTS

September 2007 departmental reports were received and reviewed by the Town Board from the following departments: Finance Director, Leisa Strabel; Building Department, Jim Butler; Dog Control, Kathy Beaumont; Tax Receiver, Sherri Bryant and Town Clerk, Karen Sweeting.

#### REPORTS

Councilperson Carges had no report.

Councilperson Connors reported that she attended an RPAC meeting and would like to discuss RPAC bylaws at a workshop.

Councilperson Ferris stated he would like to attend the Military Support Program special worship service and reception at St. John Ev. Lutheran Church (Correspondence #6) on behalf of the Town of Sweden.

Councilperson Windus-Cook had no report.

Supervisor Lester mentioned that he has been receiving positive feedback on the 2<sup>nd</sup> Annual Harvest Festival and the 5K race.

Supervisor Lester reported that he met with Sweden representatives of the Seymour Library Board. Mr. Lester would be meeting with Clarkson Supervisor Paul Kimball, Village of Brockport Mayor Mort Wexler, Village Manager Ian Coyle and Sweden Finance Director Leisa Strabel to discuss the details of the library's 14% budget increase. Mr. Lester met with a constituent who was concerned with the possible location of the Route 531 Extension. Mr. Lester contacted a representative of the NYSDOT to discuss the issue. On October 3<sup>rd</sup>, Mr. Lester participated in the Walk To School Day event and was positioned at the corner of Main and Centennial to encourage walkers. Mr. Lester received a t-shirt from Patty Jo Groenendaal, Youth Assets Coordinator, supporting "Healthy Community, Healthy Youth" partnering the Town of Sweden, the Village of Brockport, Town of Clarkson, Town of Hamlin and the school district. Mr. Lester met with Kathy Halstead of the Greater Brockport Development Corporation regarding economic development and the formation of a group to explore possibilities. Mr. Lester met with Chief Varrenti to go over procedural changes for parking tickets.

Mr. Lester attended the monthly Supervisors meeting and had an opportunity to speak with Mayor Wexler regarding the recent allegations of inter municipal relations being at an all time low. Mr. Wexler also did not agree with the allegations and agreed that the Village has several joint efforts with the Town of Sweden. Councilperson Carges added that the relations between the Village and Town have improved tremendously over the fourteen years that Mr. Carges has been on the board. Mr. Carges feels that the Town of Sweden leads the way with the concept of consolidation of services.

Superintendent of Highways Fred Perrine reminded the Board of the Fall Pickup scheduled for the week of October 22<sup>nd</sup>. Mr. Perrine announced that the Highway Department would drop off a truck for residents with large volume brush (only brush) for convenient removal at any point during the year. This is a new service offered to Town residents.

Town Attorney Jim Bell reported settlement updates to assessment lawsuits against the Town.

Trevor Speer and Scott Speer arrived at 7:45 pm. Supervisor Lester welcomed Mr. Speer and Trevor to the meeting and thanked Trevor for volunteering. (Trevor is completing an Eagle Scout project at the Town Park.) Mr. Lester stated that the Sweden Town Board appreciates volunteers and all they do for the community.

Trevor Speer reported updates on the project to the Town Board – receipt of quotes for building materials and a generous donation from Senator Maziarz. Trevor expects to begin the project by October 20<sup>th</sup> and complete the project by October 27<sup>th</sup>. The Buildings and Grounds Department would assist Trevor with the gravel pad and posts.

## RESOLUTIONS

RESOLUTION NO. 159Budget Modifications

## NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2007 Town Budget:

Increase A2390 Share of Joint Activity	\$ 601
Increase A1010.4 Town Board Contractual	\$ 601
Increase A4790 Other Economic Assistance	\$ 2,930
Increase A1460.4 Records Management Con.	\$ 2,930
Increase A2013 Park Concessions	\$ 3,839
Increase A7150.4 Park Concessions	\$ 3,839
Increase A2770 Miscellaneous Revenue	\$ 5,500
Increase A1440.4 Engineer Contractual	\$ 5,500

\$199 from A1910.4 Unallocated Insurance to  
A1010.4 Town Board Contractual

\$15,000 from A7110.4 Park Contractual to  
A7110.1 Park Personnel

\$2,598 from A7110.4 Park Contractual to  
A7110.2 Park Equipment

\$400 from A7110.401 Park Equipment Repairs to  
A7110.402 Park Fuel

\$2,000 from A8810.1 Cemetery Personnel to  
A8810.4 Cemetery Contractual

\$2,369 from A9060.8 Hospital and Medical Insurance to  
A9050.8 Unemployment Insurance

Increase B2115 Planning Board Fees	\$ 10,000
Increase B1440.4 Engineer Contractual	\$ 10,000
Increase B2590 Permits & Fees	\$ 40,000
Increase B1610.2 Maintenance Workshop	\$ 40,000

\$17,000 from DB5112.1 Road Construction Permanent Personnel to  
DB5110.4 General Repairs Contractual

\$6,840 from DB5112.1 Road Construction Permanent Personnel to  
DB5112.2 CHIPS Project

\$2,963 from DB5112.1 Road Construction Permanent Personnel to  
DB5142.1 Snow Removal Personnel

Increase DB2300 Service to Other Governments	\$ 1,440
Increase DB5147.1 County Road Mowing Pers.	\$ 1,440
Increase SS3 2401 Interest & Earnings	\$ 1,935
Increase SS3 1440.4 Engineering	\$ 1,935
Increase SW5031 Interfund Transfers	\$20,549
Increase SW8340.1 Transmission Dist. Pers.	\$19,054
Increase SW9030.8 Social Security	\$ 1,211
Increase SW9035.8 Medicare	\$ 284

Sec. 2 That this resolution shall take effect immediately.

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

Discussion: Standard quarterly modifications

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 – October 9, 2007

Adopted

RESOLUTION NO. 160

Order for Public Hearing on  
Special District Assessments - 2008

WHEREAS, special assessments for improvement districts, which are assessed on a benefits derived basis, have been prepared and herewith filed with the Town Clerk.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing on the 25th day of October 2007 at 6:45 p.m. at the Town Hall, 18 State Street, Brockport, New York, in said Town on the matter of Special District Assessments, to hear all persons interested in the subject of special assessment rolls for the following improvement districts:

Sweden Consolidated Sewer District  
Sweden Consolidated Water District  
Sweden Fire District  
Drainage Districts  
Lighting Districts  
Park Districts  
Water Districts  
Sewer Districts

Sec. 2. That the Town Clerk is authorized and directed to publish notice of said hearing 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 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 – October 9, 2007

Adopted

RESOLUTION NO. 161

Approving 2008 Preliminary Budget and  
Ordering Hearing on General Budget for 2008

WHEREAS, the Town Clerk has presented the Budget Officer's Tentative budget for 2008 to the Town Board who has given it due consideration.

**NOW, THEREFORE BE IT RESOLVED:**

Sec. 1. That the Town Board hereby approves the 2008 Budget Officer's Tentative Budget, as amended, and filed herewith in the Office of the Town Clerk as the 2008 Preliminary Budget

Sec. 2. That a summary of the entire proposed budget is as follows:

<u>PURPOSE</u>	<u>TOTAL BUDGET</u>
<u>Operating &amp; Maintenance:</u>	
General Government	\$ 1,144,641
Public Safety	78,822
Health	1,500
Transportation	1,205,116
Economic Assistance	189,387
Culture & Recreation	775,281
Home & Community	210,935
Employee Benefits	486,991
Debt Service	<u>283,353</u>
<b>TOTAL:</b>	\$ 4,376,026
<u>Other-Special Improvement Districts:</u>	<u>434,274</u>
<b>TOTAL BUDGET APPROPRIATIONS</b>	<b>\$ 4,810,300</b>

Sec. 3. That the Town Board shall hold a public hearing at 7:00 p.m. at the Town Hall, 18 State Street in said Town on the 25th day of October 2007 for the purpose of hearing comments, either written or verbal from all interested persons in favor of or against the Preliminary Budget for 2008 or any item therein.

Sec. 4. That the Town Clerk is directed to publish notice of public hearing on the Preliminary Budget, which notice shall state: (1) the time, place and purpose of the hearing; (2) Sec. 2. of this resolution; (3) that a copy of the detailed

Preliminary Budget is available for inspection by any interested person at the office of the Town Clerk during regular office hours; and (4) the compensation proposed to be paid to all elected town officials pursuant to Town Law, Sec. 108.

Sec. 5. That this resolution shall take effect immediately.

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

Discussion: Public Hearing is scheduled for Thursday instead of Tuesday due to the Volunteer Appreciation event planned at the Senior Center on Tuesday, October 23, 2007.

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 – October 9, 2007

Adopted

RESOLUTION NO. 162

Appoint Clerk PT - Sharp

WHEREAS, there is a vacancy for a part-time Clerk at the Sweden Clarkson Community Center; and

WHEREAS, the position was duly advertised and interviews were held by the Recreation Director; and

WHEREAS, Recreation Director David Scott has recommended hiring Amanda Sharp.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Amanda Sharp as Clerk PT at the Sweden Clarkson Community Center for a maximum of 24 hours per week.

Sec. 2. That the hourly rate of pay is \$8.50.

Sec. 3. That the starting date will be October 8, 2007.

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

MOTION for adoption of this resolution 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 – October 9, 2007

Adopted

RESOLUTION NO. 163

Appoint Clerk FT Justice Court - Crooks

WHEREAS, there is a vacancy for a full-time Clerk in the Sweden Justice Court; and

WHEREAS, the position was duly advertised and interviews were held by the Justices of the Court; and

WHEREAS, the Sweden Town Justices have recommended hiring Tracy Crooks.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Tracy Crooks as Clerk FT in the Sweden Justice Court.
- Sec. 2. That the hourly rate of pay is \$11.00.
- Sec. 3. That the starting date is October 1, 2007.
- 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>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 9, 2007

Adopted

RESOLUTION NO. 164

Appoint Clerk PT Justice Court - Habgood

WHEREAS, there is a vacancy for a part-time Clerk in the Sweden Justice Court; and

WHEREAS, the position was duly advertised and interviews were held by the Justices of the Court; and

WHEREAS, the Sweden Town Justices have recommended hiring Heidi Habgood.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Heidi Habgood as Clerk PT in the Sweden Justice Court for a maximum of twenty-four (24) hours each week.
- Sec. 2. That the hourly rate of pay is \$10.00.
- Sec. 3. That the starting date is October 9, 2007.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution 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 – October 9, 2007

Adopted

RESOLUTION NO. 165

Ordering a Public Hearing For the  
Establishment of Lighting District No. 8  
Wal-Mart Supercenter

WHEREAS, a written petition, dated the 23<sup>rd</sup> day of March 2007 in due form and containing the required signatures has been filed with the Town Clerk on the 29th day of March 2007 which Petition has been presented to and filed with the Town Board of the Town of Sweden, County of Monroe, State of New York, for the establishment of the Town of Sweden Lighting District No. 8 in the Town of Sweden as shown on the drawing prepared by Thew Associates, PLLC attached hereto at Exhibit A; and

WHEREAS, the improvements proposed consist of the construction of three (3) lighting poles to serve the properties described in Exhibits B, C, and D in accordance with the drawing submitted with the Petition and attached hereto as Exhibit A, and now on file in the Town Clerk's Office of the Town of Sweden; and

WHEREAS, the maximum amount proposed to be expended for the said improvement as stated in the Petition is the sum of \$13,200.00; and

WHEREAS, the estimated cost of the district to the typical property therein is \$400 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed estimation of the manner by which those costs were computed, including the said estimated costs of first year costs to the typical property, has been filed in the Town Clerk's Office where the same is available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, the Town of Sweden Lighting District No. 8 is to be constructed in connection with development of a Wal-Mart Supercenter (the "Wal-Mart Project") to be located within the District; and

WHEREAS, the Planning Board of the Town of Sweden, acting as lead agency under the State Environmental Quality Review Act ("SEQRA"), accepted the Final Environmental Impact Statement ("FEIS") covering the entire Wal-Mart Project on September 12, 2005; and



WHEREAS, the Planning Board issued its Findings Statement and completed SEQRA for the entire Wal-Mart Project on November 1, 2005.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That on 13th day of November 2007, at 7:00 P.M. on said day the Town Board will meet and hold a public hearing at the Town Hall, 18 State Street, Brockport, NY to consider the establishment of Town of Sweden Lighting District No. 8 and to hear all person interested in the subject therefore, and for such other and further action on the part of the Town Board in connection with this matter as may be appropriate.
- Sec. 2. That the Town Clerk is hereby directed to publish a certified copy of this Order at least once in the official newspaper of the Town of Sweden not less than ten (10) nor more than twenty (20) days before the date of the hearing.
- Sec. 3. That the Town Clerk is hereby directed to cause a certified copy of this Order to be posted on the sign board of the Town not less than ten (10) nor more than twenty (20) days before the date of the hearing.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – October 9, 2007

Adopted

RESOLUTION NO. 166

Authorizing Settlement of Law Suit –  
Sweden Plaza Associates

WHEREAS, Sweden Plaza Associates filed a Complaint before the Board of Assessment Review for the Town of Sweden; and

WHEREAS, a settlement offer has been proposed between the parties thereto.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Town Attorney to enter into a stipulation of settlement with Sweden Plaza Associates, the terms and conditions which have been discussed and more specifically set forth in a stipulation of settlement to be executed by counsel for the Town of Sweden.
- Sec. 2. That the Town Board of the Town of Sweden hereby authorizes the Town Supervisor to sign such Stipulation Agreement.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – October 9, 2007

Adopted

Supervisor Lester stated that the gas station (MOBIL) on the corner of Routes 19 & 31 remains vacant due to contamination issues and will not become available until the DEC gives a final report on the clean up of the property. The property is not on the market. The old Wal-Mart store on Lake Road is also not on the market – Wal-Mart still holds the lease.

DISCUSSION AND ANNOUNCEMENTS

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to grant the request of Superintendent of Highways Fred Perrine to attend a municipal auction to possibly purchase a replacement tractor not to exceed \$9,999. Mr. Perrine added that the tractor was acquired from SUNY Brockport several years ago and is in need of costly repairs. All voted in favor of the motion. Motion adopted.

Workshop tentatively scheduled for Tuesday, October 16, 2007 at 7:00 p.m.

Supervisor Lester announced that a developer requested a meeting with the Town Board for possible location in Sweden.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the October 9, 2007 meeting of the Sweden Town Board at 8:10 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk