

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 28, 2008.

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

Visitors present were residents Timothy Bates and Rebecca Donohue.

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 Windus-Cook.

Supervisor Lester acknowledged the presence of the visitors and asked if anyone had any comments or questions for the Town Board. No one spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the regular Town Board meeting held on October 14, 2008. All voted in favor of the motion – four ayes. Councilperson Ferris was absent. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

No correspondence noted.

REPORTS

Superintendent of Highways Fred Perrine reported that brush and leaf pick up has begun. Leaf pick up will continue until it begins to snow. Crews have been working on the Flynn Road culvert replacement for Monroe County. Mr. Perrine stated they are preparing for the snow and placing snow fences. Beginning November 15th, staff will be on call twenty-four (24) hours.

Finance Director Leisa Strabel reported that she met with an insurance auditor. Several suggestions were presented.

Town Clerk Karen Sweeting announced that the Town office would be open on Saturday, November 1, 2008 from 9:00 am to 11:00 am for the sale of additional Deer Management Permits.

Councilperson Connors met with the POD committee and reported the group is nearing the end of the planning stage. The next step is to adopt the plan at the municipal level. Need to track training of personnel at each municipality. Mrs. Connors requested the board review the mileage reimbursement for the town. Employees should submit vouchers for reimbursement each month, not hold vouchers for several months. A policy needs to be adopted stating what constitutes mileage and become part of the employee handbook.

Councilperson Windus-Cook reported that she attended two luncheons at the Senior Center. Ms. Windus-Cook met with the Farmers' Museum committee to discuss the remodeling of the kitchen at the museum. They plan to bring the style of the kitchen back to the 1840s. The cabinets currently in the kitchen will be placed in the back room of the house to create functional kitchen space for catering. Gerald Hickey and John Jungbluth are volunteering with the remodeling of the kitchen. Ms. Windus-Cook also reported that the Boy Scouts would be placing a slate sidewalk from the driveway to the front door of the house. Marie Bell donated the slate pieces.

Councilperson Carges had no report.

Supervisor Lester reported that he also attended two luncheons at the Senior Center. Mr. Lester met with Lori Lessord from the Seymour Library to discuss insurance for library trustees. Mr. Lester is working with Jack Milner and Leisa Strabel on a Sweden Community Foundation presentation. Thanked Leisa Strabel for completing the “finishing touches” on the 2009 budget. Mr. Lester reported that a Notice of Claim was received from Samuel Simone regarding the rezoning decision made by the board on the property located at the corner of Lake Road and Crestview Drive in August 2008. Rezoning application for 4740 Lake Road from Residential (R1-2) to Commercial (B-1) was denied. Mr. Lester felt the Town Board acted within their right. It is the sole discretion of the board to accept or deny rezoning applications. As a courtesy, Mr. Lester asked that an invitation be directed to Mr. Simone to appear again in front of the board with the requested maps and information. The Town Board would consider the information.

RESOLUTIONS

RESOLUTION NO. 139

Calling Public Hearing Regarding the Adoption of Local Law No. 8 of 2008 – Updates to Chapter 164 “Taxation” in the Sweden Town Code – Addition of Article Entitled “Cold War Veterans Exemption”

WHEREAS, Section 458-b of the Real Property Tax Law authorizes a limited exemption from real property taxes for real property owned by persons who rendered military service to the United States during the Cold War (September 2, 1945 to December 26, 1991); and

WHEREAS, the Sweden Town Board desires to grant the Cold War Veterans Exemption to qualified property owners of the Town of Sweden.

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 November 12, 2008 at 7:15 p.m. to hear all persons for or against the adoption of Local Law No. 8 of 2008 – Updates to Chapter 164 “Taxation” in the Sweden Town Code – Addition of Article entitled “Cold War Veterans Exemption”.
- Sec. 2. That the Town Clerk is hereby authorized and directed to cause a notice of this hearing to be published in the official newspaper of the town as required by Section 265 of the Town Law.
- Sec. 3. The text of the proposed addition is available in the office of the Town Clerk during regular business hours.
- 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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>

Supervisor Lester
Submitted – October 28, 2008

Aye

Adopted

RESOLUTION NO. 140

Authorize Supervisor to Sign National Grid
Street Lighting Proposal Villas at Brandon Woods

WHEREAS, the Superintendent of Highways has recommended that the Town of Sweden enter into an agreement to provide street lighting for the Villas at Brandon Woods Section One; and

WHEREAS, the Town Board of the Town of Sweden will pursue the formation of a lighting district for the new street lights.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That National Grid/Niagara Mohawk Power Corporation is hereby authorized to do the following work in the Town of Sweden:
Install five 100 watt high pressure sodium lamps, luminaries and direct embedded fiberglass poles along with approximately 120 feet of direct buried cable consistent with facilities in the adjacent area along Talamora Trail.

Sec. 2. That the Supervisor be authorized to sign the necessary documents.

Sec. 3 ***That this resolution be 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 Connors
Seconded by Councilperson Windus-Cook

Discussion: Supervisor Lester made a motion that was seconded by Councilperson Windus-Cook to add Section 3 “That this resolution be subject to the written approval of the Town Attorney.” All voted on the amendment – four ayes. Motion adopted.

VOTE BY ROLL CALL AND RECORD AS AMENDED:

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

Submitted – October 28, 2008

Adopted

RESOLUTION NO. 141

Appoint Full-time Deputy Receiver of
Taxes/Assessments - Emmerson

WHEREAS, with the resignation of Kathleen Alvito there is now a vacancy for a full-time Deputy Receiver of Taxes and Assessments; and

WHEREAS, the Receiver of Taxes and the Assessor have recommended Darla Emmerson for the position.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Darla Emmerson to the full-time (35 hour week) position of Deputy Receiver of Taxes/Assessments to assist the Receiver of Taxes and Assessments and the Assessor.

Sec. 2. That the rate of pay will be \$11.00 per hour with a start date of October 27, 2008.

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

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

Discussion: Councilperson Windus-Cook stated that Ms. Emmerson is professional and good with the public, comes from a real estate background and is familiar with terms and procedures. Supervisor Lester agreed that Ms. Emmerson would be a nice addition.

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 Lester	<u>Aye</u>

Submitted – October 28, 2008

Adopted

RESOLUTION NO. 142 Authorizing Supervisor to Accept Proposal
for Auditing Services for 2009

WHEREAS, a proposal has been received for auditing services for 2009 from Christopher Trento, CPA for \$7,925.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to accept the proposal of Christopher Trento, Certified Public Accountant, 41 Main Street, Brockport, NY 14420 for auditing services for 2009.

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

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

Discussion: The proposal for 2009 includes the court audit.

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 Lester	<u>Aye</u>

Submitted – October 28, 2008

Adopted

RESOLUTION NO. 143 Authorizing Supervisor to Sign
Maintenance Agreement with

Imperial Door Controls, Inc.

WHEREAS, the maintenance agreement between Imperial Door Controls, Inc. and the Town of Sweden will expire on October 31, 2008; and

WHEREAS, the Town Board desires to extend the agreement for the proposed one year.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize and direct the Supervisor to sign the Maintenance Agreement between the Town of Sweden and Imperial Door Controls, Inc.
- Sec. 2. The term of this agreement shall be for a period of one (1) year, commencing on November 1, 2008 and ending on October 31, 2009 at an annual cost of \$145 for each location.
- Sec. 3. That the maintenance agreement will cover automatic door labor only to include travel time during business hours; special parts discounts; and two inspection visits per year to adjust, clean, lubricate and tune equipment.
- Sec. 4. That this new agreement does hereby supersede the current agreement due to expire on October 31, 2008.
- Sec. 5. That this resolution shall take effect immediately.

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

Discussion: The price has not changed in several years.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – October 28, 2008

Adopted

RESOLUTION NO. 144

Amend Smoking Policy

WHEREAS, the Town Board is committed to updating policies on a regular basis and whenever the need arises; and

WHEREAS, it has been brought to the Town Board’s attention that the Town of Sweden Smoking Policy does not comply with Monroe County’s “Regulation of Smoking in Public Places and Worksites” and New York State Public Health Law; and

WHEREAS, Councilperson Patricia Connors has recommended changes to the Sweden Smoking Policy in order to be in compliance with Monroe County and New York State smoking regulations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby make the following changes to the Town of Sweden Smoking Policy:

Paragraph 2: Smoking is permitted at the rear exterior of the buildings a *minimum of ten (10) feet from the building.*

Paragraph 3: Smoking shall be prohibited in company vehicles. ~~*occupied by more than one person unless the occupants of such vehicle agree that smoking may be permitted.*~~

Sec. 2. That the Town Clerk is hereby directed to make the changes, post and distribute the policy as required.

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>Nay</u>
Supervisor Lester	<u>Aye</u>

Submitted – October 28, 2008

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 10 dated October 29, 2008 in the amount of \$226,473.55. All voted in favor of the motion – four ayes. Councilperson Ferris was absent. Motion adopted.

General Fund: In the amount of \$84,739.29 as set forth in Abstract 10 dated October 29, 2008.

Highway Fund: In the amount of \$53,896.82 as set forth in Abstract 10 dated October 29, 2008.

Special Fund: In the amount of \$87,837.44 as set forth in Abstract 10 dated October 29, 2008.

DISCUSSION AND ANNOUNCEMENTS

Nothing reported.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the October 28, 2008 meeting of the Sweden Town Board at 8:07 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion – four ayes. Councilperson Ferris was absent. Motion adopted.

Respectfully submitted,

Karen M. Sweeting, Town Clerk