

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, November 23, 2004.

Town Board Members present were Supervisor Buddy Lester, Councilperson Patricia Connors, Councilperson Tom Ferris, Councilperson Rob Carges, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Superintendent of Highways Fred Perrine, Town Attorney, James Bell, and Town Clerk Karen Sweeting. Visitor present was Jim Hamlin from 50 Park Avenue.

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 Karen Sweeting. Supervisor Lester then acknowledged the presence of the visitors and asked if there was anyone that would like to speak. There was no one.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Town Board meeting held on November 9, 2004. All voted in favor of the motion. Councilperson Ferris abstained due to his absence on November 9, 2004. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Public Hearing held November 9, 2004 Sign Code Amendments, omitted from the agenda in error. All voted in favor of the motion. Councilperson Ferris abstained due to his absence on November 9, 2004. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2004 Received From:	Comments:
1. Jeffrey Mathews, Chair of the Environmental Management Council	Requesting name of nominee to serve as the Town representative to the EMC.
*2. Kathy Harter, Chair of the Environmental Conservation Board	Whitney J. Autin's leave of absence
*3. Daniel R. Powers, Agent with HRH Insurance Company	Reporting first six months of operation
4. Copy of Press Release from Governor Pataki	Announcing additional aid for storms.
5. New York State Department of Environmental Conservation	Fact Sheet—Preliminary Report available for investigation of RG&E's Erie and Perry Street site
6. Captain John Letteney, Monroe County Sheriff	Assignment as Zone Commander for Zone C Substation
7. Muffy Meisenzahl, Office of Emergency Preparedness	Hurricane Frances Individual Assistance—Approval of Monroe County's appeal for Individual Assistance
8. Muffy Meisenzahl, Office of Emergency Preparedness	Expanded Storm Period for Hurricane Francis
9. G. Jeffrey Haber, Executive Director, Association of Towns	Request to submit letter to Governor Pataki regarding fine monies to local courts.
10. Brian B. Wirth, Vice President, Government and Public Affairs, Time Warner Cable	Rate increases

11. Radworth E. Anderson, Deputy Chief, Mitigation Programs, New York State Emergency Management Office Letter of Intent–Regional Detention Pond Construction–Coleman Creek
- *12. Marleen Cain, Deputy Town Clerk Pre-Disaster Mitigation Plan available on County web site

*Copies provided to members of the Board

Councilperson Carges made a motion that was seconded by Councilperson Connors to approve Whitney J. Autin's leave of absence from the Environmental Conservation Board for a period beginning January 2005 through August 2005. All voted in favor of the motion. Motion adopted

REPORTS

Mr. Perrine reported that tentatively the last day for leaf pick-up will be November 24, 2004. The winter schedule is in operation and the cemetery operations will be in place until the weather changes. The tenant at the cemetery property will be moving by the end of the year. Need to look into details regarding the house and the barn.

Jim Bell reported that he continues to prepare for trial relative to the Natapow lawsuit. Also led discussion regarding the Sweden Industrial split and the David Paul lawsuit.

Councilperson Carges reported that the Sweden Clarkson Community Center has a new computer at the front desk. The gymnasium floors are being redone and will be completed by November 24, 2004. The recreational brochure went out ahead of schedule.

Councilperson Connors reported the concern of closings at the Sweden Senior Center and suggested it be a topic at the next workshop.

Councilperson Ferris reported that he attended a RPAC meeting. He stated that the bylaws have been presented and Leisa Strabel provided the corrections to Dave Scott for discussion at the next RPAC meeting. Councilperson Ferris is also looking to seek not-for-profit tax exempt status, Section 501(3)(C) of the IRS Tax Code and is assisting with that application process.

Councilperson Windus-Cook reported that she attended, along with Councilperson Connors, a local government workshop held in Mount Morris. Topics addressed at the workshop included FOIL, Planning Board issues, Storm/Weather Control, and Local Review Boards. Also is continuing to meet with Bill Weber relative to Code updates/changes.

RESOLUTIONS

RESOLUTION NO. 132 Establishing Capital Reserve (Buildings)

WHEREAS, The Town of Sweden owns municipal buildings at 18 State Street, 133 State Street, 40 White Road and 4927 Lake Road; and

WHEREAS, The Town of Sweden has expressed the desire to maintain these buildings in the interest of public safety and to protect the taxpayer's investment in same; and

WHEREAS, From time to time a major repair project may arise that has not been identified in the Town's annual budget; and

WHEREAS, The Town would desire to undertake these repairs without borrowing funds or without borrowing all of the funds needed to undertake the repair.

NOW THEREFORE BE IT RESOLVED:

- Sec. 1. That pursuant to Section 6-c of the General Municipal Law, as amended, the Town Board of the Town of Sweden does hereby establish a Capital Reserve Fund to finance periodic major repairs of town buildings.
- Sec. 2. That surplus monies from the general fund balance are appropriated for the Town Buildings Reserve Fund and the Supervisor is hereby authorized to transfer from surplus funds the sum of \$20,000.
- Sec. 3. That the Supervisor is hereby directed to deposit monies of this reserve fund in a separate bank account to be known as the Town Buildings Reserve Fund.
- Sec. 4. That the Supervisor is authorized to invest, from time to time, the monies of this fund pursuant to Section 11 of the General Municipal Law.
- Sec. 5. That such additional sums as may hereafter be appropriated shall become part of the fund.
- Sec. 6. That no expenditure shall be made from this fund, except upon authorization of this board pursuant to Section 6-C of the General Municipal Law, and subject to permissive referendum if required by law.
- Sec. 7. That this resolution shall take effect immediately.

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

Discussion: Councilperson Carges questioned whether or not the amount was enough to set aside. Board determined that if more was necessary it could be added.

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 November 23, 2004.

Adopted

RESOLUTION NO. 133 Approving Bond for Receiver of Taxes and Assessments

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Receiver of Taxes and Assessments, as follows:
Type of Undertaking: pub
lic employees dishonesty bond including faithful performance
Insurance company: Travelers Companies
Amount: \$100,000
- Sec. 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.
- Sec.3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Ferris
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–November 23, 2004

Adopted

RESOLUTION NO. 134

Authorize Supervisor to sign
Agreement with Chase Merchant
Services for credit card terminal

WHEREAS, the Sweden/Clarkson Recreation Director has recommended the use of a credit card terminal for patrons enrolling in recreation programs; and

WHEREAS, the Sweden Town Board believes that the use of a credit card terminal for recreation programming would be an appropriate convenience to offer patrons; and

WHEREAS, Chase Bank, an official bank of the Town of Sweden, offers credit card terminal services through its Merchant Services Division.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board authorizes the Supervisor to sign a contract with Chase Merchant Services for the provision of credit card terminal services.

Sec. 2. That this resolution take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted–November 23, 2004

Adopted

RESOLUTION NO. 135

Ordering Public Hearing on Fire
Protection Contract for 2005

WHEREAS, there has been duly established in the Town a fire protection district known as the Sweden Fire Protection District, which embraces all territory in said Town except the incorporated Village of Brockport; and

WHEREAS, it is necessary, pursuant to law, for this Board to provide for the furnishing of fire protection within the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That, pursuant to the provisions of Section 184 of Town Law of the State of New York, a public hearing is ordered with reference to the execution of a proposed fire protection contract between the Town of Sweden and the Village of Brockport for a sum of \$291,366.00 for fire protection, for the year 2005; said hearing to be held December 14, 2004, at 7:15 PM at the Sweden Town Hall, 18 State Street, Brockport, New York, and that notice of the hearing be published, specifying the time and place of the hearing and describing the proposed contract in general terms.

Sec. 2. 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–November 23, 2004

Adopted

RESOLUTION NO. 136

Adopt Monroe County Pre-Disaster Mitigation Plan

WHEREAS, the federal Disaster Mitigation Act of 2000 requires that all local governments have an approved disaster mitigation plan in place in order to be eligible for federal Hazard Mitigation Grant Program (HMGP) project funding; and

WHEREAS, representatives of the County, the City of Rochester, the Towns of Brighton, Chili, Clarkson, Gates, Greece, Hamlin, Henrietta, Irondequoit, Mendon, Ogden, Parma, Penfield, Perinton, Pittsford, Riga, Rush, Sweden, Webster and Wheatland, and the Villages of Brockport, Churchville, East Rochester, Fairport, Hilton, Honeoye Falls, Pittsford, Scottsville, Spencerport and Webster, have actively participated in the design and the writing of the Monroe County Pre-Disaster Mitigation Plan (‘the Plan’); and

WHEREAS, the federal regulations implementing the Disaster Mitigation Act of 2000, (44 CFR §201.6(c)(5)) require that the Plan be formally adopted by each jurisdiction requesting approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby approves and adopts the Monroe County Pre-Disaster Mitigation Plan.
- Sec. 2. That the Monroe County Executive, or her designee, is hereby authorized and directed to submit the Monroe County Pre-Disaster Mitigation Plan to the New York State Emergency Management Office for review.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted–November 23, 2004

Adopted

RESOLUTION NO. 137

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2004 Town Budget:
 - \$5,842 from A1621.4 Sweden Center Contractual to A1621.2 Sweden Center Equipment
 - \$3,600 from A8810.4 Cemetery Contractual to A8810.1 Cemetery Personnel
 - \$2,000 from A6772.1 Programs for Aging Personal Services to A6772.4 Programs for Aging Contractual
 - \$1,625 from A7020.1 Community Center Director Personal Services to A9050.8 Unemployment Insurance
 - \$1,250 from A1622.4 Community Center Contractual to A1622.2 Community Center Equipment
 - \$57 from A1622.4 Community Center Contractual to A1662.4 Community Center Office Supplies
 - \$1,850 from A5132.4 Garage Contractual to A5132.2 Garage Equipment
 - \$304 from DB5112.1 Road Construction Permanent Personal Services to DB5140.1 Miscellaneous (brush and weeds) Personal Services
 - \$960 from DB5112.1 Road Construction Permanent Personal Services to DB5147.1 County Road Mowing Personal Services

\$3,390 from DB9060.8 Hospital and Medical to DB9040.8 Workers Compensation	
Increase DB 2300 Services to Other Governments	\$29,000
Increase DB5148.1 Services to Other Governments Personnel	\$29,000

Sec. 2 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Carges
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–November 23, 2004

Adopted

APPROVAL OF PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook authorizing payment of the bills in Abstract 11b dated November 24, 2004. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$86,002.67 as set forth in Abstract 11b dated November 24, 2004.

Highway Fund: In the amount of \$10,533.42 as set forth in Abstract 11b dated November 24, 2004

Special Districts: In the amount of \$3,697.64 as set forth in Abstract 11b dated November 24, 2004

DISCUSSION AND ANNOUNCEMENTS

There will be a workshop meeting Tuesday, December 7, 2004, at 7:00 p.m.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the November 23, 2004, meeting of the Sweden Town Board at 8:15 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk