

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, December 10, 2002.

Town Board Members present were Supervisor Nat O. Lester, III, Councilperson Robert Carges, Councilperson Patricia Connors, and Councilperson Danielle Windus-Cook. Councilperson Carl Wheat arrived at 8:05 PM

Also present were Director of Finance Elaine Jones, Highway Superintendent Fred Perrine, and Assessor Alan Bader

Visitors present: Jim Hamlin, 50 Park Ave., David Paul, Capen Rd.

After the Public Hearing was closed at 7:30 PM, Supervisor Lester opened the regular meeting asking all to stand to say the Pledge to the Flag. The Supervisor called on Pat and Tom Pawlaczyk of West Sweden Road. The reason they have come before the Board was to request a reduction in the assessment of their property. The installation of a power line down West Sweden Rd. to Bergen that will pass on their property is why they are asking for the reduction. Mr. Lester and Mr. Bader explained the procedure for a homeowner to grieve his assessment.

Mr. Paul wished to speak before the Board but wished to wait until the Town Attorney arrived.

#### APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to approve the minutes of the Public Hearing held on November 26, 2002. All voted in favor of the motion. Carried.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to approve the minutes of the Regular Meeting held on November 26, 2002. The Councilpersons present voted in favor of the Motion. Supervisor Lester approved the minutes up to the point where he left that meeting. Motion carried.

#### SUPERVISOR'S CORRESPONDENCE

2002	Received From:	Comments:
*1	Patrick B Swayze, 11/27	Annual Evaluation of 2001 contract with Senior Center
*2	Karin Anderson, Monroe Co. Water Auth. 12/2	Easements Brockport-Spencerport Rd. Town of Sweden – recorded
*3	Chris Cosco, NYS Dept. of State, 12/02	Field Examination and Trust Fund Verification – Lakeview Cemetery
*4	Jack Doyle, Monroe Co. Executive 12/02	Summary Statement – 2003 Monroe county Budget
*5	Alan Bader, Town Assessor, 12/02	Request permission to attend the Land use Decision making Training Program, 01/07/03 to 02/27/03, also permission to attend NYS Assoc. of Towns Conf. 02/16 to 19, 2003
*6	Carl Coapman, Wm. Cody, Mark	Approval to withdraw appointment of Roxanne

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| <p>*7 Depferd, Town Justices, 12/03<br/>James R. Pond, Mon. Co. DOT,<br/>12/04</p> <p>*8 Kevin Burns, NYS Parks &amp;<br/>Recreation and Historic<br/>Preservation, 12/05</p> <p>*9 Charles Bastian, bpd Municipal<br/>Finance, 12/06</p> <p>*10 Jeff Matthews, Mon. Co.<br/>Environmental Council, 12/06</p> <p>11 Michael P Nyhan, Zone C, Mon. Co.<br/>Sheriff's Office, 12/09<br/>* Board has copies</p> | <p>Sortino and appoint Arthur G. Zimmer<br/>Request to lower speed limit on White Rd. sent<br/>to NYS DOT</p> <p>Regrets that application for Sweden Town Park<br/>has not been selected for funding.</p> <p>Hollybrook Reconstruction Project Graphical<br/>Financial Plan Timeline</p> <p>Looking for nomination for person to serve as<br/>representative to EMC from Sweden<br/>Environmental Cons. Bd.</p> <p>Offense Report Summary</p> |
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Re: No 6. Councilperson Carges made a motion to allow the Justices to withdraw the appointment of Roxanne Sortino and appoint Gary Zimmer to be Court Attendant. Councilperson Connors seconded the motion. All voted in favor of the motion. Carried.

Re: No. 5. Councilperson Carges made a motion seconded by Councilperson Connors giving Alan Bader permission to go the Land Use Decision Making Training Program in January and February of 2003. All voted in favor of the motion. Carried.

Re: No. 10. The Town Clerk will get the information to Kathy Harter (Chairperson of Environmental Conservation Board) so that Board can choose a candidate.

#### DEPARTMENTAL REPORTS

Fred Perrine reported that his Department has worked on plowing snow, and general maintenance on the equipment. They set a monument in the cemetery and he discussed insurance for the cemetery with the Town's agent.

The following Departments submitted reports for the month of November: Building, Dog Control, Fire Marshal, Justice Court, Senior Center, and Town Clerk.

#### REPORTS

Councilpersons Carges and Windus-Cook, and Supervisor Lester had no reports.

Councilperson Connors reported on Senior Center activities. On December 11 there will be the Memories of Love tree lighting and celebration. On December 13<sup>th</sup> there will be a Holiday party at 11:00 AM. December 14th brings the Brockport Symphony Orchestra Holiday Performance – with desserts to follow. \$5.00 at 7:00PM. December 19th is a Holiday Party with dinner at noon. On December 31<sup>st</sup> at 11:00 AM there is a New Years Party with entertainment.

#### RESOLUTIONS

RESOLUTION NO. 140

Adopt Local Law No.2, 2002- Amending  
Section 2(a) of Local Law No. 1 of 2000

Aged Exemption

WHEREAS, the Town Board of the Town of Sweden would like to amend Local Law No. 1 of 2000 to raise the income limit to \$21,500; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Town Hall, 18 State Street, Brockport, New York, on December 10, 2002, at 7:15 PM., to hear all persons interested in the adoption of Local Law No. 2 of 2002 - Amending Section 2 (a) of Local Law No. 1 of 2000; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 2, 2002- Amending Local Law No. 1 of 2000.

Sec. 2. That the Town Clerk is authorized and directed to file a complete copy of Local Law No.2, 2002, with the Secretary of State, 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 Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 10, 2002

Adopted

RESOLUTION NO. 141

Adopt Local Law No. 3 2002- Amending Section 1 of Local Law No. 2 of 2000 Persons with Disabilities

WHEREAS, the Town Board of the Town of Sweden would like to amend Local Law No. 2 of 2000 to raise the income limit to \$21,500; and

WHEREAS, a duly advertised Public Hearing was held by the Town Board pursuant to the provisions of Section 265 of Town Law, at the Town Hall, 18 State Street, Brockport, New York, on December 10, 2002, at 7:15 PM., to hear all persons interested in the adoption of Local Law No. 3 of 2002 - Amending Section 1 of Local Law No. 2 of 2000; and

WHEREAS, all persons desiring to be heard were heard, and due deliberation having been had.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adopts Local Law No. 3, 2002- Amending Local Law No. 2 of 2000.

Sec. 2. That the Town Clerk is authorized and directed to file a complete copy of Local Law No .3, 2002, with the Secretary of State, 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 Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

RESOLUTION NO. 142 Authorizing Preventive Maintenance Contract for 2003 - AIRCON

BE IT HEREBY RESOLVED:

Sec. 1. That the Town Board authorizes the Supervisor to enter into a contract with AIRCON, with offices located at 464 Walker Road, Hilton, New York, for preventive maintenance of the heating system and air conditioning units at the Town Hall and the heating systems, air conditioning units and coolers and freezers at the Senior Center for the amount of ONE THOUSAND FIVE HUNDRED THIRTY-TWO AND NO/100 DOLLARS (\$1,532.00) for the year beginning January 1, 2003, and ending on December 31, 2003, with said amount to be paid in quarterly installments of \$383.00.

Sec. 2. 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>
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Councilperson Connors	<u>Aye</u>
Councilperson Wheat	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted –December 10, 2002

Adopted

RESOLUTION NO. 143

Appointing Court Attendant – Zimmer

WHEREAS: From time to time there is a need for a substitute Court Attendant in the Sweden Justice Court.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Arthur G. Zimmer to the position of Court Attendant.

Sec. 2. That the rate of pay will be \$35.00 per session.

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 Wheat	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – December 10, 2002

Adopted

RESOLUTION NO. 144

Authorizing Supervisor to Enter Into  
Agreement Extending Dog Control  
Services to Town of Clarkson

WHEREAS, The Town of Sweden and the Town of Clarkson did heretofore execute a certain Dog Control Services Contract, and

WHEREAS, both parties desire to extend such agreement for an additional period of one (1) year.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

Sec. 1. That the Supervisor be and he hereby is authorized to enter into an agreement with the Town of Clarkson extending dog control services.

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 Wheat	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – December 10, 2002

Adopted

RESOLUTION NO. 145 Authorizing Supervisor to Enter Into  
Agreement Extending Catering  
Services to the Town of Ogden

WHEREAS, the Town of Ogden and the Town of Sweden did heretofore execute a certain  
Catering Services Contract, and

WHEREAS, both parties desire to extend such agreement for an additional period of one (1)  
year.

BE IT HEREBY RESOLVED, AS FOLLOWS:

Sec. 1. That the Supervisor be and he hereby is authorized to enter into an agreement  
with the Town of Ogden extending catering services.

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 Wheat	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted –December 10, 2002

Adopted

RESOLUTION NO. 146 Amend Office Employee Handbook - Holidays

WHEREAS, a new policy needs to be established regarding holidays for Community Center staff.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden does hereby add the following paragraph as the last paragraph under Section 801 Holidays in the Town of Sweden Employee Handbook Office Employees:

***Recreation Department/Community Center – Because of the operational hours of the Community Center some employees will be required to work on designated holidays. In order to compensate these employees they will be entitled to holiday leave to be scheduled within the same payroll period as the town designated holiday. An employee must request holiday leave during the prior payroll period in writing. All pay is at the employee’s regular rate of pay.***

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 Wheat	<u>Absent</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted – December 10, 2002

Adopted

RESOLUTION NO. 147                      Establish Parks & Recreation Fee

WHEREAS, it has been recommended that a parks and recreation fee be established in the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden does hereby establish a parks and recreation fee in the amount of \$400 to be charged per each dwelling unit and/or commercial unit and said fee shall be collected at the time of a building permit application.

Sec. 2. That this fee shall be effective as of January 1, 2003.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook

Seconded by Councilperson Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 10, 2002

Adopted

Councilperson Wheat arrived at this time (8:05PM)

RESOLUTION NO. 148

Authorizing Sale of Water Works Inventory

WHEREAS: on May 15, 2002 Supervisor Lester signed a Retail Lease Agreement for operation of Water Districts in the Town of Sweden; and

WHEREAS: on May 22, 2002, John Stanwix as Executive Director of the Monroe County Water Authority signed the aforesaid Retail Lease Agreement; and

WHEREAS: pursuant to paragraph 7.4, the Monroe County Water Authority agreed to purchase from the Town certain water works inventory; and

WHEREAS: the town now desires to sell the inventory set forth in the attached schedule to the Monroe County Water authority for the sum of \$10,703.33

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the sale of the water works inventory, as set forth on the attached schedule, to the Monroe County water Authority for the sum of \$10,703.33.

Sec. 2. That the Town Supervisor is hereby authorized to sign all necessary documents to affect this sale.

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



Supervisor Lester

Aye

Submitted – December 10, 2002

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 12 dated December 10, 2002. All voted in favor of the motion. Carried.

General Fund: In the amount of \$46,376.60 as set forth in Abstract 12 dated December 10, 2002.

Highway Fund: In the amount of \$31,836.28 as set forth in Abstract 12 dated December 10, 2002.

Recreation Fund: In the amount of \$57.19 as set forth in Abstract 12 dated December 10, 2002.

Special District: In the amount of \$133,796.48 as set forth in Abstract 12 dated December 10, 2002.

At this time the Town Attorney James Bell arrived.

#### DISCUSSION AND ANNOUNCEMENTS

Workshop meeting on December 17, 2002 at 7:30 PM.

David Paul spoke to the Board regarding his property and how he has tried to move his business operation to a commercial site.

At 8:30PM Councilperson Windus-Cook made a motion to move into executive session to discuss the David Paul litigation. Councilperson Carges seconded the motion. All voted in favor of the motion. Carried.

At 9:26 PM Councilwoman Windus-Cook moved to go out of executive session. Councilman Wheat seconded the motion. All voted in favor of the motion. Carried.

Once out of executive session, the board reviewed their offer with David Paul.

At 9:31 PM Councilperson Connors made a motion that Councilperson Carges seconded to move into executive session again to discuss a personnel issue and the David Paul litigation. All voted in favor of the motion. Carried.

At 10:52 PM Councilperson Wheat made a motion to go out of executive session. Councilperson Connors seconded the motion. All voted in favor of the motion. Carried.

#### ADJOURNMENT

There being no further business to come before the Board, Councilperson Connors made a motion that was seconded by Councilperson Wheat to adjourn the Regular Town Board meeting of December 10, 2002, at 10:53 PM. All voted in favor of the motion. Carried.

Respectfully submitted,

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Gail A. DeToy, Town Clerk