

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 11, 2012.

Town Board Members present were Supervisor Patricia Connors, Councilperson Robert Carges, Councilperson Rebecca Donohue, Councilperson Kevin Johnson and Councilperson Donald Roberts, Jr. Also present were Finance Director Leisa Strabel, Town Clerk Karen Sweeting, Dog Control Officer Kathy Beaumont and Town Attorney Jim Bell.

Visitors present were Pat Nothnagle, Boy Scout Robert Lewis and parent Margaret Lewis, and Philip Miglioratti from Patriot Management, LLC. Village Trustee Bill Andrews arrived at 8:20 p.m.

Supervisor Connors called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag and a moment of silence for the military troops in Afghanistan.

Supervisor Connors acknowledged the visitors and asked if anyone would like to speak. Supervisor Connors introduced Boy Scout Robert Lewis and explained that he has successfully completed his Eagle Scout Project at the Town Park. Robert Lewis thanked the board for their support, particularly Supervisor Connors and Todd Dobson from Buildings and Grounds.

Dog Control Officer Kathy Beaumont spoke to the board regarding concerns with 911 notifications and calls for dog control.

Philip Miglioratti from Patriot Management, LLC presented a proposed plan for the rezoning application on Lake Road.

#### APPROVAL OF MINUTES

Councilperson Roberts made a motion that was seconded by Councilperson Carges to accept the minutes of the Regular Town Board meeting held on November 27, 2012. All voted in favor of the motion. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

2012	Received From:	Comments:
*1.	Kenneth Reid, Zoning Board of Appeals	Resignation
*2.	Richard Dalheim, Buildings and Grounds	Resignation

\*Board has copies

RE: #1 Councilperson Johnson made a motion that was seconded by Councilperson Roberts to accept with regrets the resignation of Kenneth Reid from the Zoning Board of Appeals effective December 31, 2012. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Johnson made a motion that was seconded by Councilperson Roberts to accept with regrets the resignation of Richard Dalheim from Buildings and Grounds effective December 31, 2012. All voted in favor of the motion. Motion adopted.

#### DEPARTMENTAL REPORTS

November 2012 departmental reports were received and reviewed by the Town Board from the following: Finance Director, Leisa Strabel; Building Department, Phyllis Brudz; Receiver of Taxes, Theresa Weed; Dog Control, Kathy Beaumont; and Town Clerk, Karen Sweeting.

REPORTS

Finance Director Leisa Strabel reported that she received one quote for the public officials' liability insurance.

\*Councilperson Carges made a motion that was seconded by Councilperson Roberts authorizing Finance Director Leisa Strabel to pay all liability insurance bills prior to January 1, 2013 – out of normal payment cycle. All voted in favor of the motion. Motion adopted.

Councilperson Roberts had no report.

Councilperson Johnson reported that he attended a Sweden Community Foundation meeting. The committee has reinstated the golf tournament as a fundraiser and is proposing to construct a lodge at the Town Park.

Councilperson Donohue had no report.

Town Attorney Jim Bell reported updates to the Owens Road acquisition.

RESOLUTIONS

RESOLUTION NO. 129

Honoring Staff Sergeant Nicholas Reid

WHEREAS, the United States has been at war in Afghanistan for more than eleven years; and

WHEREAS, we should be ever cognizant of the sacrifices the members of the United States military and their families have made during this war, particularly those from our own community; and

WHEREAS, Staff Sergeant Nicholas Reid, the son of Kenneth and Dorothy Reid, has been seriously injured while serving our country as a United States Army bomb technician in Afghanistan; and

WHEREAS, the Sweden Town Board, on behalf of the greater community, wishes to extend its support and prayers to the Reid family during this difficult time.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden requests a moment of silence **at 8 pm on Tuesday, December 11, 2012** in recognition of Staff Sergeant Nicholas Reid's service to our country.

Sec. 2. That the Town Board of the Town of Sweden wishes Staff Sergeant Reid a safe return to the United States and a strong recovery.

Sec. 3. That the Town Board of the Town of Sweden, on behalf of the greater community, lends its best wishes, prayers and support to the entire Reid family.

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

MOTION for adoption of this resolution by Councilperson Johnson

Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>

Councilperson Roberts  
Supervisor Connors  
Submitted – December 11, 2012

Aye  
Aye

Adopted

RESOLUTION NO. 130

Ordering a Public Hearing to Rezone  
4574 Lake Road from Residential  
(R-1) to Retail-Commercial (B-1)

WHEREAS, Philip Miglioratti of Patriot Management, LLC, P.O. Box 1062, Webster, NY 14580, the owner of 4574 Lake Road in the Town of Sweden, has submitted to the Town Board an application and proposal to re-zone 4574 Lake Road from Residential (R-1) to Retail-Commercial (B-1); and

WHEREAS, Part I of the required State Environmental Quality Review (SEQR) Full Environmental Assessment Form and a map of the property has been filed with the town along with the required fee.

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, in said Town on January 29, 2013 at 7:00 PM to hear all persons interested in the re-zoning of the property located at 4574 Lake Road.

Sec. 2. That the area proposed to be re-zoned is 0.91 +/- acres, a portion of tax account No. 083.08-1-2.

Sec.3. That the area proposed to be re-zoned is more specifically described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Sweden, County of Monroe and State of New York, as shown on a map entitled “4574 Lake Road Concept Plan” prepared by Costich Engineering, dated 10/24/2012, having Drawing No. 4094-CA100, and being more particularly bounded and described as follows:

Beginning at the northeast corner of lands now or formerly owned by Patriot Management, LLC having tax account #083.08-1-2 and the northwest corner of lands now or formerly owned by Michael & Michelle Guerrieri having tax account #083.08-1-9, said point also being a point on the common line of the Village of Brockport to the north and the Town of Sweden on the south; thence

1. Southerly along the common property line of lands now or formerly owned by Patriot Management, LLC, having tax account #083.08-1-2 to the west and lands now or formerly owned by Michael & Michelle Guerrieri, having tax account #083.08-1-9 and lands now or formerly owned by Gary Kenney, having tax account #083.08-1-8 to the east an approximate distance of 270 feet to the southeast corner of lands now or formerly owned by Patriot Management, LLC having tax account #083.08-1-2; thence
2. Westerly along the common property line of Patriot Management, LLC having tax account #083.08-1-2 to the north and lands now or formerly owned by Gary Kenney, having tax account #083.08-1-8 and lands now or formerly owned by Sweden Lane Management, Inc. having tax account #083.08-1-5.1 to the south an approximate distance of 150 feet to the existing commercial zoning line; thence

- 3. Northerly through said lands now or formerly owned by Patriot Management, LLC having tax account #083.08-1-2 and along said existing commercial zoning line an approximate distance of 268 feet to a point on the north line of lands now or formerly owned by Patriot Management, LLC having tax account #083.08-1-2; thence
- 4. Easterly along the north line of lands now or formerly owned by Patriot Management, LLC having tax account #083.08-1-2 an approximate distance of 151 feet to the point and place of beginning. Containing 0.91 acres of land, more or less.

Sec. 4. That the Town Clerk is directed to cause a notice of this hearing to be posted and published as required by law.

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

MOTION for adoption of this resolution by Councilperson Donohue  
Seconded by Councilperson Johnson

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 131 Appoint Recreation Assistant - Pool

WHEREAS, the Recreation Department is offering swim programs and lessons; and

WHEREAS, there is a need for an additional lifeguard.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Joseph Pchelka as Recreation Assistant PT- lifeguard.

Sec. 2. That the rate of pay is \$10 per hour with a start date of December 12, 2012.

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

MOTION for adoption of this resolution by Councilperson Roberts  
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 132

2012 Standard Work Day and Reporting

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town of Sweden location code 30156 hereby establishes the following (see Schedule A) as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 133

Encumbrances

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Director of Finance be authorized to establish accounts payable and encumber the applicable appropriation account balances to apply to unpaid obligations as filed with him at the close of the 2012 fiscal year by the heads of administrative units of the Town and to amend the 2012 budget by increasing the proper appropriations per any encumbrances so filed.

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

MOTION for adoption of this resolution by Councilperson Roberts  
Seconded by Councilperson Johnson

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 134 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: public employees dishonesty bond including faithful performance

Insurance company: Travelers Insurance Company  
Amount: \$200,000

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 Donohue  
Seconded by Councilperson Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 135 Appoint Recreation Assistant FT – Silcox

WHEREAS, there is a vacancy for a full-time recreation assistant; and

WHEREAS, Recreation Leader Jill Wisnowski has recommended the appointment of Travis Silcox to the full-time recreation assistant position.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Travis Silcox to the position of full-time Recreation Assistant at the Sweden Clarkson Community Center.

Sec. 2. That the rate of pay be \$11.40 per hour with a start date of December 10, 2012.

Sec. 3. That this resolution shall take effect immediately

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 136

Authorizing Additional Sums To Be Deposited in Capital Reserve - Buildings Reserve Fund

WHEREAS, the Town of Sweden owns municipal buildings at 18 State Street, 133 State Street, 40 White Road, 4927 Lake Road, 4988 Lake Road and 4745 Redman Road; 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 established a Buildings Reserve Fund on November 23, 2004 to fund said building repair projects; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the reserve fund from time to time.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor is directed to transfer from the general fund to the Buildings Reserve Fund the sum of \$165,000.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 137

Authorizing Additional Sums To Be Deposited in Capital Reserve Parks and Recreation Reserve

WHEREAS, the Town Board of the Town of Sweden did heretofore authorize the establishment and collection of a parks and recreation fee at the time of the issuance of each new certificate of occupancy for new construction within the Town of Sweden; and

WHEREAS, the Town Board established a capital reserve fund for the purpose of the maintenance, investment and expenditure of such funds.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is directed to transfer from the general fund to the Parks and Recreation Reserve, \$5,500, the parks and recreation fee collected in 2012.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 138

Authorizing Additional Sums To Be  
Deposited in Capital Reserve -  
Town Vehicle Reserve Fund

WHEREAS, the Town established a Town Vehicle Reserve Fund on November 24, 2009 to fund the purchase of vehicles for the buildings and grounds, park and dog control departments; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the reserve fund from time to time.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. That the Supervisor is directed to transfer from the general fund to the Reserve for Town Vehicles the sum of \$15,000.

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

MOTION for adoption of this resolution by Councilperson Johnson  
Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
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Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 139

Authorizing Additional Sums To Be Deposited in Capital Reserve - Information Technology Reserve Fund

WHEREAS, the Town established an Information Technology Reserve Fund on October 25, 2011 to finance the purchase of information technology, including both software and hardware; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the reserve fund from time to time.

NOW THEREFORE BE IT RESOLVED:

- Sec. 1. That the Supervisor is directed to transfer from the general fund to the Reserve for Information Technology the sum of \$15,000.
- Sec. 2. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 140

Authorizing Lease Agreement Between the Town of Sweden and Monroe Medi-Trans

WHEREAS, Monroe Medi-Trans, Inc. having its principal place of businesses located at 1699 Lyell Avenue Rochester, NY 14606, is interested in leasing office space at the Sweden Town Hall, 18 State Street, Brockport, NY 14420; and

WHEREAS, the Town Board of the Town of Sweden has determined that there is space available at the Sweden Town Hall and that it is in the best interest of the taxpayers to enter a lease agreement with Monroe Medi-Trans for the office space.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town enters into a lease agreement with Monroe Medi-Trans Inc. for lease of space at the Sweden Town Hall for a term specified in said agreement and subject to the approval of the Town Attorney.

Sec. 2. That Town Board of the Town of Sweden authorizes the Supervisor to sign the lease agreement upon the approval of the Town Attorney.

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

MOTION for adoption of this resolution by Councilperson Johnson  
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

Adopted

RESOLUTION NO. 141

Authorizing Contract between the  
Town of Sweden and Jazzercise

WHEREAS, the Town of Sweden makes space available for a Jazzercise program to be operated at the Sweden Clarkson Community Center, 4927 Lake Road South.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town enters into an agreement with Jazzercise for use of program space at the Sweden Clarkson Community Center for a term and fee specified in said agreement and subject to the approval of the Town Attorney.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – December 11, 2012

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 Johnson authorizing payment of the bills in

Abstract 12A dated December 12, 2012 in the amount of \$22,982.98. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$16,864.04 as set forth in Abstract 12A dated December 12, 2012.

Highway Fund: In the amount of \$1,658.21 as set forth in Abstract 12A dated December 12, 2012.

Special Fund: In the amount of \$4,460.73 as set forth in Abstract 12A dated December 12, 2012.

#### DISCUSSION AND ANNOUNCEMENTS

The last meeting of 2012 is Thursday, December 27, 2012 at 5:00 p.m.

#### EXECUTIVE SESSION

Councilperson Roberts made a motion that was seconded by Councilperson Johnson to go into executive session at 8:35 p.m. to discuss the contract with G4S Security Company. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Johnson made a motion that was seconded by Councilperson Roberts to leave executive session and return to the regular meeting at 8:39 p.m. All voted in favor of the motion. Motion adopted.

#### ADJOURNMENT

As there was no further business to come before the Board, Councilperson Johnson moved to adjourn the December 11, 2012 meeting of the Sweden Town Board at 8:40 p.m. Councilperson Roberts seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk