

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 12, 2006.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, and Councilperson Danielle Windus-Cook. Councilperson Tom Ferris arrived at 7:40 p.m. Also present were Superintendent of Highways Fred Perrine, Building Inspector Jim Butler and Town Clerk Karen Sweeting.

Visitors present were residents Jim Hamlin, Bob Canham, Tim Bates, Rebecca Donohue, and Environmental Conservation Board member George Lloyd.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Lester then acknowledged the presence of the visitors and asked if anyone would like to speak. No one spoke.

#### APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to amend the minutes of the Regular Town Board meeting held on November 28, 2006 as follows:

Page 2 under REPORTS, second paragraph, third sentence to read: "Mrs. Connors will be meeting with a county representative in December to review the logistics of the program."

All voted in favor of the motion – four ayes. Councilperson Ferris had not arrived yet. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Regular Town Board meeting as amended. All voted in favor of the motion – four ayes. Councilperson Ferris had not arrived yet. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

| 2006 Received From:  | Comments:  |
|--|--|
| *1. Patty Trek   | Thank you for the Proclamation for Seymour Library Celebration                   |
| 2. Matthew Sikora, Seasonal Laborer PT   | Resignation  |
| 3. Eileen O'Hara   | Interest in Serving on Seymour Library Board                                     |
| *4. Charles Sanford, Fire Marshal  | Resignation for Retirement   |
| *5. James Weinkauff, Resident  | Removal of name from Ledgesdale Airport petition                                 |
| 6. Kevin Burns, Chief of Grants, NYS Parks, Recreation and Historic Preservation | Denial of grant application under NYS Barns Restoration and Preservation Program |
| *7. Nat O. Lester, III, Supervisor   | Appointment of Robert Carges as Deputy Supervisor                                |
| *8. Nat O. Lester, III, Supervisor   | Appointment of Leisa Strabel as Secretary to Supervisor and Budget Officer       |
| 9. Kevin Bush, Regional Design Engineer, NYS Dept. of Transportation             | Public Information Meeting for Route 31 – January 10, 2007                       |

\*Board has copies

RE: #1 Supervisor Lester thanked Councilperson Carges for attending the celebration and presenting the proclamation to Ms. Trek.

RE: #2 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the resignation of Matthew Sikora as Seasonal Laborer PT from the Sweden Clarkson Community Center. All voted in favor of the motion – four ayes. Councilperson Ferris had not arrived yet. Motion adopted.

RE: #4 Supervisor Lester explained that Mr. Sanford's resignation is a short-term resignation, one day, for retirement purposes. Mr. Sanford will be reappointed in January 2007. Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the short-term resignation of Charles Sanford. All voted in favor of the motion – four ayes. Councilperson Ferris had not arrived yet. Motion adopted.

#### DEPARTMENTAL REPORTS

November 2006 departmental reports were received and reviewed by the Town Board from the following: Receiver of Taxes, Kathleen Roberts; Finance Director, Leisa Strabel; Building Inspector, James Butler; Dog Control, Kathy Beaumont; and Town Clerk, Karen Sweeting. September 2006 and October 2006 reports were received from the Justice Court.

#### REPORTS

Councilperson Carges reported that the receptionist's office at the Sweden Clarkson Community Center requires another exit door. Estimates have been received and Mr. Carges would like to review them at a workshop.

Councilperson Ferris arrived at 7:40 p.m.

Councilperson Carges also reported that the gym at the SCCC echoes. There is nothing on the walls or ceiling to absorb the noise and at times it is very difficult to hear specific events going on. Mr. Carges has researched some options and suggests that estimates be received for acoustical paneling for the ceiling. The paneling is fairly simple to install with a lift and come in a variety of colors. Mr. Carges would like to discuss this further at a workshop.

Councilperson Connors reported that she met with Town Clerk Karen Sweeting to discuss several updates and changes to the Emergency Operating Plan of the Town of Sweden. Both will meet again for further review and format changes to the plan. Mrs. Connors attended the dedication ceremony of the pond at the Sweden Town Park to Town employee Dan Kepler. Mrs. Connors also attended at RPAC meeting. The Recreation Master Plan was reviewed, corrections were made and Mrs. Connors asked that the Town Board discuss and review the bylaws at a workshop and schedule a meeting with the Town of Clarkson.

Councilperson Ferris reported that he also attended the dedication of the pond to Town employee Dan Kepler.

Councilperson Windus-Cook reported that she attended the informational meeting regarding the Route 531 extension. NYSDOT is focusing on two alternatives: widening Route 31 or crossing over a portion of Route 31 around the county park continuing parallel to Shumway Road to the south and ending at Redman Road. Ms. Windus-Cook was concerned with widening Route 31. A timeline of project development steps was provided by NYSDOT. Another informational meeting for the public will be held in January 2007.

Supervisor Lester reported that he met with Charles Sanford regarding his short-term resignation. Mr. Lester met with Superintendent of Highways Fred Perrine to follow up on a drainage issue of a resident in Talamora Trail. Some further erosion control needs to be done surrounding the Super Wal-Mart when weather permits. Mr. Lester attended the VFW 2890 flag dedication ceremony at the Sweden Clarkson Community Center.

Building Inspector Jim Butler reported that he spoke with maintenance staff at the Sweden Senior Center regarding drainage issues resulting from the recent landscaping project. Mr. Butler reported several new businesses proposing to come into the Town of Sweden and the construction of two new homes.

Superintendent of Highways Fred Perrine reported that the lawn side water services have started on Shumway Road. The installation of the Redman Road sewer main will begin soon. Mr. Perrine thanked the Town Board for the pond dedication to Town employee Dan Kepler. Mr. Kepler expressed his appreciation to Mr. Perrine for the dedication.

## RESOLUTIONS

RESOLUTION NO. 199

Authorizing Property Clean-up Charges to  
Be Added to Property Tax Bill

WHEREAS, Sweden Town Code Section 141(5)(K) requires lawns to be kept cut and to not exceed 10 inches in height; and

WHEREAS, Sweden Town Code Section 141(5)(K) states that failure of a property owner to comply within five days of notification that the lawn exceeds 10 inches will result in the Town taking action to have the lawn cut; and

WHEREAS, Sweden Town Code Section 141(5)(K) further states that all costs associated with such action shall be assessed upon the real property; and

WHEREAS, on November 8, 2006, the property at 6272 Brockport Spencerport Road was found in violation of Sweden Town Code Section 141(5)(K) with the lawn exceeding 10 inches in length; and

WHEREAS, the Sweden Building Code Enforcer notified the property manager of the violation on November 9, 2006; and

WHEREAS, the Property Owner failed to comply to Sweden Town Code Section 141(5)(K) within five days; and

WHEREAS, the Sweden Highway Department cut the lawn on December 4, 2006; and

WHEREAS, the Town Board wishes to assess the real property for the cost of cutting the lawn.

### NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby assess 6272 Brockport Spencerport Road \$185 as the cost for cutting the grass inclusive of labor, equipment, administrative and legal costs.

Sec. 2. That the Town Board of the Town of Sweden hereby directs the Building Code Enforcer to bill the property manager/owner for \$185.

Sec.3. That if said bill is not paid by February 1, 2007, the Town Board of the Town of Sweden hereby directs the Assessor to add \$185 to the 2008 town tax bill of said property.

Sec. 4. 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>Aye</u> |
| Councilperson Windus-Cook | <u>Aye</u> |
| Supervisor Lester         | <u>Aye</u> |

Submitted – December 12, 2006

Adopted

RESOLUTION NO. 200

Authorizing Settlement In the Matter of Joan Peters, Jack K. Peters, dba Peters Trucking, et al

WHEREAS, the Sweden Town Board did previously authorize the Sweden Town Attorney and/or the Code Enforcement Officer for the Town of Sweden to take legal action against the above named individuals, business and/or related subject property by Resolution dated August 22, 2006; and

WHEREAS, the Town of Sweden did thereafter initiate contempt proceedings in Monroe County Supreme Court against the above named individuals and also initiate zoning violation proceedings in Sweden Town Court; and

WHEREAS, various discussions and negotiations have taken place wherein and whereby the proposed settlement Resolution is now pending in the form of a written Stipulation, a copy of which is attached hereto and made a part hereof; and

WHEREAS, it appears to be in the best interests of the Town of Sweden to enter into the Settlement Stipulation.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. The Town Board of the Town of Sweden hereby authorizes the Settlement in the above entitled matter.
- Sec. 2. In furtherance of same, the Sweden Town Supervisor shall sign the enclosed Stipulation on behalf of the Town of Sweden.
- Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by 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  
Submitted – December 12, 2006

Aye

Adopted

RESOLUTION NO. 201

Authorize Application for a  
Baseball Tomorrow Fund Grant

WHEREAS, the Town Board of the Town of Sweden wishes to apply to the Baseball Tomorrow Fund for a grant to assist in the financing of the construction of a regulation-size baseball field at the Sweden Town Park.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. The Town Board of the Town of Sweden does hereby approve and endorse the application for a grant from the Baseball Tomorrow Fund.
- Sec. 2. That the Supervisor be authorized to sign the grant application and all documents related to the grant application.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion: Special thanks to Finance Director Leisa Strabel for getting all the information together. This is a “matching” grant.

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 12, 2006

Adopted

RESOLUTION NO. 202

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:

- Sec. 1. That the Supervisor 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 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 – December 12, 2006

Adopted

RESOLUTION NO. 203

Authorizing Supervisor to Enter Into Agreement for Dog Kennel Services To Town of Ogden

WHEREAS, the Town of Sweden and the Town of Ogden desire to enter into a Dog Kennel Services Contract,

WHEREAS, said agreement shall continue to and through December 31, 2007 and may be renewed each year.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the Agreement with the Town of Ogden for Dog Kennel Services.

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 – December 12, 2006

Adopted

RESOLUTION NO. 204

Approve All Seasons County/Town Work Agreement - 2007

WHEREAS, Monroe County and the Town of Sweden desire to enter into an All Seasons County/Town Work Agreement with a one-year term from January 1, 2007 through December 31, 2007 with additional one-year term extensions upon mutual written consent of the parties for a maximum agreement term of 10 years ending December 31, 2016; and

WHEREAS, the Superintendent of Highways recommends that the Town Board enters into the agreement.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Agreement for All Seasons County/Town Work for the period starting January 1, 2007 and ending December 31, 2007.
- Sec. 2. That the Supervisor is hereby authorized to execute all necessary documents.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion: Councilperson Ferris made a motion that was seconded by Councilperson Connors to amend the first WHEREAS to read as follows:

Monroe County and the Town of Sweden desire to enter into an All Seasons County/Town Work Agreement from January 1, 2007 through December 31, 2007 with additional one-year term extensions upon mutual written consent of the parties for a maximum agreement term of ten years ending December 31, 2016.

All voted in favor of the motion. Motion adopted.

VOTE BY ROLL CALL AND RECORD AS AMENDED:

|                           |            |
|---------------------------|------------|
| 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 – December 12, 2006

Adopted

RESOLUTION NO. 205

Authorizing Preventative Maintenance  
Contract for 2007 - AIRCON

BE IT HEREBY RESOLVED:

- Sec. 1. That the Town Board authorizes the Supervisor to enter into a contract with AIRCON, P.O. Box 184, Hilton, New York, for preventative 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 SIX HUNDRED EIGHTY-FOUR AND NO/100 DOLLARS (\$1,684.00) for the year beginning January 1, 2007, and ending on December 31, 2007, with said amount to be paid in quarterly installments of \$421.00.
- Sec. 2. That this resolution shall take effect immediately.

\*\*Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to table the resolution. Mr. Carges would like an opportunity to discuss some services changes at the Senior Center. All voted in favor of the motion. Motion adopted. RESOLUTION TABLED.

RESOLUTION NO. 206

Rescinding Resolution No. 136 of  
September 12, 2006 – Resolution  
Authorizing Acquisition By Eminent  
Domain of a Portion of SBL  
No. 084.01-1-19.2

WHEREAS, the Town Board of the Town of Sweden has previously considered the need for taking a portion of the property of Marilyn Dragani, Brockport, New York, Tax Parcel ID No. 084.01-1-19.2; and

WHEREAS, the Town Board had previously determined, after a public hearing at which all interested members of the public were given an opportunity to be heard, that acquisition of said property was in the public interest, and therefore authorized the acquisition pursuant to the Eminent Domain Procedure Law; and

WHEREAS, the Town Board has now determined that the proposed acquisition is not necessary to construct the proposed improvement.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden hereby rescinds Resolution No. 136 of September 12, 2006, authorizing the taking of a portion of the property of Marilyn Dragani, Brockport, New York, Tax Parcel ID No. 084.01-1-19.2.

Sec. 2. That this Resolution is effective immediately.

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

Discussion: Supervisor Lester stated that the infrastructure, ie sidewalk, drainage, has been redesigned to go down Owens Road instead of Brockport Spencerport Road through Dragani’s property, therefore the Town no longer needs to proceed with the action. Mr. Lester added that if Mr. Dragani wanted to develop his property, Mr. Dragani would be solely responsible for any infrastructure costs to meet requirements set forth by NYSDOT.

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 – December 12, 2006

Adopted

RESOLUTION NO. 207

Appoint Student Helper – Covella

WHEREAS, the Croc Roc’s Program has a vacancy and the Recreation Director, David Scott, has recommended the appointment of Anthony Covella as Student Helper.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby appoints Anthony Covella to the position of Student Helper at the Sweden Clarkson Community Center.



- Sec. 2. That the rate of pay be \$6.75 per hour with a maximum of 24 hours per week.
- Sec. 3. That the start date will be December 14, 2006.
- Sec. 4. 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 – December 12, 2006

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 Ferris authorizing payment of the bills in Abstract 12A dated December 13, 2006 in the amount of \$74,400.49. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$58,115.54 as set forth in Abstract 12A dated December 13, 2006.  
Highway Fund: In the amount of \$7,986.42 as set forth in Abstract 12A dated December 13, 2006.  
Capital Fund: In the amount of \$8,298.53 as set forth in Abstract 12A dated December 13, 2006.

DISCUSSION AND ANNOUNCEMENTS

Work session scheduled for Tuesday, December 19, 2006 at 4:00 pm.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the December 12, 2006 meeting of the Sweden Town Board at 8:30 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
 Town Clerk