

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 28, 2006.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Pat Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Town Attorney Jim Bell, Building Inspector Jim Butler, Superintendent of Highways Fred Perrine and Town Clerk Karen M. Sweeting.

Visitors present were residents Jim Hamlin 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 then acknowledged the presence of the visitors and asked if anyone would like to speak. Resident Rebecca Donohue asked the Board when to hook up to the newly constructed sewer main on Fourth Section Road. Supervisor Lester stated the residents within the formed district could hook up at any time.

No other visitor spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the regular meeting held on December 12, 2006. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2006	Received From:	Comments:
1.	Robert Coopenberg, Head Custodian	Notice of Retirement
2.	Jessica Brooks, Senior Center	Resignation
3.	Ed Williams, Member Planning Board	Resignation
4.	Mary Parsons, Department of Planning and Development	Retirement from position with Monroe County Community Development
5.	Krista Hartwig, Recreation Department	Resignation

RE: #1 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the retirement of Robert Coopenberg. Mr. Coopenberg will be reappointed as a part-time employee. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the resignation of Jessica Brooks from the Senior Center. All voted in favor of the motion. Motion adopted.

RE: #3 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the resignation of Ed Williams from the Planning Board. All voted in favor of the motion. Motion adopted.

RE: #5 Councilperson Carges made a motion that was seconded by Councilperson Connors to accept the resignation of Krista Hartwig from the Recreation Department. All voted in favor of the motion. Motion adopted.

REPORTS

Councilperson Carges reported that he has received an estimate for the sound absorption panels for the recreation center. The estimate is more than was anticipated so Mr. Carges will look at other vendors and would like to discuss some options at a work session.

Councilperson Connors reported that she had another meeting regarding the mass-dispensing plan. The committee is discussing the strategic planning phase and will meet again January 3, 2007.

Councilperson Ferris reported that he and Supervisor Lester attended a Sweden Community Foundation meeting in which the 2007 foundation initiative and a project at the Senior Center were discussed.

Councilperson Windus-Cook had no report.

Supervisor Lester reported that he attended the historical marker dedication at the Oliver Middle School and mentioned that Bill Andrews had done a nice job in coordinating the dedication.

Building Inspector Jim Butler discussed the progress of the house located at 6272 Brockport Spencerport Road.

Superintendent of Highways Fred Perrine reported that the installation of water main on Shumway Road was finished for the season and the portion between Shumway Road and Talamora Trail would begin when weather permits.

RESOLUTIONS

RESOLUTION NO. 208

Declaration of Lead Agency Status for the Action of the Request by Application for Incentive Zoning of Highlands at Brandon Woods

WHEREAS, the Town Board of the Town of Sweden, has given public notice to Town of Sweden Planning Board, the Town of Sweden Environmental Conservation Board (ECB), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Monroe County Planning & Development, Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) and the U.S. Army Corps of Engineers (USCOE);, and

WHEREAS, the Town Board has not received any written objection from the Planning Board of the Town of Sweden, the Town of Sweden Environmental Conservation Board (ECB), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Transportation (NYSDOT), the Monroe County Planning & Development, Monroe County Pure Waters (MCPW), the Monroe County Water Authority (MCWA), the Monroe County Department of Health (MCDOH), the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) or the U.S. Army Corps of Engineers (USCOE); and

WHEREAS, it has been brought to the attention of the Town Board that it has not received all information reasonably necessary to make a determination as to the significance of the action proposed by the applicant.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Sweden Town Board does hereby designate itself as the Lead Agency for the Coordinated Review and Determination of Significance, under the SEQR Regulations, for the above referenced action.
- Sec. 2. 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 209

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 and 4927 Lake 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 \$20,000.
- 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye

Councilperson Windus Cook Aye
Supervisor Lester Aye

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 210

Establishing Capital Reserve
Equipment Storage Facilities

WHEREAS, the Town of Sweden possesses a variety of equipment in order to maintain its roadways, properties and facilities; and

WHEREAS, it is necessary to have adequate facilities to store said equipment; and

WHEREAS, the Town desires to establish a capital reserve fund for the purpose of constructing, improving or maintaining equipment storage facilities.

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 for the purpose of constructing, improving or maintaining equipment storage facilities.
- Sec. 2. That surplus monies from the general fund balance are hereby appropriated for Equipment Storage Facilities and the Supervisor is authorized to transfer from surplus funds the sum of \$20,000.
- Sec. 3. That the Supervisor is directed to deposit monies of this reserve fund in a separate bank account to be known as the Equipment Storage Facilities 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 Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 211

Authorizing Additional Sums
To Be Deposited in Capital Reserve

WHEREAS, the Town of Sweden established a Recreation Community Center Reserve Fund on July 24, 2001 to finance the acquisition, construction, remodeling and/or conversion of a structure into use as a community center and/or gymnasium; and

WHEREAS, a Community Center was acquired by the Town and said Community Center may from time to time require remodeling, reconstruction or major repair work to be done; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the 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 Recreation/Community Center Reserve the sum of \$20,000.

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

MOTION for adoption of this resolution by Councilperson Ferris
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 28, 2006

Adopted

RESOLUTION NO. 212

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; and

WHEREAS, the Town of Sweden desires to appropriate additional sums to become part of the 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 Parks and Recreation Reserve an amount equal to the parks and recreation fee collected in 2006.

Sec. 2. That the Supervisor is directed to transfer an additional \$44,500 from the general fund to the Parks and Recreation Reserve.

Sec. 3. That this resolution 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 28, 2006

Adopted

RESOLUTION NO. 213 Authorizing Additional Sums to be Deposited in Capital Reserve Highway Equipment

WHEREAS, the Town of Sweden maintains a fleet of trucks and other heavy equipment in order to maintain its roadways; and

WHEREAS, the Town Board established a highway equipment reserve fund on December 13, 2005; and

WHEREAS, the Town Board 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 highway town outside fund to the Highway Equipment Reserve Fund the sum of \$200,000.

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

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 214 Encumbrances

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Supervisor 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 2006 fiscal year by the heads of administrative units of the Town and to amend the 2006 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 Ferris
 Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 215

Appoint Student Helper – Brawn

WHEREAS, the Recreation Director, David Scott, has recommended the appointment of Katie Brawn as Student Helper

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Katie Brawn to the position of Student Helper at the Sweden Clarkson Community Center.
- Sec. 2. That the rate of pay be \$7.15 per hour with a maximum of 24 hours per week.
- Sec. 3. That the start date will be January 2, 2007.
- Sec. 4. That this resolution shall take effect immediately

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 216

Inter-Municipal Agreement – Erie County 2006

WHEREAS, the County of Erie, State of New York having offices at 95 Franklin Street, Buffalo, New York 14202 desires to utilize the services of the Town of Sweden for a project described in the "Attachment A" (hereinafter referred to as the "Project"); and

WHEREAS, the Erie County Executive as well as the Governor of New York State has declared a public emergency in Erie County due to the October 12, 2006 snow storm; and

WHEREAS, based on the determination of the Erie County Executive and pursuant to Section 307(b) of the Erie County Administrative Code, the life, health, and safety of the inhabitants of Erie County require immediate action which cannot await competitive bidding; and

WHEREAS, the Town of Sweden, by virtue of its professional training and experience states that it has the necessary expertise, permits, licenses, staff and equipment to provide such services.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to enter into a mutual agreement as described in "Attachment A" with Erie County subject to all terms and conditions set forth in said agreement.

Sec. 2. That the Supervisor is hereby authorized to execute all necessary documents 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	<u>Aye</u>

Submitted – December 28, 2006

Adopted

RESOLUTION NO. 217

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2006 Town Budget:

\$367 from A1310.4 Director Of Finance Contractual
to A1010.4 Town Board Contractual

\$2,760 from A9010.8 State Retirement
to A1220.4 Supervisor Contractual

\$1 from A1310.1 Director of Finance Personnel to A1220.1 Supervisor Personnel		
\$110 from A1310.1 Director of Finance Personnel to A1420.1 Attorney Personnel		
\$68 from A1410.1 Town Clerk Personnel to A1410.4 Town Clerk Contractual		
\$867 from A1355.4 Assessment Contractual to A1330.2 Tax Receiver Equipment		
\$730 from A1355.4 Assessment Contractual to A1330.1 Tax Receiver Personnel		
\$400 from A1355.4 Assessment Contractual to A1355.1 Assessment Personnel		
\$205 from A6772.4 Programs for Aging Contractual to A6772.1 Programs for Aging Personnel		
Increase A1420.4 Attorney Contractual	\$28,341	
Increase A2770 Miscellaneous Revenue	\$28,341	
Increase A1440.4 Engineer Contractual	\$6,137	
Increase A2770 Miscellaneous Revenue	\$6,137	
Increase A1450.4 Elections Contractual	\$2,480	
Increase A2349.01 County Election Support		\$2,480
Increase A1460.1 Records Management Personnel		\$122
Increase A4790 Economic Assistance	\$122	
Increase A1460.4 Records Management Con.	\$15,095	
Increase A4790 Economic Assistance	\$15,095	
\$312 from A1621.4 Sr. Center Contractual To A1661.4 Sr. Center Office Supplies		
\$93 from A1622.4 Comm. Ctr. Contractual To A1662.4 Comm. Ctr. Office Supplies		
\$5,968 from A1680.4 Central Data Process. Con. To A1680.2 Central Data Process. Equip.		
\$3,133 from A3510.2 Dog Control Equipment To A3510.1 Dog Control Personnel		
\$1,900 from A5132.4 Garage Contractual to A5132.2 Garage Equipment		
\$833 from A5132.4 Garage Contractual to A5010.2 Highway Superintendent Equip.		
\$752 from A5132.4 Garage Contractual		

to A5010.1 Highway Superintendent Pers.	
\$39 from A7020.4 Comm. Ctr Dir. Con. To A7020.2 Comm Ctr. Dir. Equip	
\$3,135 from A7140.4 Comm Programs Contractual To 7140.1 Comm Programs Personnel	
\$3,000 from A8810.1 Cemetery Personnel to A8810.4 Cemetery Contractual	
Increase A2192 Charges Cemetery Services	\$4,091
Increase A8810.4 Cemetery Contractual	\$4,091
\$361 from A9010.8 State Retirement to A9040.8 Workers Compensation	
Increase A2089 Recreation Fee on New Building	\$4,500
Increase A9901.9 Transfer to Other Funds	\$4,500
Increase A2401 Interest and Earnings	\$30,000
Increase A9901.9 Transfer to Other Funds	\$30,000
Increase A3005 Mortgage Tax	\$15,000
Increase A9901.9 Transfer to Other Funds	\$15,000
\$55,000 from A1990.4 Contingent to A9901.9 Transfer to Other Funds	
Increase B1440.4 Engineer Contractual	\$10,314
Increase B2770 Miscellaneous Revenue	\$10,314
Increase B3620.2 Safety Inspection Equipment	\$729
Increase B2590 Permits & Fees	\$729
Increase B3620.4 Safety Inspection Contractual	\$2,500
Increase B2590 Permits & Fees	\$2,500
Increase B8020.1 Planning Personnel	\$2,285
Increase B2590 Permits and Fees	\$2,285
\$3,743 from B8160.4 Refuse Contractual to B8160.1 Refuse Personnel	
\$931 from B9060.8 Hospital and Medical to B6772.1 Programs for Aging Personnel	
Increase B8010.4 Zoning Contractual	\$173
Increase B2590 Permits and Fees	\$173
\$46 from DB5112.1 Road Construction Personnel to DB5140.1 Brush and Weeds Personnel	
\$647 from DB5110.4 General Repairs Contractual	

to DB5130.1 Mechanic Personnel

\$2,251 from DB5110.4 General Repairs Contractual
to DB 5110.1 General Repairs Personnel

Increase DB5147.1 County Road Mowing Personnel \$470
Increase DB2300 Service Other Governments \$470

Increase DB5148.1 Service Other Gov Personnel \$2,331
Increase DB2300 Service Other Governments \$2,331

\$84 from DB5110.4 General Repairs Contractual
to DB5148.4 Service Other Govts. Contractual

\$47,404 from DB5112.1 Road Construction Personnel
to DB9901.9 Transfer to Other Funds

\$40,000 from DB5112.4 Road Construction Contractual
to DB9901.9 Transfer to Other Funds

Increase DB5031 Interfund Transfers \$112,596
Increase DB9901.9 Transfer to Other Funds \$112,596

Increase HB5031 Interfund Transfers \$20,000
Increase HB1622.4 Comm Cent Reserve Contractual \$20,000

Increase HD5031 Interfund Transfer \$40,000
Increase HD7110.4 Park Reserve Contractual \$40,000

Increase HD5031 Interfund Transfer \$4,500
Increase HD7110.4 Park Reserve Contractual \$4,500
Increase HE5031 Interfund Transfer \$200,000
Increase HE5130.2 Highway Reserve Machinery \$200,000

Increase HG5031 Interfund Transfer \$20,000
Increase HG1620.4 Building Reserve Contractual \$20,000

Increase HF5031 Interfund Transfer \$20,000
Increase HF1620.4 Storage Facility Reserve Contractual \$20,000

Increase SL2 2401 Interest Earnings \$108
Increase SL2 5182.4 Street Lighting Contractual \$108

Increase SL2 2401 Interest Earnings \$2
Increase SL2 5182.4 Street Lighting Contractual \$2

\$817 from SS3 1310.4 Financial Services
to SS3 1440.4 Engineering

Increase SW8340.1 Trans/ Dis Personnel \$85,488
Increase SW5031 Interfund Transfers \$85,488

Increase SW9030.8 Social Security \$5,414
Increase SW5031 Interfund Transfer \$5,414

Increase SW9035.8 Medicare	\$1,266
Increase SW5031 Interfund Transfer	\$1,266
Increase SW8 2401 Interest Earnings	\$90
Increase SW8 1310.4 Finance Services	\$90
\$68,465 from SW11 5110.4 Shumway Contractual to SW11 9901.9 Interfund Transfer	
Increase SW9 2801 Interfund Revenues	\$987
Increase SW9 5110.4 Construction Contractual	\$987

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

Submitted – December 28, 2006

Adopted

Finance Director Leisa Strabel requested approval to pay an upcoming insurance bill from the 2007 budget before the payment date in January 2007. Councilperson Carges made a motion that was seconded by Councilperson Connors to pay the bill before the monthly payment date. All voted in favor of the motion. Motion 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 12B dated December 29, 2006 in the amount of \$188,070.18. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$95,155.36 as set forth in Abstract 12B dated December 29, 2006.
Highway Fund: In the amount of \$14,105.24 as set forth in Abstract 12B dated December 29, 2006.
Special Fund: In the amount of \$78,809.58 as set forth in Abstract 12B dated December 29, 2006.

DISCUSSION AND ANNOUNCEMENTS

Work session is scheduled for Tuesday, January 2, 2007 at 5:00 p.m.

EXECUTIVE SESSION

Supervisor Lester made a motion that was seconded by Councilperson Connors to go into executive session at 7:55 p.m. to discuss tax assessment litigation and two particular employees. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Carges made a motion that was seconded by Councilperson Connors to leave executive session and return to the regular meeting at 8:28 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the November 28, 2006 meeting of the Sweden Town Board at 8:40 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk