

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 30, 2008.

Town Board Members present were Deputy Supervisor Rob Carges, Councilperson Patricia Connors and Councilperson Danielle Windus-Cook. Supervisor Buddy Lester was absent. Also present were Finance Director Leisa Strabel, Town Clerk Karen Sweeting, Town Attorney Jim Bell, Building Inspector Jim Butler and Superintendent of Highways Fred Perrine. Councilperson Tom Ferris arrived at 7:37 p.m.

Visitors present were residents Jim Hamlin, Cora Schrader and Vesta Teeter.

Deputy Supervisor Carges called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Deputy Supervisor Carges then acknowledged the presence of the visitors and asked if anyone had any comments. Resident Cora Schrader stated that she was very happy with Recreation Director Dave Scott. Ms. Schrader also mentioned that Dorothy Coia was doing a good job in the office at the Senior Center.

No other comments.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Public Hearing – Fire Protection Contract 2009 held on December 9, 2008. All voted in favor of the motion – three ayes. Councilperson Ferris had not arrived yet and Supervisor Lester was absent. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the regular meeting held on December 9, 2008. All voted in favor of the motion – three ayes. Councilperson Ferris had not arrived yet and Supervisor Lester was absent. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2008 Received From:	Comments:
*1. Sherri Lee Bryant, Receiver of Taxes	Appointment of Phyllis Brudz and Darla Emmerson as Deputy Receivers of Taxes for 2009
*2. Karen M. Sweeting, Town Clerk	Appointment of Kathleen Roberts and Phyllis Brudz as Deputy Town Clerks for 2009
*3. Leisa Strabel, Finance Director	Request to attend NYS GFOA Conference in April 2009
*4. Patricia A. Stevens, Community Development Manager, Monroe County Dept. Planning and Development	Public Hearing and Steering Committee Meeting – January 2009

*Board has copies

RE: #3 Councilperson Carges made a motion that was seconded by Councilperson Connors to grant the request of Finance Director Leisa Strabel to attend the NYS GFOA conference in April 2009. All voted in favor of the motion – three ayes. Councilperson Ferris had not arrived yet and Supervisor Lester was absent. Motion adopted.

REPORTS

Superintendent of Highways Fred Perrine reported that they have been busy dealing with weather conditions, snow and wind. Councilperson Carges commented on the fine job the highway department had done during the recent snowstorm.

Town Attorney Jim Bell reported updates to a particular assessment litigation.

Building Inspector Jim Butler reported on a possible business interested in the Brockport Ford location.

Councilperson Windus-Cook reported that John Jungbluth had been working on the flooring at the Farmers' Museum. The relocation of the kitchen is under budget. Ms. Windus-Cook shared with the board a generous donation from Jim and Kathy Goetz toward the purchase of a small-scale reaper.

Councilperson Ferris had no report.

Councilperson Connors had no report.

Finance Director Leisa Strabel reported that the Town Auditor would complete the annual audit next week. Mrs. Strabel also reported that she only received one insurance quote from Selective Insurance and at a lower cost to the Town than 2008.

Councilperson Carges had no report.

RESOLUTIONS

RESOLUTION NO. 160

Accepting Ownership and Maintenance of Sidewalks West Side of Redman Road

WHEREAS, the Town of Sweden proposes to construct sidewalks along the west side Redman Road from the north border of the Town Park northwards to a sidewalk that will be constructed as part of the Heritage Square development; and

WHEREAS, the State of New York will only allow the sidewalks to be constructed within the State Highway right-of-way if the Town of Sweden accepts ownership and responsibility for all maintenance and repairs.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon approval by the New York State Department of Transportation and the Town of Sweden; and upon construction of the sidewalk as designed by the Town Engineer, the Town of Sweden agrees to assume ownership of the sidewalk.

Sec. 2. That upon assuming ownership, the Town of Sweden agrees to maintain and repair the sidewalk and its enclosed drainage system.

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

Sec. 4. That the Supervisor is authorized to execute any and all required documents.

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>Absent</u>

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 161

Authorize Supervisor to Sign Escrow Agreements for Heritage Square and Brockport College Suites

WHEREAS, the Town of Sweden requires a letter of credit to be posted by a developer prior to the commencement of site work; and

WHEREAS, the Town Board of the Town of Sweden can accept an escrow deposit in lieu of a letter of credit if the Town Board so desires; and

WHEREAS, McLean Development and the United Group have requested to make an escrow deposit for a portion of the development of phase one of Heritage Square and Brockport College Suites.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to enter into escrow agreements between the Town of Sweden, McLean Development and the United Group for phase one of the proposed development.

Sec. 2. That the dollar amount of the escrow agreement shall be approved by the Town Engineer

Sec. 3. That the escrow agreement is subject to the written approval of the Town Attorney.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Windus-Cook

Discussion: Town Attorney Jim Bell explained that the resolution would allow the Town to move forward when the proper escrow language is put into place. Finance Director Leisa Strabel added that the amount and terms of the escrow are still under discussion.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Ferris Aye

Councilperson Windus-Cook Aye

Supervisor Lester Absent

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 162

Extend All Seasons County/Town Work Agreement - 2009

WHEREAS, Monroe County and the Town of Sweden entered into an agreement regarding all seasons county/town work in 2002, such agreement included a clause for extension in one-year terms for a maximum agreement term of five years; and

WHEREAS, two new appendices (A & B) have been added for 2009; and

WHEREAS, the Superintendent of Highways and the Town Board recommend extending the agreement for 2009.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Amendatory Agreement for All Seasons County/Town Work for the period starting January 1, 2009, and ending December 31, 2009.
- 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 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 Absent

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 163 Authorize Intermunicipal Highway Agreement

WHEREAS, Monroe County maintains a fleet maintenance workforce specializing in public works vehicle repair and maintenance; and

WHEREAS, Monroe County and Municipalities within Monroe County each own and operate various equipment, machinery, tools, and services with surplus capacity; and

WHEREAS, Monroe County owns and operates an alternative fuels source with surplus capacity.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby agree to enter into an intermunicipal agreement, and any amendment thereto, with the County of Monroe to Utilize the Monroe County Fleet Services for mechanical, preventative maintenance and body work to its fleet vehicles at a cost of \$55 per hour, plus parts, and further authorizes the Supervisor to execute such agreement.
- Sec. 2. That the Town Board of the Town of Sweden does hereby agree to enter into an intermunicipal agreement, and any amendment thereto, with the County of Monroe, for access to and the purchase of alternative fuels, for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal and further authorizes the Supervisor to execute such agreement.
- Sec. 3. That the Town Board of the Town of Sweden does hereby agree to enter into an intermunicipal agreement, and amendment thereto, with the City of Rochester, the County of Monroe, the other Towns and Villages within Monroe County, the

Rochester Pure Waters District, the Irondequoit Bay South Central Pure Water District, the Northwest Quadrant Pure Waters District and the Gates-Child-Ogden Sewer District for the mutual sharing of machinery, tools and equipment, for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal, and further authorizes the Supervisor to execute such agreement.

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

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 164 Authorizing Amended Agreement with Office
for the Aging for 2008 re: Nutrition Program

WHEREAS, the County of Monroe acting through the Office for the Aging has requested an Amendment to the 2008 Nutrition Program Agreement, and

WHEREAS, the Town Board has favorably considered the matter.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor be authorized to enter into an amended negotiated contract with the County of Monroe relative to administering the Sweden Senior Center Nutrition Program and to execute all pertinent documents thereto.

Sec. 2. 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>Absent</u>

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 165 Authorizing Preventative Maintenance

Contract for 2009 - 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 SEVEN HUNDRED SIXTY-FOUR AND NO/100 DOLLARS (\$1,764.00) for the year beginning January 1, 2009, and ending on December 31, 2009, with said amount to be paid in quarterly installments of \$441.00.

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

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 166

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 the Director of Finance at the close of the 2008 fiscal year by the heads of administrative units of the Town and to amend the 2008 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 Connors
Seconded by Councilperson Ferris

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>Absent</u>

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 167

Authorizing Additional Sums To Be
Deposited in Capital Reserve

Workers Compensation Insurance Reserve

WHEREAS, the Town Board of the Town of Sweden did heretofore authorize the establishment of a capital reserve fund for Workers Compensation liabilities and judgments on April 11, 2006; and

WHEREAS, the Town Board of 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 Workers Compensation Insurance Reserve the sum of \$3,000.

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 Absent

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 168

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 \$50,000.

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

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 169

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 2008.
- Sec. 2. That the Supervisor is directed to transfer an additional \$203,500 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 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>Absent</u>

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 170

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 \$50,000.

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>Absent</u>

Submitted – December 30, 2008

Adopted

RESOLUTION NO. 171

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2008 Town Budget:

\$342 from A1310.4 Finance Contractual to
A1310.1 Finance Personnel

\$1,532 from A1355.4 Assessment Contractual to
A1330.1 Tax Collection Personnel

\$90 from A1410.4 Clerk Contractual to
A1410.1 Clerk Personnel

\$5,000 from A1622.401 Community Center Maintenance to
A1622.4 Community Center Contractual

\$440 from A1621.1 Senior Center Office Personnel to
A1661.4 Senior Center Office Supplies

\$492 from A7310.4 Youth Services Contractual to
A1662.4 Community Center Office Supplies

\$5,000 from A7020.1 Community Center Personnel to
A7020.4 Community Center Admin. Contractual

\$4,355 from A7110.4 Park Contractual to
A7110.1 Park Personnel

\$3,000 from A7140.1 Community Services Personnel to
7140.4 Community Recreation Contractual

\$1,780 from A7620.4 Adult Programs Contractual to
A7620.1 Adult Programs Personnel

\$1,200 from A8810.2 Cemetery Equipment to
A8810.1 Cemetery Personnel

\$3,800 from A8810.2 Cemetery Equipment to
A8810.4 Cemetery Contractual

\$4,480 from A5132.4 Garage Contractual to
A8810.4 Cemetery Contractual

\$4,000 from A9060.8 Hospital and Medical to
A9050.8 Unemployment Insurance

\$53,800 from A1990.4 Contingent Account to
A9901.9 Transfer to Other Funds

\$4,000 from A1420.4 Attorney Contractual to
A1440.4 Engineer Contractual

\$250 from A8160.4 Refuse Contractual to
A8160.1 Refuse Personnel

\$600 from A7310.4 Youth Contractual to
A7310.1 Youth Personnel

\$6,000 from A1621.101 Senior Center Personnel to
A1621.2 Senior Center Equipment

Increase A2610 Fines and Forfeitures	\$20,000	
Increase A1110.1 Justices Personnel		\$20,000
Increase A2349.01 County Election Inspectors	\$8,890	
Increase A1450.4 Elections Contractual	\$8,890	
Increase A2192 Cemetery Services		\$640
Increase A8810.4 Cemetery Contractual	\$640	
Increase A2190 Sale of Cemetery Lots	\$2,650	
Increase A2192 Cemetery Services		\$3,200
Increase A8810.1 Cemetery Personnel	\$5,850	

Increase A2089 Recreation Fee New Bldg.	\$56,500
Increase A2189 Development Fees	\$92,900
Increase A2701 Refund Prior Years Expense	\$34,000
Increase A2705 Gifts & Donations	\$24,100
Increase A3001 State Revenue Sharing	\$18,700
Increase A3005 Mortgage Tax	\$33,000
Increase A9901.9 Transfer to Other Funds	\$259,200
\$750 from B80204 Planning Contractual to B8020.1 Planning Personnel	
\$300 from B8020.4 Planning Contractual to B9030.8 Social Security	
\$100 from B8020.4 Planning Contractual to B9035.8 Medicare	
Increase B1120 Non Property Tax County	\$29,000
Increase B1440.4 Engineering	\$29,000
\$50,000 from DB5112.1 Road Con. Personnel to DB5110.1 General Repairs Personnel	
\$20,000 from DB5112.2 Chips Project to DB5110.4 General Repairs Contractual	
\$2,378 from DB5142.4 Snow Removal Cont. to DB5142.1 Snow Removal Personnel	
\$4,000 from DB5130.401 Machinery Contractual to DB5142.1 Snow Removal Personnel	
Increase DB2300 Service Other Governments	\$18,800
Increase DB5147.1 County Road Mow Personnel	\$ 400
Increase DB5148.1 Service Other Govts. Pers.	\$18,000
Increase DB9060.8 Hospital & Medical	\$ 400
Increase DB2665 Sale of Equipment	\$27,100
Increase DB2650 Sale of Scrap	\$ 5,000
Increase DB2770 Miscellaneous Revenue	\$ 3,200
Increase DB5130.2 Equipment	\$35,300
Increase DB2300 Service Other Govts	\$50,000
Increase DB9901.9 Transfer to Other Funds	\$50,000
Increase HD2705 Gifts and Donations	\$32,000
Increase HD7110.4 Park Contractual	\$32,000
Increase HP2401 Interest and Earnings	\$625
Increase HP7110.4 Park Contractual	\$625
Increase SL8 2401 Interest and Earnings	\$ 41
Increase SL8 5182.4 Street Lights	\$ 41

\$3,000 from SW11 5110.4 Shumway Construction Contractual to
SW11 1440.4 Engineering

Sec. 2 That this resolution shall take effect immediately.

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

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>Absent</u>

Submitted – December 30, 2008

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Windus-Cook made a motion that was seconded by Councilperson Ferris authorizing payment of the bills in Abstract 12B dated December 31, 2008 in the amount of \$165,196. All voted in favor of the motion – four ayes. Supervisor Lester was absent. Motion adopted.

General Fund: In the amount of \$94,872.05 as set forth in Abstract 12B dated December 31, 2008.

Highway Fund: In the amount of \$67,363.95 as set forth in Abstract 12B dated December 31, 2008.

Special Fund: In the amount of \$2,960 as set forth in Abstract 12B dated December 31, 2008.

DISCUSSION AND ANNOUNCEMENTS

No discussion or announcements noted.

EXECUTIVE SESSION

Councilperson Connors made a motion that was seconded by Councilperson Carges to go into executive session at 8:05 p.m. to discuss personnel. All voted in favor of the motion – four ayes. Supervisor Lester was absent. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Ferris to leave executive session and return to the regular meeting at 8:43 p.m. All voted in favor of the motion – four ayes. Supervisor Lester was absent. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Ferris moved to adjourn the December 30, 2008 meeting of the Sweden Town Board at 8:45 p.m. Councilperson Connors seconded the motion. All voted in favor of the motion – four ayes. Supervisor Lester was absent. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk