

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 Wednesday, December 30, 2009.

Town Board Members present were Supervisor John H. Milner, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Michael Myers and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Town Clerk Karen Sweeting, Town Attorney Jim Bell, and Superintendent of Highways Fred Perrine.

Visitor present was resident Jim Hamlin.

Supervisor Milner called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Milner then acknowledged the presence of the visitor and asked if he had any comments. No comment.

APPROVAL OF MINUTES

Councilperson Myers made a motion that was seconded by Councilperson Connors to accept the minutes of the regular meeting held on December 8, 2009. All voted in favor of the motion – three ayes. Councilpersons Carges and Windus-Cook abstained due to their absence from the December 8, 2009 meeting. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2009 Received From:	Comments:
*1. Bill Bird	Letter of Interest – Fire District Committee
*2. Jarl Boyst	Letter of Interest – Fire District Committee
*3. Mike Ferris	Letter of Interest – Fire District Committee
*4. Debra Finkle	Letter of Interest – Fire District Committee
*5. Pete Hare	Letter of Interest – Fire District Committee
*6. Doug Hickerson	Letter of Interest – Fire District Committee
*7. Kenneth Keim	Letter of Interest – Fire District Committee
*8. Norman Knapp	Letter of Interest – Fire District Committee
*9. Mike Lazore	Letter of Interest – Fire District Committee
*10. Harold Mundy	Letter of Interest – Fire District Committee
*11. Charles Sanford	Letter of Interest – Fire District Committee
*12. Lucas VanDervort	Letter of Interest – Fire District Committee
*13. Larry Vaughan	Letter of Interest – Fire District Committee
*14. Mark Warner	Letter of Interest – Fire District Committee
*15. Dan Zimmer	Letter of Interest – Fire District Committee
*16. Tony Eaffaldano, Assessor	Request for Darla Emmerson to attend seminar – January 8, 2010
*17. Joel Franklin, Recreation	Resignation
18. Harold Mundy	Letter of Interest – Environmental Conservation Board
*19. Larry Vaughan	Fire Department concerns
*20. National Grid	Work on transmission lines
21. Mom's Club of Brockport	Thank you for the use of the Senior Center
22. Jeff Jung, Manager Brockport Chase Bank	Transfer to another branch

*Board has copies

RE: #16 – Councilperson Connors made a motion that was seconded by Councilperson Myers to grant the request of Tony Eaffaldano for Darla Emmerson to attend the seminar on January 8, 2010. All voted in favor of the motion. Motion adopted.

RE: #17 – Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept with regrets the resignation of Joel Franklin. All voted in favor of the motion. Motion adopted.

REPORTS

Superintendent of Highways Fred Perrine reported that they have been busy dealing with weather conditions.

Town Attorney Jim Bell reported updates to litigation.

Councilperson Windus-Cook had not report.

Councilperson Myers had no report.

Councilperson Connors had no report.

Councilperson Carges had no report.

Finance Director Leisa Strabel reported updates to the new health insurance plan.

Supervisor Milner reported that he had attended several meetings – Senior Center Association meeting, Council of Government meeting, joint meeting with Clarkson and the Seymour Library Board, Supervisors’ Association and the opening of Metro Mattress.

RESOLUTIONS

RESOLUTION NO. 147

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 2009 fiscal year by the heads of administrative units of the Town and to amend the 2009 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 Carges

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Myers Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 148

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 \$15,000.

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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 149

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 \$40,000.

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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 150

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 2009.

Sec. 2. That the Supervisor is directed to transfer an additional \$33,000 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 Windus-Cook

Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 151

Authorizing Additional Sums
To Be Deposited in Capital Reserve
Recreation/Community Center 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 \$45,000.
- Sec. 2. That such additional sums as may hereafter be appropriated shall become part of the fund.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Myers Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 152 Establishing Reserve Fund (Judgments and Claims)

NOW THEREFORE BE IT RESOLVED:

- Sec. 1. That pursuant to Section 55-b of Town Law, the Town Board of the Town of Sweden does hereby establish a Capital Reserve Fund to pay all or part of the cost of judgments or compromised or settled claims against the Town, and awards or sums payable pursuant to a determination by a court, or an officer, body or agency acting in an administrative or quasi-judicial capacity.
- Sec.2. That surplus monies from the general fund balance are hereby appropriated for the Reserve for Judgments and Claims and the Director of Finance is authorized to transfer from surplus generals funds the sum of \$25,000.
- Sec. 3. That the Director of Finance is hereby directed to deposit monies of this reserve fund in a separate bank account to be known as the Town Judgment and Claims 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 be come part of the fund as permitted by Section 55-b of Town Law.

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 Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 153

Adopt Employee Handbook

WHEREAS, the Town Board of the Town of Sweden had engaged Paychex, Inc. to revise and compile an employee handbook for the Town of Sweden; and

WHEREAS, the Town Board has had the opportunity to review and comment on the draft employee handbook.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The Town Board of the Town of Sweden does hereby adopt the Town of Sweden Employee Handbook.

Sec. 2. That the new handbook will be effective as of January 1, 2010, and shall replace all existing handbooks.

Sec. 3. 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	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 154

Appoint Recreation Assistant PT - Knittel

WHEREAS, the resignation of Joel Franklin creates a vacancy for a part time Recreation Assistant; and

WHEREAS, Recreation Director David Scott has recommended Gregory Knittel for the position.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Gregory Knittel as Recreation Assistant PT for a maximum of 24 hours per week.
- Sec. 2. That the hourly rate of pay is \$8.00 with a start date of December 12, 2009.
- 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 Aye
- Councilperson Connors Aye
- Councilperson Myers Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 155

Appoint Members to
Wind Tower Study Committee

WHEREAS, the Town Board of the Town of Sweden placed a moratorium on the construction of wind towers/turbines/ spires on October 13, 2009; and

WHEREAS, the Town Board of the Town of Sweden wishes to appoint a committee to study possible regulations regarding the location of wind towers/turbines/spires in the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint the following individuals to a Wind Tower Study Committee:
Rebecca Donohue
Michael Myers
David Strabel
Ray Gabriel
Wayne Rickman

Sec. 2. That the chairperson shall be Rebecca Donohue.

Sec. 3. That the committee shall make a recommendation for regulations to the Town Board by June 1, 2010 or request an extension of the moratorium if additional time is needed.

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 Myers	<u>Abstain</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

RESOLUTION NO. 156

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2009 Town Budget:

\$500 from A1310.4 Director of Finance Contractual to
A1310.1 Director of Finance Personnel

\$500 from A1410.2 Clerk Equipment to
A1410.1 Clerk Personnel

\$8,000 from A1420.4 Attorney Contractual to
A1440.4 Engineer Contractual

\$2,500 from A1621.4 Senior Center Contractual to
A1621.1 Senior Center Personnel

\$200 from A1621.4 Senior Center Contractual to
A1661.4 Senior Center Office Supplies

\$10,000 from A3510.2 Control of Dogs Equipment to
A9901.9 Transfer to Other Funds

\$450 from A5010.2 Highway Superintendent Equipment to
A5010.1 Highway Superintendent Personnel

\$3,500 from A7310.4 Youth Services Contractual to
A7020.4 Community Center Administration

\$18,000 from A7110.101 Park Personnel Grant to
A7110.1 Park Personnel

\$1,500 from A7110.404 Park Maintenance to
A7110.1 Park Personnel

\$2,000 from A7110.404 Park Maintenance to
A7110.4 Park Contractual

\$280 from A7110.404 Park Maintenance to
A7150.4 Park Concessions

\$100 from A8160.4 Refuse Contractual to A8160.1 Refuse Personnel	
\$3,000 from A8810.2 Cemetery Equipment to A8810.4 Cemetery Contractual	
\$55,000 from A1990.4 Contingent to A9901.9 Transfer to Other Funds	
\$597 from A5132.4 Garage Contractual to A9901.9 Transfer to Other Funds	
Increase A2705 Gifts and Donations	\$55,000
Increase A1622.401 Community Center Maintenance	\$55,000
Increase A2705 Gifts and Donations	\$85,000
Increase A1622.4 Community Center Contractual	\$85,000
Increase A2089 Recreation Fee on New Buildings	\$2,500
Increase A9901.9 Transfer to Other Funds	\$2,500
Increase A2610 Fines and Forfeited Bail	\$46,000
Increase A2705 Gifts and Donations	\$24,000
Increase A2701 Refund Prior Year Expenses	\$17,000
Increase A3001 State Revenue Sharing	\$16,000
Increase A9901.9 Transfer to Other Funds	\$103,000
\$175 from B7310.4 Youth Services Contractual to B7140.1 Playground Personnel	
Increase B2115 Planning Board Fees	\$3,000
Increase B1420.4 Attorney Contractual	\$3,000
Increase B2115 Planning Board Fees	\$30,000
Increase B1440.4 Engineering Contractual	\$30,000
Increase B2115 Planning Board Fees	\$2,200
Increase B8020.1 Planning Personnel	\$2,200
Increase B2115 Planning Board Fees	\$2,800
Increase B8020.4 Planning Board Contractual	\$2,800
Increase DA5031 Transfer from Other Funds	\$597
Increase DA5130.2 Machinery Equipment	\$597
\$70,000 from DB5112.1 Road Construction Permanent Personnel to DB5110.1 General Repairs Personnel	
\$3,100 from DB5112.4 Road Construction Permanent Contractual to DB5112.2 Chips Project	
\$15,000 from DB5130.401 Machinery Fuel to DB5130.4 Machinery Contractual	
Increase DB2300 Service Other Governments	\$4,500
Increase DB5148.1 Service Other Governments Personnel	\$4,500
Increase SL1 2401 Interest Earnings	\$239

Increase SL1 5182.4 Street Light Contractual \$239

\$17 from SS8120.1 Sewer Collection Personnel Services to
SS8110.1 Sewer Administration Personnel Services

\$15,000 from SW5110.4 Water Line Construction Contractual to
SW8340.1 Transmission Distribution Personnel

\$1,000 from SW8310.4 Water Administration Contractual to
SW9030.8 Social Security

\$60 from SW8310.4 Water Administration Contractual to
SW9035.8 Medicare

\$1,000 from SW11 5110.4 Water Line Construction Contractual to
SW11 1440.4 Engineering

\$13,750 from SW11 5110.4 Water Line Construction Contractual to
SW11 9901.9 Transfer to Other Funds

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 Myers	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – December 30, 2009

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Myers made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 12B dated December 31, 2009 in the amount of \$119,199.78. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$64,588.86 as set forth in Abstract 12B dated December 31, 2009.
Highway Fund: In the amount of \$44,630.30 as set forth in Abstract 12B dated December 31, 2009.
Special Fund: In the amount of \$9,980.62 as set forth in Abstract 12B dated December 31, 2009.

DISCUSSION AND ANNOUNCEMENTS

No discussion or announcements noted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Connors moved to adjourn the December 30, 2009 meeting of the Sweden Town Board at 8:00 p.m.

Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk