

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, February 14, 2006.

Town Board Members present were Deputy Supervisor/Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Supervisor Buddy Lester was absent. Also present were Director of Finance Leisa Strabel, Town Attorney James Bell, Nutrition Program Site Manager Nancy Duff, and Town Clerk Karen Sweeting.

Visitors present were Jim Hamlin from 50 Park Avenue and Tim Bates from 69 Royal Gardens Way.

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 there was anyone that would like to speak. There was no one.

#### APPROVAL OF MINUTES

Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the minutes of the Regular Town Board Meeting held on January 24, 2006. All voted in favor of the motion – four ayes. Motion adopted.

Deputy Supervisor Carges presented a certificate to Nutrition Program Site Manager Nancy Duff in recognition of the Senior Center's 25<sup>th</sup> Year Celebration. Councilperson Connors added that the Senior Center staff did a wonderful job and complimented Ann Grey on the preparation of the food. Nancy Duff left the meeting at 7:35 p.m.

#### SUPERVISOR'S CORRESPONDENCE

2006	Received From:	Comments:
*1.	Shannon Balbi, Recreation Supervisor	Resignation
*2.	C. Gray, Resident	Comments to Refuse/Recycling changes
3.	David Scott, Recreation Director	Recommendation to appoint Recreation Assistants – Tangney and Simboli
4.	NYS Department of Environmental Conservation	Fact Sheet – Sampling Shows Tributary 3 Cleanup Successful

\*Board has copies.

RE: #1 – Councilperson Connors made a motion that was seconded by Councilperson Ferris to accept the resignation of Shannon Balbi as Recreation Supervisor from the Sweden Clarkson Community Center with regrets. All voted in favor of the motion – four ayes. Motion adopted.

#### DEPARTMENTAL REPORTS

January 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; Justice Court, Lynette Lemcke; Dog Control, Kathy Beaumont; and Town Clerk, Karen Sweeting.

#### REPORTS

Town Clerk Karen M. Sweeting presented the members of the Board with the amended Refuse/Recycling 2006 Fee Schedule. The schedule was reviewed and approved.

Councilperson Windus-Cook reported that she had attended a breakfast meeting with the Village of Brockport, Town of Clarkson, and the Town of Hamlin to discuss the area Building Inspectors working together to cover vacations, etc. All present at the meeting were in agreement. Ms. Windus-Cook stated she had received an idea for the Community Development Block Grant application from an employee of the Town and wanted to discuss the idea with the other members of the Board at the next workshop.

Councilperson Ferris reported that he had spoken with Nancy Duff of the Senior Center about a fill-in for Edward Webster, Laborer while he is on vacation. Mr. Ferris explained that her position allows her the freedom to handle these types of situations. He continued that it provides flexibility of scheduling and she would know who would be qualified to fill-in better than the board members.

Councilperson Connors reported that she attended the funeral for James Rich, former employee of the Senior Center. She stated it was a sad affair and that Jim had served the Town for many years. Mrs. Connors attended the swearing in of the Brockport Fire Department's newly elected officers and has been working on the Sweden Code revisions with Councilperson Windus-Cook. Mrs. Connors stated that the revisions were complete and submitted to General Code by Deputy Town Clerk, Marleen Cain.

Deputy Supervisor Carges reported that he had received a second written proposal for a sign to be placed at the entrance of the Sweden Clarkson Community Center. This quote was in the same range as the first and Mr. Carges will be asking for a third proposal for comparison. Mr. Carges met with Dan Scott from Monroe Piping at the Town Hall and Highway Garage. He discussed a proposal for replacement of the heating units at these locations. Mr. Carges stated he would have another company submit proposals as well.

Finance Director Leisa Strabel reported for Supervisor Lester and Highway Superintendent Fred Perrine in their absence. Supervisor Lester received an invitation from Jarl Boyst, the Chairman of the Recreation and Parks Advisory Council, to attend the March 7<sup>th</sup> meeting to review RPAC's master plan and proposed updates. Mr. Perrine submitted estimates for a fire alarm system at the Highway Garage for the Board to review. He is recommending the lowest bid and asks for a resolution for the next meeting.

RESOLUTIONS

RESOLUTION NO. 24

Accept NYS Parks, Recreation and Historic Preservation Grant And Authorize Supervisor to Sign Necessary Contract Documents

WHEREAS, the Sweden Clarkson Community Center has been awarded a NYS Parks, Recreation and Historic Preservation Grant in the amount of \$7,500, and

WHEREAS, the Town Board wishes to accept this award and have the necessary contract documents signed by the Supervisor on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby accepts the award of a \$7,500 NYS Parks, Recreation and Historic Preservation Grant.
- Sec. 2. That the Supervisor is authorized to act on behalf of the Town of Sweden and sign the necessary contract 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	<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 – February 14, 2006

Adopted

RESOLUTION NO. 25

Authorizing Increase in Charge for  
Refuse/Recycling Permit for Town of  
Sweden Refuse/Recycling Center

WHEREAS, the Town of Sweden Refuse/Recycling Center has been in operation since June of 1993; and

WHEREAS, the cost to the Town for providing this service has increased; and

WHEREAS, the charge for a Refuse/Recycling Permit has remained at \$25.00 since January 1, 2001; and

WHEREAS, residents of the Town have expressed the desire to continue the recycling center operation even at a substantial increase in the permit fee.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby change the charge for a Refuse/Recycling Permit to \$50.00.

Sec. 2. That this change will be effective March 4, 2006.

Sec. 3. That permits issued since January 1, 2005 may be redeemed towards the purchase of a new permit.

Sec. 4. That permits issued prior to January 1, 2005 will have no value as of March 4, 2006.

Sec. 5. That recycling attendants be instructed not to accept old passes for any purpose at the recycling center beginning March 4, 2006.

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>Nay</u>

Supervisor Lester  
Submitted – February 14, 2006

Absent

Adopted

RESOLUTION NO. 26

Calling for a Public Hearing Regarding the  
Adoption of Local Law No. 1 of 2006 – Amending  
Section 17-34 of Local Law No. 2 of 1990

WHEREAS, the Superintendent of Highways of the Town of Sweden has recommended establishing a “No Parking” designation for Transit Way in the Town of Sweden; and

WHEREAS, Section 170-34 (Schedule VIII: Parking Prohibited at All Times) of the Sweden Town Code describes the streets or parts of streets that have designated no parking areas; and

WHEREAS, the Town Board of the Town of Sweden would like to amend Local Law No. 2 of 1990 to include Transit Way to Section 170-34 of the Sweden Town Code.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, NY, on the 28th day of February 2006, at 7:15 PM to hear all persons for or against the adoption of Local Law No.1 of 2006 – Amending Section 170-34 of Local Law No. 2 of 1990.

Sec. 2. That the Town Clerk is authorized and directed to cause a notice of this hearing to be published in the official newspaper of the town, in accordance with Section 265 of Town Law.

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	<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 – February 14, 2006

Adopted

RESOLUTION NO. 27

Appoint Recreation Assistant PT - Tangney

WHEREAS, there is a need for a part time Recreation Assistant at the Community Center; and

WHEREAS, Recreation Director David Scott is recommending hiring Mike Tangney.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Mike Tangney as Recreation Assistant PT at the Sweden Clarkson Community Center for a maximum of 20 hours per week.
- Sec. 2. That the hourly rate of pay is \$6.75.
- Sec. 3. That the starting date will be January 30, 2006.
- Sec. 4. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – February 14, 2006 Adopted

RESOLUTION NO. 28 Appoint Recreation Assistant PT - Simboli

WHEREAS, there is a need for a part time Recreation Assistant at the Community Center; and

WHEREAS, Recreation Director David Scott is recommending hiring Joseph Simboli.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Joseph Simboli as Recreation Assistant PT at the Sweden Clarkson Community Center for a maximum of 24 hours per week.
- Sec. 2. That the hourly rate of pay is \$9.00.
- Sec. 3. That the starting date will be January 29, 2006.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution 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 – February 14, 2006 Adopted

RESOLUTION NO. 29 Repeal Dental/Optical/Medical Plan

WHEREAS, it has been recommended that the Town of Sweden adopt an IRS Section 125 Flexible Spending Account Plan and offer it as a benefit to eligible employees; and

WHEREAS, the adoption of an IRS Section 125 Flexible Spending Account Plan would supercede the current Dental/Optical/Medical Plan.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby repeals the Dental/Optical/Medical Plan first adopted on January 4, 1984.
- Sec. 2. That as of February 15, 2006, employees may no longer draw from the balance in their individual dental/optical/medical account.
- Sec. 3. That individual employee balances as of February 15, 2006 will be paid out in the next payroll (Payroll 4) to be processed on February 21, 2006.
- Sec. 4. That all references to the Dental/Optical/Medical Plan in the employee handbook be removed.
- Sec. 5. 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 Ferris	<u>Aye</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Lester	<u>Absent</u>	
Submitted – February 14, 2006		Adopted

RESOLUTION NO. 30 Adopt IRS Section 125 Flexible Spending Account Plan

WHEREAS, an IRS Section 125 Flexible Spending Account Plan is a benefit that many employers offer to employees; and

WHEREAS, the Town Board of the Town of Sweden has determined that an IRS Section 125 Flexible Spending Account Plan will be of significant benefit to Town employees at little cost to Town taxpayers.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden establishes an IRS Section 125 Flexible Spending Account Plan effective February 20, 2006.
- Sec. 2. That the Town will contribute \$250 for each full-time employee, the Town Clerk, Tax Receiver, Highway Superintendent, Town Justices and \$500 for the members of the Sweden Town Board on February 20, 2006. Thereafter, the Town’s annual contribution will be made on January 1 of each calendar year.

- Sec. 3. That eligible employees will be able to contribute to the Plan through payroll deduction up to the legal limits established by IRS Section 125.
- Sec. 4. That eligible employees include all full-time, part-time and elected officials with the exception of seasonal workers, temporary workers and student helpers.
- Sec. 5. That new employees will not be eligible for membership in the Plan until the first day of January following the date of hire, unless the employment date or term of office actually begins on January 1, in which event they will be eligible immediately.
- Sec. 6. That upon termination of a member’s employment for any reason, any unused funds are forfeited according to IRS Section 125 regulations.
- Sec. 7. That at the end of each Plan year, any unused funds are forfeited according to IRS Section 125 regulations.
- Sec. 8. That this Plan will remain in effect until amended or repealed by Town Board resolution.
- Sec. 9. That Paychex be the authorized administrator of the Plan and that the Supervisor or his designee is authorized to sign all related paperwork for the administration of the Plan.
- Sec. 10. That the Town Clerk is hereby directed to distribute the attached Plan description to all employees and to include it in the employee handbook.
- Sec. 11. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Windus-Cook  
 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>Absent</u>

Submitted – February 14, 2006

Adopted

IRS SECTION 125 FLEXIBLE SPENDING ACCOUNT PLAN  
 TOWN OF SWEDEN

PURPOSE:

The Internal Revenue Service Section 125 Flexible Spending Account Plan ("Plan") is a benefit funded in part by the Town of Sweden for its employees and elected officials; and in part by employee contributions through payroll deduction. A spouse or dependent may also take advantage of the benefits if a member so desires.

"Members" of this Plan shall mean hired or appointed employees and elected officials on the Town's regular payroll with the following exceptions:

1. Seasonal or temporary employees
2. Student helpers

Services are those eligible services as defined by the Internal Revenue Service.

FUNDING:

The Town of Sweden will provide annual funds of \$250 for each full-time employee and elected officials with the exception of Town Board members who will receive \$500 annually. The Town will deposit its contribution on January 1 of each year. All eligible employees may choose to make additional contributions to the fund through payroll deduction. This contribution may be selected during the open enrollment period each year and may not be changed until the next open enrollment period, unless allowed by IRS Section 125 regulations.

**APPLICATION:**

New employees will not be eligible for membership in this plan until the first day of January following the date of employment unless the employment date or the term of office actually begins on January 1, in which event they will be eligible immediately.

Upon termination of a member's employment for any reason, unused funds are forfeited according to IRS Section 125 regulations.

At the end of each Plan year, unused funds are forfeited according to IRS Section 125 regulations.

**EFFECTIVE DATE:**

This Plan shall take effect February 20, 2006, and be in effect thereafter unless or until it is superseded by another plan. The Plan may be amended or repealed by resolution of the Town Board.

Adopted by the Town Board 02/14/06.

**DISCUSSION AND ANNOUNCEMENTS**

No discussion or announcements.

**EXECUTIVE SESSION**

Councilperson Windus-Cook made a motion that was seconded by Councilperson Ferris to enter into executive session at 8:15 p.m. to discuss a personnel issue. All voted in favor of the motion – four ayes. 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 8:35 p.m. All voted in favor of the motion – four ayes. Motion adopted.

**ADJOURNMENT**

As there was no further business to come before the Board, Councilperson Connors moved to adjourn the February 14, 2006 meeting of the Sweden Town Board at 8:36 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk