

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, May 22, 2012.

Town Board Members present were Supervisor Patricia Connors, Councilperson Rob Carges, Councilperson Kevin Johnson and Councilperson Donald Roberts, Jr. Councilperson Rebecca Donohue was absent. Also present were Director of Finance Leisa Strabel and Town Clerk Karen M. Sweeting. Superintendent of Highways Fred Perrine arrived at 8:00 p.m.

Visitor present was resident Jim Hamlin.

Supervisor Connors called the meeting to order at 7:35 p.m. following the public hearing and asked everyone present to say the Pledge to the Flag. Supervisor Connors then acknowledged the presence of the visitor and asked if he had any comments. Mr. Hamlin did not.

APPROVAL OF MINUTES

Councilperson Johnson made a motion that was seconded by Councilperson Carges to accept the minutes of the regular meeting held on May 8, 2012. All voted in favor of the motion – three ayes. Councilperson Roberts abstained due to his absence from such meeting. Motion adopted.

Councilperson Roberts made a motion that was seconded by Councilperson Carges to accept the minutes of the special meeting held on May 18, 2012. All voted in favor of the motion – four ayes. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2012	Received From:	Comments:
*1.	Fred Perrine, Superintendent of Highways	Request for purchases for mowing operations
*2.	Karen Sweeting, Town Clerk	Request to attend NYALGRO conference – June 3 rd to June 5 th
*3.	Fred Perrine, Superintendent of Highways	Request to attend 2012 Highway School
*4.	Tony Eaffaldano, Assessor	Request to attend Western NY Chapter of the International Association of Assessing Officers – June 29, 2012

*Board has copies

RE: #1 Councilperson Roberts made a motion that was seconded by Councilperson Carges to grant the request of Superintendent of Highways Fred Perrine to purchase the 2012 Exmark LZX27KC526 for a cost of \$2,592.74 (\$8,892.74 minus trade in allowance of \$6,300). All voted in favor of the motion – four ayes. Motion adopted.

RE: #2 Councilperson Carges made a motion that was seconded by Councilperson Roberts to grant the request of Town Clerk Karen Sweeting to attend the annual NYALGRO conference June 3rd to June 5th. All voted in favor of the motion – four ayes. Motion adopted.

RE: #3 Councilperson Carges made a motion that was seconded by Councilperson Roberts to grant the request of Superintendent of Highways Fred Perrine to attend the 2012 Highway School June 11th to June 13th. All voted in favor of the motion – four ayes. Motion adopted.

RE: #4 Councilperson Carges made a motion that was seconded by Councilperson Roberts to grant the request of Assessor Tony Eaffaldano to attend the annual meeting of the Western NY

Chapter of the International Association of Assessing Officers June 29th. All voted in favor of the motion – four ayes. Motion adopted.

REPORTS

Town Clerk Karen Sweeting is preparing for the upcoming primary election on June 26, 2012.

Finance Director Leisa Strabel informed the board that the Town Auditor is presenting the audit on Thursday, May 24th. The new server should be installed and ready by the end of May.

Councilperson Carges is attending recreation software demonstrations. A program will be selected by the end of June for the recreation department.

Councilperson Roberts, the liaison for the highway department, met with Secretary to the Superintendent of Highways Ruth Kruppner.

Councilperson Johnson attended a SSAI meeting at the Senior Center.

Supervisor Connors attended a Comprehensive Plan Review committee meeting. The review should be complete by the end of June, updates and amendments will be drafted then presented to the board for review. Mrs. Connors also attended the Monroe County Supervisors’ luncheon.

Superintendent of Highways Fred Perrine reported that county work continues on Reed Road and the work necessary to complete Phase I of Heritage Square will be done by June 20th.

RESOLUTIONS

RESOLUTION NO. 74

Approving Draft Legislation Act –
NYS Assembly Bill A10200 and
NYS Senate Bill S7307 –
Transfer Funds Brockport Fire District

WHEREAS, Assemblyman William D. Reilich and Senator George Maziarz have proposed that the State Assembly and the State Senate enact Home Rule Legislation at the State Level, to authorize the transfer of certain funds of the Village of Brockport, allocated for fire protection and of unexpended cash and reserves of the Sweden Fire Protection District and the Clarkson Fire Protection District, to the Brockport Fire District, following the formation of the Brockport Fire District and the dissolution of the Sweden Fire Protection District and the Clarkson Fire Protection District; and

WHEREAS, the Town Board of the Town of Sweden is supportive of this proposed State Legislation; and

WHEREAS, it is hereby determined that a necessity exists for such legislation in that the Town of Sweden does not have the power to enact such Legislation by Local Law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby approves the legislation set forth in NYS Assembly Bill A10200 introduced May 10, 2012 and NYS Senate Bill S7307 introduced May 2, 2012.

Sec. 2. That the Town Clerk is authorized to certify and is directed to furnish a certified copy of this Home Rule Legislation request to the offices of Assemblyman Reilich and Senator Maziarz in support of such pending legislation.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 75 Acceptance of the Stormwater Coalition of
Monroe County 2011-2012 Draft Annual
Report for Compliance with the Phase II
Stormwater Regulations

WHEREAS, the Town of Sweden has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA’s Phase II Stormwater Regulations under the Clean Water Act of 1999; and

WHEREAS, the Phase II Program requires each MS4 to prepare a Draft Annual Report on the Town’s efforts to protect and improve the water quality of our streams and waterbodies; and

WHEREAS, the public is invited to review the Draft Annual Report and provide input; and

WHEREAS, a Draft Annual Report has been prepared in conformance with the Phase II Regulations by the Highway Department; and

WHEREAS, the Annual Report must be submitted to the New York State Department of Environmental Conservation offices in Albany, NY by June 1, 2012.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden accepts said Draft Annual Report.
- Sec. 2. That the Draft Annual Report be made available for public review on the Town’s website www.townofsweden.org
- Sec. 3. That all comments on the Draft Annual Report will be incorporated into the Final Annual Report to the NYSDEC.
- Sec. 4. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Johnson
Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 76

Approving Fireworks Application and Permit – Sweden Clarkson Community Center – July 3, 2012

WHEREAS, an application for the display of fireworks has been received from the Sweden Clarkson Recreation Director, for the Sweden Clarkson Community Center located at 4927 Lake Rd., Brockport New York for consideration by the Town Board. Said display to be held on July 3, 2012 at 9:30 PM at the Sweden Clarkson Community Center grounds. In case of inclement weather the date will be July 5, 2012 at 9:30 PM; and

WHEREAS, the Fire Marshal for the Town of Sweden has approved said application.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board hereby approves the application for the display of fireworks at the Sweden Clarkson Community Center on July 3, 2012 and authorizes the Town Clerk to issue a permit for same.
- Sec. 2. That Young Explosives Corporation provide an indemnity policy with liability of at least \$2,000,000 conditioned for the payment of all damages which may be caused to a person or persons, or to property by reason of acts of the permittee, his agents, employees, etc. Such policy shall run to the Town.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 77

Approving Fitness Center Discount For Active Members of the Brockport Fire Dept. Assoc. and the Brockport Volunteer Ambulance Corps

WHEREAS, the Town Boards of the Towns of Sweden and Clarkson recognize the commitment of active members of the Brockport Fire Department Association and the Brockport Volunteer Ambulance Corps to the health and safety of the community; and

WHEREAS, the Town Boards of the Towns of Sweden and Clarkson have determined that promoting a healthy lifestyle among active members of the Brockport Fire Department Association and Brockport Volunteer Ambulance Corps will further benefit the community.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the following Sweden/Clarkson Community Center Fitness Room discount:

Active members of the Brockport Fire Department Association and Brockport Volunteer Ambulance Corps are eligible for a Fitness Room Membership at a rate that is half of the Single Person Membership at the time of enrollment. This benefit will continue so long as the enrollee remains an active volunteer with these organizations. and so long as the Town of Sweden has a fitness room at the Sweden/Clarkson Community Center.

If an active member of the Brockport Fire Department Association or Brockport Volunteer Ambulance Corps wishes to enroll in a Family Fitness Room Membership, they may do so at a rate that is equal to the Family Membership less half of the Single Person Membership at the time of enrollment. This benefit will continue so long as the enrollee remains an active volunteer with these organizations and so long as the Town of Sweden has a fitness room at the Sweden/Clarkson Community Center.

Sec. 2. That the Presidents (or their designees) of the Brockport Fire Department Association and the Brockport Volunteer Ambulance Corps will provide written confirmation of active membership on a form proscribed by the Sweden/Clarkson Recreation Department.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 78

Authorizing Stipulation of Settlement

WHEREAS, Jeffrey Davignon has filed a complaint with the New York State Division of Human Rights against the Village of Brockport, Seymour Library, Seymour Public Library Board of Trustees, Town of Clarkson and Town of Sweden; and

WHEREAS, the Respondents are desirous of settling all aspects of said litigation by entering into a Stipulation of Settlement describing the terms of same with the understanding that said Stipulation of Settlement would also discontinue any and all litigation related to the complaint.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. The Sweden Town Board hereby approves the Stipulation of Settlement in this matter.
- Sec. 2. The Sweden Town Board hereby authorizes the Supervisor to execute the Stipulation of Settlement.
- Sec. 3. The Sweden Town Board hereby authorizes the Finance Director and Town Attorney to carry out the terms of the Stipulation of the Settlement on behalf of the Town.
- Sec. 4. This resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Abstain</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 79

Appoint Seasonal Laborer – Roberts

WHEREAS, the Buildings and Grounds department has requested a part-time Seasonal Laborer for the Sweden Town Park during the spring/summer seasons; and

WHEREAS, the Buildings and Grounds department has recommended the appointment of Shawn Roberts as Seasonal Laborer for the Sweden Town Park during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Shawn Roberts as Seasonal Laborer.
- Sec. 2. That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.

Sec. 3. That the rate of pay will be \$8.50 per hour, not to exceed 24 hours per week, for the period May 29, 2012 through August 24, 2012.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Abstain</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 80 Authorize Supervisor to Enter Into Agreement With
General Code Publishers for On-line Code Services

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to enter into an agreement with General Code Publishers for eCode360 for set-up and 2012 maintenance.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

Adopted

RESOLUTION NO. 81 Approving Draft Legislation Act –
NYS Assembly Bill A.002126 –
Speed Limits for the Town of Sweden

WHEREAS, Assemblyman William D. Reilich and Senator George Maziarz have proposed that the State Assembly enact Home Rule Legislation at the State Level, allowing the Town of Sweden within the County of Monroe to establish 25 mile per hour area speed limits within various portions of the town as determined by the Town Board from time to time; and

WHEREAS, the Town Board of the Town of Sweden is supportive of this proposed State Legislation; and

WHEREAS, it is hereby determined that a necessity exists for such legislation in that the Town of Sweden does not have the power to enact such Legislation by Local Law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby approves the legislation set forth in NYS Assembly Bill A.002126 introduced January 13, 2011.

Sec. 2. That the Town Clerk is directed to furnish a certified copy of this Home Rule Legislation request to the offices of Assemblyman Reilich and Senator Maziarz in support of such pending legislation.

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

MOTION for adoption of this resolution by Councilperson Johnson

Seconded by Councilperson Roberts

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Donohue	<u>Absent</u>
Councilperson Johnson	<u>Aye</u>
Councilperson Roberts	<u>Aye</u>
Supervisor Connors	<u>Aye</u>

Submitted – May 22, 2012

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 Roberts authorizing payment of the bills in Abstract 5 dated May 23, 2012 in the amount of \$86,600.97. All voted in favor of the motion – four ayes. Motion adopted.

General Fund: In the amount of \$65,647.41 as set forth in Abstract 5 dated May 23, 2012.

Highway Fund: In the amount of \$20,953.56 as set forth in Abstract 5 dated May 23, 2012.

DISCUSSION AND ANNOUNCEMENTS

Discussion relative to the Excavation Permit renewal application for Iroquois Rock Products, Inc.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Roberts to go into executive session at 8:28 p.m. to discuss a personnel matter. All voted in favor of the motion – four ayes. Motion adopted.

No action taken.

Councilperson Carges made a motion that was seconded by Councilperson Roberts to leave executive session and return to the regular meeting at 8:54 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 Carges moved to adjourn the May 22, 2012 meeting of the Sweden Town Board at 8:55 p.m. Councilperson Roberts seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk