

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, July 27, 2004.

Town Board Members present were, Supervisor Nat O. Lester III, Councilperson Robert Carges, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Attorney Jim Bell, and Deputy Clerk Marleen Cain. Visitors present were Joan and Jim Hamlin from 50 Park Avenue, Bill Weber from Livonia and Robbi Hess from the Suburban News.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. He 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 Carges made a motion that was seconded by Councilperson Windus-Cook to amend the minutes from the July 13, 2004, meeting to include the following statement in the paragraph on page 2 just prior to Resolution No. 79 "There will be no further consideration of the formation of a water district on Sweden Walker Road between East Avenue and the canal at this time." Councilperson Ferris abstained. All others voted in favor. Motion adopted. Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes as amended of the Town Board meeting held on July 13, 2004. Councilperson Ferris abstained. All others voted in favor. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2004 Received From:	Comments:
1. Monroe County Department of Planning and Development	Notice regarding Land Use Decision-Making Training Program Fall 2004
2. Email from Internet.ESS.Rates@orps.state.ny.us 7/22	Notice that on July 22, 2004 a final 2004 State equalization rate for the Town was established. The final rate is 100.00.
3. Rebecca Metzger 7/19	Notice of resignation effective July 30, 2004.

In regard to number 2, Councilperson Carges requested a report by the end of September on the recent assessment update, including at least numbers illustrating the amount of work done, the changes, and a critique of the process. This time frame should enable a new assessor to become familiar with the department and complete the report.

In regard to number 3, Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the resignation of Rebecca Metzger effective July 30, 2004. All voted in favor of the motion. Motion adopted.

REPORTS

Councilperson Connors summarized what Superintendent of Highways Fred Perrine had reported earlier at a work session: that the sewer line on Fourth Section Road is waiting for Niagara Mohawk to move a power line; the reconstruction and realignment of Bethel Drive has been started and is on hold because of the weather; and the reconstruction of Shumway Road has been started.

Councilperson Carges reported that the Gallup Road water project is about 98% complete. MRB Group is completing a final punch list for the job to be completed and the final portion of the payment to Beardsley is being held until the punch list is done. The resident at

104 Gallup Road is not happy with the placement of the curb stop connection for their property. After much discussion, the settlement of the disagreement, and completion of any work required to settle it, will be included on the punch list and final payment will not be made to Beardsley until it is resolved. A note in regard to this project also is that the Monroe County Water Authority refunded \$200 to 18 residents to resolve a connection fee misrepresentation issue.

Councilperson Connors announced that the Town Board has been invited to attend the Brockport Police Department National Night Out on August 3, 2004, from 6:30 to 9:30 p.m. at the AD Oliver Middle School. The Board is also invited to attend the dedication of the downtown historic district on August 14, 2004, at St. Luke’s Church.

Councilperson Windus-Cook reported that she and Councilperson Ferris met with Dog Control Officer Kathy Beaumont and discussed changes in dog control fees and Refuse/Recycling Center issues.

Supervisor Lester reported that he met with Bill Weber regarding code enforcement, M/M Westbrook regarding David Paul, Nancy Duff regarding personnel issues and the Senior Center, Charles Sanford regarding changes to the garage sale local law, a Clarkson resident on East Avenue regarding a water line extension, a resident on Fourth Section Road regarding sewer district formation and that he called Niagara Mohawk regarding the line that has to be moved for the sewer line extension on Fourth Section Road. Mr. Lester also reported that the Chamber of Commerce met and elected a new board with Elaine Bader as President.

RESOLUTIONS

RESOLUTION NO. 84

Appoint Building Inspector PT - Weber

WHEREAS, the untimely death of the Assessor has created the need for a part-time building inspector for the Town of Sweden; and

WHEREAS, the Town Board has recommended hiring Bill Weber to the position.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Bill Weber to the position of Building Inspector PT.

Sec. 2. That the start date will be August 2, 2004, for a less than 25-hour week with an annual salary of \$25,000.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Carges

Discussion: Councilperson Carges is very happy that Bill is joining the Town of Sweden. A welcome is extended to Bill from all board members.

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 – July 27, 2004

Adopted

RESOLUTION NO. 85

Ordering Public Hearing on Renewal of
Iroquois Rock Products Excavation Permit

WHEREAS: the Excavation Permit for Iroquois Rock Products quarry on Colby Street and Sweden Walker Road, in the Town of Sweden expired on June 24, 2003; and

WHEREAS: Mr. John Swierkos, Jr. of Iroquois Rock Products has submitted an Application for an Excavation Permit to the Town Board for review and study; and

WHEREAS: it is in the interest of the residents of the Town of Sweden to hold a public hearing so all persons desiring to be heard for or against such renewal shall be heard.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden will hold a Public Hearing at the Municipal Building, 18 State Street, Brockport, New York on Tuesday August 24, 2004 at 7:15 PM to hear all persons desiring to be heard for or against the renewal of the Excavation Permit for Iroquois Rock Products located on Colby Street and Sweden Walker Road.

Sec. 2. That the Town Clerk is hereby authorized and directed to publish said Public Hearing in the official newspaper of the Town as required by law.

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

MOTION for adoption of this resolution by Councilperson Connors seconded by Discussion: 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 – July 27, 2004

Adopted

RESOLUTION NO. 86

Calling for Public Hearing Regarding Amending of
Sweden Town Code Chapter 84 Article II
Impoundment Fees Section 12.

WHEREAS, the Sweden Dog Control Officer has recommended an increase in dog kennel fees; and

WHEREAS, the Town Board desires to increase dog kennel fees to \$10 per day ; and

WHEREAS, the Town Board must amend Sweden Town Code Chapter 84 Article II Impoundment Fees Section 12 in order to raise kennel fees.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1 That the Town Board of the Town of Sweden shall hold a public hearing at the Municipal Building, 18 State Street, Brockport, New York, on the 24th day of August, 2004, at 7:00 p.m. to hear all persons for or against the proposed amendment of Sweden Town Code Chapter 84 Article II Impoundment Fees Section 12.
- 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 Ferris 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 – July 27, 2004

Adopted

RESOLUTION NO. 87

Calling for Public Hearing Regarding Amending of Sweden Town Code Chapter 84 Article I Dog Control Section 5 Penalties for offenses.

WHEREAS, the Sweden Dog Control Officer has recommended an increase in penalties for dog control offenses; and

WHEREAS, the Town Board desires to amend Section 84-5 Penalties for offenses as follows; “Any person who violates or knowingly permits violation of this Article shall be subject to a fine of not more than *seventy-five dollars (\$75)*, except that, where the person was found to have violated this Article or Article 7 of the Agriculture and Market Law within the preceding five (5) years, the fine may be not more than *one hundred fifty dollars (\$150)*; where the person was found to have committed two (2) or more such violations within the preceding five (5) years, it shall be punishable by a fine of not more than *three hundred dollars (\$300)* or imprisonment for not more than fifteen (15) days or both.”

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1 That the Town Board of the Town of Sweden shall hold a public hearing at the Municipal Building, 18 State Street, Brockport, New York, on the 24th day of August, 2004, at 7:00 PM to hear all persons for or against the proposed amendment of Sweden Town Code Chapter 84 Article I Dog Control Section 5.

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 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>Aye</u>

Submitted – July 27, 2004

Adopted

RESOLUTION NO. 88 Calling for Public Hearing Regarding Amending Local Law 2 of 2003 Garage Sales.

WHEREAS, in the year 2003 the Town Board of the Town of Sweden adopted a Local Law for the purpose of regulating Garage Sales; and

WHEREAS, the Town Board has determined that the intent of the law would be better served if there was a change to Section 2 B.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1 That the Town Board of the Town of Sweden shall hold a public hearing at the Municipal Building, 18 State Street, Brockport, New York, on the 24th day of August, 2004, at 6:45 p.m. to hear all persons for or against the proposed amendment of Local Law 2 2003 Garage Sales.

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 Ferris

Discussion: This is to remove the exception of five items or less not requiring a permit.

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 – July 27, 2004

Adopted

APPROVAL OF 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 7 dated July 28, 2004. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$135,427.12 as set forth in Abstract 7 dated July 28, 2004.

Highway Fund: In the amount of \$12,538.04 as set forth in Abstract 7 dated July 28, 2004.

Special Districts: In the amount of \$200,393.83 as set forth in Abstract 7 dated July 28, 2004.

DISCUSSION AND ANNOUNCEMENTS

There will be a budget work meeting on Tuesday, August 3, 2004, at 4:00 p.m.

Attorney Jim Bell stated that Natapow tax certiorari case will be going to court and the case includes some village issues, therefore the Village will be asked to pay some of the expenses.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the July 27, 2004, meeting of the Sweden Town Board at 8:10 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Marleen M. Cain
Deputy Town Clerk