

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, August 23, 2011.

Town Board Members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Pat Connors, Councilperson Rebecca Donohue and Councilperson Michael Myers. Also present were Director of Finance Leisa Strabel, Superintendent of Highways Fred Perrine and Town Clerk Karen M. Sweeting.

Visitors present were residents Jim Hamlin and Don Roberts.

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 visitors and asked if anyone would like to speak. No one spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Myers to accept the minutes of the regular meeting held on July 26, 2011. All voted in favor of the motion. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Donohue to accept the minutes of the special joint meeting held on July 28, 2011. All voted in favor of the motion – four ayes. Councilperson Myers abstained due to his absence from such meeting. Motion adopted.

Councilperson Carges made a motion that was seconded by Councilperson Donohue to accept the minutes of the special joint meeting held on August 9, 2011. All voted in favor of the motion – four ayes. Councilperson Myers abstained due to his absence from such meeting. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2011 Received From:	Comments:
*1. James Butler, Building Inspector	Resignation effective September 15, 2011
*2. Tony Eaffaldano, Assessor	Request to attend the Seminar on Assessment Administration and Annual Meeting – September 11 – 14, 2011
*3. Sweden Court Clerks	Request to attend Annual NYS Magistrates Court Clerks Conference
*4. Robert P. Connors, Town Justice	Request to attend Annual NYS Magistrates Court Clerks Conference
*5. Fred Perrine, Superintendent of Highways	Quotes for Electrical Materials for Town Park Field Lighting and Topsoil Screen Rental

*Board has copies

RE: #1 Councilperson Myers made a motion that was seconded by Councilperson Connors to accept with regrets the resignation of Jim Butler. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Donohue made a motion that was seconded by Councilperson Connors to grant the request of Tony Eaffaldano to attend the Seminar on Assessment Administration and Annual Meeting September 11 -14, 2011. All voted in favor of the motion. Motion adopted.

RE: #3 Councilperson Myers made a motion that was seconded by Councilperson Connors to grant the request of the Sweden Court Clerks to attend the Annual NYS Magistrates and Court Clerks Conference. Discussion – there was some concern about the office being closed and the

cost of the conference for all three clerks to attend as it was not in the budget. All members voted by roll call:

Councilperson Carges – aye, Councilperson Connors – aye, Councilperson Donohue – nay, Councilperson Myers – aye and Supervisor Milner – aye. Motion adopted.

RE: #4 Councilperson Myers made a motion that was seconded by Councilperson Carges to grant the request of Justice Robert Connors to attend the Annual NYS Magistrates Court Clerks Conference. All voted in favor of the motion – four ayes. Councilperson Connors abstained. Motion adopted.

RE: #5 Councilperson Connors made a motion that was seconded by Councilperson Myers to approve the recommendation made by Fred Perrine to purchase electrical supply materials for field lighting at the Town Park from Maynard's Electrical Supply, Inc. for an estimated cost of \$15,440.36. All voted in favor of the motion. Motion adopted.

Councilperson Carges made a motion that was seconded by Councilperson Connors to approve the recommendation made by Fred Perrine to rent a topsoil screening plant to place screened topsoil on the playing surfaces of the new multi-use fields at the Town Park from M. J. Dreher Trucking, Inc. for a cost of \$14,000 per month to include an operator and two conveyor systems. All voted in favor of the motion. Motion adopted.

DEPARTMENTAL REPORTS

July 2011 departmental reports were received and reviewed by the Town Board from the following departments: Building Department, Jim Butler; Finance Director, Leisa Strabel; Dog Control, Kathy Beaumont and Town Clerk, Karen Sweeting.

REPORTS

Superintendent of Highways Fred Perrine reported that the county projects on Capen Road, Redman Road and White Road are complete; they are patching several town roads; grading and placing topsoil on the multi-use fields at the Town Park; and will be starting the volleyball courts and field lighting next week.

Councilperson Donohue attended the Brockport Arts Festival, a Comprehensive Plan Committee meeting and met with the Building Construction Committee.

*Councilperson Donohue made a motion that was seconded by Councilperson Connors to authorize Councilpersons Donohue and Connors to negotiate the donation of a piece of property to the Town and to fund the costs of the transfer of the property to the Town. These costs may include, but may not be limited to, a survey, abstract, legal fees, archeological study and other professional services. These costs may be paid directly by the Town to the vendor or reimbursed to the property owner upon submission of invoices. All voted in favor of the motion. Motion adopted.

Councilperson Myers attended the Brockport Arts Festival.

Councilperson Connors attended the Brockport Arts Festival and a Comprehensive Plan Committee meeting. Mrs. Connors met with the Recreation Director Search Committee to select candidates for interviews and also met with representatives from the Village of Brockport and Town of Clarkson to organize the agenda for the public hearing scheduled for September 6, 2011.

Councilperson Carges also met with the Recreation Director Search Committee.

Supervisor Milner attended the Brockport Arts Festival and was also involved with preparing for the September 6th public hearing.

RESOLUTIONS

RESOLUTION NO. 81

Appoint Seasonal Laborer – Rockow

WHEREAS, there is a need for seasonal labor for cemetery operations; and

WHEREAS, the Superintendent of Highways has recommended hiring Bryon Rockow for seasonal cemetery operations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Bryon Rockow as a seasonal laborer for cemetery operations.

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.

Sec. 4. That the start date will be August 24, 2011 and be in effect through November 4, 2011.

Sec. 5. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Myers

Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Donohue Aye

Councilperson Myers Aye

Supervisor Milner Aye

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 82

Adopt Monroe County Pre-Disaster Mitigation Plan

WHEREAS, the federal Disaster Mitigation Act of 2000 requires that all local governments have an approved disaster mitigation plan in place in order to be eligible for federal Hazard Mitigation Grant Program (HMGP) project funding; and

WHEREAS, the Monroe County Office of Emergency Management has gathered information with the assistance of the Town of Sweden in order to prepare the Monroe County Pre-Disaster Mitigation Plan; and

WHEREAS, the federal regulations implementing the Disaster Mitigation Act of 2000, (44 CFR §201.6(c)(5)) require that the Plan be formally adopted by each jurisdiction requesting approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby approves and adopts the Monroe County Pre-Disaster Mitigation Plan as the Town’s Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

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

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

Discussion: A copy of the plan is available to review at the Town Hall.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 83 Amend Employee Handbook

WHEREAS, the Town Board is committed to reviewing and updating the employee handbook on a regular basis and whenever the need arises.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby make the following changes to the Town of Sweden Employee Handbook:

Section 5 Page 2 “Holidays” Holiday Pay Requirement.... in order to receive holiday pay, except when the employee is on pre-approved vacation, ~~personal~~, sick or bereavement leave.

Section 5 Page 3 “Personal Leave” Proper Use of Personal Leave.... ~~In no event~~ *Under no circumstances* may personal leave...

Section 5 Page 4 “Personal Leave” Scheduling ~~The Department Head will have total discretion in the approval of personal leave.~~

Section 5 Page 8 “Medical Insurance”

Eligible full-time and part-time employees may enroll in a single, a single plus one dependent or a family contract immediately upon hire. Add: *Employees not eligible to enroll in a medical insurance policy are: seasonal and temporary employees; part time recreation assistants and part-time laborers.*

Sec. 2. That the Director of Finance is hereby directed to make the changes, post and distribute the policy as required.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 84 Adopt Sexual Abuse & Molestation Prevention Policy

WHEREAS, the Town Board has reviewed a Sexual Abuse and Molestation Prevention Policy and agrees it is in the best interest of the Town to adopt such policy.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby adopt the attached Sexual Abuse & Molestation Prevention Policy.
- Sec. 2. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY

The Town of Sweden does not permit or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it. In order to make this “zero—tolerance” policy clear to all employees, volunteers and staff members, we have adopted mandatory procedures that employees, volunteers, family members, board members, individuals and victims must follow when they learn of or witness sexual abuse or molestation.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor who is functioning as a caregiver and is responsible for the patient’s or child’s care. Sexual abuse includes sexual assault, exploitation, molestation or injury. It does not include sexual harassment, which is another form of behavior which is prohibited by the Town of Sweden

Reporting Procedure

All staff members who learn of sexual abuse being committed must immediately report it to the Recreation Director. If the victim is an adult, the abuse will be reported by this designee to the

local or state Adult Protective Services (APS) Agency. If a child is the victim, the designee will report it to the local or state Child Abuse Agency. Appropriate family members of the victim must be notified immediately of suspected child abuse.

Investigation & Follow Up

We take allegations of sexual abuse seriously. Once the allegation is reported we will promptly, thoroughly and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. Our investigation may be undertaken by either an internal team or we may hire an independent third party. We will cooperate fully with any investigation conducted law enforcement or regulatory agencies and we may refer the complaint and the result of our investigation to those agencies. We reserve the right to place the subject of the investigation on an involuntary leave of absence or reassigning that person to responsibilities that do not involve personal contact with individuals or students. To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, our policy provides for disciplinary penalties, including but not limited to termination of the actor's relationship with our organization.

There are a number of "red flags" that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; and
- Physical injuries involving the external genitalia.

Behavioral signals suggestive of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;
- Bundling oneself in excessive clothing, especially night clothes;
- Discomfort or apprehension when sex is referred to or discussed; and
- Nightmares or fear of night and/or darkness.

Retaliation Prohibited

We prohibit any retaliation against anyone, including an employee, volunteer, board member, student or individual, who in good faith reports sexual abuse, alleges that it is being committed or participates in the investigation. Intentionally false or malicious accusations of sexual abuse are prohibited.

Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

ACKNOWLEDGMENT OF RECEIPT OF SEXUAL ABUSE POLICY

I, _____, acknowledge that I have received and read the sexual abuse policy immediately preceding my signature below. I understand that I am bound to follow the policy and understand the consequences in the event that I fail to do so.

RESOLUTION NO. 85

Amend Investment Policy

WHEREAS, the Town Board of the Town of Sweden originally adopted an investment policy in 1988; and

WHEREAS, the Town Board of the Town of Sweden is committed to reviewing and updating its investment policy as needed.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden amends its investment policy as attached.

Sec. 2 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Connors

Seconded by Councilperson Donohue

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 86

Appoint Recreation Assistant PT – Terrence Harris

WHEREAS, there is a vacancy for a part-time Recreation Assistant in the Croc Rocs program; and

WHEREAS, Recreation Leader Jill Wisnowski has recommended hiring Terrence Harris.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Terrence Harris as Recreation Assistant PT for a maximum of 20 hours per week.

Sec. 2. That the hourly rate of pay is \$7.25 with a start date of August 15, 2011.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 87 Appoint Recreation Assistant PT – Taylor Hermance

WHEREAS, there is a vacancy for a part-time Recreation Assistant in the Croc Rocs program;
and

WHEREAS, Recreation Leader Jill Wisnowski has recommended hiring Taylor Hermance.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Taylor Hermance as Recreation Assistant PT for a maximum of 20 hours per week.
- Sec. 2. That the hourly rate of pay is \$7.25 with a start date of September 6, 2011.
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 88 Authorize Purchase of One 2011 Ford F150 XL Regular Cab Truck

WHEREAS, the Buildings and Grounds Department has recommended the purchase of one 2011 4 X 2 Ford F150 XL regular cab truck to replace the 2008 Ford 350 truck sold at auction in July; and

WHEREAS, the 2011 Ford F150 truck may be purchased from New York State Equipment Contract No. 21910-PF/PC65030 Item 29A.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1 That the Town Board of the Town of Sweden hereby authorizes the purchase of a 2011 Ford F150, 4 X 2, xl regular cab truck under the New York State Equipment Contract No. 21910-PF/PC65030 Item 29A, the supplier being Van Bortel Ford, Inc., 71 Marsh Road, East Rochester, in an amount not to exceed \$16,000.
- Sec. 2 That upon delivery of said truck the invoice shall be paid from the Buildings and Grounds Equipment line, subject to a Town Board approved budget modification.
- Sec. 3 That this resolution shall take effect immediately.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

- Councilperson Carges Aye
- Councilperson Connors Aye
- Councilperson Donohue Aye
- Councilperson Myers Aye
- Supervisor Milner Aye

Submitted – August 23, 2011

Adopted

RESOLUTION NO. 89 Authorize Bids for Completion of Heritage Square
Improvements Per Deposit Agreement

WHEREAS, the Town of Sweden signed an agreement with McLean Development, LLC on April 28, 2009 for the completion of Improvements to the Heritage Square Development; and

WHEREAS, funds were deposited by McLean Development, LLC with the Town of Sweden to guarantee completion of the Improvements; and

WHEREAS, the Agreement required the Improvements to be completed on or before September 1, 2010; and

WHEREAS, the Agreement permits the Town of Sweden to use the funds deposited by McLean Development, LLC to complete the work.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Highway Superintendent is authorized to have bid documents for completion of the work prepared.
- Sec. 2. That the work shall include the following items: asphalt shoulder in the Town Park, asphalt binder in the Town Park, asphalt sidewalk in the Town Park, asphalt top in the Town Park, asphalt top in Heritage Square and striping.
- Sec. 3. That upon receipt of such documents, the Town Clerk is directed to advertise for bids as required by law.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – August 23, 2011

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 Donohue authorizing payment of the bills in Abstract 8 dated August 24, 2011 in the amount of \$128,830.42. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$77,856.64 as set forth in Abstract 8 dated August 24, 2011.

Highway Fund: In the amount of \$50,727.65 as set forth in Abstract 8 dated August 24, 2011.

Special Fund: In the amount of \$246.13 as set forth in Abstract 8 dated August 24, 2011.

DISCUSSION AND ANNOUNCEMENTS

No discussion or announcements.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Connors moved to adjourn the August 23, 2011 meeting of the Sweden Town Board at 8:18 p.m. Councilperson Donohue seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk