

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, September 25, 2007.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Pat Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Head of Maintenance Jeremy Oakden, Superintendent of Highways Fred Perrine, Town Attorney Jim Bell and Town Clerk Karen M. Sweeting.

Visitors present were Brian Ferries, Rob Ferries, Jim Hamlin, Maria L. Rota, Maria Rota and Jeffrey Davignon.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. Supervisor Lester then acknowledged the presence of the visitors and asked if anyone would like to speak.

Maria L. Rota stated she had a concern with the well water at her home on Lake Road and wanted the Town to do something to help her. Ms. Rota provided the board with a sample of the water. Supervisor Lester explained the process of forming a water district and the restrictions set forth by New York State that the Town must comply with. Mr. Lester offered to write a letter to Senator Maziarz.

Supervisor Lester asked if any other visitor would like to speak. No one spoke. Mr. Lester asked Mr. Davignon if he had any questions or comments for the board. He did not.

APPROVAL OF MINUTES

Councilperson Ferris made a motion that was seconded by Councilperson Connors to accept the minutes of the Public Hearing – Local Law 3 of 2007 held on September 11, 2007. All voted in favor of the motion. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Ferris to accept the minutes of the regular meeting held on September 11, 2007. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2007	Received From:	Comments:
1.	William J. Cody, Town Justice	Request for Terri Lynne Gay to attend training
2.	Kathy Alvito, Deputy Tax Receiver	Request to attend training
3.	David Scott, Recreation Director	Recommendation to hire Recreation Assistant FT

RE: #1 Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to grant the request of Judge Cody for Terri Lynne Gay to attend training. All voted in favor of the motion. Motion adopted.

RE: #2 Councilperson Ferris made a motion that was seconded by Councilperson Connors to grant the request of Kathy Alvito to attend training. All voted in favor of the motion. Motion adopted.

REPORTS

Superintendent of Highways Fred Perrine reported that paving on Sweden Walker Road was complete; the crews will be stoning the shoulders of Colby Street; screening topsoil for the baseball field at the Town Park; and the paving project at the Town Park would begin soon.

Director of Buildings and Grounds Jeremy Oakden had no report.

Finance Director Leisa Strabel reported that she attended the Seymour Library Board meeting on behalf of the Town Board. The Library Board reported an 11% increase in the library budget for the three municipalities – Town of Sweden, Town of Clarkson and Village of Brockport. Other items mentioned at the Library Board meeting were reducing library hours open to the public, increasing staff by one-half a position and municipalities taking on mowing operations of the library property. Mowing operations in the past have cost the library \$5,200 per year. The Town of Sweden's position is that all expenses of the library should be in the library budget to give taxpayers an accurate accounting of the true cost of operation.

Supervisor Lester added that he met with Seymour Library Board President Lori Lessord and Finance Director Leisa Strabel. Ms. Lessord apologized to Mrs. Strabel for comments made at the library meeting by a member of the Library Board. Supervisor Lester stated that the Town Board has always been very supportive of the library.

Councilperson Ferris asked about increasing the number of volunteers at the library so that hours of operation would remain the same. Mrs. Strabel stated that a particular member of the Seymour Library Board was not in favor of volunteers. Mr. Ferris stated that the Town of Sweden welcomes volunteers and that the Senior Center, Sweden Clarkson Community Center and other municipal programs have benefited from accepting volunteers.

Councilperson Connors reported that she met with Jim Maxwell from the County Health Department to turn over the Point of Dispensing Operating Manual. The planning committee will reconvene to review the document. Mrs. Connors attended the 2nd Annual Harvest Festival.

Councilperson Ferris reported that he attended a Sweden Community Foundation meeting; attended the Accreditation event at the Senior Center; and met with Mike Andriatch to discuss a marketing plan for commercial development in the Town of Sweden. Mr. Ferris received positive responses from SUNY Brockport and several local businesses. Mr. Ferris and Mr. Andriatch would like to move forward and present the marketing plan to the Brockport Chamber of Commerce. Mr. Ferris also attended the 2nd Annual Harvest Festival. He thanked Councilperson Windus-Cook for her part in planning the event.

Councilperson Windus-Cook thanked all who were involved in the planning of the 2nd Annual Harvest Festival. The planning committee – Don Grentzinger, Kayleen Beadle, Cindy Ingraham, Marie Bell, Kory Huntsinger, and Jamie Beers-Wilson; Fred Perrine, Brian Ingraham and Keith Beadle for their assistance with the 5K race; Jeremy Oakden, Todd Dobson, and Ken Warren for all their work on the house; Kathy Goetz; the Sweden Town Board for their support; all the vendors, sponsors, race marshals, runners and those that attended the event in support of the town; the Sparkleberry Twig; and Leisa Strabel for all her time and efforts.

Councilperson Rob Carges reported that he would like to attend the Genesee/Finger Lakes Regional Planning Council workshop on Local Regulation of Wind Energy Systems.

Supervisor Lester reported that he attended the Accreditation event at the Senior Center. Mr. Lester commented that it was nice to meet several patrons of the Senior Center, but was troubled by the spread of rumors regarding the center. Mr. Lester wanted to clarify a misconception regarding the funding of the Senior Center. He stated that the Town of Clarkson and Village of Brockport fund a portion of the recreation salary, but the Town of Sweden funds the majority of all costs at the center.

Mr. Lester commented on a recent newspaper submission that stated inter-municipal relationships were at an "all time low". Mr. Lester stated many examples of current inter-municipal agreements confirming good relations – highway projects, assessing functions, brush grinding and senior recreation. Mr. Lester spoke with three members of the Village board immediately after the appearance of the article and those members did not agree with the

comment. Mr. Lester added that he hadn't had a chance to speak to the other two Village board members.

Another newspaper submission stated the Town of Sweden had one of the highest tax rates. Mr. Lester did not agree with this information. The Town of Sweden has a high percentage of tax-exempt properties, higher than every other town in Monroe County. The tax base of the Town of Sweden is lower than most. The residents of the Town of Sweden would have to give up services to achieve a lower tax rate. Mr. Lester added that Town taxes are minimal compared to County and school taxes.

Supervisor Lester reported that the landowner of the old Wal-Mart store on Lake Road was still collecting rent from Wal-Mart. The old store cannot be filled without the consent of Wal-Mart or until the end of the lease. There has been no loss in property tax revenue; Sweden taxpayers are still benefiting. Mr. Lester also met with a representative of Sweden Plaza Associates regarding the condition of the parking lot. Mr. Lester said that the corporation has agreed to repave the parking lot to improve the appearance of the property.

RESOLUTIONS

RESOLUTION NO. 151

Award Bid "V" Hopper Stainless Steel
Material Spreader, Auger Conveyor Type

WHEREAS, the Town Clerk advertised for bids pursuant to law for the purchase of a "V" Hopper Stainless Steel Material Spreader Auger Conveyor Type, and the following bids were received and opened on September 21, 2007, at 10:00 a.m.:

<u>Supplier</u>	<u>Amount of Bid</u>
George & Swede Sales and Service 7155 Big Tree Road Pavilion, NY 14525	\$12,600.00
Henderson Truck Equipment 800 Starbuck Avenue Watertown, NY 13601	\$13,128.00

WHEREAS, the Superintendent of Highways recommends awarding the bid to George & Swede Sales and Service, 7155 Big Tree Road, Pavilion, NY 14525, for the "V" Hopper Stainless Steel Material Spreader Auger Conveyor Type, for a bid price of \$12,600.00.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board, upon the recommendation of the Superintendent of Highways, awards the bid for the "V" Hopper Stainless Steel Material Spreader Auger Conveyor Type to George & Swede Sales and Service for a total bid price of \$12,600.00.

Sec. 2. That upon delivery of said equipment the Supervisor shall pay the invoice from the 2007 Highway Budget.

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

MOTION for adoption of this resolution by Councilperson Connors
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 – September 25, 2007

Adopted

RESOLUTION NO. 152

Appoint Member to Board of Assessment Review - Coleman

WHEREAS, the term of appointment on the Board of Assessment Review for Harold Coleman expires on September 30, 2007.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Harold Coleman as a member of the Board of Assessment Review.
- Sec. 2. That the term of membership is October 1, 2007 to September 30, 2009.
- 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 – September 25, 2007

Adopted

RESOLUTION NO. 153

Appoint Recreation Assistant - Park

WHEREAS, there is a vacancy for a full-time Recreation Assistant at the Sweden Clarkson Community Center; and

WHEREAS, the position was duly advertised and interviews were held by the Recreation Director; and

WHEREAS, Recreation Director David Scott has recommended hiring Amanda Park.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Amanda Park as Recreation Assistant at the Sweden Clarkson Community Center for a maximum of 35 hours per week.

- Sec. 2. That the hourly rate of pay is \$10.23.
- Sec. 3. That the starting date will be October 1, 2007.
- 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 Aye

Submitted – September 25, 2007

Adopted

RESOLUTION NO. 154 Appoint Laborer FT – Dobson

WHEREAS, there is a vacancy for a full-time laborer in the Buildings and Grounds Department; and

WHEREAS, the Director of Buildings and Grounds has recommended that part time laborer Todd Dobson be appointed to this position.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Todd Dobson to the position of laborer full-time beginning September 12, 2007.
- Sec. 2. That this position is for 40 hours per week at a rate of pay of \$10.00 per hour.
- 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 Ferris Abstain
- Councilperson Windus-Cook Aye
- Supervisor Lester Aye

Submitted – September 25, 2007

Adopted

RESOLUTION NO. 155 Appoint Clerk Full Time Justice Court - Gay

WHEREAS, the Sweden Town Justices have recommended increasing two of the three part time court clerk positions to full time positions; and

WHEREAS, the Sweden Town Justices recommend the appointment of Terri Lynne Gay as Clerk Full Time in the Justice Court.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby appoints Terri Lynne Gay as Clerk Full Time in the Justice Court beginning September 13, 2007.
- Sec. 2. That this position is for 35 hours a week at a rate of pay of \$12.00 per hour.
- 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 – September 25, 2007

Adopted

RESOLUTION NO. 156

Amend Employee Handbook
Section 702 – Overtime

WHEREAS, the Town Board is committed to updating the Employee Handbooks and all policies included in them on a regular basis and whenever the need arises; and

WHEREAS, it has been recommended to change Section 702 Overtime in the Office and Highway Employee Handbooks.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby make the following changes to Section 702 Overtime in the Office Employee Handbook:

Compensatory Time, FLSA Non-Exempt Employees – A FLSA non-exempt employee will be credited with compensatory time on a one-for-one basis for all hours worked above the standard *35 hour work week up to a 40 hour work week*. In lieu of compensatory time, an employee may choose cash payment at their current straight-time rate. *The exception to this policy is full-time employees of the Building and Grounds Department who work a 40- hour work week.*

In addition a FLSA non-exempt employee will be paid one and one-half hours of compensatory time for all authorized time worked *over 40 hours in a work week*. In lieu of compensatory time, an employee may choose cash payment at time and one-half. *Authorized time is defined for purposes of this section of the handbook as time in excess of 40 hours per week, which is pre-approved by the employee’s department head, the Town Supervisor or the Town Board.*

Sec. 2. That the Town Board of the Town of Sweden does hereby make the following changes to Section 702 Overtime in the Highway Employee Handbook:

FLSA Non-Exempt Employees – A FLSA non-exempt employee will be paid one and one-half times the employees’ regular hourly rate of pay for all

authorized time worked *above a 40 hour work week*. Part-time, seasonal and temporary FLSA non-exempt employees will be paid one and one-half times the employee's regular hourly rate of pay for all authorized time worked over *a 40-hour work week*.

Sec. 3. That the Town Clerk is hereby directed to make the changes, post and distribute the policy as required.

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

MOTION for adoption of this resolution by Councilperson Connors
Seconded by Councilperson Windus-Cook

Discussion: Councilperson Ferris explained the changes conform to State labor laws. The handbook currently reads employees are to be paid overtime for any hours worked over eight (8) hours a day; the standard is any hours worked over forty (40) hours a week. Overtime MUST be approved by the Department Head, Town Supervisor or Town Board member.

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 – September 25, 2007

Adopted

RESOLUTION NO. 157 Authorizing Supervisor to Sign Consent Form for MCWA Connection Project on Lake Road

WHEREAS, the Monroe County Water Authority plans to install approximately 880 linear feet of 12” water main near the intersection of Lake Road and Fourth Section Road in order to increase water pressure to the eastern portion of Fourth Section Road; and

WHEREAS, the Water Authority is requesting Lead Agency status in regards to the Environmental Review of the project; and

WHEREAS, the Town Board of the Town of Sweden is supportive of this project in order to improve water pressure for the affected properties.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the Supervisor to sign the Consent Form for the Monroe County Water Authority Lake Road Connection project.

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

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

Discussion: The authority detected a need to increase pressure in that area. MCWA is paying for the connection. No impact on town taxes.

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 – September 25, 2007

Adopted

RESOLUTION NO. 158

Conditional Acceptance of Letter of Credit for Highlands Senior Development – Villas at Brandon Woods

WHEREAS, the Town of Sweden Planning Board requires a Letter of Credit be filed with the Town of Sweden prior to construction of any development; and

WHEREAS, the Town Board has received a draft Letter of Credit for improvements to property in connection with the Highlands Senior Development, Villas at Brandon Woods; and

WHEREAS, the Town Engineer has reviewed the draft Letter of Credit.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board agrees to accept the draft Letter of Credit subject to the following conditions:

- A) That the remaining portion of the Letter of Credit, in the amount to be determined by the Town Engineer be submitted; and
- B) That the Town Attorney give written approval.

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

MOTION for adoption of this resolution by Councilperson Carges
Seconded by Councilperson Windus-Cook

Discussion: To enable the developer to begin road construction for ingress/egress to Talamora Trail.

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 – September 25, 2007

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Ferris made a motion that was seconded by Councilperson Connors authorizing payment of the bills in

Abstract 9 dated September 26, 2007 in the amount of \$179,101.80. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$96,924.58 as set forth in Abstract 9 dated September 26, 2007.

Highway Fund: In the amount of \$80,392.21 as set forth in Abstract 9 dated September 26, 2007.

Special Fund: In the amount of \$1,694.01 as set forth in Abstract 9 dated September 26, 2007.

DISCUSSION AND ANNOUNCEMENTS

Councilperson Carges made a motion that was seconded by Councilperson Ferris to accept the Maintenance Bond from Northrup Contracting, Inc. for Phase 1 of Northview Subdivision. All voted in favor of the motion – four ayes. Supervisor Lester abstained. Motion adopted.

The Budget Officer's Tentative Budget for 2008 was presented.

ADJOURNMENT

As there was no further business to come before the Board, Supervisor Lester moved to adjourn the September 25, 2007 meeting of the Sweden Town Board at 9:00 p.m. Councilperson Carges seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk