

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 27, 2011.

Town Board Members present were Supervisor John Milner, Councilperson Pat Connors, Councilperson Rebecca Donohue and Councilperson Michael Myers. Councilperson Robert Carges was absent. Also present were Director of Finance Leisa Strabel, Superintendent of Highways Fred Perrine, Town Attorney Jim Bell, Special Counsel Attorney Ray DiRaddo and Town Clerk Karen M. Sweeting.

Visitors present were residents Jim Hamlin, Walt Windus 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 Myers made a motion that was seconded by Councilperson Connors to accept the minutes of the regular meeting held on September 13, 2011. All voted in favor of the motion – four ayes. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Myers to accept the minutes of the special joint meeting with the Village and Seymour Library Board held on September 20, 2011. All voted in favor of the motion – three ayes. Councilperson Donohue abstained due to her absence from such meeting. Motion adopted.

Councilperson Myers made a motion that was seconded by Councilperson Connors to accept the minutes of the Public Hearing – Dissolution Plan held on September 20, 2011. All voted in favor of the motion – three ayes. Councilperson Donohue abstained due to her absence from such meeting. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

2011 Received From:

Comments:

\*1. Jill Wisnowski, Recreation Leader Request to attend SilverSneakers Work Shops  
\*Board has copies

RE: #1 Councilperson Connors made a motion that was seconded by Councilperson Myers to grant the request of Jill Wisnowski to attend the SilverSneakers work shop. All voted in favor of the motion – four ayes. Motion adopted.

#### DEPARTMENTAL REPORTS

August 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 crews have been repairing catch basins in Sweden Village and assisting the Town of Ogden with road work. At the Town Park, two fields have been seeded, top soil screening is complete and the score board has been delivered. Mr. Perrine stated that they ran into some complications with the installation of the light poles, but should have that worked out soon.

Town Attorney Jim Bell reported litigation updates to the board.

Councilperson Donohue reported that she attended the annual Harvest Festival at the Sweden Farmers’ Museum and also a Comprehensive Plan Review Committee meeting. Mrs. Donohue has been following up with several Building Committee items for possible locations to construct a firehouse. She has also been researching the policies, procedures and staffing of the planning department due to the recent resignation of the Building Inspector. Mrs. Donohue will be participating in a Webinar focusing on the 2% property tax cap.

Councilperson Myers reported that he attended the Harvest Festival and reminded the board of the upcoming Volunteer Appreciation Luncheon at the Sweden Senior Center on September 29<sup>th</sup>.

Councilperson Connors also attended the Harvest Festival and the Comprehensive Plan Review Committee.

Finance Director Leisa Strabel reported that the Snapshots newsletter would be out in papers this weekend. Mrs. Strabel informed the board that the state has not provided any further information on the tax levy cap or county service to localities. Towns do not have to declare whether the tentative budget has met the cap. Although, Mrs. Strabel stated that the 2012 Sweden Tentative Budget does meet the cap excluding the services to localities.

Supervisor Milner reported that he attended a Monroe County Supervisor’s meeting, the Harvest Festival and the Seymour Library Board meeting.

RESOLUTIONS

RESOLUTION NO. 96 Appoint Building Inspector PT -Windus

WHEREAS, the Town Board of the Town of Sweden has accepted the resignation of James Butler as the Building Inspector for the Town of Sweden; and

WHEREAS, the position was duly posted; and

WHEREAS, the Town Board has selected Walter Windus as the Building Inspector PT.

NOW, THEREFORE, BE IT RESOLVED:

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

Sec. 2. That the start date will be September 28, 2011 for an average of twenty-four (24) hours per week with a pay rate of \$23.67 per hour.

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

Submitted – September 27, 2011

Adopted

RESOLUTION NO. 97

Authorizing Supervisor to Sign  
Maintenance Agreement with  
Imperial Door Controls, Inc.

WHEREAS, the maintenance agreement between Imperial Door Controls, Inc. and the Town of Sweden will expire on October 31, 2011; and

WHEREAS, the Town Board desires to extend the agreement for the proposed one year.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize and direct the Supervisor to sign the Maintenance Agreement between the Town of Sweden and Imperial Door Controls, Inc.
- Sec. 2. The term of this agreement shall be for a period of one (1) year, commencing on November 1, 2011 and ending on October 31, 2012 at an annual cost of \$320.
- Sec. 3. That the maintenance agreement will cover automatic door labor only to include travel time during business hours; special parts discounts; and two inspection visits per year to adjust, clean, lubricate and tune equipment.
- Sec. 4. That this new agreement does hereby supersede the current agreement due to expire on October 31, 2011.
- Sec. 5. 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>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – September 27, 2011

Adopted

RESOLUTION NO. 98

Appoint Recreation Assistant PT – Shaffer

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 Tedi Shaffer.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Tedi Shaffer 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 20, 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>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Donohue	<u>Aye</u>
Councilperson Myers	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – September 27, 2011

Adopted

RESOLUTION NO. 99 Authorize Sale of 2002 F550 Cab & Chassis Truck

WHEREAS, on April 26, 2011, upon the recommendation of the Highway Superintendent, Town Board of the Town of Sweden authorized the purchase of a Ford F450 Cab and Chassis Truck to replace a 2002 F550 Cab & Chassis Truck ; and

WHEREAS, the Ford F450 cab and chassis truck has been delivered; and

WHEREAS, the Highway Superintendent recommends sending the 2002 one-ton F550 Cab and Chassis, VIN 1FDAF56S32EC80152, to the Monroe County Fleet Center auction on October 1, 2011.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That upon the recommendation of the Highway Superintendent, the Town Board of the Town of Sweden authorizes the sale of a 2002 one-ton F550 Cab and Chassis, VIN 1FDAF56S32EC80152, at the Monroe County Fleet Center auction on October 1, 2011.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 27, 2011

Adopted

\*Special Counsel, Attorney Ray DiRaddo explained that the Town Board of the Town of Clarkson, acting as Lead Agency, determined a negative declaration for purposes of SEQR for the proposed establishment of the joint Brockport Fire District. The Town of Clarkson accepted the negative declaration by resolution dated September 27, 2011. Mr. DiRaddo provided the Sweden Town Board with a signed copy of the notice of declaration. Mr. DiRaddo directed the

Sweden Town Board to vote on the following resolution subject to a successful vote on November 29, 2011.

RESOLUTION NO. 100

Resolution to Establish the  
Brockport Fire District

WHEREAS, the Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden and the Town Board of the Town of Clarkson, Monroe County, New York (the Boards) having determined it to be in the public interest of the citizens of the Village of Brockport, the Town of Sweden and the Town of Clarkson to participate in a joint meeting to consider the proposal regarding the establishment of a joint fire district, to be called the Brockport Fire District; and

WHEREAS, the Boards having met at such joint meeting held on August 9, 2011, whereby the Boards determined it to be in the public interest to make the proposal to establish a joint fire district to be called the Brockport Fire District; and

WHEREAS, said proposed joint fire district shall encompass the entire Town of Clarkson excepting Lots 7, 8, 9, 10, 11, 12 and 13 of Section 15; Lots 6 and 12 of Section 18; and all lots comprising Section 19; (those portions of the Town of Clarkson lying within the bounds of the Walker and the Hilton Parma Fire Districts); the entire Town of Sweden, including the Village of Brockport, all located within the County of Monroe, State of New York; and

WHEREAS, the object and purposes for which it is proposed that a new fire district be created is to provide fire protection within the areas of the proposed Brockport Fire District; and

WHEREAS, at said joint meeting held on August 9, 2011 the Boards determined it to be in the public interest to hold a public hearing on the proposal to establish the Brockport Fire District, pursuant to Town Law, which fire district would encompass the Village of Brockport, the Town of Sweden and a portion of the Town of Clarkson; and

WHEREAS, at said joint meeting held on August 9, 2011 the Boards designated the Town Board of the Town of Clarkson as lead agency for the purposes of environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) regarding the establishment of the joint fire district; and

WHEREAS, a joint public hearing was held at the Auditorium of the Brockport Middle School, 40 Allen St., in the Village of Brockport, State of New York on September 6, 2011 at 7 pm, at which time all persons interested in the establishment of the joint fire district were heard; and

WHEREAS, the following resolution was presented for discussion at the public hearing:

*A Resolution authorizing the Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden, and the Town Board of the Town of Clarkson, Monroe County, New York, to establish a joint fire district to be known*

*as the Brockport Fire District, which fire district will encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the terms and conditions as set forth in the proposal dated July 28, 2011 as amended August 9, 2011; and*

WHEREAS, the Town Board of the Town of Clarkson, as lead agency, pursuant SEQRA, had determined that the establishment of the joint fire district will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared. Accordingly, the Town Board of the Town of Clarkson, pursuant to SEQRA, has issued a Negative Declaration and Notice of Determination of Non-Significance, regarding the creation of such joint district prior to the adoption of the resolution.

NOW THEREFORE BE IT RESOLVED:

Sec. 1. The Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden, and the Town Board of the Town of Clarkson (the Boards), Monroe County, New York, hereby establish a joint fire district pursuant to Articles 11 and 11-a of New York State Town Law, to be known as the Brockport Fire District, which fire district encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the terms and conditions as set forth in the proposal dated July 28, 2011 as amended August 9, 2011.

Sec. 2. Pursuant to Town Law and Village Law, this resolution is subject to a favorable vote of the electors of the Village of Brockport, the electors of the Town of Sweden outside the Village of Brockport and the electors of the Town of Clarkson located outside the Hilton Parma and Walker Fire Districts and the Village of Brockport, who are the electors affected thereby.

Sec. 3. A Special election is to be held on November 29, 2011 commencing at 8:00 am and ending at 9:00 pm at the following locations:

For the resident electors of the Village of Brockport, Brockport Village Offices, 49 State Street, Brockport, New York 14420

For the resident electors of the Town of Sweden located outside of the Village of Brockport, the Sweden Town Hall, 18 State Street, Brockport, New York 14420

For the resident electors of the Town of Clarkson, located outside the Hilton Parma and Walker Fire Districts and the Village of Brockport, the Clarkson Town Hall, 3710 Lake Road, Clarkson, New York 14430.

Sec. 4. The proposition that will be voted upon will be as follows:

*Shall the resolution be approved authorizing the Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden and the Town Board of the Town of Clarkson, Monroe County, New York, to establish a joint fire district to be known as the Brockport Fire District, which Fire district will encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the terms and conditions as set forth in the proposal dated July 28, 2011 as amended August 9, 2011.*

Sec. 5. This resolution shall take effect immediately and the dates set forth below shall be deemed the date for purposes of establishing the date for the special election.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 27, 2011

Adopted

\*Special Counsel, Attorney Ray DiRaddo stated that Town Law requires the town to determine a day for “Personal Registration of Voters”. The Town Clerk is the election officer. Mr. DiRaddo has met with the Monroe County Board of Elections to discuss the voting process.

RESOLUTION NO. 101

Determining Personal Registration of Voters for Special Town Elections and Establishing a Time for Registration for the November 29, 2011 Special Election.

WHEREAS, the Sweden Town Board by Resolution on this date has set November 29, 2011 as the day for a special town election (referendum) to establish a fire district; and

WHEREAS, New York State Town Law §84 permits the Sweden Town Board to require personal registration of voters for said special town election; and

WHEREAS, said personal registration will afford more citizens the opportunity to vote at said special town election.

NOW THEREFORE BE IT RESOLVED:

Sec.1 The Sweden Town Board hereafter requires personal registration for special town elections including the special town election on the creation of the fire district scheduled for November 29, 2011.

Sec.2 The Sweden Town Board shall elect not less than two (2) nor more than four (4) persons from the list of election inspectors previously designated for general election purposes, such persons to constitute a Board of Registration, all pursuant to New York State Town Law §84(3).

Sec.3 The Board of Registration as referenced hereinabove shall meet on the following day and at the following location for the purpose of registering voters in accordance with the provisions of New York State Town Law §84(4), to wit: Tuesday, November 15, 2011 during the hours of

9 am to 5 pm at the Sweden Town Hall, 18 State Street  
Brockport, New York.

Sec.4 At such time and place, any eligible person who is not currently registered under the registration list of registered voters furnished by the Monroe County Board of Elections as of November 4, 2011, must, in order to be entitled to vote at said special election to be held on November 29, 2011 present himself/herself personally for registration.

Sec.5 Pursuant to New York State Town Law §84(5), the Sweden Town Clerk, prior to the first meeting of the Board of Registration, shall obtain from the Monroe County Board of Elections a list of names and addresses of all registered voters with said Monroe County Board of Elections on or before November 4, 2011.

Sec.6 Applications for absentee ballots may be applied for at the Office of the Sweden Town Clerk, 18 State Street, Brockport, New York. Applications for the absentee ballots must be received by the Sweden Town Clerk on or prior to 4:00 p.m., prevailing time, on November 22, 2011, the date seven (7) days prior to the special election, if the ballot is to be mailed to the voter or on or prior to 4:00 p.m., prevailing time, on November 28, 2011, the day before the special election, if the ballot is to be personally obtained by the voter. Completed absentee ballots must be received by the town no later 9:00 p.m., prevailing time, on November 29, 2011, the date of the special election. Within eighteen (18) hours of completion of the register it shall be filed in the office of the Town Clerk, and thereafter shall at all reasonable times be open to inspection by any qualified voter of the town on each day up to and including November 28, 2011.

Sec.7 The Sweden Town Clerk is directed to comply with the publication and posting requirements set forth in New York State Town Law §84(2).

Sec.8 Unless inconsistent as set forth above, all provisions of the New York Election Law shall apply, in which case the provisions set forth above shall control.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 27, 2011

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Myers made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 9 dated September 28, 2011 in the amount of \$235,716.72. All voted in favor of the motion – four ayes. Motion adopted.



General Fund: In the amount of \$75,051.81 as set forth in Abstract 9 dated September 28, 2011.

Highway Fund: In the amount of \$74,952.10 as set forth in Abstract 9 dated September 28, 2011.

Special Fund: In the amount of \$85,712.81 as set forth in Abstract 9 dated September 28, 2011.

#### DISCUSSION AND ANNOUNCEMENTS

The Budget Officer's Tentative Budget for 2012 was presented to the Town Clerk. Mrs. Strabel explained that this budget does not include the tax levy cap calculations that include the county services to localities and it does not include the results of the SCARS from the assessment office, which may decrease the assessed valuation of the Town.

#### EXECUTIVE SESSION

Councilperson Myers made a motion that was seconded by Councilperson Connors to go into executive session at 8:13 p.m. to discuss a particular personnel matter. All voted in favor of the motion – four ayes. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Myers to leave executive session and return to the regular meeting at 8:24 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 September 27, 2011 meeting of the Sweden Town Board at 8:25 p.m. Councilperson Myers seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk