

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 28, 2004.

Town Board Members present were Supervisor Buddy Lester, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Director of Finance Leisa Strabel, Attorney Jim Bell, Building Inspector Bill Weber, Superintendent of Highways Fred Perrine, and Deputy Clerk Marleen Cain. Visitors present were Jim Hamlin from 50 Park Avenue, Julie Lapinski from 4016 Sweden Walker Road, Rich Miller from 52 State Street, Mark and John Scheda from Redman Road, and Josh Bryant from Redman Road.

Supervisor Lester called the meeting to order at 7:30 p.m. and asked everyone present to say the Pledge to the Flag. John Scheda from Scout Troup 111 made a short presentation regarding an Eagle Scout project that he is proposing. He distributed a summary of the project with a drawing of the benches that he is proposing for the baseball fields at the Town Park. Superintendent of Highways Perrine requested that pressure treated wood be used for all parts of the benches. John requested a letter from the Town Board if they approve the project. Supervisor Lester said that he would get one. Supervisor Lester then 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 Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Town Board meeting held on September 14, 2004. All voted in favor. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

2004 Received From:	Comments:
1. Maggie Brooks, County Executive, Monroe County 9/21	Announcement that the Town has been awarded \$50,000 from Monroe County's Community Development Block Grant program for ADA parking improvements at the Senior Center.
2. Marleen Cain, Deputy Town Clerk	Notification of one opening and the expiration of two other terms on the Landmark Advisory Board.
3. George Stafford, Director, Division of Coastal Resources, NYS Department of State	Request to complete a survey on why the Town did not send a representative to the Quality Communities and Quality Coasts workshops.
4. Stephanie Aldersley and Frederick Amato, Monroe County Legislature	Invitation to a public forum on Canadian prescription drugs on September 29 at 7:00 p.m.
5. Christopher Martin, Public Information Officer, Brockport Volunteer Fire Department	Invitation to dedication and ribbon cutting ceremony at the Brockport Fire Department Training Facility on October 2, 2004 at 2:00 p.m.
6. George Maziarz, NYS Senator	Notification that legislation has been sponsored to repeal language that redirects vehicle and traffic law violation fees to the State and that a commitment has been made that the provision will be repealed.
7. Michael McCormack, NYS Office	Distribution of a CD-ROM containing the Draft

for Technology  
9/28

Generic Environmental Impact Statement  
regarding the Statewide Wireless Network.

Elliotte from the Brockport Post arrived at this time.

In regard to number 5, Supervisor Lester and Councilperson Ferris will attend the ribbon cutting ceremony.

REPORTS

Councilperson Connors reported that she had attended the Digital Towpath meeting regarding proposed changes to the web site that should be available in January of 2005.

Councilperson Ferris is continuing to work on the conveyance code for the town.

Councilperson Windus-Cook reported that she has been meeting with Carl Coapman regarding the placement of a Boy Scout building in the Town Park.

Supervisor Lester reported on the ribbon cutting at Bader's Way on September 16<sup>th</sup>. He complimented Mr. Perrine and the Highway Department on the excellent work on the new road. The Stone Soup Auction on September 17<sup>th</sup> was a success. A meeting regarding a Colby Street water project with the MCWA was postponed. A resident is continuing to work on obtaining grant money for a water project on Redman Road.

Finance Director Strabel reported that insurance rates should remain flat for next year.

Attorney Bell reported that the Natapow case has been postponed until January 2005.

Supervisor Lester stated that he had ridden with Building Inspector Weber to look at sign violations in the town. Mr. Weber has a first draft of proposed changes to the code completed. Mr. Lester requested that a copy go to the Town Attorney.

Superintendent of Highways Perrine reported that Shumway Road should be done at the end of next week. Driveways and oil and stoning are what remain to be done. The department is working on the Fourth Section Road sewer project again. They have encountered four to five feet of rock near the surface. They will work on Ellis Drive and landscaping along Bader's Way and possibly in November, a retention pond west of the parking lot at the Community Center.

RESOLUTIONS

RESOLUTION NO. 107

Sale of Gift Land

WHEREAS: the Town Board of the Town of Sweden has received a gift of land from Iroquois Rock Products, Inc., to be used for town purposes, and

WHEREAS: the condition for use of the land is that it remain vacant land and that it not be used for constructing residential units, and

WHEREAS: the Town Board has received an offer for the purchase of said land for fair market value thereof, and

WHEREAS: the Town Board has decided that such land is not needed for Town purposes and is desirous to sell it.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall sell such land, tax map number 099-030-01-009 and tax map number 099-030-01-017 at a minimum price of \$400 per acre, which is the fair market value of the property, all as authorized by Town Law, §64 (2).

Sec. 2. That the Supervisor of the Town of Sweden is directed to execute all necessary deeds and documents for the perfection of title and for the consummation and completion of the sale of land herein specified, and shall be authorized to pay all necessary costs associated with the land transfer, including but not limited to the cost of re-dating an abstract of title and the procurement of a current instrument survey map from a qualified land surveyor, all as authorized by and in accordance with Town law.

Sec. 3. Such resolution is subject to a permissive referendum of the qualified electors of the Town of Sweden, pursuant to Section 64(2) of the Town Law.

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

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

Discussion: Supervisor Lester explained that this is excess land for the Town. Mr. Rich Miller noted that there is intermittent dumping on the parcels. He also explained what he used in the appraisal process.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted-September 28, 2004

Adopted

RESOLUTION NO. 108

Budget Modifications

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2004 Town Budget:

Increase 2770SW8 Miscellaneous Revenues	\$57,600
Increase 5110.4SW8 Construction Contractual	\$57,600

Increase 2300DB Services to Other Govern.	\$8,840
Increase 5147.1DB County Road Mowing	\$ 240
Increase 5148.1DB Ser. Other Gover. Pers.	\$8,600

\$1,087 from 1440.4A Engineer Contractual to  
1420.4A Attorney Contractual

\$4,336 from 7020.1A Comm. Ctr. Dir. Pers to  
9050.8A Unemployment Insurance

\$1,848 from 1440.4B Engineer Contractual to

1420.4B Attorney Contractual

\$500 from 1621.4A Building Contractual to  
1621.2A Building Equipment

\$2,475 from 1620.4A Building Contractual to  
1620.2A Building Equipment

\$57 from 7020.4A Comm. Center Administration Expense to  
1622.4A Comm. Center Office Supplies

Sec. 2 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>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 109

Accepting Dedication of Bader’s Way In the Town  
of Sweden

WHEREAS: The Sweden Highway Department has constructed a new town road, built to Town specifications, starting at the end point of Duryea Drive and leading to the entrances of the Sweden/Clarkson Community Center and the Royal Gardens Apartments; and

WHEREAS: Alan S. Bader faithfully served residents of the Town of Sweden as Assessor for 28 years; and

WHEREAS: the Town wishes to memorialize Alan S. Bader by naming the new town road in his honor.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby accepts dedication of the new road constructed by the Sweden Highway Department.

Sec. 2. That the Town Board hereby names this new road Bader’s Way in honor of long-time assessor Alan S. Bader.

Sec. 3. That the Town Clerk is directed to notify all appropriate agencies as to the acceptance and naming of this new town road.

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

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

Discussion: Residents of Royal Gardens Apartments have been very happy with the new road.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 110

Authorizing Installation of Stop Signs  
Duryea Drive & Bader’s Way

WHEREAS: New York State law requires that the Superintendent of Highways be given authorization and approval by the Town Board to erect STOP signs at specific locations within the Town; and

WHEREAS: The Town Board is desirous of erecting STOP signs at the intersection of Duryea Drive and Bader’s Way in the Town of Sweden.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Superintendent of Highways to erect a STOP sign at the following locations within the Town of Sweden:

<u>STOP Sign On</u>	<u>Direction of Travel</u>	<u>Intersection Of</u>
Bader’s Way	North	Duryea Drive
Duryea Drive	West	Bader’s Way

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
----------------------	---------------

Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 111

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, 2004.

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, 2004 to September 30, 2007.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 112

Calling for a Public Hearing Regarding the Adoption of  
Local Law No. 1, 2004–Amending Section 2B of Local  
Law No. 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 2B; and

WHEREAS, a local law is required to amend a local law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a public hearing at the Town Hall, 18 State Street, Brockport, New York, on the 26th day of October, 2004, at 7:15 PM to hear all persons for or against the adoption of Local Law No. 1 of 2004–Amending Section 2B of Local Law No. 2 of 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 Ferris  
Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 113

Workers Compensation Self Insurance

WHEREAS: The Town Board of the Town of Sweden wishes to self-insure under Section 50, Subdivision 4-a of the Workers’ Compensation Law.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby resolves to self-insure under Section 50, Subdivision 4-a of the Workers’ Compensation Law.

Sec. 2. That this resolution shall take effect January 1, 2005.

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 114

Amend Employee Handbooks Office and Highway  
Section 807 Medical Insurance for Retirees

WHEREAS, the Town Board is committed to do an annual review of the Employee Handbooks and all policies included in them; and

WHEREAS, it has been recommended to change Section 807 Medical Insurance for Retirees.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby make the following changes to Section 807 Medical Insurance for Retirees in both the Office and Highway Employee Handbooks:

In paragraph three: “the Town will pay as a maximum eighty (80) percent of the equivalent of a single person rate at the time of retirement.”

In paragraph four: “the Town will pay a maximum forty (40) percent of the equivalent of a single person rate at the time of retirement.”

Sec. 2. That the Town Clerk 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 Ferris  
Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 115

Amend Employee Handbooks Office and Highway  
Section 813 Workers’ Compensation Benefits

WHEREAS, the Town Board is committed to do an annual review of the Employee Handbooks and all policies included in them; and

WHEREAS, it has been recommended to change Section 813 Workers’ Compensation Benefits.

NOW, THEREFORE, BE IT RESOLVED:



Sec. 1. That the Town Board of the Town of Sweden does hereby make the following changes to Section 813 Workers' Compensation Benefits in both the Office and Highway Employee Handbooks:

Paragraph six will be changed to:

*“Use of Leave Credits – An employee will draw from the employees’ vacation leave credits in conjunction with Workers’ Compensation payments to equal, but not exceed, the employee’s regular daily rate of pay. Once vacation leave credits are completely exhausted, an employee may draw from the employees’ sick leave credits in conjunction with Worker’s Compensation payments to equal, but not exceed, the employees’ regular daily rate of pay.”*

Sec. 2. That the Town Clerk 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 Connors  
Seconded by Councilperson Windus-Cook

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

RESOLUTION NO. 116 Accept Community Development Grant of \$50,000 for 2004 for ADA Parking Lot Improvements at Senior Center and Authorize Supervisor to Sign Necessary Documents

WHEREAS, the Town of Sweden has been awarded a Community Development Block Grant in the amount of \$50,000 for ADA parking lot improvements at the Sweden Senior Center.

WHEREAS, the Town Board wishes to accept this award and have the necessary contract documents signed by the Supervisor on behalf of the Town of Sweden.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby accepts the award of a \$50,000 Community Development Block Grant from the Monroe County Community Development Administration.

Sec. 2. That the Supervisor is authorized to act on behalf of the Town of Sweden and sign the necessary contract documents.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Absent</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Aye</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Lester	<u>Aye</u>

Submitted–September 28, 2004

Adopted

APPROVAL OF 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 29, 2004. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$55,959.99 as set forth in Abstract 9 dated September 29, 2004.

Highway Fund: In the amount of \$17,254.01 as set forth in Abstract 9 dated September 29, 2004.

Special Districts: In the amount of \$17,615.12 as set forth in Abstract 9 dated September 29, 2004.

DISCUSSION AND ANNOUNCEMENTS

The Deputy Town Clerk presented the Town of Sweden 2004 tentative budget to the Town Board.

There will be a workshop meeting next Tuesday, October 5, 2004, at 7:00 p.m.

ADJOURNMENT

As there was no further business to come before the Board, Supervisor Lester moved to adjourn the September 28, 2004, meeting of the Sweden Town Board at 8:06 p.m.

Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Marleen M. Cain  
Deputy Town Clerk