

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, April 28, 2009.

Town Board Members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Town Clerk Karen Sweeting, Superintendent of Highways Fred Perrine, Building Inspector Jim Butler, Director of Buildings and Grounds Jeremy Oakden and Town Attorney Jim Bell.

Visitors present were residents Jim Hamlin, Cora Schrader, Vesta Teeter and Timothy Bates.

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 there was anyone that would like to speak.

Resident Vesta Teeter commented that she was pleased with Supervisor Milner's recent visit to the Senior Center.

Resident Cora Schrader announced her intention to run for President of the Sweden Senior Association, Inc. (SSAI). She hopes to create a team effort with the Town Board.

No other visitor spoke.

#### APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the regular meeting held on April 14, 2009. All voted in favor of the motion – four ayes. Supervisor Milner abstained – he was not appointed until April 16, 2009. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the minutes of the special meeting held on April 16, 2009. All voted in favor of the motion. Motion adopted.

#### SUPERVISOR'S CORRESPONDENCE

2009	Received From:	Comments:
*1.	Maggie Brooks, County Executive	Community Development Block Grant 2009 – SCCC Entrance Improvements included in the 2009 Annual Action Plan for Housing and Community Development in Suburban Monroe County
*2.	Rich Miller, Member Board of Assessment Review	Resignation
*3.	Jeremy Oakden, Director of Buildings and Grounds	Request to purchase mower for park

\*Board has copies

RE: #2 Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the resignation of Rich Miller from the Board of Assessment Review. All voted in favor of the motion. Motion adopted. Town Attorney Jim Bell stated that the Board of Assessment Review could function with four members this year for purposes of Grievance Day in May.

RE: #3 Councilperson Ferris made a motion that was seconded by Councilperson Connors to grant the request of Director of Buildings and Grounds Jeremy Oakden to purchase an Exmark 29 HP, 60" cut mower from Brodner Equipment for \$8,799.00 and to sell the 2001 Exmark mower at the municipal auction. All voted in favor of the motion. Motion adopted. (Second quote for John Deere 27 HP, 60" cut mower received from Ontrac Equipment for \$8,942.24.)

#### REPORTS

Superintendent of Highways Fred Perrine reported on the restoration project on the north side of Brockport Spencerport Road near Wal-Mart Supercenter. The town is clearing, grading and seeding the area.

Town Attorney Jim Bell reported litigation updates.

Building Inspector Jim Butler reported that he has been working with a property owner on Brockport Spencerport Road regarding exterior property maintenance issues and coordinating an interior inspection. Also reported project updates on the proposed CountryMax store and a tentative start date of May 15<sup>th</sup> for the reconstruction of McDonalds. Mr. Butler announced the opening of a dry cleaning/shoe repair store in the Sweden Corners Plaza.

Director of Buildings and Grounds Jeremy Oakden reported that fencing around the Little League baseball fields have been repaired and painted at the Sweden Town Park. Minor vandalism occurred at the concession bathrooms. Discussion of parking violations at the park.

Warnings do not appear to be making a difference; board agreed that due to safety concerns for the children utilizing the park, parking tickets should be issued to violators to appear in Sweden Court.

Town Clerk Karen Sweeting reported that she attended the New York State Town Clerks Association conference in Rochester.

Councilperson Windus-Cook met with Michael Carter to discuss the progress of his Eagle Scout project at the Farmers' Museum. Michael intends to begin the construction of the brick walk within a week. Ms. Windus-Cook stated she was impressed with Michael's organization and added that he has solicited all the donations for this project. Ms. Windus-Cook thanked the family of Gene Bater and stated that Mr. Bater had recently passed. The family had suggested that in lieu of flowers donations be made to the Farmers' Museum for maintaining the barn in memory of Mr. Bater.

Councilperson Ferris had no report.

Councilperson Connors had no report.

Councilperson Carges had no report.

Finance Director Leisa Strabel updated the board on petition signatures for the two proposed water districts.

Supervisor Milner reported that he attended the Brockport Middle School's ribbon cutting ceremony on April 24, 2009 for the new multi-sensory room. Mr. Milner stated the room was a fascinating place that promotes a proven learning atmosphere for students with autism and other learning disabilities.

RESOLUTIONS

RESOLUTION NO. 40

Ratify Action of Supervisor –  
Agreement With WSR, LLC

WHEREAS, the Supervisor of the Town of Sweden signed an agreement with WSR, LLC on April 23, 2009 upon the advice of Special Counsel Reuben Ortenberg.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby ratifies the action of the Supervisor taken on April 23, 2009, when he signed an agreement with WSR, LLC, as required by Section A177-16 I of the Town of Sweden Code, which establishes the rules governing the order of completion of public improvements at the Woods at Sable Ridge subdivision, and the guidelines for the expenditure of the funds recently drawn down from the M&T Bank Letter of Credit for that subdivision, and held by the Town of Sweden in a segregated account, all in order to provide a basis for the Town of Sweden Planning Board to approve the site plan for the Woods at Sable Ridge subdivision pursuant to Section A177-19 of the Town of Sweden Code, said action of the Planning Board being necessary to avoid the expiration of the approved site plan in the matter.

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

MOTION for adoption of this resolution by Councilperson Connors

Seconded by 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 Milner	<u>Aye</u>

Submitted – April 28, 2009

Adopted

RESOLUTION NO. 41

Granting Permanent Easement to the Monroe  
County Water Authority Tax Acct: 083.01-1-8

WHEREAS, the Town of Sweden will install 12” and 8” water main and appurtenances within the boundaries of the Sweden Town Park; and

WHEREAS, the acquisition by the Monroe County Water Authority of an easement on the Town of Sweden property identified as tax account No. 083.01-1-8 is necessary for the operation and maintenance of the water main.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Supervisor to sign the easement document provided by the Monroe County Water Authority.
- 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – April 28, 2009

Adopted

RESOLUTION NO. 42

Authorizing Lighting District No. 9 Villas at Brandon Woods

WHEREAS, a written petition in due form and containing the required signatures was filed with the Town Board of the Town of Sweden, for the establishment of a Lighting District to include land as indicated on the map and plan attached; and

WHEREAS, a Public Hearing was duly scheduled by the Town Board, and was held on April 28, 2009 at 7:15 PM, and all persons desiring to be heard were heard.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board acknowledges that all property and owners benefited thereby are included in the district and it is in the public interest to establish said district.
- Sec. 2. That the Lighting District as requested be authorized and known as Sweden Lighting District No. 9 – Villas at Brandon Woods.
- Sec. 3. That the cost of improvements in Lighting District No. 9 shall be borne by the district, and at no expense to the Town.
- Sec. 4. 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 Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – April 28, 2009

Adopted

RESOLUTION NO. 43

Appoint Seasonal Laborer – Zok

WHEREAS, the Director of Buildings and Grounds has requested a part-time Seasonal Laborer for the Sweden Town Park during the spring/summer seasons; and

WHEREAS, the Director of Buildings and Grounds has recommended the appointment of Douglas F. Zok as Seasonal Laborer for the Sweden Town Park during the spring/summer seasons.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Douglas F. Zok as Seasonal Laborer.

- Sec. 2. That the rate of pay will be \$9.00 per hour for a maximum of thirty-two (32) hours per week and a start date of April 29, 2009 ***through September 1, 2009.***
- Sec. 3. That this resolution shall take effect immediately.

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

Discussion: Councilperson Carges requested that the Board define an ending date for seasonal employees. Board discussion. Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to amend Sec. 2 to include: “through September 1, 2009”. All voted on the amendment. Motion adopted.

VOTE BY ROLL CALL AND RECORD AS AMENDED:

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

Submitted – April 28, 2009

Adopted

RESOLUTION NO. 44 Appoint Seasonal Laborer – Bryan

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

WHEREAS, the Superintendent of Highways has recommended hiring James Bryan for seasonal cemetery operations.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint James Bryan 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 \$9.00 per hour.
- Sec. 4. That the start date will be April 27, 2009 ***through October 30, 2009.***
- Sec. 5. That this resolution shall take effect immediately.

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

Discussion: Councilperson Carges made a motion that was seconded by Councilperson Windus-Cook to amend Sec. 4 to include: “through October 30, 2009”. All voted in favor of the motion – four ayes. Councilperson Ferris abstained. Motion adopted.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges	<u>Aye</u>
Councilperson Connors	<u>Aye</u>
Councilperson Ferris	<u>Abstain</u>
Councilperson Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – April 28, 2009

Adopted

RESOLUTION NO. 45 Authorize Wage Increase – Emmerson

WHEREAS, Darla Emmerson has satisfactorily completed the probationary period for a full-time employee; and

WHEREAS, Assessor Tony Eaffaldano has recommended a wage increase for Mrs. Emmerson.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden hereby authorizes an increase in the hourly rate of pay for Mrs. Emmerson to \$12.00 per hour.
- Sec. 2. That this resolution shall take effect April 27, 2009.

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 Milner	<u>Aye</u>

Submitted – April 28, 2009

Adopted

APPROVAL FOR PAYMENT OF BILLS

All of the Board members reviewed the invoice audit journal. Councilperson Windus-Cook made a motion that was seconded by Councilperson Connors authorizing payment of the bills in Abstract 4 dated April 29, 2009 in the amount of \$118,875.68. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$107,309.69 as set forth in Abstract 4 dated April 29, 2009.

Highway Fund: In the amount of \$9,732.69 as set forth in Abstract 4 dated April 29, 2009.

Special Fund: In the amount of \$1,833.30 as set forth in Abstract 4 dated April 29, 2009.

DISCUSSION AND ANNOUNCEMENTS

Work session meeting to be held Tuesday, May 5, 2009 at 7:00 pm.

EXECUTIVE SESSION

Councilperson Ferris made a motion that was seconded by Councilperson Carges to go into executive session at 8:30 p.m. to discuss a legal matter. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Connors made a motion that was seconded by Councilperson Ferris to leave executive session and return to the regular meeting at 9:58 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Ferris moved to adjourn the April 28, 2009 meeting of the Sweden Town Board at 9:59 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk