

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, May 26, 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, Director of Buildings and Grounds Jeremy Oakden and Town Attorney Jim Bell.

Visitors present were residents Jim Hamlin, Cora Schrader, Vesta Teeter, Louis Smith and Beverly Walker.

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.

Cora Schrader announced that she was the newly elected President of the Sweden Senior Association, Inc. (SSAI) and also in attendance were Vice President, Louis Smith and Secretary, Beverly Walker. Treasurer, Carol Ozminkowski was not present at the meeting. Ms. Schrader stated they see themselves as part of team, working hand in hand with the Senior Center and Town Board to see what can be accomplished. Supervisor Milner stated that he was scheduled to meet with the new SSAI officers this week. Ms. Schrader also wanted to announce the Senior Center Open House on June 6, 2009 from 10 am to 2 pm. A free chicken BBQ lunch is being offered from 12 pm to 1 pm, demonstrations from 10 am to 12 pm and entertainment from 1 pm to 2 pm.

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 May 16, 2009. All voted in favor of the motion – four ayes. Councilperson Ferris abstained due to his absence on May 16, 2009. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2009 Received From:

- *1. Merton Edwards, Regional Structures Engineer, NYSDOT

Comments:

Update on Bridge Rehabilitation – Smith Street over Erie Canal – Village of Brockport

*Board has copies

RE: #1 Supervisor Milner stated that the rehabilitation project would start later than anticipated. Start date of September 2009 with expected finish date of late 2010.

REPORTS

Superintendent of Highways Fred Perrine reported the county DOT job on Flynn Road is complete; clearing and grading along Brockport Spencerport Road south side of Wal-Mart Supercenter is complete and ready for seeding; and catch basin repair work is complete. The intake line for irrigation has been installed at the Town Park and the pond has been cleaned out. They are waiting for watermain materials to come in for the park. Several burials have been done at Lakeview Cemetery. Mr. Perrine announced that the Annual Stormwater Report would be submitted this week and available on the web site. The report is a joint report mostly compiled by the Stormwater Coalition with input from area towns.

Councilperson Windus-Cook reported that she attended the Veterans celebration and community recognition held by the Brockport area Veterans Club. Ms. Windus-Cook announced that the Sparkleberry Twig is hosting a movie night at the Sweden Farmers' Museum on June 12, 2009 at 8 pm. Shrek 3 will be played. Rain location at the Sweden Clarkson Community Center gymnasium. All proceeds to benefit Lakeside Memorial Hospital.

Councilperson Ferris had no report.

Councilperson Connors will hold the last Ballroom dance class this Thursday. Mrs. Connors volunteers to teach this class every year.

Councilperson Carges reported the recent car break in at SCCC. The incident was caught on video and the Monroe County Sheriff is investigating.

Town Attorney Jim Bell reported that he was in Sweden Town Court prosecuting parking violations at the Town Park. The board discussed methods of collections and violators failing to appear (Criminal Summons to be issued.). The board hopes that by issuing parking tickets to violators, it will result in a safer environment for patrons of the park. Mr. Bell stated he has given approval for the agreement with McLean Development for waterline construction. (Resolution No. 48 of May 16, 2009.)

Director of Buildings and Grounds Jeremy Oakden reported regular maintenance is being done to Nietopski Field. The board discussed areas of concern. Mr. Oakden also reported that the generator was at the Senior Center waiting for the electrician to install.

Finance Director Leisa Strabel reported that she and Supervisor Milner met with Town Auditor Christopher Trento to review the 2008 audit report. The Town's financial position is strong and continued to grow stronger in 2008. The Town Board worked diligently throughout the year to control costs. The results are reflected in the audit report which shows that Town spending decreased in 2008 as compared to 2007. This despite the fact that many factors, ie increased health insurance costs and fuel prices were beyond the Town's control.

Supervisor Milner reported that he attended the Veterans celebration and community recognition held by the Brockport area Veterans Club, a public access cable meeting and the Memorial Day celebration at the Brockport Middle School. Mr. Milner stated that he was meeting with the Brockport area Rotary Club to present the Sweden Community Foundation and his position as Town Supervisor.

RESOLUTIONS

RESOLUTION NO. 52

Adjust Pay Rates for Employees
Earning Minimum Wage

WHEREAS, the Federal minimum wage will rise to \$7.25 per hour on July 24, 2009; and

WHEREAS, the New York State minimum wage will follow; and

WHEREAS, the Town of Sweden has several employees earning the current minimum wage of \$7.15 per hour; and

WHEREAS, the Director of Finance has recommended that the Town adjust the wages of those earning minimum wage to the new rate effective with Payroll 14 which begins on June 20, 2009; and

WHEREAS, the employees who are affected by the change are: Megan Barnes, Erin Bittner, Daniel Coughlin, Charles Hutton, Olivia Kenyon, Katelin Lill, Traci O’Sullivan, Stephanie Peckham, Kurt Stoeber, Rebecca Wright, and Danielle Zimmer.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby increases the hourly rate for the above listed employees to \$7.25 per hour.

Sec. 2. That the increase will take effect in Payroll 14 which begins on June 20, 2009.

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 Milner	<u>Aye</u>

Submitted – May 26, 2009

Adopted

RESOLUTION NO. 53

Recognizing & Welcoming
Migrant Farm Workers

WHEREAS, agriculture is the number one industry in New York State and the approximately 1,000 migrant farm workers who come to the Sweden area constitute the backbone of our area's agricultural workforce; and

WHEREAS, these farm workers are members of our community for approximately six months of each year while they plant and harvest crops; and

WHEREAS, as residents of the Sweden community, migrant farm workers make a substantial contribution to our local business economy.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden designates the week of June 23 through June 28, 2009 as a week of recognition of the presence and contributions of our local farms and farmworkers.
- Sec. 2. That Sunday, June 28, 2009 is proclaimed the Day of Welcome, “Bienvenida”, the special welcome celebration for the migrant workers.
- Sec. 3. That the Town Board of the Town of Sweden does give their support to the good relations between the migrant farm workers and the residents of the Town of Sweden.
- Sec. 4. 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>Aye</u>	
Councilperson Connors	<u>Aye</u>	
Councilperson Ferris	<u>Aye</u>	
Councilperson Windus-Cook	<u>Aye</u>	
Supervisor Milner	<u>Aye</u>	
Submitted – May 26, 2009		Adopted

RESOLUTION NO. 54 Accepting Audit of Court Records

WHEREAS, the Town Board of the Town of Sweden retained Christopher Trento, Certified Public Accountant, to perform an audit of the Sweden Town Court records and dockets for the fiscal year ending December 31, 2008; and

WHEREAS, Mr. Trento submitted a report of the 2008 court audit on May 13, 2009; and

WHEREAS, the Sweden Town Board has had the opportunity to review the court audit report.

NOW, THEREFORE BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden accepts the findings of Christopher Trento, Certified Public Accountant pertaining to the 2008 Sweden Town Court records and dockets.
- Sec. 2. That the Supervisor is authorized to forward a copy of Mr. Trento’s report to the NYS Office of Court Administration.
- Sec. 3. 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 – May 26, 2009		Adopted

RESOLUTION NO. 55 Authorize Sewer Lift Station at Park from Reserve Fund

WHEREAS, a Parks and Recreation Reserve Fund was established on December 29, 2004 for the purpose of making improvements to town-owned parks and recreation facilities; and

WHEREAS, the Town Board of the Town of Sweden desires to install a sewer lift station at the Sweden Town Park; and

WHEREAS, the Highway Superintendent has estimated the cost to be \$75,000.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the expenditure of up to \$75,000 from the Parks and Recreation Reserve Fund for Type capital improvements; namely installation of a sewer lift station at the Sweden Town Park per specifications prepared by the Highway Superintendent.
- Sec. 2. That pursuant to Section 6-C of the General Municipal Law, this expenditure is subject to permissive referendum.
- Sec. 3. That the Town Clerk is directed to publish a public notice as required by law.
- 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 – May 26, 2009

Adopted

RESOLUTION NO. 56 Appoint Seasonal Laborer – Strabel

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

WHEREAS, the Director of Buildings and Grounds has recommended hiring Gregory Strabel for seasonal operations.

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Gregory Strabel as a seasonal laborer for buildings and grounds 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 appointment will be in effect May 27, 2009 through September 1, 2009.
- Sec. 5. 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 Aye
- Councilperson Connors Aye
- Councilperson Ferris Aye
- Councilperson Windus-Cook Aye
- Supervisor Milner Aye

Submitted – May 26, 2009

Adopted

RESOLUTION NO. 57 Authorizing Home Rule Request to NYS
Legislature Seeking Enactment of an
Assembly and Senate Bill for Special Law

WHEREAS, Assemblyman William D. Reilich and Senator George Maziarz have proposed that the State Assembly enact Home Rule Legislation at the State Level, allowing the Town of Sweden within the County of Monroe to establish 25 mile per hour area speed limits within various portions of the town as determined by the Town Board from time to time; and

WHEREAS, the Town Board of the Town of Sweden is supportive of this proposed State Legislation which would allow the Town Board of the Town of Sweden to establish area speed limits within subdivisions and other areas of the town presently subject to the 30 mph area speed limits presently allowed by the Vehicle and Traffic Law of the State of New York; and

WHEREAS, it is hereby determined that a necessity exists for such legislation in that the Town of Sweden does not have the power to enact such Legislation by Local Law; and

WHEREAS, the Town Board of the Town of Sweden hereby adopted such resolution at the regular Town Board meeting held on March 14, 2009 and due to time requirements it is now necessary for the Town of Sweden to rescind Resolution No. 25 of March 14, 2009 and present this current resolution in its place.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does by the adoption of this resolution, make a Home Rule request of Assemblyman Bill Reilich and Senator Maziarz and the State Legislature requesting that the State Legislature enact Home Rule Legislation allowing the Town of Sweden within the County of Monroe to establish 25 mph area speed limits within various areas of the Town, as determined by the Town Board from time to time.

Sec. 2. That the Town Clerk is directed to furnish a certified copy of this Home Rule Legislation request to the offices of Assemblyman Reilich and Senator Maziarz in support of such pending legislation.

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

Submitted – May 26, 2009

Adopted

RESOLUTION NO. 58 Authorize Supervisor to Sign Agreement With McDonald’s Corporation, Lakecreek Properties, LLC and Roderick H. Cushman

WHEREAS, McDonald’s Corporation, Lakecreek Properties, LLC and Roderick H. Cushman are the grantors of an easement created over certain lands and described in a Storm Water Quality Structure Easement and Access Agreement; and

WHEREAS, the Town of Sweden wishes to receive the perpetual non-exclusive ingress and egress easement in order to inspect the Storm Water Quality Structure.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign the Storm Water Quality Structure Easement and Access Agreement.

Sec. 2. That the agreement is subject to the written approval the Town Attorney.

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 Aye
Supervisor Milner Aye
Submitted – May 26, 2009

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 Carges authorizing payment of the bills in Abstract 5 dated May 27, 2009 in the amount of \$205,214.97. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$114,814.56 as set forth in Abstract 5 dated May 27, 2009.

Highway Fund: In the amount of \$13,579.72 as set forth in Abstract 5 dated May 27, 2009.

Special Fund: In the amount of \$76,820.69 as set forth in Abstract 5 dated May 27, 2009.

DISCUSSION AND ANNOUNCEMENTS

Work session meeting to be held Tuesday, June 16, 2009 at 7:00 pm.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Ferris to go into executive session at 8:17 p.m. to discuss a legal matter. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Ferris made a motion that was seconded by Councilperson Connors to leave executive session and return to the regular meeting at 9:50 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Carges moved to adjourn the May 26, 2009 meeting of the Sweden Town Board at 9:51 p.m. Councilperson Ferris seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk