

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 22, 2009.

Town Board Members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Patricia Connors and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Superintendent of Highways Fred Perrine and Town Clerk Karen Sweeting.

Visitors present were residents Jim Hamlin, Timothy Bates, Orlando Benzan, Michael Myers, Rick Popen, Annie Crane and Caurie Putnam.

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 acknowledged the presence of the visitors and asked if anyone had any comments or questions for the Town Board. No one spoke.

APPROVAL OF MINUTES

Councilperson Connors made a motion that was seconded by Councilperson Carges to accept the minutes of the regular Town Board meeting held on August 25, 2009. All voted in favor of the motion. Motion adopted.

Councilperson Connors made a motion that was seconded by Councilperson Windus-Cook to accept the minutes of the Public Hearing - Heritage Square Subdivision Sewer District held on August 25, 2009. All voted in favor of the motion. Motion adopted.

SUPERVISOR'S CORRESPONDENCE

2009 Received From:	Comments:
*1. Thomas F. Ferris, Former Councilperson	Thank you letter
*2. NYSEG and RG&E	Proposed increase in rates companies charge to deliver electricity and natural gas to customers
*3. M. Connie Castaneda, Village Mayor	Fire Service Contract
*4. David Scott, Recreation Director	Request to hire staff for swim program
*5. Thomas Sinclair, Household Hazardous Waste Coordinator	Copy of report sent to NYS Dept. of Health re: Pharmaceutical Waste Collection held in Sweden

*Board has copies

RE: #1 Supervisor Milner read the letter from Thomas Ferris. Mr. Ferris resigned from the board effective September 11, 2009 because he is no longer a resident of the Town of Sweden. His letter thanked Town of Sweden department heads and employees for a collaborative experience. Mr. Ferris especially thanked the Town Board for the time they give to the community and for the improvements made to town government under their leadership.

REPORTS

Superintendent of Highways Fred Perrine reported the county culvert replacement job on Gordon Road continues and may not be open for another two weeks; the multi-use fields at the Town Park are still under construction; and the Gary Drive resurfacing project is complete. Mr. Perrine informed the board that the sweeper purchased cooperatively with the Towns of Clarkson, Hamlin and Parma was used on this project. Mr. Perrine also reported that he assisted with the County Pharmaceutical Waste Collection held at the Highway Garage on September 12, 2009. The top coat of asphalt has been installed in the Brandon Woods subdivision and the access roads to Redman Road and into the Town Park from Heritage Square are moving forward.

Town Clerk Karen Sweeting thanked Superintendent of Highways Fred Perrine and Deputy Town Clerk Kathy Roberts for volunteering their time to assist with the County Pharmaceutical Waste Collection on September 12, 2009.

Finance Director Leisa Strabel reported on the SeptemberFest held on September 12, 2009. Councilpersons Windus-Cook, Carges and Connors were on site to distribute information and answer questions and the recreation staff organized children's activities. Mrs. Strabel informed the board that the phone transfer from Choice One to Frontier took place without interruption last week; the liability insurance renewal process is beginning; and the Town Attorney has approved the Workers' Compensation Intermunicipal Agreement.

Councilperson Windus-Cook reported the success of the fourth Annual Harvest Festival held on September 19, 2009.

Councilperson Connors had no report.

Councilperson Carges thanked Councilperson Windus-Cook for organizing and running the Harvest Festival.

Supervisor Milner reported that he attended the 40th Celebration of the Rotary Club, the monthly Supervisor’s meeting and the Council of Government meeting. Mr. Milner participated in an on-site walk through of the Heritage Square project with other members of the Town Board and members of the Planning Board.

RESOLUTIONS

RESOLUTION NO. 106 Authorizing Fall Clean-up Days
for 2009 by the Highway Department

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that special fall clean-up days be set for the Town of Sweden; and

WHEREAS, the Highway Superintendent has also recommended that this be for brush pick up only and no other items will be accepted.

NOW THEREFORE, BE IT RESOLVED:

Sec. 1. That the Highway Superintendent is hereby authorized to execute said operation for pick up of brush within the Town of Sweden on the following days: October 26, 2009 through October 30, 2009.

Sec. 2. 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 Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – September 22, 2009 Adopted

RESOLUTION NO. 107 Award Material Bid for Shumway Road –
Phase 4 Water Main Improvement Project

WHEREAS, the Town Clerk advertised for bids pursuant to law for water main materials for the Shumway Road – Phase 4 Water Main Extension and the following bids were received and opened on September 18, 2009 at 10:00 AM:

Blair Supply Corporation 785 Beahan Road Rochester, New York 14624	Total Bid Price \$17,275.60
Vellano Bros., Inc. 795 Beahan Road Rochester, New York 14624	Total Bid Price \$18,211.10
M.J. Pipe & Supply Corporation 609 Buffalo Road Rochester, New York 14611	Total Bid Price \$19,356.85
RAMSCO 1220 Brighton Henrietta TL Road Rochester, New York 14623	Total Bid Price \$18,709.20

WHEREAS, after review by MRB/Group, Engineering, Architecture, Surveying, P.C and the Highway Superintendent, they have recommended awarding the bid for the water main materials to Blair Supply Corporation, 785 Beahan Road, Rochester, New York 14624.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board, upon recommendation of MRB/Group, Engineering, Architecture, Surveying, P.C. and the Highway Superintendent, awards the bid for the water main materials for the Shumway Road – Phase 4 Water Main Extension

Improvement Project to Blair Supply Corporation, 785 Beahan Road, Rochester, New York 14624 for the bid price of \$17,275.60.

Sec. 2. That the Supervisor is authorized to pay the invoices from the Shumway Road SW 11 Fund.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 108

Award Bid for Rock Blasting
Shumway Road – Phase 4
Watermain Improvement Project

WHEREAS, the Town Clerk of the Town of Sweden advertised for the submission of sealed bids in accordance with Section 103 of Article 5-A of the General Municipal Law for line drilling and blasting of rock along the proposed Shumway Road – Phase 4 Watermain Extension and the following bid was received and opened on September 18, 2009 at 10:00 AM:

Nothnagle Enterprises, Inc.	\$17.75/LF
1821 Scottsville Mumford Road	
Scottsville, New York 14546	

WHEREAS, after review by MRB/Group, Engineering, Architecture, Surveying, P.C. and the Highway Superintendent, they have recommended awarding the bid for blasting to Nothnagle Enterprises, Inc., 1821 Scottsville Mumford Road, Scottsville, NY 14546.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board, upon recommendation of MRB/Group and the Highway Superintendent, awards the bid for line drilling and blasting of rock along the proposed Shumway Road – Phase 4 Watermain Extension to Nothnagle Enterprises, Inc., 1821 Scottsville Road, Scottsville, NY 14546 for the bid price of \$17.75/LF.

Sec. 2. That the Supervisor is authorized to pay the invoices from the Shumway Road SW 11 Fund.

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 Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 109

Approving Intermunicipal
Agreement UNYMWCP

WHEREAS, the Town of Sweden has participated in the Upstate New York Municipal Worker Compensation Plan (the “Plan”); and

WHEREAS, the Plan’s participants, consistent with advice provided to the Plan by the Plan’s counsel, have determined to re-organize the Plan through an intermunicipal agreement by and between the Plan’s participants; and

WHEREAS, the Town Board of the Town of Sweden has determined that it is in the best interests of the Town of Sweden to continue to act cooperatively with the other Plan participants in the course of carrying out the Town of Sweden’s obligations under the New York Workers’ Compensation Law, including in order to undertake effective risk management techniques, the promotion of safety and the effective administration of claims.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden approves the Intermunicipal Agreement for the Upstate New York Municipal Workers’ Compensation Program (“Program”) as presented.

Sec. 2. Designates the Town of Sweden’s Finance Director as the Town of Sweden’s Member on the Board of Directors for the Program and designates the Town of Sweden’s Supervisor as the Alternate Director.

Sec. 3. Authorizes and directs the Supervisor to do all things necessary to effectuate the intent and operation of this resolution.

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

MOTION for adoption of this resolution by Councilperson Windus-Cook

Seconded by Councilperson Connors

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Windus-Cook Aye

Supervisor Milner Aye

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 110

Calling a Public Hearing – Moratorium on Wind Towers/Turbines/Spires

WHEREAS, the Town Board of the Town of Sweden would like to study the regulation of wind towers/turbines/spires.

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 13th day of October, 2009 at 7:15 PM, to hear all persons for or against the adoption of a moratorium, not to exceed nine months, on the construction of wind towers/turbines/spires in the Town of Sweden.

Sec. 2. That the Town Clerk is authorized and directed to cause a notice of this hearing to be published in the official newspapers of the town, in accordance with Section 265 of Town Law.

MOTION for adoption of this resolution by Councilperson Carges

Seconded by Councilperson Connors

Discussion: Councilperson Carges explained that the Board is placing a moratorium in order to give them an opportunity to study the issue. The Town currently does not have regulations for wind turbines that are less than 36 feet tall. The Board would like to take a look at how the Town might want to regulate these facilities. For example, what might be acceptable out in the country may not be acceptable in one of our subdivisions. The Town Board supports green initiatives but wants to be sure wind towers are located appropriately.

VOTE BY ROLL CALL AND RECORD:

Councilperson Carges Aye

Councilperson Connors Aye

Councilperson Windus-Cook Aye

Supervisor Milner Aye

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 111

Appoint Recreation Assistants - Pool

WHEREAS, the Recreation Department is offering swim programs and lessons; and

WHEREAS, it has been recommended that the lifeguards and/or instructors be put on the Town of Sweden payroll.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint the following as Recreation Assistants part-time, for the rates of pay following their names, with a start date of September 14, 2009:

Crabb, Kelly	\$10.00/hour
Fitzgerald, Kaitlyn	\$9.00/hour
Fullwood, Tiffany	\$9.00/hour
Davis, Emily	\$9.00/hour

Sec. 2. 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 Windus-Cook	<u>Aye</u>
Supervisor Milner	<u>Aye</u>

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 112

Appoint Seasonal Laborer- Merritt

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

WHEREAS, the Superintendent of Highways has recommended hiring David Merritt for seasonal cemetery operations.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint David Merritt 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 \$8.00 per hour.

Sec. 4. That Mr. Merritt’s appointment is effective September 9 – October 31, 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:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 113

Authorize Supervisor to Sign Municipal Appraisal Agreement with Assessment and Valuation Services

WHEREAS, the Statutes of the State of New York require that assessing jurisdictions assess real property at a uniform percentage of full market value and maintain an inventory of said real property; and

WHEREAS, consultant, David P. Miller d/b/a Assessment and Valuation Services, has considerable experience in serving county and municipal governments in the mass appraisal field; and

WHEREAS, the Town of Sweden intends to comply with the Statutes and Rules and Regulations; and

WHEREAS, the Town of Sweden has determined it is in the best interests of the taxpayers of the Town of Sweden to utilize the services of Consultant to comply with the Statutes and Rules and Regulations.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Sweden Town Board hereby authorizes the Supervisor to sign said agreement authorizing Assessment and Valuation Services to provide the services contained in Memo A in accordance with the terms and conditions set forth.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 22, 2009

Adopted

RESOLUTION NO. 114 Authorize Bids for One (1) Auger Driven
Stainless Steel Material Spreader

WHEREAS, the Highway Superintendent has recommended the purchase of one (1) Auger Driven Stainless Steel Material Spreader.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the Highway Superintendent to submit the necessary specifications for the purchase of one (1) Auger Driven Stainless Steel Material Spreader.

Sec. 2. That upon receipt of said specifications the Town Clerk is directed to advertise for bids for said equipment as required by law.

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

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

Discussion:

VOTE BY ROLL CALL AND RECORD:

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

Submitted – September 22, 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 9 dated September 23, 2009 in the amount of \$137,764.97. All voted in favor of the motion. Motion adopted.

General Fund: In the amount of \$66,095.11 as set forth in Abstract 9 dated September 23, 2009.

Highway Fund: In the amount of \$68,645.86 as set forth in Abstract 9 dated September 23, 2009.

Special Fund: In the amount of \$3,024.00 as set forth in Abstract 9 dated September 23, 2009.

DISCUSSION AND ANNOUNCEMENTS

The Budget Officer's Tentative Budget for 2010 was presented to the Town Clerk.

The Swamp Road/Salmon Creek Road Water District Extension public hearing is scheduled for Tuesday, September 29, 2009 at 7 pm.

EXECUTIVE SESSION

Councilperson Carges made a motion that was seconded by Councilperson Connors to go into executive session at 7:55 p.m. All voted in favor of the motion. Motion adopted.

No action taken.

Councilperson Carges made a motion that was seconded by Councilperson Connors to leave executive session and return to the regular meeting at 9:14 p.m. All voted in favor of the motion. Motion adopted.

ADJOURNMENT

As there was no further business to come before the Board, Councilperson Connors moved to adjourn the September 22, 2009 meeting of the Sweden Town Board at 9:15 p.m. Councilperson Windus-Cook seconded the motion. All voted in favor of the motion. Motion adopted.

Respectfully submitted,

Karen M. Sweeting
Town Clerk