

MINUTES of the Regular Meeting of the Pembroke Town Board held on January 12, 2011 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
John Worth, Councilman
Gary De Wind, Councilman

ABSENT: Peter Sformo, Councilman; Edward Arnold, Jr., Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Thomas Schneider, Chairman ZBA; Shellye Dale-Hall, Zoning & Codes; Susan J. Conrad, Daily News Correspondent; Mary Lou & Norm Humel; and John & Jennifer Bisig.

Deborah Conti gave the invocation; Supervisor Tuttle led the Pledge to the Flag.

The meeting was called to order at 7:00 P.M.

On **MOTION** of Councilman Worth, seconded by Councilman De Wind, to approve the Minutes of the October 13th, 2010 Regular & Budget Hearing Meeting; the October 27th, 2010 Workshop Meeting; the November 10th, 2010 Regular Meeting; the November 24th, 2010 Workshop Meeting; the December 8th, 2010 Regular Meeting and the December 22nd, 2010 Workshop & End of Year Meeting.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR

- STAR exemption certificates have all been sent out for people over 65 years of age.
- Mrs. Conti asked if she could keep Nancy Mandolene as her clerk seven hours a week for the remainder of the year until such time as a new clerk is fully trained in the Zoning Department. Councilman Worth asked if the new person would have to be trained for the Assessor's Clerk job. Councilman De Wind asked if Nancy was interested in doing this, Supervisor Tuttle said she was. Councilman Worth said he didn't see a problem with Nancy assisting the Assessor until the new person is trained and capable to do the job. Supervisor Tuttle is going to check with Civil Service about any hour's restrictions and job definitions.

ZONING & CODES ENFORCEMENT

- Year End report for 2010 is submitted and filed.
- New Planning and Zoning report submitted and filed.
- Mrs. Dale-Hall said 2010 was a busy year and there are some permits not closed out from 2010 because they will flow into 2011. Mrs. Dale-Hall said that this time of year is busier than last year at this time.

HIGHWAY

- Superintendent Stocking said that he was just informed of the situation on a property on Church Street owned by Bruce Ceisner. The Septic tank was thought to be broken and repaired around the time that public water was put through. The repair failed and now the tank is leaking onto the road and neighborhood driveways. Mr. Stocking spoke to Paul McCarthy, the engineer for the project and it was approved by the County and the Health Department on November 26th. Mr. Stocking spoke to Jeff Kohl who will be doing the job. Mr. Kohl said that he has to wait for the weather to warm up a bit before he can begin.

Mrs. Bisig asked if the hole could be covered up temporarily as the tank is now exposed because she has small children. Mr. Stocking said he will talk with Jeff Kohl about blocking it off. Mr. Bisig said he is concerned that it will take too long for the weather to warm up. Mr. Bisig said that he has been speaking to the Health Department since the summer of 2010 and nothing has been done. The Health Department did not inform the Town of the situation. Mr. Stocking said that the residents could call the Town if nothing is done soon and the Town will do what they can to get it taken care of.

Supervisor Tuttle asked pumping the tank out would help. He was informed that the tank refills within three days of being emptied. Supervisor Tuttle, Councilman De Wind and Highway Superintendent Stocking will all contact Jeff Kohl to see what can be done.

TOWN CLERK

- December 2010 report Submitted and filed.
- Tax bills were received, processed and mailed. As of today January 12, 2011 we've collected \$275,293.10. Scanning of tax bills is going well
- New Dog licenses sales are going well. There have been no glitches.
- Town Clerks Annual Report shows \$11,049.84 less received that 2009 but \$17,600.13 increase from 2008. This increase and decrease is mostly from sales of Hunting/Fishing licenses.

PLANNING BOARD

- There was no December Meeting.
- There are two land separations for the meeting in January.

ZONING BOARD OF APPEALS

- There was no meeting in December.
- Mr. Schneider said that there is one variance on the agenda for the January Meeting for Mr. Rochna on Genesee Street for the purpose of building a garage.

JUSTICES

- December 2010 report submitted and filed.
- We should have the Year End report by the February Regular meeting.

SUPERVISOR

- Supervisors Report is submitted and filed, excluding expense reports due to finalizing payments for 2010.
- Clearwater Asset Holding purchased the Visone property at 1166 Vision Parkway.
- The Town received a letter from the Village of Corfu to request permission to use the Community Center and the Voting Machine for their election being held on March 15th, 2011
- The Town received a new contract for PSI Disposal for the monthly garbage service at the Town Hall. The amount hasn't changed but could vary due to tonnage of refuse collected.
- The Contract for O' Connell for the WQIP grant has been sent to our Attorney, Mark Boylan to look at before we sign it. We are waiting for his approval.

COMMITTEE REPORTS

Audit, Finance, Insurance, Investment, & Purchasing – Councilman Arnold

Supervisor Tuttle reported that we are setup for a preliminary Audit on January 17th with Freed Maxick.

Building & Ground – Councilman Sformo

Councilman De Wind reported that the doors, and roof leak have been fixed and new dryers installed in the bathrooms. Supervisor Tuttle said the Backflow preventer was inspected and passed in the Fire department.

Highway/Assessment/Court – Councilman De Wind

No report at this time.

Planning, Zoning, Code Enforcement – Councilman Tuttle

No report at this time.

Public Services, Water, Sewer, Refuse/Recycling – Councilman De Wind

We are moving ahead with sewer project.

Youth Recreation – Councilman Sformo

Mrs. Begin reported that a meeting was held with Mr. Sformo and Donna Fix. The employees will be given raises this year. Donna Fix and Dave Sewerd have ordered some supplies. The program will be held at the High school in 2011. The program will begin the Monday after school lets out and will go for six weeks.

Human Resources/Benefits – Councilman Worth

Mr. Worth reported that he, Jim and Nicole have been working on some grants for the purchase of new hardware. Mr. Worth and Nicole have spoken to the person doing the web design but we have not heard any feedback from anyone as far as what they would like to see on the website so no changes have been made at this point. We extended our coverage for six months to keep things as is and upload minutes.

Supervisor Tuttle has provided copies to the Councilmen of all resumes and applications submitted for the Assessor/Zoning Clerk position. The board can discuss them at the Workshop and then interviews can be setup probably on a Tuesday or Wednesday night in February.

Parks/Land Acquisition – Councilman Arnold

Mr. De Wind stated that the park driveway is being plowed and people have been seen skiing and snow shoeing at the park.

Mr. De Wind also reported that the Town received a proposal from the Pembroke Central School to be discussed at the Workshop with all board members. The school would like the Town to purchase a machine to move their striping machine. The cost would be approximately \$5000 and the money is there to purchase. Mr. De Wind felt that a contract with the school would be necessary and maybe split the cost with the school. Mr. De Wind feels that it is a necessary purchase to stripe all fields at the park.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

Mr. Tuttle said that the Town is going to sit down with State representatives from the Office of Community Renewal and the EDC on January 28th, 2011 to close out the grant that the Town helped with for Yancey's Fancy and GCEDC.

Public Safety – Councilman Arnold

No report at this time.

OLD BUSINESS

The Town has applied for three grants through New York State Archives.

- The first grant was for expansion of the records room and it is in the process of being closed out. J. O'Connell had some specific items listed in the grant for the records room, items that exceeded our needs. Due to this, Mr. Tuttle has spoken to O'Connell and asked that they discuss items listed on grants with the Town so they can better understand our needs.
- On the second grant we took the advice from the State Representative and filled out the paper work as he stated. The request for the money was put on a line item that was not needed and we applied for an amendment to change the money to a different line item to suit our needs but our request was denied. So the money for the second grant must be used not for the purchase of software but to digitize older records. A meeting is scheduled on the second Tuesday in February to discuss the second grant.

NEW BUSINESS

- A third grant has been applied for in 2011 to purchase a new server to help store the new software of digitized records and to possibly purchase a new scanner.

PUBLIC PARTICIPATION

Mr. Humel stated that he did not know that the problem with the leak at the Ceisner property was that far advanced in resolution. Mr. Tuttle said he will give Mr. Humel a call after he finds out more information.

RESOLUTIONS

On **MOTION** of Councilman De Wind, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.

ALL AYES – MOTION CARRIED

RESOLUTION # 2 of 2011 – Adoption –Payment of Abstract

WHEREAS, A request has been made to pay the normal operating expenses of the Town of Pembroke, and,

WHEREAS, this payment is within the normal scope of the 2008 working budget, and creates no additional cost to the Town of Pembroke; **NOW, THEREFORE BE IT**

RESOLVED, That the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within abstract #13 & 14 of 2010 and # 1 of 2011

On **MOTION** of Councilman Worth, seconded by Councilman De Wind, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES – MOTION CARRIED

RESOLUTION # 3 of 2011 – NYS Dept. of Education –
ARCHIVES GRANT 2011 -2012

WHEREAS, The New York State Department of Education (Archives) is offering an additional series of grants and,

WHEREAS, The Town of Pembroke has determined that application for additional hardware to be used by the buildings department and the Town Clerks office is in the best interest of the Town of Pembroke for the safe and efficient operation of the town; **NOW, THEREFORE, BE IT**

RESOLVED, that the Pembroke Town Board authorizes the Town Supervisor to apply to the NYS Dept. of Education for grant funding for the purchase of equipment and hardware to be used by the Buildings Department and the Town Clerk's office.

On **MOTION** of Supervisor Tuttle, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES – MOTION CARRIED

RESOLUTION # 4 of 2011 – Contract Renewal – PSI Disposal

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a renewal contract, for 2011, with PSI Disposal, PO Box 188 Corfu NY 14036, for the scheduled Recycling & Refuse Collection at the Town Hall located at 1145 Main Rd., Corfu, NY 14036, for 2011

On **MOTION** of Councilman De Wind, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES – MOTION CARRIED

RESOLUTION # 5 of 2011 – Reduce 2011 Town/County Tax bill for Philip L. Miller

WHEREAS, The 2011 Town/County Tax bill, SBL # 23.-1-1.112 for Philip L. Miller contained a clerical error in accordance with R.P.T.L. Section 550(2)(e), which states “an incorrect entry
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due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district”; **AND**

WHEREAS, The property owner received a tax amount of \$324.97 based on a two unit fee for the Pembroke Water District #1 and this unit fee was erroneously placed on a parcel that is vacant; **AND**

WHEREAS, an application was accepted by the Genesee County Treasurers Office and a recommendation was made to delete the PEMBROKE WATER entry in the amount of \$324.97 and reduce the tax bill to \$5.34; **NOW, THEREFORE, BE IT**

RESOLVED, that the Pembroke Town Board authorizes the Town Clerk to issue a new tax bill for SBL # 23.-1-1.112 in the amount of \$5.34.

On **MOTION** of Councilman Worth, seconded by Councilman De Wind, to adjourn the meeting at 7:59 P.M.

ALL AYES – CARRIED.

Nicole M. Begin Respectfully submitted,

Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF JANUARY 12, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.