

**MINUTES** of the Regular Meeting of the Pembroke Town Board held on February 9, 2011 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

**PRESENT:** James H. Tuttle, Supervisor  
John Worth, Councilman  
Gary De Wind, Councilman  
Peter Sformo, Councilman  
Edward Arnold, Jr., Councilman

**ABSENT:** Stephen Stocking, Highway Superintendent

**OTHERS PRESENT:** Nicole M. Begin, Town Clerk; Deborah Conti, Assessor; Thomas Schneider, Chairman ZBA; Shellye Dale-Hall, Zoning & Codes; Mike Herec, Planning Board; Scott Waite.

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

The meeting was called to order at 7:05 P.M.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to approve the Minutes of the Organizational Meeting of January 3<sup>rd</sup>, 2011, the Regular Meeting of January 12<sup>th</sup>, 2011 and Workshop Meeting of January 27<sup>th</sup>, 2011

ALL AYES - MOTION CARRIED.

## **DEPARTMENT REPORTS**

### **ASSESSOR**

Mrs. Conti reported that the Assessors office has been busy with STAR applications. A letter from Senator Ranzenhofer sent out a blanket mailing to a precalculated radius with STAR applications which is causing a large reaction. We've received a large amount of calls regarding this and are letting people know if they need to do anything further.

We've received news regarding the proposed State budget for 2011-2012. The State budget modifies the payment we will receive based on the plan that was approved by 2010 Resolution # 57 for Reassessment projects in 2011 & 2014. The Towns that agreed to an annual reassessment will receive nothing and the Towns that agreed to the plan that we have will get paid but the amount may be reduced by 5 or 10 percent.

Mr. Tuttle questioned bills that the Town has received from Attorney Mark Boylan regarding the assessment lawsuit with Flying J. Flying J is appealing their assessment and so far it has cost the town over \$14,000.00. Mr. Tuttle questioned whether those fees could be recuperated because it was not something the Town was prepared to pay and was not budgeted for. Mrs. Conti said that we should contact Mark Boylan to see if this lawsuit can get resolved and see if it is possible to get those fees covered by Flying J.

ZONING & CODES ENFORCEMENT

January report was submitted and filed. Mrs. Dale-Hall said it was a busier January than last year and we are closing out a lot of old permits that were not closed out. New permits are being filed for the upcoming building season. There is nothing referred to ZBA at this time. One land separation is being worked on with Planning Board.

Mr. Tuttle said that the board would like to see more detail in the Building and Zoning Monthly reports. Mrs. Dale-Hall said that would not be a problem for the future.

HIGHWAY

No Report at this time

TOWN CLERK

January report was submitted and filed. Mrs. Begin said that Tax collection is going very well and that we have collected around 95% of the tax bills so far. The Town and Fire Districts have received all of their budgeted money. We keep all penalty fees from February and March.

PLANNING BOARD

January report was submitted and filed. Mr. Herec said that they held a Planning Board meeting in January. They were able to approve the October meeting minutes that were incomplete due to the passing of Planning Board Secretary Andrea Davis.

Mr. Kutter and Tom Schneider have been discussing and will continue to discuss the new wind law and there will be new legislation coming from Albany regarding this law.

ZONING BOARD OF APPEALS

Mr. Schneider said that at the January meeting there was a variance for Mr. Walter Rochna. He demolished a home and is going to replace it with a garage. Mr. Rochna's house was in place before the zoning law so a variance had to be done to rebuild there.

Mr. Schneider has been in contact with the Town of Alabama regarding new wind laws. Mr. Schneider feels the town should have something on the books this year as far as laws for wind energy.

The February meeting will probably be cancelled as there is nothing coming up.

JUSTICES

We have not received the January report as of this meeting.

**SUPERVISOR**

January report was submitted and filed. Mr. Tuttle said we received a letter from the Village of Corfu thanking us for helping with the Corfu Winterfest.

We received information from Independent Health regarding new rates for the same program we are in. The increase seems to be about 14% across the board. Mr. Tuttle is still trying to get information about the deductible. Mr. Arnold asked if we can look in to Community Blue for comparisons.

**COMMITTEE REPORTS**

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

Nothing to Report at this time

**Building & Ground** – Councilman Sformo

Mr. Sformo said that everything seems to be working well at the Community Center. The Corfu Fire Department is very happy with the new garage door openers. The heating units have been repaired by Turnbull but they will need a more permanent fix and it is being looked into. The gutters are in bad shape and will need repairing. The roof is going to need to be repaired this year and there will need to be something in place to shelter the generator when it gets put into place.

Mrs. Conti said that it appears as if the roof is leaking in the Zoning office.

**Highway/Assessment/Court** – Councilman De Wind

Nothing to Report at this time

**Planning, Zoning, Code Enforcement** – Councilman Tuttle

Nothing to Report at this time

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

Nothing to Report at this time

**Youth Recreation** – Councilman Sformo

Nothing to Report at this time

**Human Resources/Benefits** – Councilman Worth

Nothing to Report at this time

**Parks/Land Acquisition** – Councilman Arnold

Nothing to Report at this time

**Intermunicipal, Economic & Community Development** – Supervisor Tuttle

Nothing to Report at this time

**Public Safety** – Councilman Arnold  
Nothing to Report at this time

## **OLD BUSINESS**

Mr. Tuttle reported that we are in the process of starting and finishing three grants with New York State Archives.

The first grant was for the expansion of the records room. The work is finished and all the documents to closeout this Grant have been accepted in Albany.

The second grant was to digitize our records but the grant had to be revised to suit our purposes and the revision was denied by New York State Archives. The Grant money has to be used to hire a firm to scan the records. We had a meeting with Jim Tamarro from NY State Archives on February 8<sup>th</sup> to discuss what we can do with the grant money and because this grant is for \$5,000 and would not be enough to scan everything a decision was made to have only maps and drawings scanned and digitized with the money available. Mr. Tuttle has sent a message to Tom Carpenter from Clark Patterson to see if they are interested in doing it because they have the proper equipment. We are waiting for a response.

The third Grant application has been submitted for a high speed feed scanner to scan documents into the program to digitize our records and to upgrade to a new server.

In the beginning of 2010 the Town received a letter from the Elections board stating that our voting machines we have had to be returned to the County. After some research it was found that the Town had purchased the four machines and had paid for all repairs to them so we responded that we were going to keep them and decide what would be done with them. Last week Richard Seibert contacted us to let us know that a State Law known as the Election Consolidation act of 2005 was passed stating that the State owns all voting machines. Mr. Tuttle contacted the Association of Towns to check on the law and was told that the law in fact exists. The schools districts can still use the machines for another two years so the school was notified to see if they want them.

There will be a resolution introduced tonight to renew the Pest Rx contract.

## **NEW BUSINESS**

Mr. Tuttle spoke with Steve Hyde of the GCEDC and it looks as though Project East is on schedule.

The Aid and Incentive to Municipalities (AIM) program through NYS notified us that we are going to receive \$33,181.00 in 2011. It was reduced by \$664.00 from 2010.

**PUBLIC PARTICIPATION**

No Public Participation

**RESOLUTIONS**

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

**RESOLUTION # 6 of 2011** – Conference Attendance/Highway

**WHEREAS** Steven Stocking, Highway Superintendent, is requesting permission to attend the New York State Highway Superintendent’s Association Meeting on March 8 – 9, 2011 in Albany, New York for the purpose of lobbying for CHIPs monies; and

**WHEREAS** monies for this Conference are in the 2011 budget; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board grants permission to Steven Stocking, Highway Superintendent to attend the above mentioned meeting.

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

**RESOLUTION # 7 of 2011** – Correction to Organizational Minutes

**WHEREAS:** After additional review of the organizational minutes which revealed two typographical errors that the Town Board wishes to correct to continue with the consistent flow of town operations, and;

**WHEREAS:** these changes have no effect upon the 2011 budget for the Town of Pembroke; **NOW, THEREFORE, BE IT**

**RESOLVED:** That the purchase policy for the Town of Pembroke, page 2 section 4(a) read \$20,000.00 instead of \$10,000.00 and that the salary of Salaries shows the Court Clerk as an annual salary of \$38,064.00 per year instead of an hourly figure.

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

**RESOLUTION # 8 of 2011 – Contract Renewal – PestRx**

**RESOLVED**, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a renewal contract, for 2011, with Pest Rx, 4752 Shisler Rd., Clarence NY 14031 for the scheduled pest control at the Town Hall located at 1145 Main Rd., Corfu, NY 14036, and the Community Center located at 116 E. Main St. Corfu, NY 14036, for the year 2011.

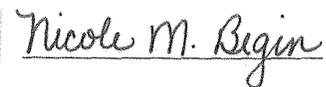
On **MOTION** of Councilman Arnold, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, AYE; Councilman Sformo, AYE; Councilman De Wind, AYE; Supervisor Tuttle, AYE. **ALL AYES - MOTION CARRIED**

**RESOLUTION # 9 of 2010 – Payment of Abstract # 15 of 2010 and Abstract # 2 of 2011**

**RESOLVED** the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract # 15 of 2010 and Abstract # 2 of 2011.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to adjourn the meeting at 7:46 P.M.  
**ALL AYES – CARRIED.**

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.