

MINUTES of the Regular Meeting of the Pembroke Town Board held on March 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; Doneen Pfalzer; Richard Doktor; and Ken Lower.

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

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

Doneen Pfalzer was introduced and welcomed as the person chosen through the interview process to fill the Assessor/Zoning Clerk position and replace Nancy Mandolene.

On **MOTION** of Councilman Arnold, seconded by Supervisor Tuttle, to approve the Minutes of the Regular Meeting of February 9th, 2011 and the Workshop Meeting of February 24th, 2011
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR

- Mrs. Conti reported that it has been quite a busy month accepting the STAR exemptions.

ZONING & CODES ENFORCEMENT

- The February Zoning & codes report has been submitted and filed. Mrs. Dale-Hall explained the new format of her monthly report. The board asked for a few minor detail changes to the format.
- There was concern by the board regarding a complaint made about Lori Adolf and dogs barking on Akron Road. Mr. De Wind said that this was not the first time we've received this complaint and something needs to be done expediently. Mrs. Dale-Hall said she would try to get it resolved.

HIGHWAY

- No report at this time.

TOWN CLERK

- We've collected 91% of our tax bills. 205 tax bills remain not paid. The Town & Fire Districts have received their share.

- Mrs. Begin asked for the Board's opinion about going "GREEN" with the Town newsletter.
- The WIC coordinator for Genesee County has requested use of the Community center 4 times a year (March, June, September & December) on the 2 Wednesday of the month 9-3pm for processing and distribution of WIC. The Board suggested they use the Board room at the Town Hall instead because of the problems we've had with some users at the Community Center.

PLANNING BOARD

- Vice Chairman Herec reported that there was no meeting in February. A Planning Board meeting will be held in March. Chairman Kutter will be back in April.

ZONING BOARD OF APPEALS

- Chairman Schneider reported that there was no meeting in February. The meeting has been cancelled for March as well.

JUSTICES

- The Justices' reports for February have been submitted and filed. Supervisor Tuttle reviewed same.

SUPERVISOR

- Supervisor's February report was submitted and filed.
- The next GAM meeting will held at Bohn's Restaurant on March 17th at 7PM. Cost is \$17.
- The Community Center Generator is in. Jeff Kohl will unload it from the truck this week. The grant for the generator can now be closed and we can get reimbursed. We will get some estimates for installation.
- Supervisor Tuttle gave Councilman Sformo information regarding Governor Cuomo slashing spending on Youth programs. We may lose some funding for the Youth Recreation program.
- There will be two events held at the Town Hall. The first will be "Government Day" held this Saturday March 12th from 9-1. Legislator Annie Lawrence, Senator Mike Ranzenhofer, Assemblyman Steve Hawley and both Supervisors from the Towns of Darien and Pembroke will speak before a group of children about politics and how the Towns run. The second will be a "Community Chat" night to be held on March 23rd at 7PM being run by the Pembroke Corfu Darien Kiwanis.
- Several months ago we talked about the Time Warner Cable Contract and it was discussed at GAM that every town is having a problem with that. GAM would like to have a combined effort from all Towns for contract with Time Warner Cable. There is a resolution for the Town to support the "idea" that GAM could work on the negotiations as a whole. We are not committing any time or funds at this point in time.

- Supervisor Tuttle and Councilman De Wind spoke this afternoon about two resolutions for the purchase of football field bleachers and playground upgrade for the park. It was discussed by the board at the Workshop meeting in February.

COMMITTEE REPORTS

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

Councilman Arnold reported that we are waiting for the Audit to be done and then a report will be given.

Supervisor Tuttle reported that we were informed of a health insurance increase because of a new law set forth by the Obama administration regarding a mental health rider and due to the amount of employees we have. The increase in cost is minimal.

Building & Ground – Councilman Sformo

Nothing to report at this time.

Highway/Assessment/Court – Councilman De Wind

Nothing to report at this time.

Planning, Zoning, Code Enforcement – Councilman Tuttle

Nothing to report at this time other than our new addition, Doneen to the department.

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

Councilman De Wind said that we are coordinating meetings with Tom Carpenter at Clark Patterson. There is some concern regarding property set back off the road for someone who may or may not be in the sewer district. Supervisor Tuttle said that this would be a good thing for the people in this sewer district and that he wants to make sure that we are not hurting anyone in the district.

Youth Recreation – Councilman Sformo

Councilman Sformo spoke with Donna Fix and the Youth Recreations program will have access to the High School and the pool this summer. 2011 should be another good program.

Human Resources/Benefits – Councilman Worth

Councilman Worth said that he and Town Clerk Nicole Begin spoke and early next week we will get some hardware items ordered and hopefully by next Friday we will clear up most of the issues we've been having with the server.

Parks/Land Acquisition – Councilman Arnold

Councilman Arnold said that he spoke with PYA and use of the park for the upcoming summer. The EDC, Pembroke school and Darien Lake will have tournament at the park in June and we should have more information soon.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

Nothing to report at this time.

Public Safety – Councilman Arnold

Nothing to report at this time.

OLD BUSINESS

Scott Strollo informed the Town that at the beginning of 2011 he no longer would be interested in the mowing of the cemeteries. A bid opening was advertised for the mowing of the cemeteries and Court facility and held on February 25th, 2011, five bids were received. The lowest bidder was 4 Season's Services. There was only one town resident that bid. There were some questions on whether it was possible to take the Town resident over the lowest bidder. Councilman DeWind suggested that we contact Attorney Mark Boylan to check and then make a decision at the next Town Workshop meeting on March 24th.

Our first New York State Archives grant is closed out and we received a check for approximately \$164.00.

The Generator for the Community Center is here and provisions have to be made to get it in place. Councilman De Wind said that the board has to discuss getting a cover over it. Supervisor Tuttle said we should also put in posts so that it can not be run into by a vehicle.

NEW BUSINESS

Town Clerk Nicole Begin has requested attendance to the New York State Town Clerks Association 29th annual conference in Buffalo, NY from May 1st to May 4th, 2011. The annual conference gives Town Clerk's updates on changes and laws for all aspects of the position of Town Clerk.

PUBLIC PARTICIPATION

No Public Participation

RESOLUTIONS

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 # 14 of 2011 - Appointment Clerk/Typist (PT) Assessment/Zoning

WHEREAS a current vacancy is exists within the Assessment and Zoning Departments; and,

WHEREAS The Town of Pembroke has advertised this position in the Batavia Daily News and the Akron/Corfu Penny Saver and conducted personal interviews of applicants; **NOW, THEREFORE, BE IT**

RESOLVED that Doneen Pfalzer of 1869 Sumner Rd., Darien NY 14040, is hereby appointed to the position of Clerk/Typist for the Assessment/Zoning Offices for the Town of Pembroke. This is a part time position, not to exceed 19 ½ hours per week. This position carries a one (1) year probationary period, from date of this appointment, per Genesee County Civil Service regulations.

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 # 15 of 2011 –Town Clerk School/Conference Attendance

WHEREAS Nicole M. Begin, Town Clerk, is requesting permission to attend the NYS Town Clerks Association Annual School/Conference May 1 – 4, 2011 in Buffalo; and

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

RESOLVED that the Town Board grants permission to Nicole M. Begin, Town Clerk, to attend the above mentioned Educational Conference.

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 # 16 of 2011 – Authorize a GAM appointed Committee to negotiate a Time Warner Cable Franchise Contract on behalf of all Genesee County Municipalities

WHEREAS municipalities in Genesee County individually are attempting to negotiate a Time Warner Cable Franchise Contract; and,

WHEREAS Individual negotiations are time consuming, repetitive and usually non-productive; **THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board hereby agrees to cooperate with all municipalities in Genesee County and authorize GAM to form a committee to collectively negotiate with Time Warner for a Cable Franchise Contract that would be acceptable and applicable to all municipalities in Genesee County.

On **MOTION** of Councilman De Wind, seconded by Supervisor Tuttle, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, NAY; Councilman Sformo, AYE; Councilman De Wind, AYE; Supervisor Tuttle, AYE. 4 AYES, 1 NAY - MOTION CARRIED

RESOLUTION # 17 of 2011 – Purchase Town Park Playground equipment

RESOLVED that the Town Board of the Town of Pembroke authorizes the purchase of park playground equipment from GameTime Playground Equipment for the amount of \$11,816.98

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, NAY; Councilman Sformo, AYE; Councilman De Wind, AYE; Supervisor Tuttle, AYE. 4 AYES, 1 NAY - MOTION CARRIED

RESOLUTION # 18 of 2011 – Purchase Town Park Bleachers

RESOLVED that the Town Board of the Town of Pembroke authorizes the purchase of bleachers from BSN Sports to be installed in the Pembroke Town Park for the amount of \$25,471.10

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 #19 of 2011 - Payment of Abstract 3 of 2011

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract 3 of 2011.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to adjourn the meeting at 8:25 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

Nicole M. Begin

Nicole M. Begin
Town Clerk

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