

MINUTES of the Pembroke Town Board Workshop held on April 28, 2011 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
John Worth, Councilman
Gary L. DeWind, Councilman
Edward G. Arnold, Jr., Councilman
Peter Sformo, Councilman

OTHERS PRESENT: Stephen Stocking, Highway Superintendent; Nicole Begin, Town Clerk; Ken Lauer; Taylor McCabe and Joe Suhr, Lyndonville Tigers; Richard Kutter, Planning Board Chairman.

The Workshop was called to order at 7:30 A.M.

OLD BUSINESS

Supervisor Tuttle reported that the installation of the generator at the Pembroke Town Court/Community Center should be complete on Monday, May 2nd. Mr. Tuttle spoke to Jeff Kohl regarding pylons to protect the generator from being hit by a vehicle and roof to protect it from weather damage. The board will need to decide to put the cement pylons up and then build a roof over the generator or to use the pylons as support for the roof.

Supervisor Tuttle had a meeting with J. O'Connell and Clark Patterson Lee to discuss the sewer district and applying for water district #4 on Indian Falls Road. Two public hearings will be held for Water District # 4; One on May 5th at 2:00 P.M. and the other on May 11th at 7:00 P.M. Councilman Worth asked the Board to take a look at a letter they received from Attorney Mark Boylan because applying again for water district # 4 seemed futile. Mr. Worth asked if there were any ways to better our chances. Supervisor Tuttle said that we gain points on our grant application if we form a water district first opposed to applying first then forming the district.

Mr. Tuttle said that the sewer district is going as planned and some of the design work and surveying is done. The village wants to use a different engineer for the last pump station that would come from the Town grant money. Tom Carpenter said that he would agree to that. The DEC informed Clark Patterson that a sewer district will have to be formed. The district would end just south of Cohocton Road because to that point it would be all gravity fed. Beyond Cohocton Road because it is uphill a pumping station would need to be put in and would be a forced main. Anyone beyond that point would have to install a mini grinder station at their house to hook into the main so they would be protected. Mr. Worth asked if the residents would have to hook into the line. Mr. Tuttle said that he thought they would not have to hook in because of the change in the district.

There is a resolution to bid out the old 2007 John Deer lawn mower at this meeting.

Mr. Worth said that he spoke to Attorney Mark Boylan regarding the Lyndonville Tigers Semi-Pro football team and their use of the Town Park. Mr. Boylan said that the Town should get a "hold-harmless" contract drawn up and that the Town should get a copy of their insurance policy.

Supervisor Tuttle will ask Mark Boylan to write up the “hold-harmless” contract. The Board can then do a formal resolution at the next Town board meeting on May 11th.

NEW BUSINESS

There was an incident at the Town Hall in April where the sheriff’s department needed to be called. The Sheriff suggested that the Town install some security cameras and other measures to protect the employees and the building. Supervisor Tuttle gave the board information regarding security cameras and asked them to look it over so it can be discussed at a later date. Councilman Arnold wondered if the public would feel that they would not be able to voice their concerns for fear of being arrested. Supervisor Tuttle said that there was a difference between complaining and making a threat toward an employee. Councilman Worth asked if cameras would help the situation. Councilman Arnold said that the Town should look at making sure that there are two people here at all times. The Board decided to discuss at a later time.

The Foreign Trade Zone proposal went before County Legislature and they supported it. The Towns were all asked to do a letter of support. Mr. Tuttle said that the Town Board should do a resolution to support it.

Supervisor Tuttle said that the contract for Village and Fire Department rent at the Corfu building is up. Mr. Tuttle sent the Village a letter some time ago so that they could get it before they did the Village budget. Based on response from Councilmen Worth and De Wind a letter was sent to the Village stating that the rent would increase by 5%. This would be an increase of \$105.89 a quarter. Supervisor Tuttle spoke to Village Mayor Todd Skeet and Mr. Skeet thought this was reasonable. There was no increase in rent two years ago when the contract was up for renewal.

ROUND TABLE DISCUSSION

Councilman Arnold – Clay will be put down on the park fields as soon as the weather clears and the fields dry up. We will need about 20 ton of sand and clay. The Town anticipated this when the fields were developed.

Councilman De Wind – The crew from the Lyndonville Tigers helped at the park on April 16th in the wind and rain. They helped to put together all of the bleachers for the park. The tiny Tots play area work began and should be finished by the end of the week. A proposal was given to the Board members from Excel fence for fencing along the soccer field. The fence would prohibit athletes from running into the driveway. Dumpsters and port-a-johns are in place. The rain is prohibiting practices and games on the fields at this time.

Councilman Worth – Historian Lois Brockway was concerned about the lack of enthusiasm regarding the 2012 Bicentennial celebration. Mrs. Brockway requested that the Board get involved and coordinate it for Memorial Day 2012. Councilman Worth asked if funding would be available to make this event worthwhile. Supervisor Tuttle said that funds have been promised for the Bicentennial. Councilman Worth, Councilman Sformo and Town Clerk Nicole Begin offered to for a committee to plan an event.

GAM has put together a committee for Time Warner Cable Franchise agreements as a whole. Mr. Worth asked for input from the Board as to how they want the money used that the Town received from a cable agreement and if the Town would want to put the money into a general fund to be used to expand services and upgrade infrastructure or lowering costs 3%.

Councilman Sformo – Local Girl Scout Troop 42226 would like to use the Community Center for a car wash on the first or second Saturday of June to benefit the Genesee County Animal Shelter. The board thought that would be fine.

Superintendent Stocking – Superintendent Stocking found a company that sells special bird fencing to put in the salt barn so it will get purchased shortly. The Community Center parking lot will get oiled and stoned as well as the parking lot on north side of the Town highway garage. Superintendent Stocking is going to hire out Matt Washington for the mowing of the cemeteries. Mr. Washington will use his equipment and fuel. We will get insurance papers from Matt.

Mr. Kutter came to update the Board regarding special use permits and the confusion regarding issuance. You can not put a limit of one special use permit per household due to the nature of each permit. For instance, you need a special use permit for a pond and then you could also get one for a business at the same location. If a person applies for a special use permit in the same category as one they have already received, a new permit is not issued but the original is amended or the old one is relinquished and a new special use permit is issued.

Supervisor Tuttle said that we received the first quarter sale tax check from Genesee County. The amount was 15% higher than the first one last year. The assessment for all town property has gone up.

RESOLUTIONS

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 # 30 of 2011 – Sale of Lawn Mower

WHEREAS the 2007 John Deere X540 lawn mower was in need of replacement and a new lawn mower was approved and purchased; and

WHEREAS it is the desire of the Town Board to sell the 2007 John Deere mower through bid opening; **NOW, THEREFORE, BE IT**

RESOLVED that the Highway Superintendent is authorized to declare the 2007 John Deere X540 lawn mower as excess equipment and is authorized to sell this equipment at the highest bid price.

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

RESOLUTION # 31 of 2011– Village Lease

WHEREAS the lease expires May 31st, 2011 and the Village of Corfu and the Town of Pembroke wish to renew the lease; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board agrees to renew the lease with the Village of Corfu for two (2) years at the rate of \$8,894.84 June 1, 2011– May 31, 2012 and \$8,894.84 from June 1, 2012 – May 31, 2013. All other provisions of the current lease remain the same, and the Pembroke Town Board authorizes the Supervisor to prepare and sign the new lease on behalf of the Town of Pembroke.

On **MOTION** of Councilman De Wind, 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 # 32 of 2011– Federal Trade Zone letter of support

WHEREAS the Town of Pembroke recognizes that the Foreign Trade Zone is beneficial to the growth of Genesee County and the Town of Pembroke; and

WHEREAS the Town of Pembroke can find no adverse effects that the Foreign Trade Zone may have upon the Town; **NOW THEREFORE BE IT**

RESOLVED that the Town of Pembroke hereby supports the GCEDC efforts to establish a Foreign Trade Zone; and, **BE IT FURTHER**

RESOLVED that the Pembroke Town Board authorizes the Town Supervisor to formally endorse and support these efforts.

On MOTION of Councilman De Wind, seconded by Councilman Sformo, to adjourn the Workshop at 9:28 A.M.

ALL AYES – CARRIED

Respectfully Submitted,

Nicole M. Begin

Nicole M. Begin
Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP OF APRIL 28, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.