

**MINUTES** of the Regular Meeting of the Pembroke Town Board held on June 8, 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

**OTHERS PRESENT:** Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Shellye Dale-Hall, Zoning & Codes; Richard Kutter, Planning Board and Tom Schneider, ZBA Chairman.

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 Arnold, seconded by Supervisor Tuttle, to approve the Minutes of the Regular Meeting & Public Hearings of May 11<sup>h</sup>, 2011, the Workshop Meeting of May 26<sup>th</sup>, 2011 and the Special meeting of June 1<sup>st</sup>, 2011.

**ALL AYES - MOTION CARRIED.**

## **DEPARTMENT REPORTS**

### **ASSESSOR**

- Mrs. Conti reported that a list was created in book form of all residents on Genesee Street.
- Thirty Four residents came to the Grievance Day to dispute their assessment. The final roll will be filed on July 1<sup>st</sup>. There were twenty two adjustments made to assessments based on grievance day. The next reassessment will be done in three years.

### **ZONING & CODES ENFORCEMENT**

- Report submitted and filed. Mrs. Dale-Hall said that there have been several complaints about Bruce Ceisner property on route 5 and he has been spoken to. More discussion with Mr. Ceisner will take place as he feels that the Town is wrong on some points.
- Highway Superintendent Stocking asked why property owners are given building permits to build on land that is flood plains because after they build they complain to the Town about drainage. The Board said that all efforts should be made by the Zoning department to inform the homeowner that water problems and flooding will be a problem. If the property was in a flood plain or wetlands before building and the owner decides to build there, they have no recourse to the town.

### **HIGHWAY**

- Roadside mowing is currently being done. We are keeping our roadside mowing for 2011 now. Mr. Stocking was informed that the Town will keep plowing the state roads for the time being. The CHIP money, approximately \$75k of the highway budget that

the Town receives is available this year but so far there is no word for 2012. The highway department will be doing some roadwork on several roads throughout the town this summer.

TOWN CLERK

- Reports have been submitted and filed. Postcards have been sent to residents along Route 33 asking for interest in a water district and having their wells tested. This is in response to the request made by the residents at the May Town Board meeting. Sixty postcards were sent out and we've received 38 responses so far.
- Information regarding acceptance of credit cards as payment was given to the board members and they were asked to look it over.

PLANNING BOARD

- Mr. Kutter said that he and Mr. Schneider are still looking into non-commercial wind energy. The Town of Alabama has written an ordinance with the help of County Planning. Mr. Kutter and Mr. Schneider will take a look at it and may be able to draw off of that.

ZONING BOARD OF APPEALS

- No meeting was held in May and nothing on the agenda for June.

JUSTICES

- Reports have not yet been submitted.

SUPERVISOR

- Reports have been submitted and filed.

**COMMITTEE REPORTS**

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

- No report at this time.

**Building & Ground** – Councilman Sformo

- No report at this time.

**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

- Councilman De Wind said that we have been informed by the engineers that the sewer district is in progress and the GCEDC is working hard on landing businesses to fill our business park.
- Supervisor Tuttle said that a Water District will not be formed on Indian Falls Road due to poor response to the income survey which resulted in our inability to apply for grant money. If funding is available down the road we readdress the road again if requested to do so by the residents.

**Youth Recreation** – Councilman Sformo

- No report at this time.

**Human Resources/Benefits** – Councilman Worth

- No report at this time.

**Parks/Land Acquisition** – Councilman Arnold

- Councilman Arnold reported that the first Lyndonville Tigers football game was held at the Town Park on Saturday and went very well. The baseball tournament went well with about 1000 people in attendance. Parking will need to be addressed next year but the park is being used and is working out great. Fencing has been installed and the driveway has been regarded. Councilman De Wind said that more trash cans have been ordered.

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

- No report at this time.

**Public Safety** – Councilman Arnold

- No report at this time.

**OLD BUSINESS**

The Town is in the beginning stages of getting water for residents on Route 33. Clark Patterson is working on a cost analysis.

**NEW BUSINESS**

The insurance company for our Joint Youth program insisted that we have a sexual abuse policy in place for employees of the program. There is a resolution to include it in the Town's Workplace Violence Policy.

There is an amendment to the NYS snow and ice agreement for the 2010-2011 seasons and an agreement to enter into for the years 2012-2013.

**PUBLIC PARTICIPATION**

None

**RESOLUTIONS**

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 # 38 of 2011** - Municipal Agreement – New York State DOT Snow & Ice Amendment B for 2010-2011

**RESOLVED**, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into an intermunicipal agreement with the New York State Department of Transportation for snow and ice removal for the years 2012-2013.

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 # 39 of 2011** – Amendment B to NYS Snow & Ice Agreement

**WHEREAS** the Town of Pembroke is under contract with the New York State Department of Transportation to provide snow & ice control on specified State roads within the Town of Pembroke, and

**WHEREAS** the base agreement was extended for the 2010/2011 season by resolution # 36 of May 13, 2009, setting an estimated total cost for the season at \$265,214.21, and,

**WHEREAS** due to the severity of the winter during the 2010/2011 season, the total cost to perform this service is estimated at \$338,136.80; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board for the Town of Pembroke, hereby authorizes the Town of Pembroke Supervisor to execute an amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2010/2011 season by \$72,922.59

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 # 40 of 2011 – Sexual Abuse Policy for Joint Youth Program**

**RESOLVED** that the Sexual Abuse Policy be adopted as presented to the Town Board of the Town of Pembroke and attached hereto; and made part of the Town of Pembroke’s Workplace Violence Policy.

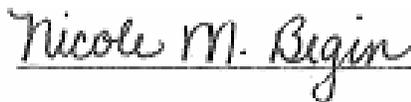
On **MOTION** of Councilman Worth, seconded by Councilman Arnold, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, AYE; Councilman Sformo, AYE; Councilman De Wind, AYE; Supervisor Tuttle, AYE. ALL AYES - MOTION CARRIED

**RESOLUTION # 41 of 2011 - Payment of Abstract # 6 of 2011**

**RESOLVED** the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract # 6 of 2011.

On **MOTION** of Councilman De Wind, seconded by Supervisor Tuttle, to adjourn the meeting at 8:03 P.M.  
ALL AYES – CARRIED.

Respectfully submitted,



Nicole M. Begin  
Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF JUNE 8, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.