

MINUTES of the Regular Meeting of the Pembroke Town Board held on July 13, 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

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

Supervisor Tuttle gave the invocation and 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 Regular Meeting June 8th, 2011, and the Workshop Meeting of June 23rd, 2011. **ALL AYES - MOTION CARRIED.**

DEPARTMENT REPORTS

ASSESSOR

- No report at this time.

ZONING & CODES ENFORCEMENT

- Mrs. Dale-Hall reported that the Zoning department is busy with new building permits. They are starting to close out Certificates of Compliance and Certificates of Occupancy so that there are no old open permits. There have not been many complaints and the department is addressing the complaint for the Ceisner property on Main Road, work has been started there. Mrs. Dale-Hall said that some complaints that are made cannot be resolved though the Zoning Department and must be resolved through the Health Department of the DEC.

HIGHWAY

- Superintendent Stocking asked that something be done about the headstones that are in disrepair at the Brick House Corners Cemetery. The Town of Pembroke has taken ownership of the cemetery as an abandoned cemetery. Mr. Stocking has the number of a person that repairs headstones. Councilman Sformo will give the gentleman a call and see what can be done.

TOWN CLERK

- June monthly reports have been submitted and filed. Fishing license sales are up.

PLANNING BOARD

- Chairman Kutter informed the Town Board that a gentleman was approved for a land separation a year ago and according to Land Separation Local Law that person must submit the mylar which is done by a surveyor to the planning board chairman to be

signed and then file it with the Genesee County Planning department. The gentleman did not do that and so he spoke to Mr. Kutter this month about getting the mylar signed and Mr. Kutter was unable to sign due to the time lapse. According to Local Law the mylar must be signed within six months time from approval. The gentleman had to reapply for the land separation.

ZONING BOARD OF APPEALS

- There was no meeting in June and July's meeting will be cancelled. So far there is one item on the agenda for August.

JUSTICES

- June monthly reports submitted and filed.

SUPERVISOR

- Supervisor's report has been submitted and filed.
- Supervisor Tuttle reported that the State is doing away with Railroad Aid.
- The Town received a letter from the GCEDC informing the board of new development at the old Francis Greenhouse site in the Village of Corfu.
- Mr. Tuttle distributed a copy of the 2010 Audit report to the Board members. Laura Landers from Freed Maxick will be at the August 25th Town Board Workshop meeting to review it with the Board.

COMMITTEE REPORTS

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

- No report at this time.

Building & Ground – Councilman Sformo

- Councilman Sformo put a call into 77 Construction regarding repair of the kitchen door at the Community Center. He is waiting for a return phone call. The heat tape will be replaced on the building this fall. A quote was received from Turnbull Heating and Air Conditioning for two of the hanging heaters/air conditioners in the fire hall of the Court building. The heat exchangers in both have holes in them. The thought was to replace them with radiant heaters. The quote from Turnbull gives three options. The Board was in agreement to replace the old hanging units with radiant heating units. Mr. Sformo will call to get a new quote.

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 waiting for a call from Attorney Mark Boylan for some information he was going to get

back to the Board. A reminder email will be sent to Mr. Boylan.

Youth Recreation – Councilman Sformo

- The insurance company that covers the Joint Youth program insisted that we have a sexual abuse policy in place for employees of the program. Mr. Sformo reported that the six adult employees have had background checks and the other six are kids under the age of 18. The Genesee County Sheriff's Department said it is almost impossible to get a background check on someone under the age of 18 due to confidentiality laws.

The program has had 80-85 children in attendance daily.

Human Resources/Benefits – Councilman Worth

- The board discussed a sale of a very small sliver of land on Little Falls Road that is owned by the Town of Pembroke. It cannot be built on due to size.

Parks/Land Acquisition – Councilman Arnold

- No report at this time.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

- No report at this time.

Public Safety – Councilman Arnold

- No report at this time.

OLD BUSINESS

Supervisor Tuttle reported that a mailing was sent to all sixty residents on Genesee Street/Route 33 between the Village of Corfu and Read Road. We received forty two responses. Thirty five have agreed to have their wells tested. The Health Department has been contacted and we are waiting for their response.

Supervisor Tuttle spoke to Dawn Kraus at the USDA and was told that any water projects the Town has could take up to four years before it is considered for funding from USDA. This is due to the changes in the way they distribute funds. It used to be on a rotation as first come first serve but now will be distributed to the Towns with the highest priority and those with higher priority will bump out Towns with lower priority if they are at the top of the list. The USDA will also no longer be giving grants but will fund projects as loans. Mr. Tuttle said that due to

these changes the Town may need to fund any new water projects in the future. The Town would need to budget money each year for water infrastructure and then loan the money to the water district. The Town may need to divert money for this funding and may have to look into a reduction of the money we return to the County to reduce the Town tax. The Town Board will need to discuss this more in detail.

Supervisor Tuttle received a letter from the insurance company and he sent a reply letter to them with the resolution the board did for the sexual abuse policy. He also explained that the policy was signed by the Youth Program employees.

PUBLIC PARTICIPATION - None

RESOLUTIONS

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

RESOLUTION # 42 of 2011 – Appropriation of New York State Department of Education Archives Grant

WHEREAS The Town of Pembroke did in 2010 receive a New York State Department of Education Archives Grant in the amount of \$3,060.00 to be used for digitizing and preserving records; and

WHEREAS the expenditures were not made until 2011 and the funds had not been encumbered so the moneys went to Unexpended Fund Balance; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board appropriates these funds in the Records Management - Contractual line item using the Budget Journal entries as follows:

A599 Appropriated Fund Balance	\$3060.00	
A1460.4 Records Management -Contractual		\$3060.00

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

RESOLUTION # 43 of 2011 – Appropriation of New York State Office of Court Administration Grant

WHEREAS The Town of Pembroke did in 2010 receive a New York State Office of Court Administration Grant in the amount of \$8,632.08 to be used for certain court expenses; and

WHEREAS some items ordered in 2010 were not received until 2011 and the funds had not been encumbered so the monies went to Unexpended Fund Balance; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board appropriates these funds in the Municipal Court – Contractual –JCAP line item using the Budget Journal entries as follows:

A599 Appropriated Fund Balance	\$2869.18	
A1110.45 Municipal Court –Contractual -JCAP		\$2869.18

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

RESOLUTION # 44 of 2011 – Budget Transfers for 2011

RESOLVED, That the Supervisor be authorized to make the following Budget transfers:

FROM: A1410.12	TOWN CLERK – DEPUTY TOWN CLERK 2	248.71	
TO: A1410.4	TOWN CLERK -CONTRACTUAL.		248.71
FROM: A1990.4	CONTINGENT ACCOUNT	74.00	
TO: A1920.4	MUNICIPAL ASSOCIATION DUES		74.00
FROM: A3510.4	CONTROL OF DOGS – CONTRACTUAL	25.00	
TO: A3510.42	CONTROL OF DOGS – CONT’L-Licenses & Tags		25.00
FROM: A1990.4	CONTINGENT ACCOUNT	110.00	
TO: A7989.4	OTHER CULTURE & RECREATION –CONTRACT’L		110.00
FROM: A8810.1	CEMETERIES – PERSONAL SERVICES	4000.00	
TO: A8810.4	CEMETERIES – CONTRACTUAL		4000.00
FROM: B3620.1	SAFETY INSPECTION –CODE ENFORC. OFFICE	2200.00	
	B8020.12 PLANNING –SECRETARY	900.00	
	B8030.12 ZONING BD APPEALS –SECRETARY	900.00	
TO: B3620.11	SAFETY INSPECTION –CLERK TYPIST PT		4000.00

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

RESOLUTION # 45 of 2011 - Payment of Abstract # 7 of 2011

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract # 7 of 2011.

On **MOTION** of Councilman Sformo, seconded by Councilman Worth to enter into Executive Session to discuss a personnel matter.
ALL AYES - MOTION CARRIED
TIME 8:05 P.M.

On **MOTION** of Councilman Worth, seconded by Councilman Sformo to reconvene into regular session.
ALL AYES – MOTION CARRIED
TIME: 8:30 P.M.

Supervisor Tuttle reported that no decisions were made in Executive Session.

On **MOTION** of Councilman De Wind, seconded by Councilman Worth, to adjourn the meeting at 8:31 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 JULY 13, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.