

MINUTES of the Regular Meeting of the Pembroke Town Board held on August 10, 2011 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
Edward Arnold, Jr., Councilman
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 Chairman; Tom Schneider, ZBA Chairman; Richard Doktor; Ed Mileham; Al Graham; Gene Schafer; Phil DiNicola.

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 Arnold, seconded by Councilman Worth, to approve the Minutes of the Regular Meeting July 13th, 2011, and the Workshop Meeting of July 28th, 2011.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR

- The Final Assessment Roll for the Town was filed on July 1st, 2011. There is a 30 day period for people to file claims against their assessment and there were no small claims cases filed in the Town of Pembroke.

ZONING & CODES ENFORCEMENT

- Zoning report submitted and filed. The Bldg. Dept. is closing out a lot of 2010 permits that are still open.
- Mrs. Dale-Hall reported that the summer has been busy in the Building Department.

HIGHWAY

- Superintendent Stocking has the new sign ordered to replace the snow plow on Route 77. The cost was under \$3,000.00.
- Mr. Stocking reported that the Highway crew is currently paving Read Road but the rainy weather has slowed them down a few days. The second mowing is just about finished. All of the salt has been delivered for the upcoming winter season.
- Mr. Stocking is waiting on a return call for the repair of the headstones at the Brick House Corners Cemetery.
- The Highway Department is just about finished with the replacement of culvert pipes on Phelps Road.

TOWN CLERK

- Town Clerk Nicole Begin said that hunting licenses go on sale for the new season starting Monday August 15th.

- The Clerks office has sold more marriage licenses up to July of 2011 than we did for the entire year of 2010.

PLANNING BOARD

- Chairman Kutter stated that the Planning Board and ZBA are looking into a non-commercial wind energy zoning amendment. The board chairmen have a copy of the Town of Alabama's and some other literature to give them guidance.
- The Planning Board was approached by an attorney for Philips Lytle who is working for the GCEDC regarding a P.U.D. (Planned Unit Development) for the new Industrial Park. A P.U.D. was something that the Planning Board wanted from Lou Visone for his property. A P.U.D. requires a zoning change. Mr. Kutter said that the Town does have a P.U.D. provision in our Zoning Law. It allows for negotiations during development. They will work closely with the Planning Board. Mr. Worth asked if the zoning change would be attached to the property forever. Mr. Kutter said that the P.U.D. zoning change is per property not area.

ZONING BOARD OF APPEALS

- Chairman Schneider said that there was no July meeting. There are two items on the agenda for August. They are two area variances, one on Akron Road and one on Boyce Road. There may be one more added to the agenda for a pond but the land owner is in no rush.

JUSTICES

- July Reports submitted and filed.

SUPERVISOR

- Reports submitted and filed.

COMMITTEE REPORTS

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

- No report at this time.

Building & Ground – Councilman Sformo

- The new kitchen door for the community center has been ordered through 77 Construction. The posts to protect the doors will also be installed. Everything should be done by the end of August. 77 Construction will also give us a quote for installing heat tape.
- The Corfu Fire Department washed down the roof at the Town/Village Court building and the Highway department put the buckets of tar on the roof. Scott Strollo will tar the roof for us and get it sealed.
- After the wedding held last weekend in the Community Center there was gas leaking from the stove in the kitchen. This has been an ongoing problem. Councilman Sformo went to Batavia restaurant supply to get a quote to retrofit the stove with electric ignition or give us a quote for a new stove.
- Mr. Sformo is waiting on a third quote for radiant heating at the Corfu Fire Department.
- Mr. Sformo received a letter from the Corfu Fire Department stating that they are willing to

sign over certain items that they may have interest in to the Town of Pembroke. They suggest a representative from each entity get together to work out the details.

Highway/Assessment/Court – Councilman De Wind

- No report at this time.

Planning, Zoning, Code Enforcement – Councilman Tuttle

- Supervisor Tuttle stated that we should be getting more information regarding zoning and development for the project with GCEDC.

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

- No report at this time.

Youth Recreation – Councilman Sformo

- The program is done for 2011. There were no problems. A report should be coming from Donna Fix detailing the amount of kids and where they were from.

Human Resources/Benefits – Councilman Worth

- We are currently working with Toshiba regarding our service contract for the Re-Rite program.
- Mr. Worth asked the board to think about doing away with the Empire phone line through East Pembroke as the bills are quite large.
- Mr. Worth asked the board about looking into abolishing paper roads in the Town of Pembroke. The board decided to ask Attorney Mark Boylan how to go about doing this.

Parks/Land Acquisition – Councilman Arnold

- The dozer for has been rented for the cleanup of the front of the Town Park and work will begin by the Highway Department in September.
- A proposal has been received from Sommers Cleaning for the park bathrooms. The cost would be \$50.00 per week.
- Councilman De Wind said that the entire park has been fertilized and he is waiting for a quote for batting cages and the little parking lot.
- Mr. De Wind sent a letter to Kelkenberg to ask if they were interested in purchasing the property owned by the Town of Pembroke on Little Falls Road that butts up to the property that they already own, he is waiting for a response.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

- No more to report at this time other than what the Planning Department reported.

Public Safety – Councilman Arnold

- No report at this time.

OLD BUSINESS

Water on Genesee Street – We received thirty four well survey responses from property owners on Genesee Street wishing to have their wells tested. The information was taken to the Genesee County Health Department. We received a formal letter from Tom Carpenter at Clark Patterson with cost projections per unit for the project. There were three cost per unit options:

<u>Corfu to Angling Rd.</u>	<u>Angling Rd. to part of Read Rd.</u>	<u>Corfu to part of Read Rd.</u>
\$1,600.00 per unit	\$2,000.00 per unit	\$1,800.00 per unit

Mr. Tuttle said that the cost per unit is not per household it is per unit, so if there is a house with multiple dwellings each dwelling is considered a unit. This amount would be paid for 38 years. These costs are also without and aid from the State of NY or the USDA. The USDA has said that any water projects can take up to four years before they are considered for funding from USDA. This is due to the changes in the way the USDA will distribute funds. The distribution will be a rotation as first come first serve and will now be distributed to the Towns with the highest priority. Those with higher priority will bump down Town's 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. If the wells are tainted we might be able to get funding from emergency funds from the State. The Town is now waiting for response from the Department of Health.

Mr. Tuttle once again told the board that in the future the Town may want to consider putting monies aside to fund any new water projects. The Town would need to budget money each year for water infrastructure and then loan the money to the water district. The board will need time to start the process and get the money budgeted.

NYS Detour of Traffic Down Cohocton Road – Supervisor Tuttle spoke to Eric Thompson from the NYS DOT regarding the detour and Mr. Tuttle expressed the Boards concerns regarding the possibility and probability of serious accidents there. Mr. Thompson said that the DOT would take another look at it and see what can be done.

Archives Grant – The Town received the second half of the grant money for the large map scanning and digitizing. The final paperwork has been sent to close that grant out.

We have not heard anything on the third grant for the purchase of a new server. We will not find anything out until September or October.

NEW BUSINESS

The Town Board members received a resignation letter from David Saleh as the Town Mail prosecutor. He will also be stepping down as mail prosecutor for the Village of Corfu. Mr. Tuttle will work with Mr. Saleh about getting a replacement.

PUBLIC PARTICIPATION -

Mr. Doktor let the board know that the Community Center seems to be in constant disarray. Also, the VFW board keeps getting moved into different locations throughout the building. Councilman Arnold and Councilman De Wind said that the Town Board would not be against a permanent display on the wall. The Board will discuss this further at the Workshop Meeting.

Phil DiNicola asked if it is possible for the Indian Falls Lake subdivision to be able to have an open dialogue with the Town so that when road work is contracted out for the Town on County Bid, Indian Falls Lake subdivision could be included in pricing and delivery/work. The subdivision would like to hire out the same independent contractors for road work when the crews are in the area doing Town/County road work. It was suggested to Mr. DiNicola to contact County Highway Superintendent Tim Hens regarding the County Bid pricing and John Hilche, the sales rep for Midland.

Village Trustee Al Graham asked the Town Board if they could go into executive session regarding a personnel matter at the Town Court.

Gene Schafer told that Board that he is very impressed with the new Town Park but was wondering if anything was being done about the Canadian goose droppings. The Board said that they have been looking into it. Mr. DiNicola said that he has some information on a Geese Management Program and will drop off the information at the Town Hall.

Councilman Sformo received a letter from the Pembroke Community Band asking for permission and a date to be set for their Christmas concert at the Pembroke Community Center. They also asked the Town Board to consider them during budget time for a donation of \$3,500.00 again this year.

Mr. Sformo also spoke to Bernie Fix who is interested in the second Security Guard position at the Pembroke Town Court. Mr. Sformo will get more information.

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 # 47 of 2011 - Payment of Abstract # 8 of 2011

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract # 8 of 2011.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold to enter into Executive Session to discuss a personnel matter.

ALL AYES - **MOTION CARRIED**

TIME 8:20 P.M.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold to reconvene into regular session.

ALL AYES – **MOTION CARRIED**

TIME: 9:00 P.M.

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

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, to adjourn the meeting at 9:01 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 AUGUST 10, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.