

MINUTES of the **Regular Meeting** of the Pembroke Town Board held on **November 12, 2014** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: John J. Worth, Deputy Supervisor
Edward G. Arnold, Jr., Councilman
Gary L. DeWind, Councilman
Peter G. Sformo, Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Tom Schneider, Planning Board Chairman; Nathan Witkowski, ZBA Chairman; Annie Lawrence, Genesee County Legislator.

The meeting was called to order at 7:02 P.M.

Deborah Conti gave the invocation and Deputy Supervisor Worth led the Pledge to the Flag.

PUBLIC PARTICIPATION ~ none

APPROVAL OF MINUTES

On **MOTION** of Councilman Arnold, seconded by Councilman DeWind, to approve the minutes of the Regular Meeting October 8th and Workshop Meeting October 23rd, 2014.

ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti thanked the Town Board for allowing her to attend the Assessor's Conference. She took many informative classes at the conference.

ZONING & CODES ENFORCEMENT – Charles Reid

- The monthly report has been submitted. Mr. Sformo said the zoning officer is looking into a dilapidated house on Main Road. A letter has been sent to the owner.

HIGHWAY – Stephen Stocking

- Superintendent Stocking said there are contracts that need approval to sign for NYS Snow and Ice and the Pembroke Central School Plowing.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider said the next Zoning Committee meeting will be held on Wednesday November 19th at 7:00 P.M.
- Mr. Schneider said the Planning Board passed a special use permit for a home occupation. The permit was for an auto brokerage and there were stipulations set.
- The next Planning Board meeting was moved to the 20th of November but so far there is nothing on the agenda.

ZONING BOARD OF APPEALS – Nathan Witkowski

- Mr. Witkowski said the ZBA made a unanimous decision to override the County Planning Board decision to make a homeowner move the location of a garage he is building. The owner is building a new garage in the same location and on the same concrete pad to replace the garage that was there and fell down over a year ago. If the owner had rebuilt the garage within a year of the previous garage falling down he would not have needed to come to the ZBA.

JUSTICE – David O'Connor & Edwin F. Mileham, Jr.

- The October monthly reports have been submitted and filed. Justice O'Connor collected \$41,659.00 in fines; Justice Mileham collected \$29,727.00 in fines. The state will submit a bill for their portion.

SUPERVISOR –

- Deputy Supervisor Worth informed the board about a couple issues within the BETP regarding the roadway that will need to be dealt with. The first is that the road seems to have a couple of names associated with it and it needs to be resolved for County Emergency services. The other is that the approximate three feet of entranceway to the Yancey's Fancy parking lot will need to be abandoned as it will become part of their lot.

OLD BUSINESS

1. Sewer Project update ~ Councilman Sformo said that everything is up and running to the sewer plant. There is one resident who is not yet hooked up. His septic tank is under his decks and they cannot get machinery under it to close it up.

Mr. Sformo obtained two quotes from Excel Fence for fencing around two of the pump stations. The quote for the fence around the pump station on Cohocton Road would have slats that would hopefully keep the snow from the plowed road away from the generator and pump station. Councilman Sformo suggested putting a building over the pump station on Main Road and will look into the cost.

2. Zoning Staffing ZBA and Interviews ~ Interviews for Planning Board and Zoning Board of Appeals will be held on November 19th at 7:00 P.M. Chairman Schneider will contact the applicants.
3. Fix insulation issue at Town Hall ~ Councilman Worth said that Urban Insulation should be here in the next week to fix the insulation issue in the front offices at the Town Hall. Mike George from Brier Hill was here to measure the door and windows in the rear of the Town Hall for replacement.
4. Mark Boylan legal update as needed Franchise Agreement ~ Mr. Boylan is working on the agreement with Time Warner Cable.

5. Workshop Meeting in November ~ Councilman Worth said the Workshop meeting for the 20th has been cancelled. The notice was put in the Batavia Daily News.
6. State Road Snow and Ice agreement ~ Mr. Worth said a resolution needs to be passed in order to sign the new agreement for CHIP's money.
7. School Snow plowing agreement ~ Mr. Worth said a resolution needs to be passed to allow the highway department to plow the school parking lots.
8. Request to use Community Center at a discount ~ Mr. Arnold said that Alan Miano from the High School asked the board last month if they could get a discount on the use of the Community Center for a Football Banquet. Mr. Arnold wanted to get input from the entire board before making a decision. The board felt that the reasons in which the rental amount was chosen still exist. The cost to maintain the building has not decreased. The board agreed unanimously that the full rental amount must stand and that if they decrease the cost for one group they will have to decrease it for all groups that ask and it will set a precedent. Mr. Arnold will call Mr. Miano to let him know.

NEW BUSINESS

1. Insurance Review and add Pump Stations ~ Councilman Worth is waiting for a call from Joe Teresi from Tompkins Insurance about changes in policies and the inclusions of the pump stations.
2. Phone and internet service ~ Councilman Worth said Empire Phone is installing Fios for residents in this area. They feel they can save us money on our phone and internet service. Mr. Worth will meet with them soon.
3. North Pembroke Cemetery CD ~ Mr. Worth said the CD's came due on October and Councilmen Arnold and Worth and cashed the CD in and closed the checking account. The CD money was put into two new CD's at the Bank of America and the account money was put into the Bank of America North Pembroke Cemetery account.
4. Meeting regarding Village dissolution ~ Mr. Sformo said that Village residents have expressed their interest in keeping the police department should they dissolve. If dissolved the Town would not legally be able to keep a village only police district, it would become a town-wide police department. The Town Board will need to decide what they would be willing to offer in police coverage so that the information can be in the dissolution plan that will be presented to the village residents to vote on in March. Mr. Sformo said that the Town Board does not have a problem with continuing police coverage.

The board has a few options have a private police officer employed by the Town or use the County Sheriff's department. The County Sheriff's department has two choices for the Town. One option is hiring an officer based on a monthly calendar of hours for approximately \$60-\$70 per hour plus approximately \$35.00 for mileage per four hour segment of time. The second option is to hire our own Sheriff's officer that would run about \$100,000.00 per year with a three year commitment.

The County Sheriff's department would handle everything that comes with it including scheduling. Mr. Sformo said that one full time officer in the town would not generate \$100,000.00 in revenue to cover the cost of the officer. The board discussed the options for police coverage in great detail. The board agreed that they would rather look at option one, where an officer would be hired for four hour periods.

RESOLUTIONS

RESOLUTION # 76 of 2014 – Municipal Agreement – New York State DOT Extension of Snow & Ice Agreement Amendment B

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

RESOLVED, that the Town Board of the Town of Pembroke hereby authorizes the Deputy Supervisor to sign "Amendment B –Amendment to change the estimated expenditure for snow and ice agreement" between the New York State Department of Transportation and the Town of Pembroke for the 2014/15 Contract Year with an expiration date of June 30, 2015.

RESOLUTION # 77 of 2014 – Contract with Pembroke Central School District for Snow Removal

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

RESOLVED the Town of Pembroke Town Board authorizes the Town of Pembroke Highway Superintendent to enter into a one year contract with the Pembroke Central School District for Salt and Snow Plow Services; and **BE IT FURTHER**

RESOLVED that the contract is for one (1) year commencing July 1, 2014 and ending on June 30, 2015; and **BE IT FURTHER**

RESOLVED that the cost to the Pembroke Central School District for Salt and Snow Plow Services will remain at \$19,500.00.

RESOLUTION # 78 of 2014 – Public Safety Radio System Upgrade – Interagency and Authorization Agreement

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

RESOLVED, that the Town Board of the Town of Pembroke hereby authorizes the Deputy Supervisor to sign “Interagency and Authorization Agreement” between the County of Genesee and the Town of Pembroke for the Public Safety Radio System Upgrade for a period of five years with an automatic renewal for three consecutive five year terms until terminated by either party.

RESOLUTION # 79 of 2014 – 2015 Budget Approval

DISCUSSION: Councilman Sformo asked what the reasoning was to deny the increased that the library asked for but to budget \$30,000.00 for the town park. Mr. Sformo went over the figures that the library has asked for over the last several years which usually were no more than \$400.00 per year. Mr. Worth said that the money budgeted for the park is for maintenance and Mr. DeWind said there are no plans for new projects this year. Mr. Arnold said this year the focus with the budget was to keep a zero percent tax rate and not raise costs and that is one of the major reasons the board decided to not offset the county tax rate with sales tax money this year.

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

WHEREAS the 2015 Town of Pembroke Preliminary Budget was presented at a Public Hearing on Thursday, October 23, 2014 and

WHEREAS as a result of the public hearing, there were no changes or amendments made to the Preliminary Budget except those approved by the Town Board prior to the Public Hearing,
NOW, THEREFORE, BE IT

RESOLVED that the Town Board approves the 2015 Budget as presented at the Public Hearing.

RESOLUTION # 80 of 2014 – Payment of Abstract #11

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

WHEREAS, A request has been made to pay the normal operating expenses of the Town of Pembroke, and,

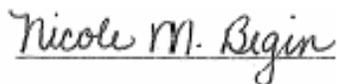
WHEREAS, these payments are within the normal scope of the 2014 working budget, and create no additional cost to the Town of Pembroke; **NOW, THEREFORE BE IT**

RESOLVED, that the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within Abstract # 11 of 2014.

On **MOTION** of Councilman Arnold, seconded by Councilman DeWind to adjourn the meeting at 8:30 P.M.

ALL AYES – MOTION CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF NOVEMBER 12, 2014 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD. APPROVAL OF MINUTES BY THE TOWN BOARD IS DONE AT THE NEXT REGULAR TOWN BOARD MEETING.