

**MINUTES** of the Pembroke Town Board **Organizational Meeting/Public Hearing** held on **January 6<sup>th</sup>, 2016** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

PRESENT: John Worth, Supervisor  
Thomas Dix, Councilman  
Kathleen Manne, Councilwoman

ABSENT: Edward G. Arnold, Jr., Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Warren Clark; Tom Schneider; Diane Denton, Zoning Clerk; Deborah Conti, Assessor.

This meeting was published in the Daily News as required on December 28<sup>th</sup>, 2015 and called to order at 6:30 P.M. Supervisor Worth gave the invocation and led the Pledge to the Flag.

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**Public Hearing for Local Law No. 1 of 2016**  
**A LOCAL LAW TO AMEND LOCAL LAW # 1 of 1991**  
**ZONING LAW TEXT CHANGES**

The **Public Hearing** for Local Law No. 1 of 2016, a Local Law entitled “A Local Law to Amend Local Law No. 1 of 1991, Zoning Law Text changes”, was called to order by Supervisor Worth at 6:30 P.M.

Town Clerk Begin reported that the Notice of Public Hearing was printed in the Daily News and reported that the Affidavit of Posting was posted on the Town’s bulletin board.

There was no comment from the public.

Planning Board Chairman Tom Schneider explained to the board that currently in Limited Commercial (LC) Districts throughout the town retail trade and/or personal service uses are allowed not exceeding 10,000 sq. ft. of gross floor area EXCEPT in the LC District along route 77 south of Cohocton Road, where only 5,000 sq. ft. is allowed. Mr. Schneider can’t seem to find an explanation as to why this district was different except for in the 1950’s, when the first zoning law was written, it had something to do with protecting the water source of Murder Creek to the village residents. The Planning Board agreed to present the change to the town board to make all the LC districts the same. This Local Law will allow retail trade and/or personal service uses not exceeding 10,000 sq. ft. of gross floor area in all LC districts. It has been approved by county planning.

On **MOTION** of Councilwoman Manne, seconded by Councilman Dix, to close the Public Hearing at 6:35 P.M.

**ALL AYES - MOTION CARRIED.**

Everyone being heard that wished to be heard the public hearing was closed at 6:35 P.M.

## **RESOLUTION #1 of 2016 - Annual Appointments & Adjustments**

On **MOTION** of Councilman Dix, seconded by Councilwoman Manne, the following **RESOLUTION** was **ADOPTED** as amended by roll call vote: Councilman Dix, AYE; Councilwoman Manne, AYE; Supervisor Worth, AYE.  
**ALL AYES - MOTION CARRIED**

**RESOLVED**, that the items and appointments of the Organizational Meeting be approved as presented.

1. Town Board to meet the second Wednesday of each month at 6:30 P.M to sign vouchers followed by public participation at 7:00 P.M. A second meeting will be held the fourth Thursday of each month at 6:30 P.M. (See attached schedule for 2016 meeting dates).
2. Batavia Daily News, a daily publication, the official newspaper.
3. Town Clerk to send list of monthly meetings and workshop dates to the Daily News and have the entire schedule of meetings printed twice in January.
4. Pay increase, if in the budget, will take place in the first full pay period of the new year. General payroll on a monthly basis, checks paid the last business day of each month. Bi-weekly payroll paid on the following Thursday after the pay period.
5. All vouchers and bills are to be submitted to the Town Clerk by twelve noon two days preceding the regularly scheduled Town Board meeting. All bills and vouchers submitted after that time will be paid with the next succeeding abstract.
6. Supervisor authorized to invest surplus funds at highest rate of interest.
7. Supervisor authorized to pay utility bills, advance registration fees, and other discounted bills as they come due. To enter into contract renewals for annual maintenance of computers, software, and office equipment as they come due. The Supervisor has the authority to grant approval for employees to attend schooling when the registration is due before the next scheduled board meeting. Formal authorization will be granted at the next scheduled board meeting.
8. Supervisor to submit monthly financial statements and prepare the annual report.
9. Town Justices to submit reports by the second Tuesday of each month. Annual Reports are due the second Wednesday of January.
10. Town Justices to hire court stenographer as needed except for DWI cases.
11. Town Clerk to submit minutes within two weeks of the meeting, submit a monthly financial statement by the second Tuesday of the Month, and Annual Report due the second Wednesday of January.

12. Agreement for the expenditures of Highway monies between the Superintendent of Highways, Town Board, and County Highway Superintendent as per the 2016 budget.
13. Zoning/Building Compliance Administrator to submit monthly reports by the second Wednesday of the month. Annual Report required for Special Use Permits issued by February 15.
14. A member of the Planning and ZBA Boards to attend the regular Town Board meetings.
15. Chairman or Secretary of the Planning Board should notify Planning Board members of the monthly meetings.
16. Planning Board to meet the last Wednesday of the month at 7:30 P.M.
17. Chairman or Secretary of the Zoning Board of Appeals should notify members of the monthly meeting.
18. Zoning Board of Appeals to meet the third Wednesday of the month at 7:30 P.M.
19. Zoning Board of Appeals must file minutes to the Planning Board and Town Clerk within two weeks after meeting.
20. Holidays - General offices will be closed as per employee handbook (see Town Clerk).
21. Use of meeting rooms to be posted on calendar in Town Clerk's Office and website.
22. Mileage rate as per current IRS rate, while on town business only.
23. Thomas Dix, Councilman to be appointed as Fair Housing Officer.
24. Written requests submitted to the Supervisor or Town Clerk one (1) week before the Town Board meeting for items to be added to the agenda.
25. Town Clerk office hours to be Monday to Friday 8:30 A.M. to 4:30 P.M. and 3<sup>rd</sup> Saturday of each month 8:00 A.M. to 12:00 P.M.
26. Court Clerk office hours to be Monday to Friday 8:30 A.M. to 4:30 P.M., and Tuesday and Thursday evenings at 5:00 P.M.
27. Zoning Administrative Officer's hours to be Monday thru Thursday, 8:00 A.M. to 12:00 P.M.
28. Assessor's office hours to be Monday, Tuesday, Thursday, & Friday from 8:30 A.M. to 1:30 P.M., and Wednesday evening from 6:00 to 9:00 P.M.

29. All departments receiving money must deposit the funds within 72 hours of receiving the funds; tax deposits to be done on a daily basis.
30. All newly elected personnel in the New York State Employees Retirement System are required to submit a time slip to the Town Board in accordance with new rules and regulations established by the New York State Comptroller's office. This will be used for data information regarding the position held and also for record keeping for the State Retirement System.
31. All outside Hospital and Medical Insurance payments must be paid to the Supervisor no later than the 25th of each month in order to keep the insurance payments made in a timely manner.
32. Anyone attending schooling or seminars paid for by the Town must give a written or verbal report to the Town Board by its next regular meeting detailing what the benefits of the school or seminar were.
33. Town of Pembroke Court audit to be conducted by Town Supervisor and auditor Laura Landers.
34. In the occurrence of the vacancy of the Town Supervisor, the Deputy Supervisor will be compensated at the Supervisor's rate of pay.
35. Appointments as per 2016 budget:

|                                    |   |
|------------------------------------|---|
| Youth Representative               | Donna Fix   |
| Budget Director                    | Supervisor  |
| Court Clerk - full time            | Susan Parker  |
| Assistant Court Clerk- full time   | Angelina Johnson                                    |
| Mail Prosecutor                    | Robert Zickl, Esq.                                  |
| Constables (1)                     | Richard Carine                                      |
| Information Technologies           | Nicole M. Begin                                     |
| Games of Chance Inspector          | Constable   |
| Dog Control Officer                | Genesee County Animal Control                       |
| Historians (3)                     | Lois Brockway, Allan Starkweather, & JoAnn Cummings |
| Recycling Attendants               | Richard Carine & Dexter Rindell                     |
| Zoning & Codes Enforcement Officer | Charles Reid  |
| Building Inspector                 | Charles Reid  |
| Zoning Clerk/typist – part time    | Diane Denton  |
| Cemetery Mowing (Pratt Rd.)        | Stephen Lewis                                       |
| Cemetery Caretaker                 | Jack Bernard  |
| House Enumerator                   | Stephen Stocking                                    |
| Janitorial Service                 | Genesee County ARC                                  |
| Accounting Services                | Freed Maxick & Battaglia                            |
| Attorney                           | Mark Boylan   |
| Auditing Agency                    | Drescher & Malecki                                  |

|                      |                             |
|----------------------|-----------------------------|
| Engineers            | Clark Patterson Lee         |
| Grant Writers        | J. O'Connell & Associates   |
| Official Banks       | Bank of America-Cemetery    |
| Official Newspaper   | Batavia Daily News          |
| Payroll Processing   | Complete Payroll Processing |
| Youth Representative | Donna Fix                   |

|                              |                     |
|------------------------------|---------------------|
| Assessment Board Members (5) | Name                |
| Chair                        | Vacant              |
| Member                       | Mary Ann Schnauffer |
| Member                       | Elizabeth Gabbey    |
| Member                       | Vacant              |
| Member                       | Cheyenne R. Seelau  |

|                                    |                  |
|------------------------------------|------------------|
| Planning Board                     | Name             |
| Chair                              | Thomas Schneider |
| Vice Chair (vice chair is 1yr apt) | Dave Knupfer     |
| Member                             | Marie Vaughn     |
| Member                             | Michael Bakos    |
| Member                             | Richard Kutter   |
| Member                             | Greg Kuras       |
| Member                             | David Knupfer    |

|                                    |                  |
|------------------------------------|------------------|
| Zoning Board                       | Name             |
| Chair                              | Nathan Witkowski |
| Vice Chair (vice chair is 1yr apt) | Terrance Daniels |
| Member                             | John Kadziolka   |
| Member                             | Donald Dylag     |
| Member                             | Donald Showler   |

36. Supervisor appoints Edward G. Arnold, Jr. as Deputy Supervisor.
37. Town Clerk appointed Erika M. Gabbey as first Deputy Town Clerk/Deputy Tax Collector, who shall have such powers and shall perform such duties as Town Clerk. Town Clerk and Deputy Town Clerk to issue handicapped parking permits.
38. Highway Superintendent Stephen Stocking appointed Larry Duckworth Deputy Highway Superintendent.
39. Appoint Nicole M. Begin Registrar of Vital Statistics and Erika M. Gabbey Deputy Registrar. Appoint Nicole M. Begin as Town Records Management Officer. Appoint Town Clerk Nicole M. Begin as Town Records Access Officer.

40. 2016 Town of Pembroke Schedule of Salaries & Rates of Pay

| Position                      | Rate (Dollars)    | Per     |
|-------------------------------|-------------------|---------|
| Assessment-State Training     | \$30.00           | day     |
| Assessment-Grievance          | \$30.00           | day     |
| Assessor                      | \$35,537.00       | annual  |
| Assessor/Zoning Clerk/Typist  | \$12.50           | hour    |
| Board Members                 | \$4,895.00        | annual  |
| Building Inspector, Senior    | \$19.96           | hour    |
| Cemetery Caretaker            | \$2,700.00        | annual  |
| Cemetery Mowing Pratt Rd.     | \$200.00          | annual  |
| Clerk-Town                    | \$38,421.00       | annual  |
| Clerk-Town-Deputy             | \$12.00           | hour    |
| Code Enforcement Officer      | \$19.96           | hour    |
| Constable                     | \$11.50           | hour    |
| Court Clerk                   | \$21.36           | hour    |
| Court Clerk-Deputy            | \$16.92           | hour    |
| Highway Superintendent        | \$57,689.00       | annual  |
| Highway Deputy Superintendent | \$23.65           | hour    |
| Historians (2)                | \$837.00          | annual  |
| Justice I                     | \$29,284.00       | annual  |
| Justice II                    | \$25,565.00       | annual  |
| Justice Court Security        | \$19.78           | hour    |
| Laborer                       | \$10.91 - \$14.77 | hour    |
| MEO Working Supervisor        | \$22.64           | hour    |
| MEO                           | \$22.59           | hour    |
| MEO-Seasonal                  | \$14.20 - \$20.68 | hour    |
| Mail Prosecutor               | \$565.60          | month   |
| Planning Board Chairman       | \$1,545.00        | annual  |
| Planning Board Member         | \$32.00           | meeting |
| Recycling Attendant           | \$10.72           | hour    |
| Supervisor                    | \$14,283.00       | annual  |
| Zoning Board Chairman         | \$1,545.00        | annual  |
| Zoning Board Member           | \$32.00           | meeting |
| Zoning Enforcement Officer    | \$19.96           | hour    |

41. 2016 Town of Pembroke Fee Schedule

| Item  | Price     |                   |
|---|-----------|-------------------|
| Building Permit                               | \$ 25.00  | Plus inspections  |
| Building Inspections                          | \$ 30.00  | each              |
| Cemetery Plots — N Pembroke, Old Buffalo      | \$ 550.00 | each              |
| Comprehensive Plan                            | \$ 10.00  | 1 hard copy       |
| Dog License-Altered                           | \$ 5.00   | Per dog           |
| Dog License-Un-altered                        | \$ 13.00  | Per dog           |
| Dog License-Replacement Tag                   | \$ 3.00   | Per tag           |
| Freedom of Information CD/DVD                 | \$ 5.00   | each              |
| Freedom of Information Photos                 | \$ 1.25   | each              |
| Games of Chance                               | \$ 25.00  | Permit only       |
| Home Occupation Permit                        | \$ 25.00  |                   |
| Junkyard License                              | \$ 120.00 | annual            |
| Land Separation Application                   | \$ 10.00  | Per application   |
| Mobile Home License                           | \$ 75.00  | Per year          |
| Natural Production Uses                       | \$ 50.00  | Per acre per year |
| Photo Copy                                    | \$.25     | Black and white   |
| Photo Copy                                    | \$.30     | Color             |
| Public Hearing Application                    | \$ 50.00  |                   |
| Pyrotechnics Permit                           | \$ 350.00 |                   |
| Recycling Operation License                   | \$ 75.00  | Per year          |
| Site Plan Review                              | \$ 30.00  |                   |
| Special Use Permit (SUP)                      | \$ 30.00  |                   |
| Subdivision Const/Design Criteria             | \$ 10.00  |                   |
| Subdivision Regulations                       | \$ 10.00  |                   |
| Subdivision Streets & Roads                   | \$ 5.00   |                   |
| Town Map                                      | \$.75     | each              |
| Variance                                      | \$ 30.00  |                   |
| Zoning Law                                    | \$ 10.00  | 1 hard copy       |
| Bulk Trash-chairs, couches, mattresses        | \$12.00   | each              |
| Garbage — up to 30 gallon bag                 | \$ 3.00   | each              |
| Garbage -30-55 gallon bag                     | \$ 6.00   | each              |
| Large load trash utility trailer/pickup truck | \$ 35.00  | each load         |
| Large load trash stake truck                  | \$ 55.00  | each load         |
| Large load trash station wagon/mini van       | \$ 20.00  | each load         |
| Tires-car/pickup no rim                       | \$ 3.00   | each              |
| Tires-car/pickup on rim                       | \$ 7.00   | each              |
| Tires-large truck                             | \$ 9.00   | each              |
| Tires-Tractor                                 | \$ 13.00  | each              |
| White Items-washers/dryers/stove              | \$ 10.00  | each              |

|                                       |          |                |
|---------------------------------------|----------|----------------|
| White Item-Refrigerator with Freon    | \$ 20.00 | each           |
| White item-Refrigerator without Freon | \$ 10.00 | each must have |

**TOWN BOARD  
COMMITTEE ASSIGNMENT  
2016**

| <b>COMMITTEE 1</b>               | <b>COMMITTEE 2</b>                | <b>COMMITTEE 3</b>            | <b>COMMITTEE 4</b>                      |
|----------------------------------|-----------------------------------|-------------------------------|---|
| <b>CHAIRMAN</b><br>John J. Worth | <b>CHAIRMAN</b><br>Kathleen Manne | <b>CHAIRMAN</b><br>Thomas Dix | <b>CHAIRMAN</b><br>Edward G. Arnold Jr. |
| Finance                          | Personnel                         | Building & Grounds            | Departments                             |

Whenever the Chairman of a Committee has a meeting or calls a meeting, the members of the Committee must be notified of the time and place. It is further suggested that the member can also call a meeting of the Committee in concert with the Committee Chairman.

# PURCHASING POLICY 2016

Whereas, Section 104b of the General Municipal Law requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of General Municipal Law #103 or any other law; and

Whereas, comments have been solicited from those officers of the Town involved with procurement;

Now therefore be it resolved: that the Town of Pembroke does hereby adopt the following procurement policies and procedures:

- 1) Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law #103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of the town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and the conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity. Authorized purchasers' are: the Supervisor, Town Clerk, Highway Superintendent, Committee Chairman (when acting in the scope of their assigned duties) or a designated representative.
- 2) It is the intent of the Town of Pembroke to comply with all Federal and State requirements to comply with MWBE mandates, however, it is the policy of the Town of Pembroke to give first preference to businesses within the Town of Pembroke and secondly to businesses within Genesee County.
- 3) All purchases of (a) supplies or equipment which will exceed \$35,000.00 in the fiscal year or (b) public works contracts over \$20,000.00 shall be formally bid pursuant to General Municipal Law #103.
- 4) All estimated supply or equipment purchases of :
  - a. Less than \$10,000.00 but greater than \$5,000.00 requires a written request for a proposal and written/fax quotes from three (3) vendors plus Town Board approval.

- b. Less than \$5,000.00 but greater than \$1,000.00 requires a written request for the goods and written/fax quote from two (2) vendors plus Town Board approval.
- c. Less than \$1,000 is left to the discretion of the Committee Members who shall both agree on the purchase. If an agreement can not be made it shall be the decision of the entire Town Board.
- d. All purchases must be kept within budget unless prior Town Board approval has been given.

4.1) All estimated Public works contracts of:

- a. Less than \$20,000 but greater than \$10,000 require a written request for a proposal and written/fax quotes from three (3) contractors and Town Board approval.
- b. Less than \$10,000 but greater than \$3,000 requires a written request for the goods and a written/fax quote from two (2) contractors and Town Board approval.
- c. Less than \$3,000 is left to the discretion of the Committee Members who shall both agree on the purchase. If an agreement can not be made it shall be the decision of the entire Town Board. Purchases under \$500 do not have to be listed on the fixed assets reports.
- d. All purchases must be kept within budget unless prior Town Board approval has been given.

Any written proposal shall describe the desired goods, quantity and the particulars of delivery.

The purchaser shall compile a list of all the vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

- 5) The lowest responsible proposal or quote meeting specifications of the purchaser shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its' taxpayers to make an award to other than the low bidder. If a bidder
- 6) is not deemed responsible, facts supporting the judgment shall also be documented and filed with the record supporting the procurement.

- 7) A good faith effort shall be made to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
- 8) Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
  - a. Acquisition of professional services
  - b. Emergencies
  - c. Sole source situations
  - d. Goods purchased from agencies for the blind or severely handicapped.
  - e. Goods purchased from correctional facilities
  - f. Goods purchased from another governmental agency
  - g. Goods purchased at auctions.
  - h. Goods purchased for less than \$250.
  - i. Public works for less than \$500.
  - j. Standard equipment replacement
- 9) This policy shall be reviewed annually by the Town Board at its' organizational meeting or as soon thereafter as is reasonably practicable.
- 10) The unintentional failure to fully comply with the provisions of the General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Pembroke or any officer or employee therefore.
- 11) All Capital assets for GASB 34 reporting are to be kept at a threshold above \$2,500.00. This includes Buildings, infrastructure, and furniture with a useful life of 10 or more years and vehicles with a useful life of 5 years. All other fixed assets are kept at the \$1,000.00 threshold.

# INVESTMENT POLICY 2016

## I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its' own behalf or on behalf of any other entity or individual.

## II. OBJECTIVES

The primary objectives of the local government's investment activities are in priority order:

- a) To conform with all applicable federal, state and other legal requirements
- b) To adequately safeguard principal,
- c) To provide sufficient liquidity to meet all operating requirements.
- d) To obtain a reasonable rate of return.

## III. DELEGATION OF AUTHORITY

The governing boards' responsibility for administration of the investment program is delegated to the Town Supervisor, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees

## IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Pembroke to govern effectively.

Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

**V. DIVERSIFICATION**

It is the policy of the Town of Pembroke to diversify its' deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

**VI. INTERNAL CONTROLS**

It is the policy of the Town of Pembroke for all moneys collected by any officer or employee of the government to transfer those funds to the Supervisor monthly or within the time period specified in law, whichever is shorter.

The Town Supervisor or in his absence, the Deputy Town Supervisor, is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITARIES**

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

| <b>DEPOSITORY NAME</b>      | <b>MAXIMUM AMOUNT</b>                 | <b>OFFICER</b>  |
|-----------------------------|---------------------------------------|---|
| M & T Trust Corfu           | \$5 million                           | Town Supervisor<br>(in his absence)<br>Deputy Town Supervisor |
| Five star bank (Investment) |                                       | February 20, 2002   |
| Bank of Castile (Insurance) |                                       | January 2, 2004   |
| Bank of America (Cemetery)  |                                       | January 2, 2012   |
| First Niagara               |                                       | January 5, 2010   |
| Amended August 13, 1997     | Town Board meeting to \$3 Million     |   |
| Amended January 7, 2000     | Organizational meeting to \$4 Million |   |
| Amended January 2, 2004     | Organizational meeting to \$5 Million |   |

## **VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law #10, all deposits of the Town of Pembroke, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By pledge of “eligible securities” with an aggregate “market value” as provided by GML #10, at least to the aggregate amount of deposits from the categories designated in Appendix A to this policy.
2. By eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits, in favor of the government, for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements

## **IX. SAFE KEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by an approved bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any and any cost or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledge securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Pembroke or its' custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the Town of Pembroke, will be kept separate and apart from the general assets of the custodial bank or trust and will not, under any circumstance, be commingled with or become part of the backing for any other deposit or other liabilities.

The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities.

The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

## **X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law #11, the Pembroke Town Board authorizes the Town Supervisor or in his absence, Deputy Town Supervisor, to invest moneys not required for immediate expenditure for terms not to exceed its' projected cash flow needs in the following types of investments:

- a. Special time deposit accounts.
- b. Certificates of deposit.
- c. Obligations of the United States of America.
- d. Obligations guaranteed by agencies of the USA where the payment of principal and interest are guaranteed by the United States of America.
- e. Obligations of the State of New York
- f. Obligations issued pursuant to LFL #24.00 or 25.00 by any municipality, school district or district corporation other than the Town of Pembroke with approval of the State Comptroller.
- g. An obligation of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- h. Certificates of Participation issued pursuant to GML #109b.
- i. Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML #6-c,6-d,6-e,6-f,6-g,6-h,6-I,6-j,6-k,6-l,6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Pembroke within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Pembroke within two years of the date of purchase.

## **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Pembroke shall maintain a list of financial institutions and dealers approved by investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of condition at the request of the Town of Pembroke. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

## **XII. PURCHASE OF INVESTMENTS**

The Town Supervisor or in his absence, Deputy Town Supervisor, is authorized to contract for the purchase of investments.

1. Directly, including through a repurchase agreement, from the authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the GML where such program meets all the requirements set forth in the Office of State Comptroller Opinion #88-46 and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company.

Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Pembroke by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in GML #10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be co-mingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **XIII. RE-PURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- a) All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- b) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- c) Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- d) No substitution of securities will be allowed.
- e) The custodian shall be a party other than the trading partner.

## **APPENDIX A**

### Schedule of eligible securities

Obligations issued or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.

# 2016 CERTIFICATION

## TOWN OF PEMBROKE ELECTED AND APPOINTED EMPLOYEES

### ELECTED

#### SUPERVISOR

John J. Worth Term 2016 – 2019  
8735 Lake Road  
Corfu, New York 14036  
Phone (585) 599-3921  
Cell (585) 409-8429

#### DEPUTY SUPERVISOR

Edward G. Arnold, Jr. Term 1 Year – 2014  
2261 Angling Rd.  
Corfu, NY 14036  
Cell (716) 998-3070  
Work (585) 762-9080

#### COUNCILMAN

Thomas E. Dix Term 2016 – 2019  
2376 Pratt Road  
Corfu, New York 14036  
Work (585) 599-4605  
Cell (585) 409-3159

#### COUNCILMAN

Edward G. Arnold, Jr. Term 2014 – 2017  
2261 Angling Rd.  
Corfu, NY 14036  
Cell (716) 998-3070  
Work (585) 762-9080

#### COUNCILMAN

Kathleen I. Manne Term 2016 – 2019  
1178 Akron Road  
Corfu, New York 14036  
Phone (585) 201-1454

#### COUNCILMAN

Warren Clark Term 2014 – 2017  
8737 Lovers Lane Road  
Corfu, New York 14036  
Phone (585) 599-3788

HIGHWAY SUPERINTENDENT

Stephen Stocking  
2186 Angling Road  
Corfu, New York 14036  
Phone (585) 506-2690

Term 2016 – 2019

TOWN CLERK/TAX COLLECTOR/ REGISTRAR OF VITAL STATISTICS

Nicole M. Begin  
9343 Stoney Lonesome Road  
Corfu, New York 14036  
Phone (585) 599-3533

Term 2016 – 2019

TOWN JUSTICE

David O'Connor  
Corfu, New York 14036

Term 2016 – 2019

TOWN JUSTICE

Edwin F. Mileham, Jr.  
Corfu, New York 14036

Term 2014 – 2017

**APPOINTED**

DEPUTY TOWN CLERK/DEPUTY TAX COLLECTOR/  
DEPUTY REGISTRAR OF VITAL STATISTICS

Erika M. Gabbey  
663 Back Street  
Corfu, New York 14036  
Phone: (585) 813-1138

Appointment 01/01/2016 – 12/31/2016

ASSESSOR

Deborah Conti  
949 Lakeside Drive  
Corfu, New York 14036  
Phone

Appointment 10/1/2013 – 9/30/2019

CONSTABLE

Richard Carine  
Corfu, New York 14036

Appointment 01/01/2016 – 12/31/2016

RECYCLING ATTENDANT

Richard Carine  
Corfu, New York 14036

Appointment 01/01/2016 – 12/31/2016

SUBSTITUTE RECYCLING ATTENDANT

Dexter Rindell  
2634 Main Road  
East Pembroke, New York 14056  
Phone (585) 762-8756

Appointment 01/01/2016 – 12/31/2016

DOG CONTROL OFFICER  
Genesee County Animal Shelter  
3841 West Main St Road  
Batavia, New York 14020  
Phone (585) 343-6410

Appointment 01/01/2016 – 12/31/2016

TOWN HISTORIAN  
Lois Brockway  
7905 Allegheny Road  
Corfu, New York 14036  
Phone (585) 762-8568

Appointment 01/01/2016 – 12/31/2016

TOWN HISTORIAN  
Allan Starkweather  
Genesee Heights  
66 West Main Street  
Corfu, New York 14036  
Phone (585) 599-4195

Appointment 01/01/2016 – 12/31/2016

TOWN HISTORIAN  
JoAnn Cummings  
906 Akron Road  
Corfu, NY 14036  
Phone (585) 542-5450

Appointment 01/01/2016 – 12/31/2016

TOWN ATTORNEY  
Mark Boylan, Esq.  
45 West Main Street  
LeRoy, New York 14482  
Phone (585) 317-3099

Appointment 01/01/2016 – 12/31/2016

COURT CLERK  
Susan Parker  
2078 Genesee Street  
Corfu, New York 14036  
Phone (585)762-9385

Appointment 01/01/2016 – 12/31/2016

COURT CLERK TYPIST  
Angelina Johnson  
414 Scribner Road  
Corfu, New York 14036  
Phone (585)599-3871

Appointment 01/01/2016 – 12/31/2016

ZONING/BUILDING COMPLIANCE ADMIN.  
Charles Reid  
PO Box 94  
Darien Center, New York 14040  
Phone (585)-813-7928

Appointment 01/01/2016 – 12/31/2016

ZONING CLERK TYPIST

Diane Denton  
1640 Indian Falls Road  
Corfu, New York 14036  
Phone: (585)

Appointment 01/01/2016 - 12/31/2016

## PLANNING BOARD MEMBERS 2016

Tom Schneider (CHAIRMAN – 1 year term 01/01/2016 – 12/31/2016)  
8294 Slusser Road  
Batavia, New York 14020 Appointment 01/01/2013 – 12/31/2019  
Phone (585) 762-6108

Linda Rindell  
P.O. Box 122  
Corfu, New York 14036 Appointment 01/01/2010 – 12/31/2016  
Phone (585) 762-4042  
Work (585) 599-4842

Richard Kutter  
1330 Main Road  
Corfu New York 14036 Appointment 01/01/2011 – 12/31/2017  
Phone (585) 599-3570

Michael Bakos  
2369 Pratt Road  
Corfu New York 14036 Appointment 01/01/2012 – 12/31/2018  
Phone (585) 762-8084

Marie Vaughn  
7856 Gorton Road  
Basom, New York 14013 Appointment 02/12/2014 – 12/31/2020  
Phone (716) 517-7911

David Knupfer  
8984 Lovers Lane Road  
Corfu, New York 14036 Appointment 01/01/2015 – 12/31/2021  
Phone (585) 689-3235

Greg Kuras  
8236 North Pembroke Road  
Batavia New York 14020 Appointment 01/01/2016 – 12/31/2022  
Phone (585) 599-3181

### SECRETARY

Diane Denton  
1640 Indian Falls Road  
Corfu, New York 14036 Appointment 01/01/2016 – 12/31/2016  
Phone: (585) 762-9902

# ZONING BOARD OF APPEALS 2016

Nathan Witkowski  
380 Akron Road  
Akron, New York 14001  
Phone (585) 542-4110

**(CHAIRMAN – 1 year term 01/01/2016 – 12/31/2016)**

Appointment 01/01/2014 – 12/31/2018

Terrance Daniel  
8259 Marble Road  
Akron, New York 14001  
Phone (585)

Appointment 01/01/2012 – 12/31/2016

Donald Showler  
1857 Main Road  
Corfu, New York 14036  
Phone (585)

Appointment 01/01/2016 – 12/31/2020

Donald Dylag  
1451 Indian Falls Road  
Corfu New York 14036  
Phone (585) 507-8731

Appointment 01/01/2016 – 12/31/2019

John Kadziolka  
753 Gabbey Road  
Corfu, New York 14036  
Phone (585) 542-9027

Appointment 07/09/2014 – 12/31/2017

## **SECRETARY**

Diane Denton  
1640 Indian Falls Road  
Corfu, New York 14036  
Phone: (585) 762-9902

Appointment 01/01/2016 - 12/31/2016

## **ASSESSMENT BOARD OF REVIEW 2016**

VACANT

Term expires September 2019  
(Replace Matthew Worth)

Elizabeth Gabbey  
2155 Main Road  
Corfu, New York 14036  
585-599-3772

Term expires September 2020

VACANT

Term expires September 2021  
(Replace Paul Phelps)

Cheyenne R. Seelau  
607 Main Road  
Corfu, New York 14036  
716-572-9562

Term expires September 2017

Mary Ann Schnauffer  
8815 Lake Road  
Corfu, New York 14036

Term expires September 2018

**RESOLUTION # 2 of 2016 - NYS DOT Local Transportation Funding**

On **MOTION** of Councilwoman Manne, seconded by Councilman Dix, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Dix, AYE; Councilwoman Manne, AYE; Supervisor Worth, AYE.

ALL AYES – MOTION CARRIED

**WHEREAS**, a reliable transportation infrastructure is vital for the safety of New York's traveling public and its economy; and

**WHEREAS**, 85 percent of New York's roads and bridges are maintained by local governments; and

**WHEREAS**, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

**WHEREAS**, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

**WHEREAS**, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

**WHEREAS**, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

**WHEREAS**, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

**WHEREAS**, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

**WHEREAS**, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

**WHEREAS**, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-

year capital programs would be similar in size and would be negotiated concurrently; and

**WHEREAS**, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

**WHEREAS**, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; **NOW THEREFORE BE IT**

**RESOLVED**, that the Town of PEMBROKE calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and **BE IT FURTHER**

**RESOLVED**, that the Town of PEMBROKE calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and **BE IT FURTHER**

**RESOLVED**, that the Town of PEMBROKE calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

**RESOLUTION # 3 of 2016** – Adoption of Local Law No. 1 of the Year 2016 - A Local Law to Amend Local Law # 1 of 1991 Zoning Law Text Changes

On **MOTION** of Councilwoman Dix, seconded by Councilman Manne, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Dix, AYE; Councilwoman Manne, AYE; Supervisor Worth, AYE.  
**ALL AYES – MOTION CARRIED**

**WHEREAS** a Public Hearing was held by the Pembroke Town Board at a regular meeting on January 6th at the Pembroke Town Hall, 1145 Main Road at 6:00 P.M. pursuant to a Notice of Public Hearing, published in The Daily News on December 28<sup>th</sup>, 2015, and posted on the sign board at the Pembroke Town Hall, on a proposed Local Law amending the Zoning Law of the Town of Pembroke originally adopted as Local Law No. 1 of the Year 1991, as thereafter amended; and

**WHEREAS** both the Town of Pembroke Planning Board and the Genesee County Planning Board have recommended enactment of such Zoning Amendment; and

**WHEREAS** such Zoning Law Amendment conforms with the Comprehensive Plan of the Town Board of the Town of Pembroke; and

**WHEREAS** the members of the Town Board have had said Local Law No. 1 of the Year 2016 in final form for the period required under Section 20 of the New York Municipal Home Rule Law; and

**WHEREAS** the Town Board of the Town of Pembroke, after due deliberation, finds it in the best interest of the Town to adopt said Zoning Law Amendment; **NOW, THEREFORE, BE IT**

**RESOLVED:**

**LOCAL LAW NO. 1 OF THE YEAR 2016  
OF THE  
TOWN OF PEMBROKE**

1. The Zoning Law of the Town of Pembroke known as Local Law No. 1 of 1991, as thereafter amended by Local Law No. 3 of 1992, Local Law No. 2 of 1993, Local Law No. 1 of 1995, Local Law No. 2 of 1995, Local Law No. 2 of 1996, Local Law No. 1 of 1997, Local Law No. 1 of 2000, Local Law No. 4 of 2000, Local Law No. 1 of 2002, Local Law No. 1 of 2003, Local Law No. 2 of 2003, Local Law No. 1 of 2005, Local Law No. 2 of 2005, Local Law No. 3 of 2005, Local Law No. 2 of 2006, Local Law No. 4 of 2006, Local Law No. 2 of 2007, and Local Law No. 3 of 2007, Local Law No. 4 of 2007, Local Law No. 1 of 2008, and Local Law No. 2 of 2008, Local Law No. 2 of 2009, Local Law No. 3 of 2011, Local Law No. 2 of 2013, Local Law No. 1 of 2015 and is hereby further amended by Local Law No. 1 of 2016 as follows:

**SECTION 405 LIMITED COMMERCIAL DISTRICT- LC**

The Limited Commercial (LC) District is designed to provide areas within the Town for development of commercial uses of limited size and scope. These districts are located along arterial highways, which provide both visibility and ready access to such uses.

**A. Permitted Uses**

The following uses are permitted in the Limited Commercial (LC) District:

1. Retail trade and/or personal service not exceeding 10,000 sq. ft. of gross floor area.
2. Accessory buildings, structures and uses.

This Local Law shall become effective upon the filing thereof with the New York Secretary of State.

**RESOLUTION # 4 of 2016 – Payment of Abstract**

On **MOTION** of Councilwoman Dix, seconded by Councilman Manne, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Dix, AYE; Councilwoman Manne, AYE; Supervisor Worth, 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 2015 & 2016 working budgets, 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 # 25 of 2015 and # 1 of 2016.

**RESOLUTION # 5 of 2016 – Official Undertakings 2016**

On **MOTION** of Councilwoman Dix, seconded by Councilman Manne, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Dix, AYE; Councilwoman Manne, AYE; Supervisor Worth, AYE.  
ALL AYES – MOTION CARRIED

(see attached PDF)

**COMMITTEE REPORTS**

**Superintendent Stocking** – Mr. Stocking had an agreement for expenditures of highway monies that he needed signed by the Town Board. He explained that the board signs this each year so he can submit it to the county to show what projects the highway department will be working on in the current year.

**Supervisor Worth** – Councilwoman Kathleen Manne will be reviewing the Employee Handbook this year since it has been several years since it has been reviewed.

Councilman Dix will take charge of the new Gazebo that will be built in the park thanks to a grant from Senator Ranzenhofer's office. Previous Town Supervisor Lawrence and previous Town Councilman Sformo said they would like to help out in any way.

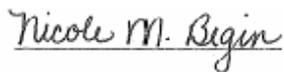
Supervisor Worth introduced the new council people to Assessor Deborah Conti Zoning Clerk Diane Denton.

Supervisor Worth informed the board that there are two doors at the Community Center building that need repair. One is the exit door to the kitchen and the other is a door in the Corfu fire Department area. Mr. Worth received a quote from Brier Hill/77 Construction for the repairs which was less than \$2,000.00. Repainting of the steel around the doors on the outside will also need to be done but that won't happen until spring.

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A **MOTION** was made by Councilman Dix, seconded by Councilwoman Manne to accept the quote from Brier Hill/77 Construction to repair the two doors in the Community Center building for a cost not to exceed \$2,000.00.  
ALL AYES –MOTION CARRIED  
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On **MOTION** of Councilman Dix, seconded by Councilwoman Manne, to adjourn the meeting at 8:19 P.M.  
ALL AYES – CARRIED.

Respectfully submitted,



Nicole M. Begin  
Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2016 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD. APPROVAL OF MINUTES BY THE TOWN BOARD ARE DONE AT THE NEXT REGULAR TOWN BOARD MEETING.

# Town of Pembroke

## 2016 MONTHLY MEETING SCHEDULE

**Regular Meetings**  
**6:00 P.M. Sign Vouchers**  
**7:00 Public Participation**

January 6  
 February 10  
 March 9  
 April 13  
 May 11  
 June 8  
 July 13  
 August 10  
 September 14  
 October 12  
 November 9  
 December 14

**Second Regular Meeting 6:00 P.M.**

January 28  
 February 25  
 March 24  
 April 28  
 May 26  
 June 23  
 July 28  
 August 25  
 September 29  
 October 27  
 November TBA  
 December 29

### HOLIDAYS (Office Closed)

|                  |                    |
|------------------|--------------------|
| January 1        | New Year's Day     |
| January 18       | Martin Luther King |
| February 15      | Presidents' Day    |
| March 25         | Good Friday        |
| May 30           | Memorial Day       |
| July 4           | Fourth of July     |
| September 5      | Labor Day          |
| October 10       | Columbus Day       |
| November 24 & 25 | Thanksgiving Day   |
| December 23 & 26 | Christmas Day      |

|           |  |                        |
|-----------|--|------------------------|
| Recycling | 1 <sup>st</sup> & 3 <sup>rd</sup> Saturday of each month | 8:00 A.M. – 12:00 noon |
| Trash     | 3 <sup>rd</sup> Saturday of each month                   | 8:00 A.M. – 12:00 noon |

Zoning Board of Appeals meets 3<sup>rd</sup> Wednesday of each month at 7:30 P.M.  
Planning Board meets 4<sup>th</sup> Wednesday of each month at 7:30 P.M.