

**MINUTES** of the **Meeting** of the Pembroke Town Board held on **May 11<sup>th</sup>, 2017** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

**PRESENT:** John J. Worth, Supervisor  
Edward G. Arnold, Jr., Deputy Supervisor  
Kathleen Manne, Councilwoman  
Thomas Dix, Councilman  
K. Warren, Clark, Councilman

**OTHERS PRESENT:** Nicole M. Begin; Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor.

Deborah Conti gave the invocation and Supervisor Worth led the Pledge to the Flag. The meeting was called to order at 7:00 P.M.

**PUBLIC PARTICIPATION** ~ None

### **APPROVAL OF MINUTES**

On **MOTION** of Councilman Clark, seconded by Councilman Arnold, to approve the minutes of the meetings of April 13<sup>th</sup>, 2017 and April 27<sup>th</sup>, 2017.

ALL AYES - MOTION CARRIED.

### **DEPARTMENT REPORTS**

**ASSESSOR** – Deborah Conti

- Mrs. Conti reported on the ongoing legal battle over the assessment of Pilot Oil/Flying J. As reported in March, the Town asked for a discontinuance of the suit. Mrs. Conti received a letter that Pilot Oil withdrew and the case will be closed.

**ZONING & CODES ENFORCEMENT** – Charles Reid & Tom Schneider

- The monthly report has been submitted and filed.

**HIGHWAY** – Stephen Stocking

- Mr. Stocking reported that the Town will have to pay back approximately \$140k to the state for the overpayment of reimbursements for snow and ice.
- The Right to Farm & Right to Forestry signs will be mounted to the Town of Pembroke signs soon.
- Mr. Stocking received a letter that there is FEMA money available for the last snowstorm in March. Mr. Stocking filed the appropriate paperwork.

**TOWN CLERK** – Nicole M. Begin

- Monthly report submitted and filed. The final Tax collection report is also submitted and filed.

- Mrs. Begin gave the board the information from CPP regarding the Family Leave Act. Public employers can opt in, private employers must comply. This legislation is funded by the employees through payroll deductions that can start as early as July 2017.

PLANNING BOARD – Thomas Schneider

- No report.

ZONING BOARD OF APPEALS – Terrance Daniel

- There has been no meeting since March.

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

- The April 2017 monthly reports have been submitted & filed. Judge O’Connor collected \$21,109.50 and Judge Mileham collected \$10,703.00. The state will submit an invoice for their share.

SUPERVISOR – John Worth

- Mr. Worth said that the auditors were here last week. We should get a report shortly. The Town has the option of the 2017 audit being done in February next year.
- Mr. Worth attended grant training. He explained that there was a lot of good information to look through for future town endeavors.
- The County Shared Services Program must be implemented by August 2017. The county will need to hold three meetings and have three public hearings to work on and present a plan to the state.
- Mr. Worth said that the food truck commissary at the Community Center is moving forward with getting a written agreement together.
- The TA sewer project is still moving forward.
- Mr. Worth reported that the County approved the PIF for Yancey’s Fancy.
- CPL is working on getting the town some preliminary information for water expansion.
- The 2016 AUD is complete. Mr. Worth has copies if the board wants one and there is one in the Town Clerk’s office for inspection.
- Mr. Worth said that there is a cyber security training that he would like to attend in Albany on June 7<sup>th</sup> and 8<sup>th</sup>.

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A **MOTION** was made by Councilman Arnold, seconded by Councilman Clark to allow Supervisor Worth to attend the Cyber Security Training in Albany, NY on June 7<sup>th</sup> and 8<sup>th</sup>.

**ALL AYES – MOTION CARRIED**  
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**COMMITTEE REPORTS**

**Councilman Arnold** – Mr. Arnold said that he and Supervisor Worth met with Laura Landers from Freed Maxick to talk about services.

**Councilman Dix** – Mr. Dix has nothing new to report on regarding the future building project. There are barely any grants available and a study will cost each entity \$12,000.00.

**Councilman Clark** – Mr. Clark found an article in the Buffalo News from May 5<sup>th</sup> regarding Solar City and their shrinking solar panel business which could affect the STAMP project because 1366 Technologies was going to make the wafers for Solar City’s panels.

**OLD BUSINESS**

- 1. Grant for Loader from NY State through J O’Connell – J O’Connell received a letter regarding the grant being awarded.

**NEW BUSINESS**

- 1. Community Center Floor Wax – May look at having the inmates wax the floors. The CFD will check into it.
- 2. Town IT equipment changes and Copier Update – Mr. Worth is looking at a contract bid through Microsoft. He has a meeting Friday to look into it. He is also in the process of getting another bid for the photocopier. He would like to switch over the email before a change is made to the server.
- 3. Grants and planning projects CRS related Murder Creek – Mr. Worth said that there may be funding available to help clean out Murder Creek. He will do some investigating to see what is out there.

**RESOLUTIONS**

**RESOLUTION # 31 of 2017** – Payment of Abstract

**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 2017 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 # 8 of 2017.

**Motion:** Councilman Arnold

**Second:** Councilwoman Manne

**Ayes:** Arnold, Manne, Dix, Clark, Worth

**Nays:** None

**APPROVED by: Unanimous vote (5-0)**

**RESOLUTION # 32 of 2017 – Acceptance of Troy & Banks findings**

**WHEREAS**, Troy & Banks conducted a street lighting audit for the Town of Pembroke and

**WHEREAS**, it was found that the National Grid account for street lighting was billed correctly and as a result there is neither an over billing or under billing issue, **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Pembroke accepts the finding from Troy & Banks for the Town’s Street lighting billing and authorizes the Town Supervisor to sign a settlement agreement for \$0.00.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

**Ayes:** Arnold, Manne, Dix, Clark, Worth

**Nays:** None

**APPROVED by: Unanimous vote (5-0)**

**RESOLUTION # 33 of 2017 - Resolution of the Town of Pembroke (The “Town”) Consenting to the use of certain Payments In Lieu Of Taxes (PILOT) by the Genesee County Industrial Development Agency D/B/A Genesee County Economic Development Center for the Town of Pembroke and Village of Corfu Sewer Infrastructure Project (Defined Below) and Authorizing the Supervisor of the Town to execute and deliver any agreements in furtherance of same.**

**WHEREAS**, Yancey’s Fancy, Inc. (the “Company”) submitted an application to the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the “Agency”) requesting the Agency's assistance with respect to a certain project consisting of: (A) the acquisition by the Agency of title to or a leasehold interest in a parcel or parcels of land located on Main Road, Town of Pembroke, Genesee County, New York (the “Land”); (B) the construction and equipping by the Company, as agent for the Agency, on the Land of an expansion to an existing facility utilized by the Company for the manufacture, packaging and distribution of cheese products (the “Improvements”) and (C) the acquisition of and installation in and around the Improvements by the Company, as agent of the Agency, of certain items of equipment and other tangible personal property (the “Equipment”; and, collectively with the Land and the Improvements, the “Facility”); and

**WHEREAS**, in connection with the Application and in furtherance of the Project's positive financial impact within the Town of Pembroke (the "Town") and the County of Genesee, New York (the "County"), the Company desires for the Town and the Village of Corfu, New York (the "Village") to improve the existing sewer infrastructure servicing the Facility and other Town and Village properties through an expansion to the existing, or the construction of an additional, wastewater treatment plant, located at the Town and Village's existing wastewater treatment plant, with associated improvements to Murder Creek for wastewater discharge (the "Town of Pembroke and Village of Corfu Sewer Infrastructure Project"); and

**WHEREAS**, the Company has requested the Agency's support in establishing a PILOT Increment Financing ("PIF") structure whereby the Agency, in accordance with General Municipal Law Section 858(15) and with the consent of the Town, the County and the School District (collectively, the "Affected Taxing Jurisdictions"), would receive from the Company, during the term of the that certain Payment in lieu of Tax Agreement by and between the Agency and the Company, dated March 1, 2014 (the "PILOT") all amounts due and payable under the PILOT to pay the costs of planning, designing, constructing and equipping the Town of Pembroke and Village of Corfu Sewer Infrastructure Project; and

**WHEREAS**, after considering the positive impact of the Town of Pembroke and Village of Corfu Sewer Infrastructure Project on the Affected Tax Jurisdictions, including the expansion of needed sewer infrastructure within the Town and the Village, the Town desires to consent to the above described use of the PILOT payments pursuant to and in accordance with General Municipal Law Section 858(15); **NOW, THEREFORE, BE IT**

**RESOLVED BY THE TOWN AS FOLLOWS:**

Section 1. The Town hereby authorizes the Agency to retain all amounts payable under the PILOT for purposes of paying the costs expended on the Town of Pembroke and Village of Corfu Sewer Infrastructure Project. The Town hereby waives its right to receive any amounts due and payable under the PILOT.

Section 2. The Supervisor of the Town is hereby authorized to execute and deliver any and all agreements necessary or related to the foregoing.

Section 3. This Resolution shall take effect immediately.

**Motion:** Councilman Clark

**Second:** Councilman Arnold

**Ayes:** Arnold, Manne, Dix, Clark, Worth

**Nays:** None

**APPROVED by: Unanimous vote (5-0)**

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On **MOTION** of Councilman Arnold, seconded by Councilman Clark to enter into Executive Session to discuss employment history of a particular corporation.

TIME 8:05 P.M.

ALL AYES - MOTION CARRIED

The Town Board reconvened into regular session.

**MOTION** – Councilman Arnold

**SECOND** – Councilman Dix

TIME: 8:52 P.M.

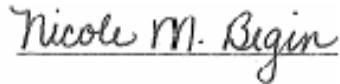
ALL AYES - MOTION CARRIED

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On **MOTION** of Councilman Dix, seconded by Councilman Arnold to adjourn the meeting at 8:52 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 APRIL 27, 2018 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO BEING ACCEPTED BY THE TOWN BOARD AT THE FIRST REGULAR TOWN BOARD MEETING OF EACH MONTH.