

**MINUTES** of the **Meeting** of the Pembroke Town Board held on **February 8<sup>th</sup>, 2018** 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; Deborah Conti, Assessor; Thomas Schneider, Zoning Dept.; Terry Daniel, ZBA; Ben Frasier, Project Manager-Parkitects; Brad Fritz, Sales Manager-Poligon.

ABSENT: Stephen Stocking, Highway Superintendent.

Supervisor Worth led the pledge of allegiance and Deborah Conti led the prayer.  
Supervisor Worth called the meeting to order at 6:50 P.M.

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**PUBLIC HEARING**  
**LOCAL LAW #1 OF 2018**  
**A Local Law to Amend Local Law # 1 of 1991**  
**Zoning Law Text Changes**

The Public Hearing was opened at 6:50 pm.

Town Clerk Begin read the Affidavit of posting. Thomas Schneider gave a summary of the proposed law.

Everyone being heard that wished to be heard, a **MOTION** was made by Councilman Clark, seconded by Councilman Arnold to close the public hearing at 8:05 P.M.  
**ALL AYES - MOTION CARRIED**

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**PUBLIC PARTICIPATION** ~ Ben Frasier, Project Manager for Parkitects and Brad Fritz, Sales Manager for Poligon spoke about products that Poligon has to offer specifically park buildings by Parkitects. They can help the Town with design and construction of the new park gazebo. Poligon would do all the engineering work. They are under state contract so bidding requirements would also be covered. They can also help the Town build it on our own if we wanted or make it a community project. They have install trainers willing to help. All parts of the gazebo are pre-cut and pre-drilled before arriving at the site to ease the process of building the structure. There are no open spaces for nesting of birds and there are no open or exposed bolts or conduit.

The board discussed the options of building the gazebo out of wood or steel. The board chose a design so that Tom Dix and Tom Schneider could get cost estimates on both steel and wood. They will have that information for the next meeting. The board also discussed future bathroom changes/possibilities for the Town Park.

## **APPROVAL OF MINUTES**

On **MOTION** of Councilman Arnold, seconded by Councilman Dix, to approve the minutes of the meetings of January 11<sup>th</sup> and January 25<sup>th</sup>, 2018.

ALL AYES - MOTION CARRIED.

## **DEPARTMENT REPORTS**

### **ASSESSOR** – Deborah Conti

- Mrs. Conti said that the Town of Darien is preparing to accept building permits for 22-125' windmills to be installed in the Town of Darien. The Town of Darien and the school district opted out of allowing tax exemptions for these windmills. Mrs. Conti said that two of these windmills could be installed in the Town of Pembroke and the board should decide if they want to allow exemptions on them. The County of Genesee may allow tax exemptions on the windmills, their decision has not yet been made. The board discussed the options and if/how residents would benefit from exemptions and discussed incentive zoning. Mrs. Conti will get the information needed to opt out of allowance of exemptions. The board will need to hold a public hearing to do so.

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

- Monthly report submitted and filed.
- A new Speedway gas station/truck stop is interested in the property across from the Flying J. They have obtained information for building permitting and will contact SHIPO, NYS DOT and NYS DEC.

### **HIGHWAY** – Stephen Stocking

- No Report.

### **TOWN CLERK** – Nicole M. Begin

- Monthly report submitted and filed.

### **PLANNING BOARD** – Thomas Schneider

- There were a few items on the agenda for the January 31<sup>st</sup> Planning Board meeting. One item was regarding a tiny house on Lake Road. The owners would like to rent it out for 5 months. It was approved with stipulations. An informational meeting was held for the owner of a food truck on Route 5. A special use permit was issued on Cleveland Road. There will be a Public Hearing in February for a wind turbine at the Econolodge.

### **ZONING BOARD OF APPEALS** – Terrance Daniel

- The January ZBA meeting was cancelled due to lack of agenda items.

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

- The January 2018 monthly reports are submitted. Fines and fess totaled \$40,371.00. The NYS Comptroller will bill for their share.

## **COMMITTEE REPORTS**

**Councilman Arnold** – Mr. Arnold met with Mike George from 77 Construction to look at the Highway garage and give us a quote on options for repair.

**Councilman Dix** – Mr. Dix attended the County meeting regarding the housing situation.

**Councilwoman Manne** – Mrs. Manne will schedule the court audit in the next few weeks.

**Supervisor Worth** – The Sewer RAN payments have come due, there is a voucher in tonight's abstract to make the payment.

The alarms systems at the Corfu building are different for the court area than they are for the rest of the building and we are paying two separate companies to monitor them. We are going switch them all over to be monitored by the same company.

The GCEDC Luncheon is on Friday March 9<sup>th</sup> at noon. Mr. Worth will be attending if anyone else is interested.

The floor to the entrance way in the community center needs a mat. Affordable Flooring has non-slip rubber mats for approximately \$400.00-\$500.00.

The board discussed the County water agreement. Mr. Arnold said he is good with the last revision sent by Mr. Worth. Mr. Dix pointed out some issues he had questions about in the agreement.

## **RESOLUTIONS**

**RESOLUTION # 7 of 2018** – Establish Position – Zoning Ordinance Compliance Officer

**RESOLVED**, the Pembroke Town Board hereby establishes the position of Zoning Ordinance Compliance Officer (MSD222 duties statement attached).

**Motion:** Councilman Dix

**Second:** Councilman Arnold

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

**Nays:** None

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

**RESOLUTION # 8 of 2018 – Excess Surplus Equipment**

**WHEREAS** the Town of Pembroke has the following excess equipment that it wishes to dispose of because it has no value to the Town of Pembroke:

- 2 – 1970 Automatic Voting Machines
- 1 – 1971 Automatic Voting Machine
- 1 – 1975 Automatic Voting Machine
- 2 – Kitchen carts

**BE IT RESOLVED** the Town Board declares these items as surplus property and that the items be properly disposed of according to disposal laws.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 9 of 2018 – 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 & 2018 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 # 26 of 2017 and # 3 of 2018.

**Motion:** Councilman Clark

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 10 of 2018 – Contract Renewal - PestRx**

**RESOLVED**, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a renewal contract, for 2018, with Pest Rx, 4752 Shisler Rd., Clarence NY 14031 for the scheduled pest control at the Town Hall located at 1145 Main Rd., Corfu, NY 14036, and the Community Center located at 116 E. Main St. Corfu, NY 14036, for a cost not to exceed \$900.00.

**Motion:** Councilman Clark

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 11 of 2018 – Adoption of Local Law No. 1 of the Year 2018 - A Local Law to Amend Local Law # 1 of 1991 Zoning Law Text Changes**

**WHEREAS** a Public Hearing was held by the Pembroke Town Board at a regular meeting on February 8th at the Pembroke Town Hall, 1145 Main Road at 6:50 P.M. pursuant to a Notice of Public Hearing, published in The Daily News on February 3<sup>rd</sup>, 2018, 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 2018 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 2018  
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, Local Law No. 1 of 2017 and is hereby further amended by Local Law No. 1 of 2018 as follows:

#### **SECTION 514 SKILLED TRADE SHOP**

The purpose of this provision is to allow for residents within the AG-R District, which are self-employed skilled trades persons (including carpenter, cabinet/furniture maker, plumber, electrician) to operate a shop for fabrication of fixtures, cabinets, furniture, etc. for installation by them at their various job sites. No retail sales of materials and/or products directly to the public shall be allowed on site. It is recognized that operation of such shops without adequate regulations and conditions may pose adverse impacts upon neighboring residential uses.

##### **B. Conditions**

The following conditions are intended to insure both that the skilled trade shop is secondary to the residential use and that it is compatible with the residential character of the neighborhood:

3. No more than two (2) nonresident persons shall be employed in the skilled trade shop.

#### **SECTION 521 NON-COMMERCIAL WIND ENERGY SYSTEMS** (Local Law #2 of 2012)

##### **C. Standards**

1. Location - A Non-commercial Wind Energy System may only be located in areas that are zoned Agricultural (AG), Agricultural-Residential (AG-R), Industrial (I), Commercial (C), and Limited Commercial (LC), and Interchange (INT).

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

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 12 of 2018** – Appointment of Thomas Schneider as Zoning Ordinance Compliance Officer

**BE IT RESOLVED** that the Pembroke Town Board hereby appoints Thomas Schneider as Zoning Ordinance Compliance Officer pending Genesee County Civil Service Approval.

**Motion:** Councilman Dix

**Second:** Councilman Arnold

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

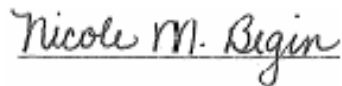
**Nays:** None

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

On **MOTION** of Councilman Clark, seconded by Councilman Dix to adjourn the meeting at 9:16 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 FEBRUARY 8, 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