

**MINUTES** of the **Meeting** of the Pembroke Town Board held on **August 9<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  
K. Warren, Clark, Councilman  
Thomas Dix, Councilman

**OTHERS PRESENT:** Nicole M. Begin; Town Clerk; James Uebelhoefer, Planning Board Chairman; Thomas Schneider, Zoning Dept; Tom Carpenter, Clark Patterson Lee; Mark Boylan, Boylan Law.

**ABSENT:** Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor.

Councilwoman Manne led the pledge of allegiance.

Councilwoman Manne called the meeting to order at 6:36 P.M.

**PUBLIC PARTICIPATION** ~ None

WATER DISTRICT No. 4 – Tom Carpenter reviewed the preliminary cost estimates and provided the board with comparisons between PVC and ductal iron. He also discussed grant funding and cost estimates with the Town Board. Mark Boylan reviewed the options available to the board to form the district. Petitions will need to be circulated. A public hearing will be held at the high school in September and residents will be notified by mail and in the Batavia Daily News legal ads.

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A **MOTION** was made by Supervisor Worth, seconded by Councilman Arnold to follow the engineer’s suggestion to spec out the water project with ductal iron.  
ALL AYES - MOTION CARRIED.

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The next steps to be taken are to form the district, bond resolution, income surveys, environmental report, and application to USDA for funding.

**APPROVAL OF MINUTES**

On **MOTION** of Councilman Arnold, seconded by Councilman Dix, to approve the minutes of the meetings of June 14<sup>th</sup>, June 28<sup>th</sup>, July 12<sup>th</sup> and July 26<sup>th</sup>, 2018.  
ALL AYES - MOTION CARRIED.

**DEPARTMENT REPORTS**

**ASSESSOR** – Deborah Conti

- No Report. A letter of request was made to attend the Assessor’s Conference in September.

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

- Monthly report submitted and filed.

HIGHWAY – Stephen Stocking

- Mr. Worth reported that the new tractor arrived on Wednesday this week.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Mrs. Begin reported that she received an email from ZBA member Tom Marshall requesting to fill the vacancy on the Planning Board.
- Genesee County Treasurers office sent a letter regarding an agreement with the tax software company to allow for payment of taxes online. The board discussed all the variables involved with online tax collection. The board agreed that Pembroke will wait until the following year to see how it worked out for the towns that agree to enter the agreement.

PLANNING BOARD – James Uebelhoer

- Mr. Uebelhoer said that filling the vacancy on the Planning Board with Tom Marshall would be a great help.
- The board will receive information soon regarding changes to solar and wind in the Zoning Law.
- The Comprehensive Plan review will begin in September.
- They are reviewing special use permits.

ZONING BOARD OF APPEALS – Terrance Daniel

- No Report

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

- No Report
- Judge Mileham has requested to attend training. Mr. Worth said that we should ask Corfu to split the bill since Ed is also a judge for the Village.

**COMMITTEE REPORTS**

**Councilwoman Manne** – Mrs. Manne is working on the DASNY grant paperwork for new bathrooms at the Town Park.

**Supervisor Worth** – Mr. Worth said the town received a letter from Genesee County regarding the water agreement and since there have been no changes the board agreed to table it.

**NEW BUSINESS**

1. 5 Year Plan – Councilman Dix and Councilwoman Manne will be on a committee to work on a 5-year plan.
2. LED Lighting Proposals – The board will look over the information sent from Larry Grouse of Lime Energy and make a decision.

**RESOLUTIONS**

**RESOLUTION # 41 of 2018** – New York State Association of Magistrates 2018 Annual Conference – Justice Mileham

**WHEREAS** Justice Edwin F. Mileham, Jr. is requesting permission to attend the New York State Association of Magistrates 2018 Annual Conference on September 23-25, 2018 in Niagara Falls, NY and monies for this Educational Conference are in the 2018 budget; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board grants permission to Justice Edwin F. Mileham, Jr, to attend the New York State Association of Magistrates 2018 Annual Conference on September 23-25, 2018 in Niagara Falls, NY.

**Motion:** Councilman Dix

**Second:** Councilman Clark

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

**Nays:** None

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

**RESOLUTION # 42 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 2018 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 # 15 of 2018.

**Motion:** Councilman Arnold

**Second:** Councilman Clark

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

**Nays:** None

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

**RESOLUTION # 43 of 2018 – Authorizing Assumption of Liability for Highway Work Permit Stamp Offsite Water Main Phase Four in the Town of Pembroke**

**WHEREAS**, The Town of Pembroke, being a co-applicant on a Highway Work Permit issued by the New York State Department of Transportation for the Genesee County Economic Development Center, STAMP Offsite Water Main Phase-4 Project on State Route 77 within the Towns of Alabama and Pembroke, and

**WHEREAS**, in lieu of a performance bond for the portion of the project located in the Town of Pembroke, the State of New York will only allow the water main installation if the Town of Pembroke agrees to assume full responsibility and liability and guarantees remediation of any damage caused directly or indirectly within the state right-of-way in accordance with its Undertaking with New York State; **NOW, THEREFORE, BE IT RESOLVED**

Section 1: That upon construction of the water main, the Town of Pembroke agrees to assume full responsibility and liability and guarantees remediation of any damage caused directly or indirectly within the state right-of-way in accordance with its Undertaking with New York State.

Section 2: That this resolution shall take effect immediately.

Section 3: That the Town Clerk is hereby directed to transmit two (2) certified copies of the foregoing resolution to:

New York State Department of Transportation  
1530 Jefferson Road  
Rochester, New York, 14623  
Attn: David Goehring, Regional Traffic Engineer.

**Motion:** Councilman Arnold  
**Second:** Supervisor Worth  
**Ayes:** Arnold, Manne, Dix, Clark, Worth  
**Nays:** None  
**APPROVED by: Unanimous vote (5-0)**

**RESOLUTION # 44 of 2018 – Order of Poligon Shelter from Parkitects**

**WHEREAS** in March 2018 the Town Board agreed to move forward with the estimate received for the new gazebo in the Town Park for an estimated cost of \$144,630.90 and

**WHEREAS** the order is complete and the final cost due to increase in price of concrete for the foundation piers is \$169,541.30, an increase of \$24,910.40 and

**WHEREAS** the DASNY grant will reimburse \$139,364.00 for the gazebo; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board agrees to send the purchase order and tax exempt for to Parkitects to complete the new gazebo in the Town Park for a cost not to exceed \$170,000.00.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 45 of 2018** – 2018 Assessor’s Annual Training School & Meeting

**WHEREAS** Deborah Conti has requested permission to attend the Assessors’ Annual Training School & Meeting on September 29 – October 3, 2018 in Binghamton, NY and money has been budgeted for said Conference; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Town Board hereby authorizes Deborah Conti to attend the Assessors’ Annual Training School & Meeting on September 29 – October 3, 2018 in Binghamton, NY; **AND, BE IT, FURTHER**

**RESOLVED** that expenses for the conference will be divided between the Towns of Pembroke, Darien and Bethany.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 46 of 2018** – Water Customer Agreement with Town of Batavia for 2592 Pratt Road

**WHEREAS** owners of property at 2592 Pratt Road have requested to the Town of Batavia to connect to the Batavia water line as an out of district user; and

**WHEREAS** the Town of Batavia and Monroe County Water Authority have approved this connection; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Town Board authorizes Town Supervisor Worth to sign the Water Customer Agreement with the Town of Batavia and the owners of 2592 Pratt Road allowing them to connect as an out of district user to the Batavia water line.

**Motion:** Councilman Arnold

**Second:** Supervisor Worth

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

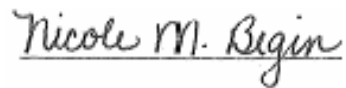
**Nays:** None

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

On **MOTION** of Councilman Arnold, seconded by Councilman Dix to adjourn the meeting at 8:47 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 JUNE 14, 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