

MINUTES of the **Public Hearing & Regular Meeting** of the Pembroke Town Board held on **October 11th, 2018** at the Pembroke Town Court, 1145 Main Road, Corfu, New York.

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

OTHERS PRESENT: Nicole M. Begin; Town Clerk; James Uebelhoer, Planning Board Chairman; Deborah Conti, Assessor; Stephen Stocking, Highway Superintendent; Erika Gabbey, Deputy Town Clerk.

Deborah Conti led the prayer and Supervisor Worth led the pledge of allegiance.

PUBLIC HEARING
LOCAL LAW #4 of 2018
A Local Law entitled
“A Local Law to Amend Local Law # 1 of 1991 Zoning Law Text & Map Change”

The Public Hearing was opened at 6:41 pm.

Town Clerk Begin read the Affidavit of Posting and James Uebelhoer gave a summary of the proposed changes recommended by the Planning Board. There was no public comment.

Everyone being heard that wished to be heard, a **MOTION** was made by Councilman Clark, seconded by Councilman Dix to close the public hearing at 7:46 P.M.
ALL AYES - MOTION CARRIED

Supervisor Worth called the meeting to order at 6:45 P.M.

PUBLIC PARTICIPATION ~ None

The Preliminary Budget was distributed to the Town Board for review on September 27th. The Town Board reviewed the Preliminary Budget page by page. The Board would like to hold the public hearing on October 25th and vote on November 8th. The board discussed possible repercussions to the budget if the County changes their sales tax agreement. They also talked about necessary building maintenance and equipment purchases in 2019.

APPROVAL OF MINUTES

On **MOTION** of Councilman Arnold, seconded by Councilman Clark, to approve the minutes of the meetings of September 13^h and September 27th, 2018.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti thanked the board for allowing her to attend the Assessor's Conference as it was very educational. She gave a summary of what she learned in class.

ZONING & CODES ENFORCEMENT – Charles Reid & Tom Schneider

- Monthly report submitted and filed. Tom Schneider was attending the County Planning Board this evening for the Zoning Change requests and Speedway.

HIGHWAY – Stephen Stocking

- Mr. Stocking explained that the town highway known as Houseknecht Road has not been opened or maintained for the past twenty-five (25) years and that it has been abandoned by the public and is no longer used as a public highway. He recommended that the Town of Pembroke abandon Houseknecht Road.
- The Town saved 7 cents per ton on salt for a total savings of \$21,000.00.
- Mr. Stocking had handicap parking spaces painted on the parking lot at the Court facility.
- The transmission on the old remaining tractor went in September while the highway department was mowing. Due to the age of the tractor, the repair will cost more than it is worth. We will need to replace it in 2019 and Mr. Stocking would like to put it out to bid. A new tractor will cost approximately \$55,000.00.
- Orders for 10-wheelers are now into 2020 so a 2019 can no longer be ordered. If we order a 2020 it would still be delivered in 2019. The new 10-wheeler will cost approximately \$225,000.00.
- The 2010 small stake truck will also need to be replaced for an approximate cost of \$74,000.00.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Mrs. Begin said that the office sold more hunting licenses this season than last year.

PLANNING BOARD – James Uebelhoer

- Mr. Uebelhoer said that Flying J has filed their building permit for their truck repair building.
- Speedway looks promising, the current property owner is working on their land separation and County Planning is hearing their project tonight.
- Tom Schneider is working on updating the Comprehensive Plan and the committee will hold the first meeting in November.

ZONING BOARD OF APPEALS – Terrance Daniel

- No report as there was no meeting in September.

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

- The September 2018 monthly reports were submitted. Fines and fees for September totaled \$48,067.00 and the NYS Comptroller will bill for their share.

COMMITTEE REPORTS

Councilman Dix – Mr. Dix is working on the 5 Year Plan with Councilwoman Manne and is waiting on some info from Superintendent Stocking before he has more to report.

Councilman Clark – Mr. Clark attended a County Ways and Means meeting and said that the situation regarding the Sales Tax Agreement with the Town’s does not look good.

Councilwoman Manne – Mrs. Manne said that new NYS Legislation mandating a Sexual Harassment Policy is in place. Our current Employee Handbook already has a section regarding Sexual Harassment, but Mrs. Manne will contact CPP to make sure we are compliant or if we need to add more information. The Town will also need to create a complaint form and hold annual training.

Supervisor Worth – Mr. Worth met with Laurie Finn from M&T Bank regarding investments. They suggest purchasing short term treasury bonds that would yield some interest.

A **MOTION** was made by Councilman Dix, seconded by Councilman Clark to allow Supervisor Worth and Deputy Supervisor Arnold to place some money into M&T Treasury Bonds for the purpose of yielding more interest.
ALL AYES - MOTION CARRIED.

Mr. Worth asked if the board could come up with some suggestions for an Eagle Scout project for a young man looking for a project.

OLD BUSINESS

1. Sewer Project Waste Water Expansion project – We are waiting for the award list from NYS for grant funding.
2. Dishwasher @ Community Center – Still needs to be removed from the Community Center kitchen.
3. Project Reports (Gazebo / Dug outs) park grant – The Gazebo is going to be delivered next week and hopefully will be installed shortly after that.
4. Truck garage building – Nothing new to report.

NEW BUSINESS

1. Water Districts 4 in 2019 – Petitioners are still needed to pass petitions for interest level. Without it we will not be able to apply for loans or grants if available through the USDA.
2. 5 Year Plan – Councilman Dix and Councilwoman Manne are working on the plan.
3. Comprehensive Plan Review – Tom Schneider and Jim Uebelhoer will hold the first committee meeting in November.

RESOLUTIONS

RESOLUTION # 56 of 2018 – Abandonment of a Houseknecht Road

WHEREAS the Highway Superintendent certifies that town highway known as Houseknecht Road has not been opened or maintained by the Town of Pembroke for the past twenty-five (25) years; **AND**

WHEREAS it has been abandoned by the public, and is no longer used as a public highway;
NOW, THEREFORE BE IT

RESOLVED, that the Town Board formally abandons the town highway known as Houseknecht Road and that the Town Supervisor is authorized to sign any and all Quit Claim deeds to satisfy title requirements in connection to the Houseknecht Road abandonment; **AND, BE IT, FURTHER**

RESOLVED the signed Certificate of Abandonment by the Town Board and the Highway Superintendent be attached herein.

Motion: Councilman Clark

Second: Councilman Dix

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 57 of 2018 – Authorization to sign legal documents for paper roads

WHEREAS the Pembroke Town Board formally abandoned all paper roads in December of 2011; **NOW, THEREFORE BE IT**

RESOLVED that the Pembroke Town Board authorizes the Town Supervisor to execute all documents necessary, including Quit Claim deeds to satisfy title requirements in the areas adjoining the previously abandoned “paper roads”.

Motion: Councilman Arnold

Second: Councilman Clark

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 58 of 2018 – AMENDED and RESTATED 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; and

WHEREAS the Town of Batavia issued an Amended and Restated Water Customer Agreement to correct verbiage in the original agreement; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board authorizes Town Supervisor Worth to sign the Amended and Restated 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 Dix

Second: Councilman Arnold

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 59 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 # 19 of 2018.

Motion: Councilman Clark

Second: Councilman Arnold

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

A **MOTION** was made by Councilman Dix, seconded by Councilman Arnold to enter into Executive Session to discuss a personnel matter at 8:31 P.M.
ALL AYES - MOTION CARRIED.

On **MOTION** of Councilman Arnold, seconded by Councilman Dix to exit from Executive Session at 9:00 P.M.
ALL AYES - MOTION CARRIED.

No decisions were made in Executive Session

On **MOTION** of Councilman Dix, seconded by Councilman Arnold to adjourn the meeting at 9:00 P.M.
ALL AYES – MOTION CARRIED.

Respectfully submitted,

Nicole M. Begin

Nicole M. Begin, Town Clerk