

**MINUTES** of the **Public Hearing & Regular Meeting** of the Pembroke Town Board held on **November 8<sup>th</sup>, 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; Tom Schneider, Zoning Dept.

Supervisor Worth led the prayer and the pledge of allegiance.  
Supervisor Worth called the meeting to order at 6:34 P.M.

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**PUBLIC HEARING  
2019 TOWN BUDGET**

The **Public Hearing** for the 2019 Preliminary Budget was called to order at 6:34 P.M. Town Clerk Nicole Begin read the Notice of Public Hearing that was printed in the Daily News and reported that the Affidavit of Posting was posted on the Town's bulletin board.

Supervisor Worth said the budget has been available for public inspection and that the board was able to maintain a 0% tax rate for 2019.

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 8:05 P.M. **ALL AYES - MOTION CARRIED**

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**PUBLIC PARTICIPATION**

Brick House Corners Fair – Members of the Brick House Corners Fair committee questioned the board about the 2019 Fair and whether they were going to be able to have the fair at the Town Hall. Supervisor Worth explained that the board is good with the fair being held at the Town Hall but that the truck bays would not be a space that would be accessible due to the nature of the space and advisement of the Town legal and insurance providers.

Indian Falls Road – Residents of Indian Falls Road spoke to the board about their concerns of zoning changes if certain entities were seeking location on Indian Falls Road. The board said that they could not make decisions on zoning changes until the point in time that someone wanted to make a zoning change for their purposes because there is a process that needs to be followed allowing all parties to be heard. Making the board know what their feelings are about it was a helpful step in any future process. They were informed to watch public notices and call the town hall for information.

## **APPROVAL OF MINUTES**

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

ALL AYES - MOTION CARRIED.

## **DEPARTMENT REPORTS**

### ASSESSOR – Deborah Conti

- Mrs. Conti said the Senior STAR program is making some changes beginning in January 2019. It will be based on filings in the Assessor's office.

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

- Mr. Schneider said that Speedway reduced their signage based on ZBA recommendations and have been working on the land separation with the property owner. There is a new business possibility in town and Mr. Schneider referred them to the GCEDC for information.

### HIGHWAY – Stephen Stocking

- Mr. Stocking said the plow trucks are ready to go. The highway crew is currently working on trimming trees. The cold storage building needs a new roof. Chittenden and Dylag Roofing inspected and said it needs to be replaced. The church in East Pembroke made their parking lot bigger after being made aware of graves in the cemetery adjoining the property. The board will once again have a conversation with them and if the issue is not resolved a fence will need to be erected. Mr. Arnold will make the call.

### TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Mrs. Begin said that she would like to put together a one-page information letter to send with tax bills in January. She asked for the board to write something up.

### PLANNING BOARD – James Uebelhoer

- Mr. Uebelhoer said that the Planning Board met with Speedway and with ZBA Chairman Terry Daniel. The Planning Board will be changing their December meeting because of the Christmas holiday.

### ZONING BOARD OF APPEALS – Terrance Daniel

- No report.

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

- The October 2018 monthly reports were submitted. Fines and fees for October totaled \$42,688.00 and the NYS Comptroller will bill for their share.

## **COMMITTEE REPORTS**

**Councilman Dix** – Mr. Dix said he has received calls about the flag at the North Pembroke Cemetery. Town Clerk Begin will contact the caretaker to remove it. Mr. Dix is looking at repairing the screens at the Community Center as they are in disrepair.

**Councilwoman Manne** – Mrs. Manne researched the Employer Compensation Expense Program. The Employer Compensation Expense Program (ECEP) implemented by NYS establishes a new optional Employer Compensation Expense Tax (ECET) that employers can elect to pay if they have employees that earn over \$40,000 annually in wages and compensation in New York State. Mrs. Manne said she does not recommend it. The board discussed and decided not to elect to do this.

**Supervisor Worth** – Mr. Worth said the Treasury Bonds have been purchased and he thinks it will be a great benefit for the town.

## **OLD BUSINESS**

1. Sewer Project Waste Water Expansion project – The project is being worked on.
2. Dish washer – It needs to be repaired in order to work. It has been disconnected and will be removed.
3. Project Reports (Gazebo / Dug outs) park grant – McCabe Enterprises will prewire the gazebo
4. Truck garage building – No report.

## **NEW BUSINESS**

1. Water District 4 in 2019 – Surveys have gone out to residents. Another information meeting will be held in early 2019.
2. 5 Year Plan – Being worked on by Councilman Dix and Councilwoman Manne.
3. Comprehensive Plan Review – First meeting planned for December 5<sup>th</sup>.

## **RESOLUTIONS**

**RESOLUTION # 65 of 2018** – 2019 Approval of Official Undertaking/Performance Bond

**WHEREAS**, the Town is required by law to bond the Tax Collector for the control of tax dollars received and to file the bond on the Tax Collector with the County Clerk prior to tax rolls and bills being picked up; **AND**

**WHEREAS** that the Tax Collector shall have no more than \$500,000.00 in her control at any time; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Tax Collector shall be bonded by the Town in the amount of \$500,000.00; and **BE IT FURTHER**

**RESOLVED** that the Town Board of the Town of Pembroke does hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon and that said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into her/his hands as such collector.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 66 of 2018 – Adoption of Local Law No. 4 of the Year 2018**

**WHEREAS** a public hearing was held by the Pembroke Town Board at a regular meeting on October 11<sup>th</sup> 2018 at the Pembroke Town Hall, 1145 Main Road in said Town at 6:30 P.M. pursuant to a Notice of Public Hearing, published in The Daily News on October 1<sup>st</sup> 2018, and posted on the sign board at the Pembroke Town Hall, A Local Law to Amend Local Law No. 1 of 1991, Zoning Law Text and Map changes of the Town of Pembroke; and

**WHEREAS** the members of the Town Board have had said Local Law No. 4 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, as lead agency for SEQR, finds that any environmental effects regarding the proposed text and map changes in the zoning law will not be significant; 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 Law; **NOW, THEREFORE, BE IT**

**RESOLVED** that as a determination of non-significance, and in compliance with the requirements of SEQRA, the Town Board of the Town of Pembroke, as Lead Agency for the purposes of this law, hereby issues a Negative Declaration and directs that the Negative Declaration be filed and made available in accordance with the requirement of SEQRA, and **BE IT FURTHER**

**RESOLVED**, that the Town Board of the Town of Pembroke hereby adopts said Local Law as Local Law No. 4 of 2018, a true copy of which is attached hereto and made a part of this Resolution, and **BE IT FURTHER**

**RESOLVED**, that the Town Clerk be, and she hereby is directed to enter this Resolution and said Local Law in the minutes of this meeting, enter said Local Law No. 4 of 2018 in the Local Law Records Book of the Town of Pembroke, and send a certified copy thereof with due notice of adoption to the New York Secretary of State for filing at the New York Department of State.

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

**Motion:** Councilman Dix

**Second:** Councilman Arnold

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

**Nays:** None

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

**RESOLUTION # 67 of 2018 – 2019 Budget Approval**

**WHEREAS** the 2019 Town of Pembroke Preliminary Budget was presented at a Public Hearing on Thursday, November 8<sup>th</sup>, 2018 and

**WHEREAS** as a result of the public hearing, there were no changes or amendments made to the Preliminary Budget except those approved by the Town Board prior to the Public Hearing,  
**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board approves the 2019 Budget as presented at the Public Hearing.

**Motion:** Councilwoman Manne

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 68 of 2018 – Purchase of truck chassis & hoist body**

**WHEREAS** the Town Board of the Town of Pembroke authorized Highway Superintendent Stephen Stocking to order a new truck chassis and hoist body off State contract to replace the 2004 truck, the oldest truck in the Town's fleet; and

**WHEREAS** the purchase price for a complete package is not to exceed \$250,000.00; **NOW, THEREFORE BE IT**

**RESOLVED**, that the Town Board authorizes Highway Superintendent Stephen Stocking to order from State contract one (1) 2020 Mack 10-Wheeler truck chassis and hoist body which will be paid for and delivered in 2019.

**Motion:** Councilman Dix

**Second:** Councilwoman Manne

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

**Nays:** None

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

**RESOLUTION # 69 of 2018 – Purchase of new tractor 2019**

**WHEREAS** the transmission went in the 1999 Ford TL70 Tractor that is used for mowing roadsides; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board authorizes Highway Superintendent Stephen Stocking to order a 20\_\_\_\_ John Deere Tractor off state contract for a total cost not to exceed \$60,000.00 and **BE IT FURTHER**

**RESOLVED** that the purchase will be made through LandPro Equipment in Oakfield, NY and will be paid for and delivered in 2019.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 70 of 2018 – Clean Energy Code Enforcement Training**

**WHEREAS** Thomas Schneider has requested permission to attend Clean Energy Communities Code Enforcement Training on November 28, 2018 in Victor, NY and is free to attend; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Town Board hereby authorizes Thomas Schneider to attend Clean Energy Communities Code Enforcement Training on November 28, 2018 in Victor, NY.

**Motion:** Councilman Arnold

**Second:** Councilman Clark

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

**Nays:** None

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

**RESOLUTION # 71 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 # 21 of 2018.

**Motion:** Councilwoman Manne

**Second:** Councilman Dix

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

**Nays:** None

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

**RESOLUTION # 72 of 2018 – Increase in authorized cost of shelter at park**

**WHEREAS** in August 2018 the Town Board agreed to move forward with the estimate received for the new gazebo in the Town Park for an estimated cost not to exceed \$170,000.00 and

**WHEREAS** due to the added expense of concrete and electrical work and increase in cost will exceed \$170,000.00; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board agrees to increase the authorized cost of the shelter at park not to exceed \$210,000.00.

**Motion:** Councilman Arnold

**Second:** Councilman Dix

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

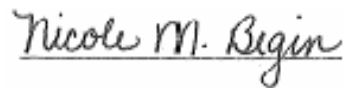
**Nays:** None

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

On **MOTION** of Councilman Dix, seconded by Councilman Arnold to adjourn the meeting at 8:17 P.M.

ALL AYES – MOTION CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk