

MINUTES of the **Public Hearing & Regular Meeting** of the Pembroke Town Board held on **February 14th, 2019** 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.; James Uebelhoer, Planning Board Chairman; Several residents from Indian Falls Road.

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 6:30 P.M.

PUBLIC HEARING
LOCAL LAW #1 OF 2019
A Local Law to Amend Local Law # 1 of 1991
Revocation of Special Use Permits

The Public Hearing was opened at 6:30 pm.

Town Clerk Begin read the Affidavit of posting. James Uebelhoer gave a summary of the proposed law and the reason it is necessary.

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 6:57 P.M.

ALL AYES - MOTION CARRIED

PUBLIC PARTICIPATION ~ None

APPROVAL OF MINUTES

On **MOTION** of Councilwoman Manne, seconded by Councilman Clark, to approve the minutes of the meetings of January 10th and January 24th, 2019.

ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti said that she has received 2020 census information and will be working on the census as it moves along.

ZONING & CODES ENFORCEMENT – Charles Reid & Tom Schneider

- Monthly report submitted and filed.
- There is a property in the hamlet of Pembroke that the town may need to take legal action on for zoning non-compliance. The owner and the tenant have been notified several times about the issue and nothing has been done.
- A draft copy of the new Comprehensive Plan was given to Councilmen Arnold and Clark. A meeting is scheduled for March 6th to the potential committee members.
- Speedway is working on finalizing their SEQR.

HIGHWAY – Stephen Stocking

- No Report.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Tax Collection is going smoothly, payments have been coming in steadily.

PLANNING BOARD – Thomas Schneider

- No Report.

ZONING BOARD OF APPEALS – Terrance Daniel

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

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

- The January 2019 monthly reports are submitted. Fines and fees totaled \$30,432.00. The NYS Comptroller will bill for their share.

COMMITTEE REPORTS

Councilwoman Manne – Mrs. Manne reported that she completed the 2018 Court Audit. The Court finances are in fantastic shape. A resolution will be sent to NYS for verification that the audit was done.

Mrs. Manne and Councilman Arnold met with a couple health insurance vendors. Rates have gone down slightly for most insurance companies. Most vendors are recommending Univera. The board will decide at the next workshop meeting and meet with the employees to go over it.

Supervisor Worth – The floor has been waxed at the Pembroke Community Center and in the office areas. The roof leak is being looked at again tomorrow. The bathrooms will be painted in the Community Center. All the work is being done by the inmates.

The part time clerk/typist position to enable us to have help at court has been approved by the county.

The DASNY grant payout was approved after Mr. Schneider sent additional information that they requested.

The PYA will be working with the Town to do some small projects at the Town Park. They will meet soon.

Water District No. 4 is on hold until ECWA and the NYS DOT are finished working on the roundabout plans.

Mr. Worth will be meeting with GCEDC, engineers and some business on Route 77 regarding the sewer expansion.

Mr. Worth said the reserves are coming due at Five Star. The board was good with Mr. Worth pulling the funds and reinvesting it at M&T Bank.

Councilman Dix – Mr. Dix has not heard of any complaints regarding town cemeteries.

RESOLUTIONS

RESOLUTION # 7 of 2019 – Part-Time Clerk Typist to assist Court Clerk

WHEREAS the Court needs extra help with clerical duties; **NOW, THEREFORE, BE IT**

RESOLVED the Pembroke Town Board will hire Amy Smith to help out at the Town Court Office part-time at a pay rate of \$16.75 per hour.

Motion: Councilman Arnold

Second: Councilman Clark

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 8 of 2019 – Acknowledgment of Uniform Justice Court Act Audit

WHEREAS the New York State Unified Court System announced the Action Plan for the Justice Courts to improve accountability and controls over the Justice Court finances and records; and

WHEREAS Section 2019-a of the Uniform Justice Court Act requires that town justices annually provide their court records and dockets to their respective town boards to be examined or audited; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board confirms that an audit was complete for calendar year ending 2018 for the Town of Pembroke Justice Court.

Motion: Councilman Arnold

Second: Councilman Dix

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 9 of 2019 – Adoption of Local Law No. 1 of the Year 2019 – A Local Law to amend Local Law No. 1 of 1991 - Revocation of Special Use Permits

WHEREAS a Public Hearing was held by the Pembroke Town Board at a regular meeting on February 14th at the Pembroke Town Hall, 1145 Main Road at 6:30 P.M. pursuant to a Notice of Public Hearing, published in The Daily News on April 3rd, 2018, and posted on the sign board at the Pembroke Town Hall, on a proposed Local Law entitled, A Local Law to amend Local Law No. 1 of 1991 – Revocation of Special Use Permits; and

WHEREAS the members of the Town Board have had said Local Law No. 1 of the Year 2019 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 Local Law; **NOW, THEREFORE, BE IT**

RESOLVED:

LOCAL LAW NO. 1 OF THE YEAR 2019
OF THE
TOWN OF PEMBROKE

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 2016, Local Law No. 1 of 2017, Local Law No. 1 of 2018, Local Law No. 4 of 2018 and is hereby further amended by Local Law No. 1 of 2019 as follows:

Town of Pembroke - Zoning Text Changes

SECTION 708 D. 9. *New Language***9. Revocation of Special Use Permit**

Revocation of a Special Use Permit may occur if its recipient fails to abide by its terms and conditions. The revocation procedure is as follows:

- a. The Zoning Officer(s) shall notify the recipient, in writing, of any violations of Town codes or provisions of the Special Use Permit.
- b. The recipient shall have thirty (30) days to correct all deficiencies to the satisfaction of the Zoning Officer(s).
- c. If after thirty (30) days any deficiencies remain, the Zoning Officer(s) will then make a recommendation to the Planning Board for revocation of the Special Use Permit. If conditions warrant, additional time for compliance may be granted by the Planning Board.
- d. The Planning Board, after holding a Public Hearing, is authorized to revoke a Special Use Permit by majority vote if compliance cannot be obtained.

This local law shall become effective upon the filing with the New York State Department of State.

Motion: Councilman Clark

Second: Councilman Dix

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 10 of 2019 – NYS Town Clerks Conference Attendance

WHEREAS Town Clerk Nicole M. Begin, is requesting permission to attend the New York State Town Clerks Conference May 5th to May 8th, 2019 in Syracuse, NY; and

WHEREAS monies for this Educational Conference are in the 2019 budget; **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board grants permission to Nicole M. Begin, Town Clerk, to attend the above-mentioned Educational Conference.

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

RESOLUTION # 11 of 2019 – 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 2019 working budgets, and create no additional cost to the Town of Pembroke; **NOW, THEREFORE BE IT**

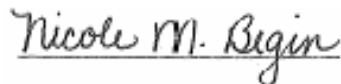
RESOLVED, That the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within Abstract # 3 of 2019.

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

On **MOTION** of Councilman Arnold, seconded by Councilman Clark to adjourn the meeting at 6:58 P.M.

ALL AYES – MOTION CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk