

MINUTES of the **second Regular Meeting** of the month of the Pembroke Town Board held on **September 26th, 2019** at the Pembroke Town Hall, 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; Stephen Stocking, Highway Superintendent; Tom Schneider, Zoning Department; James Uebelhoer, Planning Board Chairman; Gordon Dibble, Genesee County Legislator.

Supervisor Worth called the meeting was called to order at 6:30 P.M.

PUBLIC PARTICIPATION – County Legislator Gordon Dibble attended the meeting to convey some information that has been going on at the County level and to see how things are going in the town.

He informed the board that the water line on Route 77 will go out to bid again as the first bids came in over budget due to the thruway bridge cost.

The County did a study and formed a jail committee to look into jail size. They also went to look at a few new jails throughout New York. They are getting to a point where they will need to make a decision.

Supervisor Worth explained the issue Pembroke and some other towns have with the wording in the County plow and mowing agreement and the time in which payments are received. Mr. Worth said the wording should be adjusted to accommodate severe winters. Mr. Dibble will look into it.

Supervisor Worth said that an issue about Court Clerks and workloads came up at the GAM meeting. He said that Pembroke is having an issue with adding another part time clerk to the court because of civil service. Mr. Dibble will look into this as well.

The board discussed the information that was received from the county regarding sales tax sharing and Mr. Worth explained the hold up on the sewer expansion.

Councilwoman Manne and Councilman Dix gave an overview of the information they sent for the five-year plan. The board will review in detail at a later date.

Mr. Uebelhoer asked if the board could start to look into a replacement for Tom in the Zoning Department for January 1st.

RESOLUTIONS**RESOLUTION #57 of 2019 – Justice Court Assistance Program (JCAP)**

WHEREAS the New York State Office of Court Administration is offering the Justice Grant Assistance Program in 2019; and

WHEREAS the Town of Pembroke Justices have requested permission to apply to the program for various office supplies and items related to the safe and efficient operation of the Town of Pembroke Court; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board authorizes the Pembroke Town Court to apply for a Justice Court Assistance Program (JCAP) grant in the 2019-20 grant cycle for up to \$30,000.00.

Motion: Councilman Arnold

Second: Councilwoman Manne

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION #58 of 2019 - Resolution of the Town of Pembroke (the “Town”) consenting to the use of certain Payments In Lieu Of Taxes (PILOT) by the Genesee County Industrial Development Agency D/B/A Genesee County Economic Development Center for the Town of Pembroke and Village of Corfu Sewer Infrastructure Project (defined below) and authorizing the Town Supervisor of the Town to execute and deliver any agreements in furtherance of same.

WHEREAS, Yancey’s Fancy, Inc. (the “Company”) submitted an application to the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the “Agency”) requesting the Agency's assistance with respect to a certain project consisting of: (A) the acquisition by the Agency of title to or a leasehold interest in a parcel or parcels of land located on Main Road, Town of Pembroke, Genesee County, New York (the “Land”); (B) the construction and equipping by the Company, as agent for the Agency, on the Land of an expansion to an existing facility utilized by the Company for the manufacture, packaging and distribution of cheese products (the “Improvements”) and (C) the acquisition of and installation in and around the Improvements by the Company, as agent of the Agency, of certain items of equipment and other tangible personal property (the “Equipment”; and, collectively with the Land and the Improvements, the “Facility”); and

WHEREAS, in connection with the Application and in furtherance of the Project’s positive financial impact within the Town of Pembroke (the “Town”) and the County of Genesee, New York (the “County”), the Company desires for the Town and the Village of Corfu, New York the (“Village”) to improve the existing sewer infrastructure servicing the Facility and other Town and Village properties through an expansion to the existing, or the construction of an additional, wastewater treatment plant, located at the Town and Village’s existing wastewater treatment plant, with associated improvements to Murder Creek for wastewater discharge (the “Town of Pembroke and Village of Corfu Sewer Infrastructure Project”); and

WHEREAS, the Company has requested the Agency’s support in establishing a PILOT Increment Financing (“PIF”) structure whereby the Agency, in accordance with General Municipal Law Section 858(15) and with the consent of the Town, the County and the School District (collectively, the “Affected Taxing Jurisdictions”), would receive from the Company, during the term of the that certain Payment in lieu of Tax Agreement by and between the Agency and the Company, dated March 1, 2014 (the “PILOT”) all amounts due and payable under the PILOT to pay the costs of planning, designing, constructing and equipping the Town of Pembroke and Village of Corfu Sewer Infrastructure Project; and

WHEREAS, after considering the positive impact of the Town of Pembroke and Village of Corfu Sewer Infrastructure Project on the Affected Tax Jurisdictions, including the expansion of needed sewer infrastructure within the Town and the Village, the Town desires to consent to the above described use of the PILOT payments pursuant to and in accordance with General Municipal Law Section 858(15); **NOW, THEREFORE, BE IT**

RESOLVED BY THE TOWN AS FOLLOWS:

Section 1. The Town hereby authorizes the Agency to retain all amounts payable under the PILOT for purposes of paying the costs expended on the Town of Pembroke and Village of Corfu Sewer Infrastructure Project. The Town hereby waives its right to receive any amounts due and payable under the PILOT.

Section 2. The Town Supervisor of the Town is hereby authorized to execute and deliver any and all agreements necessary or related to the foregoing.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION # 59 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 # 18 of 2019.

Motion: Councilman Dix

Second: Councilman Clark

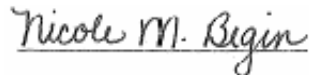
Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

On **MOTION** of Councilman Dix seconded by Councilman Clark to adjourn the meeting at 8:26 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 SEPTEMBER 26, 2019 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.