

MINUTES of the Regular Meeting and Year End Meeting of the Pembroke Town Board held on December 30, 2008 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
Edward G. Arnold, Jr., Councilman
Gary L. DeWind, Councilman
E. James Mallory, Councilman
Peter Sformo, Councilman

OTHERS PRESENT: Andrea Davis, Town Clerk; Deborah Conti, Assessor; Richard Kutter, Planning Bd. Chair.; Greg Martin, Zoning & Code Enforcement Officer; Tom Schneider, ZBA Chair.; Todd Skeet, Village Mayor; Al Graham; and Edward Beideck.

The meeting was called to order at 7:00 P.M.

Deborah Conti gave the invocation.
Supervisor Tuttle led the Pledge to the Flag.

DEPARTMENT REPORTS

ASSESSOR

Mrs. Conti reported on the status of the Exemption applications; applications are due by March 1st. Until then the Assessor's office will be covered daily from 8:30 A.M. to 4:00 P.M.

ZONING & CODES ENFORCEMENT

The November Report has been submitted and filed; the month's projects and activity were reviewed. Councilman Arnold asked if it would be possible to have the names of the residents issued C of O's included in the next report. This will be done.

Mr. Martin has been working with Dawn Kuras regarding the program of Rural Opportunities for low income residents. They are developing a power point program and hope to have an open assembly, possibly late January or February.

HIGHWAY

- The crews have been out with the chipper.

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TOWN CLERK

- The Town Clerk's November monthly report submitted and filed.

- The tax bills have been sent out; The Town Clerk will be in the office December 31st and January 2nd to receive taxes.

PLANNING BOARD

There was no November meeting or December meeting.

ZONING BOARD OF APPEALS

There was no November meeting or December meeting.

JUSTICES

The Justices' reports for November have been submitted and filed.

SUPERVISOR

- The Supervisor's November report has been submitted and filed.
- Supervisor Tuttle has started to do a record of expenditures. This will show what has been used, unencumbered balances, etc. This will assist us on a monthly basis to show the status of the budget.
- Headway is being made on the consolidation of some of the bank accounts.

On **MOTION** of Councilman Arnold, seconded by Supervisor Tuttle, to approve the Minutes of the October 29th Public Hearing, the November 12th Regular Meeting; the November 12th Special Budget Workshop; and the November 26th Workshop.

Councilman Sformo stated that the vote for Resolution #67 at the Regular Meeting was in error. Town Clerk Davis said that the correction has already been made. It was also mentioned that all the transfers should be included.

ALL AYES – MOTION CARRIED.

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COMMITTEE REPORTS

Audit, Finance, Insurance, Investment, & Purchasing – Councilman Arnold

There was no report.

Building & Ground – Councilman Mallory

In the truckbay at the Fire Hall the backflow preventor leaks. It was checked about a month ago but is leaking again.

There is also a leak in the roof; Chittenden and Dylag will be contacted.

The wainscoting on the north wall in the Community Center should be looked at as it is getting scuffed up.

Highway/Assessment/Court – Councilman Mallory

There was no report.

Planning, Zoning, Code Enforcement – Councilman Arnold

There was no report.

Public Services, Water, Sewer, Refuse/Recycling – Councilman De Wind

Letters have been sent to the residents on Phelps Road; we are still waiting for responses.

Youth Recreation – Councilman Sformo

There was no report.

Human Resources/Benefits – Councilman De Wind

Have heard nothing regarding any changes in the benefits.

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Parks/Land Acquisition – Councilman Arnold

Councilman Arnold reported that he spoke with Mr. Kohl regarding the electrical; he would still like to get some more bids and information.

Intermunicipal, Economic & Community Development - Supervisor Tuttle

There was no report.

Councilman Mallory left the meeting at 7:35 P.M.

OLD BUSINESS

EDC Grant – There has been discussion on the left turning lane and the monies to get it done as well as monies toward the infrastructure. Councilman Arnold said that he would like to have Steve Hyde, especially to tell us how it would affect us if we did nothing. Supervisor Tuttle will contact him.

The ADT Alarm contract for the Court has been signed and returned.

Closeout for the grants – The required signage has been received and photos taken and submitted. Info has been finalized to be sent to NYS Parks.

There has been nothing more on the police substation at the Community Center.

Ambulance Study – The Town has been approached by the fire companies to study the needs and impact; a request has been made for the Town to request a Certificate of Need but, this can be quite costly. Ed Beideck asked about getting the County involved and Supervisor Tuttle said that they wanted nothing to do with the matter, nor does the Town of Alabama. Supervisor Hinkson wants to wait to see what the City does. Darien is open to the idea as well as all three (3) fire districts. The Board was agreeable to putting together a small committee to pursue the matter.

NEW BUSINESS

There was discussion on the temporary ice rink that the Village would like to construct for the Community Winter Fest. Supervisor Tuttle expressed concern about liability due to an injury or damage. Councilman Sformo provided a copy of a Village Insurance certificate.

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The Village is also requesting use of the voting machine for their March Village election. Supervisor Tuttle said that they will need to contact John Wolf to set the machine up.

PUBLIC PARTICIPATION

Mayor Skeet and Mr. Graham were present to discuss a letter the Village received from the Town inquiring about the Village's desire to continue with an intermunicipal agreement. Mr. Graham assured the Board that the Village definitely wants to continue working with the Town. He suggested that a Committee be set up to work on concerns of the Town and the Village. The Board agreed that this would be a good idea. Mayor Skeet suggested a meeting every 2 or 3 months to discuss matters and concerns; we should try to do as much as we can in-house rather than hiring outside vendors.

Councilman De Wind asked about what CSX has said to the Village regarding the underpass on Route 77. Mayor Skeet said that CSX said that they have no money for repairs and the State DOT said that it is not their problem. The Village was informed that, apparently, in 1946 the Village took full ownership of the viaduct. This is being looked into.

RESOLUTIONS

On **MOTION** of Councilman De Wind, seconded by Councilman Sformo, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.

ALL AYES - MOTION CARRIED

RESOLUTION #71 of 2008 – Highway Equipment Standardization - Trucks

WHEREAS, the highway Department of the Town of Pembroke, Genesee County, New York, presently owns five trucks all manufactured by the Mack Truck, Inc. and has on hand a supply of spare parts therefore, and

WHEREAS, to purchase a different model or make of truck would be inefficient and uneconomical since alternate and additional supplies of spare parts would have to be purchased which would not be interchangeable with the ones already on hand; and

WHEREAS, for other reasons such as handling and operation of the equipment and attaching snowplows and other implements, it is determined by this Board desirable to purchase an additional truck of the same make as the ones presently owned by the town;

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Now **THEREFORE, BE IT RESOLVED**, that for reasons of efficiency and economy and pursuant to the authority conferred by Subdivision 5 of Section 103 of the General Municipal Law, it is determined by this Board that there is a need for standardization in the purchase of trucks for the Town Highway Department; and

BE IT FURTHER RESOLVED that the Superintendent of Highways be and he hereby is authorized to contract for the purchase of a truck of the same model as the ones presently owned by the Town Highway Department with the lowest responsible bidder after advertisement for sealed bids and public bidding in the manner provided by Section 103 of the General Municipal Law.

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES - MOTION CARRIED

RESOLUTION #72 of 2008 – Highway Equipment Standardization – Body & Plow

WHEREAS, the highway Department of the Town of Pembroke, Genesee County, New York, presently owns five trucks all equipped with Everest body and plow equipment, American Sno Plow plows and wings, and Force American hydraulics and has on hand a supply of spare parts therefore, and

WHEREAS, to purchase a different model or make of body and plow equipment would be inefficient and uneconomical since alternate and additional supplies of spare parts would have to be purchased which would not be interchangeable with the ones already on hand; and

WHEREAS, for other reasons such as handling and operation of the equipment and attaching snowplows and other implements, it is determined by this Board desirable to purchase all additional body and plow equipment of the same make as the ones presently owned by the town;

Now **THEREFORE, BE IT RESOLVED**, that for reasons of efficiency and economy and pursuant to the authority conferred by Subdivision 5 of Section 103 of the General Municipal Law, it is determined by this Board that there is a need for standardization in the purchase of body and plows for the Town Highway Department; and

BE IT FURTHER RESOLVED that the Superintendent of Highways be and he hereby is authorized to contract for the purchase of a body and plow equipment of the same model as the ones presently owned by the Town Highway Department with the lowest

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responsible bidder after advertisement for sealed bids and public bidding in the manner provided by Section 103 of the General Municipal Law.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES - MOTION CARRIED

RESOLUTION #73 of 2008 – Organizational Meeting

WHEREAS the Town Board needs to have an Organizational Meeting for 2009, the Town Board has selected January 6, 2009 at 6:00 P.M. as the Special Meeting date to organize and conduct any business of the Town that is appropriate at that time.

On **MOTION** of Councilman Arnold, seconded by Supervisor Tuttle, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES - MOTION CARRIED

RESOLUTION #74 of 2008- Abstracts #12 and #13 of 2008

RESOLVED, that the Supervisor be authorized to pay all claims of Abstracts #12 and #13 General and Highway:

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, to adjourn the meeting at 8:25 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

Andrea M. Davis, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF DECEMBER 30, 2008 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.