MINUTES of the Pembroke Town Board Workshop held on February 25, 2009 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: Steve Hyde & Chad Zambito, GCEDC; Andrew Houghton; Dean Hendershot; and Michael Lewis.

Supervisor Tuttle called the meeting to order at 7:34 A.M.

Supervisor Tuttle introduced Mr. Houghton and Mr. Hendershot, the new Court Security Officers, to the Board.

Michael Lewis asked to speak to the Board regarding this position. He gave a brief summary of his residency and work record. He also stated that he has worked as a Town Constable for two (2) years and asked that he be considered for the Court Security Officer position.

Councilman Arnold stated that no Constable appointments have been made yet.

Councilman Sformo asked if Mr. Lewis was certified to carry a weapon; he replied that he was.

The Board expressed their appreciation for Mr. Lewis coming in to speak with them.

Chad Zambito and Mr. Hyde arrived at 7:59 a.m.

Mr. Zambito was present to address any miscommunications that may have arisen

at the Public Hearing regarding the grant monies. Some of the matters that were cleared up were:

- Use(s) of the$400,000.
- A turning lane and the monies for the turning lane if one is needed.
- Availability of Darien Lake monies that come into the Town. (That money is earmarked for the west end of the county).

Mr. Zambito left at 8:06 a.m.

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Mr. Hyde provided the Board Members a copy of, and reviewed, an analysis sheet for the Commerce Park development.

The grant resolution, proposed Local Law #1 of 2009 was reviewed.

Councilman De Wind expressed concern about the drainage from the Town Park into the ditch. Mr. Hyde said that he might be able to use some of the $150,000 for that.

Councilman Arnold remarked that he thought the resolution that we passed stated that the $400,000 would be going to the property on the northwest corner. He also asked if we found out what we did last time, and Supervisor Tuttle said that a copy of the Local Law with stipulations we did in 2006 was sent to Mark Boylan to assist in the writing of this Local Law.

Councilman Sformo asked what happens if we give the $400,000 and nothing happens with the project; do they just sit on the money? Mr. Hyde said that this year they are going to spend approx. $150,000 of it. The next project will probably trigger the turning lane issue.

Councilman Arnold reported that he and Councilman Sformo were asked to a Village of Corfu meeting. O'Connell & Assoc. were also in attendance. One of the things that they looked at was what they could do with the sewer project. A meeting is being scheduled for April 6th to talk to the Town and Village, Clark

Patterson, GCEDC, and the school to discuss this matter. Supervisor Tuttle said that Tom Carpenter contacted him and said that this is something the Town started in 2007 and the extent of the project was from the Thruway to the Village. It was a contingency plan if one of the parks goes thru.

Mr. Hyde left at 8:52 a.m.

Water District #4 – O'Connell resubmitted the paperwork to Small Cities. They are a little more optimistic about receiving some monies.

Supervisor Tuttle gave each Board Member the information that was provided by Dave Georger regarding insurance.

Records Room Grant – Supervisor Tuttle provide an update regarding this grant. The grant paperwork has been submitted to the State. This is a non-contributory type grant (we do not put any money in). Basically what we plan to do is expand the records room to include the existing back room. The room is somewhat fireproof; the one door that goes down to the truck bay would be enclosed and shelving installed; and the interior door would be replaced with a fireproof door.
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Computer Backup – We have been having problems with the tapes. We have been advised by the County IT Department that we can get better prices thru them on everything. We need to investigate using the County more. Councilman Arnold asked if this meant that we would be using the County rather than Marchese Computer.
Supervisor Tuttle said that regardless where we get them from the tapes are expensive.
There was discussion on what to do with the tapes at the end of the day.

We have received an invitation to GCEDC's luncheon on March 13th at GCC. If anyone is interested let Mr. Munger know so that reservations can be made.

Contract renewals have been received from Turnbull Heating, Doritex, and

Intermunicipal agreements with the Village and Town of Batavia.

Councilman Arnold said that he would like to talk about the Constable position, and what is going on with the audit. He stated that Ms. Landers spoke with him for a period of time regarding this subject. Supervisor Tuttle said that the only problem is that the audit was scheduled sooner than it should have been.

Councilman Arnold discussed the minutes of the last Village meeting. He said that they were displeased with the money spent on the park and there is still no ball field, and that he was upset with Supervisor Tuttle comments to the Village on this subject. Supervisor Tuttle told Councilman Arnold that a portion of his comments at that meeting were omitted.

There was discussion on the perimeter lights at the Fire Hall; do they want to be on a dimmer, electric eye, etc. According to Mr. Osborn it would be cheaper to let them run all night. The Board was agreeable to electric eyes, and the work is to be done by Spring Creek Construction.

Councilman Sformo gave a couple of options regarding the Code Enforcement Officer position. The test is being held on May 30th so it might be in June before we get to do interviews. He suggested that we go back to two (2) part-time workers. There would be no benefits and it would be non-competitive.
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The test that is being given is the only test in the State, and that is for our benefit. Councilman Sformo said that he would like to go with the part time positions and see how that goes.

Councilman Arnold was concerned about what to tell the residents when they want to do a new construction. Supervisor Tuttle will call Supervisor Post for his

assistance.

Councilman De Wind said that letters should go out to the previous applicants letting them know we have changed the criteria. We will need to advertise for the position again. It was agreed to send a letter to the applicants.

Supervisor Tuttle said that we would need to check with Civil Service regarding going back to part time. Councilman Sformo said he has already met with Debbie Seymour and obtained all the forms we would need for the change.

There was discussion on the Karlie Jones 2008 complaint about the East Pembroke fire siren. Bill Dix was contacted and he said that they have heard from her. The siren had already been in existence for several years when she bought the house, but they did turn it.

RESOLUTIONS

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

RESOLUTION #13 of 2009 – Appointment of Town Constables

RESOLVED that the Pembroke Town Board hereby appoints Michael Lewis and Richard Carine as Town Constables for 2009.

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

RESOLUTION #14 of 2009 – Highway Superintendent Travel Authorization

RESOLVED that Stephen Stocking, Highway Superintendent, be authorized to attend the lobbying of Legislators regarding the CHIPs Program in Albany, NY on March 11, 2009.

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

RESOLUTION #15 of 2009 – Contract Renewal – Turnbull Heating & Air Conditioning

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a renewal contract with Turnbull Heating & Air Conditioning of 50 Franklin Street, Batavia, NY 14020, for the scheduled maintenance of the Town of Pembroke Community Center, located at 116 E. Main St., and the Town Hall located at 1145 Main Rd., Corfu, NY 14036.

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

RESOLUTION #16 of 2009 – Contract Renewal – Doritex Corp.

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a renewal contract with, Doritex Corp. of Buffalo NY for the

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scheduled maintenance of highway uniforms, mat and textile products for the Town of Pembroke Community Center, located at 116 E. Main St., and the Town Hall located at
1145 Main Rd., Corfu, NY 14036.

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

RESOLUTION #17 of 2009 – Municipal Agreement – Town of Batavia

RESOLVED the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into an Intermunicipal agreement with the Town of the Batavia, for the year 2009, for the purposes of providing coverage for building and code enforcement on an emergency or temporary basis due to the absence of the Town of Pembroke's code enforcement officer.

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

RESOLUTION #18 of 2009 – Municipal Agreement – Village of Corfu

RESOLVED the Town of Pembroke Town Board authorizes the Town of Pembroke Supervisor to enter into an intermunicipal reciprocal agreement with the village of the Corfu, for the year 2009, for the purposes of providing coverage for building and code enforcement on an emergency or temporary basis due to the absence of the Village's code enforcement officer.

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

RESOLUTION #19 of 2009 – ADOPTION OF LOCAL LAW NO. 1 OF THE YEAR 2009

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pembroke for a public hearing to be held by said Town Board on February 11, 2009, at the Pembroke Town Hall, 1145 Main Road in said Town AT 7:00 P.M.

on proposed Local Law No. 1 of 2009 entitled "A LOCAL LAW AUTHORIZING A GRANT OF PUBLIC FUNDS BY THE TOWN OF PEMBROKE (TOWN) TO THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (GCEDC) TO PAY A PORTION OF THE COST OF CONSTRUCTING A PUBLIC ROADWAY WITHIN THE TOWN OF PEMBROKE", and

WHEREAS, a notice of said public hearing was duly advertised in the Daily News, the official newspaper of said Town on January 27, 2009 and posted on the Town sign board at the Pembroke Town Hall on January 27, 2009; and

WHEREAS, said public hearing was duly held at 7:00 P.M. on February 11, 2009 at the Pembroke Town Hall, 1145 Main Road, in the said Town, and, all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, said Local Law was introduced by the Town Board as Local Law No. 1 of the year 2009; and

WHEREAS, the members of the Town Board of the Town of Pembroke have received and have had said Local Law in final form for the period required under Section 20 of the New York Municipal Home Rule Law; and

WHEREAS, a negative declaration has been issued under Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereunder; and

WHEREAS, the Town Board of the Town of Pembroke, after due deliberation finds it in the best interest of said Town to adopt said Local Law;

NOW, THEREFORE, BE IT

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RESOLVED, that the Town Board of the Town of Pembroke hereby adopts said Local Law as Local Law No. 1 of 2009, 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 1 of the Local Law Records Book of the Town of Pembroke, and sent 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.

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

RESOLUTION #20 of 2009 – Court Officers

RESOLVED the Town of Pembroke Town Board, hereby creates the position of Court Officer (part time). The Officers will work at the direction of the Town of Pembroke Justices; and

BE IT RESOLVED that the compensation for this position will begin at $18.00 per hour with no additional benefits: and

BE IT FURTHER RESOLVED, that David E. Drozdiel, Andrew Houghton, and Dean Hendershot be appointed to the positions of part-time Court Officers for the Town of Pembroke.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to adjourn the Workshop at 11:25 AM.

ALL AYES – CARRIED.

Respectfully submitted,

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Andrea M. Davis

Town Clerk

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HESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP OF FEBRUARY 25, 2009 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.

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