MINUTES of the Pembroke Town Board Workshop held on December 10, 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; and Steven Stocking, Hwy. Supt.

The Workshop was called to order at 7:35 A.M.

There will be two (2) resolutions done at this meeting. Supervisor Tuttle gave a brief explanation of them.

There is a list of four (4) confirmed people for the Court Officer. They are all police officers. A time will be scheduled with the Justices to meet the applicants. We may be able to do the appointment at the December 30th Town Board meeting.

A check in the amount of $190,000 has been forwarded to the County Treasurer.

A packet has been received from a playground company that offer some grants. It was given to Councilman Arnold to look over.

A letter has been sent to the Village asking if they want to continue with the Municipal Agreement even though they have hired John Good. They responded that they are not interested.

A proposal has been received for the security equipment, panic buttons, etc., that has been discussed for the Court. There will be a resolution on Dec. 30th authorizing the purchase.

It has been reported that there is a leak in the roof in the community room.

The Firemen have requested that the parking lot not be sanded as it gets tracked into the truck room. Councilman Mallory stated that he feels that this problem is not ours and that we should continue doing as we have in the past.

Councilman De Wind said that there was a leak out front of the Community Center near the valve. The leak was close enough to the valve that the repairs were made by the water authority which saved us the cost of a repair.

A laptop computer has been ordered for the Zoning/Assessor Clerk. A representative from Marchese came out and assisted us with some problems we were having. He also looked at our wiring system and firewalls. We are looking at doing upgrades where needed.

Tom Carpenter and Steve Tanner of Clark Patterson Lee were present to discuss development of the business park based upon traffic impact. Neither Clark Patterson nor the GCEDC are in favor of this idea. DOT said that a resolution would be required by the Town of Pembroke or they will refrain from issuing a permit for the park. National Grid cannot put electric into the business park until DOT approves the submitted drawings. A traffic study is required prior to the installation of a left turning lane. After further discussion on how to proceed, the Board agreed that we should just do the turning lane so that we can get on with the park development and stop all the holdups. The Board indicated the lines in the proposed resolution that they would like changed. Councilman Sformo would like to have Attorney Boylan review the resolution prior to its passing.

Councilman Mallory left at 9:15 a.m.

Water District #3 is closed out.

We were not successful in getting funding for Water District #4 from the Governor's Office and the Water Authority is not interested. The Town did an estimated cost and we have contacted the resident on Phelps Road asking for their input.

Tom Carpenter and Steve Tanner left the meeting at 9:35 A.M.

A proposal has been received from Dave Hennig for work on the doors in the Fire Hall making the area more secure for the Court employees.

HIGHWAY – Three (3) bids have been received for the purchase of a generator; Seamans' Hardware was the lowest.

Councilman Sformo reported that the Village is doing a Community Winter Fest with food, games, etc. The Board agreed to let the Community Band play as one of the two (2) annual commitments they have with the Town.

A roofer will be contacted regarding the leak in the roof at the Community Center.

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 #69 of 2008 – PAYMENT OF BAN INTEREST/ WATER DIST.3

WHEREAS the Town of Pembroke received a Bond Anticipation Note (BAN) in the amount of $405,000.00 to cover construction expenses for water district #3, and,

WHEREAS, the BAN has accrued $13,089.38 in interest expense, **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board of the Town of Pembroke hereby authorizes the transfer of $13,089.38 from the project contingency fund and create an interest line for said payment of accrued interest.

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 #70 of 2008 – Adoption of Local Law No. 2 of the Year 2008

WHEREAS a pubic hearing was scheduled to be held by the Pembroke Town Board at a regular meeting on October 29, 2008 at the Pembroke Town Hall, 1145 Main Road in
said Town at 7:00 P.M. pursuant to a Notice of Public Hearing, published in The Daily

News on October 17, 2008, and posted on the sign board at the Pembroke Town Hall, on a proposed Local Law amending the Zoning Law of the Town of Pembroke originally adopted as Local Law No. 1 of the Year 1991, as thereinafter amended; and

WHEREAS a public hearing was held at the regular meeting of the Town Board on October 29, 2008; and

WHEREAS both the Town of Pembroke Planning Board and the Genesee County Planning Board have recommended enactment of such Zoning Amendment; and

WHEREAS such Zoning Law Amendment conforms with the Comprehensive Plan of the Town Board of the Town of Pembroke; and

WHEREAS the members of the Town Board have had said Local Law No. 2 of the Year 2008 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 Zoning Law Amendment; **NOW, THEREFORE, BE IT**

RESOLVED:

The Zoning Law of the Town of Pembroke known as Local Law No. 1 of 1991, as thereinafter 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, Local Law No. 3 of 2007, Local Law No. 4 of 2007, and Local Law No. 1 of 2008 is hereby further amended by Local Law No. 2 of 2008 and is hereby adopted, a true copy of which is attached hereto and made a part of this Resolution.

1. That the Town Clerk enter this Resolution and said Local Law in the Minutes of the meeting and also enter said Local Law in the Local Law

Records Book of the Town of Pembroke; and

2. That the Town Clerk have a summary of this Local Law published in the Daily News and also posted on the Town's sign board at the Pembroke Town Hall; and

3. That the Town Clerk forward a certified copy of this Local Law to the New York Secretary of State for filing at the New York Department of State.

LOCAL LAW NO. 2 OF THE YEAR 2008
OF THE
TOWN OF PEMBROKE

The Zoning Law of the Town of Pembroke known as Local Law No. 1 of 1991, as thereinafter 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 is hereby further amended by Local Law No. 2 of 2008 as follows:

SECTION 707 BOARD OF APPEALS

Change indicated in bold: from seven (7) to five (5) members

A. Organization

The Town Board shall appoint members to the Zoning Board of Appeals as authorized by the provisions of Section 267 of the Town Law The Town Board shall also designate the Chairperson thereof. In the absence of a chairperson the Board of Appeals may designate a member to serve as Acting Chairperson. The present Board of Appeals consists of ***five (5)*** members, any future changes by the Town Board to the number of members shall comply with the provisions of NYS Town Law Section 267 and/or any other applicable laws.

This Local Law shall become effective upon its filing with the New York

Secretary of State

On **MOTION** of Councilman Sformo, seconded by Supervisor Tuttle, to adjourn the Workshop at 10:45 AM.

ALL AYES – CARRIED.

Respectfully submitted,

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Andrea M. Davis

Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP OF DECEMBER 10, 2008 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.