

MINUTES of the Regular Meeting of the Pembroke Town Board held on July 8, 2009 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
E. James Mallory, Councilman
Peter Sformo, Councilman
Gary DeWind, Councilman

ABSENT: Edward Arnold, Jr., Councilman

OTHERS PRESENT: Andrea Davis, Town Clerk; Deborah Conti, Assessor; Shellye Dale-Hall, Zoning / Codes Officer; Tom Schneider, ZBA Chairman; Dale Bremiller; and Gene Nati.

Supervisor Tuttle called the Regular Monthly meeting to order at 7:00 P.M.

Deborah Conti gave the invocation.
Supervisor Tuttle led he pledge to the flag.

Supervisor Tuttle mentioned that two (2) of the Eagle Scouts that we honored at the June meeting, Dillon and Shane Hale, went to California to compete in Future Business Leaders of America and placed third and fourth.

On **MOTION** of Councilman De Wind, seconded by Supervisor Tuttle, to approve the Minutes of the June 10, 2009 Regular Meeting.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

The final Assessment Roll for 2009 was filed on July 1st. All new photos of properties have been posted on the web; everything is up to date.

Mrs. Conti attended a seminar regarding agricultures future. It was very well presented and helpful.

ZONING & CODES ENFORCEMENT – Shellye Dale-Hall

The Zoning's June Report has been submitted and filed. This was reviewed by Shellye Dale-Hall, Zoning Officer.

HIGHWAY – Steven Stocking

- The first mowing is done.
- The Highway Dept. has been assisting the County and other Towns with large projects.
- The signs for the park are done.

- Superintendent Stocking reported on the Bid Opening for the 1995 Mack truck.

TOWN CLERK – Andrea Davis

- The Town Clerk's monthly report for June was submitted and filed.
- The dog enumeration is slowing down; several unlicensed dogs have been licensed due to the enumeration.

PLANNING BOARD – Richard Kutter, Chairman

- Minutes for the June meeting have been submitted and filed.

ZONING BOARD OF APPEALS – Thomas Schneider, Chairman

- Minutes for the June meeting have been submitted and filed.

JUSTICES – David O'Connor & Robert Alexander

- The Justices' reports for June have been submitted and filed.

SUPERVISOR – James Tuttle

- The Supervisor's June report has been submitted and filed.
- Laura Landers was at the June Workshop to report on the audit.
- Supervisor Tuttle explained his idea about promoting the Town from within the Town.

COMMITTEE REPORTS

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

There was no report.

Building & Ground – Councilman Mallory

There was no report.

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

- Councilman De Wind met with Mayor Skeet regarding the proposed sewer project.

Youth Recreation – Councilman Sformo

There was no report.

Human Resources/Benefits – Councilman De Wind

There was no report.

Parks/Land Acquisition – Councilman Arnold

- Three (3) meetings have been held at the park this week. Electric will be installed the first week in August, but there will be no electric to the bathroom this year.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

OLD BUSINESS

None

PUBLIC PARTICIPATION

Gene Nati was present to discuss the possible loss of the Deputy Court Clerk to Batavia.

RESOLUTIONS

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

RESOLUTION #43 of 2009 – Re-appointment to Town of Pembroke Planning Board

WHEREAS: There currently exists one vacancy on the Town of Pembroke Planning Board, and

WHEREAS: Mr. Michael Herec has submitted a request to be re-appointed to the position to the completion of the term, **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board of the Town of Pembroke hereby re-appoints Mr. Michael Herec to the Town's Planning Board

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

RESOLUTION #44 of 2009 – Municipal Agreement – New York State DOT
Snow & Ice Amendment B for 2010-2011

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into an agreement into an intermunicipal agreement with the New York State Department of Transportation for snow and ice removal for the years 2010-2011.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Pembroke hereby authorizes the Supervisor to sign the "Agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement" between the New York State Department of Transportation and the Town of Pembroke for the 2003/04 contract year. On **MOTION** of Councilman De Wind, seconded by Councilman Sformo, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Mallory, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Tuttle, AYE.
ALL AYES - MOTION CARRIED

RESOLUTION #45 of 2009 – Municipal Agreement – New York State DOT
Snow & Ice Amendment B for 2009-2010

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into an agreement to amend the intermunicipal agreement with the New York State Department of Transportation for snow and ice removal for the years 2009-2010. This amendment is to cover the increased costs the Town has incurred and anticipated increases the Town of Pembroke expects for future snow removal.

The amendment is to increase the funding to the Town of Pembroke by \$35,168.70

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 #46 of 2009 – Abstract #7 of 2009

RESOLVED, that the Supervisor be authorized to pay all claims of Abstract #7 of 2009 General and Highway.

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

RESOLUTION #47 of 2009 – Accept bid for 1995 Mack Truck

WHEREAS the Town of Pembroke desires to sell a 1995 Mack Dump Truck model RD690S with 125,720 miles, with hoist, plow, and sander; and

WHEREAS, after the vehicle was advertised for bid, for the truck only or with hoist, plow, and sander according to Town Law; a Bid Opening was held on July 7, 2009 at 10:00 A.M. at the Pembroke Town Hall; and

WHEREAS only one (1) bid was received bidding the vehicle both ways but preferring to purchase the truck minus the hoist, plow, and sander; **NOW, THEREFORE, BE IT**

RESOLVED that Pembroke Town Board authorizes the Highway Superintendent to accept the bid submitted by Edward G. Arnold, Sr., EAS Scrap Processing in the amount of \$14,652.50.

On **MOTION** of Councilman Mallory, second by Councilman Sformo, to enter into Executive Session to discuss a personnel matter.

ALL AYES - **MOTION CARRIED**

TIME 7:59 P.M.

On Motion of Councilman Sformo, seconded by Supervisor Tuttle, to close the Executive Session and reconvene into regular session.

ALL AYES – **MOTION CARRIED**

TIME: 8:19 P.M.

Supervisor Tuttle stated that in Executive Session the Board reviewed the Assistant Court Clerk position with commensurate pay. The Board determined that the pay scale should be increased to be commensurate with the job duties and performance for the present Assistant Court Clerk.

RESOLUTION #48 of 2009 – Wage Increase

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

WHEREAS the Pembroke Town Board has reviewed Angelina Nati's, the Assistant Court Clerk, service with the Town; **NOW, THEREFORE, BE IT**

RESOLVED that as of July 1, 2009 Ms. Nati's pay is to be increased by \$3.00 per hour

with an additional increase of \$2.00 per hour effective July 1, 2010; **BE IT FURTHER**

RESOLVED that any newly hired person to that position will start at a pay rate of \$12 hourly.

On **MOTION** of, Councilman De Wind, seconded by Councilman Mallory, to adjourn the meeting at 8:30 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

Andrea M. Davis, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF
JULY 8, 2009 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE
TOWN BOARD.