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

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

ABSENT: Peter Sformo, Councilman

OTHERS PRESENT: Andrea Davis, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Richard Kutter, Planning Bd. Chairman; Michael Herec, Planning Bd. Vice Chairman; Richard Doktor; William Kappus; Tom Carpenter, Clark Patterson; Gary Rouleau and Patrick Moravec, J. O'Connell & Assoc.; Edward Beideck; Mary Jensen; Richard Rudolph; and John Good.

Supervisor Tuttle called the meeting to order at 7:03 P.M.

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

PUBLIC HEARING
PROPOSED WATER DIST. #4

The Public Hearing for proposed Water District #4 was called to order at 7:05 P. M. Andrea Davis reported she had the Notice of Public Hearing as printed in the Daily News as well as posted on the Town's website and bulletin board; and the Affidavit of Posting.

Supervisor Tuttle explained that last year we attempted to get monies for water lines that would go down Indian Falls Road, down 77 and tie in at the Thruway. That attempt was unsuccessful and we are trying again thru the Office of Community Renewal. The first public hearing was held on Monday, April 6th, but no one attended.

The floor was opened to Tom Carpenter of Clark Patterson, who presented a map of the Town indicating the existing water districts and the proposed District #4. Mr. Carpenter explained the selection process and the formation of a district; the area and description of proposed Dist. #4; advantages; estimated costs; funding sources; and the forming, design and construction of the project.

The floor was opened to the Public.

Deborah Conti asked if this will affect Smart Growth. There are five (5) parcels that are currently obtaining Ag. exemptions in that area. Mr. Carpenter said that this proposed district would not impact those parcels.

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, to close the Public Hearing at7:20 P.M.
ALL AYES – MOTION CARRIED.

Everyone being heard that wished to be heard Supervisor Tuttle declared the public hearing closed.

The regular monthly meeting was declared open at 7:21 P.M.

Before leaving Mr. Carpenter reported on the status of the survey of the Town Park and the proposed use of the remaining funds from Water District #3 for the Park. He also stated that he will be attending a meeting in Corfu regarding the sewer district. The EDC has asked Clark Patterson to do another sewer study.

On **MOTION** of Councilman Arnold, seconded by Councilman De Wind to approve the Minutes of the March 25th Workshop.
ALL AYES – MOTION CARRIED

DEPARTMENT REPORTS

ASSESSOR

Mrs. Conti reported that Mrs. Will is finishing the photo project in Darien and will start Wednesday in Pembroke. She will be here for about three (3) weeks.

ZONING & CODES ENFORCEMENT

There was no report.

HIGHWAY

The salt barn is down to about 300 ton of salt.
Eastman has been here to do tree work.

TOWN CLERK

- The Town Clerk's monthly report for March was submitted and filed.
- The 2009 tax collection is finished.

PLANNING BOARD

Mr. Herec mentioned that Mr. Kutter was back and will be Chairing the next meeting.

At the previous meeting the application by Jeffrey Humel for a Special Use Permit was approved.

Vice Chairman Herec met with Jill Babinski of County Planning regarding some grammatical errors in the Zoning Law. The Planning Board concurred with County Planning and referred these changes to the Town Board suggesting a Local Law be done correcting the Zoning Law.

The next meeting will be May 22nd, not the 29th, due to the Training Program at County Bldg. #1.
This can be used towards the 4 hour training requirement.

ZONING BOARD OF APPEALS

- There was no meeting in March.

JUSTICES

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

SUPERVISOR

- The Supervisor's March report has been submitted and filed.

COMMITTEE REPORTS

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

Councilman Arnold stated that there will be further discussion at the April Workshop regarding the additional costs incurred for the annual audit.

Building & Ground – Councilman Mallory

Councilman Mallory reported that the new lights have been installed at the Community Center.
Supervisor Tuttle mentioned that the doors have been ordered.

Highway/Assessment/Court – Councilman Mallory

There was no report.

Planning, Zoning, Code Enforcement – Councilman Arnold

A phone call was made to Mr. Sauka on Genesee St.; there is someone living in the apartment over the barn. Mr. Sauka has had electrical inspections done and is getting something done regarding the septic system. He will contact Councilman Arnold as soon as he returns from Florida.

Interviews for the vacant zoning position will start in the next couple of weeks.

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

The second Public Hearing for Water District #4 was just held this evening with no one from Indian Falls Road in attendance. Our grant writers are attempting to get us some money for this district.

Councilman De Wind stated that the Village Mayor and Mr. Carpenter both said that the Village meeting went well.

Youth Recreation – Councilman Sformo

It was reported by the school that because of the renovations at the three (3) schools there would be no summer rec. program. This is incorrect; the program will be held at St. Francis Church in Corfu.

Human Resources/Benefits – Councilman De Wind

Councilman De Wind reported that Councilman Arnold is assisting with the health insurance renewals this year in an attempt to find better rates.

Parks/Land Acquisition – Councilman Arnold

The soccer fields will be ready for use this year. As soon as the weather gets nice Jeff Kohl will be back in there. Last week Councilmen Arnold and De Wind met with a representative of Tiny Tykes Play Ground Equipment. There will be different equipment for two (2) different age groups. The first phase will cost

approx. $39,000 of the appropriate money.

Plans are to move ahead on the pavilion also.

Intermunicipal, Economic & Community Development

Supervisor Tuttle said that he received a letter this afternoon from Sheriff Maha. He is requesting a resolution from us regarding a municipal agreement for the dog shelter. It does not change anything that we are presently doing; the State requires that we do this. A copy of the agreement has been sent to Mark Boylan for his perusal.

OLD BUSINESS

There was discussion on the Town Park water and electric. Supervisor Tuttle said that if we follow the estimates that we got last fall, which was over $11,000, we need to bid the project out.
There was discussion on how to proceed if we choose not to go thru the bidding process, i.e. seeing if the Village would do some of the work, the Town supplying the material and someone else doing the digging, etc.

Steve Hawley and Mike Ranzenhofer are attempting to obtain funding for our generator project. There will be no cost to the people of the Town.

PUBLIC PARTICIPATION

John Good asked about the library closing for about six (6) weeks and where the might be able to go temporarily. Councilman Mallory said that they will be having some of their activities, i.e. story hour, at the Community Center.

William Kappus urged the Board to support the Economic Development Corp. If we go to prevailing wage on these sites we will have a lot of empty business parks. It was suggested that a resolution be done with copies sent to Hawley, Ranzenhofer, et al.

Edward Beideck asked if the Annual Report has been filed. Supervisor Tuttle said that Laura Landers would have to be contacted for this information. We have

been granted an extension and have until the end of May. Mr. Beideck asked to be notified when Ms. Landers is giving her presentation.

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 DeWind, AYE; Supervisor Tuttle, AYE. ALL AYES - MOTION CARRIED

RESOLUTION #24 of 2009 – Water District #4 Grant Application

WHEREAS, the Town of Pembroke desiring to seek funding for an additional water district to proceed along Indian Falls Rd. and Route 77, and

WHEREAS, public hearings we held on 6 April 2009, and 8 April 2009 concerning the Town of Pembroke's application for funding through the Office of Community Renewal, and

WHEREAS, there was no opposition to the Town of Pembroke desires to apply for $600,000 in grant funds from the Office of Community Renewal, Block Grant Program for improvements to the Town's water delivery and fire protection service along Indian Falls Road, Alleghany Road and Evergreen Drive thru the installation of water main, and

WHEREAS the Town of Pembroke has authorized J. O'Connell & Associates to act as grant consultants for the Town on this project; **NOW, THEREFORE, BE IT**

RESOLVED that the Town of Pembroke hereby authorizes Supervisor James Tuttle to submit the aforementioned application to the Office of Community Renewal.

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 DeWind, AYE; Supervisor Tuttle, AYE. ALL AYES - MOTION CARRIED

RESOLUTION #25 of 2009 – Rental Agreement – Village of Corfu

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into an agreement with the Village of the Corfu, for a two year period, beginning June 1, 2009, and ending May 31, 2011. The contract is an extension of the current contract and provides for no increase in rent for the next two years.

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

RESOLUTION #26 of 2009 – Abstract #3 of 2009 and Abstract #4 of 2009

RESOLVED, that the Supervisor be authorized to pay all claims of Abstract #3 of 2009 and Abstract #4 of 2009 General and Highway.

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 DeWind, AYE; Supervisor Tuttle, AYE. ALL AYES - MOTION CARRIED

RESOLUTION #27 of 2009 – GCEDC Support Against Reform Bills

WHEREAS the Town of Pembroke has maintained a positive posture towards the development and growth of the community thru its continual efforts to upgrade the infrastructure of the town and its continued investing of community dollars to these efforts; and,

WHEREAS the Town of Pembroke has established an excellent working relationship with the Genesee County Economic Development Corporation in developing industrial parks and other business venture; and

WHEREAS these joint efforts between the Town of Pembroke and the GCEDC have continually proven to be beneficial to the Town of Pembroke, County of Genesee, and the State of New York in increasing employment, productivity, and income; and

WHEREAS it is the belief and knowledge of the Town of Pembroke that passage of New York State Senate Bill S.1241 and New York State Assembly Bill A.3659 would present such complete and devastating effect as to completely eliminate the opportunities for growth and prosperity for all of Western New York; **NOW, THEREFORE, BE IT**

RESOLVED that the Town of Pembroke vehemently opposes this legislation; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the appropriate members of the New York State Senate and the New York State Assembly.

On **MOTION** of Councilman Arnold, seconded by Councilman Mallory, to adjourn the meeting at 8:18 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

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Andrea M. Davis, Town Clerk

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

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