

MINUTES of the Regular Meeting of the Pembroke Town Board held on August 13, 2008 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

OTHERS PRESENT: Andrea Davis, Town Clerk; Deborah Conti, Assessor; Stephen Stocking, Highway Superintendent; Greg Martin, Zoning & Code Enforcement Officer; Richard Kutter, Planning Board Chairman; Thomas Schneider, ZBA Chairman; Ronald Hershberger, Animal Control Officer; Richard Doktor; James Uebelhoer; Tom Schubmehl; and Harley Turner.

The meeting was called to order at 8:26 P.M.

On **MOTION** of Councilman Mallory, seconded by Councilman Arnold, to approve the Minutes of the June 25th Workshop, the July 9th Regular Meeting, and the July 23rd Workshop.
ALL AYES – MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR

Councilman De Wind stated that a plaque has been purchased for Mrs. Silvernail recognizing her years of service to the Town.

Mrs. Conti said that she and Mr. Martin have put together the requirements for the clerk they will share for the Assessing and Zoning offices.

One (1) small claim has been filed on the Town regarding assessing. The Flying J has filed a Certiorari Petition on us again this year.

ZONING & CODES ENFORCEMENT

July's Report has been submitted and filed. Mr. Martin reviewed the month's business.

HIGHWAY

- Salt barn is being filled. Salt is being ordered early as the contract is up at the end of the month.
- Road striping is completed.
- The second mowing is done.

TOWN CLERK

The Town Clerk's July monthly report submitted and filed.

PLANNING BOARD

The Minutes of the July Planning Board meeting have been submitted and filed.

ZONING BOARD OF APPEALS

The Minutes of the July ZBA meeting have been submitted and filed.

JUSTICES

The Justices' July monthly reports have been submitted and filed. Supervisor Tuttle reviewed the reports.

SUPERVISOR

- The Supervisor's July report has been submitted and filed.
- Supervisor Tuttle reported that he and Mr. Munger have been meeting with various bank officials to see what they have to offer.

COMMITTEE REPORTS

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

There was no report.

Building & Ground – Councilman Mallory

Councilman Mallory has obtained an estimate of (\$750) to have the Fire Hall sprayed for insects. The floors in the Community Room have been waxed.

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 said that we have been notified that the grant monies for Water District #4 have been denied.

Youth Recreation – Councilman Sformo

Councilman Sformo reported that tomorrow is the last day of the program. Correspondence has been received from Genesee Co. advising us that the amount of monies they will be giving us next year will be reduced by approximately 3%.

Human Resources/Benefits – Councilman De Wind

There was no report.

Parks/Land Acquisition – Councilman Arnold

Councilman Arnold reported on Mr. Kohl's progress at the Town Park. Supervisor Tuttle stated that an internal audit is being required as more than one contractor was used in the construction of the roadway.

Intermunicipal, Economic & Community Development - Supervisor Tuttle

There was no report.

OLD BUSINESS

Court Officer – Supervisor Tuttle has been in contact with the Village regarding the Court Officer position. The possibilities of hiring outside or using our own Constables will be looked into.

There was discussion on the recouping of Engineer's fees, Attorney's fees etc., from Contractors.

Supervisor Tuttle also discussed the topic of lawn and yard care. This was brought to the attention of the Planning Board a couple of years ago to act on but nothing was completed. This will be brought up the Planning again.

NEW BUSINESS

The Red Cross has advised us that they obtained 36 units of blood from the July 31st blood drive.

PUBLIC PARTICIPATION

James Uebelhoer of 1059 Akron Road was present to lodge a complaint about a problem with dogs being a disturbance at a neighboring residence. He feels that the Town of Pembroke dog laws are not specific enough and suggested that requiring kennel licenses be considered.

The Town is in the process of contacting other Town to see what their process is for situations on this nature.

Ron Herschberger was present to discuss the problem of run down properties. He would like to see these residents be made responsible for their properties. Mr. Herschberger was advised that the Town, with the assistance of Mr. Martin, is developing a plan to help rectify the problem.

RESOLUTIONS

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

RESOLUTION #49 of 2008 – Education Authorization

WHEREAS, a request has been made by James Tuttle, Supervisor, and Arthur Munger, Financial Clerk, of the Town of Pembroke to attend the Advanced Accounting School to be held October 21 – 23, 2008 in East Aurora, NY; and

WHEREAS, the cost of this schooling is within the operation budget of the Town and creates no extra cost to the Town, **NOW, THEREFORE**,

BE IT RESOLVED that, the Town of Pembroke hereby approves the request to attend the above referred to Accounting School.

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 #50 of 2008– Assessors Conference

RESOLVED, that Deborah Conti, Assessor, be authorized to attend the Annual Assessors' Conference on Assessment Administration being held September 21 – 24, 2008 in Kingston, NY. Expenses for said conference to be divided between the Towns of Pembroke, Darien, Bethany, and Attica.

On **MOTION** of Councilman Arnold, seconded by Supervisor Tuttle, 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 #51of 2008– Judges School

RESOLVED, that Justice Robert E. Alexander, be authorized to attend the Continuing Judicial Education Program to be held in Niagara Falls, September 21 – 24, 2008. Expenses for said schooling are within the operating budget of the Pembroke Court.

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

RESOLUTION #52of 2008 – Abstract #8 of 2008

WHEREAS a request has been made to pay the normal operating expenses of the Town of Pembroke; and,

WHEREAS this payment is within the normal scope of the 2008 working budget, and creates no additional cost to the Town of Pembroke, **NOW, THEREFORE, BE IT RESOLVED** that the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within abstract #8 of 2008.

On **MOTION** of Councilman Arnold, seconded by Supervisor Tuttle, to adjourn the meeting at 9:37 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

Andrea M. Davis, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF AUGUST 13, 2008 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.