

MINUTES of the Regular Meeting of the Pembroke Town Board held on February 13, 2008 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
Edward Arnold, Jr., Councilman

OTHERS PRESENT: Andrea Davis, Town Clerk; Deborah Conti, Assessor; Richard Reeves, Zoning Enforcement Officer; Scott Waite; Linda Rindell; and Lori Kearney.

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

The meeting was called to order at 7:00 P.M.

On **MOTION** of Councilman Arnold, seconded by Councilman Mallory, to approve the Minutes of the January 2nd Organizational Meeting; the January 9th Regular Meeting; and the January 23rd Workshop;
ALL AYES – MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR

Mrs. Conti stated that by the second week in March the assessment notices will be sent to the residents. The new assessments are based on sales in the Town. Appeal forms for the impact notices will be available on our website as well as the State website. The process of revaluations was discussed.

PLANNING BOARD

There was no January meeting.

ZONING BOARD OF APPEALS

The January Minutes were submitted and filed. Supervisor Tuttle said that he had contacted ZBA Chairman Schneider regarding moving the meetings to the second Wednesday. Mr. Schneider will contact his Board to see if they are in agreement.

ZONING & CODES

January's Report has been submitted and filed.

ZONING ENFORCEMENT

January's Report has been submitted and filed. There was discussion on an Akron Road residence that is in violation.

HIGHWAY

The salt storage facility is down to approximately 800 ton and there is about 350 ton in the yard. The equipment will be here on Friday to mix the remaining materials. The plow trucks are working good; and 604 has been moved to Hill Crest and should be back to us in a couple of weeks.

The price of the new pickup is \$21,811.75; a representative from Teitsworth's will be here to give us a guaranteed trade-in price for our current truck.

JUSTICES

The Justices' January monthly reports have been submitted and filed. Supervisor Tuttle reviewed the reports for the Board.

TOWN CLERK

- The Town Clerk's January monthly submitted and filed.
- Taxes are coming in at a good rate.
- A light on the side of the building illuminating the side door and parking lot was discussed.

SUPERVISOR

The Supervisor's January monthly report submitted and filed.

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COMMITTEE REPORTS

Audit, Finance, Insurance, Investment, & Purchasing

Councilman Arnold had no report.

Building & Ground

Councilman Mallory reported that the backflow preventer at the Community Center was tested and approved; the fire suppression system passed; the emergency lights were brought up to date; and the fire extinguisher was installed in the kitchen bringing everything up to the standards of the Department of Labor.

Highway/Assessment/Court

Councilman Mallory had no report.

Planning, Zoning, Code Enforcement

Councilman Arnold said that applications have been received for the zoning position and would like to set up times for interviews.

Intermunicipal

Councilman Sformo stated that the Town and Village continue to discuss the combining of the respective Planning Boards. Supervisor Tuttle reported on a meeting held with Steve Hyde, GCEDC, regarding the proposed Town/Village sewer project.

Public Services, Water, Sewer, Refuse/Recycling

Councilman De Wind said that this weekend will be the second trash day since moving to the third Saturday; so far there has been only positive feedback.

Completion of Water District #3 is close. Councilman De Wind reported on the progress.

Last Saturday Supervisor Tuttle and Councilman De Wind went door to door with the remaining Income Surveys for Water District #4 that had not been returned.

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Youth Recreation

Councilman Sformo had no report.

Human Resources/Benefits

Councilman De Wind had no report.

Parks/Land Acquisition

Councilman Arnold discussed the situation regarding our survey and the adjoining property owner to the south of the park. There is a question of six (6) feet. Councilman Arnold suggested that the matter be turned over to the Surveyors.

Economic & Community Development

Supervisor Tuttle had no report.

OLD BUSINESS

As in the past the Red Cross has requested the use of the Community Center to hold a blood drive. This will be held on June 6th.

The Village of Corfu has been granted permission to use the Community Center for their elections on March 18th.

There was discussion on the cleaning of the Community Hall/Court facility as well as Town Hall.

We have been notified that Empire Telephone Corp. has been through the State process and has been granted approval by the NYSPSC allowing cable to be installed in their area.

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NEW BUSINESS

A hearing date has been set for Friday, February 15th for the Assessed Water Units Grievances.

We have received one (1) response regarding the proposed electronic sign for the front of Town Hall. The cost is \$19,295 excluding installation. Councilman Sformo indicated concern regarding the large expense; the monies in A Fund are limited and funds should not be taken from the Building Reserve Fund as more is needed for the Town Hall building. It was also noted that if monies were taken from a savings account then a Budget Amendment would be needed.

Scott Waite suggested that we first see if this is allowable in the Town Zoning.

Laurie Kearney presented the Board with a Petition (see attached copy) signed by the residents of Genesee Street (Route 33) requesting that the water project continue eastward from Angling Road to Read Road. The status of the current project was discussed and Mrs. Kearney was advised of the possibility of getting the paperwork started if all goes well with District #4 and the sewer project.

PUBLIC PARTICIPATION

There was no public participation.

RESOLUTIONS

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 #13 of 2008 – Public Hearings Water District #4

WHEREAS, a request has been made to form Water District #4, to extend down Indian Falls Road, Town of Pembroke, to State Route 77 and proceed southerly to combine with the existing line; and

WHEREAS, this district will need the aid from outside funding; and
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WHEREAS, this funding will be derived from various grants; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town of Pembroke hereby authorizes the Supervisor to hold public hearings on March 12th, 2008 and March 19th, 2008 at 7:00 pm in the Town Hall located at 1145 Main Rd. Corfu, NY 14036 to explain the need and seek public input.

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 #14 of 2008 – Gypsum Easement

WHEREAS, the Town Board of the Town of Pembroke has determined that it is in the best interest of then Town to enter into an easement for a 24 foot wide existing driveway and a connecting gravel driveway to be constructed by the Town located on the northerly boundary of property acquired by the Town from Mertie Doll

for use by the United States Gypsum Company (a copy of said proposed easement is available for public inspection at the Town Clerk's office during regular business hours); **NOW, THEREFORE, BE IT**

RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Pembroke to enter into an easement for the use of the 24 foot wide driveway and connecting gravel driveway to be constructed by the Town for the United States Gypsum Company for access and maintenance of the Gypsum Company's gas well on Town property acquired from Mertie Doll subject to passage of the permissive referendum period required under law without a petition for a permissive referendum. This Resolution shall be subject to a permissive referendum, as required by Town Law.

On **MOTION** of Councilman Mallory, seconded by Councilman Sformo, 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 2008 – Purchase of New Town Highway Pickup Truck

WHEREAS, a request has been made by the Town of Pembroke Highway Superintendent to purchase a new pickup truck, a 2009 Ford ¾ Ton; and
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WHEREAS, the purchase of said pickup follows the guidelines for equipment replacement for the Town of Pembroke, and is to be purchased thru New York State Bid for a cost of \$21,811.75 from Van Bortel Ford, 7235 Rt 96, Victor, NY 14534; and

WHEREAS, the cost of the pickup truck was properly budgeted for in the 2008 Town of Pembroke working budget, and this expenditure would not create any additional expense to the Town of Pembroke; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town of Pembroke hereby approves the purchase of a new pickup truck for the sum of \$21,811. Monies to be deducted from the Highway Capital Fund Account.

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, NAY; Councilman DeWind, AYE; Supervisor Tuttle, AYE. 4 AYES 1 NAY – MOTION CARRIED

RESOLUTION #16 of 2008 – Purchase of New Town INFORMATIONAL SIGN

WHEREAS, a request has been made by the Town of Pembroke to provide a new Town of Pembroke sign with the capabilities of providing public information; and

WHEREAS, the purchase of said sign would provide needed and helpful information to our residents as has been discussed by the members of the Town Board; and

WHEREAS, the cost of the sign (\$19,295) plus the cost of supports or stand, have not been specifically placed into the 2008 working budget of Town of Pembroke and would create an additional expense to the community;
NOW, THEREFORE, BE IT

RESOLVED, that the Town of Pembroke hereby approves the purchase of a new sign for the Town of Pembroke Hall and that the Town authorizes the supervisor to utilize a maximum of \$25000.00 for the purchase of the sign and its installation; and **BE IT**

FURTHER RESOLVED, the sum of \$25,000.00 be transferred from the Building Reserve Fund and into the Building Equipment/Capital fund.

This resolution is subject to a Permissive Referendum and required by Town Law

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On **MOTION** of Councilman De Wind, seconded by Councilman Sformo, 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 2008 – Payment of Villager Construction – Request #2

WHEREAS, a request has been made by Villager Construction Inc. for goods and services performed on water district #3, for \$394,108.17; and,

WHEREAS, this payment is within the normal scope of the contract agreed to by the Town of Pembroke;
NOW, THEREFORE, BE IT

RESOLVED, that the Town of Pembroke hereby authorizes the supervisor to make the appropriate payments as provided with the contract with Villager Construction Inc. The funds for this project are contained within a grant from Small Cities and the Rural Development Loan previously approved for the Town of Pembroke. This payment does not create additional expenses for the Town of Pembroke

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 2008 – Abstract #15 of 2007 & Abstract #2 of 2008

RESOLVED, that the Supervisor be authorized to pay all claims of Abstract #15 of 2007 & Abstract #2 of 2008 general and Highway.

ABSTRACT #15 of 2007

HIGHWAY 3	\$284,466.47
B FUND	329.18
A FUND	3,973.01

ABSTRACT #2 of 2008

A FUND	\$352,752.91
B FUND	199.74
SW1	54,693.00
HIGHWAY	13,817.88
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On **MOTION** of Councilman Arnold, seconded by Councilman De Wind, to adjourn the meeting at 8:53 P.M.
ALL AYES – CARRIED.

Respectfully submitted,

Andrea M. Davis, Town Clerk

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