

**MINUTES** of the Regular Meeting of the Pembroke Town Board held on October 10, 2007 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

**PRESENT:** Edward L. Beideck, Supervisor  
E. James Mallory, Councilman  
Peter Sformo, Councilman  
Gary DeWind, Councilman  
Edward Arnold, Jr., Councilman

**OTHERS PRESENT:** Andrea Davis, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Richard Reeves, Zoning Enforcement Officer; James Tuttle; Richard Doktor; Scott Waite; David Seweryniak; and Daryl Kohorst.

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 09/07/07 Workshop; the 09/12/07 Regular Meeting; and the 09/17/07 Comp. Plan Public Hearing; and the Bid Opening of 09/20/07.

**ALL AYES – MOTION CARRIED.**

## **DEPARTMENT REPORTS**

### **ASSESSOR**

Deborah Conti reported that she and her Clerk have started driving around the Town looking at properties for the 2008 assessment process. This will take 6 to 8 days to accomplish. Mrs. Conti, along with other Assessors, will be attending a windmill tour in the Town of Eagle on Monday.

### **PLANNING BOARD**

Minutes of the September 26<sup>th</sup> meeting submitted and filed.

### **ZONING BOARD OF APPEALS**

Minutes of the September 10<sup>th</sup> meeting submitted and filed.

## ZONING AND CODES

Zoning and Codes monthly report for September has been submitted and filed.

## ZONING ENFORCEMENT OFFICER

Zoning Enforcement Officer's monthly report for September has been submitted and filed. There was discussion on the burned house on Route 5; Mr. Reeves will contact Mark Boylan regarding this matter.

## JUSTICES

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

## TOWN CLERK

- Town Clerk's monthly report for September has been submitted and filed.
- There was discussion on the moving of trash day to the second Saturday to negate the rescheduling due to some holidays falling on or near trash day.
- The Town Clerk's Office has been notified that there will not be an October ZBA meeting.

## HIGHWAY

- The second mowing is being finished up.
- 2 plow trucks will be put together next week.
- All is ready for the School and Village to utilize the Town's gas pumps.
- Steve Tanner requested that a road compaction test be done; results are OK.
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## SUPERVISOR'S REPORT

The Supervisor's monthly report for September has been submitted and filed. Supervisor Beideck reported on the following:

- 16 bids for the Water District #3 project were received and opened on September 20<sup>th</sup>. Low Bidder will be awarded the contract this evening. As soon as approval is received from Small Cities and Rural Development the work can commence.

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(Supervisor's Report Con't)

- There will be a resolution establishing the dates and times for the budget workshop and public hearing at the end of this meeting.

- The ground breaking for the Commerce Park was held on October 1<sup>st</sup>; a pre-construction meeting was held here on Friday. In about three (3) weeks the work will start to get the water lines started into the Park.
- The first phase of the Town Park is almost complete.
- The interior remodeling is progressing. Carl Schoenthal is working with Wilsandra regarding some of the extras that will be incurred.
- The Board has agreed that December 8<sup>th</sup> would be good for the Community Band Christmas Concert that is held at the Community Center.
- There will be a recruitment and kickoff meeting for volunteer firemen and EMT's at the Fire Training Center on October 11<sup>th</sup>; Councilman Sformo will be attending.
- A meeting has been called by Guy Hinkson, GAM Chairman and Town of Alabama Supervisor, for Friday at 1:30 P.M. requesting representation of other Towns to discuss the ambulance service matter that is facing our Towns.
- Terrance Daniel has submitted an application for a position on the Planning Board.
- A resolution has been prepared asking the Governor to rethink his position on providing driver's licenses to illegal aliens.
- A great deal of time has been spent conferring with the Town Attorney regarding Wind Energy and Incentive Zoning Laws. The will be forwarded to County Planning for their comments and/or recommendations.

## **COMMITTEE REPORTS**

### **Audit, Finance, Insurance, Investment, & Purchasing**

There was no report.

### **Building & Ground**

Councilman Mallory reported that he has received an estimate on the replacement and repair costs of the windows, the concrete and eaves at the Fire Hall. Councilman De Wind mentioned that there is a problem with buckling concrete where the Court Clerk's Office and the Village Clerk's Office are joined. Councilman Mallory has discussed this previously with the Maintenance Worker and will mention it again.

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### **Highway/Assessment/Court**

There was no report.

### **Planning, Zoning, Code Enforcement**

There was no report.

Intermunicipal

There was no report.

Public Services, Water, Sewer, Refuse/Recycling

There was no report.

Youth Recreation

There was no report.

Human Resources/Benefits

Councilman De Wind said that they have had a couple of responses to the ad for the Financial Clerk position.

Parks/Land Acquisition

There was no report.

Economic & Community Development

There was no report.

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**PUBLIC PARTICIPATION**

David Seweryniak said that he came to see about the status of the water project, and wanted to let the Board know that they will be hearing from the Residents about the Shooters Club. The residents are holding a community meeting tomorrow evening to discuss the Club and possible effects on the community. Supervisor Beideck mentioned to Mr. Seweryniak that, at this point, the Town Board is not involved; all matters related to the Gun Club should be directed to the Planning Board.

Richard Doktor said he was representing the Veterans' Council of Genesee County. The Council is asking the Towns to raise the exemptions for WWII Veterans. Mrs. Conti stated that you cannot pick and choose. If you raise the exemptions for on you must raise it for all.

## **RESOLUTIONS**

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 De Wind, AYE; Supervisor Beideck, AYE.  
ALL AYES - MOTION CARRIED

### **RESOLUTION #100 of 2007 – Water Dist. #3 Bid Award**

**WHEREAS** the Pembroke Town Board issued proposals for construction of Water District #3; and

**WHEREAS** 16 bidders submitted proposals and they were opened on September 20, 2007; and

**WHEREAS** our Engineer, Clark Patterson, has suggested awarding the bid to the low bidder, Villager Construction Inc., after review of qualifications; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Town Board accepts the Base Bid B:12 inch water main bid, received from Villager Construction Inc. for a total bid amount of \$877,417.50, and awarding the contract to them, contingent upon concurrence of award by USDA Rural Development and the Governor's Office of Small Cities (GOSC).

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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 De Wind, AYE; Supervisor Beideck, AYE.  
ALL AYES - MOTION CARRIED

### **RESOLUTION #101 of 2007 – Board of Assessment Review Appointment – Mary Ann Schnauffer**

**WHEREAS** the five (5) year term of Mary Ann Schnauffer as a member of the Board of Assessment Review expired September 30, 2007; and

**WHEREAS** Mary Ann Schnauffer has written a letter to the Town Board requesting reappointment to the Board Assessment of Review; **NOW, THEREFORE BE IT**

**RESOLVED** that Mary Ann Schnauffer be appointed to the Board of Assessment Review for five (5) years with the term expiring September 30, 2012.

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 De Wind, AYE; Supervisor Beideck, AYE.  
ALL AYES - MOTION CARRIED

**RESOLUTION #102 of 2007 – Gov. Spitzer/Illegal Aliens Drivers’ Licenses**

**WHEREAS** Governor Elliott Spitzer is proposing that illegal aliens be issued New York State Drivers’ licenses in the State; and

**WHEREAS** the County Clerks of New York State are opposing this directive from Governor Spitzer for many reasons, the main concern is Home Land Security because drivers licenses are used extensively as legal identification; and

**WHEREAS** the Genesee County Clerk is opposed to this directive; and

**WHEREAS** the Pembroke Town Board also opposes the issuance of drivers’ licenses to illegal aliens in the State of New York and wish to support the efforts of the Genesee County Clerk, Assemblyman Hawley and Senator Rath in opposing this directive; **NOW, THEREFORE, BE IT**

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**RESOLVED** that the Pembroke Town Board calls on Governor Spitzer to rethink his directive to issue illegal aliens drivers’ licenses and that this Board opposes any action that would give illegal aliens New York State Drivers’ licenses.

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

**RESOLUTION #103 of 2007 – Wind Energy & Incentive Zoning  
CP Referral**

**WHEREAS** the Town of Pembroke Town Board is interested in receiving a recommendation from the Genesee County Planning Board on the proposed “Wind Energy Law” and the “Incentive Zoning Law”; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Planning Board refers the two (2) Laws previously mentioned and attached to this resolution to the Genesee County Planning Board for their recommendation.

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

**RESOLUTION #104 of 2007** – Historians Fall Meeting

**RESOLVED** that Lois Brockway and JoAnn Cummings be authorized to attend the Association of Public Historians of New York State fall meeting to be held in Warsaw, NY on Saturday, October 13, 2007. The Registration fee for said meeting is \$15 per person; monies are available in the Historians budget.

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

**RESOLUTION #105 of 2007** – Budget Workshop & Budget Public Hearing Dates

**RESOLVED** that the Pembroke Town Board has set Wednesday, October 17, 2007 at 7:00 P.M. as the date to conduct a special workshop meeting for the purpose of preparing the tentative budget; and **BE IT FURTHER**

**RESOLVED** that November 14, 2007 at 7:00 P.M. be set as the date and time for the Public Hearing regarding the 2008 Town Budget

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 De Wind, AYE; Supervisor Beideck, AYE.  
ALL AYES - MOTION CARRIED

**RESOLUTION #106 of 2007** – Transfers

**RESOLVED**, that the Supervisor be authorized to make the following transfers:

FROM:	A1680.1	Data Processing	\$577.42
TO:	A1670.4	Mailing Postage	\$577.42
FROM:	B8010.41	Per diem	\$778.05
TO:	B9050.8	Unemployment	\$778.05

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 De Wind, AYE; Supervisor Beideck, AYE.  
ALL AYES - MOTION CARRIED

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**RESOLUTION #107 of 2007** – Abstract #10 of 2007

**RESOLVED**, that the Supervisor be authorized to pay all claims of Abstract #10 of 2007 General and Highway:

GEN. A	V390 – 392	\$ 3,861.74
	V393 – 423 – 438	\$ 78,098.63
PART TOWN	V 424 – 437	\$ 35,443.10
DA	V 163 – 173	\$ 4,743.69
DB	V 174 – 179	<u>\$ 51,214.00</u>
	TOTAL ABSTRACT	<u>\$173,361.16</u>

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to adjourn the meeting at 7:49 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 OCTOBER 10, 2007 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.