

**MINUTES** of the Pembroke Town Board Workshop held on October 28, 2009 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

**OTHERS PRESENT:** Andrea Davis, Town Clerk; and Steve Stocking, Hwy. Supt.; and John Worth.

Supervisor Tuttle called the meeting to order at 7:32 A.M.

## OLD BUSINESS

Supervisor Tuttle received an update from Tom Carpenter regarding the sewer meeting. Steve Stocking asked if we were still working together on the project; Supervisor Tuttle said that the State feels that it is better to keep the grants separate. This would keep us from losing anything that they should decide to not give the Village. The Village and the Town have applied for separate grants.

There was discussion on the Community Room rental rules. We should be differentiating between residents and non-residents when determining the rental fee. Councilman Arnold said that he did not see anything wrong with charging residents \$100 and non-residents \$200.

Councilman Sformo said there should also be a cleanup list indicating what they should do, i.e. taking care of trash, make sure lights are out, doors locked, etc.

Councilman Mallory said that we have not allowed alcohol in the past but we could allow alcoholic beverages as long as they are not selling it.

Councilman Sformo said that he called our Insurance Company last year about it and they said that we had liquor liability. We should check to see if we still have it.

Andrea Davis said that the biggest complaint that her office receives when people are returning the keys is that they cannot lock the doors when they are ready to leave. Councilman Mallory said that he will have Scott Strollo look into the problem.

Councilman De Wind asked if the extra tables are still there; Councilman Mallory said that they were. It was suggested that we keep them rather than sell them. They can continue to be stored there for now.

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We have received a request from Matthew Worth for reappointment to the ZBA.

The copier in the Assessor's Office is very old and no longer works. A new one will cost about \$500 to \$700. The information will be ready for the next meeting so that a resolution can be done.

Budget adjustments are ready for the rest of the year. Hopefully this will be the last time we will be doing adjustments this year.

Received the paperwork for the road dedication from Mark Boylan. We will do a resolution at the next meeting for the portion of the road that is completed.

We received notification last week of the awarding of the grant we applied for to redo and expand the records retention room area. We will receive a formal notice from the State and we will have to do a resolution accepting it. We will be sure to follow our Purchase Policy. The money should be received in about four (4) weeks.

Computel contacted us regarding Time Warner and other franchises we may have. Apparently people are not getting what they are paying for. Computel would like to review our franchises to see if we are getting full service; if they find nothing we pay nothing.

The New York State Police are still interested in putting in a satellite office. They need to have their own office so they will not be able to use the Village Offices. It would require putting on an addition to the Fire Hall. It could be looked at as sort of an investment as we will be getting dollars from tickets they wrote.

It was suggested that we meet with the Village to discuss this.

Zoning & Codes Position – Supervisor Tuttle said that we need to make a decision. One area of the budget we have been looking at is a fee for the safety inspections; these are not associated with the building permits.

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Councilman De Wind wants to hire, thru our interview process, a second 19 ½ hour part time person. Supervisor Tuttle explained to Councilman De Wind that, with a second part time person, we can expect increases in unemployment, etc.

Councilman Mallory said that we should have someone available during daytime hours. Supervisor Tuttle said that there are a lot of daytime calls for her. Steve Stocking mentioned that he has heard nothing but good things about Shellye.

Councilman Arnold stated that the Zoning Office needs to go to 40 hours; it is not possible to do what Shellye is doing plus accomplish everything that is needed here. Year round there are inspections, building permits, etc., especially in the spring and summer, and inspections, permits, and in-house work in the fall and winter.

Supervisor Tuttle said that with two (2) part time positions things will not be coordinated.

Councilman De Wind stated that he does not want to put all our eggs in one basket; there are a lot of things being resolved.

Supervisor mentioned again that if you add employees you run the risk of picking up extra expenses, i.e. compensation, unemployment, etc.

Councilman De Wind said that you have to have backups. Supervisor Tuttle reminded the Board that we do have backups in the form of an Intermunicipal Agreement with Batavia.

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, NAY.  
4 AYES 1 NAY - MOTION CARRIED

**RESOLUTION #67 of 2009 – Zoning/Codes Officer position**

**WHEREAS** the Town of Pembroke desires to add an additional part time Zoning Enforcement Officer and additional Codes Enforcement Officer position; **NOW, THEREFORE, BE IT**

**RESOLVED** that the position be created with one (1) part-time position of Zoning Enforcement Officer/Codes Enforcement Officer with combined hours not to exceed 19½ hours weekly and to commence January 1, 2010.

It was noted that Shellye will have the choice of day or evening hours.

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**NEW  
BUSINESS**

We have been contacted by BeniCare asking to talk to us regarding Health Insurance. If the Board desires to discuss Insurance with someone else to see what else is out there, then we will set something up. If you do not wish to do this than that is OK, too.

Councilman Arnold said that we should have them send us some information and references for us to review.

2009 Budget Amendments – The adjustments will be done at the next meeting.

Councilman Arnold asked if we could do a resolution to pay any outstanding bills for the park from an unexpended fund; Supervisor Tuttle explained that we need to get full totals first. The Park Committee has asked for \$200,000 in next year's budget. There are ball fields that need to be put in, possibly a tennis court, and a parking lot.

Councilman De Wind said that, before the regular monthly meeting, funds will need to be appropriated to pay the bills. We will need to talk to Laura about the proper procedure.

Supervisor Tuttle reminded the Board that the next sales tax check will be about 13% less than usual.

Councilman Sformo said that we should be able to take the money from somewhere else.

Supervisor Tuttle told the Board that we cannot pay anything until we have the vouchers; these should be ready for the next meeting.

Councilman De Wind said that he did not want to wait until the next meeting; we need to do this now; we have been doing it this way for three years. Supervisor Tuttle stated that they have been doing it wrong for three years. If in the future we get audited by the State and they find out we did things wrong they may say "no" to any grants or other assistance because we do not follow proper procedure.

Councilman De Wind said that he still wants to take care of it now; the water needs to be in and the electric had to be in. We knew that we were going to spend this money.

Councilman Arnold read the list of unpaid bills; Councilman De Wind said that the money should be appropriated now.

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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 #68 of 2009 – Transfer of Money for Park Bills**

**WHEREAS** the Pembroke Town Board has determined that an additional \$80,000 may be necessary to complete the 2009 portion of the Town Park Project; **NOW, THEREFORE BE IT**

**RESOLVED** that the Pembroke Town Board amends the 2009 Town Budget by transferring \$80,000 to A7110.4/Parks.

The Board decided to raise the park budget request from \$200,000 to \$250,000.

Meeting with GCEDC – A meeting was held with the GCEDC in which they went over the Yancey's Fancy Grant and reviewed what has to be done yet, and also the proposed sewer line.

The regular portion of the workshop meeting ended at 9:50 a.m.

#### **BUDGET WORKSHOP**

Supervisor Tuttle said that, since everyone has had the tentative budget in time to review it and for any questions they may have, he was only going to go over the areas where changes have been made. If any Board Member desires to go over it line by line he was willing to do so. No one asked to do this.

There is an adjustment to the Library Contractual. The line item came in wrong; it indicated \$19,200 rather than \$18,800.

The biggest differences in the budget this year is that we broke down the expenses for the buildings. Now we know what is being spent and where.

Legal notices and mailings were combined and now they are separated out.

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Monies were put in to cover ½ of the generator for the Court; ½ was received from Mike Ranzenhofer and we are trying to get the other half thru court grants. We are also looking at what might need upgrading at the hall, i.e. the oven; this would assist us in dealing with a disaster in the event we have one.

First page – we are still waiting for Pembroke Fire Department's budget.

Park – When Supervisor Tuttle asked if we are putting in the septic tank next year and where are we putting it; Councilman De Wind said that we are and that there is room between the soccer fields. It is an

expense of approx. \$8,000 and does not include and part of the tennis court, garbage removal, or port-a-johns (these will be the school's responsibility once the bathrooms are finished). Supervisor Tuttle also asked about fencing around the pond. Councilman De Wind stated that he had consulted with the Town Attorney and we have done all that we are required to by placing the guardrail. If someone gets in there and is hurt then it is not our responsibility because we have done all that is necessary; stupid is as stupid does.

The Highway Superintendent will have to give a price on the road maintenance i.e. the apron that goes into the park.

Highway/Capital Improvement – It was suggested that the stoned area in the front of Town Hall be done.

The road at the Commerce Park is ready for oil and stone next year; there will be an exact amount available on Tuesday.

Supervisor Tuttle said that when the 4<sup>th</sup> quarter sales tax check comes in it might be easier to take money from that check rather than add to the Capital Account.

Money has been put in for employment.

Supervisor Tuttle added that 3% has been added in for wage increases.

They anticipate 15% increase in health insurance coverage; we added 20% for a cushion.

Councilman Arnold expressed that he had a problem with the 3% salary increase, giving the same amount back to the County, increasing the retirement fund by 100%, and the

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17% increase in health insurance, then telling the residents that we cannot do more for them; it is wrong. He would like to give more money back to the County.

Supervisor Tuttle said that two (2) people went into the retirement fund and there was an increase in cost; also that it is a cost of living raise which is actually 3 ½%. If you would like to keep the tax rate the same we can call Scott German for the numbers so that we can do a resolution for this purpose.

Councilman Sformo said that there seems to be a great difference in what we are paying for garbage removal and what we are taking in. This should be looked at.

Supervisor Tuttle stated that the Budget Public Hearing will be at 7:00 p.m. on November 11<sup>th</sup>.

Copies of the updated Zoning Law were distributed.

## **ROUND TABLE DISCUSSION**

**Councilman De Wind** – When we are talking to the County Legislators we should talk about the Medicaid Amount. He would like to have a breakdown of the total cost of the park. He would like to have it for 2010.

Supervisor Tuttle said that he cannot give an exact amount as this was started before he became Supervisor; many of the things were included with other fees, such as the Attorney fees were for everything and was on one (1) bill. There was not a detailed record of the park costs.

**Councilman Arnold** – Councilmen De Wind and Arnold were invited to the School Board meeting last night and they were given a thank you for what they have done for the Town and the PYA.

#### **Highway –**

- Fall mowing is done.
- Four (4) trucks are ready to go.
- The men are back on 8 hours.
- Our generator is set to kick on at 7:00 a.m.

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| On MOTION of Councilman Sformo, seconded by Supervisor Tuttle, to adjourn the Workshop at 12.02 P.M.

| Respectfully submitted,

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| Andrea M. Davis  
| Town Clerk

| THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP AND BUDGET PUBLIC HEARING OF OCTOBER 28, 2009 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.