

**MINUTES** of the Regular Meeting of the Pembroke Town Board held on September 9, 2009 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

**ABSENT:** Gary DeWind, Councilman

**OTHERS PRESENT:** Andrea Davis, Town Clerk; Steven Stocking, Highway Superintendent; Deborah Conti, Assessor; Shellye Dale-Hall, Zoning / Codes Officer; Tom Schneider, ZBA Chairman; Richard Kutter, Planning Board Chairman; Todd Skeet, Village Mayor; Adam Cunningham, Library Vice Chairman; and John Worth.

Supervisor Tuttle called the Regular Monthly meeting to order at 7:00 P.M.

Deborah Conti gave the invocation.  
Supervisor Tuttle led the pledge to the flag.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to approve the Minutes of the August 12, 2009 Regular Meeting and the August 26, 2009 Workshop.  
**ALL AYES - MOTION CARRIED.**

The floor was opened to Adam Cunningham who came before the Board to discuss the Library's funding and update the Board on what has taken place with the Library in the past year. Mr. Cunningham said that they were not requesting an increase this year.

He also reported that the Library renovations are complete and includes a setting area to accommodate those who wish to stay and read or work. There were major improvements to the building that were accomplished thru the Libraries own Funding, i.e. fund raisers, etc. They have separate boys and girls reading groups; and, they now have wireless service; and are connected with NYOGA.

## **DEPARTMENT REPORTS**

### **ASSESSOR** – Deborah Conti

Mrs. Conti reported that she is working with her clerk on making a spread sheet listing of all the new construction. The will be working with the County and the RPS program to download all this information.  
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### **ZONING & CODES ENFORCEMENT** – Shellye Dale-Hall

- The Zoning's August Report has been submitted and filed. This was reviewed by Shellye Dale-Hall, Zoning Officer.

HIGHWAY – Steven Stocking reported the following:

- The culvert pipe has been repaired on Brown Road
- The truck bays and grounds are being prepared for the fair.
- Four (4) loads of sand have been delivered to the park.
- We are waiting for a price to replace the F450. Money is in the budget for the replacement.

TOWN CLERK – Andrea Davis

- The Town Clerk’s monthly report for August has been submitted and filed.

PLANNING BOARD – Richard Kutter, Chairman

- Minutes for the August meeting have been submitted and filed.

ZONING BOARD OF APPEALS – Thomas Schneider, Chairman

- Minutes for the August meeting have been submitted and filed. The September meeting may be cancelled as there are no applications submitted.
- The Board was provided a copy of an article regarding Stafford’s ZBA members receiving \$55 per meeting. Mr. Schneider said that we might consider a small increase for our ZBA and Planning Boards.
- Genesee County is holding a SEQR Training this month. Most of the ZBA members are going. This count towards the required annual training hours.

JUSTICES – David O’Connor & Robert Alexander

- The Justices’ reports for August have not yet been received.

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SUPERVISOR – James Tuttle

- The Supervisor’s August report has been submitted and filed.
- Councilman Sformo has been asking for more information to review prior to the meetings. Supervisor Tuttle proved the Board with additional financial reports asking the Councilmen to review them to see if this is what they want.

**COMMITTEE REPORTS**

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

There was no report.

Building & Ground – Councilman Mallory

Councilman Mallory reported:

- The pile of brush at the Community Center will be taken care of.
- The bee problem is resolved.
- There is a problem with the perimeter lighting. Spring Creek Construction will look at it.
- The new tables are all stenciled; four (4) will be coming to Town Hall.

Highway/Assessment/Court – Councilman Mallory

There was no report.

Planning, Zoning, Code Enforcement – Councilman Arnold

There was discussion on Special Use Permits; abandoned as well as never applied for. Supervisor Tuttle stated that, in some cases, we have people running businesses out of their homes, possibly for many years, and we have no way of knowing when they got permits, if at all, who issued the permits, etc. He said that, if we come across one of these businesses, they meet safety standards, etc., then we should just let them continue as they have been and address current matters we have. The general consensus of the Board was that this seems like a good way to handle the matter. It was suggested that we might adopt an amnesty program for businesses that have been in business for a few years but never applied for a Special Use Permit.

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Chairman Kutter and Zoning Officer Dale-Hall feel that maybe we should get the Town's attorney involved. Supervisor Tuttle said that we just need to put our heads together about the best way to proceed.

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

There was no report.

Youth Recreation – Councilman Sformo

Councilman Sformo reported that the final meeting of the year was held. The program ended up with money left over because only about 50% of the employees were needed because of no swimming program.

Human Resources/Benefits – Councilman De Wind

Supervisor Tuttle said that we need to contact Dave Georger for budget reasons.

Parks/Land Acquisition – Councilman Arnold

Councilman Arnold reported that the electric line has been installed in part of the park; and, Jeff Kohl is trying to get the baseball fields completed. They would like to get things wrapped up for this year.

Intermunicipal, Economic & Community Development – Supervisor Tuttle

Everything has been covered, so there was no further report.

Village Mayor Todd Skeet said that the PYA is holding a ceremony on September 26<sup>th</sup> and would like to invite the Board so that they may be able to thank them for providing a place for the children to play. Supervisor Tuttle said that the Board wants to do a grand opening when the park is finished. This will be discussed further at the workshop.

There will be another meeting held on September 14th at 6:30 P.M. with Clark Patterson and VRI regarding the sewer lines. Bill Lang representing the School District will be attending and the Town of Darien has been contacted to see if they are interested. To date nothing has been heard from them.

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**OLD BUSINESS**

Road Dedication – Supervisor Tuttle said that he got a call from the EDC and they confirmed that they have contacted their attorney to get the paper work done so that we can do the dedication and complete this portion of the road.

Water District #4 Formation – We have been notified that the Office of Community Renewal has turned down our application. We will continue on using our Rural Development money. The only problem is this is a loan and not a grant.

Chamber of Commerce Travel Guide – Councilman Sformo said that they are working on it. Last year's book had one page; in order to list all of the businesses there will not be enough room so a second page will be needed. Although not charging the businesses for the ad previously discussed by the Board Councilmen Sformo and Arnold agreed that we need to charge something for it. They are figuring out a fee.

The annual contract with J. O'Connell & Assoc. has been renewed.

Mercy Flight – A contract was sent out for the Town, Village and all three (3) Fire Districts to sign. We were informed that it is really the Fire Depts. responsibility; they will be signing the contract.

**NEW BUSINESS**

Supervisor Tuttle, Councilman De Wind, and Assessor Conti have discussed the NYS DOT building in Indian Falls. There are two (2) options. One is to pay the \$1 but in the future if there are any changes it would revert back to the state. The second option is to purchase the building outright. The Board felt that this was the better option.

Historical Society – 501-C-3 - The Association has been having difficulty in getting donations. With the economic problems the banks have been having, the banks and major corporations will not give anything unless you area 501-C-3. If the Board is in agreement we can have Mark Boylan do the necessary paperwork and Art Munger can do the required accounting.

Councilman Sformo said that he was concerned about any ramifications to the Town.

Councilman Arnold said that he did not think it was that expensive; the Board agreed to continue with the process.

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### **PUBLIC PARTICIPATION**

There was no public participation.

### **RESOLUTIONS**

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; Supervisor Tuttle, AYE.  
ALL AYES - MOTION CARRIED

**RESOLUTION # 59** – Payment of Abstract 9 of 2009

**RESOLVED** the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract 9 of 2009.

On **MOTION** of, Councilman Arnold, seconded by Councilman Sformo, to adjourn the meeting at 8:23 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 SEPTEMBER 9, 2009 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.