

MINUTES of the Pembroke Town Board Workshop held on August 25, 2011 at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: James H. Tuttle, Supervisor
John Worth, Councilman
Gary L. De Wind, Councilman
Edward G. Arnold, Jr., Councilman
Peter Sformo, Councilman

OTHERS PRESENT: Nicole Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Ed Mileham; Laura Landers, Freed, Maxick & Battaglia; Mark Boylan, Boylan Law Office; Adam Walters, Phillips Lytle LLP; Tom Carpenter & Andrew Kosa, Clark Patterson Lee; Steve Hyde, GCEDC.

The Workshop was called to order at 7:30 A.M.

OLD BUSINESS

There was much discussion between the Town Board, Attorney Mark Boylan, GCEDC and Clark Patterson regarding WQIP Sewer grant and the Buffalo East Tech Park North. The Town had some concerns as to how the sewer grant money would be distributed and how the Local Law would be enforced as far as how the Town will distribute the money designated for the GCEDC project.

Adam Walters from Phillips Lytle LLP representing the GCEDC addressed the Board regarding the Buffalo East Tech Park North. The property being focused on is about 162 acres 60 of which are wetlands. He discussed with the board the proposition of a rezoning process called P.U.D. (Planned Unit Development) and how the GCEDC would like the Town to be Lead Agency. Once the Town gets through the Seeker and rezoning process the Town will need to do a resolution to the County Legislature asking them to add the property fully to the Smart Growth Plan as a development area, some of which the property is already in. They have met with County Planning (Jill Babinski and Jim Duval) regarding the rezone and addition of entire property to the Smart Growth Plan. County Planning said a resolution by the Town Board would be the critical part in that process. The property involved would be subdivided and there would be no use of wetlands. Mr. Walters went before the Town Planning Board in July. The Town Planning Board wants two meetings before a decision will be made for rezone. Mr. Hyde said that GCEDC is currently in talks with the owners from Vision Parkway and may be able to help them with their site as well. Mr. Walters said that the Town as Lead Agency would be able to issue a negative declaration and there should be no need for an environmental impact statement, of course that decision is ultimately the Town Board's. He also asked the Board to take a hard look before making a decision. Mr. Walters said they will provide the Board with everything they need to make an educated decision and there will be a lot of detail.

Mr. Walters will try to get the Town a P.U.D. application before the next Town Board meeting. Mr. Walters will come to the September Town Board meeting and ask the Board to accept it and refer it to all necessary agencies including County Planning, Town Planning and declare your intent to be Lead Agency. Once the Town is Lead Agency and have read everything over they will either issue a positive declaration or a negative declaration. A positive declaration would trigger and environmental impact statement.

Andrew Kosa explained that Clark Patterson Lee is about 95% done with the field work on the Sewer district. He also reviewed the drawings that were provided to the Town Board for the Buffalo East Tech Park North and also how and why they designed things the way they had. The Traffic study is complete. All of the wetlands have been delineated.

The water and sewer studies are being looked at by Clark Patterson. There is a 12" water main on Route 77 and an 8" water line that runs down Vision parkway. The park would connect to the 8" line. It is estimated that somewhere between 100 and 200 thousand gallons of capacity a day would be available for sewer immediately. With pump station upgrades we could probably get that number up to about 700 gallons a day. For the sewer, the BET Park North would actually connect to the Pembroke sewer and it would use about 20 thousand gallons of water per day factoring in if all the homes and businesses connect to the Pembroke sewer. With the Corfu upgrades to the sewer plant we could get that up to 60 thousand gallons a day. Anything more would require more engineering research.

Everyone involved discussed how much capacity is involved and how much will be needed for the sewer district. The board also discussed what the cost would be to each user and how to lower that cost for the homeowners involved.

Mr. Walters, Clark Patterson and GCEDC will try to get the Board more details on the annual debt service and how to minimize the impact on the homeowners who would be required to hook into the sewer district.

NEW BUSINESS

2010 Audit Review - Laura Landers, CPA, from Freed, Maxick & Battaglia was present to discuss the findings of the Town of Pembroke Audit for fiscal year ending December 31st, 2010. Copies of the Audit Report and the Management Report were distributed to the Board Members.

Ms. Landers commented that the Town is in excellent financial shape and the Town being a little on the conservative side is the right thing to do.

Mr. Worth asked if Laura Landers could do some sort of training with the town official's after January as their will be new faces. Laura Landers said that would not pose a conflict of interest and could be set up.

Mr. Worth said that the Town may want to consult with Laura soon regarding building up a fund over the next couple of years for water districts since the Town has been informed that there is virtually no money for water grants.

Mail Prosecutor - Councilman Sformo received a call from Robert Zickl Esq., Mr. Zickl is currently one of the Town Mail prosecutors and would like to replace David Saleh Esq.. Mr. Zickl would like to handle both jobs as he is familiar with the duties and feels he is capable of handling the work load. Councilman Worth suggested asking Dave Saleh to make sure he does not need any transition and to find out his specific end date. Councilman Sformo will contact Mr. Saleh and also talk with Judge O'Connor to see if the court is ok with using one Mail Prosecutor.

2012 Budget sheets have been distributed by the Supervisor to all concerned parties due back to Supervisor by September 16th, 2011. The Board can go over the Budget on September 22nd, 2011. October 12th, 2011 will be the Public Hearing on the 2012 Budget and that will give the board time to make changes and adjustments to the budget if need be. Final approval should be on November 9th at our regular board meeting. The 2012 Budget must be adopted by November 20th, 2011.

ROUND TABLE DISCUSSION

Superintendent Stocking – The salt barn is filled. Final mowing will begin soon.

Superintendent Stocking will make some calls for seeding the front of the Town Park that has been cleared and cleaned up by the Highway Department. The new Town of Pembroke sign will be in place this weekend on the Route 77 entrance at the Town Hall. The board discussed putting a matching sign at the Town Park entrance. The Board agreed to have the Highway Department extend the back parking lot at the Park. A new truck will be purchased in 2012.

Councilman Sformo – The Pembroke Community Band has requested use of the Community Center for their Christmas concert on December 11th, 2011. The Corfu Winter Fest will be January 28th, 2012 and they have requested use of the Community Center as well. Councilman Sformo asked if money could be budgeted for the rental of the tent for the Winter Fest event again for 2012.

A resume for Bernie Fix was given to the board. He is interested in the second security guard position at the Town Court.

The Corfu Fire Department is working on a list of items in the Community Center that they have decided to relinquish to the Town. The new kitchen door at the Community Center and new safety pipes are installed.

Councilman Sformo said that the generator at the Community Center will need to be disconnected if we are going to sell it. Councilman Arnold confirmed that it was decided to sell the generator. Mr. Arnold asked the board what they wish to do if the generator cannot be sold. The generator has been advertised on Craig's List for a month now and has had no hits. The Board discussed at great lengths how they wish to proceed. The cost to fit the generator with a step down transformer to fit our needs would cost around \$7,000.00. The Town Board voted on the matter as follows:

A **MOTION** was made by Councilman Arnold, seconded by Councilman De Wind to retrofit the generator purchased to fit the needs of the building electrical system. The **MOTION** was **APPROVED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, AYE; Councilman Sformo, NAY; Councilman De Wind, AYE; Supervisor Tuttle, AYE.
4 AYES – 1 NAY - MOTION CARRIED

Councilman Arnold will make the arrangements to have the generator converted.

Councilman Sformo has received (3) quotes for radiant heaters for the Corfu Fire Department. Each Company, Rettke Heating, Turnbull Heating and Seaman's Hardware are offering a different version of radiant heaters so the prices are not comparable. Highway Superintendent Stocking will call and see if Radiant Heaters are available on State Bid.

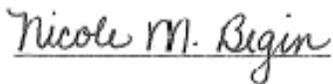
Councilman Worth – Councilman Worth had a meeting with the group from GAM regarding the Time Warner Cable Franchise. One question the group had was whether or not the Town's could take the money they receive for franchise agreements and use it for infrastructure to run cable down roads throughout the County that currently do not have cable. Councilman Arnold agreed that it would be a good idea to create an infrastructure fund for that purpose using the money we receive from Franchise fees. Attorney Mark Boylan said that if the Town's can justify using that money to benefit the most people it could be done.

Councilman De Wind – Councilman De Wind said that the use of the park by the football team is a great thing for the community. Councilman De Wind said that PYA has a key to the Park bathrooms for use of the storage room to keep their grill and other supplies.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to adjourn the Workshop Meeting at 12:11 P.M.

ALL AYES – CARRIED

Respectfully Submitted,



Nicole M. Begin
Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP OF AUGUST 25, 2011 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.