

**MINUTES** of the Pembroke **Town Board Workshop** held on **March 22, 2012** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

**PRESENT:** Edwin F. Mileham, Supervisor  
Edward G. Arnold, Jr., Councilman  
Peter Sformo, Councilman  
John Worth, Councilman

**ABSENT:** Gary L. DeWind, Councilman

**OTHERS PRESENT:** Stephen Stocking, Highway Superintendent; Nicole Begin, Town Clerk; Mark Boylan, Attorney; Tim Webber & Tom Carpenter, Clark Patterson Lee; Mark Masse, GCEDC; Todd Skeet, Village of Corfu Mayor; Al Graham, Village of Corfu Trustee.

The Workshop was called to order at 7:35 A.M.

### **OLD BUSINESS**

**Route 33 Water** – Supervisor Mileham said that the letter from the Board to the residents on Route 33 went out last week. The Board was under the impression that the Genesee County Health Department mailed follow-up letters to all of the resident's that had their wells tested but that was not the case. If the residents want to review or would like a copy of the report for their well testing they should contact the Town Clerk as we now have copies of those reports.

The Grant writers are trying to find grant money that is available for water. Mr. Mileham was informed that there is a lengthy process involved in obtaining a grant. The Town already has preliminary engineering costs from the end of 2011 but the residents would have to be surveyed to see what their income threshold is and a new survey would have to be done to see how many of the residents want water. There must be a percentage of residents that want it and the income level has to be a certain amount based on grant requirements. The survey to find out who wants water will have to be done door to door because of the lack of response by mail and the Board members cannot be the distributor of the survey, it must be done by a resident.

The Board discussed legalities with trying to hook into a Batavia line. They also discussed in detail the type of pipe Monroe County Authority uses, where the water would come from and whether a water district could be formed in the Town without Monroe County Water Authority. A contract was signed many years ago with Monroe County Water Authority stating that they would be the water authority for the Town of Pembroke and the Town must honor that legal agreement.

**Cemeteries** – Surveys have been completed on the cemeteries that are under the Town's jurisdiction. Supervisor Mileham will ask the neighbor to remove the horseshoe pits that are on the Pioneer Cemetery property on Back Street. Supervisor Mileham said that Councilman DeWind would still like to repair the chain link rope fencing at the Main & Slusser Road cemetery. The Board discussed if the fence was needed. They also thought that the repair of headstones should come first. The Board is waiting for the quote from Craig Wolcott for the repair of headstones.

Councilmen Arnold and Sformo said they will talk to Councilman DeWind and see what would be best.

**Corfu Fire District Lease** – The Board spoke in detail about the Corfu Fire District Lease. It was decided at a previous meeting to leave the lease amount for 2012 at the same amount that was paid in 2011. As far as 2013 and forward, Supervisor Mileham made some calls to find out what the going rate is for rental space. He found that the going rate is \$5-\$10 per square foot. Supervisor Mileham also went down and measured the square footage of the space leased by the Corfu Fire Department, the Village and Town space. Mr. Mileham said that the square footage of the truck bays and office space for the Corfu Fire Department is 3063 sq.ft.

The board talked in length regarding the rental space and covering the Town's cost to run and maintain the building. They agreed that the expenses are great and that the roof will need to be replaced in the next few years. Councilman Sformo said that the Town should only be worried about covering the Town's cost. The Board took a listing of the expenses paid for the building over the last two years which total approximately \$45,000 a year and split that by the amount of space used by each user. The Corfu Fire District is currently paying \$10,436.45 per year. The Town pays for maintenance and utilities for that part of the building. The board decided to raise the rental amount in 2013. A Public Hearing will be scheduled.

**Sewer Project** – Tom Carpenter gave a brief update on the sewer project and said that they are working with the Village to recapture the loss of some of their grant money. It looked as though the State was going to sweep somewhere between \$100 - \$200 thousand dollars from their funding for qualifying construction costs. He also answered questions that the Board had. Mark Masse said that the GCEDC is willing to help the Village with funding but not until they get a rate schedule from the Village for the sewer.

Tim Webber went over the SEQR for the sewer project page by page and explained in detail any environmental impacts that the sewer district may cause, all were minimal.

The Board discussed the NYS DEC's request that the Village and Town use a combined contract for a grant writer for the sewer project. Tom Carpenter said he would like to hold a public information meeting and Public Hearing for the sewer project as soon as possible.

The Board agreed to hold the public information meeting on the night of the Town Board meeting and to hold both at the Pembroke Community Center. Town Clerk Begin will post the meeting change and public meeting in the Batavia Daily news. Mrs. Begin will also send letters to all of the residents in the sewer district informing them of the meeting.

Village Trustee Graham said that the school is now in desperate need of the sewer as their septic systems are starting to fail.

## **NEW BUSINESS**

**Pembroke Town Park** – The Town received an estimate for a new parking lot at the Town Park from Jeff Kohl for \$9,490.00. Superintendent Stocking said that the Town will furnish stone. NYS DOT is going to mill the intersection at the corners of Route 5 and 77 and have offered the millings to the Town which could be used at the park.

**Assemblyman Hawley Conference** – Supervisor Mileham reminded the Board that the Hawley conference is coming up in May and the Board should decide as soon as possible if anyone of them will be attending. He requested that the board give him approval to attend. There will be a resolution at the next Town Board meeting.

**Pembroke Town Truck Bays** – Supervisor Mileham said that the Town Truck bays are in desperate need of repair or replacement. He was also approached by the School Bus garage regarding their interest in combining facilities. Tom Carpenter from Clark Patterson Lee said that they did a simple evaluation of the highway garage about a year and a half ago and said that the highway garage is in need of updating. Mr. Carpenter will email the board his report.

**Empire Phone charges** - Empire phone is charging the Town for a listing in their phone book for a cost of \$46 per year. The listing includes the hours of the Clerk, Highway and departments. The Board decided that the extra listing is not needed and not worth the money. The phone number for the Town Hall will still be listed in the white pages.

## **ROUND TABLE DISCUSSION**

**Superintendent Stocking** – The Highway department is currently fixing potholes, touching up shoulders. They cannot strip the trucks of plow equipment until April 15<sup>th</sup> because of the agreement with NYS.

**Supervisor Mileham** – Supervisor Mileham informed the Board that a Resolution will need to be done at the next Town Board meeting for the extension of the NYS Snow and Ice contract.

Mr. Mileham said that Code Enforcement did post an “Unsafe Structure” notice on the North Lake property that had a fire issue a few weeks ago. The building is an old church being converted to a home. The owner can continue to do construction on the property but cannot live there.

The Town received a bill from Summit Risk Services regarding the lawsuit brought against the Town by Dean Leffel. Supervisor Mileham checked with Attorney Mark Boylan and said that the bill must be paid.

Mr. Mileham spoke with Laura Landers from Freed Maxick and she told Ed that there is no need to ask for a State Audit. She said it is very likely that the State will do one soon without asking. She will have her audit findings for the Board at the April Workshop.

**Councilman Sformo** – Mr. Sformo asked Attorney Mark Boylan if the Town Board can change the Purchasing Policy by Resolution. Mr. Sformo asked if line 4.1 - “All estimated Public works contracts, section c. Less than \$3,000 but greater than \$500 are left to the discretion of the purchaser” could be changed to read “discretion of the committee”. This is something that the auditors suggested so there is a checks and balances on purchasing contracts. Mark Boylan said that it could be changed by Resolution. The Board discussed and decided to do so at the next Town Board meeting.

## **RESOLUTIONS**

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

### **RESOLUTION # 22 of 2012** – Transfer Funds From Surplus Monies

**WHEREAS**, during the present fiscal year, the Town of Pembroke has arranged to hire Jack Bernard to be caretaker of the Old Buffalo Road/Brick House Corners cemetery and;

**WHEREAS**, the cemeteries under the Town’s jurisdiction are in disrepair and in need of maintenance; and

**WHEREAS**, money was not budgeted in the 2012 budget to hire out or maintain the cemeteries that are under the Town’s jurisdiction; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board has agreed to transfer \$13,300.00 from the Town Parks equipment line item in the 2012 budget to Cemeteries Personal Services and Contractual line items to pay for expenses of the Town of Pembroke Cemeteries.

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

**RESOLUTION # 23 of 2012** – Budget Line Transfers for Cemetery Care & Maintenance **RESOLVED**, that the Town Supervisor be authorized to make the following Budget transfers:

FROM: A7110.2	PARKS – EQUIPMENT	13,300.00	
TO: A8810.1	CEMETERIES – Personal Services		800.00
A8810.42	CEMETERIES – Contractual – Maintenance		12,500.00

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

**RESOLUTION # 24 of 2012** – Classifying the construction of a sewer collection system in Sewer District No. 1 in the Town of Pembroke as a Type I Action, determining the significance of such action, and directing that the Negative Declaration be published in accordance with SEQR.

**WHEREAS**, the Town of Pembroke is lead agency for the purpose of implementing the above referenced project, and

**WHEREAS**, the Town of Pembroke has considered and reviewed the project; **NOW, THEREFORE BE IT,**

**RESOLVED**, the Town of Pembroke, as the lead agency for purposes of this project, determines that the project is a Type I action for the purposes of SEQR; and **BE IT FURTHER**

**RESOLVED**, based upon the Long Environmental Assessment Form completed by Clark Patterson Lee and the comments thereon received from the involved and interested parties, the Town of Pembroke determines that the action will not have a "significant effect" on the environment and, therefore, directs that a negative declaration be prepared; and **BE IT FURTHER**

**RESOLVED**, that as a consequence of such finding, the Town of Pembroke hereby directs that the negative declaration be distributed and published in accordance with the requirements of SEQR.

On MOTION of Councilman Arnold, seconded by Councilman Sformo, to adjourn the Workshop at 12:12 P.M.  
ALL AYES – CARRIED

Respectfully Submitted,

Nicole M. Begin

Nicole M. Begin  
Town Clerk

THESE MINUTES ARE THE FINAL MINUTES OF THE TOWN BOARD WORKSHOP OF MARCH 22, 2012 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.