

MINUTES of the Pembroke **Town Board Workshop** held on **April 26, 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
Gary L. DeWind, Councilman

OTHERS PRESENT: Stephen Stocking, Highway Superintendent; Nicole Begin, Town Clerk; Mark Boylan, Attorney; Tom Carpenter, Clark Patterson Lee; Mark Masse, GCEDC; Jack Bernard, Cemetery Manager; Cynthia Craig, NYS Cemetery Division; Steve Coddington, PYA Baseball.

The Workshop was called to order at 7:40 A.M.

OLD BUSINESS

Corfu Fire District Lease – Supervisor Mileham spoke with the Corfu Fire Commissioners regarding the new lease agreement. The fire district does not want to pay the 17% increase proposed by the Town if anything they would like to see a reduction in the rent. Some of the members of the fire district feel that the town is gouging them. Supervisor Mileham explained to them that the town has to cover the cost to run the building through rent of the fire district, village and rental of the community center. Supervisor Mileham said the fire district is aware that the rent will not increase in 2012. The Commissioners said that they are looking at the long term and the increase of 17% will be over the tax cap allowed by New York State. The fire district is already at the maximum taxable threshold allowed by the state.

Due to the financial problems that the fire district states to have, questions arose as to whether the fire districts should consider consolidation. Councilman Worth said he didn't think that could be done between village and town fire departments.

Councilman Worth said that if the Town keeps the lease agreement increase at 3% each year after 2012 the amount of the increase would only be about \$30.00 each month which should not be a problem. Councilman Worth felt it would be in their best interest to keep the amount in the original lease agreement which was a 3% increase including 2012. Councilman Sformo said that he felt there was a flaw in the town's original calculations. He said that the community center has very large heater/air conditioners and that the Court facilities are heated and cooled more often than the fire department offices. The fire district probably only uses a portion of the \$4.00 per square foot due to the amount of time they are there. Councilman Worth said that the replacements of the heaters in the fire department is going to cost the Town over \$10,000.00 which is more than the fire department pays in one year. Councilman Sformo said that doesn't matter because we own the building. Superintendent Stocking asked why separate meters aren't installed so that we can charge accordingly. Councilman Arnold said that it is costly to do that. Councilman Sformo also said that he is ok with keeping the 2011 rate the same for 2012 and a 3% increase going forward. Councilman Worth believes the 3% increase is fair, Supervisor Mileham, Councilman Arnold & Councilman DeWind agreed.

Councilman Sformo said that the board will have to look at what is charged for rental of the community center and may have to consider charging more and charging the not-for-profit groups. The Town is definitely in the red when it comes to running that building. Councilman Worth said that it makes no sense to open the entire community center for a group of 6 or less people. Unless you have a group of 50 or more it makes no sense to rent it out. There was some concern about the VFW and their use of the community center. Councilman Worth said that they could meet here at the town hall. There was some concern about handing out a key to the town hall for after hour use. Town Clerk Begin said that the rental price is only \$100.00 and it may make sense to charge more. It costs the Town \$75.00 to clean after each use. The Board agreed to look at the rental charges soon.

Steve Coddington, PYA baseball & Cub Scouts – Mr. Coddington asked the Town if they are willing to allow PYA baseball to purchase a shed and donate it to the Town park for their use to store the liner for the ball fields. He said the shed would be donated to the Town and owned by the Town not PYA. The Board discussed and voted.

A **MOTION** was made by Councilman DeWind, seconded by Councilman Arnold to allow PYA baseball to donate a shed to the Pembroke Town Park to be used by all and owned by the Town. The shed is to be the same color and have the same roof line as the shed already there.
ALL AYES - MOTION CARRIED

Mr. Coddington asked the Board if they would allow the Cub Scouts to put in Rubbermaid cans for recycling of cans at the park that the cub scouts would empty on a regular basis. The Board felt that the Rubbermaid cans are not a good choice due to wind conditions at the park. The Board decided to purchase six (6) heavy duty cans for recycling at the park to be emptied by the cub scouts. The Board voted.

A **MOTION** was made by Councilman Sformo, seconded by Councilman Arnold to purchase six (6) recycle bins for the Town Park fields to be maintained by the Cub Scouts.
ALL AYES - MOTION CARRIED

Mr. Coddington asked about scheduling conflicts with the school and PYA using the ball fields at the Town Park. Councilman Arnold said that there is going to be a meeting scheduled soon with the park committee, school and PYA to get the scheduling issues straightened out.

2011 Audit – Laura Landers from Freed Maxick and Battaglia reviewed the 2011 Audit and financial statements with the board. She said that all the Town funds are in excellent shape. Mrs. Landers also explained that their audit is done to Independent and government standards. She also explained changes coming this year and what that means to the Town funds. Mrs. Landers said that there are classes to take to help Boards better understand their fund balances and budgets. Councilman Arnold asked if the State would be satisfied with the audit and Mrs. Landers said that the state would be content with the results.

Sewer Project – Tom Carpenter reviewed sewer funding with the Board. He said that the DEC suggested that a meeting be set up with the EFC to discuss potential additional funding options. Clark Patterson and Chatfield engineers spoke with the EFC through conference call and they said that there is no additional grant funding at this time. The Town may be able to apply for other financing options through Municipal Solutions. Mr. Carpenter said that if the project comes in under budget the truck stops may be able to be included in the sewer district.

Town Clerk Nicole Begin reported to the Town Board that the response from the postcards that were sent for the sewer district are as follows: All of the 70 property owners within the sewer district were sent postcards. 44 of them were returned. 29 voted that they were interested in sewer, 15 voted that they were NOT interested. Due to the response from the postcard, Attorney Mark Boylan said the Town could form the district by resolution subject to permissive referendum. The Board agreed to move forward by resolution subject to permissive referendum and a public hearing will be scheduled.

North Pembroke Cemetery – Cynthia Craig from the NYS Division of Cemeteries to advise the Town on the North Pembroke Cemetery. Ms. Craig said that a third resolution should be signed by Larry Casper and then all three resolutions should be sent to her. She said a meeting should be set up with Larry so that he can hand over the assets. The Town should request any minute books, deeds, bank statements and other paperwork that he has. The Town could apply for grant money by going online and filing an abandoned cemetery application. This should be done as soon as possible. Ms. Craig suggested that the Town send out a letter to area funeral directors to notify them of the change and contact information.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo to enter into Executive Session to discuss property acquisition contract negotiations.

ALL AYES - MOTION CARRIED

TIME 9:54 A.M.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold to reconvene into regular session.

ALL AYES – MOTION CARRIED

TIME: 10:09 A.M.

Supervisor Mileham reported that no decisions were made in Executive Session.

Pembroke Town Park – Councilman DeWind obtained two proposals for the building of the park pavilions. The amounts and what is being proposed for them is quite different. The Town Board decided to write up a bid spec sheet and the spec sheets can then be forwarded to three contractors. Attorney Mark Boylan said this can be done according to the Town's Purchasing Policy. They agreed to do the same for the new parking lot at the park. The Board also agreed to get information from Clark Patterson regarding responsible bidders to add to the spec sheets.

East Pembroke Cemetery (@ Main and Slusser Road's) – There was some concern regarding the new chain fence that was purchased for this cemetery and whether the fence is contained within property lines. The posts already in the ground are historical, installed in the 1800's. The fence posts appear to be on the property of Cornerstone church. The chain fence was purchased within the guidelines of the Town's Purchasing Policy. After much discussion Attorney Mark Boylan said the Town could enter into a formal agreement with the church due to an encroachment on the church property. Mr. Boylan said that the Town can pay the bill for the chain link fence and the payment would be within legal guidelines. Councilman DeWind said that the fence was purchased to enhance a historical town cemetery. Attorney Boylan will get the agreement made up.

Pembroke Town Truck Bays – Supervisor Mileham said the Town Highway garage is in desperate need of repair and upgrades. Upon hearing this, the head of the school bus garage approached Mr. Mileham regarding consolidation of facilities. They would like to move the bus garage up to the Town facility due to issues they are facing with NYS DEC regarding fuel storage. They would need at least two bays for servicing and buses would be kept here when not in service. The school board would still need to be approached for their approval. Councilman Arnold said there may also be grant money available due to the state preferring consolidation of services.

ROUND TABLE DISCUSSION

Superintendent Stocking – The highway department will dress-up the park driveway and spread dust control spray.

Superintendent Stocking said he received a new bid proposal for mowing of the Town's cemeteries from our current landscaper Matt's Landscaping. The new proposal will include the North Pembroke Cemetery which the Town has just obtained due to abandonment from the North Pembroke Cemetery Association.

A **MOTION** was made by Councilman Arnold, seconded by Councilman DeWind to accept a new bid from Matt's Landscaping, the current landscaper of the Town's cemeteries, to mow and weed wack the cemeteries at Back Street, Main & Slusser Roads, Community Center, Old Buffalo Road, and the addition of North Pembroke Cemetery.

ALL AYES - MOTION CARRIED

Councilman Sformo – The District Fire Chief for the Pembroke Fire Department asked if there was a way to give a property tax rebate to volunteer firemen. Councilman Sformo asked the Board if the Town could have the Attorney look into it.

Councilman Worth said since there is no town tax, the only rebate would be the fire tax and water. Would it be possible for them to rebate it back to themselves after the fire department receives it from the Town?

Supervisor Mileham – Mr. Mileham will contact Bruce Fauth and the Commissioners of the Corfu Fire District regarding a new Fire District Lease proposal and the date for a public hearing.

Councilman DeWind – Mr. DeWind said he would like to know how the Board would like to proceed regarding the repair of broken headstones at the Old Buffalo Road Cemetery. Councilman Arnold said we should check to make sure how much money is left in the budget after mowing, new signs, cemetery manager etc... The Committee will get the numbers and it will be discussed at the next board meeting.

Mr. DeWind would like to pave the stoned areas around the current pavilions. At this time they are stoned. Councilman Arnold reiterated that we should check to make sure how much money is left in the budget. Mr. DeWind will get three bids and the board can make a decision.

Mr. DeWind asked about enhancing the soccer field on the east side of the ball diamonds in the back of the park. The Committee will see what plans can be made for the future.

Councilman Arnold – Mr. Arnold was contacted by the executor of the Mertie Doll property next to the Town Park. When the Town purchased the park property from Mertie Doll the Town was given first right of refusal to purchase her house when and if it was going to be sold. They are looking to sell the property for \$120-\$130,000.00. Mr. Arnold will check with the assessor to see what it is assessed for. The board discussed and decided to look in to the purchase of the property.

Councilman Worth – Mr. Worth asked the board to consider not printing the Town Newsletter after the Fall 2012 issue. We are one of the last towns in the County to print a newsletter. The newsletter currently costs the Town approximately \$3,000.00 annually. Town Clerk Begin said that the newsletter could still be created and put on the town's website and if someone would like a copy they could call the Town Clerk's office to have a copy mailed. The Board agreed and after the Fall 2012 issue we will cease printing the town newsletter but will continue to post it online and offer it printed for those who request it.

Mr. Worth asked if he could attend the 15th Annual New York State Cyber Security Conference and 7th Annual Symposium in Albany, NY on June 5th & 6th.

A **MOTION** was made by Councilman Arnold, seconded by Councilman DeWind to send Councilman John Worth to Albany to attend the 15th Annual New York State Cyber Security Conference and 7th Annual Symposium on June 5th and 6th.
ALL AYES - MOTION CARRIED

Town Clerk Nicole Begin thanked the Board for allowing her to attend the New York State Town Clerk's Conference in Saratoga Springs on April 23rd to the 25th. Nicole obtained some information at the conference regarding the acceptance of credit cards and will have that information at the next workshop meeting.

On MOTION of Councilman Worth, seconded by Councilman Arnold, to adjourn the Workshop at 11:45 A.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 APRIL 26, 2012 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.