

**MINUTES** of the **Regular Meeting** of the Pembroke Town Board held on **September 12, 2012** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

**PRESENT:** Edwin Mileham, Supervisor  
Edward G. Arnold, Jr., Deputy Supervisor  
Peter G. Sformo, Councilman  
Gary L. DeWind, Councilman

**ABSENT:** John Worth, Councilman

**OTHERS PRESENT:** Nicole M. Begin, Town Clerk; Deborah Conti, Assessor; Richard Kutter, Planning Board Chairman; Tom Schneider, ZBA Chairman; Ken Lauer, Corfu Village Trustee; Greg Brockway; Larry Delre.

The meeting was called to order at 7:03 P.M.

A moment of silence was held for the victims and families of 9/11.

Deborah Conti gave the invocation & Supervisor Mileham led the Pledge to the Flag.

**PUBLIC PARTICIPATION** ~ No public participation.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to approve the Minutes as amended of the Regular Meeting August 8<sup>th</sup>, 2012 and the Workshop Meeting August 23<sup>rd</sup>, 2012

ALL AYES - MOTION CARRIED.

**DEPARTMENT REPORTS**

**ASSESSOR** – Deborah Conti

- Mrs. Conti reported that the school tax bills have been distributed and in turn the assessor's office has been fielding a numbers of calls regarding taxes.

**ZONING & CODES ENFORCEMENT** – Shellye Dale-Hall

- Mrs. Dale-Hall said that they are still working on the resolution for property on Indian Falls Road. The office is now working on complaints regarding the RC Pulsars of WNY. They run a club on Knapp Road that has received several complaints from area neighbors. Mrs. Dale-Hall and Planning Board Chairman Richard Kutter will get together with the president of the club and the complainant to try and resolve the issues.
- There is property being sold on Phelps Road that may be subdivided if the purchase goes through. There may be some stipulations to this due to the mobile home park that is there and laws regarding non-conformance of trailer parks. Mrs. Dale-Hall said that the trailer park cannot be added to. Mr. Sformo asked if our zoning laws say that the owner can or cannot add to the trailer park. Mrs. Dale-Hall said that the mobile home park existed before the zoning law and there are rules that pertain to preexisting mobile home parks.

The issue may be with the land separation, if the land gets separated it may then be considered a new piece of property that has to follow NYS laws and regulations pertaining to mobile home parks. Mr. Kutter said that until they talk with the purchaser we will not know how it will go. He also stated that they are working closely with Attorney Mark Boylan on this issue. Mrs. Dale-Hall said that HUD governs all mobile home park regulations now and they require larger lots than were needed in the past. HUD supersedes town zoning law.

HIGHWAY – Stephen Stocking

- Nothing to report at this time.

TOWN CLERK – Nicole M. Begin

- Town Clerk August reports were submitted and filed.
- Hunting License Sales are up from the previous year.
- The credit card terminal should be installed in the Town Clerk's office sometime next week.

PLANNING BOARD – Richard Kutter

- Mr. Kutter said that the Planning board will present proposed text changes to the Town board by the end of the month.
- Mr. Kutter said that there was a meeting held with all people involved regarding property on Indian Falls Road. They are hopeful it will be resolved for all parties involved.

ZONING BOARD OF APPEALS – Thomas Schneider

- Mr. Schneider said that there are three (3) area variances for the ZBA meeting this month.
- Mr. Schneider asked the board to expedite the text changes of the zoning law. There is a resident looking to install a non-commercial wind energy system and there is some funding available to him if he meets the time frame requirements. Mr. Sformo asked Mr. Kutter and Mr. Schneider to get those changes to the Town Board as soon as possible.

JUSTICES – Robert Alexander & David O'Connor

- The August monthly reports have not yet been submitted.

SUPERVISOR – Edwin F. Mileham, Jr.

- August reports were submitted and filed.
- Budget worksheets have been distributed and the budget should be ready to present to the board by the end of the month.

**COMMITTEE REPORTS**

**Audit, Finance, Insurance, Investment & Purchasing** – John Worth & Ed Mileham

- Nothing to report at this time.

**Building & Grounds, Highway, Assessment, Court** – Gary DeWind & Ed Arnold

- Nothing to report at this time.

**Planning, Zoning, Code Enforcement, Public Safety** - Ed Mileham & Ed Arnold

- Supervisor Mileham said that the Committee is working on updating the zoning law and fees.

**Public Services, Water, Sewer, Refuse/Recycling, Economic, Intermunicipal, & Community Development** – Gary DeWind & Peter Sformo

- Councilman DeWind said we are waiting on the DEC at this time but the agreements between the Town and Village have been signed. We should be able to move forward in about three weeks.

**Youth Recreation, Parks and Land Acquisition** - Gary DeWind & Ed Arnold

- Councilman DeWind said he received a bill for four (4) eight foot picnic tables that were built for the new pavilion. They are already being enjoyed by the residents.
- Specs went out for the paving around the park pavilions. Three bids were obtained. The board will look those over and award the bid.

**Human Resources/Benefits** – Ed Mileham & Ed Arnold

- Supervisor Mileham said we received a letter from Tompkins insurance regarding an increase in health insurance costs. Mr. Mileham said he also believes that workers comp will be increasing.

**Cemeteries** – Gary DeWind & Peter Sformo

- Councilman DeWind said that Jack Bernard may not be able to continue with the Superintendent of cemetery position due to some personal issues. There may be someone interested that also works for another cemetery. Mr. DeWind will have more information at the next meeting.

**IT** – John Worth

- Nothing to report at this time.

**OLD BUSINESS**

**Mertie Doll Property Update** – Councilman Arnold said that the inspection of the Doll property has been complete and a copy of the report was given to the board members. Mr. Arnold said that the inspector said there are no major problems and that the town could continue moving forward with the purchase. Town Clerk Begin will check with the attorney about doing a permissive referendum to move money to purchase the property.

**Community Center kitchen equipment** – Mr. Mileham said that we are waiting for an agreement from Dave Saleh for the kitchen equipment at the Pembroke Community Center.

**Heaters at the Corfu Fire Department** – Councilman Sformo said that he approached the Corfu Public Works employees because they installed heaters themselves in the Corfu Public Works building. The gentlemen said they could install the heaters in the Corfu Fire Department if needed. Mr. Sformo said we could save money by paying them to install the heaters and buy the heaters off state bid. The Committee will get to work on that.

**Bids for Electrical at Town Hall** – Supervisor Mileham said we obtained two (2) bids for electrical work to be done at the town hall and we are waiting on a third.

### **NEW BUSINESS** ~

**Boundary posts at Pratt Road Cemetery** – Councilman DeWind spoke with excel fence about putting boundary posts at the four corners of the cemetery on Pratt Road. They should be able to do that in about two weeks.

**Work needed at Town Hall** – Engineers from Clark Patterson Lee came to give the Town a report of the Town Hall and highway garages regarding work that will need to be done to fix the structural problems in the highway garages and other improvements needed at the Town Hall.

**Roof at the Community Center Building** – Supervisor Mileham said we received a quote from Brier Hill for the repair of the roof at the Community Center building. Supervisor Mileham said that we will have to advertise the job for bid.

### **RESOLUTIONS**

**RESOLUTION # 63 of 2012** – Budget Transfers for 2012

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

**RESOLVED**, That the Supervisor be authorized to make the following Budget transfers:

FROM:	A1620.21	Buildings –Equipment –Corfu	25,000.00	
TO:	A1620.414	Buildings –Cont’l –Corfu -Supplies		25,000.00
FROM:	A1620.22	Buildings –Equipment –Pembroke	11,000.00	
	A1620.421	Buildings –Cont’l –Pembroke –Telcom	1,500.00	
	A1620.422	Buildings –Cont’l –Pembroke –Electric	2,500.00	
	A1620.423	Buildings –Cont’l –Pembroke –Gas	1,000.00	
TO:	A1620.424	Buildings –Cont’l –Pembroke -Supplies		16,000.00
FROM:	A1990.4	Contingent Account	1,000.00	
TO:	A1940.4	Purchase Of Land		1,000.00

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FROM: A5010.44	Highway Administration –School/Conf	400.00	
TO: A5010.4	Highway Administration -Contractual		400.00
FROM: A7110.2	Parks -Equipment	9,000.00	
TO: A7110.4	Parks -Contractual		9,000.00
FROM: A8160.4	Refuse & Garbage -Contractual	95.00	
TO: A8389.4	Water Other Water Expenditures –Cont'l		95.00
FROM: A1990.4	Contingent Account	5,800.00	
TO: A8540.4	Drainage -Contractual		5,800.00
FROM: A8160.4	Refuse & Garbage –Contractual	2,500.00	
A8160.42	Refuse & Garbage –Recycling Contract	1,000.00	
A8810.42	Cemeteries-Contractual –Maintenance	2,300.00	
TO: A8810.4	Cemeteries-Contractual		3,500.00
A8810.41	Cemeteries- Contractual –Mowing		2,300.00

**RESOLUTION # 64 of 2012 – Temporary Funding Sewer Project**

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

**WHEREAS**, the Town of Pembroke has adequate Unappropriated Fund Balance and does not anticipate other immediate need for these funds; and

**WHEREAS**, the Town of Pembroke has plans to construct a sewer line in a new sewer district; and

**WHEREAS**, funds are needed to pay some preliminary project costs; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board of the Town of Pembroke authorizes the temporary transfer of \$200,000.00 from the A Fund to the HW2- Capital Project Fund by the Town Supervisor to be recorded using the following entries:

Debit A391	Due from other Funds	\$200,000.00
Credit A201	SAVINGS	\$200,000.00
Debit HW2-201	SAVINGS	\$200,000.00
Credit HW2-630	Due from other Funds	\$200,000.00

**RESOLUTION # 65 of 2012 - Payment of Abstract 9 of 2012**

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

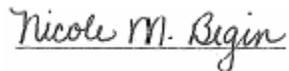
ALL AYES - MOTION CARRIED

**RESOLVED** that the Town Board of the Town of Pembroke, authorizes the Town Supervisor to make all payments and bills contained in Abstract 9 of 2012.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to adjourn the meeting at 7:46 P.M.

ALL AYES – CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF SEPTEMBER 12, 2012 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.