

**MINUTES** of the **Regular Meeting** of the Pembroke Town Board held on **October 10, 2012** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

**PRESENT:** Edwin Mileham, Supervisor  
Peter G. Sformo, Councilman  
Gary L. DeWind, Councilman  
John Worth, Councilman

**ABSENT:** Edward G. Arnold, Jr., Deputy Supervisor

**OTHERS PRESENT:** Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Richard Kutter, Planning Board Chairman; Tom Schneider, ZBA Chairman; Greg Brockway; James E. Mallory; Lynn Schafer; Gayle Wiegand, Earth, Wind & Solar; Diana Reding & Kathleen Dethier, Corfu Free Library.

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

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

**PUBLIC PARTICIPATION** ~ Representatives from the Corfu Free Library were present to answer any questions the board may have regarding their submitted budget request for 2013. They did say they are requesting a 2% increase. Councilman Sformo asked what the increase was needed for and they said it would be used for regular maintenance and payroll increases expected in 2013.

On **MOTION** of Councilman DeWind, seconded by Councilman Worth, to approve the Minutes of the Regular Meeting September 12<sup>th</sup>, 2012 and the Workshop Meeting September 27<sup>th</sup>, 2012  
**ALL AYES - MOTION CARRIED.**

## **DEPARTMENT REPORTS**

### **ASSESSOR** – Deborah Conti

- Mrs. Conti thanked the board for allowing her to attend the annual assessor's conference. The bill for the conference will be split between the Town's that Mrs. Conti is assessor for. Mrs. Conti received twelve (12) continued educational credits for her attendance.

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

- The September monthly reports have been submitted & filed. Mrs. Dale-Hall said that she will attend training in January in Buffalo, New York. The training will be worth 24 hrs of certification credits.
- The Zoning office is currently working on complaints for RC Pulsars on Knapp Road and Goats on Lake Road. The owner of the goats is going to apply for a special use permit.

### **HIGHWAY** – Stephen Stocking

- Fall mowing is going on now and they are preparing to put plows on a couple of the trucks.

TOWN CLERK – Nicole M. Begin

- The credit card machine is working out great. Residents have used this feature and credit card purchases in the last two weeks are over \$1,100.00.

PLANNING BOARD – Richard Kutter

- The latest draft of the Model Wind Energy System changes for the zoning law was given to the Town Board for review. All the changes that they asked for were made. Councilman Sformo asked how the Chairmen for the Planning Board and ZBA came up with a 60 decibel unit for the noise limit. Chairman Schneider said that the number was taken from Bergey Wind energy online school for zoning regarding non-commercial wind energy. Mr. Kutter said that after checking out a number of non-commercial wind websites it was determined that this was an acceptable level for them across the board. A Public Hearing will be scheduled for the Local Law to add Wind Energy to the zoning law.
- Councilman Worth relayed to the Planning and Zoning Board Chairmen that the DEC meeting for the expansion of County Line Stone was held on October 3<sup>rd</sup> at 6:30 P.M. Mr. Worth said that there were plenty of people in attendance and they were very concerned and wanted the boards to know how they felt. The Chairmen said that they will keep their eyes and ears open for any new meetings.

ZONING BOARD OF APPEALS – Thomas Schneider

- There were multiple variances looked at in September and there is a flag lot being looked at and could get interesting depending on how the land owner wants to divide the property up. They are also looking at getting a deck into compliance that was built without a building permit a few years ago.

JUSTICES – Robert Alexander & David O'Connor

- The September monthly reports have been submitted & filed. September Funds retained by Town ~ Alexander \$15,730.00 & O'Connor \$27,870.00.

SUPERVISOR – Edwin F. Mileham, Jr.

- September reports were submitted and filed.
- The 2013 budget is established and a special budget workshop meeting will be set so that the board can review it in its entirety.

COMMITTEE REPORTSAudit, Finance, Insurance, Investment & Purchasing – John Worth & Ed Mileham

- Nothing to report at this time.

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

- Councilman DeWind reported that there was an issue with the stove at the Community Center and National Fuel had to be called. Mr. DeWind said that the stove needs to be replaced and it will not be cheap but it needs to be taken care of before there is a fire or someone gets hurt.

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

- Mr. Mileham said that the only new item is the Non-Commercial Wind Energy update to the zoning law.

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

- Mr. DeWind reported that the sewer project is moving along and we should have some updates at the Workshop meeting. At this point we are waiting on the DEC and the NYS DOT. The estimated timeframe for the laying of pipe is spring 2013. Mr. Worth asked if there are any meetings that need to be scheduled to resolve the small issues regarding time frames to hook in etc. Mr. Sformo said that it hasn't been discussed yet and Mr. DeWind said that they will know when the engineers inform the Town.

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

- Mr. DeWind said that the paving is done around the pavilions at the park. Mr. DeWind said that there are still some items that need to be fixed at the new pavilion.

- Mr. Mileham said we are waiting for the end of the month for the permissive referendum and then a closing date can be scheduled for the purchase of the Doll property next to the town park.

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

- Mr. Mileham said that there are a few people that need to sign the credit card and computer use policies.

**Cemeteries** – Gary DeWind & Peter Sformo

- Councilman DeWind met with Jack Bernard at the North Pembroke Cemetery to assess what improvements need to be made so that the Town can apply for a grant for repairs and improvements. They are looking at replacing fencing and putting more gravel on the driveways.

- Excel fence put in capped posts at the four corners of the Pratt Road cemetery.

**IT** – John Worth

- Mr. Worth said we are finalizing up the Docuware program next week. .

**OLD BUSINESS**

- Supervisor Mileham said that the Town obtained an agreement with the Corfu Fire Department for the kitchen equipment at the Community Building. Now that we have the agreement we can move forward with replacing the stove.
- The electrical work at the Town Hall will be done by McCabe electric and will be scheduled soon.
- Supervisor Mileham said that the heaters at the Corfu Fire Department will be done in the spring. Mr. Sformo said the information he obtained in 2011 regarding the heaters was passed on to Councilman Arnold who replaced him on the committee.

**NEW BUSINESS**

- Supervisor Mileham said that the Chamber of Commerce has started work on the 2013 travel guide. A photographer will be taking pictures throughout the town to add to our pages.
- Supervisor Mileham said that the preliminary budget is ready to be reviewed by the board at a budget meeting and a date needs to be set. The Board decided on Tuesday October 16<sup>th</sup> at 8:30 A.M. (*This meeting had to be rescheduled for Thursday October 18 due to conflicts*).
- Mr. Mileham said that we need to schedule a public hearing for the Local Law for Model Wind Energy System changes to the Zoning Law.

-----  
 A **MOTION** was made by Councilman Sformo, seconded by Councilman Worth to hold a public hearing on October 25<sup>th</sup> at 8:00 A.M. for Local Law #2 of 2012 - Amend Local Law #1 of 1991- Zoning Law addition of Model Wind Energy Systems.

ALL AYES - MOTION CARRIED

- 
- Assessor Conti reported that there is a vacancy on the Board of Assessment Review and asked that an ad be placed in the paper to fill the vacancy for a five year term.

**RESOLUTIONS**

**RESOLUTION # 67 of 2012 - Chamber of Commerce 2013 Visitors Guide**

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

ALL AYES - MOTION CARRIED

**RESOLVED** that the Town Supervisor authorize a two page ad in the Genesee County Chamber of Commerce 2013 Visitors Guide. Monies for this expenditure are in the 2012 budget.

**RESOLUTION # 68 of 2012** – Clark Patterson Engineering services for Town Hall

**MOTION** was made by Councilman DeWind, seconded by Councilman Worth followed by discussion. Councilman Worth said he had a concern as to whether the work to the Town Highway Garage was going to be done in 2013 since we may have a lot of other expenditures that could arise from the sewer district. Councilman DeWind said the work needs to be done but is not sure if the town will be ready in 2013. Mr. Mileham said this would be a thorough engineering study and designs. The Board decided to hold off for the time being.

The **MOTION** for the following resolution was **RESCINDED** by Councilman DeWind

**WHEREAS** the Pembroke Town Hall Highway Garage is in desperate need of repair; **NOW, THEREFORE, BE IT**

**RESOLVED** that Town Board of the Town of Pembroke, authorizes the Town Supervisor to enter into a contract with Clerk Patterson Lee for engineering services for the Pembroke Town Hall Highway Garage for a cost not to exceed \$3,000.00.

**RESOLUTION # 69 of 2012** - Payment of Abstract 10 of 2012

On **MOTION** of Councilman Sformo, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman Sformo, 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 10 of 2012.

**RESOLUTION # 70 of 2012** – 2013 Performance Bond

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

**RESOLVED** that the Town Board of the Town of Pembroke approves the sum and form of the Performance Bond in the amount of \$500,000 for the tax collection for the year 2013.

**RESOLUTION # 71 of 2012** – Cemetery Fee structure for Town of Pembroke Cemeteries

On **MOTION** of Councilman DeWind, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman Sformo, NAY; Councilman DeWind, AYE; Supervisor Mileham, AYE.  
3 AYES – 1 NAY - MOTION CARRIED

**WHEREAS** some aspects of the preparation of burials will now be provided by monument companies requiring prices to change for the prices of burials at Town of Pembroke Cemeteries;  
**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board of the Town of Pembroke adopts the new fee structure for Town of Pembroke Cemeteries.

\*\*\* See Attached \*\*\*

On **MOTION** of Councilman Sformo, seconded by Councilman DeWind to adjourn the meeting at 8:41 P.M.  
ALL AYES – CARRIED.

Respectfully submitted,

*Nicole M. Begin*

Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF OCTOBER 10, 2012 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.