

MINUTES of the Pembroke **Town Board Workshop** held on **October 25, 2012** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

PRESENT: Edwin F. Mileham, Supervisor
Edward G. Arnold, Jr., Councilman
Peter G. Sformo, Councilman
John J. Worth, Councilman
Gary L. DeWind, Councilman

OTHERS PRESENT: Nicole Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Mark Boylan, Town Attorney; Mark Masse, GCEDC; Richard Kutter, Planning Board Chairman; Tom Schneider, ZBA Chairman; Lynn Schafer; Gayle Wiegand, Earth, Wind & Solar

The Workshop was called to order at 7:34 A.M.

OLD BUSINESS

Sewer Project – The Town has received updates from the engineers at Clark Patterson as to updates from the NYS DEC and NYS DOT. The engineers have a few minor changes that need to be done and the attorney is working on Operation and Maintenance Agreement and Sewer Use Laws, based on the Village of Corfu's. The Town project will require several easements from private land owners. Easement exhibits have been provided to the Town Attorney for final preparation and to be sent to property owners. Bidding of the project anticipated end of fall or in the winter and Construction completion is anticipated by the end of 2013.

Mertie Doll Property – Mark Boylan, our Town Attorney will send our check to the attorney for the seller of the Doll property and to the county clerk to file the papers and the closing will happen next week. There is a resolution to get those checks ready. The board had some discussion about what they would like to do with the property after the gas wells are separated from the deed to the house.

Agreement with Pembroke Central School for town park – Councilman Arnold said he is working on getting an agreement together.

BETP – Mark Masse updated the Town board about the progress that the GCEDC has had regarding the Buffalo East Tech Park. The GCEDC plans to discuss more at their next meeting on November 1st at 4:00 P.M. Mark will be back at our next workshop meeting with updates.

Electrical Wiring at Town Hall – The new wiring at the Pembroke Town Hall office is complete.

NEW BUSINESS

Visitor's Guide – Supervisor Mileham received emailed pictures that were taken around the Town and was asked to choose some for the Chamber of Commerce visitor's guide.

Burial of the Time Capsule – The Bicentennial Time Capsule will be buried at the Brick House Corners Cemetery on Saturday November 3rd at 10:00 A.M. Children between the ages of 10 and 15 were chosen to open it in 2042 and they will be in attendance.

GAM – Supervisor Mileham said at the Genesee Association of Municipalities meeting the Town of Batavia did a cost analysis of their health care costs and it showed how much they’ve saved by switching to a new company. Mr. Mileham is going to contact Tompkins Insurance to see if they could do the same for us to make sure we are getting the best possible price for the coverage we receive. The Town of LeRoy also asked the town’s for support to vote against a minimum wage increase.

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The **Public Hearing** for Local Law # 2 of 2012, A Local Law to Amend Local Law #1 of 1991-Zoning Law addition of Model Wind Energy Systems, was called to order at 8:03 A.M. Town Clerk Nicole Begin reported and read the Notice of Public Hearing that was printed in the Daily News as well as posted on the Town’s bulletin board, the Affidavit of Posting, and the Certification of Distribution to Board Members.

**PUBLIC HEARING  
LOCAL LAW # 2 OF 2012**

**“Amend Local Law #1 of 1991 - Zoning Law addition of Model Wind Energy Systems”**

Supervisor Mileham explained that this Local Law was to add Model Wind Energy Systems guideline to our Local Zoning Law. This Local Law was given to the Town Board and was read and discussed fully by the Town Board.

Planning Board Chairman Kutter read the changes that the Town board requested to be made to the section on noise. There was some discussion by Board Members regarding noise that may occur years after installation. Chairman Kutter said that the owner would need to have the noise decibel level tested and either fix the windmill or remove it. Mr. Wiegand from Earth, Wind & Solar said that there is a five year warranty on windmills.

On **MOTION** of Councilman Worth, seconded by Councilman Arnold, to close the Public Hearing at 8:11 A.M.

ALL AYES - MOTION CARRIED.

Everyone being heard that wished to be heard, Supervisor Mileham declared the public hearing closed.

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Planning Board Chairman Kutter informed the Town Board that he received a new smart growth plan map from County Planning. The Planning board discussed it and had nothing to add to it. Town Clerk Begin will make copies for the board member and one for the Clerk’s office.

Budget – Supervisor Mileham reported that the workshops for the budget are complete and all changes requested by the Town Board have been made. Town Clerk Begin will advertise a public hearing for the Town Board meeting on November 14th at 7:00 P.M. There will also be a hearing to override the NYS 2% tax cap even though the town budget does not increase by 2%. With some cuts made, the 2013 budget is actually less than the 2012 budget.

Chairman Schneider & Chairman Kutter requested that the ZBA & Planning Board members attend the Genesee Finger Lakes Regional Planning Council is having a training on Friday November 16, 2012 in Batavia, New York. The Board will have a resolution at the next board meeting approving the training.

There was discussion regarding a building permit for a resident wishing to construct a pole barn. It was suggested by the Zoning department that it go before the planning board for review. Chairman Schneider didn't think that it had to. Mr. Schneider contacted the owner to see exactly what the owner plans to build and what he will be using the structure for. The owner said the pole barn will only be used for storage. Mrs. Schneider explained the process to him and they will talk again in a few days after the owner thinks it over.

On **MOTION** of Councilman Arnold, seconded by Councilman Worth to enter into Executive Session to discuss a personnel matter.

ALL AYES - MOTION CARRIED

TIME 9:37 A.M.

On **MOTION** of Councilman Sformo, 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.

ROUND TABLE

Councilman Sformo – Mr. Sformo asked the Board to consider passing two laws, one regarding the Right to Farm and the other being the Right to practice Forestry. Town Clerk Nicole Begin will contact other towns to see what they have in place.

Superintendent Stocking – Mr. Stocking reported that he has been receiving complaints regarding truck traffic on Scribner Road. The board discussed the signage that is already in place on Scribner, it is posted 6 ton per axel and because the road is already posted the residents should call the sheriffs department or the State Troopers to get the trucks stopped and ticketed. Mr. Stocking said the trucks can go down empty because of the weight limit but should not be going down Scribner loaded. If the weight posted signs are missing Mr. Stocking will re-post them.

RESOLUTIONS

RESOLUTION # 72 of 2012 – Payments for purchase of Doll property

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

ALL AYES - MOTION CARRIED

WHEREAS the Pembroke Town Board has negotiated to purchase the Mertie E. Doll property located at 8793 Alleghany Road next to the Pembroke Town Park; and

WHEREAS a Town Board resolution was done in September of 2012 subject to permissive referendum to purchase the property using \$102,000.00 of the Land Capital Reserve fund with the remainder to be paid from the unappropriated unexpended fund balance; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board authorizes the Town Supervisor to make the following payments to close on the purchase of the Mertie E. Doll property

Attorney for sellers, Michael Rivers -	\$121,447.09
Genesee County Clerk recording fees -	\$180.00

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to adjourn the Workshop at 10:53 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 OCTOBER 25, 2012 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.