

MINUTES of the **Regular Meeting** of the Pembroke Town Board held on **December 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
John Worth, Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Richard Kutter, Planning Board Chairman; Tom Schneider, ZBA Chairman; Shellye Dale-Hall, Zoning & Codes; Richard Doktor, ZBA Member; Scott Waite, County Planning; Jill Babinski, County Planning; Laura Landers, Freed Maxick; Daryl Kohorst.

The meeting was called to order at 7:04 P.M.

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

PUBLIC PARTICIPATION - None

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to approve the Minutes of the Regular Meeting November 14th, 2012, and the Workshop Meeting November 29th, 2012
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- The Assessor's office is preparing for 2013. They will be sending out the exemption applications the first week of January and the forms must be back to the office by March 1st in order for the property owners to receive tax relief.
- Mrs. Conti reported that Supervisor Mileham, Councilman Arnold and herself conducted an interview for a candidate for the Assessment Board of Review to replace departing member Frank Bartokovich. The interview went well and is pending references before the appointment is made.

ZONING & CODES ENFORCEMENT – Shellye Dale-Hall

- Mrs. Dale-Hall reported that this year has been a little busier than 2011. There were 113 permits issued so far in 2012 and only 87 issued for all of 2011. There were 30 items referred to the Planning and ZBA boards, there were 28 in 2011.

HIGHWAY – Stephen Stocking

- No report at this time.

TOWN CLERK – Nicole M. Begin

- Mrs. Begin reported that we have received 12 out of 34 easements back so far for Sewer District No. 1.

PLANNING BOARD – Richard Kutter

- Mr. Kutter said that at the November Planning Board meeting there were two special use permits approved. One was for a wind tower for Lynn Schafer. One thing the Planning Board learned was that a private wind tower cannot be a revenue producing stream for the land owner putting up the tower. If they generate more electric than they use the remaining power flows back into the National Grid system but can produce a credit for future usage by the property owner. The second item approved was for a building on Genesee Street to store equipment in as a landscaper/contractors yard.

ZONING BOARD OF APPEALS – Thomas Schneider

- Mr. Schneider reported that there were two variances reviewed at the November ZBA meeting. The first was for a deck at the Indian Falls Log Cabin which was approved and the second was for a resident on Lake Road with a one acre lot who owns seven goats. There have been complaints by neighbors and according to the zoning law you must have two acres of land to own what is considered by NYS Agriculture and Markets to be a large animal. The decision was tabled until their December meeting. County Planning denied the permit. The ZBA is also worried if it is approved they may be setting a precedent. If denied the owner would be given time to relocate the goats.

JUSTICES – Robert Alexander & David O'Connor

- The November monthly reports have been submitted & filed. November fines and fees remitted to the Town ~ Alexander \$23,335.00 & O'Connor \$29,019.50.

SUPERVISOR – Edwin F. Mileham, Jr.

- Mr. Mileham reported that the 2013 Budget was approved in November and there is no increase from 2012.
- Mr. Mileham introduced Laura Landers from Freed Maxick. Ms. Landers explained that she met with the Supervisor, Town Clerk and Bookkeeper to review the process of how things will be done starting in January. She said in the beginning there may be a few hiccups but everything should smooth out quickly.

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

- Councilman Worth reported that Docuware is requesting a contract be signed for annual support and Mr. Worth think we should have a contract but wants to wait until we get the proper documentation and training information before a contract is signed.

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

- There is an electrical problem that is being looked at and repaired by Scott Strollo at the Village Clerk's office.

- Councilman Worth and DeWind did a walk through at the Doll property next to the Town Park. There is nothing that needs immediate attention. They will be working with the Town Attorney and Paul Phelps from US Gypsum to get the gas wells separated from the deed to the house. Mr. DeWind recommends getting the well and deed work taken care of and then putting the house back on the market.

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

- Mr. Mileham reported that he and town Clerk Begin met with the Zoning & Codes officers and the Planning and ZBA Chairmen to discuss possible text changes to the zoning law. The board will meet with County Planning to discuss some changes the board may want to consider.

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

- The Town received the contract from NYS DEC for Sewer District No. 1, a copy was sent to the Town attorney for review before it is signed by Supervisor Mileham. The easements have gone out and are coming back in slowly. The hope is to have construction start in the spring.

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

- Councilman DeWind said that the park is closed up for the season. The water is turned off and the trash receptacles and port-a-johns have been removed. Mr. DeWind suggested that the board bid out the trash and port-a-john services in 2013 to see if there is a better price available.

Human Resources/Benefits – Ed Mileham & Ed Arnold

- Supervisor Mileham said that they held an interview for the Board of Assessment Review position and pending references will make an appointment in January.

Cemeteries – Gary DeWind & Peter Sformo

- Councilman DeWind reported that we are still working on the grant for the North Pembroke Cemetery but are going to wait until after the first of the year to submit it.

IT – John Worth

- Nothing to report at this time.

OLD BUSINESS

As stated previously, the sewer contract from NYS DEC has been received and the project can be bid out once the easements have all been returned. The contract was sent to the attorney and engineer for review.

NEW BUSINESS

The Board discussed and decided to schedule the End of Year meeting for the day of the workshop meeting which is Thursday December 27th at 7:30 A.M.

The Board also scheduled the 2013 Organizational meeting for January 3rd, 2013 at 8:00 A.M.

Supervisor Mileham stated that Freed Maxick & Complete Payroll Processing (CPP) will begin on January 1st. Bookkeeper Arthur Munger offered to stay on until the 5th of January to help with the transition, final payroll and W2's. The Board will discuss this more at the December 27th meeting.

Mr. Mileham also informed the board that he spoke with Joe Joyce from the Basom American Legion regarding the traveling Vietnam Memorial Wall. The American Legion would like to have the wall come to the Pembroke Town Park from June 5-9th, 2013. They need approval by the town Board as soon as possible so it can get scheduled. They would provide 20 hour security for the wall and lighting would need to be provided. The board will decide at the December 27th meeting.

RESOLUTION**RESOLUTION # 85 of 2012 – Contract Agreement – TruGreen**

On **MOTION** of Councilman Arnold, 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, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a contract agreement for 2013, for the amount not to exceed \$3,251.60 with TruGreen, 40 Ridgeland Road, Rochester, NY 14623, for two (2) scheduled pesticide and fertilizer applications at the Town Park located at 8799 Alleghany Road., Corfu, NY 14036.

RESOLUTION # 86 of 2012 – 2013 Joint Youth Program Participation

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

WHEREAS the Town of Pembroke has previously participated in the Joint Youth Program along with the following communities; The Village of Corfu, The Town of Batavia, and the Town of Darien; and

WHEREAS the Town of Pembroke's contribution to the Joint Youth Program for 2013 is \$12,000; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board hereby approves and authorizes the Town's participation in the aforementioned Joint Youth Program in the year 2013.

RESOLUTION # 87 of 2012 - Payment of Abstract # 13 of 2012

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold, 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 the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to make all payments and bills contained in Abstract # 13 of 2012.

RESOLUTION # 88 of 2012 – End of Year Meeting & 2013 Organizational Meeting

WHEREAS the Pembroke Town Board must meet to approve year end invoices and to attend to any other business; and

WHEREAS, a Special Meeting must be held for the purpose of approving any year end invoices, to authorize payment of any outstanding bills that were due in 2012 and to attend to any other unfinished business and;

WHEREAS the Town Board is required to hold an annual Organizational Meeting, as per section 4.2 d of Town Law; **NOW, THEREFORE BE IT**

RESOLVED that the Town Board has selected December 27, 2012 at 7:30 A.M. as the date and time for the Year End meeting and January 3, 2013 at 8:00 A.M. as the Special Meeting date to organize and conduct any business of the Town that is appropriate at that time

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

ALL AYES - MOTION CARRIED

TIME 7:41 P.M.

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

ALL AYES – MOTION CARRIED

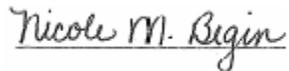
TIME: 9:32 P.M.

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

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold to adjourn the meeting at 9:35 P.M.

ALL AYES – CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk

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