

MINUTES of the **Regular Meeting** of the Pembroke Town Board held on **March 13, 2013** 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; Tom Schneider, Planning Board Chairman; Shellye Dale-Hall, Zoning & Codes Administrator; Ken Lauer, Corfu Village Trustee; Nathan Witkowski, ZBA Chairman; Scott Waite.

The meeting was called to order at 7:07 P.M.

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

PUBLIC PARTICIPATION - None

On **MOTION** of Councilman Arnold, seconded by Councilman DeWind, to approve the Minutes of the Bid Openings for Stove & Park Excavation February 8th, 2013, Regular Meeting February 13th, 2013, and the Workshop Meeting & Bid Openings February 28th, 2013.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti reported that March 1st was the day that exemptions were due. There are still a few people that need to get their paperwork in. Mrs. Conti said that there is a policy of not leaving anyone out so she will make sure the last few people get their paperwork in and will visit two people at their homes that cannot make it out to the office.
- Mrs. Conti also reported that she is working with Councilman Sformo regarding some wetland assessments and she is working on getting that resolved.
- The Assessor's office will be out of the office for a few days in March looking at new construction which includes all new houses, patios, porches and pole barns. Everything is viewed from the road. The vehicle will be marked with the Town of Pembroke logo.

ZONING & CODES ENFORCEMENT – Shellye Dale-Hall

- Monthly report submitted and filed.
- Mrs. Dale-Hall reported that the Zoning office has had some people coming in asking questions about building permits for projects. There have been no new complaints.

HIGHWAY – Stephen Stocking

- No report at this time.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Tax Collection Data report was given to the Town Board. Approximately \$20,000.00 more was collected this year up to Feb. 28th and there are approximately 150 outstanding bills.
- Deputy Clerk position has been advertised – There was an individual hired but she later declined the position. Hopefully the position will be filled sometime in April. Mrs. Begin is going to ask Nancy to come back on an as needed basis until such time as a new deputy can be hired.
- Mrs. Begin reported that the Town Clerk's Conference this year is from April 28th to May 1st and the cost of the room will be split with the Bergen Town Clerk.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider reported that there was no February meeting and so far there is nothing on the agenda for March.
- Mr. Schneider has met with the RC Pulsars regarding their special use permit. They are thinking about holding a public hearing to amend their special use permit. The board discussed the idea of holding another public hearing considering no one came to the first public hearing that was held for them. The board was concerned about cancelling the original special use permit and does not want to see more restrictions.
- Yancey's Fancy will need to hold a public hearing declaring the Town as lead agency on their SEQR project. Supervisor Mileham will contact them to set something up.

ZONING BOARD OF APPEALS – Nathan Witkowski

- Mr. Witkowski said that the ZBA granted two special use permits in February for yard variances. There are a couple of items pending for the next meeting on March 20th.

JUSTICES – Robert Alexander & David O'Connor

- The February monthly reports have been submitted & filed. February fines and fees remitted to the Town ~ Alexander \$15,825.00 & O'Connor \$29,632.50.

SUPERVISOR – Edwin F. Mileham, Jr.

- Mr. Mileham said that we are working out the bugs with the new financial person from Freed Maxick. The audit is being worked on and there will be more to report at a later date.

COMMITTEE REPORTSAudit, Finance, Insurance, Investment, & Purchasing – Edward Arnold Jr

- No report at this time.

Building & Ground, Highway Assessment, Court – Gary DeWind

- Councilman DeWind reported that we received a proposal from Clark Patterson for the roof at the Community Center. Mr. DeWind would like to go with option one to cover the existing roof and not do a complete tear off. The Board will discuss further at the Workshop meeting on March 28th, 2013.
- Councilman Arnold asked if the Board could all meet at the Community Center to do a walk through to get an idea on where they would like to go with repairs for the building. The board has decided to hold the Workshop meeting on March 28th, 2013 at the Community Center. Town Clerk Begin will advertise the change of location.

Planning, Zoning, Code Enforcement, Public Safety – Pete Sformo

- Councilman Sformo said that he and Supervisor Mileham met with the Zoning officers to discuss some changes they would like to see.
- A committee is going to be formed to review the current zoning laws to see if changes can be made.

Public Svcs., Water, Sewer, Refuse/Recycling, Economic, Intermunicipal, & Community Development – Pete Sformo

- Councilman Sformo said that the town received the new contract from the NYS DEC for sewer district #1 and that this new contract was needed because of the changes made by resolution for the agreement between the village and the town. Unfortunately we also received an email from the engineers stating that once the paperwork is sent back to DEC it could take 6-8 weeks for the State to execute the contract and that we should hold off on the bidding process until we know more. Councilman Arnold disagreed and feels that we should bid it out with an opening date of May 15th so that we can start the project as soon as approval is given. The Board agreed. Councilman Sformo will call our engineering firm and tell them the Board will move forward with the bid opening on May 15 and to prepare the necessary paperwork to get this done.

Youth Recreation Parks and Recreation, Land acquisition, Cemeteries – Gary DeWind

- Councilman DeWind met with two people regarding new swings at the Town Park. Mr. DeWind said he thinks there should be swings for the older kids and adults at the park too. There is no room available at the tiny tot's playground for more swings so he suggested putting them behind the new parking lot which is the area that the board would eventually like to put another pavilion. For now he would like to put up some swings, a merry-go-round and a couple of picnic tables.
- Councilman DeWind is meeting with a realtor from Nothnagle on Saturday at the Mertie Doll House to get the ball rolling on putting the house up for sale.
- Councilman DeWind is waiting for a call back from McCabe electric to see if when they dig the ditch for the electric lines if a water pipe can be put in the same ditch. Mr. DeWind would like to try and have a pipe run for a water spicket to be near the shed where PYS sell snacks.

- Superintendent Stocking asked if the town had maps showing where all the underground lines were for water, electric, leach fields, septic tank and distribution box. Mr. DeWind said he knows there is nothing underground past the first pavilion but thinks that would be something we should have on file and will look into it.
- Mr. DeWind also informed the board that he would like to put in a basketball/tennis court across from the first parking lot sometime in the future. Superintendent Stocking said the highway department could put in the blacktop.

Human Resources/Benefits – Ed Mileham Jr.

- No report at this time.

IT, Grants- John Worth

- Mr. Worth said that the archives grant has been submitted with the added equipment requested.

OLD BUSINESS

Supervisor Mileham said that he has received information from Cemetery Superintendent Jack Bernard regarding increased weekend costs being charged by Wolcott. The Hillside Cemetery has switched who they are using for digging graves and the committee will check into it to see if a change needs to be made.

NEW BUSINESS

Municipal Solutions –Bonding for Sewer project – Paperwork being gathered by the Town Clerk.

The Right to Farm law will be discussed at a later date.

Councilman Sformo has obtained information for the purchase of a new stove for the Community Center. The prices, depending on size, delivery and installation range from \$8,000.00 to \$10,000.00. The board will discuss at the Workshop meeting which will be held at the Community Center on March 28th.

RESOLUTIONS

RESOLUTION # 21 of 2013 – Town Clerk Conference Attendance

On **MOTION** of Councilman Sformo, 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 Nicole M. Begin, Town Clerk, is requesting permission to attend the New York State Town Clerks Conference April 28th to May 1st, 2013 in Buffalo, NY; and

WHEREAS monies for this Educational Conference are in the 2013 budget; **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board grants permission to Nicole M. Begin, Town Clerk, to attend the above mentioned Educational Conference.

RESOLUTION # 22 of 2013 – Payment of Abstract #3 of 2013

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

RESOLVED that the Town Board of the Town of Pembroke authorizes the Town Supervisor to make all payments and bills contained in Abstract # 3 of 2013.

RESOLUTION # 23 of 2013 – Municipal Resolution – Water Quality Improvement Projects and Nonagricultural Nonpoint Source Projects

On **MOTION** of Councilman Sformo, 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

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, *as well as* federal grant awards available for such projects.

WHEREAS, The Town of Pembroke herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; **NOW, THEREFORE, BE IT**

RESOLVED BY Town of Pembroke

1. That Supervisor Edwin F. Mileham, Jr. or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract No. C304413, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation;
4. That this resolution take effect immediately.

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

ALL AYES - MOTION CARRIED TIME 8:21 P.M.

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

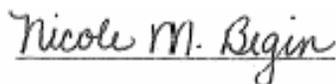
ALL AYES – MOTION CARRIED TIME: 8:49 P.M.

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 8:50 P.M.

ALL AYES – CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF MARCH 13, 2013 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD.