

MINUTES of the **Regular Meeting** of the Pembroke Town Board held on **June 12, 2013** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

PRESENT: Edwin F. Mileham Jr., Supervisor
Peter G. Sformo, Councilman
John Worth, Councilman

ABSENT: Edward G. Arnold, Jr., Deputy Supervisor
Gary L. DeWind, 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; Nathan Witkowski, ZBA Chairman; Ken Lauer, Village of Corfu Trustee; Taylor McCabe, McCabe Enterprises.

The meeting was called to order at 7:02 P.M.

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

On **MOTION** of Councilman Sformo, seconded by Councilman Worth, to approve the Minutes of the Regular Meeting May 8th, 2013 and the Workshop Meeting May 23rd, 2013.

ALL AYES - MOTION CARRIED.

PUBLIC PARTICIPATION

Village Trustee Ken Lauer informed the board that the Village of Corfu received six (6) bids for their sewer plant project with the lowest bid (electrical only) being \$437,681.00 from Gerwitz & McNeil Electric. The lowest bid for the major work was \$1,610,429.00 from Nicholas, Long and Moore. There were no bids received for the heating and air conditioning. The bids are being reviewed by the engineers. As it stands the bids came in quite higher than the estimate of \$1.4 million that was done by the engineers in 2009. The Village Board will not award the bid until they are reviewed and not until after the Town holds their bid opening.

Mr. Lauer said that it is his understanding that Village Trustee Ianni and Mayor Peterson will discuss the matter of the rental agreement with the Town Board. They would like to change the agreement from a two year agreement to an annual agreement.

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti said that she received the Town's equalization rate which is 100% for the year 2013.
- There were four grievances filed on Grievance Day. One assessment was reduced.
- A new assessment for the entire town will be done in 2014. Councilman Sformo expressed his frustration over the ever increasing assessments and said that the increases need to stop because people can no longer afford to live here.

ZONING & CODES ENFORCEMENT – Shellye Dale-Hall

- Monthly report submitted and filed.

HIGHWAY – Stephen Stocking

- Mr. Stocking said that the roadside mowing will be complete on all side roads this Thursday and then they will begin mowing the State roads.
- The highway department will start replacing culvert pipes on Scribner Road next week and hope to pave Scribner Road in 2014.
- The brush at the Town Land will be ground up and hauled away by National Grid but this will be the last time that they will do it for free. In the future it will cost the individual towns about \$2,000.00. The County Highway would like to have a few dump sites, for brush only, throughout the county for towns to use and then they could split the grind up fee so it cost each town less.
- The Highway department will begin paving the other half of Phelps Road in July that was not done in 2012. It is one of the longest roads in Pembroke.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Mrs. Begin reported that BAS (Business Automations Services Inc.) will be at the Town Hall for a demo on June 26th at 8:30 A.M. if any of the Town Board members would like to attend.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider said that there were a few items granted at the last Planning Board meeting for home occupation and a special use permit. They have also spoken with Tambe Electric regarding property on Genesee Street for possible placement of a building for use of a contractor's yard. They may see Tambe again in July when the paperwork is seen and reviewed by County Planning.

ZONING BOARD OF APPEALS – Nathan Witkowski

- Mr. Witkowski said that the ZBA held a public hearing for a sign variance on Genesee Street for a person moving their flower business to their home.
- The ZBA also held a formal appeal for a building permit that was issued for the apartment only at the Humel property on Indian Falls Road. The occupancy for the apartment was revoked.
- There is still an open public hearing for a home occupancy on Marble Road. The owner is still unsure of the size of the building he would like to erect. The public hearing will be closed in June. The owner was given a special use permit for a home occupancy by the Planning Board.

JUSTICES – Robert Alexander & David O'Connor

- May monthly reports are submitted and filed. May fines and fees that have been remitted to the Town ~ Alexander \$25,373.00 & O'Connor \$38,842.50.

SUPERVISOR – Supervisor Mileham

- Mr. Mileham said that a grant application was submitted to the NYS Division of Cemeteries. A representative came out and explained what might be covered and what needs to be revised in the submission. The representative said that they will not give grant money for the repair of headstones unless they are an imminent danger.

COMMITTEE REPORTS

Audit, Finance, Insurance, Investment, & Purchasing – Edward Arnold Jr

- No report at this time.

Building & Ground, Highway Assessment, Court – Gary DeWind

- No report at this time.

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

- Councilman Sformo said that the Zoning Committee meetings are going well. They are working on modifying the Zoning Law to better favor the residents. Their next meeting is on June 18th at 7:00 P.M.

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

- Councilman Sformo said that the Bid Opening for Sewer District No. 1 will be held on Friday June 14th at 2:00 P.M. as advertised. There are three easements that we are still working on getting signed.

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

- No report at this time.

Human Resources/Benefits – Ed Mileham Jr.

- Supervisor Mileham spoke with a representative from Benecare in Williamsville. They say they can save the Town \$8,000.00 on Health Insurance. Mr. Mileham said the board needs to discuss further.

IT, Grants- John Worth

- Councilman Worth said that new computers have been installed in the Zoning and Supervisor's offices. There have also been upgrades done to the server.

OLD BUSINESS

- Taylor McCabe from McCabe Enterprises explained where he is at working in the park regarding running the electric line. National Grid is requiring a Pull Box at the bottom of the hill where the line will begin to rise up the hill. National Grid said this must be done due to the water that lies at the foot of the hill so that National Grid can maintain the lines. A change order to the original plan will need to be approved to add this work.

- Mr. McCabe said that the box and the man hole for the change order would be purchased directly from Kistner Concrete by the Town for a cost of \$1,789.00. The change in the excavation would cost an additional \$4,633.00.
- Mr. McCabe spoke with the members of the park committee about installing two utility posts with lights in the Town Park. The lights would help to light the park at night and police could see if there is anyone in the park after dark.

A **MOTION** was made by Councilman Sformo, seconded by Councilman Worth to have McCabe Enterprises install two (2) utility poles with area lights in the Town Park for a cost not to exceed \$4,747.50 as a change order from the original project. This motion is being made due to McCabe enterprises discussions with the two members of the park committee.

ALL AYES - MOTION CARRIED

NEW BUSINESS

- Supervisor Mileham spoke with Attorney Mark Boylan regarding the contract with Municipal Solutions. The Attorney seemed to think that the contract was to cover more than just the Bond Agreement and suggested that we call Municipal Solutions regarding the contents of the contract. Mr. Boylan said if need be, have Municipal Solutions call him and he will work with them on a more suitable contract.
- The gas line has been installed in the Mertie Doll property and connected to the fuel line by Seaman’s Hardware. National Fuel has to come and open the meter.
- There is a drainage problem at the Town Park. The new swing set cannot be installed because of this. Supervisor Mileham and Councilman DeWind spoke with the engineers regarding what should be done. The engineer thinks the park needs to be surveyed again and the board needs to come up with a plan for future growth so that work can be done to correct the water problem for good. Councilman Sformo said he thinks the park committee needs to come up with a plan. He said that there are some big problems with plugged DI’s. Mr. Sformo said the Village can come and clean out those pipes if the board agrees. Supervisor Mileham said it needs to be done so Mr. Sformo will call the Village.

RESOLUTIONS

RESOLUTION # 38 of 2013 – Auto-payment of Utility Bills

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

ALL AYES - MOTION CARRIED

WHEREAS utility bills for gas, electric, telephone and internet come due before town board meetings when bills are approved by voucher for payment; **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board authorizes that bills for National Fuel Gas, National Grid, Empire Telephone, Frontier telephone and Time Warner Cable be paid using automatic payments; and **BE IT FURTHER**

RESOLVED that the Town Board will continue to sign vouchers for approval of these payments at the regular scheduled Town Board Meetings.

RESOLUTION # 39 of 2013 – Payment of Abstract # 6 of 2013

On **MOTION** of Councilman Sformo, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Worth, AYE; Councilman Sformo, 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 approved payments and bills contained in Abstract # 6 of 2013.

RESOLUTION # 40 of 2013 – National Grid change order for electric line at Town Park

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

WHEREAS a change order in the specs is required by National Grid for the electric line being run at the Pembroke Town Park; **NOW, THEREFORE, BE IT**

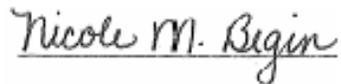
RESOLVED that the Pembroke Town Board approves the increase in cost for a required change order by National Grid for the electric line project at the park for a cost not to exceed \$6,500.00.

Councilman Sformo said that there is a resident on Lake Road that would like to sell food from a vendor trailer in the Town Park. Mr. Sformo asked if that would be allowed. The board along with the ZBA and Planning Board Chairmen discussed the subject in length and all agreed that while it may complicate things for the PYA there is nothing in the laws at this time that would prohibit him from doing so.

On **MOTION** of Councilman Sformo, seconded by Councilman Worth to adjourn the meeting at 9:10 P.M.

ALL AYES – CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Begin". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF JUNE 12, 2013 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD. APPROVAL OF MINUTES BY THE TOWN BOARD IS DONE AT THE NEXT REGULAR TOWN BOARD MEETING.