

**MINUTES** of the Pembroke Town Board **Workshop Meeting** held on **August 29<sup>th</sup>, 2013** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

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

**OTHERS PRESENT:** Nicole Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Tom Schneider, Planning Board Chairman; Mark Masse & Steve Hyde, GCEDC; Tom Carpenter & Andrew Kosa, Clark Patterson Lee; Taylor McCabe, McCabe Enterprises; Adam Walters, Phillips Lytle LLP; Wayne Henry, Yancey's Fancy; Matt Calderon, Pembroke School Superintendent; Tom Lajewski & Brianna, J. O'Connell & Associates.

The Workshop was called to order at 7:33 A.M.

## **OLD BUSINESS**

**SEWER PROJECT** - Engineer Tom Carpenter said that Randsco piping is hoping to start work on the sewer project on September 3<sup>rd</sup> and they will begin on Route 5. There are two easements still unsigned and the engineers are working on solving those issues.

Attorney Mark Boylan is working on the sewer use law for the Town and is using Corfu's sewer use law to create the town's law since our district is using their sewer plant. He will need to have something in it for "out of district" users.

**COMMUNITY CENTER ROOF** – Mr. Carpenter put together a recommendation for an award letter. Bids were opened on August 20<sup>th</sup> and only one bid was received. The bid was just about exactly where the engineers estimated it would be. The bid being recommended is for \$410,989.00 and the engineers estimate was \$406,420.00. Mr. Carpenter feels that there were not more bids due to the asbestos abatement that would need to be done. The bidder, Elmer Davis has their own crew for dealing with asbestos. The board discussed the options of going with membrane or steel and how long both would last. They also contemplated whether the project should be re-bid. Councilman Arnold said that he is disappointed that we only received one bid and that it is a lot of money to spend. Tom Carpenter felt that the asbestos scared the bidders off.

**PARK ELECTRICAL** – Taylor McCabe from McCabe Enterprises said that National Grid will be at the Town Park on Tuesday September 17<sup>th</sup> and that they will have the water done at the same time. Edward Arnold Scrap Processors donated that metal framing for the scoreboard.

**NEW WQIP GRANT** – Tom Lajewski from J. O'Connell & Associates asked the Town Board what they would like to apply for with the new WQIP grant that has just come out. The Board said that they would like to use the grant to extend the sewer district west on Route 5 to the town line. J. O'Connell will need to get a cost estimate from the engineer. They will also need surveys and a summary of what is needed with documentation of issues in that area.

AGREEMENT WITH SCHOOL FOR PARK MAINTENANCE – School Superintendent Matt Calderon presented the Town Board with a new agreement regarding the snow plowing at the school and park maintenance. The Board and Attorney read the agreement and discussed it. Councilman Sformo stated that he does not like the line in the agreement giving the school first right to all the athletic fields in the park. Councilman Arnold said he thought that the board should enter into the agreement for one year and see how it works out.

## **NEW BUSINESS**

BETP - Mark Masse from the GCEDC announced that Yancey's Fancy has an interest in a location within the Buffalo East Tech Park (BETP). They made a presentation to the Town Planning Board on August 28.

Wayne Henry from Yancey's Fancy said that their original idea to expand at their current location has changed. He explained that when survey work was done there the DEC and Army Core of Engineers found wetlands. In order to continue on that site they would need to reclaim the wetlands. Yancey's Fancy sat down the GCEDC and decided they would like to stay in Pembroke and grow in the Tech Park. The existing facility will continue to run and they would like to do more creative things there. A new building will cost Yancey's about \$15 million dollars to erect. Mr. Henry said that they feel very fortunate to be in the Town of Pembroke.

Mr. Masse from the GCEDC asked the Board about renaming the Tech Park and road in the tech park based on Yancey's investment.

Adam Walters from Phillips Lytle spoke about the plans for the BETP. They are at the tail end for the SEQR process for the BETP. They have received positive feedback from NYS DOT and DEC. They anticipate the SEQR process will conclude at the September GCEDC board meeting. The EDC is going to be asking for approvals for things they will be doing at the park. One of those requests will be to ask the Town to rezone one of the parcels owned by GGLDC to interchange just like the other parcel. They will also ask for a special use permit from the planning board for industrial development in the BETP. A concept plan has been laid out. Steve Hyde from the EDC said that with the sewer going through it will make the BETP the same level of readiness as the Ag Park in Batavia. Mr. Walters said they are working with Wayne Henry from Yancey's Fancy to finalize their site plan and get that in for the September County Planning Board meeting. He said that they may ask for a height variance for the Yancey's Fancy project when the time comes. Set back variances will also need to be obtained due to wetlands.

Planning Board Chairman Tom Schneider said that the Planning Board discussed this project at their meeting and the general feeling was positive.

WINZENREID PROPERTY – Attorney Mark Boylan gave the contract to purchase the property to Supervisor Mileham. Mr. Boylan will obtain the survey and abstract at cost to the town. Ms. Begin will have the sellers sign the contract and get it back to Attorney Mark Boylan.

## **ROUND TABLE DISCUSSION**

**Planning Board Chairman Schneider** – The Board discussed with Chairman Schneider and Attorney Mark Boylan the issues and emails being received from Donna Elliott and her attorney. The Town has received threats of a lawsuit from both sides. The attorney advised the Board that they should be prepared for a lawsuit.

Mr. Schneider said that he is presenting the zoning text changes to County Planning and would like to present them to the Town Board at the Workshop meeting so that a public hearing can be held in October if the Town Board decides to make the changes by local law. Councilman Arnold said that the committee is working very hard on changes to the zoning law to prevent these issues from occurring.

Several complaints have been made regarding the RC Pulsars. Tom Schneider said that he thinks the Town will need to pull the special use permit based on expanded use (eg. flying time) beyond the original permit issued.

Councilman Sformo left the meeting 11:20 A.M.

## **RESOLUTIONS -**

**RESOLUTION # 53 of 2013** – Contract Renewal/Grant Writers J. O’Connell & Associates

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 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 renewal contract with J. O’Connell & Associates of 10646 Main Street, Clarence, NY 14031, for the purpose of grants, investigation, E application and administration for the Town of Pembroke; **BE IT FURTHER**

**RESOLVED** that the contract is for two (2) years commencing September 1, 2013 and ending on August 31, 2015 for a total cost of \$32,000 per year.

**RESOLUTION # 54 of 2013 – Accept Bid for Community Center Roof**

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

RESOLVED that the Town Board of the Town of Pembroke hereby agrees to accept the base bid for a metal standing seam roof and alternate RC-3 bid for the make-up air unit received from Elmer W. Davis for a total amount of \$410,989.00.

**Councilman DeWind** – Mr. DeWind said that Brier Hill will commence work on the small roof over the Corfu Fire Hall door at the Community Center building.

The contract and paperwork has been signed for the sale of the Mertie Doll House. Brian at Seaman’s hardware will be called to check to make sure that the hot water and furnace are on at the house now that National Fuel has been hooked up. Mr. Mileham said the new owners of the Mertie Doll house would like to close by October 30<sup>th</sup>.

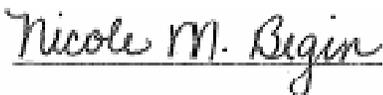
**Supervisor Mileham** – Mr. Mileham said that the site for the possible National Cemetery is still being excavated for archeological study.

Mr. Mileham reported that the bathrooms at the Community Center were once again left disgusting. Scott Strollo was called and asked to go clean them. Supervisor Mileham has called the ARC to see if they can now clean the bathrooms on a weekly basis.

Supervisor Mileham wondered if we should have the Village take their floor cleaner out of the storage room at the Community Center since it is not being used and takes up a lot of space.

On **MOTION** of Councilman Arnold, seconded by Councilman Worth to adjourn the meeting at 11:51 A.M. ALL AYES – CARRIED

Respectfully Submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP MEETING OF AUGUST 29, 2013 AND ARE SUBJECT TO CHANGE AND/OR REVISION PRIOR TO APPROVAL BY THE TOWN BOARD. APPROVAL OF MINUTES BY THE TOWN BOARD ARE DONE AT THE NEXT REGULAR TOWN BOARD MEETING.