

MINUTES of the **Regular Meeting** of the Pembroke Town Board held on **February 12, 2014** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Deborah Conti, Assessor; Tom Schneider, Planning Board Chairman; Nathan Witkowski, ZBA Chairman; Charles Reid, Zoning & Codes Enforcement; Ken Lauer, Village Trustee and Pembroke Central School Board member.

The meeting was called to order at 7:00 P.M.

Deborah Conti gave the invocation and Deputy Supervisor Worth led the Pledge to the Flag.

On **MOTION** of Councilman Arnold, seconded by Councilman DeWind, to approve the minutes of the Organization Meeting January 2nd, 2014, Regular Meeting January 8th, 2014, and the Workshop Meeting January 23rd, 2014.
ALL AYES - MOTION CARRIED.

PUBLIC PARTICIPATION – None

DEPARTMENT REPORTS

ASSESSOR – Deborah Conti

- Mrs. Conti said that on Tuesday her department will start making calls to people who have not yet returned their senior STAR exemption forms.
- Mrs. Conti presented the board with a report showing how the equalization rate is established by NYS. The reports also show assessed values and sales rate comparisons.

ZONING & CODES ENFORCEMENT – Charles Reid

- The new formatted monthly report submitted and filed.
- Mr. Reid reported about brush and stumps that were removed from the BETP property. This was brush and tree stumps that were cleared over the past year and were piled up for removal once a project was started. Mr. Reid is watching to make sure no top soil is removed from the site.

HIGHWAY – Stephen Stocking

- Mr. Stocking reported that the salt barn is only about ¼ full of salt mix. Five hundred ton of salt was ordered approximately two weeks ago but American Rock Salt has no reserves due to the harsh winter and everything they are mining is put right on the truck and out for delivery. Mr. Stocking said it will take a couple of weeks for all of it to be delivered.

TOWN CLERK – Nicole M. Begin

- Monthly report and Annual report submitted and filed.
- Mrs. Begin reported that her office collected \$2,324, 910.28 in property taxes for the month of January. The Water, Sewer and Fire districts have been paid and the County Treasurer has received the rest. The number of bills paid is 1886 compared to 1870 collected in January 2013. As of January 31st 320 parcels remained unpaid.
- Mrs. Begin reported that a poem written by Abby Shaw from Pembroke High School was chosen to be etched on the stone to be placed at the Town Park during the Cost of Freedom event in June. There were seven submissions. Town Clerk Begin said that Ms. Shaw's poem was read as the invocation for this evenings meeting. The poem will be unveiled during the cost of freedom event. +
- Town Clerk Begin said that the NYS Office of Parks and Recreation is requesting a new map before they will release the last \$10,000.00 from the grant. The release of this grant money has been ongoing since 2004. The woman we are dealing with at the state level has been impossible to deal with. The grant writes have also been surprised at how difficult she has been to work with and feel we have given them the same information they are requesting numerous times over the past six years.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider said that the planning board approved a land separation for the Yancey's Fancy parcel at the BETP.
- The RC Pulsars attended the January Planning Board meeting and proposed limiting their fly time hours. They also discussed testing gas powered planes more often and recording that information in their annual log books. The Planning Board feels that without provable egregious violation there is not much more that they can do.
- Mr. Schneider is signed up for Code enforcement and inspection classes in Rochester that are free of charge. Mr. Schneider will borrow the Town's State Code books for this class and will claim mileage if approved by the board.

ZONING BOARD OF APPEALS – Nathan Witkowski

- Mr. Witkowski said that in December the ZBA granted a request for a variance that was also approved by County Planning. The ZBA also approved a front yard setback variance, a loading pad property line variance and a rear retaining wall rear yard setback for Yancey's Fancy in the BETP.
- There is nothing on the agenda for February so the meeting will be cancelled.

JUSTICE – David O'Connor & Edwin F. Mileham, Jr.

- The January monthly reports have been submitted and filed. Justice O'Connor collected \$57,039.00, Justice Mileham collected \$386.00.

- Mr. Worth reported that he and Laura Landers from Freed Maxick and Battaglia finished the 2013 Court Audit.

COMMITTEE REPORTS

Committee 1 - Audit, Finance, Investment, IT, Grants Youth Recreation & Court

~ Edward Arnold Jr

- See Old and New Business.

Committee 2 – Human Resources, Health Insurance & Benefits, Employee Handbook, Insurance

~ Gary DeWind

- Mr. Arnold reported that he and Councilman Worth met with Joanne McInerney from Tompkins Insurance about the health insurance coverage. Independent Health can offer similar coverage but the cost may increase by 12%. Mr. Arnold said he will have more information for employees soon.

Committee 3 – Building & Grounds, Highway, Cemeteries and Parks/Land

~ Pete Sformo

- Councilman DeWind said entrance roof at Community Center over the Corfu Fire Department man door will be finished in a few days weather permitting.
- Councilman DeWind said the work at the North Pembroke Cemetery will be finished in the spring.
- Councilman DeWind and Councilman Worth are working on purchasing ceiling tiles and paint for the Community Center. The county jail weekenders will be painting and replacing the tiles.
- The floors in the Corfu building will be waxed in the spring.

Committee 4 – Planning & Zoning, Code Enforcement, Public Safety, Water, Sewer, Refuse & Recycling, Assessment

~ Councilman Peter Sformo

- Sewer Project update Dist. 2. – Mr. Sformo said that a sewer information meeting for the residents on Alleghany Road south of Cohocton Road will be held on February 19th, 2014 at 6:30 P.M. at the Pembroke Community Center. Mr. Sformo believes there is a good, workable solution for those residents south of Cohocton Road. There should be no out of pocket cost to those residents and they would pay the same debt service as the other residents in sewer district #1.

OLD BUSINESS

Right to Practice Forestry and Right to farm Laws – Councilman Sformo said that the board has been given the information regarding a right to practice forestry and right to farms laws. Both have been reviewed by Attorney Mark Boylan. Mr. Sformo suggested holding public hearings at the March 12th meeting to introduce the laws and if possible vote on them.

Letter to EP Fire Dept. – Town Clerk Begin wrote a letter of support for the East Pembroke Fire District as discussed at the January Workshop meeting. The board requested to discuss this further at the Workshop meeting.

GCEDC Update – Councilman Worth said the board needs to discuss the request by GCEDC to reserve 30 thousand gallons of sewer usage for the BETP. Councilmen Sformo and Worth agree that it is only fair to the residents in the district that the EDC pays part of the debt service for the reserve volume. The billing would be a whole unit or a fractional unit for each gallon reserved. Mr. Worth said it is only fair that the EDC parcel gets treated the same way as the residents in the district. Mr. Worth feels a meeting with the EDC is necessary.

Community Center - Roof, Heater and Ceiling Tiles leaks – Councilman Worth is setting a meeting up with the engineers about the issues at the Community Center.

Winterfest report – Councilman Sformo said that Winterfest went well. Zoning Officer Reid had some questions regarding fire safety with the tent. Mr. Sformo will address them with him next year when the event nears.

Staffing and Interviews – Councilman Sformo said the he and Planning Board Chairman Tom Schneider interviewed candidates for the ZBA and Planning Board. All four people were good choices. They stressed to each person that the Town is interested in being proactive and working with residents and businesses in their projects.

A **MOTION** was made by Councilman Sformo, seconded by Councilman Arnold to appoint Don Dylag to the ZBA and Marie Vaughn to the Planning Board beginning March 1st, 2014.
ALL AYES –MOTION CARRIED

Mr. Schneider said that he would like to have an alternate member for the planning board for instances when they are down and member and in case there was ever a vacancy. Mr. Schneider said the position would have to be made by Local Law. The board discussed this idea and agreed that they would like to add an alternate position to the Planning Board. ZBA Chairman Witkowksi said he does not feel the need for an alternate at this time but likes that there would be someone that knows the issues and could fill in if needed. Town Clerk Begin will look into other municipalities Local Laws regarding alternate members for planning and zoning boards. The Board will establish the position and Councilman Sformo suggested John Kadziolka be appointed as the alternate.

Land merger Mertie Doll and park property – Councilman Worth said he received all the necessary paperwork from Attorney Mark Boylan for the merge of the property that was separated from the Mertie doll property. This property will be merged with the Town Park property. There is a resolution permitting the deputy to sign the paperwork.

National Grid energy report – Mr. Worth said the bills were received from National Grid which included the Town's portion of the Energy Savings Program through Lime Energy. The cost to the town was a little over \$20,000.00. National Grid expects that the Town should save a little over \$7,000.00 annually. We reduced greenhouse gas by 70 thousand tons.

NEW BUSINESS

Bank fees – Councilman Arnold explained that He and Councilman Worth met with a representative from M & T Bank. M & T Bank has waived nearly \$17,000.00 in fees for the Town of Pembroke. They are asking that a higher balance be kept in order for them to justify waiving those fees. Deputy Supervisor Worth will make sure the Board is aware of any changes made in the accounts.

Supervisor office help to clean out files – Deputy Supervisor Worth is using Assessor Clerk Mary Ann Silvernail to help him go through old files and remove anything no longer necessary to keep.

Two new computers ordered – Councilman Worth said that two computers were ordered. One is for the bookkeeper and one for the Deputy Clerk. They are the oldest computers in the office areas.

Bill Payment system – Deputy Supervisor Worth is working with the bookkeeper from Freed Maxick on a bill payment system so that no bill gets paid late due to the dates of our Town Board meetings when bills payments are approved.

Set-up Credit Card Money Back Program – Councilman Worth explained that some bills are being set up to be paid by credit card. M & T Bank said that the Town does not qualify for the cash back program on the current plan but will look into different plans to see if we qualify.

Fix Insulation issue at Town Hall to prevent pipes from Freezing – Councilman DeWind had the engineers look into the insulation and window problems at the Town Hall. The engineer said that the insulation fix would cost approximately \$5,300.00 and the window replacement in the west end of the building would be approximately \$3,000.00 each. Councilman DeWind will get some quotes from contractors.

Plan for getting park in shape for Moving Wall – Councilman DeWind said that in the spring the park driveway will need to be graded. Highway Superintendent Stocking said that it is possible that they could oil and stone the driveway in the spring. Mr. Stocking will get an idea of the cost to do that.

Mert's House listing sale – Councilman DeWind talked with Harris Realty about listing the Doll House at 8783 Alleghany Road. They are working on getting it re-listed.

Museum Glass Cabinets – Removal of the old glass cabinets in the Museum are on hold.

Auditors have started 2013 Audit – Councilman Worth said that the auditors from Drescher and Malecki have started the Town 2013 Audit.

Park Bench Memorial – Councilman Arnold received a call asking for a memorial bench be placed in the Town Park in memory of Justice O’Connor’s granddaughter who passed away in January. The Board would like to do this and discussed that they might need to look into future memorials in the park and plan where they would like them placed for ease of maintenance and upkeep.

Industrial Appraisal – Industrial Appraisal will send a quote in June after the pump stations are installed so that they can included them in the insurance estimate.

Dept. of Labor Emergency Lighting Problem – Councilman DeWind will have Scott Strollo fix the emergency exit lights at the Corfu Building in the Fire Department hallway.

Board and committee critique – Councilman Worth asked the board to look at the way the new committees are running and the board can discuss any changes that should be made at the workshop meeting.

RESOLUTIONS

RESOLUTION # 6 of 2014 – Approval of Payment No. 5 – Sewer District # 1

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

WHEREAS the next payment submittals for the WQIP sewer grant reimbursements can be submitted immediately; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board approves Sewer District No. 1 - Contractor’s Application for Payment No. 5 for in the amount of \$49,572.09; and **BE IT FURTHER**

RESOLVED that the Town Board authorizes the Town Supervisor to sign this application for submittal to receive grant reimbursement.

RESOLUTION # 7 of 2014 – Service Agreement - PestRx

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

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to sign the service agreement for 2014, with Pest Rx, 4752 Shisler Road, Clarence, New York 14031 for the scheduled pest control at the Town Hall located at 1145 Main Road., Corfu, New York 14036, and the Community Center located at 116 E. Main Street Corfu, New York 14036.

RESOLUTION # 8 of 2014 – Approval of Acquisition of Easements by the Monroe County Water Authority Pursuant to §1096(6-A) of New York’s Public Authorities Law

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

WHEREAS, The Monroe County Water Authority (the “Water Authority”) intends to acquire a frontage easement 15 feet in width across the frontage of the parcel with Tax Account No. 14.-2-47 (8503 North Lake Road, Pembroke) for future water main maintenance, replacement and/or installation.

WHEREAS, Section 1096(6-a) of New York’s Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisitions by resolution of the Town Board of the Town of Pembroke, New York; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town hereby approves the Water Authority’s acquisition of one (1) easement 15 feet in width to be located at 8503 North Lake Road, (Tax Account No. 14.-2-47) in accordance with §1096(6-a) of the New York Public Authorities Law.

RESOLUTION # 9 of 2014 – Town Clerk Conference Attendance

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

WHEREAS Town Clerk Nicole M. Begin, is requesting permission to attend the New York State Town Clerks Conference April 27th to April 30th, 2014 in Saratoga Springs, NY; and

WHEREAS monies for this Educational Conference are in the 2014 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 # 10 of 2014 – Acknowledgment of Uniform Justice Court Act Audit

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

WHEREAS the New York State Unified Court System announced the Action Plan for the Justice Courts to improve accountability and controls over the Justice Court finances and records; and

WHEREAS Section 2019-a of the Uniform Justice Court Act requires that town justices annually provide their court records and dockets to their respective town boards to be examined or audited; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board confirms that an audit was complete for calendar year ending 2013 for the Town of Pembroke including the Pembroke Justice Court.

RESOLUTION # 11 of 2014 – Board of Assessment Review - Appointment/Mary Ann Schnauffer

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

WHEREAS the five (5) year term of Mary Ann Schnauffer as a member of the Board of Assessment Review expired September 30, 2013; and

WHEREAS Mary Ann Schnauffer has written a letter to the Town Board requesting reappointment to the Board Assessment of Review; **NOW, THEREFORE BE IT**

RESOLVED that Mary Ann Schnauffer be appointed to the Board of Assessment Review for five (5) years with the term expiring September 30, 2018.

RESOLUTION # 12 of 2014 – Authorization to sign Quit Claim Deed

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

WHEREAS a resolution to abandon paper roads was passed by the Pembroke Town Board on December 29th, 2011 giving paper road property back to the adjoining property owners; and

WHEREAS a resident in Indian Falls has filed two quit claim deeds to obtain the abandoned paper roads that adjoin his property; **NOW, THEREFORE, BE IT**

RESOLVED that the Pembroke Town Board gives the Deputy Supervisor John Worth permission to sign those quit claim deeds.

RESOLUTION # 13 of 2014 – Payment of Abstract

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 Sformo, AYE; Councilman DeWind, AYE.
ALL AYES - MOTION CARRIED

WHEREAS, A request has been made to pay the normal operating expenses of the Town of Pembroke, and,

WHEREAS, these payments are within the normal scope of the 2013 & 2014 working budgets, and create no additional cost to the Town of Pembroke; **NOW, THEREFORE BE IT**

RESOLVED, That the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within abstract # 14 of 2013 and # 2 of 2014.

RESOLUTION # 14 of 2014 – Authorization to sign land merger

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.
ALL AYES - MOTION CARRIED

WHEREAS the Town of Pembroke purchased the Mertie Doll property next to the Town Park and separated part of the parcel to merge with the Town park property; **NOW, THEREFORE, BE IT**

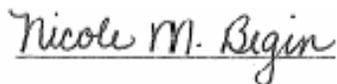
RESOLVED that the Town Board authorizes Deputy Supervisor John Worth to sign the documents for the land merger.

Councilman Sformo asked if the board would be interested in hosting a healthcare event at the Community Center to help people get signed up for healthcare. Councilman Worth said that the insurance companies are hesitant to hold events such as those because when held in the past the NYS Healthcare website was not functioning correctly and the events are becoming useless.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold to adjourn the meeting at 8:59 P.M.

ALL AYES – MOTION CARRIED.

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD MEETING OF FEBRUARY 12, 2014 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.