

**MINUTES** of the **Regular Meeting** of the Pembroke Town Board held on **July 9, 2014** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

**OTHERS PRESENT:** Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Tom Schneider, Planning Board Chairman; Nathan Witkowski, ZBA Chairman; Deborah Conti, Assessor; Annie Lawrence, County Legislator; Jeremy DeLyser, Clark Patterson Lee; Ken Lauer, Village of Corfu Trustee.

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.

**PUBLIC PARTICIPATION** ~ None

### **APPROVAL OF MINUTES**

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold, to approve the minutes of the Regular Meeting June 11<sup>th</sup>, 2014.

ALL AYES - MOTION CARRIED.

### **DEPARTMENT REPORTS**

**ASSESSOR** – Deborah Conti

- Mrs. Conti said that about a year ago the Town Board requested that she make more information available to the public regarding assessments and property information. Mrs. Conti took that information to the County Assessors and Genesee County Real Property. They worked with the company who created Proserve OARS, the County assessment program and came up with a new user friendly version that has more information to help home owners better understand their assessments. Mrs. Conti said that there will be free training available to the Town's and she will let us know when they are scheduled.
- Mrs. Conti explained the franchise agreement with Time Warner Cable to give the Board a better understating of how the agreement works and what the benefits are to the Town.

**ZONING & CODES ENFORCEMENT** – Charles Reid

- The monthly report has been submitted.
- Deputy Supervisor John Worth said that he and Mr. Reid went over to the Yancey's Fancy project site and met with the engineer. Everything is moving along well on the project.

**HIGHWAY** – Stephen Stocking

- Mr. Stocking said that the spring time mowing is complete, the state roads are done and a bill was sent to the DOT.
- Scribner road will be paved in the next couple of weeks.

- Mr. Stocking spoke with County Highway Superintendent Tim Hens who reported that the salt prices are down to \$3.72/ton so we should save a little money on the purchase.
- Mr. Stocking spoke with the Town attorney about the fuel pricing and possibly increasing the billing about by a few cents per gallon. Mr. Boylan said the Town could increase the pricing by up to 20 cents per gallon to recoup money spent for billing and maintenance of equipment. Councilman Arnold asked if other Towns do the same, Mr. Stocking said he can check.
- The Gas pumps are going to need to be fixed ASAP. The quotes received to repair them are as follows:
 

Primetime	\$37,987.00
Todd Erection	\$38,992.00
Cortland	\$43,167.05

Councilman Arnold said that when he, Councilman Worth and Superintendent Stocking met with the gentlemen that gave the job spec they were told that the tanks may not need to be replaced. He felt they only needed new concrete and to be cleared out around the tanks to replace parts. Mr. Stocking said when the tanks are actually opened up is when we will know if they need replacement. The Board discussed fines that would be involved from the State and the future cost if the repair was put on hold. They also discussed where the money would come from in the budget.

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 A **MOTION** was made by Councilman DeWind, seconded by Councilman Arnold to select the lowest bid from Primetime for \$37,987.00 for the repair of the gas tank and island bag.  
 ALL AYES –MOTION CARRIED  
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TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed.
- Mrs. Begin reported that she has the paperwork just about complete for the Joint Youth employees. The new employees are entered in to the payroll program and their applications will be sent to County Human Resources.
- Mrs. Begin said that the NYS Retirement statements received seem off as far as salaries reported. She is working with the Retirement department to correct the reports.
- Mrs. Begin will contact the Alarm system company to have ex-Supervisor Mileham removed as an emergency contact and have Councilman Arnold added.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider reported that there were two land separations that came before the Planning Board in June and they will see one in July.
- Mr. Schneider said that he has one more day of Code Enforcement training and then he is done. He said the training has made him look at zoning from a different light.
- Mr. Schneider said he would like to hold another Zoning Committee meeting on July 21<sup>st</sup> or 22<sup>nd</sup>.

ZONING BOARD OF APPEALS – Nathan Witkowski

- Mr. Witkowski said there was no meeting held in May or June and there is nothing on the agenda for July.

- Mr. Witkowski said that Dave Sabato, ZBA member has stepped down from the ZBA effective July 1<sup>st</sup>. John Kadziolka, currently an alternate member of the Planning Board has requested to be placed in the vacancy.

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

- The June monthly reports have not yet been submitted and filed.

SUPERVISOR –

- Deputy Supervisor Worth said that Senator Schumer was in Town at the location of the new National Veterans Cemetery to announce that the Cemetery is coming and that they are purchasing 60 more acres from and adjoining neighbor.

**OLD BUSINESS**

1. Sewer Project update ~ Jeremy DeLyser said that since the Workshop meeting there has been a change order proposed to allow John Wargo, a subcontractor to Randsco to dig the laterals. The Supervisor will need to sign the change order to start the process. He said that the debt service and usage should remain approximately the same to the residents. The anticipated start date is August 1<sup>st</sup> possibly sooner with a substantial completion date of October 1<sup>st</sup>. The contract for an electrical subcontractor is still being worked on. The Town can have the zoning officer or Clark Patterson do the electrical inspections. Temporary easements will be needed for construction access for Sewer District No.1 & No. 2. Permanent easements will be done afterwards and will need to be filed with the town.

A preliminary meeting was held with Dave Bielec, Village of Corfu Trustee and Mark Masse from GCEDC regarding a possible treatment plant expansion in the future. The truck stops will write a formal letter asking to be included in the sewer district and further conversations will go from there.

The roof at the Community Center has been walked through by the engineer to go over the completion punch list. Once all necessary paperwork is submitted by the contractor the engineer will recommend final payment.

2. Staffing and Interviews ~ No report.
3. Cemetery Grant Project Work tree work North Pembroke ~ Councilman DeWind said that the driveway work at the North Pembroke Cemetery should be done next week.
4. Fix Insulation issue at Town Hall to prevent pipes from freezing ~ Councilmen DeWind and Worth will be working on getting proposals for the insulation work at the Town Hall where the pipes burst in the winter.
5. Real-estate progress ~ Councilman Worth said the closing on the Doll property will be on July 14<sup>th</sup>. Mr. Worth will be notified to sign necessary closing documents.
6. 2013 Audit ~ Mr. Worth said that the 2013 Final Audit should be complete.
7. Industrial Appraisal contract ~ Mr. Worth said the gentleman from Industrial Appraisal should be here next week to inspect the properties and pump stations.

8. Mark Boylan legal update as needed Franchise Agreement ~ Attorney Mark Boylan is working on the franchise agreement changes that the Town Board requested with Time Warner Cable.
9. Cemetery Bank account ~ Councilmen Arnold and Worth are trying to set up a time to go to the bank to get the cemetery bank accounts in order. Once done, all the cemetery money will be in one account and the cemetery reserves and working capital will be in their own designated accounts.

### **NEW BUSINESS**

1. Joint Youth Program training ~ Mr. Worth is working on having employees of the Joint Youth Program trained by a diabetic specialist because there is a child with diabetes attending the program. This will benefit the program and hopefully allow more children with this disease to attend the program in the future.
2. Grants ~ Mr. Worth and Town Clerk Begin met with Tom Lajewski from J. O'Connell & Associates and Dawn Kuras from the USDA to look at grants or loans available to the Town for the possible repair or construction of the highway garage. There is very little grant money available but there are low interest loans available.
3. Federal Waterways ~ Mr. Worth explained that the County is doing a push for the Town's to pass a resolution blocking the Federal Government from redefining what they constitute as a Federal Waterway. This law would make ditches and gullies federal waterways. Information was given to the Board members to review and the Board can decide what to do at the Workshop meeting.
4. The GCEDC wants to give the Town excess dirt from the Buffalo East Tech Park for the town park. Mark Masse from the EDC will contact Councilman Worth for more information.

### **RESOLUTIONS**

#### **RESOLUTION # 55 of 2014 – Approval of Payment No. 10 – 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. 10 for in the amount of \$46,262.38; and **BE IT FURTHER**

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

**RESOLUTION # 56 of 2014 – Payment of Abstract**

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**, 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 2014 working budget, 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 # 7 of 2014.

**RESOLUTION # 57 of 2014 – Zoning Board of Appeals – Appointment of John Kadziolka**

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 Town Zoning Board of Appeals has a vacancy due to resignation of current member Dave Sabato; and

**WHEREAS** John Kadziolka was interviewed for the Planning Board and ZBA when a Planning Board member stepped down; **NOW, THEREFORE BE IT**

**RESOLVED** that John Kadziolka be appointed as a Board Member to the Zoning Board of Appeals to fill the remaining term of David Sabato with the term expiring December 31<sup>st</sup>, 2017.

**RESOLUTION # 58 of 2014 – Approval of Pembroke Sewer District No.1 Change Order # 4**

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** a Change Order is being recommended by Engineers at Clark Patterson Lee for the installation of lateral connections by sub-contractor Wargo Enterprises, Inc. and related extension of time to contract completion dates; and

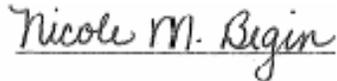
**WHEREAS** this change will increase the contract price by \$195,037.50; **NOW, THEREFORE, BE IT**

**RESOLVED** that the Pembroke Town Board hereby approves Change Order # 4 and authorizes the Town Supervisor to sign Change Order # 4 documents.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold to adjourn the meeting at 8:03 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 JULY 9, 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.