

MINUTES of the Pembroke Town Board **Workshop Meeting** held on **July 24th, 2014** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

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

ABSENT: Edward G. Arnold, Jr., Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Bruce Buyers.

The Workshop was called to order at 5:00 P.M.

PUBLIC PARTICIPATION

Bruce Buyers from County Line Stone spoke with the Town Board about his request to the NYS DEC for possible expansion of the County Line Stone Quarry. NYS DEC is Lead Agency in the SEQR process. In September 2014 the DEC may submit their DEIS (Draft Environmental Impact Statement). If submitted, there will be a 45 day public comment period to review and submit comments. The DEC then make changes if needed based on the information they receive and then submits a FEIS (Final Environmental Impact Statement) and a 30 day public comment period commences. If the DEC finds the project to be environmentally sound, County Line Stone can then submit an application to the Town for rezone. Mr. Buyers said the environmentalist working for the quarry can be contacted at any time. He said that his application for expansion would not double the size of the quarry. He employs approximately 50 local people in the area and wants to stay in business. Mr. Buyers also said that the proposed expansion would take 10-15 years to reach full expansion and that this proposed expansion would last County Line Stone several years beyond that. Mr. Buyers said that the proposed expansion application would include a request to realign some of Cohocton Road and Scribner Road at their expense.

Councilman Sformo asked Mr. Buyers about complaints that the quarry has received from residents. Mr. Buyers said he keeps a log of complaints received and could provide a copy to the Town Board.

PARK PEST SPRAYING ~ John Worth will be contacting TruGreen and asking them not to spray the park any longer.

CHANGE IN HIGHWAY DESIGNATION ~ Councilman Worth said that the NYS DEC wants to change the designation of Route 77 from Main Road to Route 63 to a principal arterial highway and would like the Town to put something in writing as to their opinion on the change. Route 77 is already designated as a principal arterial highway south of Main Road. The Board will discuss further at the next meeting after reviewing the information sent from the state.

RENEWAL OF TOWN PARK AGREEMENT WITH SCHOOL ~ Mr. Worth said he and Councilman Arnold met with Matt Calderon about the agreement with the school for maintenance of the town park. The school has asked the Town to sign a new agreement since the last agreement has expired. They requested that the agreement be extended with no specific end date but either party would be able to end the agreement with 60 day written notice. Councilman Sformo stated that he

disagrees with the way the contract is written giving the school first right to the fields. Mr. Sformo said that this is a town park and the board appreciates the school taking care of the mowing and the school is free to use it like any other resident of the Town but it should be first come first serve when it comes to the fields. Mr. Sformo said he believes no one in the Town should be “bumped” if they have signed up for the fields.

JOINT YOUTH TRAINING AND CHANGES ~ Councilman Worth said that the Joint Youth Recreation staff was trained on diabetic care to be able to assist children in the program with diabetic needs.

SEWER ~

Sewer Municipal Agreement ~ Councilman Sformo attended the Village board meeting and has the updated sanitary service agreement from the Village. A few minor changes were made and are marked in red on the copy.

Lateral Connections ~ Wargo Enterprises will be running the laterals for the sewer project in August. The electrical work will be done by Gerwitz & McNeal.

Sewer Law ~ Councilman Sformo said the sewer law is a large NYS DEC document that is 87 pages long. The Attorney is working on removing details that do not pertain to the town regarding the actual sewer plant and pump stations because the village will still be taking care of those things.

Sewer Billing Program ~ Councilman Sformo said the Village residents are charged \$6.24/per thousand gallons which is what our sewer district residents will pay and that will cover maintenance and O&M. The only thing it does not cover is the cost for the computer program needed to correctly bill the Town residents. Mr. Sformo is feels this is an added expense to the Village that the Town should cover. The cost for the program is approximately \$2,600.00. The Board will discuss this further at the next Town Board meeting. Mr. Sformo said that the Town needs to decide something soon because after the first hook-up they will need to start tracking use. Councilman Worth will talk to Laura Landers to find out what reports will be needed by the Town for the sewer billing.

NORTH PEMBROKE CEMETERY ~ Highway Superintendent Stephen Stocking said the North Pembroke Cemetery driveway has been paved with millings and will be rolled next week.

OLD BUSINESS

1. Fix Insulation issue at Town Hall to prevent pipes from freezing ~ Councilmen DeWind and Worth are going to set up an appointment to have the insulation work done at the Town Hall.
2. Real-estate progress closed and we have received the check ~ Councilman Worth said the Doll property is sold and the check for \$93,000.00 has been received and deposited.
3. Industrial Appraisal started July ~ The appraisal work is done. The park property and community center changes have been added to the Towns assets and a report will be submitted.

4. Cemetery Bank account ~ Councilmen Arnold and Worth had the check cut for the North Pembroke Cemetery and all the permanent accounts have been put into CDs with Bank of America.
5. Chamber of Commerce ~ The Board discussed having Lenora Kohorst work on the Chamber of Commerce page in the travel guide. The Board agreed that they would rather have the Pembroke page be one page instead of two to help defray cost.

 A **MOTION** was made by Councilman DeWind, seconded by Councilman Sformo to have Lenora Kohorst work on a one page spread in the Genesee County Chamber of Commerce Visitors Guide for a cost of \$1,700.00

ALL AYES –MOTION CARRIED

NEW BUSINESS

1. Community Center Floor Wax spring time ~ Gary
2. Museum Glass Cabinets remove ~ Superintendent Stocking is going to take the old museum cabinets over to Bontrager’s auction to have them auctioned off for the history department.
3. Mark Boylan legal update as needed Franchise Agreement ~ John
4. Nora Kohorst – Approval to work on GC Visitor guide “Pembroke page”

RESOLUTIONS

RESOLUTION #59 of 2014 – Opposing Expansion of Federal Control under the Clean Water Act

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

ALL AYES - MOTION CARRIED

WHEREAS, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have released a 371 proposed rulemaking defining the Waters of the U.S. under the Clean Water Act, and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of "navigable waters" in the Clean Water Act, and

WHEREAS, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act, and

WHEREAS, the proposed rule change, if adopted, will cause significant economic harm to local

farmers, stall the development of businesses, take control of land use for sustainable food production out of our local providers' hands, and negatively impact County and Town owned and maintained infrastructure such as roadside ditches and flood-control channels, and

WHEREAS, the cost to our farms, municipalities and taxpayers will be enormous, and

WHEREAS, the New York Farm Bureau opposes the proposed rule change, and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection or “significant nexus”, miles away, to a body of water currently defined as "navigable", now, therefore, be it

RESOLVED, that the Pembroke Town Board hereby strongly opposes the EPA and Corps proposed rulemaking that changes the Clean Water Act, as proposed, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Senator Schumer, Senator Gillibrand, Congressman Collins, the Environmental Protection Agency, the U.S. Army Corps of Engineers, State Senator Ranzenhofer, and State Assemblyman Hawley.

RESOLUTION # 60 of 2014 – Payment of Abstract

On **MOTION** of Councilman Sformo, seconded by Councilman DeWind, the following **RESOLUTION** was **ADOPTED** by roll call vote: 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 # 7b of 2014.

On **MOTION** of Councilman DeWind, seconded by Councilman Sformo to adjourn the meeting at 6:40 P.M.

ALL AYES – MOTION CARRIED

Respectfully Submitted,

Nicole M. Begin

Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD WORKSHOP MEETING OF JULY 24, 2014 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.