

MINUTES of the Pembroke Town Board **Workshop Meeting and Public Hearing** held on **October 23, 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 Arrived at 5:20 P.M.
Peter G. Sformo, Councilman Arrived at 6:40 P.M.

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Annie Lawrence; Alan Miano; Katleen Dethier & Diana Reding, Corfu Free Library; Bruce and Brad Buyers, County Line Stone and John Hellert, Continental Placer, Inc.

The meeting was called to order at 5:05 P.M.

PUBLIC PARTICIPATION

Alan Miano came before the Town Board and said that the coaches, parents and children of the Pembroke Football team are holding the school football banquet at the Community Center. Mr. Miano asked if it was possible for them to get a discount on the rental price. Mr. Miano said that they used the facility last year and paid for it but also left the hall clean afterward. Councilman Worth explained that it costs tax payers for electricity, gas, and clean-up every time the hall is used and that is why the rental fee was implemented. Councilman Arnold explained that we charge users for the use of the facility and would not like to set a precedent for giving discounts on the rental fee. Councilman Arnold would like to discuss further with the board and will have an answer to Mr. Miano after the November board meeting.

Diana Reding and Katleen Dethier from the Corfu Free Library came before the board to ask for an increase in library funding. They explained the services that are offered physically and digitally from the library. Their request was for \$21,490.00 which is \$1,026.00 more than what was in the preliminary budget. Councilman Arnold and Worth explained how hard it was to keep the 2015 budget at the same as it was in 2014. The 2013-2014 winter made a real dent in the 2014 budget. Mr. Worth said that expenses are up and revenue is down and the Board is doing their best to stick with the adopted budget. Mr. Arnold said that for the past several years there has been no Town tax and that the Town also gives back sales tax money to offset the County taxes which may not be able to be done this year but a least the County tax rate will be lower this year.

PUBLIC HEARING
2015 TOWN BUDGET

The **Public Hearing** for the 2015 Preliminary Budget was called to order at 5:30 P.M. Town Clerk Nicole Begin reported and read the Notice of Public Hearing that was printed in the Daily News and reported that the Affidavit of Posting was posted on the Town's bulletin board.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold, to close the Public Hearing at 6:50 P.M.
ALL AYES - MOTION CARRIED.

Everyone being heard that wished to be heard the public hearing was closed at 6:50 P.M.

PUBLIC PARTICIPATION (Continued)

Bruce and Brad Buyers from County Line Stone and John Hellert from Continental Placer, Inc. came before the board to inform them that they are getting ready to file the SEQR with New York State DEC but in order to submit the SEQR they need a statement from the Town regarding the redirecting of the Town roads.

Councilman Worth said that there are several questions from residents regarding the expansion and wondered if there will be another public information meeting. Mr. Hellert explained that the process will be that County Line Stone will submit the SEQR application-draft environmental impact statement (DEIS) shortly, the DEC will probably come back to them with questions or suggestions and County Line Stone will have to revise the document and resubmit. The DEC will then decide if the application with modifications is complete. After that there will be a 30 day comment period on the DEIS. Copies will be made available to the Town Hall, the Library and online for public inspection. The DEC will take comments and concerns in writing regarding the DEIS and based on those comment/concerns received may decide to hold a public hearing on the DEIS. County Line Stone's best guess is that they will hold a public hearing. Based on the public hearing the DEC could decide to grant the mining permit or it could go to an Issues Conference where they try to work out the differences between the applicant and the objector. If it goes beyond that it could go to adjudication where the opponents have to show up with an expert and testify under oath and then the DEC would decide whether or not to issue the permit. Mr. Hellert said that there will be multiple opportunities for the public to address their concerns.

Councilman Worth said that said that he has been asking a lot of questions to people he has access to, to find out how the town can fairly address this with the residents and County Line Stone.

Mr. Arnold reviewed the process, County Line Stone will submit the DEIS by December 1st, the DEC will come back with comments, the DEIS will be resubmitted with changes, the DEC will decide if the application is complete. The public will have a 30 day comment period. County Line Stone would then apply for a permit to rezone the property. The Planning Board would hold a public hearing and make a decision. They would present their decision to the Town Board. The Town Board would have to rezone the property by Local Law and hold a public hearing as well. A decision to rezone would be made after the public hearing. Mr. Hellert said no permits will be applied for until at least spring of 2015. Councilman Worth said there are questions that residents want answers to that the Town Board does not have the experience or expertise to answer. Mr. Hellert and Mr. Brad Buyers said that they would be more than happy to sit down with residents to answer any questions they may have. Mr. Buyers said they want to address concerns rather than let concerns mount.

The board will discuss their need for a statement with the Town Attorney and get back to them.

OLD BUSINESS

1. Staffing and Interviews ZBA and Planning ~ Councilman Arnold would like to ask the town Attorney if members of the Village Zoning and Planning Boards are eligible to serve on the Town's Zoning and Planning Boards.
2. Fix Insulation issue at Town Hall to prevent pipes from Freezing ~ Councilman Worth said we are waiting for a call from Urban Insulation to set a date to start the work at the Town Hall.

NEW BUSINESS

1. Mark Boylan legal update as needed Franchise Agreement ~ No Report.

ROUNDTABLE

Councilman Arnold - Councilman Arnold informed the board about the Village Dissolution informational meeting and conveyed some of the concerns of the Village residents that were in attendance. The next meeting of the dissolution committee is scheduled for October 30th.

Mr. Arnold said that the sewer laterals were all connected and septic tanks were emptied, filled and sealed. The pump stations are being tested and are running. Camden Group will have all the keys to the pump stations and generators. Mr. Arnold said that Councilman Sformo spent a lot of time coordinating with National Fuel and the contractor to get things done.

Councilman DeWind – Councilman DeWind said that Mike George of Brier Hill Contracting Inc. (77 Construction) repaired the front door. He gave a quote for the repair of the back door and fascia on the back side of the building plus windows in the back of the building that are in desperate need of repair. The cost of all the repairs is less than \$4,000.00. They will be working on those items as time and weather allows. Urban Insulation will be working on the insulation issue in the front office area. Mr. DeWind said the next thing to do is repair the issue with the thermostats and the two front swinging doors.

Highway Superintendent Stocking – Mr. Stocking said that the sensors on the gas pumps were deteriorated and broke off so they were replaced.

The Highway crew is finishing up fall mowing and the plows are being put on the trucks.

Mr. Stocking said that Councilman Worth helped him in filling out all the paperwork for the CHIP money from NYS DOT. Once the application is submitted the Town should get approximately \$110,000.00.

Councilman Worth – Councilman Worth said he received about 50 pages of forms and applications for our insurance coverage and is currently working on getting them filled out.

Mr. Worth took a webinar for the tax cap. Mr. Worth said the amount of the tax cap is not 2% this year; it is 1.56% which should not be an issue for the Town this year. If the Town did the Local Law to override the 2% tax cap this year it would have to be rescinded before the first of the year in order for residents to receive a rebate check in 2015. Mr. Worth said that since the preliminary budget does not go over 2% and there doesn't seem to be any changes it does not make sense to do the Local Law.

Mr. Worth said the first RAN borrowed for the Sewer project is coming due in the amount of \$2.1 million dollars. The new Ran for this year is for approximately \$700,000.00. Mr. Worth is meeting with Laura Landers from Freed Maxick and Battaglia to discuss the RAN payment.

Mr. Worth said that the County contacted him to find out what the Town plans to do about the sales tax money we give back each year to offset county taxes for Town residents. Mr. Worth said that recently only the Towns of Batavia, Pembroke and Darien have been doing this and the Town of Batavia is not doing it this year. Mr. Worth said this is something the Town Board really needs to think about doing not doing in 2015 to cover some of the shortfalls we have had. Mr. Worth said he would like to discuss this more with the board at the next meeting.

RESOLUTIONS

RESOLUTION # 74 of 2014 – Building & Codes Training Attendance

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 Building & Codes Officer Charles Reid is requesting permission to attend the Niagara Frontier Building Officials Association Education (NFBOA) Conference January 26–28, 2015 in Cheektowaga, NY; and

WHEREAS monies for this Conference will be split between the Town of Pembroke and the Town of Darien; and

WHEREAS the monies are in the 2014 budget; **NOW, THEREFORE, BE IT**

RESOLVED that the Town Board grants permission to Charles Reid to attend the above mentioned Conference.

RESOLUTION # 75 of 2014 – Payment of Abstract 10B

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

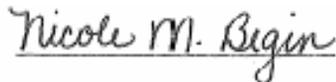
WHEREAS, these payments are within the normal scope of the 2014 working budget, and create no additional cost to the Town of Pembroke; **NOW, THEREFORE BE IT**

RESOLVED, that the Town of Pembroke hereby authorizes the Supervisor to make the appropriate payments contained within abstract # 10b of 2014.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold to adjourn the meeting at 6:52 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 OCTOBER 23, 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.