

MINUTES of the first **Regular Meeting** of the Pembroke Town Board held on **January 14, 2015** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

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

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Tom Schneider, Planning Board Chairman; Deborah Conti, Assessor; Aaron & Carolyn Swable; Phil DiNicola, Indian Falls Lake Association; Ken Lauer, Village of Corfu Trustee.

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

Councilman Sformo gave the invocation and Supervisor Lawrence led the Pledge to the Flag.

PUBLIC PARTICIPATION ~ Mr. DiNicola from the Indian Falls Lake Association came before the Town Board regarding the possibility of a purchase of a building by the Pembroke Fire District. The fire district is going to hold a vote in February for the purchase of a new facility on Alleghany Road. Since the fire district is a tax based entity the burden of the purchase would be to those in that fire district. Mr. DiNicola said there is concern and he has received inquiries about the purchase. Mr. DiNicola asked if the purchase was necessary and what are the alternatives to making that purchase. Mr. DiNicola asked the Town Board if there was any way the Town could step in and get involved. He asked if the Town would consider being lead agency in the SEQR process for the purchase. Before the meeting Town Supervisor Lawrence explained that the Town has no jurisdiction over fire departments and gave Mr. DiNicola contact information for the Fire Chief. The Board will discuss further during the Supervisor's report.

APPROVAL OF MINUTES

On **MOTION** of Councilman Arnold, seconded by Councilman Worth, to approve the minutes of the Regular Meeting December 10th, 2014.
ALL AYES - MOTION CARRIED.

On **MOTION** of Councilman Arnold, seconded by Councilman Sformo, to approve the minutes of the Workshop and End of Year Meeting December 29th, 2014.
ALL AYES - MOTION CARRIED.

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, to approve the minutes of the Organizational Meeting January 2nd 2015.
ALL AYES - MOTION CARRIED.

DEPARTMENT REPORTS**ASSESSOR** – Deborah Conti

- Mrs. Conti reported that Enhanced STAR exemption papers were mailed out in November and they have had a 50% response to those mailings. During that last ten days of February they will call people to remind them to get their exemptions in. Enhanced STAR forms are due by March 1st in order to receive the exemption on the school tax bill in September.

ZONING & CODES ENFORCEMENT – Charles Reid

- The monthly report has been submitted.

HIGHWAY – Stephen Stocking

- Mr. Stocking said that so far we've used a little over a quarter of salt in the salt barn. The highway is doing everything they can to conserve on the use of salt while keeping drivers of the roads safe.

TOWN CLERK – Nicole M. Begin

- Monthly report submitted and filed. Mrs. Begin said the clerk's office has been receiving several calls regarding the increase in taxes. Mrs. Begin explains to them that expenses are up for the Town therefore the board had to forgo the credit back to the County to offset the County taxes. In addition the East Pembroke Fire District residents voted to build a new facility therefore increasing the tax rate for those residents by 83%. A letter was given to the Town Board by a resident asking to re-implement the credit next year. Mr. Arnold said he feels bad that the office is receiving these calls and said to direct calls to the Town Board for explanation. Supervisor Lawrence said that the Town has been contributing to lower the resident's county taxes for over 15 years and there comes a time when the Town can no longer do that. Mrs. Lawrence said she feels the town should put an ad in the Akron Corfu PennySaver explaining this to the residents. Mrs. Conti suggested putting it on the town's website as well.
- Tax payments have been coming in steadily and a check was written to the Town for the debt services. Vouchers were sent to the fire districts for payment of their tax dollars.

PLANNING BOARD – Thomas Schneider

- Mr. Schneider said in December the Planning Board rescinded a special use permit. There is nothing on the agenda yet for January.

ZONING BOARD OF APPEALS – Nathan Witkowski

- There was no meeting held in December because there is nothing on the agenda. Mr. Schneider said there may be a variance on the agenda for ZBA in January.

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

- The December monthly reports have been submitted and filed. Justice O'Connor collected \$24,205.50 in fines; Justice Mileham collected \$25,482.00 in fines. The state will submit a bill for their portion.

SUPERVISOR – Annie Lawrence

- Mrs. Lawrence received a letter from the attorney for the Pembroke Fire District regarding the SEQR for the purchase of a building. Pembroke Fire District is requesting to be lead agency on the SEQR. The Town Board discussed the Town's involvement and decided they have no issue with the Pembroke Fire District being lead agency in the SEQR. The Supervisor will send a letter to the attorney.
- Supervisor Lawrence met with a representative from M&T Bank. Mrs. Lawrence will be trained to use the online banking system. Bank statements will also be paperless going forward. Mrs. Lawrence also discussed payment of the RAN for the sewer district.
- Mrs. Lawrence met with County Treasurer Scott German for information regarding bonding for the possible expansion of the sewer district.
- Mrs. Lawrence also met with Joe Teresi from Tompkins Insurance to discuss insurance coverage for the town. The renewal date is January 25th and the current rates for coverage are a little over four thousand dollars less than they were in 2014. Since there were no changes in coverage, the Town Board felt it wasn't necessary for Mr. Teresi to come and talk to them. Supervisor Lawrence will get the insurance paper work signed.
- Supervisor Lawrence will meet with Joanne McInerney on January 16th to discuss healthcare coverage. The renewal date for health insurance coverage is April 1st. Tompkins still does not know what the new rates will be for the upcoming year. Mrs. Lawrence would like to ask them why we can't change the renewal date to January 1st. She feels the change in renewal date would be better for the Town to budget for.
- Supervisor Lawrence asked the board to decide which way they would like to go regarding IT. She would like the board to discuss whether it should be an outside company or a Town Board member. She feels that if it is a board member they should be compensated.
- Mrs. Lawrence said she would like to have the Toshiba copier scanning to emails. Town Clerk Begin will contact Toshiba to get the scanning of documents corrected.
- Mrs. Lawrence met with Jen Wolcott from Freed Maxick to go over the bill paying process. Jen does the town's bill paying.
- The Village Deputy Mayor called Mrs. Lawrence to request to be involved with any discussions regarding the possible expansion of the sewer district. Councilman Sformo will be attending the next Village board meeting to discuss sewer.
- Empire telephone will be at the January 22nd meeting to review their proposal for telephone and internet services.
- Mrs. Lawrence informed the Town Board that there will be a GAM meeting held on Thursday January 15th at 6:30 p.m. in Stafford. The Town of Pembroke will host the June 18th GAM meeting at the Town Hall.

OLD BUSINESS

1. Village Dissolution Study ~ Councilman Arnold and Councilman Sformo discussed with the Town Board whether or not to form special districts for Village residents if they were to dissolve. The Village residents would like to keep lighting, sidewalk snow removal and brush removal.

Both Councilman Arnold and Councilman Sformo feel that the Town should not set up separate districts. They feel lighting should be combined with the Town's lighting and that the position of the Village DPW should become a town maintenance position and that employee would be in charge of possible monthly brush removal in the village, snow removal in both the Town and village and that person could be used at the Town park, town hall and village building. The Board also discussed the twice a year refuse offered to village residents. The Board felt that the residents could use the Town's refuse program on the third Saturday of the month. Councilman DeWind said until Village residents make a decision to dissolve the Town Board really doesn't know where we stand as far as the cost of these services and what that would mean to the Town residents. Councilman Worth and DeWind and Supervisor Lawrence believe that separate districts should be formed for those services. Councilman Sformo will speak with the town attorney and will ask the representative from the state to see if they would allow the town to use sales tax money received from Village businesses to pay for those services. The board voted by resolution (page 8) to create special districts for village services if they dissolve. Councilman Sformo will inform the committee at the next Dissolution meeting.

RESOLUTIONS

RESOLUTION #18 of 2015 – WQIP Municipal Resolution Authorization

On **MOTION** of Councilman Worth, 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; Supervisor Lawrence, AYE.
ALL AYES - MOTION CARRIED

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

WHEREAS, Town of Pembroke
(Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; **NOW, THEREFORE, BE IT**

RESOLVED by the Pembroke Town Board
(Governing Body of Municipality)

1. That Annie Lawrence, Supervisor

(Name and Title of Designated Authorized Representative)

or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation
4. That this Resolution take effect immediately.

RESOLUTION # 19 of 2015 – Authorization to fund position

On **MOTION** of Councilman Sformo, seconded by Councilman Arnold, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, NAY; Councilman Sformo, AYE; Councilman DeWind, NAY; Supervisor Lawrence, AYE.
THREE AYES – TWO NAYS – MOTION CARRIED

RESOLVED that the Town Board of the Town of Pembroke authorizes the transfer in the amount of \$7,800.00 from contingency budget line A1990.4 to A1220.11 to fund Secretary to the Supervisor position.

RESOLUTION # 20 of 2015 – Payment of Abstract

On **MOTION** of Councilman Sformo, seconded by Councilman Worth, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, AYE; Councilman Sformo, AYE; Councilman DeWind, AYE; Supervisor Lawrence, 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 & 2015 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 # 30 of 2014 and # 1 of 2015.

RESOLUTION # 21 of 2015 – Amendment of Resolution # 4 of 2015-Schedule of Salaries

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

2015 AMENDED Town of Pembroke Schedule of Salaries & Rates of Pay***Changes are in bold**

Position	Rate (Dollars)	Per
Animal Control-Gen Co Sheriff	-0-	
Assessment-State Training	\$30.00	day
Assessment-Town instruction	10.00	day
Assessment-Grievance Day PM	30.00	day
Assessment-Grievance Day-Eve	30.00	day
Assessment-Grievance Day-Review	30.00	day
Assessor	35,537.00	annual
Assessor Clerk/Typist-Zoning Clerk	11.60	hour
Assessor Clerk-Seasonal	11.37	hour
Board Members	4,895.00	annual
Budget Director	-0-	
Building Inspector, Senior	19.96	hour
Building Inspector	8,762.00	annual
Cemetery Caretaker	2,700.00	annual
Cemetery Mowing Pratt Rd.	200.00	annual
Clerk-Town	38,421.00	annual
Clerk-Town-Deputy	10.75	hour
Clerk-Town-Deputy II	11.43	hour
Clerk/Typist Zoning & Code	11.60	hour
Code Enforcement Officer	2,470.00	annual
Constable	10.72	hour
Court Clerk	19.23	hour
Court Clerk-Deputy	17.18	hour
Highway Superintendent	57,689.00	annual
Highway Deputy Superintendent	24.01	hour
Historians	837.00	annual
Historian (Co)	475.00	annual
House Enumerator	350.00	stipend
Justice I	29,284.00	annual
Justice II	25,565.00	annual
Justice Court Security	19.78	hour
Laborer	10.91-14.77	hour
MEO Working Supervisor	22.64	hour
MEO	22.59	hour
MEO-Seasonal	14.20-20.68	hour
Mail Prosecutor	565.60	month
Planning Board Chairman	1,545.00	annual
Planning Board Member	32.00	meeting

Records Management Officer	-0-	Incl Town Clerk
Recycling Attendant	10.72	hour
Supervisor	14,283.00	annual
Zoning Board Chairman	1,545.00	annual
Zoning Board Member	32.00	meeting
Zoning Enforcement Officer	8,814.00	annual

RESOLUTION # 22 of 2015 – Contract Agreement – TruGreen

On **MOTION** of Councilman Sformo, 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; Supervisor Lawrence, AYE.
ALL AYES - MOTION CARRIED

RESOLVED, the Town of Pembroke Town Board, authorizes the Town of Pembroke Supervisor to enter into a contract agreement for 2015, for the amount not to exceed \$3,830.00 with TruGreen, 40 Ridgeland Road, Rochester, NY 14623, for two (2) scheduled all natural fertilizer applications at the Town Park located at 8799 Alleghany Road., Corfu, NY 14036.

RESOLUTION # 23 of 2015 – Village of Corfu Dissolution – Creation of Special Districts

On **MOTION** of Councilman Arnold, seconded by Supervisor Lawrence, the following **RESOLUTION** was **ADOPTED** by roll call vote: Councilman Arnold, AYE; Councilman Worth, AYE; Councilman Sformo, NAY; Councilman DeWind, AYE; Supervisor Lawrence, AYE.
FOUR AYES – ONE NAY - MOTION CARRIED

RESOLVED that if the Village of Corfu were to dissolve the Pembroke Town Board will create two special districts for lighting and sidewalks and the cost of those two special districts will be paid by the residents that receive those services.

COMMITTEE REPORTS

Councilman Arnold – Mr. Arnold said that the Zoning Committee will meet again on January 21st. The focus is now gearing toward the update to the Comprehensive Plan which will need to be complete in 2017. There will need to be public involvement. Supervisor Lawrence asked if they could look into any grant funding for that update.

Councilman DeWind – Mr. DeWind said the insulation work was completed on the west side of the Town Hall and there have been no issue with frozen pipes.

The TruGreen proposal for organic fertilizer spraying has been received. The cost is \$3,800.00 for 2015.

Councilman Sformo – Mr. Sformo said all issues with the hook-up to the sewer line for a homeowner on Main Road have been resolved. Bills will need to be forwarded to Engineer Jeremy DeLyser.

Mr. Sformo thanked the Historian’s for the good job they did on their annual report. Mrs. Begin will have a copy put on to the town’s website.

Mr. Sformo asked Highway Superintendent Stocking to look into the signage for the “Right to Farm” and “Right to Forestry” laws that were passed by the Town Board. Mr. Stocking will call the County Highway Department to see about getting them made.

Councilman Worth – Mr. Worth said that the bathroom at the court facility has been repaired and is back in order.

Mr. Worth said that National Fuel is still testing at the Community Center for the gas issue that we had. National Fuel is waiting on a report to find out what the gas is coming from.

Mrs. Lawrence said there were some meeting dates that were changed for the 2015 calendar.

A **MOTION** was made by Councilman Sformo, seconded by Councilman Arnold to amend the 2015 calendar.

ALL AYES –MOTION CARRIED

On **MOTION** of Councilman Sformo, seconded by Councilman Worth to adjourn the meeting at 8:36 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 MEETING OF JANUARY 14, 2015 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.