

**MINUTES** of the **Special Meeting** of the Pembroke Town Board held on **March 16, 2015** at the Pembroke Town Hall, 1145 Main Road, Corfu, NY.

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

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Mark Boylan, Boylan Law Firm; Laura Landers, Freed Maxick and Battaglia.

The meeting was called to order at 6:45 P.M.

Supervisor Lawrence explained that the purpose of this meeting was so that Pembroke Town Attorney Mark Boylan and the Town's accounting consultant Laura Landers could answer the Town Board's questions and describe the process the state requires for the Town of Pembroke if the Village of Corfu were to move forward on dissolution.

Attorney Mark Boylan addressed the room and explained how the dissolution process began. Mr. Boylan said a Dissolution Committee has been established as per the state requirement and Mrs. Lawrence added that two Town Board members are on the Dissolution Committee and one town resident.

Laura Landers reviewed the financials of the Village of Corfu from the completed audit as of May 31, 2014. Ms. Lander's reported as follows:

Fund balances of the Village as of 5/31/14

General	538K
Sewer	106K

Ms. Landers said that included in these balances are 247K in general reserved for capital projects and 36K in sewer reserved for repairs. Attorney Mark Boylan is seeking the NYS Comptrollers opinion on whether this money could stay with the residents of the village and be used to offset their expenses or if they would have to be rolled into the Town. Mr. Boylan said special districts would have to be established for any services not benefiting the entire town. The sewer money would stay with the sewer district.

Ms. Landers also said that the only debt the Village had at 5/31/14 relates to the current sewer project and water. There is no debt service paid from the Village's general fund.

**LIGHTING**

Attorney Mark Boylan said that you could make the argument that lighting costs could be absorbed town wide since this is a service that the whole town receives. The Town currently spends about \$15,000.00 on outdoor street lighting and the Village spends about \$10,000.00.

### BRUSH PICKUP

The Town offers brush pickup to its residents one time a year in late April or early May dependent on the weather. Mr. Boylan said it would have to be setup as a district if it was not equally offered to all residents. The board discussed offering more brush pickup for all residents, less brush for all or a composting site for people to take the brush to.

### SIDEWALK

Supervisor Lawrence asked how the town would form a sidewalk district and how the town would charge for it. Mark Boylan said there are two ways to charge, one way is ad valorem which is assessment based and the other is by unit charge where every household would pay the same rate. Mr. Boylan said he would lean toward unit charges. Mr. Boylan explained that in order to form the district the Town would pass a resolution establishing the district; the resolution would be subject to a 30 day permissive referendum. The district could also be formed based on a petition by 51% of the residents in the proposed district. Councilman Arnold questioned who would pay for the sidewalks. He said at the current time the entire Village pays for the snow plowing of the sidewalks even though the side streets do not have sidewalks. Mr. Boylan said only residents with sidewalks would be in the district and if the residents on the side streets want sidewalks they could petition the town for them.

### SEWER

Supervisor Lawrence asked if the Town would become the owner operator of the plant. Mr. Boylan said the Town would technically be the owner but the district is actually the owner and the district pays all expenses. Camden Group would be the operator. Mr. Boylan said he expects the sewer rate would remain the same. Al Graham from Camden Group said the rate would be based on usage and also said that there would be no change if the dissolution occurred.

### POLICE PROTECTION

The Board discussed police protection. According to NYS, if the village were to dissolve the police department would also dissolve and if the Town were to continue police protection it would have to be provided town wide. The Town could contract with the County Sheriff's department for police protection like the Towns of Oakfield and Bergen have done.

### EMPLOYEES

Councilman Arnold said that if the village dissolves the public works employee would be kept because he has knowledge of the goings on in the village. According to Mark Boylan he would become an employee under the highway department. Councilman Arnold asked if the village were to dissolve would the Town be obligated to pay unemployment for the Village employees. Mr. Boylan said yes, the Town would be responsible. Laura Landers said money would have to be set aside for unemployment. Mr. Boylan will check into Workers Compensation as well.

### HIGHWAYS

Supervisor Lawrence conferred with the Highway Superintendent and said that sidewalk repairs would have to be contracted out. Mr. Worth commented that the Village could take use their reserved fund for infrastructure before the village would dissolve. Upon inspection Superintendent Stocking said that Depot and Prospect streets would need to be remilled and resurfaced first and would cost around \$60,000.00.

Councilman Arnold said he spoke to Superintendent Stocking as well and was told that those streets could be worked into the road repair rotation with the Town roads.

Councilman Sformo said that a date for a vote on dissolution has not yet been set. Mrs. Lawrence spoke to the Town Clerk in Lyons, NY who is also in the process of village dissolution. Mrs. Lawrence said that the state was not much help there because dissolution is so new to the state. She said the Association of Towns was a much bigger help to them.

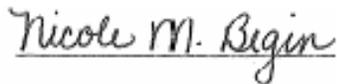
The board discussed any decisions made by the town so that the village residents could move forward on their vote. Mr. Boylan said there is not much the Town can do until the vote takes place. Mr. Boylan also said that any specials districts could not be formed until the village dissolves.

Councilman Sformo said that the dissolution committee was working under the premise that the dissolution plan would show what the Town is willing to give for the dissolution vote to take place.

Councilman Arnold said there will need to be a public hearing for the village residents and then the vote can take place. Mr. Arnold asked what the Committee should put in the plan letting the village residents know what services the Town is willing to keep for them. Mr. Boylan said that no matter what the Town would say they could or would offer at this point it would only be a projection, not a guarantee. Mr. Boylan said only village residents will be able to vote.

Supervisor Lawrence adjourned the meeting at 7:49 P.M.

Respectfully submitted,



Nicole M. Begin, Town Clerk

THESE MINUTES ARE A DRAFT ONLY OF THE TOWN BOARD SPECIAL MEETING OF MARCH 16, 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.