

MINUTES of the second **Regular Meeting** of the Pembroke Town Board held on **April 23, 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; Jenny Mc Martin, Village of Corfu Trustee; Richard Beal, Commander VFW Cathie Wild Post; Tom Dix, Mark Boylan, Attorney; Brad and Bruce Buyers; David Brumsted.

The meeting was called to order at 5:30 P.M.

PUBLIC PARTICIPATION

VILLAGE COURT PHONE LINES – Village Trustee Jenny McMartin asked the Town Board if they could run phone lines so that the Village Court could install a credit card machine. Mrs. McMartin said there would be no cost to the Town. The board agreed that the Village could install the necessary phone line.

VFW MEMORIAL DAY PARADE – VFW Commander Richard Beal asked if the Town would still be insured through the Town for the VFW parade in 2015. The Board said that they have been covered in the policy and Deputy Supervisor Sformo will do the necessary paperwork with the NYS DOT. Supervisor Lawrence said she will speak at the ceremony that follows.

ZONING DEPARTMENT ISSUE – Mr. Bromsted has been working with Zoning Officer Charles Reid on a permit and special use permit. He was told his special use permit was denied and cannot find it in the minutes where it had been denied. He said he is asking the Town Board for some help and direction. At the direction of the Board Town Clerk Begin gave Mr. Bromsted the phone numbers for Tom Schneider and Nathan Witkowski, The town’s Planning Board and ZBA Chairmen. The told Mr. Bromsted that if does not get resolution to come back to speak to them.

A **MOTION** was made by Councilman Sformo, seconded by Councilman Arnold to amend the agenda for this meeting to remove resolution # 40 – a resolution for Randsco Restoration Work for the sewer district.

ALL AYES – MOTION CARRIED

APPROVAL OF MINUTES

On **MOTION** of Councilman Arnold, seconded by Councilman Worth, to approve the minutes of the first Regular Meeting of April 8th, 2015.

ALL AYES - MOTION CARRIED.

ATTORNEY MARK BOYLAN – COUNTY LINE STONE (CLS) - Bruce Buyers at County Line Stone is preparing to submit their SEQR to the NYS DEC but cannot do so without a letter from the Town stating the town would be ok with the changes in roadways. The Board discussed the letter at length with the Town Attorney Mark Boylan and questioned if the letter could be written in a non-committal way. Mr. Boylan said the letter to the DEC could be stated in a way that would say the Town would entertain the idea of changes to the road but that there would be no commitment at this time. Councilman Arnold questioned whether mining could still occur without moving the road and he was informed that it could.

Mr. Boylan said that the Town should gather more information from the affected members of the community before the board can render a decision. Mr. Boylan said the board has to weigh the factors, they cannot base a decision from five screaming people and they have to look at the benefit of the entire town. Mr. Boylan said the more informed the residents are the easier it will be for the board to make a decision.

Supervisor Lawrence made a suggestion that County Line Stone hold an open house for the residents to attend so they could get a better understanding of what they do. Brad Buyers said he would like to have better interaction with residents in the area.

Bruce Buyers gave handouts to the board with history and information of County Line Stone and explained how CLS is planning for the future. Mr. Buyers said CLS is not looking to increase business they are just looking to stay in business in the future.

The board discussed the formation of a citizen's action committee. Supervisor Lawrence had received some information from another town regarding the way they had created a similar committee. Councilman Arnold asked who should initiate the process of the formation of the committee. The Board talked about who should form the committee if they choose to form one. Supervisor Lawrence said she felt that a formation of a committee was out of the control of the Town Board because it was a select neighborhood being affected. The board discussed CLS creating the committee.

It was decided that County Line Stone will write a letter to the Town Board and the Town Board will hold a Public Information meeting based on the information requested in the letter.

COMMITTEE REPORTS

Town Clerk Begin – Mrs. Begin said she received an email from the Village of Corfu Clerk who stated that the Village Board requested to have the lease agreement changed. The email stated “Line 3 currently indicates the Village is responsible to repair any damage it causes to **the building** or to the surrounding area. Due to recommendation by Village Insurance through NYMIR to increase coverage due to that portion of the lease, it was suggested to contact the Town to have **the building** be changed to “**the leased portion of the building**”. Approval of the lease was postponed until response is received from the Town”. The Town Board discussed and felt that if a village vehicle was to damage the outside of the building or there was damage to the Community Center when being used for Village Court then the Town would be responsible. By recommendation of Attorney Boylan the board decided not to change the lease agreement.

Deputy Supervisor Sformo – Mr. Sformo said that there are two residents hooked to the sewer line that do not have public water so there is no way to monitor usage for billing. A letter was sent to them to inform them that they would need to purchase a meter for their well. One resident responded that he is in the process of hooking up to the public water. There has been no response from the other. The Village Clerks office will send a letter to that resident stating they will be charged for a basic sewer use each month until a meter is installed or they hook into the water line.

Councilman Arnold – Mr. Arnold asked if the board would agree to allow the PYA to put a sign at the entrance of the park saying “Home of the PYA”. The board agreed that they could put up a temporary sign during their events but were not for the permanent sign being place. Supervisor Lawrence said it is not PYA park, it is a Town Park.

Mr. Arnold spoke with Donna Fix this year and there will be a registration fee of \$25.00 for the children who attend the Youth Recreation Program.

Councilman Worth – Mr. Worth said that he and Councilman DeWind had a broken pole removed in the parking lot of the Pembroke Community Center. The light at the top, which was a new fixture, will be reinstalled at the Town Park by McCabe Enterprises. McCabe will also secure the light fixtures on the old poles at the Community Center.

Mr. Worth said the water meter at the Town Park froze and broke this winter so it was removed from the pit it was enclosed in. Mr. Worth said Genesee Plumbing or Monroe County Water Authority will replace the meter and the water will then be turned on at the park.

Councilman DeWind – Mr. DeWind said the bleachers at the Town Park that were broken over the winter will be welded this coming week. The pavilion on the top of the hill had some wind damage and the poles will be re-wrapped. 77 Construction will do the work.

Supervisor Lawrence – Mrs. Lawrence said she spoke with Carl Lewis who is interested in water and sewer on Indian Falls Road if the Veterans Cemetery brings those utilities to that area. Mrs. Lawrence told Mr. Lewis that at this time we had no information of the needs of the cemetery at this point but that she would keep him apprised.

Mrs. Lawrence said she spoke with Darien Supervisor Hagelberger who said that they were never billed for their portion of the Joint Youth Program in 2014. Town Clerk Begin said a voucher had been sent and she had spoken to the Town Clerk in Darien about it but had not heard anything back.

Mrs. Lawrence said an attorney from Pittsburgh spoke at GAM and had some information regarding Time Warner Cable Franchise agreements. If any of the Town Board is interested she will relay the information.

Town Clerk Begin said she received a call from Brenda Ianni who said a group of parents were getting together at the Town Park to hold an athletic event at the town park to raise money for a scholarship. Mrs. Ianni asked if they were going to require insurance. The Board said that they will need to have insurance and they should contact an insurance company for that coverage.

RESOLUTIONS

RESOLUTION # 40 of 2014 – NYS Retirement Standard Work Day and Reporting

On **MOTION** of Councilman Arnold, 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

BE IT RESOLVED that the Town of Pembroke hereby establishes the following as standard work days for the listed employees, elected and appointed officials and will report the following days worked to the New York State and Local Employee's Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

****SEE ATTACHED****

RESOLUTION # 41 of 2015 – Payment of Abstract

On **MOTION** of Councilman DeWind, 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

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 2015 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 # 8 of 2015.

On **MOTION** of Councilman DeWind, seconded by Councilman Arnold to adjourn the meeting at 7:22 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 APRIL 23, 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.