

**MINUTES** of the **second Regular Meeting** of the month of the Pembroke Town Board held on **April 28, 2016** at the Pembroke Town Hall, 1145 Main Road, Corfu, New York.

PRESENT: John J. Worth, Supervisor  
Kathleen Manne, Councilwoman  
Thomas Dix, Councilman  
K. Warren, Clark, Councilman

ABSENT: Edward G. Arnold, Jr., Deputy Supervisor; Stephen Stocking, Highway Superintendent.

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Thomas Schneider, Planning Board Chairman; Mark Boylan, Boylan Law/Town Attorney; several town residents.

The meeting was called to order at 6:00 P.M.

### **PUBLIC PARTICIPATION**

Town residents were present to get and update on what is happening with the Town and County Line Stone (CLS). Supervisor Worth said at this point the NYS DEC has not given approval for expansion so the Town has no involvement. Mr. Worth confirmed that both he and Councilman Clark visited the site to get an overview of the operation as did Councilwoman Manne at a separate time in March because they are new to the town board. The board was asked what they knew of a letter received by some residents in regards to a committee being formed. Mr. Worth said that CLS is forming the committee and that the town was also asked to have a board member on their committee. The residents expressed their dismay about the proposed expansion. Mr. Worth said that the residents should contact CLS and the DEC to express their feelings and to document everything. He also suggested that they write letters to both CLS and NYS DEC and copy those letters to the Town. Supervisor Worth reiterated that the Town has nothing to do with the application process to the DEC. Tom Schneider said the Town will not be involved unless the DEC approves the application which could take 3-5 years.

#### **Discussion with Attorney Mark Boylan**

1 - Refuse pick-up in the town – Councilman Clark has been working on gathering information and pricing on town wide trash service. Attorney Mark Boylan said the Town can offer it a couple of ways but said it makes sense to make it a charge on the tax bill and said it could be done by resolution. The board would like to send out a postcard survey and see how the residents feel about it.

2 - Sewer Expansion Project – The board discussed the expansion line being run by TA and how funding from other connection fees could be used. Attorney Mark Boylan will connect with the engineers to see what the plan is for the district.

3 - Joint Youth Commission – Supervisor Worth said that a Joint Youth Commission needs to be formed. The Town is limited on the amount of medical assistance that we can provide during the program and that is something that needs to be worked on. NYS is also insisting that the program have updated annual medical records for participants on file during the program which we have never required. Mr. Worth said that for this year we need to establish the Commission and have an agreement in place with the other municipalities involved.

4 - Land Sold and Land on Brown road to settle – Supervisor Worth negotiated the sale of town property on Little Falls Road. Attorney Mark Boylan said a contract is in place for the sale of the property and the amount will cover the costs of the property survey and abstract and will put the property back on the tax roll.

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A **MOTION** was made by Councilman Clark, seconded by Councilman Dix to authorize the Town Supervisor to move to sell the property on Little Falls Road and sign all necessary paperwork involved with the sale.

**Ayes:** Worth, Manne, Dix, Clark

**Nays:** None

**MOTION APPROVED by: Unanimous vote (4-0)**

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Supervisor Worth said that the property on Brown Road cannot be sold because the road was never abandoned by the Town when the railroad bridge was removed and the road was relocated. Attorney Mark Boylan is going to work with the Highway Superintendent to start the process to abandon the road.

5 – The Board discusses the proper way to pay vouchers if workshop meetings were not held every month in the summer. The Attorney said that abstracts must be approved at meetings and that only utility payments can be made prior to the board approving the abstract. The board could pay all bills at one meeting only.

6 - Franchise agreement – Franchise agreements have been unchanged and have been expired for several years. The state thinks that all towns are using broadband so they have no interest in stepping in. The town did save money by not hiring the attorney through GAM to negotiate a new contract since Time Warner Cable is being sold

8 – RC Pulsars complaint received – Planning Board Chairman Tom Schneider said there was a complaint received from the neighbors regarding the RC Pulsars on Knapp Road. The residents do not want to see the Special Use Permit renewed. The Attorney and Mr. Schneider discussed this because Special Use Permits are usually only reversed if the holder is not complying to the rules set in place or if they no longer wish to have the permit neither of which has been done.

**NEW BUSINESS**

Tobacco Free Town Park – The Board would like to move forward in setting the park as a Tobacco Free zone. Attorney Mark Boylan said this should be done by Local Law and if passed sign should be posted.

No Hunting in Town Park – The Town Clerk’s office has been receiving calls questioning the availability of hunting in the town park. The board and attorney agreed that there is no hunting in the town park due to the fact that people are walking the trails and children are playing in the area. Attorney Mark Boylan said the Board should pass a resolution and signage will be placed.

Supervisor Worth informed the board that the Town used to have a gentleman that did small maintenance and odd jobs around town property when and if needed. A few years back he informed the board that he could no longer do the work due to conflicts and the town never found another person that was willing to do it. Mr. Worth said that Tom Schneider is willing and able to do this type of work if needed at the town buildings and park.

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A **MOTION** was made by Councilman Clark, seconded by Councilman Dix to have Tom Schneider do maintenance work at town property when needed.

**Ayes:** Worth, Manne, Dix, Clark

**Nays:** None

**MOTION APPROVED by: Unanimous vote (4-0)**  
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Park Grant – Supervisor Worth said that he has received information regarding the grant we received from Senator Ranzenhofer’s office for the town park. There is more paperwork that needs to be filled out and returned before we can begin the actual work.

**COMMITTEE REPORTS**

**Councilwoman Manne** – Mrs. Manne said that her first meeting for the county Line Stone Committee will be held in May. She will report back with any new information.

**Highway Superintendent Stocking** – Town Clerk Begin reported for Mr. Stocking in his absence. The Town has accumulated many tires from the trash and recycling day and they were removed in April. The cost to remove the tires was \$125.00/ton no rims and \$295.00/ton with rims & tractor tires. Superintendent Stocking suggested increasing the cost to \$4.00 each for tires without rims and \$8.00 each for tires with rims. This would be an increase of \$1.00 per tire to residents.

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A **MOTION** was made by Councilman Dix, seconded by Councilwoman Manne to increase the charge of tires in our trash price list to \$4.00 each for tires without rims and \$8.00 each for tires with rims.

**Ayes:** Worth, Manne, Dix, Clark

**Nays:** None

**MOTION APPROVED by: Unanimous vote (4-0)**  
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The board discussed the confusion to residents regarding the minutes of March 24<sup>th</sup>, 2016 in regards to the times and which town board members met with County Line Stone.

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A **MOTION** was made by Councilman Dix, seconded by Councilwoman Manne to amend the minutes of March 24, 2016 to say “*met separately with*” in the committee report of Councilman Clark on page 3.

**Ayes:** Worth, Manne, Dix, Clark

**Nays:** None

**MOTION APPROVED by: Unanimous vote (4-0)**  
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**Councilman Dix** – Mr. Dix questioned taxes referenced on the Empire Phone bill received in April. Supervisor Worth said that it will be looked into but believes the town is subject to the federal taxes on the utility bill.

**RESOLUTIONS**

**RESOLUTION # 31 of 2016 – Payment of Abstract**

**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 2016 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 of approved vouchers contained within abstract # 8 of 2016.

**Motion:** Councilwoman Manne

**Second:** Councilman Clark

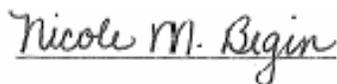
**Ayes:** Worth, Manne, Dix, Clark

**Nays:** None

**APPROVED by: Unanimous vote (4-0)**

On **MOTION** of Councilman Clark, seconded by Councilman Dix to adjourn the meeting at 8:07 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 APRIL 28, 2016 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.