

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

PRESENT: John J. Worth, Supervisor
Edward G. Arnold, Jr., Deputy Supervisor
Kathleen Manne, Councilwoman
Thomas Dix, Councilman
K. Warren, Clark, Councilman

OTHERS PRESENT: Nicole M. Begin, Town Clerk; Stephen Stocking, Highway Superintendent; Mark Boylan, Town Attorney; Laura Landers, Town Finances.

Supervisor Worth called the meeting to order at 6:00 P.M.

Discussion with Attorney Mark Boylan

Sewer Connection Fees – The board discussed how future sewer connection fees could be spent and if they could be used toward an expansion of the sewer plant. Attorney Boylan believed it could with some stipulations.

Draft Letter to CLS – The board discussed writing a letter to County Line Stone that would address safety concerns of the residents if an expansion would be approved by the DEC. The board agreed that verbiage should include that the letter in no way endorses the possible expansion.

Town wide trash service – Councilman Clark has been working diligently on gathering information for town wide trash. The board would like to make the trash service optional but Mr. Boylan said that making it an optional service is problematic for the Town. Mr. Boylan and Laura Landers said that making it a mandatory tax on all residents is more beneficial to everyone but in doing so the Town would go over the 2% tax cap set by the state. The board discussed the current service and the financial loss of approximately \$20,000.00 annually. Also, according to records only 100-150 residents out of 2800 households use the current service. After much discussion with Mark and Laura the board decided to make a decision at the next board meeting.

Public Water – The board discussed a recent phone call to the Town Clerk's office from the Health Department & NYS Senator's office. The calls were in regards to how the Town is going about answering requests for public water. Town Clerk Begin said the town's process is as follows:

- Tell the resident to form a petition requesting water and to get as many people on the road as possible to sign it then present the petition to the Town Board.
- The Town Board will then start the process of looking for funding (grants & loans)
- Residents are also informed that they may have to provide income surveys for grant applications.
- The resident is informed of the potential costs per household with and without grant funding which is currently around \$900.00 to \$1,200.00 annually.

The health department informed the Town Clerk that the town is handling requests properly. Supervisor Worth said he would like to create water packets to hand out to residents when they request water that would have all the information they need, how much it could cost and what the Town's responsibilities are in regards to water districts.

Discussion with Accountant Laura Landers

2017 Budget Process – Mr. Worth said each year there is a potential that there will be a town tax because of increased expenditures. Also, the fact that that currently is no town tax means that any capital project (water & sewer dist., new building) will go over the 2% state tax cap. Laura Landers said that the town will have to permanently finance the sewer RAN for districts 1 & 2. The amount to be raised in taxes will be approximately \$14,000.00 to be distributed among the district residents. She will also look into a 25 year schedule to see if the price can be reduced. This may break the tax cap. Also, Laura Landers said that the increases in Fire District budgets due to Workers comp charges in 2017 will break the tax cap.

Financial program – Mr. Worth said that the town is currently using Williamson Law Book for the book keeper but would like to change to QuickBooks for its simplicity and ease of use. Laura Landers said that she and the book keeper are familiar with QuickBooks and think the change would make things easier for the Supervisor to access reports.

COMMITTEE REPORTS

Superintendent Stocking – Mr. Stocking said that the Highway Crew has completed the following: Community Center ~ Painted doors, sprayed around building for weeds, cleaned gutters, and mowed the edges of the property. They have oiled and stoned several town roads and will help the village and other towns to oil and stone roads in the next few weeks.

Mr. Stocking said that the picnic tables at the Kiwanis pavilion in East Pembroke are in bad shape and need to be removed and replaced. Mr. Stocking will check to see how many there are and Mr. Dix, Mr. Arnold and Mr. Stocking will get them replaced.

Supervisor Worth – Mr. Worth said the TA truck stop is requesting that their corporate office have a generator installed in case of a power outage. The Flying J and the TA truck stops do not have generators to power the gas pumps in case of a power failure. TA is asking for a support letter from the town to add to their request. They want the town to write a letter stating that if for some reason the Town was unable to get fuel from our fuel farm that we could obtain fuel at the TA if they were able to pump fuel. Mr. Stocking said that during the November storm the plow trucks were unable get to our gas pumps because of the amount of tractor trailers parked in the lot that were taken off of the thruway.

Mr. Worth said that the cemetery caretaker has suggested raising the rates for the Town's cemeteries to keep up with the other cemeteries. The board will look at the suggested rates in August.

Mr. Worth was contacted by a Varsity Soccer team member asking if they could use the Community Center for a car wash. The board discussed and along with the Attorney agreed as long as they provide a certificate of insurance.

The County is still looking into ownership of the property under Indian Falls. Until then the Town has no recourse.

National Grid would like to do an audit of the town hall property electric usage. Mr. Worth will set it up.

Mr. Worth will be meeting with a group from the sewer plant and Yancey's Fancy to discuss possible expansion.

Councilwoman Manne – Mrs. Manne emailed the board a draft of the personnel handbook that she and Councilman Arnold have been working on. The board discussed reviewing it together at an upcoming workshop meeting.

Mrs. Manne suggested that an update be given to County Line Stone to let them know that the Town Attorney will be reviewing the draft letter.

Town Clerk Begin – Mrs. Begin reported that she was informed by DEC that seven dead deer were dumped on the town land at Stoney Lonesome Road. DEC indicated that it may be an independent contractor dumping road kill and asked that the Town close the gate and hang "No Dumping" signs. The board discussed and agreed that the gate should be closed at all times. Mr. Boylan said this will also protect the town from liability.

RESOLUTIONS

RESOLUTION # 50 of 2016 – Approval of Acquisition of an Easement by the Monroe County Water Authority Pursuant to §1096(6-A) of New York's Public Authorities Law

WHEREAS, The Monroe County Water Authority ("Authority") is responsible for the future replacement of the existing water main along Allegheny Road (State Route 77), in the Town of Pembroke; and

WHEREAS, the acquisition of one (1) easement is necessary for the construction, installation, operation, and maintenance of a replacement water main; and

WHEREAS, the approximately 220' x 15' easement necessary for the replacement water main is located along the frontage of 9181 Allegheny Road (Tax Acct. No. 23.-1-11.1), which is owned by Development Unlimited of WNY, LLC; and

WHEREAS, the acquisition is necessary to allow for the completion of the construction, installation, operation, and maintenance of the replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to the area; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town hereby approves of the Water Authority's acquisition of 9181 Allegheny Road easement in accordance with §1096(6-a) of the New York Public Authorities Law and **BE IT FURTHER**

RESOLVED that a copy of this resolution be provided to the Monroe County Water Authority.

Motion: Councilman Arnold

Second: Councilman Clark

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 51 of 2016 - Classifying the construction of a Sewer Collection System for Travel Centers of America in the Town of Pembroke as an Unlisted Action, determining the significance of such action, and directing that the Negative Declaration be published in accordance with SEQR

WHEREAS, the Town of Pembroke is lead agency for the purpose of implementing the above referenced project, and

WHEREAS, the Town of Pembroke has considered and reviewed the project, **NOW THEREFORE, BE IT,**

RESOLVED, the Town of Pembroke, as the lead agency for purposes of this project, determines that the project is a Unlisted Action for the purposes of SEQR and **BE IT FURTHER**

RESOLVED, based upon the Short Environmental Assessment Form completed by Clark Patterson Lee and the comments thereon received from the involved and interested parties, the Town of Pembroke determines that the action will have no significant adverse environmental impacts on the environment and, therefore, directs that a negative declaration be prepared, and **BE IT FURTHER**

RESOLVED, that as a consequence of such finding, the Town of Pembroke hereby directs that the negative declaration be distributed and published in accordance with the requirements of SEQR.

Motion: Councilman Arnold

Second: Councilman Clark

Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION # 52 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 # 14 of 2016.

Motion: Councilwoman Manne

Second: Councilman Dix

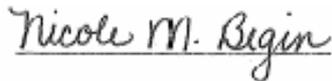
Ayes: Arnold, Manne, Dix, Clark, Worth

Nays: None

APPROVED by: Unanimous vote (5-0)

On **MOTION** of Councilman Arnold, seconded by Councilman Clark to adjourn the meeting at 8:25 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 JULY 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.

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