

TOWN OF PENDLETON
November 10, 2014

A regular meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd. Pendleton, N.Y. on the 10th day November 2014 at 8:00 P.M. A Public Hearing was scheduled for 6:45 P.M. for the Preliminary Budget for 2015.

PUBLIC HEARING

Supervisor Riester opened the Public Hearing at 6:45 P.M. The purpose of the Public Hearing was to present the 2015 preliminary budget and to receive comments from the public. The notice was published in the Union Sun & Journal on November 3, 2014. The Preliminary 2015 Budget was available in the Town Clerk's Office and on the website at www.pendletonny.us.

Budget Officer Don Bergman reviewed the Preliminary Budget line by line allowing for any questions or comments after each section of the budget. Changes were made that resulted in a decrease of \$58,345.22 from 2014. The following are the amendments to the preliminary budget:

GENERAL FUND		Proposed	Amended
A3510.04	Dog Control Contractual SPCA	\$4,700.00	\$5,844.00
A8540.041	Drainage-Contractual Stormwater	\$4,000.00	\$5,000.00
A1670.04	Central Painting & Mailing	\$2,800.00	\$5,000.00
A7410.04	Library Contractual	2 @ \$19,000.00	2 @ \$15,000.00
A1120	Non-Property Tax distributed by County	\$1,000,000.00	\$850,000.00
HIGHWAY			
DA1120	Non-property tax distributed by County	\$550,000.00	\$715,000.00
	Unexpended balance	\$19,945.23	\$124,376.23
	Tax decrease	\$284,531.00	\$99,585.77
WATER			
SW0962	Waterlines	\$20,000.00	\$40,000.00

REGULAR MEETING

Supervisor Riester called the meeting to order at 8:05 P.M.

Supervisor Riester read the invocation and led the salute to the flag.

ROLL CALL: Supervisor Riester present
 Councilman Leible present
 Councilman Morrison present
 Councilman Fischer present
 Councilwoman Jarvis present

Also present were:

Terry Pienta	Town Clerk
Don Bergman	Budget Director
Kelli Coughlin	Assessor
Water-Sewer Superintendent	Jim Argo
Town Attorney	Claude Joerg
Dave Gerber	Building Dept.

There were approximately 30 residents in attendance.

ROUTINE BUSINESS

RESOLUTION 122 - 14

APPROVAL OF MINUTES

Motion by Councilman Leible, seconded by Councilman Morrison, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved that the minutes of the Bid Opening held on September 25th and the Work Sessions held on October 6th and 20th be approved as submitted by the Town Clerk.

Supervisor Riester reported the total expenditures that were authorized and paid in the month of October:

General Fund	\$	30,695.01
Highway	\$	16,801.67
Water	\$	50,433.74
Sewer	\$	10,221.07
Refuse	\$	34,609.65
Farmer's Market	\$	1,192.25
Trust & Agency	\$	912.60
Fire Protection District	\$	3,477.15

OTHER REPORTS

Supervisor Riester reported that the sales tax collected for the month of October was \$167,014.96 this is compared to \$138,533.40 in 2013. This is an increase of \$28,481.56 from September 2013. The year to date received is \$1,226,663.23 which is an increase of \$3,643.15 from 2013. He also reported that he provided NYSEG with the names and addresses for residents that are located on Lockport, Fisk, Feigle, Sheetram, and Dunnigan Roads where NYSEG is considering extending gas lines down these roads. Informational packets will be sent to the homeowners to see if there is enough interest in converting to natural gas. Once NYSEG has an idea of how many property owners would be interested they can estimate the cost to the homeowner's along with a potential annual savings for them.

Councilman Leible reported that the Building Department issued six violations for the month of October, two remain outstanding. The total outstanding violations for the year are ten. He reported that the Building Department issued thirty-three permits for a total of

\$3,520.00 in fees. He also reported that the Highway Department began prepping trucks for the winter, repaired equipment as needed, repaired rotted crossover pipes on Fisk and Killian Roads, chipped brush, cut trees out of Bull Creek, dug and repaired bubblers on Pendale and Bear Ridge Roads, and picked up road kill. The complete report will be on file in the Town Clerk's Office. Councilman Leible requested that all newsletter articles be given to him by November 25th.

Councilman Morrison reported that the Town's electronic recycling collection has been reopened. Residents can drop off their electronics during the business hours of 7:30 am to 3:00 pm. There will be a charge for computer monitors and televisions that have the Cathode Ray Tubes (CRT) and items containing Freon will also have a small fee.

Councilman Fischer announced that the Pendleton Veterans will be conducting a ceremony outside the Town Hall on Veteran's Day at 11:00 am with a small reception inside the Town Hall after the ceremony. He also reported that the Scouts will be collecting food for the annual food drive on November 15th.

Councilwoman Jarvis reported that she has been reviewing information about wind mills, off road vehicles and chickens in preparation for the upcoming issues to be discussed at future work sessions.

Engineer Dave Britton reported that CRA will be monitoring the fill that is being brought in for the Hidden Oak Phase II subdivision. The money has been received and deposited as a Public Improvement Permit (PIP). He reported that in the past, subdivision projects were not required to fill and grade the entire area of the subdivision until the individual lots were sold, bringing in fill as it was needed, on a lot by lot basis. This process was very disruptive to the current residents and very hard on the Town's roads. The process in place now requires the developer to fill and grade out the entire area before any building of the homes can begin.

Attorney Claude Joerg - nothing to report

NEW BUSINESS

Several Pendale residents filed a request to the Town Board for an interpretation of permitted use by right per Town Code §247-39 relative to the motorcycle/recreational vehicle riding and track adjacent to the Pendale subdivision. The Town Board decided to postpone the discussion until the next scheduled work session. They will also address the request by the Planning Board for the interpretation of permitted uses per Town Code §247-17 if a wind turbine would be an allowable use.

RESOLUTION 123 - 14

ACCEPT THE CHANGES TO THE 2015 BUDGET AS PRESENTED

Motion by Councilman Leible, seconded by Councilman Morrison, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the amendments as presented by Budget Officer Don Bergman during the Public Hearing.

RESOLUTION 124 - 14

GENERAL FUND

Motion by Councilman Leible, seconded by Councilman Morrison, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the General Fund Appropriations for the 2015 Budget as amended during the Public Hearing.

RESOLUTION 125 - 14

HIGHWAY FUND

Motion by Councilman Fischer, seconded by Councilman Leible, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the Highway Appropriations for the 2015 Budget as amended during the Public Hearing.

RESOLUTION 126 - 14

WATER MAINTENANCE FUND

Motion by Councilman Leible, seconded by Councilwoman Jarvis, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the Water Appropriations for the 2015 Budget as amended during the Public Hearing.

RESOLUTION 127 - 14

SEWER IMPROVEMENT DISTRICT

Motion by Councilman Leible, seconded by Councilman Morrison, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the Sewer Improvement District 2015 Budget amount as presented during the Public Hearing.

RESOLUTION 128 - 14

REFUSE DISTRICT

Motion by Councilman Leible, seconded by Councilman Fischer, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the Refuse District 2015 Budget amount as presented during the Public Hearing.

RESOLUTION 129 - 14

FIRE PROTECTION DISTRICT

Motion by Councilman Leible, seconded by Councilman Morrison the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the Fire Protection District 2015 Budget amount as presented during the Public Hearing.

RESOLUTION 130 - 14

ACCEPT PIP DEPOSIT FOR FILL MONITORING (\$6,000.00)

Motion by Councilman Leible, seconded by Councilwoman Jarvis, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to accept the payment of \$6,000.00 from E & R Construction for CRA to monitor the fill being brought in for the Hidden Oak Subdivision Phase II.

RESOLUTION 131 - 14

STARPOINT AGREEMENT

Motion by Councilman Morrison, seconded by Councilman Fischer, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to authorize the Supervisor to sign the 2015 Agreement with Starpoint School for the use of the building for the Town's Recreational programs for the cost of \$1,500.00.

RESOLUTION 132 - 14

TRANSFER OF FUNDS FOR ASSESSOR

Motion by Councilman Morrison, seconded by Councilman Leible, the following resolution was

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to authorize the transfer from the Contingent Account (A1990.04) to the Assessor's Personal Service Line (A1355.011) for \$2,500.00.

PUBLIC REMARKS/COMMENTS

Windmill/wind turbine - where the specific location is for the wind mill in question - Mapleton Rd. just west of Main Rd.

Package from NYSEG Company - residents that are interested in changing to natural gas should return the questionnaire in the packet, NYSEG would be able to estimate the cost for the individual homeowner's to convert to natural gas and would be added as a surcharge to their gas bills. The savings to convert should outweigh the cost of the surcharge. There is also money available to purchase energy efficient furnaces.

Procedure if or when Pendale subdivision will be paved or not- the money was set aside with anticipation of repaving the subdivision but the roads will be accessed in the spring. Once determined, notifications would be distributed to any homeowners that would be effected.

Political signs – placement of signs – to be on the same page before the next election, what is allowed for size, placement etc. – the Town hopes to be proactive next year by notifying the chair persons of the political parties so they can notify their candidates before any problems arise.

BOARD MEMBERS DISCUSSION

Motion by Councilman Morrison, seconded by Councilman Fischer to schedule a Work Sessions for November 24th at 7:00 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Morrison to adjourn at 8:45 P.M. Motion carried.

Terry J. Pienta, Town Clerk