

**TOWN OF PENDLETON**  
**Work Session**  
January 26, 2015

A work session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, N.Y. on the 26<sup>th</sup> day of January 2015. The meeting was scheduled for 7:00 P.M. Supervisor Riester, Councilman Leible, Councilman Morrison, Councilman Fischer, Councilwoman Jarvis, Clerk Pienta, and Jim Argo, Water-Sewer Superintendent were in attendance. Also John Sattleburg from the Wendelville Fire Co. , Scott Little from Lock City Supply Company and Dave Notaro from Tonawanda Sportsman’s Club were in attendance.

Supervisor Riester called the meeting to order at 7:03 P.M.

Motion by Councilman Leible, seconded by Councilman Morrison, to adjourn to Executive Session for litigation at 7:03 P.M. Motion carried.

Motion by Councilman Morrison, seconded by Councilman Fischer to adjourn from Executive Session and resume the Work Session at 7:22 P.M. Motion carried.

Scott Little from Lock City Supply Co. reported to the Board that the older trace meters (1560) that the Town has installed had a life expediency of 10 years. They are approximately 13 to 14 years old. The reader used to read those meters trace meters is no longer supported by the manufacturer. If the Town fails to replace the trace meters and the reader fails, the meters would have to be read individually by going up to each home to get the reads. He presented a quote to replace all of the older trace meters with a 20 year life expediency Orion meter for \$198,000.00.

**RESOLUTION 30 - 15**

**ACCEPT PIP PAYMENT FOR HIDDEN OAKS PHASE II**

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

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

Nays 0

Resolved to accept the Public Improvement Permits for the Hidden Oaks Phase II subdivision as recommended by the Town Engineer and his certification that everything conforms to the Pendleton Town Code.

Wendelville Fire Company has proposed to the Town Board to adopt a “point system” required for the members to qualify for the service award program. Supervisor Riester also proposed the States requirements for the program. He asked the Board to review both the proposals and to decide which version they would like to support. The fire company currently follows a point system but would like to have it formally adopted by the Town Board.

**RESOLUTION 31 - 15**

**ACCEPT NEW MEMBER TO THE WENDELVILLE FIRE COMPANY**

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

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

Resolved to add Jacob Wagner of Tonawanda Creek Rd. and Glenn Christman of Beach Ridge Rd. , as members of the Wendelville Volunteer Fire Company to the Town's Insurance to be effective immediately.

Dave Notaro, a member of the Tonawanda Sportman's Club (TSC), spoke to the Board regarding the extension of the Town's trail that runs along the old railroad bed through the property that is owned by TSC. He spoke about the dangers to the people that would use the trail along that section as the TSC membership hunts along both sides of the trail. In the late 80's the Town built gates to discourage the use of that section of the railroad bed. Their pistol/rifle range actually points toward that direction of the railroad bed. Items discussed:

- Trail is used now even with the gates up
- Legality of shooting so close to "other" property
- Law Enforcement agencies from the area use the ranges for their practice
- Sale of the Town's property to extend their range in the other direction
- Not feasible to reroute the trail
- Attorney Joerg will look into the legalities of selling a portion of the Town's property to TSC

RESOLUTION 32 - 15

**PAYMENT IN LIEU OF PARKLANDS FOR THE D'ANGELO BEACH RIDGE SUBDIVISION**

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

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

Resolved to accept a per lot fee of \$1,000.00 in place of designated parklands in the D'Angelo Beach Ridge Subdivision.

The Planning Board was invited to come to clarify a few of the questions some of the residents had regarding the various Public Hearings that were held in June 2014. Items Reviewed:

**§ 222 Swimming Pools**

- Ponds – clarification if a pond is considered a pool – no, not by New York State Law and can be verified using the Town Codes definitions for ponds; pools
- Electrical requirements per NY State law for the filters for pools over 22 inch
- Fencing required for pools over 22 inches

**§247 Zoning – Multi-family dwelling**

- Multi-family Dwellings – to allow building multi-family dwellings in commercial property
- Current code discourages multi family dwelling - Planning Board has included certain size restrictions, buffer zones, side yard setbacks, minimum floor area and will be reviewed by the Planning Board
- Clarification of the removal of special exceptions;

**§220-20 Major Subdivision final Plat**

- Add Highway Superintendent to decide the number of speed limits and traffic control signs and the developer shall pay the fee at the same time as a PIP is paid

**§220-24 Street Design**

- Planning Board to require the underground utilities to be placed in the indirect right of way whenever possible to simplify any future repairs

**§191-1 Parks**

- The revised code refers to Park Policies but there is no policy in place at this time

The Town Board briefly discussed tractor trailers parking on Campbell Blvd. rather than drive into the parking lot to enter Tim Horton's. Signs were proposed at the time of the addition being built at the Kenyon's Store. The signs have never been ordered or placed on the road.

RESOLUTION 33 - 15

**OBSOLETE OFFICE FURNITURE**

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

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

Resolved to declare the office furniture from the Assessor's Office as obsolete and no monetary value.

RESOLUTION 34 - 15

**SCRAPPED METAL DESK**

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

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

Resolved to authorize scrapping the old metal desk from the Assessor's Office.

RESOLUTION 35 - 15

**HISTORICAL SOCIETY**

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

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

Resolved to authorize the Historical to store and possibly use the old furniture from the Assessor's Office.

RESOLUTION 36 - 15

**NEW CHAIRS FOR TOWN BOARD MEETING ROOM**

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

ADOPTED Ayes 3 Leible, Morrison, Jarvis  
Nays 2 Riester, Fischer

Resolved to authorize the purchase of seven tall back, "leather like" chairs for the Meeting Room dais not to exceed \$225.00 per chair.

Motion by Councilman Leible, seconded by Councilman Morrison to adjourn at 9:15 P.M. Motion carried.

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Terry J. Pienta, Town Clerk