

TOWN OF PENDLETON
Work Session
February 23, 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 23rd day of February 2015. The meeting was scheduled for 7:00 P.M. Supervisor Riester, Councilman Leible, Councilman Morrison, Councilman Fischer, Councilwoman Jarvis, Clerk Pienta, Attorney Claude Joerg, Jack Striegel; Building Department, Jeff Stowell; Highway Superintendent, and Jim Argo; Water-Sewer Superintendent were in attendance. Several members of the Historical Society were also in attendance.

Supervisor Riester called the meeting to order at 7:04 P.M.

Historical Society

Members from the Historical Society told the Board that they would prefer to have a new building rather than refurbishing the old Town Garage. They discussed a “wish list” that the members would like to have. Supervisor Riester said that the grant writers have told him that grants for constructing and/or rebuilding are usually announced in the spring. Councilman Leible will also look into BOCES building one at their own facility. If BOCES were selected to build the building the Town would be responsible for the cost of the materials and moving the building from the BOCES location to the Town’s property. Carol Moeller, the President of the Historical Society requested that someone keep her and the building committee updated. Engineer Britton will also meet with the committee and look over the building and give them a rough estimate on the costs to build a new structure. Supervisor Riester suggested that they start a list of what they will need in terms of space.

Salt Sheds

Bruce Barit from Advance Technology told the Board that his firm designs the buildings but they do not build them. He explained the various components and how it can be expanded down the road. The design most municipalities use has a 30 ft. height clearance. This allows for the salt to be dumped directly from the truck. This would save from moving the salt twice. He estimated that a 60 ft. by 72 ft. building would run around \$200,000.00.

Recreation

Councilman Morrison reported that Soccer Shots has proposed to the Recreation Committee, a soccer program for ages 2 to 6 year. The program is currently in Lewiston, Cambria, Clarence and several other local municipalities. He thought DePeau Park would be a good place for them to play, since they do not require a large area to play on. The company also provides their own equipment. He also reported that the Recreation Committee has recommended increasing some of the fees for the Summer Recreation Program. He explained that parents sign up their children but do not regularly attend. The state requires that the Town to hire enough counselors for the number of children that are registered for the program and not by the actual attendance. The fees proposed are:

Registration on or before May 23	Resident	Non-Resident
Summer Rec Only	\$25.00	\$160.00
Summer Rec & swimming	\$35.00	\$170.00
Field trips (limit 2)	\$5.00	\$5.00
Late fee May 26 – 29	\$100.00	\$100.00

RESOLUTION 42 – 15

INCREASE FEES FOR THE SUMMER RECREATION PROGRAM

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

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

Resolved to increase the fees to be charged for those that participate in the Summer Recreation Program.

Park Policy

Attorney Claude Joerg reported to the Board that he has reviewed the Recreation Committee’s proposed Park Policy from 2012 as requested. His only concern was the section regarding the sale of alcohol in the Town’s Parks. After a brief discussion regarding liability, the Board decided to remove that item from the policy. Approving the Park Policy will be placed on the next agenda.

Amending Town Code Zoning §247-12 Light Commercial and §247-14 Light Industrial

A Public Hearing held June 9th 2014 amending the Town Code allowing for multifamily dwellings in the Commercial (C01) and Light Industrial (L1) Districts. Questions and concerns were addressed at the January 26th Work Session. The previous meeting dated February 9th §247-12 & §247-14 was adopted without issuing a negative declaration. A Full Environmental Assessment Form had been completed.

RESOLUTION 43 - 15

AUTHORIZATION TO SIGN SEQR FORM AND ISSUE A NEGATIVE DECLARATION

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

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

Resolved that based upon the findings for the Town Code changes for Zoning §247-12 Light Commercial and §247-14 Light Industrial for Multi-family dwellings will not result in any adverse environmental impacts and to authorize Supervisor Riester to sign and issue the Negative Declaration.

RESOLUTION 44 - 15

ZONING §247-12 LIGHT COMMERCIAL and §247-14 LIGHT INDUSTRIAL FOR (MULTI FAMILY DWELLINGS)

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

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

Resolved to rescind Resolution 41-15 (dated February 9, 2015) and amend the Town Code to allow for multifamily dwellings within the Town of Pendleton within the Light Commercial and Light Industrial Zoning Districts. * amended May 11, 2015 see Resolution #80-15

Amending Town Code §220-20 Major subdivision final plat and accompanying data

A Public Hearing held June 9th 2014 amending the Town Code to authorize the Highway Superintendent to present to the developer the number of proposed speed limit and traffic control signs needed within the subdivision and for the fees to be included in the Public Improvement Permit (PIP) payment . Questions and concerns were addressed at the January 26th Work Session.

Amending Town Code §220-24 Street Design

A Public Hearing was held June 9th 2014 amending the Town Code allowing for the Planning Board to require (whenever possible) that underground utilities be placed in the indirect right of way between the paved road and street line to simplify the location and repair of such lines when they require attention . Questions and concerns were addressed at the January 26th Work Session.

Previous to the Public Hearing (June 2014) for the Code change for §220-20 and §220-24 an Environmental Assessment Form was completed.

RESOLUTION 45 - 15

AUTHORIZATION TO SIGN SEQR FORM AND ISSUE A NEGATIVE DECLARATION

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

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

Resolved, that based upon the findings for the Town Code changes for §220 Subdivision of Lands #20 Major subdivision final plat and accompanying data and #24 Street Design will not result in any adverse environmental impacts and to authorize Supervisor Riester to sign and issue the Negative Declaration.

RESOLUTION 46 - 15

SUBDIVISION OF LAND §220-20 & §220-24

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

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

Resolved to rescind Resolution 40-15 (dated February 9, 2015) and amend the Town Code Subdivision of Lands §220-20 Major subdivision final plat and accompanying data and §220-24 Street Design.

RESOLUTION 47 - 15

AGREEMENT WITH LUMSDEN & MCCORMICK

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

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

Resolved to authorize Supervisor Riester to sign the agreement with Lumdsen and McCormick to prepare the Annual Financial Report for New York State for the fiscal year ending December 31, 2014.

Attorney Claude Joerg reviewed the contract that the Town of Pendleton has with Modern Disposal regarding the change in the type of glass being recycled. A recent mailing sent by Modern to the residents no longer includes colored glass. He didn't see anything in the agreement about changes that can be made mid contract. He offered to send a letter to them to ask for an explanation for the change.

Superintendent Stowell updated the Board regarding his budget and the overtime that has been paid for plowing.

Motion by Councilman Leible, seconded by Councilman Morrison to adjourn to Executive Session for possible litigation and for personnel discussion at 8:23 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn from Executive Session and the Regular Meeting at 9:10 P.M. Motion carried.

Terry J. Pienta, Town Clerk