

TOWN OF PENDLETON
Work Session
April 24, 2017

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 24th day of April, 2017. The meeting was scheduled for 7:00 P.M.

Supervisor Maerten opened the meeting at 7:03 P.M.

Supervisor Maerten, Councilman Fischer, Councilman Ostrowski, Councilman Leible were present. Councilwoman Jarvis was absent. Also present:

Terry Pienta – Town Clerk
Claude Joerg – Attorney
Jeff Stowell – Highway Superintendent
Wolfgang Buechler – Board of Appeals
Tim Masters – Bldg Department
Wolfgang Buechler – ZBA Chairman
Jim Argo – Water-Sewer Superintendent

There were approximately 12 residents in attendance.

Nathan Taylor from Rotella Grant Management reviewed with the Board the status of four open grant projects.

- J Cap Grant for the security cameras and the keyless entry system – furniture items have been purchased and the supplies for the keyless entry have been received and the wiring has been installed
- Grant through the Dormitory Authority – originally the application was for one permanent generator but has been changed to 2 possibly 3 portable generators.
- Mason’s Mission – he believes everything is up to date for that application. He mentioned that Jason Evichich, Mason’s father and head of the nonprofit organization, would like to meet again with a couple of Board members. He will be applying for grant funds through Yahoo. He also has about 30 to 40 applications for additional grant money.
- Trail Grant – the final route has been selected (Townline to Killian) and C & S Engineers are working through the final design. They are exploring how best to route a trail to get from Killian to Meyer Road for future grant requests. Nathan also mentioned that he anticipates NY State Parks will be offering a grant opportunity that is generally a 50/50 grant up to \$200,000.00. It is offered on a bi-annual basis. The money can be used for trail related enhancements or maintenance for existing trail. They briefly discussed possible things they would like to apply for such as signage or parking at the Trail Heads. It was determined that Councilman Fischer and Councilman Ostrowski will meet with Nathan to discuss what might be needed for the Trails.
- They also discussed the Campbell/Mapleton waterline. Nathan said that money is distributed by the state towards projects like replacing old water/sewer lines. He said it’s hard for communities like Pendleton to receive help in that area. They are more generous to poorer communities.
- Supervisor Maerten said he recently spoke with someone from Senator Ortt’s Office regarding this year’s SAM Funding (State and Municipal Facilities Program). It was suggested to give them a Wish List of projects the Town was interested in. Some of the projects the Town is considering is to expand the court space and another project would be a citizen center. Supervisor Maerten would like to have someone help with a needs assessment and possibly an architectural design.

Previously, Building Inspector Tim Masters proposed having the Town’s logo digitized to maintain consistency with anyone who uses the logo. Currently the logo is either hand drawn or scanned and does not duplicate very well. His estimate to use the same logo and not a redesign is \$275.00.

RESOLUTION 85 – 17

PROCEED WITH DIGITIZING TOWN LOGO

Motion by Councilman Ostrowski, seconded by Councilman Leible, the following resolution was ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski

Nays 0

Resolved to authorize the Town's logo to be digitized for future projects/letterheads from the Cooper Sign Company of Niagara Falls at the estimated cost of \$250.00.

Councilman Ostrowski reported that he met with Action CPR regarding training for 8 individuals for the use of the defibrillators the Town is purchasing. Any additional personnel that wish to be trained may do so and the cost will be \$30.00 per person. The date scheduled is May 16th at 5:00 P.M. The list for training includes 2 from Town Hall, 2 Veteran's, 2 from the Historical Society and 2 from the Recreation Committee. There was a discussion regarding the placement of the 2 defibrillator and it was determined to place one at the Town Hall and one at the Historical Society Building. Councilman Leible mentioned that the Wendelville Fire Company owns 2 defibrillators that have not been used he thought maybe they would sell one to the Town to place in the Highway Garage.

Supervisor Maerten asked the Board to review the information received from National Grid regarding the replacement of lights throughout the Town Hall and the Highway Garage. The company hired by National Grid, (Lime Energy) will replace and dispose of properly existing lamps and replace the ballasts. The Town had previously enrolled in the program in 2012. Currently the bulbs are 32 watts with a 20,000 hour life. The new bulbs would be 14 watts with a 150,000 hour life and a 5 year warranty. The estimated savings was charted out for the Board to review.

Supervisor Maerten asked for a motion to allow for the Assessor's Office to be painted by Don Yaeger Painting. The money was budgeted for.

RESOLUTION 86 – 17

AUTHORIZATION TO PAINT ASSESSOR'S OFFICE

Motion by Councilman Fischer, seconded by Supervisor Maerten, the following resolution was ADOPTED Ayes 3 Maerten, Fischer, Ostrowski
Nays 1 Leible

Resolved to authorize Assessor Coughlin to have her office painted by Don Yaeger Painting who is a sole proprietor at the cost of \$400.00.

Supervisor Maerten said that the Highway Department would like to send to auction the following list of items that are no longer in use:

- E-Z GO manual dump golf cart (motor problems)
- 36 inch Bob Cat Lawn Mower
- 12 ft. stainless steel slide in salter unit
- 6 ft. brush hog
- 4 single axle rear wheel tire covers
- 11 ft. slide in dump box salter/spreader
- Full size pickup truck rear steel step bumper

Highway Superintendent Stowell said the auction is a Municipal Auction held in Palmier. It draws a large amount of bidders. He also said that he only intends on making one trip out to Palmier so everything may not fit in a dump truck. He hopes to hold an "in yard" auction sometime in the future for other items in the yard but is not prepared to do so at this time.

RESOLUTION 87 – 17

AUTHORIZATION TO SEND SURPLUS EQUIPMENT TO AUCTION

Motion by Councilman Leible, seconded by Councilman Fischer, the following resolution was ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski
Nays 0

Resolved to authorize Highway Superintendent Stowell to send surplus, not used equipment to auction at the Palmier Municipal Auction as follows, E-Z GO manual dump golf cart, 36 inch Bob Cat Lawn Mower, 12 ft. stainless steel slide in salter unit, 6 ft. brush hog, 4 single axle rear wheel tire covers, 11 ft. slide in dump box salter/spreader, and a Full size pickup truck rear steel step bumper.

The Farm and Home Day committee would like authorization to rent the City of Lockport's Stage for the 2 days of celebration for \$680.00 and authorization for the Supervisor to sign the contract.

RESOLUTION 88 – 17

AUTHORIZATION TO RENT LOCKPORTS STAGE FOR THE FARM AND HOME DAYS

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

ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski

Nays 0

Resolved to authorize the Supervisor to sign the contract with Lockport for the rental of the stage for the Farm and Home Days celebration for \$680.00.

Supervisor Maerten reported that he has met with the auditor from NY States Comptroller's Office and they will be coming to audit the Town. It has been about seven years since the last audit. He also reported that the Lions Club will be reroofing one of the Park's shelters. They will provide the labor and the Town will pay for the materials.

RESOLUTION 89 – 17

AUTHORIZATION TO SPEND UP TO \$4,300 FOR MATERIALS TO REROOF THE SHELTER

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

ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski

Nays 0

Resolved to spend up to \$4,300.00 for the materials to reroof one of the shelters in the Town Park.

Councilman Leible previously introduced a fee schedule for organizations to use the Town's soccer fields. The cost to be billed to the organizations will be an hourly rate for the use of the fields. Attorney Joerg drew up the contract agreements for the Recreation Committee to use. The Town of Pendleton's team will not be charged.

RESOLUTION 90 – 17

AUTHORIZATION TO APPROVE THE LEASE AGREEMENT FOR THE RENTAL OF THE TOWN'S SOCCER FIELDS TO OUT OF TOWN SOCCER TEAMS/LEAGUES

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

ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski

Nays 0

Resolved to authorize the fee structure and implement the lease agreement for use of the Town's Soccer Fields to out of Town Soccer Teams/Leagues.

Councilman Ostrowski asked for an update on the Meadows subdivision. He received a couple of phone calls from concerned home owners regarding the dirt pile at the end of the Cloverleaf and Dublin. Engineer Britton reported that the developer came to the Planning Board and asked permission to remove the soil. It was granted by the Planning Board with several conditions.

Councilman Ostrowski asked for an update regarding a previous complaint on Irish Rd. During a previous storm there was a power outage from neglected trees falling on some power lines. National Grid had been out to trim additional trees and the homeowner did quite a bit of clearing of the fallen wood. The Building Dept. is addressing additional complaints.

Building Inspector proposed a couple of changes to the Town Code. One of the changes he would like to see is the setbacks required for corner lots. Currently the code requires 150 ft. setback from both streets. He is proposing that the front yard setback remain the same but that side yard setback shall meet the minimum required setback for the primary residence. The other change to the code is to amend the current code for Vendor Permits for transient business from \$100.00 per year and offer the option of \$25.00 per event.

A Public Hearing was scheduled for 6:55 P.M. on May 8th for the proposed changes.

Water-Sewer Superintendent Argo reported to the Board that the insurance company that covered the driver that hit the fire hydrant on Transit Road in January has determined that the amount of the payment by the insurance company will be \$4,304.52. The Town's cost was \$4,669.00. He is asking for authorization to sign the release to accept the money. Attorney Claude Joerg will get back to him with a determination.

Engineer Britton reported that the company that was contracted to paint the Water Tank (Utility Service Co.) will have their final paper work completed for the next Board meeting. He also

reported that he will be reviewing the contract between the State and the Town for the Fisk Road project for preliminary engineering costs.

Carol Moeller from the Historical Society asked for an update regarding the historical society building. Supervisor Maerten said that he has been in touch with Senator Ortt's Office to see if there are funds available to help the Town with a needs assessment so that the Town can move ahead and know what to budget for next year. There are so many variables to consider when planning a municipal building such as prevailing wage, ADA compliant issues, fire codes, and many other issues that the Town would be required to comply with.

Wolfgang Buechler, Chairman of the Board of Appeals, asked for assurance that the meeting room will be available for the National Fuel Public Hearing that coincides with the Board of Assessment Review annual meeting. He expects a large crowd that night and the Board of Appeals usually is delegated to the Court Room. There was a brief discussion regarding the proposed amendment to the Town Code for a corner lot set back. He feels the 150 ft. setback is old and antiquated. The Town is no longer as rural as it once was and the 150 ft. setback is difficult to work with for many of the subdivision lots.

Supervisor Maerten corrected the amount to be spent on materials for the reroof for the Park shelter.

RESOLUTION 91 – 17

AMEND AMOUNT FROM \$4,300.00 TO \$4,600.00 FOR MATERIALS TO REROOF THE SHELTER

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

ADOPTED Ayes 4 Maerten, Leible, Fischer, Ostrowski

 Nays 0

Resolved to amend and increase the amount from \$4,300.00 to \$4,600.00 (Resolution 89 – 17) for the materials to reroof one of the shelters in the Town Park.

Sara Siracuse questioned the procedure that the Recreation Committee has for money that they spend. Supervisor Maerten said that the committee requests money at budget time with their "wish" list, the Board reviews their requests and determines how much to add to their budget. She asked if the public was ever given an opportunity to discuss the ideas that the committee proposes to the Board. She was specifically addressing the proposed dog park the committee wanted to have at DePeau Park. Councilman Leible said that the idea for a dog park came from the survey that was mailed to residents last year. Nothing has been decided yet. Supervisor Maerten said that he will make a point to make that kind of decision more transparent in the future.

There was a brief discussion regarding the Town's property across the road whether it could be farmed for hay and he would have it cut in time for the 4th of July. Attorney Joerg will look into it.

Motion by Councilman Leible, second by Councilman Fischer to adjourn to Executive Session to discuss personnel and litigation with the Town Attorney at 9:12 P.M.

Motion by Councilman Fischer, seconded by Councilman Leible to adjourn from Executive Session and the Work Session at 9:32 P.M. Motion carried.

Terry J. Pienta, Town Clerk