

TOWN OF PENDLETON
REGULAR MEETING
October 9, 2017

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 9th day of October 2017 at 7:00 P.M

Supervisor Maerten opened the Regular Meeting at 7:08 P.M.

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

ROLL CALL: Supervisor Maerten present
 Councilman Leible present
 Councilman Ostrowski present
 Councilman Fischer present
 Councilwoman Jarvis present

Also present were:

Terry Pienta	Town Clerk
Kelli Coughlin	Assessor
Claude Joerg	Town Attorney
Jim Argo	Water-Sewer Superintendent
Wolfgang Buechler	Board of Appeals
Don Bergman	Budget Director
Dave Britton	Engineer
Craig Walter	Deputy Highway Superintendent

There were approximately ten residents and 10 Starpoint students in attendance.

COMMUNICATIONS

Clerk Pienta reported that the Dysinger family that holds their annual reunion in the Town Park has donated \$25.00 to the Town for Park maintenance.

COMMENTS ON AGENDA ITEMS

No comments were made.

ROUTINE BUSINESS

RESOLUTION 175 - 17

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
 Nays 0

Resolved that the minutes of the Regular Meeting on September 11th and Work Session on September 25th be approved as submitted by the Town Clerk.

Supervisor Maerten reported the total expenditures that were authorized and paid in the month of September:

General Fund	\$ 165,157.99
Highway	\$ 200,901.59
Water	\$ 5,949.40
Sewer	\$ 13,128.80
Refuse	\$ 34,825.10
Trust and Agency	\$ 4,736.00

Supervisor Maerten reported that the sales tax collected for August, 2017 was \$116,484.50 a decrease of \$9,775.92 from 2016. The year to date total is \$1,016,029.20, a decrease of \$26,590.00 from 2016. He reminded everyone that the FEMA informational meeting will be

held on October 19th at 6:00 P.M. The notification letters to the owners that will be impacted by the new map panels have been mailed out. He also reported that the ribbon cutting for Mason's Mission has taken place. It was attended by many people and everyone had a good time. He reported that there were two recent fund raisers for Mason's Mission; the Bachelor auction, that was supposed to take place at the Farm and Home Days, was rescheduled for Friday October 6th at the NY Beer Project; Brauer's Fishing Club held their fund raiser on Sunday October 8th and Mason's Mission was the recipient for the money raised by both events. Last month the Town Board voted to contract with Giusiana Architects & Engineer to submit alternative solutions for a Court expansion. He reported that they have already received a preliminary report back, which will be reviewed by Board once the budget discussions are complete.

OTHER REPORTS

Councilman Leible reported that he will be looking for a new Recreation Director beginning January 1st. Charles Langlois has agreed to finish out the current year. If anyone knows of anyone who would be interested in the position, a letter of interest should be submitted to Councilman Leible by December 1st.

Councilman Fischer reported that the Highway Department cleaned a portion of a ditch on Oakwood Drive to help the Water-Sewer Department look for a leak, chipped brush for two days, marked spots on Fisk Road and then flagged for a contractor to drill samples in preparation for the future construction of the road, replaced caved in culvert on Dunnigan Road, cleaned up dirt piles from off road ditching behind Alexander Parkway, used the street sweeper to clean the intersection on Donner Road, flushed a cross culvert at the end of Irish Road, top soiled and seeded at a cave in located on Iroquois Drive and a turnaround at the end of Creekview Drive, expanded the main parking lot (close to the Town Park) to add three additional handicap spots, prepped site for the new playground including adding stone to the path to raise the grade and put two inch binder and one inch top, continued to restore the site with fill, topsoil and seeded weather permitting, continued to maintain the parks, cemeteries, athletic fields, and repaired equipment as needed. Shared services for the month included sending two men and a paver from Royalton to pave the path by the new playground, used Newfane's roller for three days, Town of Cambria came with their widener and roller to help apply shoulder mix to Irish Road including blacktop driveway aprons, and some areas on Dunnigan and Sheetram Roads, sent 4 trucks to chip seal for the Town of Lockport for two days, used the street sweeper and one guy to Cambria for two days, used Wheatfield's sewer jet to flush culverts for two days, and sent two men and trucks to Cambria for one day. He also talked about a four day trip to Gettysburg with the Boy Scout Troup. It included hiking and learning the history of the Civil War.

Councilwoman Jarvis reported that the Wendelville Auxiliary will be holding their annual Vendor Fair on November 11 and hopes that it will be well attended.

Councilman Ostrowski mentioned that PABA has changed their name to the Spartans. He feels that the organization has done well bringing sports to the community. They will be holding a meat raffle at Shawnee Fire Hall this coming weekend for a fund raiser. He also reported that they are seeking some volunteers for the wrestling program. Registration for the wrestling will be held on October 14, 19, and 26. He also reported for the Building Inspector, Tim Masters who could not make the meeting tonight. The Meadows and the Bear Ridge Estates subdivisions are nearing the end of the development as there are only a couple of lots left in each development. There were 44 new permits issued in September. There were six contractor licenses issued and there are 227 active projects around Town. Five permits were issued for new homes which brings the total of 50 single family home permits issued since January 1st. He also reported that there are currently sixteen outstanding violations. The department continues to pursue a good resolution for each of the residents and their concerns. Tim has completed his last training session and has successfully passed all of the courses. He is now officially code certified. He will continue his annual recertification.

Chief Mark Walter spoke to everyone regarding some questions that were asked about a recent fire on Creekbend Drive. The people in that area were notified of this meeting to come

to have some of their questions answered. He said that the Wendelville Volunteer Fire Company has been in existence for close to one hundred years. The members take their job very seriously. He wanted to clear up some misinformation regarding the timing of arrival of the fire trucks and what was happening upon arrival. Rumor was that it took twenty eight minutes for the fire trucks to arrive to the house. There is a report, called a CAD report that has the documented times of arrival. The homeowner had placed embers from a campfire the night before in a plastic garbage can located next to the house. A neighbor called the homeowner to tell him that the back of his house was on fire. The call came into dispatch at 12:30:55. Wendelville's truck was dispatched at 12:37:10. He reminded everyone that the firemen are coming from their homes to the fire company. Once they are on their way they report to dispatch. They arrived on the scene at 12:41:02. The second engine was on route 19 seconds later filled with interior fire fighters. Chief Walter arrived at 12:38:20. A Deputy that was one of the first to arrive on the scene reported that the flames were already engulfing the back of the house and coming out of the roof. Chief Walter sent two teams in the house to contain the fire. As the roof was beginning to collapse he had to get the men out of the house. They did get out and are safe. There were questions regarding the equipment that Wendelville has. Supervisor Maerten reported that the Town's ISO (Insurance Service Office) rating is a solid 5. When the ISO came to the Town of Pendleton a couple years ago, they reviewed items like the number of fire hydrants, fire hydrant flow, equipment, and number of firefighters, the training received, and several additional items. They did not have any additional recommendations for the Town.

Engineer Britton – nothing to report

Claude Joerg updated everyone regarding several of the commercial properties that filed an Article 7 against the Town. He explained that it's not that economical for the Town to fight the challenges because the Town's tax rate is not a significant portion of the taxes, but the Town is required to have a commercial real estate appraisal that can cost upward of \$7,500.00 and the Court testimony would be another \$5,000.00. He discussed with the County and Starpoint School to intervene with the larger (greater than a million or above) assessed commercial properties and pay for the real estate appraisals. This makes it more economical for the Towns to argue the challenges. They have agreed to this. TanTara has withdrawn their challenge which leaves Mac's Auto Parts, Key Bank and the hotel on Transit Road to continue with litigation. He wanted everyone to know that it was not going to be just Pendleton tax dollars being spent to argue the assessments.

DEPARTMENT HEADS

Water-Sewer Superintendent Jim Argo reported that the Boy Scouts have started the Eagle Scout project. He also reported that all the readers have been replaced. His department has started to winterize the hydrants. He also reported that RIC Plumbing will be starting the I & I projects shortly.

Assessor Kelli Coughlin reported that she attended the Assessor's Annual Conference last week. One of her classes was about revaluations for small towns. She would like to discuss some of their suggestions with the Town Board at a Work Session. Her office will be mailing out exemption forms during the month which will need to be returned by March 1, 2018.

Supervisor Maerten reported that he has responded back to Stephan Erby from Monolith Solar Company requesting a sample contract to review to determine if the Town was interested in having the Solar Company install solar panels on the Highway Garage roof. The panels were for the benefit of Key Bank but the Town would receive a signing bonus plus an annual fee. He had several long term concerns but he told everyone that he would reach out to them for clarification on certain items. The company has not returned his call.

NEW BUSINESS

RESOLUTION 176 - 17

AUTHORIZE THE ASSESSOR TO LEVI UNPAID TOWN CHARGES TO THE 2018 TOWN TAXES

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

ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
Nays 0

Resolved to authorize the Town Assessor to place all unpaid Town charges as liens upon real property in accordance with Town Law §198 to forward authorization and actual listing of all unpaid accounts that are provided by the water/sewer billing department, refuse bills and other Town charges to the assessor's office for posting.

RESOLUTION 177 - 17

AMEND RESOLUTION 66 - 17 ROAD DEDICATION FOR DUBLIN LANE AND CHRISTIANA COURT TO INCLUDE MILEAGE

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

ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
Nays 0

Whereas, the roadway Dublin Lane and Christiana Court was constructed as a Town Road in accordance with plans and specifications prepared by CRA Engineering; and
Whereas, the roads were dedicated to the Town to be included in the 2017 Town of Pendleton Local Highway mileage inventory on March 17, 2017, and
Whereas the mileage of this portion of roads was not documented in the original resolution; and

Whereas, the two lane road Dublin Lane is .22 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, the two lane road known as Christiana Court is .07 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, construction of these two sections of road have been completed in accordance with drawings submitted and accepted for maintenance by the Town; now therefore be it Resolved that Dublin Lane and Christiana Court shall be included in the 2017 Town of Pendleton Local Highway mileage inventory.

RESOLUTION 178 - 17

ROAD DEDICATION OF CLOVERLEAF LANE

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

ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
Nays 0

Whereas, an extension of Cloverleaf Lane was constructed as a Town Road in accordance with plans and specifications prepared by CRA Engineering; and
Whereas, the two lane road is .07 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, construction of the extension of Cloverleaf Lane has been completed in accordance with drawings submitted and accepted for maintenance by the Town; now therefore be it Resolved that the extension of Cloverleaf Lane shall be included in the 2017 Town of Pendleton Local Highway mileage inventory.

RESOLUTION 179 - 17

ROAD DEDICATION FOR DEVONSHIRE LANE

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

ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
Nays 0

Whereas, an extension of Devonshire Lane was constructed as a Town Road in accordance with plans and specifications prepared by CRA Engineering; and
Whereas, the two lane road is .07 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, construction of the extension of Devonshire Lane has been completed in accordance with drawings submitted and accepted for maintenance by the Town; now therefore be it Resolved that the extension of Devonshire Lane shall be included in the 2017 Town of Pendleton Local Highway mileage inventory.

Clerk Pienta wanted the Board to be aware that Phil Samuel's from Your Image Graphics will be migrating the Town's emails addresses to a different service during the next couple of weeks.

Building Inspector Tim Masters has requested a Public Hearing to review and amend various areas of the Town's Code. He provided a list of the areas that he has noticed were insufficient relating to the states code and he would like the Board to review some of the fees the Town is charging. He will provide more details before the Public Hearing.

RESOLUTION 180 - 17

SCHEDULE PUBLIC HEARING FOR CODE CHANGES

Motion by Councilman Leible, seconded by Councilwoman Jarvis, the following resolution was ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
 Nays 0

Resolved to schedule a Public Hearing for amendments to the Town's Code for November 13 at 6:50 P.M.

RESOLUTION 181 - 17

SCHEDULE PUBLIC HEARINGS FOR THE 2018 BUDGET

Motion by Councilman Leible, seconded by Councilwoman Jarvis, the following resolution was ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
 Nays 0

Resolved to schedule a Public Hearing for the presentation to the public for the proposed budget for 2018 on the November 8th at 7:00 P.M.

Supervisor Maerten scheduled the following dates for Budget discussions:

- October 16, October 30, and possibly November 6 at 7:00 P.M.

Supervisor Maerten scheduled a Work Session for October 23 at 7:00 P.M. with budget discussions to follow the meeting.

Motion by Councilman Leible seconded by Councilwoman Jarvis, to adjourn from the Regular Meeting at 8:10 P.M. Motion carried.

Terry J. Pienta, Town Clerk