

**TOWN OF PENDLETON  
SPECIAL MEETING  
November 20, 2023**

A Special Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 20<sup>th</sup> day of November 2023 at 7:15 p.m.

Supervisor Maerten called the meeting to order at 7:18 p.m.

**Roll Call:**

Supervisor Maerten	Present
Councilman Buechler	Present
Councilman Hickman	Present
Councilman Leible	Present
Councilman Lombardo	Absent

**Also present:**

Deborah Maurer - Town Clerk  
Claude Joerg - Town Attorney  
Dave Fischer - Highway/Water & Sewer Superintendent  
Tom Matuski - Budget Officer

There were three residents in attendance.

**AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA**

There were no amendments made to the agenda.

**PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS**

A resident commented on the proposed budget stating that some of the information included from the 2023 budget does not match the actual adopted 2023 budget. He also asked legal counsel to review the sewer reserve and gravity line reserve accounts and give an opinion on the use of these restricted reserve accounts for best balancing the budget. Additionally, the same resident pointed out some discrepancies in the budget in relation to the sewer reserve accounts.

The next resident thanked the Budget Officer for updating some of the codes in the budget. She asked for clarification on the use of inter-fund transfers using existing savings accounts. She also commented on the use of the restricted reserves saying that it appears that they are being used for general expenses. Lastly, she mentioned that some of the agenda items did not have documentation posted online for the public to review prior to the meeting.

There were no other remarks or comments on agenda items.

**NEW BUSINESS**

RESOLUTION 241-23

**2024 BUDGET AMENDMENTS**

Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Leible

Nays 0

Absent 1 Lombardo

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, that the following amendments to the proposed 2024 budget are approved:

<b>CAPITAL 2024 - Budget Code Changes</b>			
<b>PROPOSED</b>		<b>AMENDED</b>	
H200.1	BAN	H5730	BAN
A200.2	GREEN FEES RESERVE	H5031	GREEN FEES RESERVE - INTERFUND TRANSFERS

A200.3	BUILDING RESERVE	H5032	BUILDING RESERVE - INTERFUND TRANSFER	
H200.5	GREENWAY GRANTS	H3889	GREENWAY GRANT - STATE AID OTHER CULTURAL AND RECREATION	
H200.6	CFA GRANT	H3897	CFA GRANT - CULTURAL RECREATION OTHER CAPITAL PROJECTS	
H203.0	RECREATION PAVING GRANT	H3889	RECREATION-PAVING GRANT - OTHER CULTURAL AND RECREATION CAPITAL PROJECTS	
H202.0	CFA - SALT BARN GENERATOR - CAPITAL PROJECTS	H3097	CFA - SALT BARN GENERATOR - CAPITAL PROJECTS	
H204.0	HIGHWAY PAVING	H3397	HIGHWAY PAVING-PUBLIC SAFETY	
<b>GENERAL FUND - Budget Code Changes</b>				
PROPOSED			AMENDED	
A9800.100	BAN PRINCIPAL		A9730.601	BAN PRINCIPAL
A9800.110	BAN INTEREST		A9730.701	BAN INTEREST
<b>FIRE PROTECTION DISTRICT</b>				
Budget Code	Code Description	Original Amount	Amended Amount	
A00-5000	Transfer Fire Equipment Reserve	\$41,037	\$0	
SF.3410.0410	Other Fire Contractual	\$20,000	\$0	
SF.9010.0800	Fireman's NYS ERS	\$212,205	\$202,205	
<b>REFUSE AND GARBAGE DISTRICT</b>				
Budget Code	Code Description	Original Amount	Amended Amount	
SR.1001.01	Real Property Taxes	\$590,457	\$584,164	
SR.1001.02	Real Prop. Taxes - Totes	\$0	\$13,530	
SR.2131	Additional Tote Charge	\$14,190	\$6,953	
<b>HIGHWAY FUND</b>				
Budget Code	Code Description	Original Amount	Amended Amount	
DA.1001	Highway Tax	\$253,774	\$243,287	
DA.5110.0200	Maintenance of Roads - Equipment	\$100,000	\$96,750	
DA5130.0400	Fixed Assets	\$98,000	\$90,763	
<b>SEWER FUND</b>				
Budget Code	Code Description	Original Amount	Amended Amount	

SS.2120	Sewer Rents	\$369,510	\$356,260
SS.1001	Sewer	\$0	\$3,250

This resolution shall take effect immediately.

RESOLUTION 242-23

**2024 BUDGET ADOPTION**

Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was

ADOPTED: Ayes 3 Maerten, Buechler, Hickman  
Nays 1 Leible  
Absent 1 Lombardo

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, to adopt the 2024 Preliminary Budget as proposed with amendments [RESOLUTION 241-23].

RESOLUTION 243-23

**COLLECTIVE BARGAINING AGREEMENT**

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

ADOPTED: Ayes 3 Maerten, Buechler, Leible  
Nays 0  
Recused 1 Hickman  
Absent 1 Lombardo

WHEREAS, certain employees of the Highway, Water, and Sewer Departments are collectively represented by Teamsters Local 264; and

WHEREAS, the current collective bargaining agreement approved by Town employee membership of Teamsters Local 264 and the Town Board of the Town of Pendleton expires on December 31, 2023; and

WHEREAS, representatives of the Town of Pendleton and Teamsters Local 264 negotiated in good faith to draft a contract extension acceptable to all parties; and

WHEREAS, the local membership of Teamsters Local 264 did approve the proposed contract extension prior to the November meeting of the Town Board.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, that the contract extension between Teamsters Local 264 and the Town of Pendleton, in effect from January 1, 2024 through December 31, 2027, is approved with the following modification:

Article 20 - Coveralls: The reimbursed amount of \$500.00 specified in the presented contract for reimbursement shall be changed to \$600.00 with all other language remaining unchanged.

This resolution shall take effect immediately.

RESOLUTION 244-23

**MOA WITH TEAMSTERS LOCAL 264**

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

ADOPTED: Ayes 3 Maerten, Buechler, Leible  
Nays 0  
Recused 1 Hickman  
Absent 1 Lombardo

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, that the Memorandum of Agreement between Teamsters Local 264 and the Town of Pendleton, as presented, is approved. This resolution shall take effect immediately.

The next item discussed was regarding the financing for the purchase of the 2024 Mack truck and plow. Councilman Leible asked if it was appropriate for the town to pay interest on this purchase.

Supervisor Maerten explained that the Board already approved the purchase and financing of this equipment in 2022 [RESOLUTION 169-22] but that the interest rates have gone up since that time changing the terms of the finance agreement. Councilman Leible also wanted to know if there was enough money available to pay for the equipment without financing it. Supervisor Maerten stated that he did not know at this time but that, according to the financing agreement, there are no penalties if the town decided to pay it off sooner.

**RESOLUTION 245-23**

**AUTHORIZATION FOR FINANCING OF EQUIPMENT**

Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was

ADOPTED: Ayes 3           Maerten, Buechler, Hickman  
          Nays 1            Leible  
          Absent 1        Lombardo

WHEREAS, the Town Board of the Town of Pendleton authorized the acquisition of a 2024 Mack Granite 64FR mDrive chassis with body and plow equipment by resolution on July 11, 2022; and

WHEREAS, the accepted resolution authorized a finance/ownership contract with Conway Beam Mack Group with a down payment of \$28,847.64 and three annual payments of \$94,107.86; and

WHEREAS, the terms of financing this purchase have changed.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, that a finance/ownership contract with Conway Beam Mack Group is authorized with a down payment of \$29,506.05 and three (3) annual payments of \$99,503.39. This resolution shall take effect immediately.

**RESOLUTION 246-23**

**DECLARE CELL PHONE SURPLUS**

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

ADOPTED: Ayes 4           Maerten, Buechler, Hickman, Leible  
          Nays 0  
          Absent 1        Lombardo

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 20<sup>th</sup> day of November 2023, that a Verizon eTalk cell phone, Town of Pendleton Asset #1130, is declared surplus and the Town may properly dispose of this item. This resolution shall take effect immediately.

**PUBLIC REMARKS/COMMENTS**

There were no public remarks or comments.

Motion by Councilman Leible, seconded by Councilman Buechler, to adjourn from Regular Meeting at 7:27 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk