

TOWN OF PENDLETON
WORK SESSION
June 17, 2024

A Work Session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 17th day of June 2024 at 7:00 p.m. The meeting was open to the public.

Supervisor Maerten called the meeting to order at 7:07 p.m.

Supervisor Maerten, Councilman Buechler, and Councilman Lombardo were present. Councilmen Hickman and Leible were absent.

Also present:

Deborah Maurer - Town Clerk
Dave Fischer - Highway/Water & Sewer Superintendent
Dave Britton - Town Engineer
Mark Walter - Deputy Town Supervisor

There were five residents in attendance.

Supervisor Maerten initiated a discussion by soliciting comments from the Board members on the proposed Splash Pad rules. Several ideas were considered, but the only modification made was the addition of an age requirement for children needing adult supervision.

RESOLUTION 189-24

SPLASH PAD RULES

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that the Splash Pad Rules, as presented and modified during this meeting, are approved.

FURTHER, BE IT RESOLVED, that the Highway Superintendent is authorized to purchase appropriate signage with these approved rules and post such signage in the Town Park. This resolution shall take effect immediately.

RESOLUTION 190-24

BOARD OF ASSESSMENT REVIEW CHAIRPERSON

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that Donna Wyant is hereby appointed chairperson of the Board of Assessment Review. This resolution shall take effect immediately.

RESOLUTION 191-24

COMMUNITY CENTER CHANGE ORDER EC-10

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

WHEREAS, the Town Board of the Town of Pendleton authorized the advertisement for bids for a Community Center Project by resolution on January 9, 2023; and

WHEREAS, acceptance of the lowest bid for this advertised project was accepted by resolution on May 8, 2023; and

WHEREAS, work on the Community Center Project has commenced and Change Order EC-10 related to Town Hal electrical work is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that proposed Change Order EC-10, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 192-24

PAVING SERVICES CONTRACT - TOWN HALL COMPLEX

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo

Nays 0

Absent 2 Hickman, Leible

WHEREAS, the Town Board of the Town of Pendleton did approve the Town Hall Complex Paving project by resolution at the June 10, 2024 meeting; and

WHEREAS, a Request for Proposals (RFP) for paving operations was approved by resolution at the June 10, 2024 meeting; and

WHEREAS, multiple proposals were received and reviewed; and

WHEREAS, the Highway Superintendent is requesting approval of the lowest price responsive proposal received for this work.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that proposal for paving services received from Kenneth L. Young Paving, Inc. for \$29,300.00 is accepted. This resolution shall take effect immediately.

RESOLUTION 193-24

MILLING SERVICES CONTRACT - TOWN HALL COMPLEX

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo

Nays 0

Absent 2 Hickman, Leible

WHEREAS, the Town Board of the Town of Pendleton did approve the Town Hall Complex Paving project by resolution at the June 10, 2024 meeting; and

WHEREAS, quotes for pavement milling services for this project were requested from multiple contractors; and

WHEREAS, the Highway Superintendent is requesting approval of the lowest price responsive proposal received for this work.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that proposal for milling services received from Villager Construction, Inc. for \$5,400.00 is accepted. This resolution shall take effect immediately.

RESOLUTION 194-24

POSTAGE METER CONTRACT

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo

Nays 0

Absent 2 Hickman, Leible

WHEREAS, the following bids were received for a postage machine:

Quadient:

- 63 Month Lease
- Manual Feed Meter IX3 - \$58.99/month
- Auto Feed Meter IX5AF - \$136.99/month

United Billing Systems:

- 63 Month Lease:
- Manual Feed Meter Mint 210SW5 - \$76.43/month
- Auto Feed Meter Mint 210AW5 – \$110.37/month

Pitney Bowes:

- Requested quote on 6/13 – no response

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that a sixty-three (63) month contract with United Business Systems for an Auto Feed Meter Mint 210AW5 for \$110.37 per month is approved. This resolution shall take effect immediately.

RESOLUTION 195-24

OUT OF DISTRICT WATER AGREEMENT - BURDUKOV

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, to approve the out-of-district municipal water agreement between Victor N. Burdukov and the Town of Pendleton, for SBL# 122.00-1-48.112, as presented by the Town Attorney.

RESOLUTION 196-24

ENGAGEMENT OF PROFESSIONAL SERVICES

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

WHEREAS, the Town of Pendleton relies on the Wendelville Fire Company, Inc. for fire, rescue, and emergency medical services; and

WHEREAS, the Town funds and maintains a Length of Service Award Program (LOSAP) for the volunteer members of the Wendelville Fire Company; and

WHEREAS, representatives of the Fire Company attended the June 17, 2024 meeting of the Town Board to make a presentation focused on recruitment and retention of volunteers; and

WHEREAS, the Fire Company has requested that the Town Board explore potential updates to the current LOSAP program.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, that the Supervisor is authorized to engage with Penflex Actuarial Services, LLC for cost estimates related to three scenarios:

- A) Raising the number of years of earned service to 40 years.
- B) Lowering the collection age to 60.
- C) Increase value of a year of earned service.
- D) Any combination of the above.

FURTHER, BE IT RESOLVED, that the cost for the actuarial estimates is authorized up to \$1,300.00. This resolution shall take effect immediately.

Baseball Contract Discussion

A discussion followed between the Town Board, Highway Superintendent Dave Fischer, and Buffalo Bomb Squad leader Dylan Randall about the use of the ball diamonds for the current and upcoming 2024-2025 season. Supervisor Maerten began by outlining the recent history of the ball programs and the changes that occurred after the COVID-19 pandemic. The conversation also covered the need for approved Facilities Usage Agreements with required liability insurance, improvements in game scheduling, and the proposed creation of a contract between Buffalo Bomb Squad and the Town of Pendleton for the upcoming season. Mr. Randall hopes to have this agreement completed and approved by the July meeting to proceed with tryouts for next year.

Next, Supervisor Maerten presented a formal maintenance agreement between the Town of Pendleton and Thomas Ohol Farms for the upkeep of the vacant land that is accessed via Feigle Road, where the annual Fourth of July fireworks are launched. This maintenance is essential to ensure greater accessibility for Town employees, fire personnel, and those involved in the fireworks display, as well as for safety and fire prevention purposes.

RESOLUTION 197-24

LAND MAINTENANCE AGREEMENT - FOURTH OF JULY FIREWORKS

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

ADOPTED: Ayes 3 Maerten, Buechler, Lombardo
 Nays 0
 Absent 2 Hickman, Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 17th day of June 2024, to approve the formal agreement between Thomas Ohol Farms and the Town of Pendleton, for the maintenance of Town property located off of Feigle Road, as presented by the Town Attorney.

BOARD DISCUSSION

Town Clerk Maurer announced that an updated draft of the Town's Fee Schedule had been distributed and wanted to confirm that everyone had received it.

PUBLIC REMARKS/COMMENTS

A resident commented on the Splash Pad rules sign, noting that "No Pets" should not include service animals. She also suggested adding rules regarding penalties for violations, prohibiting glass bottles, and requiring swim diapers or rubber pants. Additionally, she recommended implementing a safety plan and suggested that the Board review the New York State rules for splash pads. The same resident pointed out that "out-of-district" water rates are not currently listed on the Fee Schedule.

Another resident suggested adding "all other park rules apply" to the Splash Pad rules. This led to another discussion about the Splash Pad rules, however, no changes were made to the rules approved previously in the meeting.

Motion by Councilman Lombardo, seconded by Councilman Buechler, to adjourn from the Work Session at 7:54 p.m. Motion carried.

Deborah K. Maurer, Town Clerk