TOWN OF PENDLETON
PUBLIC HEARING & SPECIAL MEETING
November 9, 2022

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 9th day of November 2022 at 7:00 p.m.

PUBLIC HEARING

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on November 4, 2022 and on the Town's website.

Supervisor Maerten opened the Public Hearing at 7:02 p.m.

Supervisor Maerten explained that the purpose of the Public Hearing was as indicated below:

1. Public Hearing on the preliminary budget for the fiscal year beginning January 1, 2023, as required by Town Law §108 for the purpose of considering the preliminary budget, and receiving comments from the public relative thereto. Said Budget is on file with the Town Clerk of the Town of Pendleton and may be inspected by any interested person. Office hours for the Town Hall are 8:00 a.m. to 4:00 p.m. The Preliminary Budget will also be located on the Town's website at www.pendletonny.us.

   Pursuant to §108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

SUPERVISOR	$	27,099.00
COUNCIL (4 @ $9,255.75 each)	$	36,903.00
TOWN CLERK	$	59,087.00
SUPERINTENDENT OF HIGHWAYS	$	53,574.00

2. Public Hearing on amounts to be raised by taxation for Special Districts in the following districts:

PENDLETON WATER DISTRICTS	$	481,858.00
PENDLETON REFUSE DISTRICT	$	494,770.00
PENDLETON FIRE DISTRICT	$	560,954.00

   The Special Assessment Rolls have been completed for such districts as required and all tax rates established for benefit districts. All persons interested shall be heard at the public hearing to be held by the Town Board relative to assessments and amounts to be raised in said districts, and to hear any objections to the Special Assessment Rolls, which are available for inspection at the Town Clerk's Office.

3. Public Hearing to authorize a contract with the Wendelville Fire Company, Inc. at a yearly amount as follows:

WENDELVILLE FIRE COMPANY, INC	$	407,136.00

   FURTHER NOTICE is given that pursuant to Real Property Tax Law §495, the Exemption report that shows total assessed value on the final assessment roll that was used in the budgetary process that is exempt from taxation is on file with the preliminary 2023 Budget.

Supervisor Maerten opened up the discussion to the Town Board members. No questions were asked by the Board members. The discussion was then opened up for public comments.

Zoning Board of Appeals (ZBA) Chairman Wolfgang Buechler asked the Board why there was a difference in salary increases between the ZBA and Planning Board.

A resident provided the Board with a list of 26 questions about the Preliminary Budget. She read aloud several of questions, some of which were regarding the General Fund Reserve, the Fire Equipment Reserve and the Water Tank Reserve. She asked the Board to vote against this budget and respond to her with answers to her questions.

Another resident asked when and how budget transfers take place once the budget is approved. A conversation took place between the resident, the Budget Officer and Supervisor Maerten who then confirmed that a public hearing would be required to move funds from a Reserve account.

Motion made by Councilman Leible, seconded by Councilman Lombardo, to close the Public Hearing at 7:15 p.m. Motion carried.

SPECIAL MEETING

Supervisor Maerten called the meeting to order at 7:15 p.m.

Supervisor Maerten started the meeting with a salute to the flag.

Roll Call:

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

Also present:

Deborah Maurer –Town Clerk
Claude Joerg – Town Attorney
Dave Fischer – Highway/Water and Sewer Superintendent
Mark Walter – Deputy Town Supervisor
Wolfgang Buechler – Zoning Board of Appeals Chairman

There were four residents in attendance.

ADDITIONS OR DELETIONS TO THE AGENDA

The following changes were made to the agenda:

- Add – Accept Letter of Resignation

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

A resident, who previously spoke during the Public Hearing, commented again on the 26 questions she had about the budget. She is concerned about how the Town is pulling money from a reserve that she says doesn't exist. She also stated that she was unhappy with the preliminary budget, citing examples of what she believes to be incorrect, and again asked the Board to vote against it.

There were no other public comments on the agenda items.

NEW BUSINESS

RESOLUTION 236-22
APPROVAL OF 2023 PRELIMINARY BUDGET
Motion by Councilman Evchich, seconded by Councilman Lombardo, the following resolution was

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

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 9th day of November 2022 to adopt the 2023 Preliminary Budget as proposed.

Supervisor Maerten announced that the Town Board received a resignation letter from Councilman Jason Evchich and thanked Mr. Evchich for his time on the Board.

RESOLUTION 237-22
ACCEPT RESIGNATION
Motion by Councilman Leible, seconded by Supervisor Maerten, the following resolution was

ADOPTED:	Ayes 3	Maerten, Leible, Lombardo

Nays 0
Abstention 1 Evchich
Absent 1 Hickman

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 9th day of November 2022 to accept the resignation of Councilman Jason Evchich effective November 10, 2022.

PUBLIC REMARKS/COMMENTS

A resident asked what the next step is regarding filling Councilman Evchich's seat on the Town Board. Supervisor Maerten explained that the Town has the authority to appoint a person to that position until December 31, 2023. He noted that anyone who is interested in this position can send a letter of interest to Town Clerk Maurer. Mr. Maerten also asked the Town Clerk to post a notice on the Town's website stating that there is an open position on the Board.

Motion by Councilman Leible, seconded by Councilman Evchich, to adjourn from the Special Meeting at 7:25 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk