

TOWN OF PENDLETON
March 14, 2016

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 14th day March 2016 at 7:00 P.M.

Supervisor Maerten called the meeting to order at 7:02 P.M.

Supervisor Maerten read the invocation.

Boy Scout Wyatt Kneepfel 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
Don Bergman	Budget Director
Kelli Coughlin	Assessor
Claude Joerg	Town Attorney
Jeff Stowell	Highway Superintendent
Jim Argo	Water-Sewer Superintendent
Jack Striegel	Building Inspector

There were approximately 20 residents in attendance.

ROUTINE BUSINESS

RESOLUTION 54 - 16

APPROVAL OF MINUTES

Motion by Councilman Leible, seconded by Councilwoman Jarvis, the following resolution was

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

Resolved that the minutes of the Regular Meeting held on February 8th and Work Sessions January 25th and February 22nd be approved as submitted by the Town Clerk.

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

General Fund	\$	47,236.53
Highway	\$	79,210.06

Water	\$	4,685.96
Sewer	\$	4,288.32
Refuse	\$	35,148.34
Trust and Agency	\$	7,196.48

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for the month of January was \$131,705.38 this is compared to \$134,949.86 in 2015. This is a decrease of \$3,244.48 from January 2015. Supervisor Maerten reported that he recently read an article that municipalities across the state are suffering from low returns of sale tax revenue, not just Pendleton. He reported that the Business Development Committee will be meeting with the Transit North Group next week. He will also be meeting with Niagara County, the Highway Department and the DOT regarding the Rails to Trail hoping to come up with a final solution for the funds that were awarded to the Town last year.

Councilman Leible reported that the Recreation Committee is looking into installing a basketball court and a possible dog park at DePeau Park and they are also considering installing a pickle ball court at one of the tennis courts. He also reported that the pool at Starpoint will probably not be available for the Town's Summer Recreation Program. The committee is looking into NCCC pool for the program. Recently a section of flashing was replaced on the front of Town Hall, and Carbon monoxide and Natural Gas detectors were installed in the hallways of the Town Hall. He announced that the Niagara County Sheriff's Department will be holding a Safe Boating and Personal Water Craft class on April 2nd at the Wendelville Fire Hall from 9:00 am to 5:00 pm.

Councilman Fischer reported the Sewer Department reported that they responded to 16 regular time sewer calls and 4 overtime sewer calls, two pressure sewer breaks on Meyer Road and Tonawanda Creek Road, five sold home compliance inspections, five open trench and sewer service inspections, prepared electronic waste pickup, delivered recycling totes as needed, completed 39 underground utility stakeouts, and rebuilt seven grinder pumps at the garage. Two pump stations were upgraded by Koester Associates. The Water Department replaced 134 meter readers, replaced one frozen pipe, repaired a water main valve on Meyer Road, stage two water samples completed, water meter tests completed at Hunter's Creek, four final water reads, two new home water meters installed, and completed table set up and take down tables two times for the seniors along with trash pickup. He also reported that the Highway Department plowed and salted as needed, hauled and pushed back the snow in cul-de-sacs, cleaned ditch and removed rotted pipe on Feigle Road, cleaned out debris from DIs and pipes, installed pipe and driveway apron at 5962 Fisk Road, repaired equipment as needed, checked and repaired signs, put together new bleachers for the baseball diamonds and began repairing plow damage.

Councilwoman Jarvis reported that the Wendelville Fire Company will be hosting their annual Easter Egg Hunt on March 26th at 11:00 A.M. She also has additional information regarding a sound system and will bring the information to the next Work Session.

Councilman Ostrowski reported that the Building Department issued 10 permits, fees collected were \$1,790.00. He also reported that 143 Contractor licenses have been issued

this year. Five violations were issued and three violations were rectified. There are two outstanding. He also explained that going forward the Building Department will communicate with a resident that filed a complaint and what the status is regarding their complaint. He also reported that the schedule for the Tonawanda Sportsman's Club has been posted to the Town's website. He announced that the Red Cross has scheduled for a free Citizens Preparedness training on April 5th and April 13th from 6:00 PM to 7:30 PM. He asked that anyone that is interested in attending to call the Town Hall to reserve a spot.

Engineer Dave Britton reported that a coordination meeting was held last week with representatives from FEMA and the DEC. In January of 2013 FEMA had accepted study and the flood maps provided by the Town's Engineers (CRA) but the funding to remap the Tonawanda Creek area has not been available until now. They reviewed the process that will take place before the actual adoption of the revised maps which could take up to a year. He reported that it is a good thing for Pendleton and the process will be moving forward.

Attorney Claude Joerg – nothing to report

NEW BUSINESS

RESOLUTION 55 – 16

AUTHORIZATION FOR SUPERVISOR TO ACCESS NYDOT EBO SYSTEM

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

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

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web based reporting system called Equitable Business Opportunities (EBO) to streamline and satisfy the Title VI Civil Rights Reporting requirements for Federal-Aid locally sponsored contracts, and

WHEREAS, NYSDOT requires each local municipality as a sub-recipient to NYSDOT of Federal funds and sponsor of Federal-Aid Contracts to identify a single primary user in order to access and use the system for Title VI compliance reporting requirements,

Now, THEREFORE, BE IT RESOLVED, that the Town Board identifies the Town Supervisor as the Town's Responsible Local Official authorized to access the EBO system.

BE IT FURTHER RESOLVED, that this Resolution is effective immediately.

Wyatt Kneepfel gave a presentation to the Board of his proposed project for his Eagle Scout Badge at the Work Session held on February 22nd. His proposal included improvements to the Memorial Gun located outside the Town Hall. He produced widening the existing stone walkway from the parking lot to the gun with concrete. His plan also included narrowing the circle around the gun, trimming the existing bushes and planting some new plants, placing benches, and to post a plaque by the parking lot that would also direct people to the memorial.

RESOLUTION 56 – 16

PROPOSED EAGLE PROJECT BY WYATT KNEEPEL

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

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

Resolved to approve Wyatt Kneepfel 's Eagle Scout project as proposed to the Town Board at the Work Session on February 22nd.

The Pendleton Community & Business Association requested that the Town Board approve the submission and matching funds for a grant through the 2016 William G Mayne Jr. Business/Community Enhancement Program.

RESOLUTION 57 - 16

REQUEST FOR MATCHING FUNDS

Motion by Councilman Fischer, seconded by Councilwoman Jarvis, the following resolution was

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

Resolved to authorize the submission of an application for a matching fund grant through the 2016 William G Mayne Jr. Business/Community Enhancement Program and to pledge \$1,500 toward the cost of a Welcome to Pendleton signage.

Supervisor Maerten reported that the Town has been tentatively approved for one million dollars in funding towards reconstruction of Fisk Rd. The Town's portion would be one and a half million dollars. The possible target date is 2018 or 2019. He asked the Board if they would like him to continue to look into this and to look for other available funding. The resolution does not commit the Town to spend the money at this time but the County needs to know if the Town is interested in pursuing the project or not.

RESOLUTION 58 - 16

AUTHORIZATION TO CONTINUE

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

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

Resolved to authorize the Supervisor, Highway Superintendent and Engineer Britton to continue working with the County for the reconstruction of Fisk Road.

RESOLUTION 59 - 16

ESTABLISH SPEED LIMIT FOR THE TOWN'S TRAILS

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

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

Resolved to establish a 15 MPH speed limit for the Town's Trails.

PUBLIC REMARKS/COMMENTS

A resident asked where the Town was regarding the Noise Ordinance that was proposed at the Public Hearing in January. Supervisor Maerten said that there have only been discussions about some changes but nothing definite has been decided. The Town Board, Planning Board and the Building Department have also been reviewing similar ordinances from adjoining Towns.

A resident asked how the speed limit would be enforced on the Town's Trails. Councilman Ostrowski said that the Sheriff's Department has the capability to be on the trails with snow mobiles and four wheelers if complaints were filed. Superintendent Stowell said that he had been told in the past that the Town needed a speed limit in order for the Sheriff's to be able to issue tickets.

Another resident had some concerns about the other path along the Canal and wondered if there was anything the Town could do with signs reminding people to walk with a buddy.

BOARD MEMBERS DISCUSSION

A work session was scheduled for March 28th at 7:00 P.M.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn to Executive Session for Contractual Discussions at 7:37 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn from the Executive Session and the Regular Meeting at 9:10 P.M. Motion carried.

Terry J. Pienta, Town Clerk