

**TOWN OF PENDLETON**  
May 9, 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 9<sup>th</sup> day May 2016 at 7:00 P.M.

Supervisor Maerten called the meeting to order at 7:04 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
Don Bergman	Budget Director
Kelli Coughlin	Assessor
Claude Joerg	Town Attorney
Jim Argo	Water-Sewer Superintendent
Jeff Stowell	Highway Superintendent
Wolfgang Buechler, Lee Daigler	ZBA Chairman
David Kantor	PB Member

There were approximately 5 residents and 15 Starpoint students in attendance.

**COMMUNICATIONS**

Clerk Pienta reported that a letter of resignation was received from the Assessor's Clerk, Pam Malecki. She will be leaving for a full time job. Everyone is happy for her but she will be missed.

**ROUTINE BUSINESS**

RESOLUTION 79 - 16

**APPROVAL OF MINUTES**

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

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

Resolved that the minutes of the Regular Meeting held on April 11<sup>th</sup> and Work Sessions on March 28<sup>th</sup> and April 25<sup>th</sup> be approved as submitted by the Town Clerk.

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

General Fund	\$	30,462.95
Highway	\$	32,241.21
Water	\$	37,252.10
Sewer	\$	19,903.85
Refuse	\$	35,357.51
Trust & Agency	\$	1,510.48

## **OTHER REPORTS**

**Supervisor Maerten** reported that the sales tax collected for the month of March was \$140,097.90. This is an increase of \$1,608.04 from March 2015. The year to date received is \$380,851.72 which is a decrease of \$2,394.56 from 2015. Supervisor Maerten also reported that the Town received a \$1,500.00 matching grant for the Business Development Community who will determine the best place for additional signage around town. He also asked for a resolution for a change in signers for the RBC Wealth Management that is the investment partner for the Service Award Program.

### RESOLUTION 80 - 16

#### **AUTHORIZATION FOR AUTHORIZED SIGNERS**

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

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

Resolved to authorize Supervisor Maerten and/or Councilman Ostrowski as the signers on the account for the Wendelville Volunteer Fire Company through RBC Wealth Management.

**Councilman Leible** reported that the Recreation Committee had their first day of registration on Saturday. There were 94 children enrolled. The next dates for registration are May 19 at 7:00 PM – 9:00 PM and May 21 at 9:00 AM – 12:00 PM. He asked for all newsletter articles to be in by May 25<sup>th</sup>.

**Councilman Fischer** reported the Sewer Department responded to 13 regular time sewer calls and 2 overtime sewer calls, 2 grinder pump updates completed, 1 pressure sewer break repair, 9 sewer and water open trench inspections were completed, 83 underground utilities stakeout requests completed, 2 sewer curb box replacements, some topsoil and seed restorations, and completed maintenance and inspections on 15 duplex tanks and 3 pump stations. He reported that the Water Department completed the water meter readings for the quarter, replaced 112 water readers, installed 5 water meters in 5 new homes, 6 water/sewer compliance inspections on 6 sold homes, 3 final reads, 1 water meter replacement, 1 curb box repaired, 2 water main valves on Feigle Road repaired and the water was turned on in the park. He also reported that the Highway Department chipped brush for 6 days, picked up stumps along the road, replaced a rotted pipe on Oakwood Dr., installed a driveway apron at the end of Creekview, patched holes around the town and the “turn around” in Pendale using the “shared hotbox”, worked on the ball

diamonds, soccer fields, rolled grass, mowed grass, weed wacked, painted the soccer goals, installed the nets, drove 2 dump trucks to 9 Mile Island for the weekend for the boy scouts to fill and drove the trucks to the dump on Monday, installed the new “crossing” signs, finished taking trucks apart for the season, repaired equipment as needed, took obsolete equipment to the auction, filled in sink hole at the Wendelville baseball field. Shared services for the month; hauled for the Town of Cambria for three days using 2 trucks, used Cambria’s truck and chipper, ran street sweeper for Royalton, and used Newfane’s roller and trailer for three days. He also reported that Troop 47 and Troop 8 from Cambria participated in the statewide “Canal Clean Sweep Weekend” on April 23<sup>rd</sup> at Nine Mile Island. They filled 2 trucks, one with garbage and one with scrap metal. He thanked Highway Superintendent Stowell for the use of the two trucks for the weekend.

**Councilwoman Jarvis** reported that Councilman Ostrowski, Clerk Pienta and herself were at the Trail dedication that was held in the City of Lockport. There was a nice turn out for the ceremony. She also attended the Erie Canal National Heritage Corridor Board Meeting. Their world conference will be held in Syracuse NY in 2017. She reported that in 2014 the State Canal System was designated as a Historic Landmark in the National Registry which gives it federal protection. Because of the designation as a historic landmark there are grants available that the Town may want to look into.

**Councilman Ostrowski** reported that the Building Department issued 26 building permits, fees collected were \$2,960.00. There were no violations issued for the month. He also thanked the Red Cross and the residents that attended the Citizens Preparedness Training that was held last month. He announced that a meeting will be held next week with the Canal Way, County Highway, Wendelville and others to discuss security and parking issues along the canal trail. The tentative date in May 16<sup>th</sup> at 1:30 P.M.

**Engineer Dave Britton** reported that the Notice to Bid to paint the water tower is ready to advertise if the Board accepts the scheduled outline with a bid opening of June 13<sup>th</sup> at 2:00 P.M.

RESOLUTION 81 - 16

**ACCEPT TIME SCHEDULE FOR ADVERTISING FOR THE WATER TANK PAINTING PROJECT**

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

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

Resolved to accept the schedule and publish the bid notice as drawn up by GHD Consultants with the bid opening scheduled for June 13<sup>th</sup> at 2:00 P.M.

Engineer Britton reported that the annual MS4 Report is completed in Draft form and available for public review in the Town Clerk’s Office. There is a 10 day review period for public comment. Any comments will be included in the report and then filed with the DEC by June 1, 2016.

RESOLUTION 82 - 16

**ANNUAL MS4 REPORT**

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

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

WHEREAS, the Town of New Pendleton has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA's Phase II Stormwater Regulations under the Clean Water Act of 1999, and

WHEREAS, the Phase II Program requires each MS4 to prepare a Draft Annual Report on the Town's efforts to protect and improve the water quality of our streams and water bodies, and

WHEREAS, the public is invited to review the Draft Annual Report and provide input, and

WHEREAS, a Draft Annual Report has been prepared in conformance with the Phase II Regulations by the Highway Department, and

WHEREAS, the Annual Report must be submitted to the New York State Department of Environmental Conservation offices in Albany, NY, by June 1, 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board accepts said Draft Annual Report and is available for public review at the Town of Pendleton Town Clerks Office and the Public Works Department and authorizes the Supervisor to sign the annual report after the 10 day review period has passed.

He also reported that he has been in touch with the representatives from FEMA and has reviewed the updated maps. FEMA will initiate the process with Public Hearings and go forward with the required process. It is a 12 month process but it should begin soon.

**Attorney Claude Joerg** had nothing to report.

## **NEW BUSINESS**

RESOLUTION 83 - 16

### **DISPOSE OF OBSOLETE COMPUTERS**

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

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

**WHEREAS**, the Town of Pendleton is in possession of 2 computers that are obsolete,

**WHEREAS**, the Town wishes to dispose of the equipment in accordance with state and local requirements, so be it,

**RESOLVED**, that the Town Board authorizes the disposal and erasing of the hard drives of the obsolete Court Computer and an old laptop computer from the Supervisor's Office.

## **BOARD MEMBERS DISCUSSION**

Supervisor Maerten discussed with the Board that with the Assessor's clerk resignation Assessor Coughlin and Clerk Pienta proposed hiring a "floater" to fill the open position with the understanding that the 2017 Budget would include the "floating" position also a part-time clerk for the Assessor's Office. For the remainder of 2016 the money for the floater would come out of the Assessor's Office Personal Service budget line. The new position would be trained in the various offices for coverage during their busy times of the year for the various departments

Highway Superintendent Stowell reported that a 1960 Austern Western Grader and accessories that only fit this piece of machinery was missed on the original list of equipment being sent to auction that was authorized at the Work Session on April 25<sup>th</sup>. (Resolution 77-16)

RESOLUTION 84 - 16

**AUTHORIZATION TO SEND 1960 GRADER TO AUCTION**

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 Highway Superintendent Stowell to add a 1960 Austern Western Grader and accessories to the auction list.

Water-Sewer Superintendent reported that there are 13 pallets ready for pickup from the Town's collection of electronic equipment.

Councilman Ostrowski reported that he and Councilman Fischer have spearheaded a committee to see if there is any interest in holding an annual Field Day since Wendelville is no longer holding theirs. If anyone has any ideas they would like to suggest there will be a meeting on May 19<sup>th</sup>. He also reported that New York State has developed a notification system. An individual can register at *nyalert.gov*. After signing up you would get notifications for security alerts, road closings, or any other alerts you choose to sign up for.

A work session was scheduled for May 23<sup>rd</sup> at 7:00 P.M.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn to Executive Session for personnel and litigation with Attorney Claude Joerg at 7:38 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn from the Executive Session and the Regular Meeting at 8:24 P.M. Motion carried.

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Terry J. Pienta, Town Clerk