

TOWN OF PENDLETON
October 12, 2015

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 12th day October 2015 at 7:00 P.M.

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

Supervisor Riester read the invocation.

Startpoint student Ali Binga led the salute to the flag.

ROLL CALL: Supervisor Riester present
 Councilman Leible present
 Councilman Morrison present
 Councilman Fischer present
 Councilwoman Jarvis present

Also present were:

Terry Pienta	Town Clerk
Jim Argo	Water-Sewer Superintendent
Don Bergman	Budget Officer
Kelli Coughlin	Assessor

There were approximately 10 residents and 10 Starpoint students in attendance.

ROUTINE BUSINESS

RESOLUTION 137- 15

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved that the minutes for the Regular Meetings held on September 12th and Work Sessions held on September 28th and October 5th be approved as submitted by the Town Clerk.

Supervisor Riester reported the total expenditures that were authorized and paid in the month of September:

General Fund	\$	21,473.24
Highway	\$	28,523.73
Water	\$	72,195.30
Sewer	\$	9,049.26
Refuse	\$	35,148.34

Trust & Agency	\$	6,126.71
Farmer's Market	\$	514.40

OTHER REPORTS

Supervisor Riester reported that the sales tax collected for the month of August 2015 was \$131,791.94. This is compared to \$128,983.50 for August 2014. This is an increase of \$2,808.44. The year to date received is \$1,067,377.19. This is an increase of \$7,728.92 from 2014. He also reported that he has attended a couple of meetings about the compressor this past month. One meeting was held at the Wendelville Fire Hall and the other meeting was held at the Pendleton Center Church. He has consulted with the attorneys regarding the ordinance updates. He also reported that he has requested the architect at The Frizlen Group for a large drawing for the Citizen Center so that a couple of informational meetings can be scheduled.

Councilman Leible reported that the Building Department issued 9 violations, 2 remain outstanding. There are a total of 22 outstanding for the year. Thirty-three building permits were issued for total revenue of \$3,980.00.

Councilman Morrison reported that he has been following up with the company regarding the new phones. He also reported that he has received numerous complaints about Fisk Road and he has explained to everyone that the Highway Superintendent does have intentions of working on the road this year weather permitting.

Councilman Fischer reported that he has also received complaints about Fisk Road and has explained what the Superintendent's plan is for that road. He also wanted to go on record that the Board is trying to do their best for the Town and the residents regarding the compressor. He has heard conflicting information regarding the Board and their feeling about the compressor. He wanted to confirm that the entire Board is against the compressor being built in Pendleton.

Councilwoman Jarvis reported that Good Shepherd Church will be having an Octoberfest on October 17th from 5:30 P.M. to 9:00 P.M. The annual Niagara County Job Fair will be held on Wednesday from 1:00 to 3:30 P.M. She also announced that the Wendelville Ladies Auxilliary will be hosting a Halloween Party for the Pendleton children at the Fire Hall on Saturday October 25th from 2:00 P.M. to 4:00 P.M.

Engineer Britton reported to the Board that the infrastructure for Phase V of the Bear Ridge Estates has been completed and all documents have been received. He asked that the Board accept the road into the Town's Highway system contingent on the legal filings from Attorney Joerg. He believes that Highway Superintendent Stowell has had the final walk through but will verify that.

RESOLUTION 138 - 15

ROAD DEDICATION FOR THE EXTENSION OF CREEKBEND DRIVE FOR BEAR RIDGE ESTATES

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

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ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Whereas, the final extension of Creekbend Drive was constructed as a Town Road in accordance with plans and specifications prepared by CRA Engineering; and
Whereas, the two lane road, Creekbend Drive is .144 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, the final extension of Paddock Ridge was constructed as a Town Road in accordance with plans and specifications prepared by CRA Engineering; and
Whereas, the two lane road, Paddock Ridge is .220 miles in length and consists of a new drainage system, curbs, asphalt pavement, landscaping and street signage; and
Whereas, construction of the final extension of Creekbend Drive and Paddock Ridge have been completed in accordance with drawings submitted and accepted for maintenance by the Town; now therefore be it

Resolved that the final extension of Creekbend Drive and Paddock Ridge shall be included in the 2015 Town of Pendleton Local Highway mileage inventory.

Attorney Joerg reported that he has been busy with the compressor issues and the complaints regarding the Tonawanda Sportsman's Club.

NEW BUSINESS

RESOLUTION 139- 15

ASSESSOR TO PLACE LIENS

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

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to authorize the Town Assessor to place all unpaid Town charges as liens upon real property in accordance with Town Law §198 to forward authorization and actual listing of all unpaid accounts that are provided by the water/sewer billing department, refuse bills and other Town charges to the assessor's office for posting.

RESOLUTION 140 - 15

AUTHORIZATION TO SIGN AGREEMENT FOR AMBIENT NOISE SURVEY

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

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to authorize the Supervisor to sign the agreement with Noise Control Engineering LLC and to submit for payment a voucher for a 25% (\$1,650.00) retainer fee.

RESOLUTION 141 - 15

AUTHORIZATION TO ADVERTISE FOR NEW EMPLOYEE FOR THE SEWER DEPARTMENT

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

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

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Resolved to authorize hiring a new employee for the Sewer Department with the understanding that they acquire a CDL Class B License within 6 months.

RESOLUTION 142 - 15

AUTHORIZATION TO SIGN PAPERWORK FOR THE NIAGARA COUNTY YOUTH BUREAU FOR PARTIAL REIMBURSEMENT FOR THE SUMMER RECREATION PROGRAM

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

ADOPTED Ayes 5 Riester, Leible, Morrison, Fischer, Jarvis
 Nays 0

Resolved to authorize the Supervisor to sign the fiscal report (OCFS-5007) for the Niagara County Youth Bureau for the partial reimbursement for the 2015 Summer Recreation Program.

PUBLIC REMARKS AND COMMENTS

Supervisor Riester announced that the Town will accept letters of interest for the Board of Assessment Review.

Carol Moeller from the Historical Society asked if the Town will be holding public meetings regarding the Community Center. Supervisor Riester said the first step is to enlarge the current plans before any informational meetings will be held.

BOARD MEMBERS DISCUSSION

Motion by Councilman Fischer, seconded by Councilman Morrison, to schedule a Work Session for Monday, October 19th and 26th primarily as Budget Workshops at 7:00 P.M. Motion carried.

Motion by Councilman Morrison, seconded by Councilman Leible, to adjourn to Executive Session for contractual discussions at 7:26 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn from Executive Session and the Regular Meeting at 8:55 P.M. Motion carried.

Terry J. Pienta, Town Clerk