

TOWN OF PENDLETON
January 12, 2015

A regular meeting and the annual Organizational 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 of January 2015 at 8:05 P.M.

REGULAR MEETING

Supervisor Riester called the meeting to order at 8:00 P.M.

Supervisor Riester read the invocation and the salute to the flag.

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

Also present were:

Terry Pienta	Town Clerk
Dave Britton	Town Engineer
Kelli Coughlin	Assessor
Jim Argo	Water/Sewer Superintendent
Dave Gerber	Building Inspector

There were approximately 8 residents in attendance.

ROUTINE BUSINESS

COMMUNICATIONS

Clerk Pienta reported that the Town received a \$40.00 donation to be used for Park Maintenance from, Mr. Bob Kramer, a resident that had used a shelter for a family reunion.

PUBLIC COMMENT ON AGENDA ITEMS

One resident requested that the Town Board consider moving the monthly meetings to another day since the School Board also meets on Monday.

RESOLUTION 01 - 15

APPROVAL OF MINUTES

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

ADOPTED	Ayes 4	Riester, Leible, Fischer, Jarvis
	Nays 0	

RESOLVED that the minutes of the previous meeting held December 8th be approved as submitted by the Town Clerk.

Supervisor Riester reported the total expenditures that were authorized and paid in the month of December.

General Fund	\$ 36,059.50
Highway Fund	\$ 45,199.99
Water	\$ 11,074.40
Sewer	\$ 25,299.46
Trust & Agency	\$ 15,126.21
Refuse	\$ 38,484.70

OTHER REPORTS

Supervisor Riester reported that the sales tax collected for the month of November was \$127,527.89. This is compared to \$114,646.50 for November 2012, an increase of \$12,881.39. The year to date total received is \$1,480,142.01, which is an increase of \$17,762.67 from 2013.

COMMITTEE APPOINTMENTS 2015

Ordinance Violations	Leible/Fischer
Building and Capital Improvements	Jarvis/Morrison
Business Development Committee	Morrison/Jarvis
Fire Company Service Awards	Morrison, Fischer
Fire Board	Riester
Insurance	Morrison/Jarvis
Publicity	Leible/Jarvis
Sewer & Water	Morrison, Fischer
Ditching and Highway	Leible/Fischer
Recreation	Morrison/Jarvis
Security	Leible
Trails	Morrison/Riester
Ethics	Fischer

**First person denotes Chairman*

SUPERVISOR APPOINTMENTS

Deputy Supervisor	Ed Harman
Budget Officer	Don Bergman
Town Historian	Victoria Pellish

ASSIGNMENT OF ANNUAL AUDITS

Chief Fiscal Officer	Morrison
Town Clerk-Tax Collector	Fischer
Judge Maziarz	Leible
Judge Murphy	Jarvis

Water/Sewer Clerks

Leible

Councilman Leible reported that the Building Department issued 8 violations in the month of December and 5 remain outstanding, a total of 12 remain outstanding for the year. The Building Department also issued 9 building permits for a total revenue of \$1,290.00 for the month of December.

Councilman Fischer reported that the Sewer Department had 11 regular time sewer calls and 4 overtime sewer calls, 2 sewer curb boxes repaired, 2 partial updates were completed, 20 exchanges of medium to large recycle totes, 4 totes delivered to new homes, repaired grinder pumps, inspected pump stations, 14 gravity infiltration repairs and 6 manholes were relined. He also reported that the Water Department made 7 final reads, 2 sold home inspections, 3 open water and sewer trench inspections, 4 new home meters installed, filled ice rink, 1 frozen water meter replaced, 1 repair water curb box, 24 underground utility stakeouts completed. Some helped out with plowing when needed.

Councilwoman Jarvis - nothing to report.

ATTORNEY

Attorney Claude Joerg - nothing to report

ENGINEER

Engineer Britton reported that he spoke with the director from FEMA and they anticipate a target date of December to initiate the remapping of the Town. At that point the process will take approximately 1.5 years to complete. He also reported that the Dept. of Transportation and Niagara County are working on a project to include shoulder and drainage improvements and to widen Feigle Rd. The Town is also proposing the same roadway restoration for Fisk Rd. The funding for that road will be applied through the Greater Buffalo Niagara Regional Transportation Committee.

NEW BUSINESS

There was no new business for the Town Board.

ORGANIZATION – FISCAL - AUTHORIZATIONS

RESOLUTION 02 - 15

OFFICIAL DEPOSITORIES

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
 Nays 0

Resolved that the First Niagara Bank, N.A. headquartered in Buffalo, New York is designated an authorized depository for 2015.

RESOLUTION 03 - 15

OFFICIAL NEWSPAPER

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to designate the Union-Sun & Journal as the Town's official newspaper.

RESOLUTION 04 - 15

PETTY CASH FUNDS

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to establish the following petty cash funds: Town Clerk; \$200.00, Tax Collector; \$100.00, Water District; \$150.00, and Sewer District; \$100.00

RESOLUTION 05 - 15

REGULAR MEETING DATES

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to schedule the regular Town Board Meetings for the second Monday of each month for 7:00 P.M.

RESOLUTION 06 - 15

BI-WEEKLY PAYROLL

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolve to pay the following employees on a bi-weekly basis: Supervisor, Town Clerk, Assessor, Highway Superintendent, Water/Sewer Superintendent, Highway, Sewer and Water Department personnel, Building Inspectors, general clerks, laborers, Justice Clerks, and Planning Board Administrator.

RESOLUTION 07 - 15

QUARTERLY PAYROLL

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to pay the following employees on a Quarterly basis: the Town Justices, Councilman, and Dog Control Officer.

RESOLUTION 08 - 15

ANNUAL PAYROLL

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to pay the following employees on an Annual basis: Planning Board, Zoning Board of Appeals, Conservation Board, Board of Assessment Review, Registrar of Vital Statistics, Budget Officer and Town Historian.

RESOLUTION 09 - 15

COURT SECURITY OFFICERS

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Patrick Williams, George Julius, and Joseph Moll, Joseph Chilli and Lynn Campbell as Court Security Officers.

RESOLUTION 10 - 15

TOWN ENGINEER

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Motion to appoint CRA as Town Engineer's for 2015.

RESOLUTION 11 - 15

PLANNING BOARD MEMBER

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Motion to reappoint Dan Vivian for a seven year term on the Planning Board.

RESOLUTION 12 - 15

ZONING BOARD OF APPEALS MEMBER

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
Nays 0

Motion to reappoint James Meholik to a five year term on the Board of Appeals.

RESOLUTION 13 - 15

RECREATION COMMITTEE

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis

Nays 0

Motion to reappoint Charles Langlois to a seven year term on the Recreation Committee.

RESOLUTION 14 – 15

TOWN PROSECUTOR

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Motion to reappoint Edward Perlman as the Town’s Prosecutor for 2015.

RESOLUTION 15 - 15

RECORDS MANAGEMENT OFFICER, REGISTRAR OF VITAL STATISTICS AND INVESTIGATOR OF BINGO AND GAMES OF CHANCE

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Town Clerk Terry Pienta as Records Management Officer, Registrar of Vital Statistics and Investigator of Bingo and Games of Chance.

RESOLUTION 16 - 15

APPOINTMENT FOR PLANNING BOARD CHAIRMAN

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Joe McCaffrey as Chairman for the Planning Board and Joe Kania as Administrative Assistant.

RESOLUTION 17 - 15

ZONING BOARD OF APPEALS CHAIRMAN

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Wolfgang Buechler as Chairman for the Zoning Board of Appeals.

RESOLUTION 18 - 15

CONSERVATION BOARD CHAIRMAN

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Mike Zimmerman as Chairman for the Conservation Board.

RESOLUTION 19 - 15

AUTHORIZATION FOR CODE ENFORCEMENT OFFICER TO PROCEED WITH ISSUING VIOLATIONS FOR NOT MAINTAINING GRASS

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize the Code Enforcement Officer to proceed for the work to be done, with the expense to be assessed upon the affected properties, and the assessment constituting a lien and charged upon such properties providing that notice has been given, and no response or action was taken by the home to control brush, grass and/or weeds.

RESOLUTION 20 - 15

STORMWATER MANAGEMENT OFFICER (SMO)

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to appoint Water/Sewer Superintendent James Argo as the Town's Stormwater Manager (SMO) for 2015.

RESOLUTION 21 - 15

AUTHORIZATION FOR MILEAGE REIMBURSEMENT

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize mileage reimbursement per IRS amount to be paid by voucher on a monthly basis to the Supervisor, Highway Superintendent, members of the Town Board, Town Clerk, Assessor, Dog Control Officer, Tax Collector, Building Inspectors, Town Justices and Court Clerks and anyone authorized by the Board.

RESOLUTION 22 - 15

PROCUREMENT POLICY

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to renew the existing Procurement Policy.

RESOLUTION 23 - 15

AUTHORIZATION FOR SUPERVISOR

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize the Supervisor to invest surplus monies pursuant to Town Law, pay principal and interest on debts, pay utility and necessary bills prior to audit.

RESOLUTION 24 - 15

AUTHORIZE HIGHWAY SUPERINTENDENT

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize the Highway Superintendent to purchase stone, oil, culvert pipe, etc within the budget at County prices.

RESOLUTION 25 - 15

MEMBERSHIP TO THE NEW YORK STATE ASSOCIATION OF TOWNS

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize membership for the Town of Pendleton to the New York State Association of Towns.

RESOLUTION 26 - 15

MEMBERSHIP TO THE COUNTY SUPERVISORS ASSOCIATION

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize membership for the Town of Pendleton to the County Supervisors Association.

RESOLUTION 27 - 15

MEMBERSHIP FOR NYS ASSOCIATION FOR TAX COLLECTORS

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

Resolved to authorize membership for the Town of Pendleton to the New York State Association for Tax Collectors.

RESOLUTION 28 - 15

AUTHORIZATION TO SIGN AGREEMENTS

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

ADOPTED: Ayes 4 Riestter, Leible, Fischer, Jarvis
Nays 0

- Resolved to authorize the Supervisor to sign the following agreements: Wendelville Volunteer Fire Company for Fire Protection for \$290,811.00.
- Wendelville Fire Company for the purchase of fuel from the Town.
- PABA for the amount of \$1,500.00.

- Cities of North Tonawanda and Lockport for the use of their Public Libraries for \$15,000.00 for each library.
- NIACAP for \$1,500.00.

RESOLUTION 29 – 15

AUTHORIZATION TO SIGN AGREEMENT WITH THE NIAGARA COUNTY SPCA

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

ADOPTED: Ayes 4 Riester, Leible, Fischer, Jarvis
 Nays 0

Resolved to authorize and enter into the agreement with the Niagara County SPCA.

BOARD MEMBERS DISCUSSION

Motion by Councilman Fischer, seconded by Councilman Leible, to schedule a work session for Monday, January 26th at 7:00 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilwoman Jarvis to adjourn at 8:34 P.M. Motion Carried.

Terry J. Pienta, Town Clerk