

TOWN OF PENDLETON
Work Session
April 25, 2016

A work session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, N.Y. on the 25th day of April 2016. The meeting was scheduled for 7:00 P.M.

Supervisor Maerten opened the meeting at 7:04 P.M.

Supervisor Maerten, Councilman Leible, Councilman Fischer, Councilman Ostrowski, Councilwoman Jarvis, Clerk Pienta, Town Attorney Joerg were in attendance. Also present:

Don Bergman-Budget Officer
Water-Sewer Superintendent Jim Argo
ZBA Chairman Wolfgang Buechler
Assessor Kelli Coughlin

There were approximately 18 residents in attendance.

Rails to Trails Presentation

Seth Kauper from C & S Engineers gave a presentation for alternative route for the Town's Trail. The Town was awarded grant money towards the completion of the Town Trail from Meyer Rd. to Townline Rd. and because the route would have run through the Tonawanda Sportman's Club property the question of safety came into effect so alternate routes are being considered. He proposed three different routes; Lockport Road, Meyer Road, and Feigle Road. The Feigle Road and Robinson Road alternatives would join the state's Canal Trail. The cost of those two routes would require the Town to invest more money than what was originally being considered. The Meyer Road alternative would impact many property owners.

Lions Club Project

Ed McDonald a member of the Pendleton Lions Club asked the Board for their support to purchase a piece of playground equipment that was designed specifically for children with handicaps. The photo of the piece of equipment presented to the Board states that there were several developmental benefits including sensory benefits and motor skills such as balance, flexibility and coordination. He has spoken with Highway Superintendent Stowell regarding the placement and installation. He also arranged for a donation through Legislator Tony Nemi for \$2,500.00, the Lion's Club had discussed covering \$4,000.00 of the cost and can get a grant for \$2,000.00. He is asking for the Town to donate \$2,500.00 for the remainder of the cost.

RESOLUTION 73 - 16

DONATE \$2,500.00 FOR A HANDICAP ACCESSIBLE PLAYGROUND STATION

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

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

Resolved to contribute \$2,500.00 toward the purchase of a “flatbed slide” contingent upon the commitment of the Lion’s Club’s contribution as proposed by Ed McDonald.

USA Niagara Chamber

Supervisor Maerten reported that he was invited to the USA Niagara Chamber of Commerce to speak regarding the impact that the proposed installation of the compressors will have on the Town of Pendleton. National Fuel had previously asked for the Chambers endorsement and they wanted to hear Pendleton’s side of the story. He has not heard whether they will be endorsing the project or not. He mentioned that the Chamber did not endorse the wind project in Somerset.

Recycling Totes

The Board discussed the Town’s policy for providing recycling totes only to residential properties and not commercial properties since they pay Town taxes too. It was explained that commercial properties do not pay a refuse tax because they are required to provide their own dumpster. Commercial properties can purchase the recycling tote and Modern will pick up the recycled trash but the Town does not provide one at no charge.

Surveillance camera budget proposal

At the regular meeting surveillance cameras were proposed at a cost of approximately \$5,000.00. This included eight cameras at the public works and four cameras at the Town Hall. The system can be expanded in the future.

RESOLUTION 74 - 16

APPROVE THE PURCHASE OF SURVEILLANCE CAMERAS FOR THE TOWN HALL AND PUBLIC WORKS BUILDING

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

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

Resolved to authorize the purchase of surveillance cameras for the Town Hall (4) and the Public Works Building (8) through Your Image Graphics.

Recreation committee report

Councilman Ostrowski reported that the Recreation Committee is concerned about the budget and money for the maintenance of the various equipment in the Town Parks. It was suggested that the committee begin to make a detailed list with repairs, purchases with estimated cost for the Board to review during the budget talks for the 2017 budget.

- Broom for skid steer (non-power)
- 4 Various pick-up truck tailgates (1 Ford, 3 Chevrolet)
- Hood for pick-up in old garage (Chevrolet)
- Yazoo hand lawn mower
- 2 Chain saws
- 2 Weed whackers
- 4' Undercarriage tool box (in trailer) for a dump truck
- Chip box (hangs on dump truck body)

Supervisor Maerten reported that he attended the Transit North meeting along with Councilman Ostrowski, David Kantor from the Planning Board and Tom Homey from the Business Development Committee. He will continue to update everyone as the meetings continue. He also reported that he has put together a package of letters to forward to the County who will then forward to the DOT supporting the request to lower the speed limit on Fisk and Feigle Roads to 45 MPH. The package includes a letter from the Town Board, the Supervisor and many of the residents that live on those roads. A resident asked about the speed limit on Mapleton Road by Starpoint School. The Town has requested the speed limit to be lowered there several times but could possibly be addressed again in the near future. Bernie Rotella, the Town's grant writer reported that he is currently in the process of transferring three traffic beacons from the Town of Porter. The beacons are solar powered and can be programmed to flash at 35 MPH. The Town of Porter had received a grant for the purchase but no longer have a need for them. He is waiting to hear from the DOT for the proper procedure to have them transferred to the Town.

Supervisor Maerten asked the Board to consider a resolution that would declare the Town of Pendleton is a "Right to Farm" Community and supports Niagara County's Right to Farm Law passed in 2007.

Gary Catalano explained to the Board that several years ago he led the construction of the installation of sewers on Monroe Street. The cost for the residents that tied in at that time was \$8,000.00. He was told that any future tie-ins to the system would have to pay a fee of \$3,500.00 and not just the tap in fee of \$500.00. He was also told it would be in the minutes of the meeting to protect the current residents from future tie-ins at a much lower cost than the original cost. Supervisor Maerten told him that the Board will need to discuss the issue with Engineer Britton.

Attorney Joerg presented the Board with a resolution for the turnaround easement for the Meadows subdivision.

RESOLUTION 78 – 16

RELEASE OF TEMPORARY TURNAROUND EASEMENT FOR THE MEADOWS SUBDIVISION PHASE II

Motion by Councilman Leible, seconded by Councilman Fischer the following resolution was
ADOPTED Ayes 5 Maerten, Leible, Fischer, Jarvis, Ostrowski
 Nays 0

Whereas it is the purpose and intent of the Town of Pendleton in Niagara County to release any and all temporary turn-around easement rights as shown on the Map Cover for the Meadows at Pendleton, Phase 2 Part 1A, filed in Niagara County Clerk's Office on March 6, 2013 as Instrument

Number 2013-00009, which temporary turnaround easements affect lands east of that subdivision, including a portion of subdivision lot 5 as shown on map filed as Instrument Number 2015-00012 in the Niagara County Clerk's Office, as detailed in Exhibit A & Exhibit B which are on file in the Town Clerk's Office and made part hereof;

Now therefore, the Town of Pendleton does hereby remise and release the herein above described premises from all easement rights and interest acquired by the Town pursuant to the aforementioned Map Covers.

Supervisor Maerten reported that he attended a meeting with the Tonawanda Sportsman's Club with members of the community on Saturday at 10:00 A.M. He also reported that it is his understanding that the Border Patrol is not shooting in the evenings.

Motion by Councilman Leible, seconded by Councilman Fischer to adjourn to Executive Session for Personnel Negotiations and Litigation with Attorney Joerg at 8:40 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer at 9:44 P.M. to adjourn from the Executive Session and the Work Session. Motion carried.

Terry J. Pienta, Town Clerk