

**TOWN OF PENDLETON**  
**Work Session**  
August 31, 2015

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 31<sup>st</sup> day of August 2015. The meeting was scheduled for 7:00 P.M. Supervisor Riester, Councilman Leible, Councilman Morrison, Councilman Fischer, Councilwoman Jarvis, Attorney Claude Joerg, Clerk Pienta, Jeff Stowell; Highway Superintendent and approximately 75 residents were in attendance.

Supervisor Riester called the meeting to order at 7:04 P.M.

Supervisor Riester spoke to everyone about the alternative site that National Fuel's chosen for the Compressor Station. He reported that he met with National Fuel along with Councilman Leible that morning. National Fuel requested the meeting to inform the Town before the press release announcement that they have acquired an option to buy 20 acres on Killian Road that is owned by the Tonawanda Sportsman Club. Supervisor Riester explained that the Town has hired an Environmental Attorney, Gary Abraham, to assist the Town through the legal process. The Town Board's main concern is the health and wellbeing of the residents. The Board agrees with the vast majority of the residents that the compressors do not belong in Pendleton. He also explained that the Board will be meeting with the new Attorney in Executive Session but wanted everyone to understand that discussions and decisions would not be discussed publicly but the Town will do everything they can to keep the compressors out of Pendleton. He took some questions and concerns from several residents and Attorney Gary Abraham spoke briefly to everyone. He explained that he is also currently representing Niagara County in their fight against the new CWM Chemical Services and spoke briefly about some of the avenues he will pursue.

Motion by Councilman Leible, seconded by Councilman Morrison, to adjourn to Executive Session for contractual reason at 7:28 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilwoman Jarvis, to adjourn from Executive Session and continue the scheduled Work Session at 8:44 P.M. Motion carried.

RESOLUTION 122 -15

**AUTHORIZATION TO HIRE AN ACOUSTICAL SPECIALIST TO ASSIST ATTORNEY**

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

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

Resolved to hire Michael Bahtiarian, an Acoustical Specialist to assist Attorney Gary Abraham.

Bob Wurtenburger, President of the Bear Ridge Cemetery Association asked for help from the Town. He explained that the main cost for maintaining the Cemetery is the for the grass cutting and the insurance they are required to have. The current cost for 10 grass cutting is \$2,000.00. He explained that there are not enough sales of burial plots as many people are electing for cremation. He said that they have enough money for this year's maintenance but would like help

in the future. . Supervisor Riester said the Board will take their request into consideration during the 2016 Budget.

Superintendent Stowell discussed with the Board a problem he was having a problem with a few residents blowing the grass clippings from their lawn mowers onto the streets. The problem that is created are that the clippings get washed into drains and/or ditches and cause clogs in the system. This causes backups of the water. Another issue is when the grass clippings get wet they can cause slippery conditions. There is the possibility that codes regarding littering may cover this situation and will need to be reviewed.

Councilman Morrison presented the proposals from various companies for a new phone system for the Town Hall and Public Works building. Everyone will have their own phone number but will still have the ability to transfer calls to another office.

The following totals were presented:

Ronco Communications	\$6,191.75
Premcom	> \$28,000.00
<b>Hovernetworks</b>	<b>\$3,855.00</b>

RESOLUTION 123 -15

**ACCEPT THE PROPOSAL FROM HOVERNETWORKS TO REPLACE THE TOWN'S PHONE SYSTEM**

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

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

Resolved to accept the proposal from Hovernetworks for new phones for the Town Hall and the Public Works Department.

Councilman Morrison presented proposals for carpeting for the Building Department. As follows:

DeSantis Carpet	\$1,390.00
<b>Carpet Collection</b>	<b>\$1052.00</b>
Town & Country Flooring	Did not show for appointment
Big Bob' Carpet	Did not want to bid

RESOLUTION 124 -15

**ACCEPT PROPOSAL FROM CARPET COLLECTION FOR CARPET IN THE BUILDING DEPARTMENT**

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

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

Resolved to accept the proposal from Carpet Collection for the installation of carpet for the Building Department.

Highway Superintendent Stowell reviewed with the Board information he has received about the Fisk and Fiegle Road projects. It is his understanding the Feigle Road project will be postponed until 2016 due to some wetland issues in the area. He also understands that the Fisk Road project

may be on the agenda in 2016. If it were to be selected as a project, the actual project would not begin until several years after the selection. He also reviewed with the Board the various roads that need extensive work done, the costs of the various projects and the lack of employees available. He presented a list of the days, number of employees and the cost for four of the roads which included one subdivision. He firmly believes that the main roads that get a higher volume of traffic and at a greater speed should take priority over most of the subdivisions that are not as well traveled and the speed is kept at 30 MPH or less. He also listed various other projects that have to be done such as brush hog the side road ditches and the off road ditches, also several culverts need to be replaced. He said that he has not had a full working crew this summer and all but one of the summer help has left. He also asked the Board to look into the possibility of holding homeowners responsible for any jamming of the bubblers located at each home. Recently his crew cleaned out one of these bubblers and it was jammed with leaves and plastic hangers from Christmas lights.

The Board had previously discussed allowing the Superintendent to hire an additional full time employee. The job will be offered internally before publishing in any of the newspapers but the employee must agree to obtain a CDL.

RESOLUTION 125 -15

**AUTHORIZE HIGHWAY SUPERINTENDENT TO HIRE A FULL TIME POSITION**

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

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

Resolved to authorize the Superintendent to hire a full time employee with the understanding that they will be required to obtain a CDL within six months.

RESOLUTION 126 -15

**AUTHORIZE THE SUPERVISOR TO SIGN LETTER TO TAP IN TO NIAGARA COUNTY SEWER DISTRICT**

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

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

Resolved to authorize the Supervisor to sign a letter requesting to tap into the Niagara County Sewers for the Hotel being built on Transit Road.

A resident asked the Board about an invoice that was dated before the §284 Agreement was signed. Supervisor Riester told him that invoices were not paid until the agreement was signed.

Motion by Councilman Leible, seconded by Councilman Fischer to at 10:28 P.M. Motion carried.

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Terry J. Pienta, Town Clerk