

**TOWN OF PENDLETON**  
January 8, 2018

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 8th day of January 2018 at 7:00 P.M. A Public Hearing was scheduled for 6:50 P.M.

**PUBLIC HEARING**

Supervisor Maerten opened the Public Hearing at 6:52 P.M.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on January 3, 2018 and was posted on the Town's website. The purpose of the Public Hearing was to give the town residents the opportunity to voice their concerns/suggestions to the proposed amendment to the Town Code §247-53 Signage. Supervisor Maerten stated that the original Public Hearing was held in December where a variety of proposals were passed with the exception of this one which was deferred for one month.

Supervisor Maerten asked Building Inspector Tim Masters for updates since the last meeting. Building Inspector Masters stated that there were a few items that were changed. Most notably was the allowance for businesses. He clarified some language that allows businesses to put up vendor signs without a permit. He also made some minor corrections to the language to clean it up.

There were no questions or comments.

Motion made by Councilman Leible, seconded by Councilman Fischer, to close the Public Hearing at 6:55 P.M. Motion carried.

**REGULAR MEETING**

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

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

ROLL CALL:	Supervisor Maerten	Present
	Councilman Leible	Present
	Councilman Fischer	Present
	Councilman Ostrowski	Present
	Councilman Graham	Present

Also present were:

Deborah Maurer	Town Clerk
Claude Joerg	Town Attorney
Dave Britton	Town Engineer
Kelli Coughlin	Assessor
Timothy Masters	Building Inspector
Jim Argo	Water/Sewer Superintendent
Don Bergman	Budget Director
Wolfgang Buechler	Board of Appeals
Craig Walter	Deputy Highway Superintendent
David Naus	Planning Board

There were approximately 20 residents in attendance, 11 of which were Starpoint students.

**ADDITIONS OR DELETIONS TO THE AGENDA**

Supervisor Maerten wanted to schedule a Public Hearing for an increase to the water rates and to amend item #3 of the agenda from "Court Funding Request – Commitment of Funds" to "Commitment of Funds for Greenway Grant".

Motion by Councilman Leible, seconded by Councilman Ostrowski, to adjourn to Executive Session to discuss personnel and litigation with the Town Attorney at 7:05 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Ostrowski, to adjourn from Executive Session at 7:30 P.M. and resume the Regular Meeting. Motion carried.

## COMMUNICATIONS

Town Clerk Maurer read a letter that was received from Susan Dray, Secretary of the Pendleton Food Pantry. The letter thanked the employees and residents of Pendleton for the generous donation of 75 lbs. of various food items that were collected during the Town Hall Door Decorating Contest. Appreciation was given to all involved. It was noted that the support given makes it possible for the Pendleton Food Pantry to supplement their resources and show what a giving community we live in.

Town Clerk Maurer also notified the Board that she has received information regarding registration for the 2018 New York State Association of Towns annual meeting to be held in February in New York City. She advised the Board to contact her directly for more information.

## PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

Resident Ed Harmon asked if we were appointing a Recreation Director that is also a Town Board member. Supervisor Maerten and Councilman Leible explained that the agenda item he was referring to next to Councilman Leible's name was a last minute addition to the agenda to discuss the appointment of a director. The director will not be Councilman Leible.

## ROUTINE BUSINESS

Supervisor Maerten reported that the approval of the minutes from the Regular Meeting held on December 11, 2017 will have to be postponed as they have not been completed yet due to the transition in the Town Clerk's office.

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

General Fund	\$ 74,099.53
Highway Fund	\$ 42,655.38
Water	\$ 6,272.49
Sewer	\$ 10,908.73
Refuse	\$ 34,479.81
Trust & Agency	\$ 0
Fire Protection Dist	\$ 30,101.00

## OTHER REPORTS

**Supervisor Maerten** reported that the sales tax collected for the month of November 2017 was \$121,529.31. This is an increase of \$2,049.18 when compared with November 2016. The year-to-date received is \$1,056,385.69 which is a decrease of \$30,465.72 from 2016.

Supervisor Maerten commended the Highway Department for the long hours they have worked recently to keep our roads clean. It has been noted that it has taken its toll on them. There was a breakdown of one of our trucks and we had to borrow one from the Town of Newfane. Supervisor Maerten also reported that the Town Board is continuing to look into the parking on Washington Street that was previously discussed. They are trying to find a resolution to this problem.

He also mentioned that they are working on the Greenway Grant that was discussed in December regarding seeking funding to purchase the fire hall's grove on Campbell Boulevard. We have received a signed letter of intent from the fire company. A request has

been submitted to Senator Robert Ortt for funding to address our court safety and security concerns.

### COMMITTEE APPOINTMENTS 2018

Building Inspections & Code Enforcement	Fischer, Graham
Building & Capital Improvements	Graham, Leible
Business Development	Maerten, Ostrowski
Fire Company Service Award	Fischer, Ostrowski
Fire Board	Leible, Maerten
Insurance	Maerten
Public Relations	Graham, Leible
Water & Sewer	Graham, Leible
Highway & Drainage	Fischer, Graham
Recreation	Graham, Ostrowski
Security	Leible, Ostrowski
Conservation, Parks, & Trails*	Fischer, Ostrowski
Ethics	Maerten
Greenway Grant Negotiations	Fischer, Ostrowski
Celebrations	Leible

\*Supervisor Maerten explained that there will be a change in roles for this committee as we are reestablishing the Conservation Board. He anticipates that the Conservation Board will tie in with our efforts for the parks and trails in town so they are looking for some collaboration with the new board.

### SUPERVISOR APPOINTMENTS

Deputy Town Supervisor	Mark Walter
Town Historian	Stephanie Chase
Budget Officer	Donald Bergman

### ASSIGNMENT OF ANNUAL AUDITS

Chief Fiscal Officer	Leible
Town Clerk/Tax Collector	Ostrowski
Town Justice – Judge Mack	Graham
Town Justice – Judge Maziarz	Leible
Water/Sewer Clerk	Fischer

### ESTABLISHMENT OF AD HOC COMMITTEES

**Supervisor Maerten** reported the creation of three new ad hoc committees.

- The Code of Ethics Review committee will consist of one Town Board member and two residents who are not Town Board members. He will be looking to appoint Richard Misztal and himself to the committee. He does not yet have final confirmation on the second resident/non-board member to appoint at this time. This ad hoc committee will review and compare our current Code of Ethics with the model code from the NYS Comptroller's Office.
- The Procurement Policy Review committee that will review and recommend changes to our current policy. This committee will consist of Jeff Stowell, James Argo, Donald Bergman, and Joel Maerten.
- Committee for the Employee Manual & Personnel Policies (non-union employees). Appointed to this committee are Deborah Maurer, David Leible, Timothy Masters, James Argo and Joel Maerten.

### OTHER REPORTS

**Councilman Leible** wished everyone a Happy New Year. He reminded everyone that the family swim started last week but was cancelled due to the weather. The family swim will continue to be held on Fridays, from 7:00 – 9:00 p.m., until February 23<sup>rd</sup>. As mentioned earlier by Supervisor Maerten, the appointment of the Recreation Director will be discussed later in this meeting. He also stated that we are working on a contract with the Central Niagara Baseball and Softball Association (CNBSA) and hope to have it resolved by the next work session. He also thanked Charles Langlois for filling in for the rest of the year for the Recreation Director.

**Councilman Fischer** welcomed Town Clerk Maurer and Councilman Graham. He is looking forward to working with them in the coming year. He also thanked the Highway Department for the great job they have done with the plowing this winter. He reported that in December the Highway Department plowed and salted as necessary, repaired equipment, and repaired signs as necessary. Shared services for December included borrowing tandem dump truck, plow and salter from the Town of Newfane while the Town's truck is being repaired. Superintendent Stowell's report also stated that the Highway Department hauled snow from subdivision's cul-de-sacs as time permitted. He would like to address the issue of allowing cul-de-sacs in subdivisions as it puts unnecessary burden on the Highway Department and staff.

**Councilman Ostrowski** wished everyone a Happy New Year and congratulated Town Clerk Maurer and Councilman Graham. He acknowledged that although he has been here two years he is still learning new things. He is excited about his new committee appointments and informed everyone that they could reach out to him with any questions. He will also make personal connections to the committees and others in the community who are involved. He thanked Councilman Leible for his past work with the Recreation Committee. Councilman Ostrowski also mentioned that he will be going to Wendelville Fire Company to do the Length of Service Awards Program (LOSAP) audit.

**Councilman Graham** thanked everyone for welcoming him. He doesn't have any new updates since he is newly elected. He is excited to work with the Supervisor and the Board.

**Attorney Claude Joerg** thanked the Board for their confidence in him and for giving him another 2-year term to represent the Town.

**Engineer Britton** thanked the Board for his reappointment. He gave a couple project updates starting with the Pendleton Water Tank project. They are preparing contract documents for this project. He is requesting the Board's authorization to advertise and solicit bids for this project. This will be coordinated with Clerk Maurer. The advertisement date and the bid open date need to be set. The second project is Fisk Road. He stated that they have a project progress meeting this coming Wednesday [January 10, 2018] with an alternate date of Thursday [January 11, 2018] in his office. The State Historic Preservation Office (SHPO) has determined that there is a potential for historical artifacts in the project corridor. They have asked for an investigation to be completed and he has submitted that request to the Department of Transportation (DOT) to see if this is really required. DOT responded on January 2<sup>nd</sup> that it is required. He is in the process of preparing three quotes so the Board should expect a change order regarding this. An archeologist will need to do a "shovel test" in that area to see if they find anything. A lengthy discussion took place regarding the guidelines that are followed to see if there are actual artifacts. Supervisor Maerten wanted to know if it would be possible to put something on our water tower to "set us apart". Engineer Britton said that they were looking at potentially putting an American Flag on it. He will solicit quotes for this project with and without the flag. It was also suggested to use vinyl graphics or wraps instead of paint.

#### RESOLUTION 01 -18

#### **AUTHORIZATION TO SOLICIT BIDS IN PENDLETON WATER TANK PROJECT**

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

ADOPTED: Ayes 5                      Maerten, Fischer, Graham, Leible, Ostrowski  
                    Nays 0

Resolved to authorize Engineer Britton to solicit bids and advertise the Pendleton Water Tank project to include a patriotic symbol on the water tower. He will solicit quotes for separate prices to include the symbol and not include the symbol.

## DEPARTMENT HEADS

**Building Inspector Tim Masters** reported that December was a busy time due to the holidays and other items that needed to be finished up around town. The Building Department has been able to catch up on paperwork and get Department processes in place for 2018. In December, the Building Department issued 13 Building Permits; two Contractor's Licenses and kept up on various code violations and issues around town. The main task for January will be to get all the data to the new software company, Business Automation Services (BAS), to implement new programs that the Building Department will be utilizing in 2018. He reported statistics for 2017 as follows: 363 Total Permits issued which is a 36.98% increase from 2016; 59 Single Family Homes increasing by 78.79% compared to 2016; 271 Contractor's Licenses showing a 9.72% increase from 2016; and 79 Violations issued. The Town is growing and the Building Department will grow with it. He is optimistic about the new software and tools that they will be using in the upcoming year. He and Building Inspector Striegel will be attending training for three days at the end of January.

**Water-Sewer Superintendent Jim Argo** reported that the Sewer Department had 11 regular time sewer calls, six overtime sewer calls, four pressure sewer brake repairs, two open water and sewer trench inspections, five recycle tote deliveries, and four sold home compliance inspections. They installed an underground electrical line at the Town Hall and cleaned ice and snow from sidewalks at Town Hall and pump stations. The Sewer Department also kept the ice rink cleared as needed. He stated that it is being used and is in good shape. The Sewer Department also built grinder pumps in the garage. The Water Department installed four new home meters, performed six final water readings, completed four fire flow tests for the new Hampton Inn on Transit Road because the owner complained that the water pressure on the fourth floor was very low. The flow test results were normal meaning that it is not a Town issue. Additionally, the annual hearing test was completed and emergency lighting was inspected and repaired where needed at both the Town Hall and the Public Works garage. They have one bulb left to take care of. They also checked the lights in the Board Room. Fifteen underground utility stakeout requests were completed. He noted that half of those requests took three to five days to complete because of the weather. The Water Department also dug up and replaced a water curb-box on Bear Ridge Road. Their Vulnerability Assessment and Emergency Response Plan has been updated and reviewed by the Health Department, however, the Cybersecurity Assessment has not yet been completed. He has to go over this with Supervisor Maerten.

**Assessor Kelli Coughlin** reported that there were 18 sales in December; six of them were "arm's length". They were about \$67,000 over assessed value. She received some news from the State to say they ran a market survey of the Town's commercial property and that they want to drop our Equalization Rate from 84% to 76%. She will set up a meeting with the State to fight this. She is also working on the values of the new properties that Building Inspector Masters reported on. The tax bills have recently gone out and people are noticing that the exemptions are not correct. She will be taking these corrections of errors to the County. Assessor Coughlin is hosting a meeting with the Niagara County Assessors Association Meeting on January 9, 2018. Supervisor Maerten brought up a suggestion that he received from a resident about the Town's website. He is asking that it be updated to include current information. She explained that there are issues with ProServe and our IP address. This is regarding the link on the Assessor's page on the Town's website for online assessments. It is a program called Online Assessment Roll System (OARS) that is operated by ProServe. She will work with the County for help on getting this information updated.

**Budget Officer Don Bergman** reported that he is working with the new employees trying to get everyone squared away and on the same page.

**NEW BUSINESS**

RESOLUTION 02 -18

**AMENDMENT TO TOWN CODE**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to approve the amendment to Town Code §247-53 Signage.

RESOLUTION 03 -18

**MEADOWS OF PENDLETON NORTH MAJOR SUBDIVISION PARKLANDS DETERMINATION**

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

ADOPTED: Ayes 4 Maerten, Fischer, Graham, Leible  
Nays Ostrowski

Resolved to approve the requirement of the \$1,000 per lot fee in lieu of Parklands payable by the Developer.

RESOLUTION 04 -18

**COMMITMENT OF FUNDS FOR GREENSPACE GRANT**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to commit up to 20% of the negotiated purchase price of Wendelville Grove as part of the Greenspace Grant application package.

RESOLUTION 05-18

**BUDGET LINE TRANSFERS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to approve the Budget Officer's budget line transfers for General Fund, Highway Fund, and Water Fund for the end of the year, 2017:

**General Fund**

A1110.0120	Town Constable, Personal Services	\$	1400.00
A1110.04	Justices, Contractual Expense	\$	-1400.00
	To adjust Personal Service Constable's wages, Security Officers were paid by invoice		
A1355.110	Assessor Assist	\$	600.00
A1355.04	Contractual Expense	\$	-600.00
	To transfer for overage		
A1620.01	Town Hall, Personal Services	\$	10,400.00
A1410.012	Town Clerk, Personal Services	\$	-9000.00
A1620.04	Town Hall Contractual	\$	-1400.00
	To transfer for overage		
A1620.011	Cleaner, Town Hall, Personal Services	\$	200.00
A1620.012	Workers @ Town Hall, Personal Services	\$	-200.00
	To transfer for overages		
A1460.01	Records Management, Personal Services	\$	250.00
A1460.04	Records Management, Contractual	\$	750.00
A2115.04	Engineering Fees Planning Board	\$	11550.00
A3620.01	Building Inspector, Personal Services	\$	1250.00
A9010.08	State Retirement	\$	4400.00
A9055.08	Disability Insurance	\$	250.00
A9060.08	Medical Insurance	\$	1550.00
A1990.04	Contingent Account	\$	-20000.00
	To transfer amounts for overages		
A1710.041	Professional Fees	\$	2850.00
A1410.04	Town Clerk, Contractual	\$	-2850.00

	To transfer amounts for overages		
A5010.01	Highway Superintendent Personal Services	\$	600.00
A5010.04	Highway Superintendent, Contractual	\$	-600.00
	To transfer amount for overages		
A3620.04	Building Inspector, Contractual	\$	620.00
A3620.02	Building Inspector, Fixed Assets	\$	-620.00
	To transfer amounts for overages		
A7110.02	Parks, Fixed Assets	\$	13800.00
A7110.04	Parks, Contractual	\$	12500.00
A7410.01	Playground, Personal Services	\$	9400.00
A7140.04	Playground, Contractual	\$	9100.00
A7140.02	Playground, Fixed Assets	\$	-30500.00
A7180.01	Bike Path, Personal Services	\$	-2700.00
A7180.04	Bike Path, Contractual	\$	-5000.00
A7110.01	Parks, Personal Services	\$	-2090.00
A8540.01	Drainage, Personal Services	\$	4510.00
	To transfer accounts for overages		
A1010.01	Councilman, Contractual	\$	-1000.00
A1320.04	Accounting	\$	-1500.00
A1410.05	Codifying	\$	-1500.00
A1450.04	Elections	\$	-300.00
A1620.04	Town Hall, Contractual	\$	-5000.00
A1660.04	Central Storage, Contractual	\$	-1000.00
A1670.04	Print and Mail	\$	-2000.00
A1910.04	Unallocated Insurance	\$	-4000.00
A3310.04	Traffic Control	\$	-3310.00
A7320.041	Tennis Expense	\$	-2500.00
A7550.04	Celebrations	\$	34110.00
	To transfer amounts for overages		
A1420.04.0113	Compressor Expenses	\$	34890.00
A1420.041	Attorney, Contractual	\$	-1000.00
A1420.043	Professional Fee	\$	-5000.00
A1640.02	Central Garage	\$	-13000.00
A3310.04	Traffic Control	\$	-7890.00
A5182.04	Street Lighting	\$	-5000.00
A7620.04	Adult Recreation	\$	-2000.00
A8020.04	Planning Board, Contractual	\$	-1000.00
<b>Highway</b>			
DA5110.0100.0112	Pendale, Personal Services	\$	20000.00
DA5110.0400.0112	Pendale, Contractual	\$	205000.00
	To record budget change for amount transferred from Reserve Account		
DA5130.02	Machinery	\$	71791.00
	To record budget change for amount transferred from Reserve Account		
DA5110.04	Professional Fees	\$	1300.00
DA5130.01	Machinery, Personal Services	\$	400.00
DA5130.02	Machinery, Fixed Asset	\$	630.00
DA5140.01	Brush and Weeds, Personal Services	\$	200.00
DA5142.04	Snow Removal, Contractual	\$	1400.00
DA5148.01	Town Parks, Personal Services	\$	8400.00
DA9030.08	Social Security	\$	4800.00
DA9040.08	Workers' Compensation	\$	100.00
DA9055.08	Disability Insurance	\$	200.00
DA1990.04	Contingent Account	\$	-17430.00
	To transfer accounts for overages		
<b>Water</b>			
SW8310.01	Administrative, Personal Services	\$	750.00
SW8340.01	Operations, Personal Services	\$	-750.00
	To transfer amounts for overages		
SW8340.0430	Meters	\$	2500.00

SW1990.04	Contingent Account	\$	-2500.00
	To transfer amount for overages		
SW9060.08	Hospital and Medical	\$	10700.00
SW1990.04	Contingent Account	\$	-2500.00
SW8340.01	Personal Services	\$	-8200.00
	To transfer amounts for overages		
SW8340.02	Fixed Asset Tank Repair	\$	240524.08
	To record amount transferred from Reserve Account		

Supervisor Maerten made a motion to set a Public Hearing to discuss potential changes to water rates and levy fees on February 12, 2018 at 6:50 P.M. Motion carried.

### **ORGANIZATION – FISCAL - AUTHORIZATIONS**

#### RESOLUTION 06-18

##### **OFFICIAL DEPOSITORY**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved that Evans Bank, headquartered in Hamburg, New York is designated an authorized depository for 2018.

#### RESOLUTION 07-18

##### **OFFICIAL NEWSPAPER**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

#### RESOLUTION 08-18

##### **PETTY CASH FUNDS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
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 09-18

##### **REGULAR MEETING DATES**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

#### RESOLUTION 10-18

##### **PAYROLL**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
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 Administrative Assistant; **Quarterly**: Town Justices, Councilmen, Dog Control Officer, and Recreation Director, and **Annually**; Planning Board, Zoning Board of Appeals, Board of Assessment Review, Conservation Board, Registrar of Vital Statistics, Budget Officer and Town Historian.



RESOLUTION 11-18

**CONSTABLES**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Patrick Williams, George Julius, Kenneth Jonmaire, Lynn Campbell, and Kevin Locicero as Constables.

RESOLUTION 12-18

**TOWN ENGINEER**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint GHD Consulting Services as Town Engineer.

RESOLUTION 13-18

**PLANNING BOARD MEMBER**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint David Naus to a seven year term to the Planning Board.

RESOLUTION 14-18

**ZONING BOARD OF APPEALS MEMBER**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint Dennis Welka to a five year term on the Board of Appeals.

RESOLUTION 15-18

**CONSERVATION BOARD**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Sara Siracuse, Andrew Harrison, Amanda Irons-Rindfleisch, Victor Lemieux, David Hargreaves, Paula Hargreaves, and Annmarie Reeb to one year terms, each to be paid, by meeting of attendance, \$50.00 per meeting.

RESOLUTION 16-18

**RECREATION COMMITTEE**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Beatrice Mattina as Recreation Director and Summer Camp Director for 2018. Also appointed her to a three year term and reappoint Craig Burns to a seven year term on the Recreation Committee.

RESOLUTION 17-18

**APPOINTMENT BOARD/COMMITTEE CHAIRMEN**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Joe McCaffrey as Chairman of the Planning Board, John Lavrich as Administrative Assistant of the Planning Board, Wolfgang Buechler as Chairman of the Zoning Board of Appeals, and Sara Siracuse as Chairwoman of the Conservation Board.

RESOLUTION 18-18

**TOWN ATTORNEY**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint Claude Joerg as the Town Attorney.

RESOLUTION 19-18

**TOWN PROSECUTOR**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint Edward Perlman as the Town Prosecutor for a one year term.

RESOLUTION 20-18

**RECORDS MANAGEMENT OFFICER AND INVESTIGATOR OF BINGO AND GAMES OF CHANCE**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Town Clerk Deborah Maurer as Records Management Officer and Investigator of Bingo and Games of Chance.

RESOLUTION 21-18

**DEPUTY HIGHWAY SUPERINTENDENT**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint Craig Walter as Deputy Highway Superintendent.

RESOLUTION 22-18

**STORMWATER MANAGEMENT OFFICER (SMO)**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to reappoint Water/Sewer Superintendent James Argo as the Town's Stormwater Management Officer.

RESOLUTION 23-18

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

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
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 24-18

**AUTHORIZATION FOR MILEAGE REIMBURSEMENT**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
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, Deputies, Assessor, Dog Control Officer, Tax Collector, Building Inspectors and Code Enforcement Officer, Town Justices and Court Clerks.

RESOLUTION 25-18

**PROCUREMENT POLICY**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to renew the current Procurement Policy.

RESOLUTION 26-18

**CODE OF ETHICS COMMITTEE APPOINTMENT**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to appoint Richard Misztal to the Town Ethics Committee.

RESOLUTION 27-18

**CODE OF ETHICS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to renew the current Code of Ethics.

RESOLUTION 28-18

**AUTHORIZATION FOR SUPERVISOR**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
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 29-18

**AUTHORIZE HIGHWAY SUPERINTENDENT**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

RESOLUTION 30-18

**MEMBERSHIP TO THE NEW YORK STATE ASSOCIATION OF TOWNS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

RESOLUTION 31-18

**MEMBERSHIP TO THE COUNTY SUPERVISORS ASSOCIATION**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

RESOLUTION 32-18

**MEMBERSHIP FOR NYS ASSOCIATION FOR TAX COLLECTORS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

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

**RESOLUTION 33-18**

**MEMBERSHIP FOR THE TOWN HISTORIAN ASSOCIATION**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to authorize membership for the Town of Pendleton to the Town Historian Association.

**RESOLUTION 34-18**

**MEMBERSHIP FOR THE NYS TOWN CLERKS ASSOCIATION**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to authorize the membership for the Town of Pendleton to the NYS Town Clerks Association.

**RESOLUTION 35-18**

**AUTHORIZATION TO SIGN AGREEMENTS**

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

ADOPTED: Ayes 5 Maerten, Fischer, Graham, Leible, Ostrowski  
Nays 0

Resolved to authorize the Supervisor to sign the following agreements:

- Wendelville Volunteer Fire Company for Fire Protection for \$317,000.00
- Wendelville Fire Company for the purchase of fuel from the Town
- PABA for the amount of \$1,500.00
- North Tonawanda Public Library for \$15,000.00 for the use of their library
  - Contingent upon the North Tonawanda Public Library returning the requested statement of what the \$15,000.00 provides to our residents of the Town
- Lockport Public Library for \$15,000.00 for the use of their library
- NIACAP for \$1,500.00

**PUBLIC REMARKS/COMMENTS**

Annmarie Reeb thanked the Board for her appointment to the Conservation Board. She also wanted to know if the auditor required the letter from the library that Supervisor Maerten mentioned. Supervisor Maerten explained that a response to the auditor was necessary but that it wasn't clear that the auditor actually required the letter. Ms. Reeb also congratulated and thanked the Highway Department plow drivers for a great job.

Sara Siracuse also thanked the Board for her appointment to the Conservation Board.

Wolfgang Buechler asked if we have ever done a comparison to what the Town's residents pay per capita for the library services versus what the cities of North Tonawanda and Lockport residents pay. Supervisor Maerten has viewed usage statistics and feels that the Town is receiving a bargain for these services. Mr. Buechler also commented on how hard the Town Clerk's office had to work at the end of the year due to the transitioning of new employees and the new tax law. He congratulated the employees on their hard work during this time. He suggested that the statistics showing how many residents prepaid their taxes and how much money was saved could be included in the next newsletter.

Budget Director Don Bergman thanked Supervisor Maerten for the reappointment. He also congratulated and thanked everyone who worked so hard at the end of the year in regards to the pre-paying of taxes. Assessor Coughlin echoed these sentiments and mentioned that staff from all departments stepped up to help.

David Naus thanked the Board for his reappointment to the Planning Board.

Elmer Walter asked Supervisor Maerten if there was any update on the senior's situation. Supervisor Maerten explained to the audience that due to limited space in the Town Hall there is a need to move some offices around. It has been proposed that the senior groups

would be moved to Wendelville Fire Company. Staff from the Water/Sewer Department will assist the seniors with this move. The Wendelville Fire Company has voted and approved this move. Mr. Walter asked how soon this move would take place and Supervisor Maerten replied that it would be at "their speed". The Town will not rush them. Mr. Walter also wanted to know if the move would be permanent. Supervisor Maerten explained that it could be permanent or it could be temporary. It will depend on the court expansion. Mr. Walter asked for the senior groups to be kept in the loop.

#### **BOARD MEMBERS DISCUSSION**

Motion by Councilman Fischer, seconded by Councilman Ostrowski, to schedule a work session for January 22<sup>nd</sup> at 7:00 P.M. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn to Executive Session for personnel discussions at 8:45 P.M. Motion Carried.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn from Executive Session and the Regular Meeting at 9:05 P.M. Motion carried.

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Deborah K. Maurer, Town Clerk