

**TOWN OF PENDLETON**  
**Work Session**  
June 25, 2018

A work session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on June 25, 2018. The meeting was scheduled for 7:00 p.m.

Supervisor Maerten opened the meeting at 7:02 p.m.

Supervisor Maerten, Councilman Leible, Councilman Fischer, Councilman Ostrowski, and Councilman Graham were present.

Also present:

Deborah Maurer – Town Clerk  
Claude Joerg – Town Attorney  
Kelli Coughlin – Assessor  
Tim Masters – Building Inspector  
Jim Argo – Water/Sewer Superintendent  
Craig Walter – Deputy Highway Superintendent  
Don Bergman – Budget Officer

There were 2 residents in attendance.

Eagle Scout Painting Project

RESOLUTION 124-18

**EAGLE SCOUT PAINTING PROJECT – OLD HIGHWAY GARAGE**

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

ADOPTED: Ayes 4 Maerten, Graham, Leible, Ostrowski  
Nays 0  
Abstained 1 Fischer

Resolved to authorize the purchase of supplies needed, as outlined in the material list provided by Brayden Hurren, for the painting of the Old Highway Garage, up to but not exceeding a total of \$1,000.00.

Egress Window Assessment Discussion

Several residents from The Meadows subdivision were present at the Work Session to discuss property assessments of homes with egress windows. The residents were asking the Town Board to override the decision of the Assessor and the Board of Assessment Review (BAR). After a lengthy discussion, Supervisor Maerten explained that the Town Board has no authority to override a decision made by the Assessor or the BAR. He informed the residents that their next course of action would be to file a claim with Small Claims Court if they are not satisfied with the decision.

Signage Discussion

Building Inspector Masters informed the Board that information regarding the new signage code [§247-53, adopted January 8, 2018] will be in the summer newsletter to inform the residents of the recent changes. The Building Department has been enforcing the code and contacting organizations to make sure they are aware of the change in code.

Building Department Assistant

Clerk Maurer asked the Board to consider hiring a part-time assistant for the Building Department. She stated that the Building Department is very busy, especially this time of the year, and that many residents come in on a walk-in basis to find that the office is unattended. The Building Inspectors are often out conducting inspections, etc. A lengthy discussion ensued. A decision on this matter was tabled until further notice.

RESOLUTION 125-18

**FARM & HOME DAYS BANDS**

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 payment of \$2,800.00 (\$1,500.00 for 90 West and \$1,300.00 for JJ Swing), for the Farm & Home Days bands.

Nine Mile Island

A discussion took place regarding the current agreement between the Town and Nine Mile Island Youth Camp Inc. Supervisor Maerten shared copies of this agreement with the Board members for their review.

Non-Residential Solar Project

Supervisor Maerten brought up the fact that currently there is no required assessment when adding solar to a property, including industrial properties. NYS requires that municipalities assess either all [residential and industrial] properties or no properties. The Board may need to decide if they want to change our current law in order to gain tax revenue from the newly proposed solar project [Cypress Creek Solar Project].

Soccer Field Fee

Councilman Graham explained to the Board that Empire Soccer wants to use the Wendelville field again this year. A discussion followed regarding charging a fee for non-resident participants. The fee has been charged in the past but has not yet been applied for this year. A lengthy discussion continued about how to determine what the appropriate fee should be. The decision was postponed until the next meeting in order to allow more time for Councilman Graham to contact neighboring municipalities to inquire about their policy.

RESOLUTION 126-18

**ROAD CLOSURE – HEBELER’S ANNUAL STUNT SHOW**

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

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

Resolved to allow for the closure of Main Road, July 17, 2018, from 6:00 pm to 9:00 pm, for Hebel Sales & Service’s annual Stunt Show.

Painting Judge Maziarz’s Office

This agenda item was removed. No discussion.

Supervisor Maerten explained to the Board that he has received numerous complaints about speeding in the Meadows Subdivision. There is currently no posted speed limit in the subdivision. He requested a motion to allow him to send a Request for Speed Limit Evaluation to the New York State Department of Transportation (NYS DOT).

RESOLUTION 127-18

**NYS DOT SPEED LIMIT EVALUATION REQUEST – MEADOWS SUBDIVISION**

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 Supervisor Maerten to submit a Request for Speed Limit Evaluation (Form TE10) to the NYS DOT for the Meadows Subdivision.

The discussion continued and it was further decided that the requests should be made for all of the Town’s subdivisions.

RESOLUTION 128-18

**NYS DOT SPEED LIMIT EVALUATION REQUEST - ALL TOWN SUBDIVISIONS**

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 Supervisor Maerten to submit a Request for Speed Limit Evaluation (Form TE10) to the NYS DOT for the following Town subdivisions:

- Arrowhead
- Bear Ridge Estates
- Creekview
- Hidden Oak
- Iroquois
- Kriston Lane
- Meadowbrook
- Old Orchards
- Pendale
- Ridgeview

RESOLUTION 129-18

**SURPLUS EQUIPMENT**

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

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

Resolved to declare a filing cabinet as surplus equipment if it is determined that there is no other use for it in any of the Town offices.

RESOLUTION 130-18

**PERMISSION TO BID SEWER GENERATOR**

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

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

Resolved to give permission to the Town Engineer to put out to bid the sewer generator to be purchased with a \$50,000 grant from New York State.

Electronic Recycling

Water/Sewer Superintendent Argo asked the Board to consider raising the price of the electronic recycling fee. The current vendor, Sunnking, has raised the prices for many items. It was suggested that he pursue quotes from other vendors. He will also contact Dawn Timm at Niagara County Refuse for additional information. It was decided that from this point only we will only accept recycled electronics from Town residents. Supervisor Argo will notify Sunnking and Clerk Maurer will update the Town's website. Further discussion on raising the fee will be tabled until more research is done.

Trail Update

Supervisor Maerten reported that he has spoken with Engineer Seth Kaeuper, from C & S Companies, and they will be starting the extension to the trail any day now. He has also spoken with the NYS Canal Corporation regarding the paving they are doing at the Feigle Road and Robinson Road bridges. He discussed some parking issues and some ongoing concerns specifically in the area of Uncle G's and Amherst Museum.

Department Updates

Attorney Joerg provided the Board with an update of the status of a potential contract with the Niagara County IT Department.

Work Session  
June 25, 2018

Budget Officer Bergman stated that the budget letters will be out to the individual departments in early August.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn at 8:45 p.m.  
Motion Carried.

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Deborah K. Maurer, Town Clerk