

TOWN OF PENDLETON
July 9, 2018

A regular meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 9th day of July, 2018 at 7:00 p.m.

REGULAR MEETING

Supervisor Maerten called the meeting to order at 7:09 p.m.

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

Roll Call:

Supervisor Maerten	Present
Councilman Fischer	Present
Councilman Graham	Present
Councilman Leible	Absent
Councilman Ostrowski	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
Dave Britton - Town Engineer
Don Bergman – Budget Officer
Mark Walter – Deputy Supervisor

There were 4 residents in attendance.

ADDITIONS OR DELETIONS TO THE AGENDA

The following item was deleted from the agenda:

- Seasonal Workers

The following items were added to the agenda:

- Dog Control Officer
- Road Closure Request
- Schedule Public Hearing
- Non-Resident Soccer Fees
- Retirements – Argo/Torrise
- Road Patrols

COMMUNICATIONS

Town Clerk Maurer reported that she has received letters from James Argo, Water/Sewer Superintendent and William Torrissi, Dog Control Officer, announcing their retirement. Superintendent Argo will be leaving on December 27, 2018 and Mr. Torrissi will be retiring as soon as the Dog Control Officer position is filled.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

There were no public remarks or comments.

ROUTINE BUSINESS

RESOLUTION 131-18

APPROVAL OF MINUTES

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

ADOPTED: Ayes 4 Maerten, Fischer, Graham, Ostrowski

Nays 0
Absent Leible

Resolved that the minutes of the Work Session on June 11, 2018 be approved as submitted by the Town Clerk.

Supervisor Maerten reported the total expenditures that were authorized and paid in the month of June:

General Fund	\$	139,980.28
Highway	\$	71,839.07
Water	\$	28,123.29
Sewer	\$	26,268.00
Refuse	\$	36,241.79

OTHER REPORTS

Supervisor Maerten also reported that the tax collected for May 2018 was \$123,254.16. This is an increase of \$3,822.17 when compared with May 2017. The year to date received is \$624,342.76 which is an increase of \$3,655.92 from 2017.

Supervisor Maerten suggested that the Town Board set up an ad hoc Safety Committee. He asked the other Board members to think about this. He has received numerous emails with concerns from Town residents. Supervisor Maerten also remarked about the nice job the Boy Scouts did painting the Old Highway Garage and thanked the volunteers and staff that helped to prepare for the Fourth of July celebration.

Councilman Fischer thanked Boy Scout Brayden Hurren for organizing and painting the Old Highway Garage. He also thanked the Highway Department for all of their time and hard work spent getting it ready to be painted as well as preparing the park for the Fourth of July celebration. He noted that several residents contacted him stating how great the fireworks were this year. Councilman Fischer read the Highway Report for the month of June reporting that they prepped the park for the July 4th celebration, prepped athletic fields, worked at the cemeteries, bike paths and began mowing roadside ditches. New grills were installed at the park and the second volleyball court was finished. They chipped brush, completed some repair work at the Old Highway Garage, painted lacrosse fields for PABA, street swept the subdivisions, continued work on park drainage, began patching potholes around town, checked and repaired road signs and equipment as needed. The Highway Department also shared services with Niagara County and the towns of Wheatfield, Newfane, Porter and Niagara during the month of June.

Councilman Ostrowski asked for a moment of silence to honor slain New York State Trooper Nicholas Clark who was shot and killed in the line of duty on July 2, 2018. After observing the moment of silence he reported that he had recently attended a meeting at the New York Power Authority regarding the LED Smart Street Lighting NY program. He said that this program is in the beginning stages but shows a potential for long-term savings. Councilman Ostrowski also provided an update on the Recreation Committee. The summer recreation program has started, counselors have been certified for CPR and 227 children were registered for the program. He also stated that he had attended the Farm & Home Days meeting. The planning process appears to be going well and he expects it to be a fun event this year.

Councilman Graham thanked the Boy Scouts for the job they did painting the Old Highway Garage. He also reported that he has received a very positive comment from a resident about the increase in the traffic patrols.

Attorney Joerg did not have anything to report.

Engineer Britton reported that the Pendleton Pump Station Portable Generator Project was put out to bid. The bid opening is scheduled for July 18, 2018.

DEPARTMENT HEADS

Building Inspector Masters reported that there were 34 building permits and ten contractor licenses issued in June. The Building Department also conducted 20 visual

inspections and issued nine violations. There are still 25 outstanding violations to date. He also stated that the Building Department has been very busy reviewing plans for new projects and working on a few commercial projects in the area as well. Perry Auctions will be starting construction on Lockport Road, the Tonawanda Sportsman's Club is altering some of their grounds and Bobcat of Buffalo is still planning on starting work this year if possible. The office has also been receiving various complaints for issues around town, which they have been monitoring, and are trying their best to resolve them as quickly as possible.

Water-Sewer Superintendent Argo read the Water-Sewer Department report for June. The Sewer Department completed 19 regular and five overtime sewer calls, repaired two pressure sewer breaks, completed two new home sewer taps and 52 underground utility stakeout requests. The Water Department performed eight final water readings, six sold home compliance inspections and two open sewer/water trench inspections. Three fire hydrants were repaired, two new home water meters were installed, and three new home water taps were completed. Superintendent Argo also stated that he had recently spoken to Dawn Timm from Niagara County Refuse regarding our current electronic waste contract. She had offered to assist us with a Request for Proposal (RFP) to ensure that the Town is being charged the lowest disposal price for electronic waste.

Assessor Coughlin reported that she has finished matching the tax roll address list with the census list. There are approximately 40 – 50 single family properties that are listed as multiple family properties on the census list that will require further investigation.

Budget Officer Bergman informed the Board that the budget letters will be coming out in a couple of weeks.

NEW BUSINESS

Painting of Old Highway Garage

A discussion about painting of the Old Highway garage was discussed earlier in the meeting.

Drainage – Meadowbrook

Residents of 7037 Meadowbrook Court attended the meeting to speak to the Board about a complaint they have regarding extensive water on their property. They believe that the water is a direct result of an alleged improper pool installation on their neighbor's property in 2016. They stated that they had previously spoken to Building Inspector Striegel and Councilman Fischer about this problem. A lengthy discussion took place and Building Inspector Masters reported that he is aware of this complaint. There are other factors to be considered including a question about the property line and the fact that there is a DEC wetland issue on the back of the property that could affect this. He would need to do additional research on this matter before he can comment further. Supervisor Maerten stated that he would speak with Building Inspector Striegel and the homeowner again to see if there can be a resolution to this problem.

RESOLUTION 132-18

PARK EQUIPMENT - MOWER

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

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

Resolved to authorize the purchase of a Cub Cadet RZT L42 Z-Turn mower, from Creekside Sales & Service, Inc., at the low bid purchase price of \$2,039.15.

RESOLUTION 133-18

WENDELVILLE FIRE COMPANY – NEW MEMBER

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

ADOPTED: Ayes 4 Maerten, Fischer, Graham, Ostrowski

Nays 0
Absent Leible

Resolved to accept Paul Harms as a new member of the Wendelville Fire Company.

RESOLUTION 134-18

SECURITY – FARM & HOME DAYS

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

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

Resolved to authorize the use of Town Constables for the Pendleton Farm and Home Days Celebration (August 17 and 18) not to exceed 32 hours.

RESOLUTION 135-18

DOG CONTROL OFFICER

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

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

Resolved to hire Wyatt Maerten as the Town's Dog Control Officer effective July 10, 2018.

RESOLUTION 136-18

ROAD CLOSURE – MACINTOSH LANE

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

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

Resolved to allow the road closure of Macintosh Lane, from 6:00 to 11:00 p.m. on July 28, 2018, for the neighborhood to hold a benefit for the family that lost their home due to a fire.

RESOLUTION 137-18

SCHEDULE PUBLIC HEARING – TRANSFER OF FUNDS

Motion was made by Supervisor Maerten, seconded by Councilman Fischer, the following resolution was

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

Resolved to schedule a public hearing on August 13, 2018 at 6:50 p.m., for the transfer of \$160,000.00 from Fund Balance Unreserve (A.0000.0909) to Transfer Green Fee (A.0000.5031) for the required Town match for Rails to Trails grant.

RESOLUTION 138-18

SOCCER FIELDS – NON-RESIDENT FEE

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

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

Resolved to authorize the Town to charge Empire Soccer a non-resident fee of \$500.00 total for August and September of 2018.

A motion was made by Supervisor Maerten to accept the retirement letters from Water/Sewer Superintendent Argo and Dog Control Officer Torissi. Motion carried.

RESOLUTION 139-18

ROAD PATROLS

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

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

Resolved to schedule up to five 4-hour shifts, at \$250.00 per shift, to be scheduled between July 9, 2018 and August 13, 2018, in coordination with the Niagara County Sheriff's Office (NCSO).

PUBLIC REMARKS/COMMENTS

A resident brought up an article that was published in The Buffalo News on June 25, 2018, regarding clearcutting of trees along the Erie Canal. He is asking that the Town reach out to the New York State Canal Corporation to see if there are any plans for this in Niagara County. He also asked the Board to find out what they plan to do with the trees that are infected with the Emerald Ash Borer.

Another resident inquired about the article she read in the Lockport Union Sun & Journal on June 3, 2018 regarding the Cypress Creek Renewables Bear Ridge Solar project. She wanted to know the exact location in Pendleton. Supervisor Maerten explained that the Town of Cambria had recently put out a press release regarding this subject. More information will be provided when it is received by the Town.

BOARD MEMBERS DISCUSSION

There will be no Work Session in July.

Motion by Councilman Graham, seconded by Councilman Fischer, to adjourn from the Regular Meeting at 8:16 p.m. Motion carried.

Deborah K. Maurer, Town Clerk