

TOWN OF PENDLETON
December 9, 2019

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 December 2019 at 7:00 p.m. A Public Hearing was scheduled beginning at 6:55 p.m.

PUBLIC HEARING

PUBLIC HEARING – PROPOSAL TO AMEND TOWN CODE CHAPTER 131: FEES (§ 131-1 TO § 131-7)

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on December 2, 2019 and on the Town's website.

Supervisor Maerten opened the Public Hearing at 6:55 p.m.

The purpose of the hearing is to receive public input for the proposed amendments to Town Code Chapter 131: Fees (§ 131-1 to § 131-7).

There were no questions or comments.

Motion made by Councilman Leible, seconded by Councilman Fischer, to close the Public Hearing at 6:56 p.m. Motion carried.

REGULAR MEETING

Supervisor Maerten called the meeting to order at 7:00 p.m.

Supervisor Maerten read the invocation and the salute to the flag. A moment of silence was also observed in recognition of Pearl Harbor Day.

Roll Call:

| | |
|----------------------|---------|
| Supervisor Maerten | Present |
| Councilman Fischer | Present |
| Councilman Graham | Present |
| Councilman Leible | Present |
| Councilman Ostrowski | Absent |

Also present:

| | |
|--|--|
| Deborah Maurer – Town Clerk | Noreen Lemma – Deputy Clerk |
| Claude Joerg – Town Attorney | Stephanie Chase – Deputy Clerk |
| Dave Britton – Town Engineer | Kim Frey – Deputy Clerk |
| Don Bergman – Budget Officer | Rita Dispenza – Water Billing Clerk |
| Kelli Coughlin – Town Assessor | Aaron Bair – Water Department |
| Ron Diedrich – Building Inspector | Wolfgang Buechler – ZBA Chairman |
| Mark Walter – Deputy Supervisor | Nick Graves – Planning Board Member |
| Craig Walter – Deputy Highway Superintendent | Sandy Masterson – Board of Assessment Review Chairperson |

There were 6 residents in attendance, 21 of which were Starpoint students.

ADDITIONS OR DELETIONS TO THE AGENDA

The following revisions were made to the agenda:

- Add: New Wendelville Fire Company Member
- Add: Executive Session

COMMUNICATIONS

Town Clerk Maurer read a letter from the 914th Air Refueling Wing thanking the Town Board for their support towards the Niagara Falls Air Reserve Station (NFARS).

She also stated that the Town will be holding its annual Tree Lighting Event on Saturday, December 14th from 4:00 p.m. to 6:00 p.m. She also read the details of the event.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

There were no other public remarks or comments on the agenda items.

ROUTINE BUSINESS

RESOLUTION 302-19

APPROVAL OF MINUTES

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

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

Resolved that the minutes of the Work Session on October 28, 2019 be approved as submitted by the Town Clerk.

RESOLUTION 303-19

AUTHORIZE PAYMENT OF ABSTRACT #23

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

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

Resolved to authorize payment of Voucher Abstract #23, Vouchers #11464 – #11517, to be paid on December 11, 2019

| | | |
|-----------------|----|-----------|
| General Fund | \$ | 15,681.94 |
| Highway | \$ | 98,896.62 |
| Fire Protection | \$ | 3,836.00 |
| Sewer | \$ | 24,370.53 |
| Water | \$ | 4,754.82 |
| Trust & Agency | \$ | 4,968.00 |

Total \$ 152,507.91

OTHER REPORTS

Supervisor Maerten reported that tax collected in in October 2019 was \$136,136.70. This is an increase of \$6,779.78 when compared with October 2018. The year to date received is \$1,415,171.19 which is an increase of \$46,258.30 from 2018.

Supervisor Maerten publically and officially thanked all who are involved in Pendleton town government, full and part-time employees, members of our boards and committees, other volunteers, elected officials, who work hard each day to keep our town moving forward. He also extended thanks to all of the community organizations and others who make our community a great place. He said that the town is blessed to have so many people willing to do things and step up and take on a challenge. Thank you to all who have put efforts into making our town such a great place.

Councilman Leible read the Highway Report. During the month of November, they chipped brush, put summer equipment away, replaced driveway pipe on Oakwood Drive, installed plow stakes and set all trucks up for plow season. They also installed a new cutting edge on two plows as well as plowed and salted roads as needed. He also reported that he spoke with Mark from the ATM company who is requesting that our attorney draws up a contract for him to sign.

Councilman Fischer read the Water/Sewer Report from November. The Sewer Department had 15 regular and eight overtime calls. They rebuilt E-One pumps, installed hardware in grinder units, checked duplex tanks and lift stations and met with representatives from Siewert to discuss problems with the E-One pumps. The Water Department spent four days looking for water leaks around town, repaired four fire hydrants, completed three compliance inspections and ten final reads. They also turned off water to seasonal users, installed a reader and completed a plumbing inspection at Bobcat of Buffalo, completed Stage II water samples and 81 stakeouts. Councilman Fischer also reported on the Boy Scout Food Drive that took place in November. He noted that the Scouts and the residents did an outstanding job donating food to our local food pantry.

Councilman Graham reported that Niagara County awarded a bid for renovations to Tonawanda Creek Road. He hopes that this project will begin in early 2020.

Town Attorney Joerg had nothing to report.

Engineer Britton had nothing to report.

Budget Officer Bergman stated that he is working on ending the Fisk Road and Rails to Trails project reimbursements. He also thanked everyone for helping him complete the 2020 budget.

DEPARTMENT HEADS

Town Clerk Maurer presented the Board with the Town Clerk's Monthly Report and the Water/Sewer Monthly Report for November.

Building Inspector/Code Enforcement Officer Diedrich reported that in November, the Building Department issued 22 building permits and three contractor's licenses. Also, a total of 58 building permits have been completed, 61 visual inspections were conducted and two violations were sent. There are currently 20 open complaints, two complaints have been closed and two residents are in court with pending cases.

Assessor Coughlin provided the monthly report from the Assessor's Office stating that the exemption renewal letters were sent out and are due by March 1, 2020. During the previous month she worked with numerous seniors to help them fill out their exemption renewal forms, she went on a final inspection of a new build and inspected completed building permits to put the inventory and value on the properties. Assessor Coughlin read a formal letter of resignation to the Board. She thanked the Board for the opportunities she has been given to train and become a State Certified Assessor and the opportunity to work with the town for the past 14 years.

NEW BUSINESS

RESOLUTION 304-19

WENDELVILLE FIRE COMPANY – NEW MEMBER

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

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

Resolved to accept Matthew B. Andrus as a new member of the Wendelville Fire Company.

A motion was made by Councilman Leible, seconded by Councilman Fischer to enter into an Executive Session to discuss a personnel issue with the Highway Department, inviting the Town Attorney and the Deputy Town Supervisor, at 8:19 p.m. Motion carried.

Motion made by Councilman Leible, seconded by Councilman Fischer, to adjourn from the Executive Session at 8:36 p.m. Motion carried.

RESOLUTION 305-19

ACCEPT ASSESSOR'S RESIGNATION

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

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

Resolved to accept the resignation of Town Assessor, Kelli Coughlin.

On behalf of the Town Board, Supervisor Maerten thanked Assessor Coughlin for her 14 years of service to the town and wished her luck in her future endeavors.

RESOLUTION 306-19

END SHARED SERVICE AGREEMENT WITH TOWN OF WHEATFIELD

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

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

Resolved to authorize the Town Supervisor to notify the Town of Wheatfield of the town's decision to end the shared services agreement.

RESOLUTION 307-19

SHARED ASSESSMENT SERVICES WITH NORTH TONAWANDA

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

ADOPTED: Ayes 4 Maerten, Fischer, Graham, Leible

Nays 0

Absent 1 Ostrowski

Resolved to authorize the Town Attorney to finalize negotiations with the City of North Tonawanda for shared assessment services.

PUBLIC REMARKS/COMMENTS

A resident asked who the back-up Assessor will be. Supervisor Maerten explained that, as stated in the previous motion, the town is negotiating with the City of North Tonawanda for assessment services.

Board of Assessment Review (BAR) Chairperson Masterson read a letter to the Board regarding the decision that was made by the Town Board in not reappointing previous BAR member, Mrs. Diane Hazelet. She cited Mrs. Hazelet's qualifications and accomplishments and noted her dissatisfaction with the Town Board's decision.

BOARD MEMBERS DISCUSSION

Supervisor Maerten announced that the following meetings have been scheduled:

- Work Session – December 16, 2019 at 7:00 p.m.
- Work Session – December 23, 2019 at 7:00 p.m.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn from the Regular Meeting at 8:45 p.m. Motion carried.

Deborah K. Maurer, Town Clerk