

TOWN OF PENDLETON
WORK SESSION
January 25, 2021

A Work Session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 25th day of January 2021 at 7:00 p.m. Pursuant to Governor Cuomo's Executive Order 202.1, temporarily modifying the Open Meetings Law due to the COVID-19 pandemic and in the interest of public safety, the meeting was not open to the public. The meeting was conducted as a live GoToMeeting and a conference call line was provided to the public allowing access to live audio. The agenda and related documents were posted online and public remarks and comments were accepted until 6:30 p.m. on the night of the meeting.

Supervisor Maerten called the meeting to order at 7:04 p.m.

Supervisor Maerten, Councilman Evchich, Councilman Fischer and Councilman Graham were present. Councilman Leible attended virtually.

Also present:

Deborah Maurer – Town Clerk
Craig Walter – Deputy Highway Superintendent
Mark Walter – Deputy Supervisor
Dave Britton – Town Engineer (virtually)
Tom Maturski – Budget Officer (virtually)

There were no residents in attendance pursuant to Governor Cuomo's Executive Order 202.1. There were five callers on the line.

RESOLUTION 55-21

APPROVAL OF MINUTES

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

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

Resolved to approve the meeting minutes for the Regular and Organizational Meeting held on January 11, 2021, as presented by Town Clerk Maurer.

RESOLUTION 56-21

ABSTRACT #2

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

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

Resolved to authorize payment of Voucher Abstract #2, to be paid on January 27, 2021 as follows:

- Vouchers #20-00933 to #20-00964 for year ending 2020:

General Fund	\$	9,560.42
Highway	\$	3,442.58
Refuse	\$	27.23
Sewer	\$	1,649.23
Water	\$	39,969.18
Total	\$	54,648.64

- Vouchers #21-00012 to #21-00039 for 2021:

General Fund	\$	4,035.33
Highway	\$	11,535.97
Sewer	\$	600.88
Water	\$	345.31
Total	\$	16,517.49

Monthly Departmental Meetings

A conversation took place regarding the importance of scheduling monthly meetings with department heads to discuss specific departmental concerns and improve communication between the offices and the Board.

Discussion of Commercial Grinder Pumps

This item was removed from the agenda.

RESOLUTION 57-21

SEWER DEPARTMENT – E/ONE REPAIR PARTS

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

ADOPTED: Ayes 5 Maerten, Evchich, Fischer, Graham, Leible

Nays 0

Resolved to approve the purchase of grinder pump replacement parts in the amount of \$7,099.23 through E/One as a designated sole source provider.

Farmer's Market

Councilman Graham informed the Board members that a resident has offered her services to assist in reinstating the Farmer's Market. He has been meeting with her to discuss what this project would entail. He stated that the intention is to hold the event on Sundays and is looking for volunteers to help get this going again. There was a lengthy discussion about the previous Farmer's Market and some of the issues it faced. Councilman Graham noted that he has also spoken with past Councilman Ron Morrison for information and advice about how to get this project started.

RESOLUTION 58-21

EVANS BANK – HR PROPOSAL

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

ADOPTED: Ayes 5 Maerten, Evchich, Fischer, Graham, Leible

Nays 0

Resolved to initiate a month to month contract, with Evans Insurance Agency, at a cost of \$414.40 per month, to provide Human Resource Services to the Town including but not limited to the following services as outlined in the proposal:

- Performance Management
- Leave Management
- Onboarding/Offboarding
- Harassment/Discrimination Complaints
- Employee Relations
- Labor Law Compliance
- Notification of time-sensitive changes in employment regulations and legislation
- HR best practices
- Access to Learning Management System (LMS) for State mandated Sexual Harassment Trainings

Alarm System - Highway

Supervisor Maerten reported that Evans Insurance Agency had provided feedback during the Town's insurance review regarding the need for a fire alarm at the Highway Garage.

Councilman Leible stated that he met with Amherst Alarm, Inc., who provides service to the Town Hall, to request a quote for the garage alarm. The proposal from Amherst Alarm, Inc. was presented at the meeting. Councilman Leible explained the services listed on the proposal and also stated that he will pursue some additional quotes from other vendors.

Cross Training in Water Billing Department

Councilman Leible explained that the reason why the staff has not been previously crossed trained is because they will be switching the water billing system to Edmunds GovTech in April 2021 and it would have been a waste of time to train on the old system then retrain on the new system. Supervisor Maerten commented that he has been asking for quite some time for the current billing clerk to write down some procedures and basic information that can be used by other staff in the event of an unexpected absence to ensure continuity of operation in the department.

Next, Supervisor Maerten introduced newly appointed Budget Officer Tom Matuski who was participating virtually. Mr. Matuski prepared a Budget Development Planning Calendar that

was shared with the members of the Board. While addressing the Board, he said that he appreciates the opportunity to help out his town. He is looking forward to working with everyone and appreciates the help that has been given to him so far. Mr. Matuski stated that he will do everything he can to meet all of the Town's needs.

Supervisor Maerten also spoke about a memo he received from the Office of the New York Comptroller (OSC) titled "Sales Tax Withholding for Distressed Provider Assistance Account" stating that the OSC is required to withhold \$762,434.00 from sales tax distribution to Niagara County in February. This will directly impact the amount of funds that the town receives from Niagara County.

Discussion on Proposed Multi-Use Trail Draft Resolution

Supervisor Maerten began a discussion about the proposed multi-use trail resolution that was presented at the January 11th meeting. Since that meeting, the draft resolution was updated to exclude snowmobiles from the permitting process. A very lengthy discussion took place regarding the pros and cons of limiting the use of all terrain vehicles (ATV) to town residents only. Councilman Leible suggested the use of law enforcement to monitor the trails. Supervisor Maerten asked Councilman Leible to contact the Tri-County Trailriders for feedback and requested information from Town Clerk Maurer regarding the proposed permitting process. Town Attorney Joerg explained that the purpose of requiring permits to use the trail is partially to confirm that the operator of the vehicle is insured to limit the Town's liability. Supervisor Maerten asked for a motion to cancel the previously scheduled Public Hearing until further notice.

RESOLUTION 59-21

CANCEL PUBLIC HEARING

Motion by Councilman Fischer, seconded by Councilman Leible, the following resolution was ADOPTED: Ayes 5 Maerten, Evchich, Fischer, Graham, Leible
Nays 0

Resolved to cancel the Public Hearing scheduled for February 8, 2021.

A brief discussion took place about the reserving of park shelters. All were in agreement to postpone the reservation process until March 1, 2021 in hopes that more will be decided about when the parks will be open again.

Councilman Evchich and Councilman Leible discussed some options regarding the baseball leagues now that Central Niagara Baseball and Softball Association (CNBSA) will no longer be providing the service. They have been contacted with requests to continue the Challenger Baseball League. Councilman Leible stated that the Pendleton Athletic Booster Association (PABA) might consider taking the baseball league over. He will report back once he hears more from PABA.

Councilman Graham had a discussion with Deputy Highway Superintendent Walter regarding the plowing of Tonawanda Creek Road. Mr. Walter explained that some of the road is plowed by Niagara County while other parts are plowed by the Town. The routes were determined a very long time ago and new roads have since been added which adds to the confusion as to which department is responsible. It was noted that the Town is reimbursed by Niagara County for this service.

Town Clerk Maurer shared a letter from the Association of Towns (AOT) regarding the 2021 virtual conference.

Attorney Joerg reported that he and the Town's two prosecutors, will be attending the Zoning Board of Appeals SunBeam Laboratories, LLC Public Hearing scheduled for January 26, 2021.

Councilman Leible thanked the Highway Department for plowing the roads and keeping the salt on the Town roads.

Supervisor Maerten announced that a Regular Meeting is scheduled for February 8, 2021 at 7:00 p.m.

Work Session
January 25, 2021

Motion by Councilman Leible, seconded by Councilman Fischer, to enter into an Executive Session with the Town Attorney and the Deputy Town Supervisor to discuss a personnel issue in the Highway Department at 8:35 p.m. Motion carried.

Motion by Councilman Leible, seconded by Councilman Fischer, to adjourn from the Executive Session and the Regular Meeting at 8:50 p.m. Motion carried.

Deborah K. Maurer, Town Clerk