

**TOWN OF PENDLETON
REGULAR MEETING
September 12, 2022**

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 12th day of September 2022 at 7:00 p.m. The meeting was open to the public.

Supervisor Maerten called the meeting to order at 7:07 p.m.

Supervisor Maerten read the invocation and the salute to the flag. A moment of silence to observe the 21st anniversary of the 9/11 terror attacks was also held.

Roll Call:

Supervisor Maerten	Present
Councilman Evchich	Absent
Councilman Hickman	Present
Councilman Leible	Present
Councilman Lombardo	Present

Also present:

Deborah Maurer - Town Clerk
Claude Joerg – Town Attorney
Dave Fischer – Highway/Water and Sewer Superintendent
Aaron Bair – Deputy Water and Sewer Superintendent
Dave Britton – Town Engineer
Ron Diedrich – Building Inspector/Code Enforcement Officer
Tom Valentine – Assessor
Wolfgang Buechler – Zoning Board of Appeals Chairman
Sandra Masterson – Board of Assessment Review Chairwoman

There were 13 residents in attendance.

ADDITIONS OR DELETIONS TO THE AGENDA

The following changes were made to the agenda:

- Move Executive Session
- Add – Water Levy Resolution

Supervisor Maerten introduced Boy Scout Micah Shortridge who was present to request approval for an Eagle Scout project. Mr. Shortridge would like to clean and restore the Towpath Trail at Nine Mile Island. He provided pictures and details for the project and expects it to be completed by October.

RESOLUTION 193-22

BOY SCOUT EAGLE PROJECT REQUEST

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, to approve the Eagle Scout project, presented by Micah Shortridge, for the restoration of the Towpath Trail on Nine Mile Island.

COMMUNICATIONS

Town Clerk Maurer reported that a letter from the New York State Public Service Commission (NYSPSC) was received on 9/7/22 regarding a request from New York State Electric & Gas Corporation (NYSEG) and others to approved proposed changes to the annual electric and natural gas delivery rates, to be effective May 1, 2023. The letter noted that a series of virtual

public statement hearings will be held in September and October. Additional information on this subject can be found in the Town Clerk's office.

Mrs. Maurer also reported that a special meeting will be held for the lot owners of the Bear Ridge Cemetery Association for the purpose of reorganizing and determining the future of the cemetery. The meeting will be held on October 8, 2022, at 1:00 p.m., at the Town Hall.

Lastly, Mrs. Maurer stated that she also received a flyer for this year's Pendleton Community Faire & Business Expo. This event will be held at the Pendleton Center United Methodist Church on Saturday, October 1, 2022, from 10:00 a.m. – 1:00 p.m.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

A resident asked several questions about Agenda Item #14 - Budget Line Transfers. She also provided the Town Board with a printed copy of these questions.

Another resident commented on Agenda Item #7 – Pivot Punch Lease Agreement. He asked where this piece of property was located. Councilman Leible explained that it was where the “back ball diamond” is located behind Pivot Punch.

Copies of the correspondence mentioned at this meeting are filed in an official binder located in the Town Clerk's Office.

ROUTINE BUSINESS

RESOLUTION 194-22

APPROVE MEETING MINUTES

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, that the meeting minutes for the Regular Meeting held on August 8, 2022 and the Special Meeting held on August 17, 2022, are approved as presented by Town Clerk Maurer.

RESOLUTION 195-22

ABSTRACT #16

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, to authorize payment of Abstract 16, Vouchers #22-00866 to #22-00915* that was paid on August 24, 2022:

General Fund	\$	40,837.41
Highway	\$	91,016.56
Refuse	\$	43,414.00
Sewer	\$	2,447.60
Water	\$	951.74
Total	\$	178,667.31

*Voucher #22-00873 was voided after initial audit.

RESOLUTION 196-22

ABSTRACT #17

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, to authorize payment of Voucher Abstract #17, Vouchers #22-00916 to #22-00984 to be paid on September 14, 2022:

General Fund	\$	27,919.50
Highway	\$	302,501.19
Fire Protection	\$	90.00
Refuse	\$	46,076.29
Sewer	\$	12,729.01
Water	\$	3,072.52
Total	\$	392,388.51

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for July 2022 was \$191,157.76. This is an increase of \$32,074.83 when compared with July 2021. The year to date received for 2022 is \$1,319,616.09 which is an increase of \$230,958.95 from 2021.

Supervisor Maerten also provided an update on some future IT work which is needed for the Town. He explained that he, Town Clerk/IT Coordinator Maurer and various IT experts met to discuss some of the upcoming projects including the purchase of new network switching equipment, scoping out the work to construct a new, properly ventilated room to move the server to, security upgrades that include installing new and additional security cameras, and upgrades to the fob system, to name a few. He also provided an update on the erection of the new salt shed and mentioned that he has been working with the Budget Officer to begin the 2023 budget process.

Councilman Leible reported that a Knox Box was installed at the Highway Garage and one will soon be installed at the Town Hall. These boxes will provide access to the fire department in the event of an emergency. He also mentioned that he is still waiting for a response from vendors to fix the exhaust fan at Town Hall.

Councilman Hickman stated that he recently met with Deputy Water & Sewer Superintendent Bair to discuss some questions he had regarding the pump stations. He also noted that he had a discussion with Highway/Water & Sewer Superintendent Fischer about the space in the garage noting that it is very cramped. He felt it is worth noting that we are outgrowing the space that we have there. He also reported that he will be attending the Pendleton Community Faire and Business Expo on October 1, 2022 and that the Recreation Committee will be meeting on September 19th.

Councilman Lombardo also spoke about the Pendleton Community Faire and Business Expo. He invited people to come out to meet and support local businesses. Mr. Lombardo mentioned that the Historical Society is looking for help moving items out of the log cabin and into the storage shed. Lastly, he mentioned that he spoke with Jackie Duncan who is in the process of starting a ski club in Pendleton. She will be at the Pendleton Community Faire and Business Expo on October 1st to promote this new venture.

Attorney Joerg had nothing new to report.

Engineer Britton reported that he believes that GHD will be putting together the bid package for the standby emergency generator system for the Public Works Facility.

DEPARTMENT HEADS

Town Clerk Maurer reported that she received and posted monthly reports from the Assessor, Building Inspector/Code Enforcement Officer, Town Engineer, and the Water & Sewer Department. Also posted are the Town Clerk and Water & Sewer Collection reports for August. Mrs. Maurer stated that the NYS Division of Homeland Security is once again offering Citizen Preparedness Events. The Town had an event scheduled in April of 2020 which was cancelled due to the Covid pandemic. She stated that she is in the process of working with Emergency Services Coordinator Mark Walter and Mrs. Sue Neubauer to schedule one again in the near future. Mrs. Maurer also mentioned that she would like to begin a project to bring Hometown Heroes banners to the Town of Pendleton. She hopes to implement this in 2023 and is asking for

volunteers to join a committee to help this project come to fruition. Finally, Town Clerk Maurer informed the Board and Department Heads that she rolled out a new Voucher/Claim Process which is effective immediately.

Highway and Water/Sewer Superintendent Fischer thanked the Town of Wheatfield and the Town of Cambria for sharing their equipment and services last month. He also explained the process of erecting the new salt shed. Mr. Fischer reported that RTI Auction will be coming out during the month to take pictures of items that were surplus and are ready to be sold. He also reported that his staff spent a lot of time last month doing off-road ditching and mowing other ditches. He explained that they completed the off-road ditching on Oakwood Drive and are starting on Mapleton Road indicating that it should help alleviate the flooding problems on that road. Superintendent Fischer also stated that the Highway and Water & Sewer staff worked together to set up and clean up the Pendleton Farm & Home Days.

Building Inspector Diedrich had nothing to report.

Assessor Valentine talked about the recent moving of offices at Town Hall stating that his office is now more presentable for the residents and the property information he uses is more attainable. Additionally, he reported that he had a few new deadlines to meet in August including updating records from the Niagara County Real Property Office, updating the School Tax Roll, preparing a spreadsheet for industrial water usage, and creating a mailing list for Modern Disposal Services. Lastly, he reported that there were 26 property transfers and six land transfers in the month of August.

NEW BUSINESS

RESOLUTION 197-22

TOWN ASSESSOR APPOINTMENT

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

WHEREAS, pursuant to Section 314 of the Real Property Tax Law, the Town Board may appoint an "Acting Assessor" who shall assume the duties and functions of the Assessor until such time as a replacement Assessor is appointed by the Town Board or, should the Acting Assessor function as Assessor for more than six months, the Acting Assessor may be appointed Assessor; and

WHEREAS, Thomas Valentine was appointed Acting Assessor by resolution of the Town Board on April 25, 2022; and

WHEREAS, the Town received correspondence from the New York State Department of Taxation and Finance, Office of Real Property Tax Services, stating that Mr. Valentine has met the minimum qualification standards for Sole Appointed Assessor as prescribed in the New York State Real Property Tax Law and 20 NYCRR 8188.1.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that Thomas Valentine is appointed Sole Appointed Assessor for the balance of a term which ends September 30, 2025. This resolution shall take effect immediately.

RESOLUTION 198-22

REQUEST TO ATTEND ANNUAL TRAINING

Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, that Town Clerk Deborah Maurer is authorized to attend the 2023 Annual Meeting & Training School in New York City in February 2023. This resolution shall take effect immediately.

RESOLUTION 199-22

PROMOTION OF SPECIFIC EMPLOYEES – WATER & SEWER DEPARTMENT

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, certain employees of the Town of Pendleton Water & Sewer Department are subject to the conditions of the Collective Bargaining Agreement approved by the Town Board and Teamsters Local 264; and

WHEREAS, per the approved Collective Bargaining Agreement, Appendix A - Wages, Water & Sewer Department employees with sufficient time of service and who meet specific requirements are eligible to be promoted from Laborer Class 1 to Water & Sewer Maintenance; and

WHEREAS, promotion of employees from Laborer Class 1 to Water & Sewer Maintenance is subject to Town Board approval; and

WHEREAS, multiple employees of the Water & Sewer Department have successfully completed the requirements to attain a New York State Commercial Driver's License as well as acquire a Grade D Water System Operator certification.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that Lucas Frew, Daniel Gocher, and Kevin Johnson shall be moved to Water & Sewer Maintenance, Step 1, effective October 1, 2022 and shall move to the next successive salary step on October 1, 2023, subject to the requirements detailed in the approved Collective Bargaining Agreement. This resolution shall take effect immediately.

RESOLUTION 200-22

TEAMSTERS LOCAL 264 MOA

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

ADOPTED: Ayes 3 Maerten, Leible, Lombardo

Nays 0

Abstention 1 Hickman

Absence 1 Evchich

WHEREAS, certain employees of the Town of Pendleton Highway Department and Water & Sewer Department are subject to the conditions of the Collective Bargaining Agreement approved by the Town Board and Teamsters Local 264; and

WHEREAS, the most recent contract agreement between the Town of Pendleton and Teamsters Local 264 is effective from January 1, 2022 to December 31, 2023; and

WHEREAS, the Town Board has received a request to modify Article 20 of the approved agreement due to excessive increase in cost of items covered by this article; and

WHEREAS, the Town Board has reviewed a proposed Memorandum of Agreement addressing this concern.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the Memorandum of Agreement proposed by Teamsters Local 264 addressing Article 20 shall be modified from the current language to the following:

ARTICLE 20 - COVERALLS: Full time employees are eligible to be reimbursed up to \$600 annually for expenditures on necessary work clothing, such as coveralls and work boots. Employees will be reimbursed for such expenditures upon submission of appropriate documentation, including sales receipts.
This resolution shall take effect immediately and will be effective until December 31, 2023.

RESOLUTION 201-22

PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, the Town of Pendleton owns and maintains parklands and recreational facilities for public use and enjoyment; and

WHEREAS, the Town of Pendleton has been awarded funding from the Niagara River Greenway Commission to assist with the construction of a community center to be located in the Town Park; and

WHEREAS, funding has also been awarded to the Town through the Office of Parks, Recreation, and Historic Preservation's Environmental Protection Fund for upgrades and additions to the Town Park; and

WHEREAS, the Town continues to plan future modifications, upgrades, and additions to the Town Park, in addition to efforts detailed in currently approved and accepted grant program application documents; and

WHEREAS, proper planning and coordination of all improvement activities in the Town Park is necessary as well as inspection and monitoring of all work resulting from this planning; and

WHEREAS, the Town Board accepted by resolution at the May 23, 2022 meeting a proposal from GHD to provide planning, coordination, inspection, and monitoring work that is necessary to protect the Town's interests as funds are expended to improve the Town Park; and

WHEREAS, by resolution of the Town Board at the August 8, 2022 meeting Mr. David Britton was appointed as the Town Engineer as affiliated with Nussbaumer & Clarke, Inc., being no longer affiliated with GHD; and

WHEREAS, it is reasonable and appropriate for the services previously proposed by GHD to be transferred to Nussbaumer & Clarke, Inc.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the proposal received from Nussbaumer & Clarke, Inc. for an estimated cost of \$65,280.00 is accepted and the Town Supervisor is authorized to sign contract documentation to begin this work. This resolution shall take effect immediately.

RESOLUTION 202-22

PENDALE PUMP STATION REPAIR

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, the Town of Pendleton Water & Sewer Department is responsible for maintenance, repair, and upkeep of the Town's sewer system; and

WHEREAS, an immediate need for repair has been identified at the Pendale Pump Station; and

WHEREAS, a proposal for service has been acquired by Water & Sewer Department personnel and provided to the Town Board for consideration.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the identified repair of the Pendale Pump Station is approved as stipulated:

- 1) Due to the application specific nature of the equipment in need of repair, this expenditure is declared a sole source situation.
- 2) The authorized contractor for this repair has been identified as Koester Associates of Canastota, New York.
- 3) A proposal has been received from Koester Associates which details Scope of Supply and Score of Service for a total price of \$19,285.71.
- 4) This resolution shall take effect immediately.

RESOLUTION 203-22

PIVOT PUNCH LEASE AGREEMENT

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, the Town of Pendleton owns and maintains a Town Park, which includes multiple athletic fields used for baseball and softball; and

WHEREAS, the Town of Pendleton has historically maintained and used a baseball field adjacent to the Town Park, which is owned by Pivot Precision Corporation; and

WHEREAS, the Town of Pendleton has a current agreement with Pivot Precision Corporation, outlining conditions for usage of Pivot Precision Corporation's property, which expires on December 31, 2022; and

WHEREAS, a new agreement between the Town of Pendleton and Pivot Precision Corporation has been presented to the Town Board for consideration.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the agreement between the Town of Pendleton and Pivot Precision Corporation detailing the conditions for usage of the company's athletic field located at 6550 Campbell Boulevard is approved as presented. This resolution shall take effect immediately.

RESOLUTION 204-22

PURCHASE OF NEW COMPUTERS

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, it has been identified that multiple computers are in need of replacement due to age, condition, and other factors; and

WHEREAS, pricing associated with cooperative purchasing agreements has been identified and communicated to the Town Board; and

WHEREAS, per the Town's adopted Procurement Policy, Town Board approval is necessary for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the following proposed expenditures are approved:

- 1) NYS OGS Contract # PM20860, (4) units at \$795.56 per unit, total cost: \$3,183.84.
- 2) Sourcewell Contract, (1) unit at \$670.48 per unit, total cost: \$670.48.

This resolution shall take effect immediately.

RESOLUTION 205-22

PURCHASE OF CISCO 24-PORT SWITCH FOR SERVER

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, it has been identified that new components are necessary for the Town of Pendleton's computer network system; and

WHEREAS, pricing associated with cooperative purchasing agreements has been identified and communicated to the Town Board; and

WHEREAS, per the Town's adopted Procurement Policy, Town Board approval is necessary for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the purchase of computer networking components, as detailed and quoted separately, is approved for a total cost of \$5,671.30. This resolution shall take effect immediately.

RESOLUTION 206-22

PURCHASE OF SALT SPREADER

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo

Nays 0

Absence 1 Evchich

WHEREAS, the Town of Pendleton Highway Department maintains and operates a wide-variety of heavy equipment; and

WHEREAS, the salt spreader for a specific truck is in need of replacement due to age, use, and other factors; and

WHEREAS, the replacement item is exclusively available through a specific regional distributor; and

WHEREAS, the Town of Pendleton's adopted procurement policy requires Town Board approval for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that Valley Fab and Equipment is named a sole source provider for LaGasse Machine & Fabrication, Inc.'s Harder Dump Box Spreader.

FURTHER, BE IT RESOLVED, that the expenditure for a replacement Harder Dump Box Spreader manufactured by LaGasse Machine & Fabrication, Inc is authorized for \$9,910.00. This resolution shall take effect immediately.

RESOLUTION 207-22

EXPENDITURE FOR REPLACEMENT TRUCK COMPONENT

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

WHEREAS, the Town of Pendleton Highway Department maintains and operates a wide-variety of heavy equipment; and

WHEREAS, a replacement tailgate is needed for a specific truck; and

WHEREAS, the replacement item is exclusively available through a specific regional distributor; and

WHEREAS, the Town of Pendleton's adopted procurement policy requires Town Board approval for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that Valley Fab and Equipment is named a sole source provider for Everest Equipment Company.

FURTHER, BE IT RESOLVED, that the expenditure for a replacement two panel tailgate with Harder center door is authorized for \$5,250.00. This resolution shall take effect immediately.

RESOLUTION 208-22

EXPENDITURE FOR TRUCK BODY REPAIR – TRUCK #3

Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

WHEREAS, the Town of Pendleton Highway Department maintains and operates a wide-variety of heavy equipment; and

WHEREAS, the dump body of a specific truck is in need of maintenance and repair due to such factors as age, weather, and general usage; and

WHEREAS, multiple quotes were requested and submitted for work that involves blasting and painting the dump body, frame, and plow of a specific truck; and

WHEREAS, the Town of Pendleton's adopted procurement policy requires Town Board approval for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the lowest price quote submitted by Pat Forsha Truck & Auto Collision, Inc. is accepted for \$8,380.00. This resolution shall take effect immediately.

RESOLUTION 209-22

SURPLUS FILL RESOLUTION

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

WHEREAS, the Town Board of the Town of Pendleton passed a resolution on August 17, 2022 declaring specific fill materials stored at the Highway Garage as surplus; and

WHEREAS, the resolution, as passed, specifically limited the amount of fill that may be removed to 3,000 cubic yards; and

WHEREAS, the Highway Superintendent has requested that the limit of surplus fill to be surplus to be increased to 4,000 cubic yards.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that stockpiled fill located at the Public Works Facility shall be declared surplus as follows:

- 1) Materials declared surplus shall be limited to earthen fill and debris. This does not include stone, sand, millings, or any material purchased by the Town of Pendleton.
- 2) All materials sold shall be loaded and transported from Town property by the purchaser. No Town employees or equipment shall be used to assist with this endeavor.
- 3) Loading and hauling shall only be allowed between 7:00 am and 5:00 pm, Monday through Friday, excluding holidays.
- 4) Purchasers of fill and any contractors assisting in any such effort shall provide proof of insurance specifically declaring the Town of Pendleton as additionally insured.
- 5) No more than 4,000 cubic yards of fill shall be sold at a cost of \$1.00 per cubic yard.
- 6) This resolution declaring surplus Town-owned fill shall take effect immediately and subsequently expire on December 30, 2022 at 11:59 pm.

RESOLUTION 210-22

BUDGET LINE TRANSFERS

Motion by Councilman Hickman, seconded by Councilman Lombardo, the following resolution was

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
Nays 0
Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 that the following budget line transfers are authorized, as requested by the Budget Officer:

General Fund

- A00-1320-400 – Audit and Accounting Contractual, increase \$500.00.
- A00-1355-100 – Assessors Personnel Services, increase \$3,500.00.
- A00-1355-200 – Assessors Fixed Assets, increase \$1,107.00.
- A00-1410-410 – Town Clerk Codifying, increase: \$545.00.
- A00-1420-400 – Attorney Contractual Litigation, increase: \$50,000.00.
- A00-1440-413 – Engineer – General, increase: \$450.00.
- A00-1620-120 – Town Hall Work, increase: \$2,016.76
- A00-1620-130 – IT Coordinator, increase: \$1,812.00.
- A00-1660-400 – Central Storage – Contractual, increase: \$1,960.00.
- A00-1910-400 - Unallocated Insurance, increase: \$5,112.00.
- A00-1989-100 - Business Development Personnel Service, increase: \$600.00.
- A00-7110-100 - Parks Personnel Services, increase: \$3,245.00.
- A00-7110-400 - Parks Contractual, increase: \$55.00.
- A00-7110-450 – Parks supplies, increase: \$156.00.

A00-7150-450 – CFA Playground & Park Grant supplies, increase: \$57.00.
A00-9050-800 – Unemployment Insurance, increase: \$396.00.
Total = \$71,511.76

Transfer from: A00-1420-410-Attorney Contractual: \$20,000
Transfer from: A00-1990-400-Contingency: \$30,000
Transfer from: A00-3310-400-Traffic Control Contractual: \$20,000
Transfer from: A00-7180-400-Special Rec Contractual: \$1,511.76
Total = \$71,511.76

Highway Fund

DA0-5110-450 – General Repairs Fuel, increase: \$15,000.00.
DA0-5130-200 – Machinery – Fixed Assets, increase: \$48,502.00.
Total = \$63,502.00

Transfer from: DA0-9950-900 - Budgetary Provision: \$63,502.00

Water Fund

SW0-8310-430 – Water Administration Professional Fees, increase: \$4,070.00.
SW0-8340-425 - Contract Services, increase: \$11,400.00.
Total=\$15,470.00

Transfer from: SW0-8340-440: \$15,470.00

This resolution shall take effect immediately.

RESOLUTION 211-22

AUTHORIZE FORWARDING OF OUTSTANDING WATER BILLS TO TOWN ASSESSOR FOR LEVY

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

ADOPTED: Ayes 4 Maerten, Hickman, Leible, Lombardo
 Nays 0
 Absence 1 Evchich

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022, to authorize the Account Clerk to forward all water bills having a balance greater than \$9.99, as of 4:00 p.m. on September 16, 2022, to the Town Assessor's office to be levied to the Niagara County Tax Bill as unpaid town charges.

BOARD MEMBERS DISCUSSION

Supervisor Maerten stated that a Work Session is scheduled for September 26, 2022 at 7:00 p.m. and the next Regular Board Meeting is scheduled for October 10, 2022 at 7:00 p.m. He also noted that a Budget Session is tentatively scheduled after the Work Session on September 26th.

PUBLIC REMARKS/COMMENTS

A resident inquired about the name of the Town's IT provider. Supervisor Maerten stated that the Town's IT services are provided by the Niagara County IT Department. The same resident also wanted to know if there were any plans to repave the parking lot for the Pendleton Station Market. Supervisor Maerten explained that Assemblymember Karen McMahan helped to secure grant funding to be used for paving that parking lot as well as the Town Hall and Department of Public Works parking lots.

A second resident provided two requests to appeal recent denials on FOIL requests.

Another resident mentioned that he had previously attended a Citizen Preparedness Event and said it was very worthwhile.

Motion by Councilman Leible, seconded by Councilman Hickman, to enter into an Executive Session with the Town Attorney, Town Assessor and the Building Inspector/Code Enforcement Officer, to discuss personnel matters in the Assessor's office at 8:04 p.m.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from the Executive Session and the Regular Meeting at 8:57 p.m. Motion carried.

Deborah K. Maurer, Town Clerk

PENDING APPROVAL