

TOWN OF PENDLETON
PUBLIC HEARINGS & REGULAR MEETING
March 13, 2023

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 13th day of March 2023 at 7:00 p.m.

Supervisor Maerten called the meeting to order at 7:05 p.m.

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

Roll Call:

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

Also present:

Deborah Maurer – Town Clerk
Claude Joerg – Town Attorney
Dave Fischer – Highway/Water and Sewer Superintendent
Dave Britton – Town Engineer
Ron Diedrich – Building Inspector/Code Enforcement Officer
Tom Valentine – Assessor
Mark Walter – Deputy Town Supervisor
Darryl Kroening – Niagara County Deputy Sheriff - Pendleton

There were eight residents in attendance.

ADDITIONS OR DELETIONS TO THE AGENDA

The following changes were made to the agenda:

- Add - Fireworks

COMMUNICATIONS

Mrs. Maurer reported that correspondence was received from resident, Mrs. Annmarie Reeb, containing questions to the Town Board regarding the Pendleton Station Market, the documents that are posted online prior to the meeting and the proposed Recreation Department positions. Another resident, Mr. Edward Harman, also submitted correspondence to the Board asking for clarification of the use of General Fund to pay appropriations to other funds. The correspondence was forwarded to the Board and placed in the communications binder. Lastly, Mrs. Maurer stated that the Town Hall will be closed on Friday, April 7th, in observance of Good Friday.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

A resident commented on the proposed resolution for the Request for Niagara County Grant Funding asking how it is considered to be for “business promotion activities”. Supervisor Maerten asked Mr. James Sobczyk, from the Pendleton Community & Business Association to respond to this question. Mr. Sobczyk stated that the matching grant, which he is hoping to receive is from the William G. Mayne, Jr. Business/Community Enhancement Program, is intended for the restoration of the buoy boat that the town has already committed to receiving. He explained that it will promote the historical aspect of our town, which is a canal community. This boat will symbolize the transportation of goods and services, highlighting the importance of the canal system for the establishment of the Town of Pendleton and how the businesses succeeded because of the canal. He also noted that the money is to be used to transport the boat and restore its condition.

This resolution shall take effect immediately.

RESOLUTION 102-23

ADVERTISE FOR SUMMER RECREATION POSITIONS

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, that the Town Clerk is authorized to advertise for the following Summer Recreation Program positions:

- A) Swimming Pool Director
- B) Lifeguard
- C) Recreation Leader
- D) Assistant Recreation Director

This resolution shall take effect immediately.

RESOLUTION 103-23

SURPLUS OBSOLETE EQUIPMENT - PRINTER

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, to declare as surplus one HP LaserJet 1320 from the Town Clerk's Office.

RESOLUTION 104-23

APPROVE FACILITIES USAGE AGREEMENTS

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, to approve the Facilities Usage Agreements for the following organizations, pending approved insurance:

- A) 716 Patriots
- B) Sandlot Saints 16U Softball
- C) USSSA Pride Softball
- D) Revenge Softball League

Town Sponsored Baseball/Softball/T-Ball

Candace Black, from the town's Recreation Committee, addressed the Town Board to report on her proposal for the 2023 town sponsored baseball/softball/t-ball league. She stated that she has conducted a lot of research and has been working with the Town of Wheatfield's Recreation Director to come up with this proposal. A lengthy discussion occurred regarding the proposal related to the anticipated cost to residents and non-residents, what is included for that price, how the registration will take place and who will be responsible for coordinating the teams. Many questions were asked by the Board and it was decided that the Town Board would hold a special meeting on Thursday, March 16, 2023, to vote on the proposal. This would give Ms. Black time to provide additional details to the Board.

RESOLUTION 105-23

DPW SEASONAL HELP – CRAIG WALTER

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0

Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, that Craig Walter is appointed to the position of seasonal Laborer, reporting to the Highway Department, at a rate of compensation of \$20.60 per hour. This resolution shall take effect immediately.

RESOLUTION 106-23

ADVERTISE FOR PARK ATTENDANT

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, that the Town Clerk is hereby authorized to publicly advertise for the position of seasonal Park Attendant position assigned to the Highway Department, with anticipated assignment dates to begin after May 1, 2023. This resolution shall take effect immediately.

RESOLUTION 107-23

REQUEST FOR NIAGARA COUNTY GRANT FUNDING

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

ADOPTED: Ayes 3 Maerten, Buechler, Leible
Nays 1 Lombardo
Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, to authorize the annual funding request from Pendleton Community & Business Association, in the amount of \$3,000.00 for business promotion activities, that will be matched by Niagara County through the 2023 William G. Mayne, Jr. Business & Community Enhancement Program to be used towards restoration of a decommissioned buoy tender boat donated by the New York State Canal Corporation. This resolution shall take effect immediately.

Councilman Leible reported that he received the following responses to his solicitation of quotes for the July 4th fireworks show:

- Pyrotecnico - \$18,750.00
- Zambelli Fireworks – required minimum of \$25,000.00
- Skylighters Fireworks of NY – did not respond

RESOLUTION 108-23

JULY 4TH FIREWORKS

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

WHEREAS, the Town of Pendleton has for many years celebrated Independence Day with a fireworks display; and

WHEREAS, multiple fireworks contractors were requested to provide proposals for the July 4, 2023 fireworks show; and

WHEREAS, two proposals were sent to the Town for consideration.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of March 2023, that the lowest cost proposal for the July 4, 2023 fireworks presentation from Pyrotecnico for \$18,750.00 is accepted subject to approval by the Town Attorney.

FURTHER, BE IT RESOLVED, the Town Supervisor is authorized to sign contracts for this authorized expense. This resolution shall take effect immediately.

BOARD MEMBERS DISCUSSION

Supervisor Maerten stated that a Special Meeting is scheduled for March 16, 2023 at 7:00 p.m. and a Regular Board Meeting is scheduled for April 10, 2023 at 7:00 p.m.

PUBLIC REMARKS/COMMENTS

A resident, who spoke earlier about posting the vouchers, asked if there was a list of vouchers that could be posted. Town Clerk Maurer responded that she will start posting the Voucher Abstract in the future which will list all vouchers to be paid.

Another resident spoke about the Town of Amherst's comprehensive waterfront development plan for Tonawanda Creek and Ellicott Creek for recreational and environmental areas and also identified joint opportunities for Nine Mile Island. He noted that these types of comprehensive plans can allow for higher grant opportunities and recommends that the Town of Pendleton review its Town and waterfront comprehensive plans to see how they can be updated.

Next, Mr. Greg Metzger, from the Pendleton Veterans Association (PVA), spoke about the Hometown Heroes project which they have been working on. Town Clerk Maurer had previously provided the PVA with a list of questions from the Town Board, for which Mr. Metzger provided answers. A discussion ensued and many details were provided by Mr. Metzger. Supervisor Maerten stated that he will have a resolution prepared for the April 10th Regular Meeting, which will allow the PVA to move forward with this project.

Motion by Councilman Leible, seconded by Councilman Buechler, to enter into an Executive Session with the Town Attorney and the Deputy Town Supervisor to discuss Contract Negotiations at 8:06 p.m. Motion carried.

Motion by Councilman Leible, seconded by Councilman Buechler, to adjourn from the Executive Session and Regular Meeting at 8:41 p.m. Motion carried.

Deborah Maurer, Town Clerk