

RESOLUTION 132-23

ABSTRACT #8

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, to authorize payment of Voucher Abstract #8, Vouchers #23-00313 to #23-00364, which was paid on April 26, 2023 as follows:

General Fund	\$	17,301.05
Highway	\$	12,579.46
Refuse	\$	44,383.52
Sewer	\$	1,065.69
Water	\$	44,247.40
Total	\$	119,577.12

RESOLUTION 133-23

ABSTRACT #9

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, to authorize payment of Voucher Abstract #9, Vouchers #23-00061 and #23-00365 to #23-00417, to be paid on May 10, 2023 as follows:

General Fund	\$	31,169.39
Highway	\$	14,747.61
Sewer	\$	1,934.62
Water	\$	3,651.31
Total	\$	51,502.93

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for March 2023 was \$217,394.45. This is an increase of \$38,812.25 when compared with March 2022. The total tax collected to date for 2023 is \$598,871.68 which is an increase of \$183,401.25 from 2022.

Councilman Leible reported that the newsletter articles are due on May 20th. He also stated that he is working on the July 4th celebration and he has received some new interest in advertisements for the newsletter.

Councilmen Hickman, Lombardo and Buechler had nothing new to report.

Attorney Joerg had nothing to report.

DEPARTMENT HEADS

Deputy Town Clerk Lemma read Town Clerk Maurer's report stating that April's monthly reports from the Assessor, Building Inspector, Code Enforcement Officer, Town Clerk and Water & Sewer Collection were received and posted online with the meeting agenda. She also reported that the Summer Rec Program registration process began May 1st which has kept the office very busy especially because of the implementation of a new online registration process this year. She mentioned that there were a few glitches at first but things seem to be working well now. As of Friday we had over 100 children registered. Mrs. Lemma also stated that they continue to be very busy with passport appointments and that the Town Clerk's office will undergo a Passport Acceptance Agency Inspection by the U.S. Department of State late in May. Additionally, she said that Town Clerk Maurer is in the process of finalizing the paperwork for the Hometown Heroes Program and hopes to have the information out by the end of May. Lastly, she mentioned that the Townwide Garage Sale is scheduled for the first weekend in June, June 2nd and 3rd, and that residents can call the Town Clerk's office to add their addresses to the list.

Highway and Water/Sewer Superintendent Fischer reported that during the month of April his crew cleaned up all of the plow stakes, cleared ditches on Donner Road, and installed new

culvert pipes on Oakwood and Mapleton Roads. They also delivered stone and worked on plumbing for the new splash pad, installed new water lines and pipes for the bathroom, removed fencing and cleaned up the bike path. He also stated that work was done to clean up the bike path and that they will be working on the ball diamonds once the ground dries up.

Building Inspector Diedrich had nothing to report.

Assessor Valentine had nothing to report.

NEW BUSINESS

RESOLUTION 134-23

MS4 – ANNUAL STORMWATER REPORT

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, to authorize the Supervisor to sign the MS4 – Annual Stormwater Report.

Procurement Policy

This agenda item was tabled until further notice.

RESOLUTION 135-23

HODGSON RUSS ENGAGEMENT LETTER

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that the engagement letter provided by Hodgson Russ for legal representation is accepted. This resolution shall take effect immediately.

RESOLUTION 136-23

SCHEDULE PUBLIC HEARING – REZONING REQUEST

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that a public hearing is scheduled for May 22, 2023 at 6:55 p.m. for the rezoning application submitted to the Town for property located in the northeast corner of the intersection of Campbell Boulevard and Tonawanda Creek Road, having road frontage on both roads. This resolution shall take effect immediately.

RESOLUTION 137-23

SCHEDULE PUBLIC HEARING – PROPOSED LOCAL LAW NO. XX OF 2023

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that a public hearing is scheduled for May 22, 2023 at 6:50 p.m. for public comment on a proposed local law titled Local Law No. XX of 2023 - Town of Pendleton Best Value Contract Award Law.

RESOLUTION 138-23

FACILITIES USAGE AGREEMENTS

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, to approve the following Facilities Usage Agreements:

- Community Bible Church – pavilion rental
- YMCA Buffalo Niagara – 2023 Fitness in the Parks event

- Starpoint Central School District – pavilion rental
- Pendleton Center United Methodist Church Genesis Preschool – pavilion rental
- New Life Center United Pentecostal – pavilion rental

RESOLUTION 139-23

WAIVER OF PAVILION RENTAL FEE - PVA

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, to waive the pavilion rental fee of \$25.00 for the Pendleton Veterans’ Association.

RESOLUTION 140-23

RESCIND RESOLUTION 125-23

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that the resolution passed on April 10, 2023 [RESOLUTION 125-23] authorizing a budget line transfer in the amount of \$3,750.00 from Special Items - Contingent Account (1990.0400) to Celebrations - Celebrations Fireworks (A7550.0410) is hereby rescinded. This resolution shall take effect immediately.

RESOLUTION 141-23

2022 BUDGET TRANSFERS

Motion by Councilman Leible, seconded by Supervisor Maerten, the following resolution was

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo

Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that the following budget line transfers are authorized for the 2022 budget, as requested by the Budget Officer, and shall take effect immediately:

	<i>Budget Line Increased:</i>	<i>Transferred from:</i>
	<u>General Fund</u>	
1	A1410.120 - Town Clerk Personnel, \$2,584.48	A1420.430
2	A1440.413 - General Engineering, \$4,905.00	A1355.400
3	A1620.130 - IT Coordinator, \$4,400.00	A1640.100
4	A1620.400 - Town Hall - Contractual, \$0.49	A1620.100
5	A3620.100 - Safety Inspection-Building Inspection, \$1,084.21	A3620.150
6	A3620.200 - Safety Inspections - Fixed Assets, \$634.82	A1920.400
7	A7140.100 - Playground - Personnel, \$0.02	A7110.100
8	A9030.800 - Social Security, \$434.79	A9010.800
9	A9060.800 - Medical, \$2.85	A9010.800
	<u>Highway</u>	
10	DA5110.100 - Personnel Services, \$72,155.35	DA5110.200, \$12,000.00 DA5110.210, \$60,152.35
11	DA5110.400 - Contractual Expense, \$67,388.92	DA5130.100-\$7,309.93 DA5140.400-\$17,500.00

WHEREAS, the installation of a new water meter is required and per the Town's approved Procurement Policy approval of the Town Board is required for this expenditure.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023 that water meters manufactured by Badger Meter are declared as a standardized item for use as a component of Town-owned water infrastructure; and

FURTHER, BE IT RESOLVED, that Moley Industries is recognized as the sole source provider of Badger water meters; and

FURTHER, BE IT RESOLVED, that the purchase of a Badger Meter Orion water meter for installation in the Town Park is authorized for a cost of \$3,324.00. This resolution shall take effect immediately.

RESOLUTION 143-23

TEMPORARY CLOSING OF MAIN ROAD

Motion by Councilman Leible, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo
Nays 0

WHEREAS, Main Road, a public roadway intersecting with Mapleton Road at its north terminus and Campbell Boulevard at its south terminus, is a road maintained by the Town of Pendleton; and

WHEREAS, the Town Board has received a request from the Wendelville Fire Company, Inc. to close Main Road to traffic on June 27, 2023 from 5:00 pm to 9:30 pm for reasons that include fundraising for the Fire Company.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023 that the Wendelville Fire Company, Inc. is authorized to close Main Road to traffic on June 27, 2023 from 5:00 pm to 9:30 pm. This resolution shall take effect immediately.

RESOLUTION 144-23

PUBLIC WORKS APPOINTMENT

Motion by Councilman Leible, seconded by Councilman Hickman, the following resolution was ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo
Nays 0

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023, that Nancy Green is appointed to a full-time position reporting to the Highway Department and Water & Sewer Department.

FURTHER, BE IT RESOLVED, that Nancy Green shall be assigned to the title of Clerical 1, compensated at a rate of pay of \$21.00 per hour, and will begin working on May 15, 2023.

FURTHER, BE IT RESOLVED, that health benefits will be made available after six (6) months of employment and the probationary period for this position shall be twelve (12) months. This resolution shall take effect immediately.

RESOLUTION 145-23

ADVERTISEMENT OF OPEN PUBLIC WORKS POSITIONS

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

ADOPTED: Ayes 5 Maerten, Buechler, Hickman, Leible, Lombardo
Nays 0

WHEREAS, the Highway Department and Water & Sewer Department require a minimum level of staffing to meet the needs of the residents and property owners of the Town of Pendleton, maintaining infrastructure and performing vital tasks; and

WHEREAS, the Town continues to recruit for a potential full-time opening in the Highway Department; and

WHEREAS, at the January 9, 2023 meeting of the Town Board a resolution was adopted authorizing the advertisement for potential openings for the titles of Truck Driver and Mechanical Equipment Operator; and

WHEREAS, the Town continues to recruit potential talent for an opening in the Highway Department and advertising for candidates for expanded position titles may attract qualified applicants; and

WHEREAS, the Highway Superintendent has requested authorization to advertise for potential openings that include the job titles of Laborer and Automotive Mechanic.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of May 2023 that the Town Supervisor is authorized to create a posting for a potential opening in the Highway Department that may include job titles of Laborer and Automotive Mechanic, in addition to the previously approved posting for Truck Driver and Mechanical Equipment Operator.

FURTHER, BE IT RESOLVED, the Town Clerk is authorized to publicly advertise these potential openings. This resolution shall take effect immediately.

Advertisement of Requests for Proposals

This agenda item was tabled until further notice.

BOARD MEMBERS DISCUSSION

Supervisor Maerten stated that a Work Session is scheduled for May 22, 2023 at 7:00 p.m. The Work Session will be preceded by two Public Hearings. There is also Regular Board Meeting scheduled for June 12, 2023 at 7:00 p.m.

PUBLIC REMARKS/COMMENTS

A resident asked if residents are allowed to speak at public meetings since there is no speaking allowed at work sessions. She also spoke about an email that she sent to the Deputy Town Clerk about posting of documents prior to the meeting.

A different resident thanked the Board for tabling the decision on the procurement policy.

A brief discussion took place between a local Boy Scout leader and Supervisor Maerten regarding Nine Mile Island. The Boy Scouts have been hearing conflicting information and would like clarification of the changes taking place at Nine Mile Island. Supervisor Maerten invited him and the other leaders in the audience to speak with him after the meeting.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from the Regular Meeting at 7:40 p.m. Motion carried.

Noreen Lemma, Deputy Town Clerk