

TOWN OF PENDLETON
WORK SESSION and BUDGET SESSION
October 23, 2023

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 23rd day of October 2023 at 7:00 p.m. The meeting was open to the public.

Supervisor Maerten called the meeting to order at 7:01 p.m.

Supervisor Maerten, Councilman Buechler, Councilman Hickman, Councilman Leible and Councilman Lombardo were present.

Also present:

- Deborah Maurer – Town Clerk
- Ron Diedrich - Building Inspector/Code Enforcement Officer
- Dave Fischer – Highway/Water & Sewer Superintendent
- Dave Britton – Town Engineer
- Mark Walter - Deputy Town Supervisor
- Tom Matuski - Budget Officer
- Members of the Wendelville Fire Company

There were four residents in attendance.

RESOLUTION 226-23

APPROVE MEETING MINUTES

Motion by Councilman Hickman, 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 23rd day of October 2023, that the meeting minutes for the Work Session/Budget Session held on September 25, 2023 and the Regular Meeting held on October 9, 2023 are approved as presented by Town Clerk Maurer.

RESOLUTION 227-23

ABSTRACT #20

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 23rd day of October 2023, to authorize payment of Voucher Abstract #20, Vouchers #23-00984 to #23-01046 to be paid on October 25, 2023 as follows:

General Fund	\$	66,891.87
Highway	\$	35,398.21
Sewer	\$	12,192.72
Water	\$	5,138.59
Total	\$	119,621.39

Councilman Leible submitted a set of quotes for service to be completed at the Department of Public Works garage. They are in need of a video intercom system for security purposes. Supervisor Maerten explained that it is an addition to the security system which is already in place so it will need to be completed by the current provider of such services, Amherst Alarm Inc. The quote from R. W. Locksmith is for the emergency release bar for the door that cannot be provided by Amherst Alarm.

RESOLUTION 228-23

DPW VIDEO INTERCOM AND DOOR UPGRADE

Motion by Councilman Leible, seconded by Councilman Lombardo, 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 23rd day of October 2023, that the proposals for upgrade to the Department of Public Works door security are approved as follows:

- Armored Alarm Inc. \$3,872.00
- R.W. Locksmith \$2,100.00

RESOLUTION 229-23

AUTHORIZE BILLING FOR AMBULANCE SERVICE

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

ADOPTED: Ayes 3 Maerten, Buechler, Hickman
Nays 0
Recusals 2 Leible, Lombardo

WHEREAS, General Municipal Law § 209-b permits the Wendelville Fire Company, Inc. to bill users of ambulance services for ambulance transportation; and

WHEREAS, the Town finds it to be in the interest of public safety and in the interest of the taxpayers to commence an ambulance billing program; and

WHEREAS, the Town is the authority having jurisdiction over the ambulance service; and

WHEREAS, in 2008, the legislature required insurance companies and Health Maintenance Organizations to cover emergency ambulance transportation services; and

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 23rd day of October 2023 that the Town resolves as follows:

- 1) Upon issuance of appropriate billing numbers and certain prerequisites, the Wendelville Fire Company, Inc. is hereby authorized to commence billing pursuant to its rules.
- 2) The Wendelville Fire Company, Inc. shall only work with a billing company which provides flat fees per bill for government payors, and shall not work on a percentage billing payment arrangement for such payors.
- 3) The rules shall, at a minimum and in accordance with the General Municipal Law, be as follows:
 - a. Persons without insurance shall not be issued bills, but bills may be issued unless and until it is confirmed that the patient has no insurance.
 - b. Residents shall not be charged a copayment, and the taxes collected by the Company shall be utilized as against such copayment obligation.
 - c. Non-residents shall be billed the full amount of the bill.
 - d. In all cases, the Wendelville Fire Company, Inc. may bill for services rendered in the territory listed in its Ambulance Service Certificate. Services provided for ambulance services outside the area of the primary service area (by geography or contract) or outside the area contained in the Ambulance Service Certificate shall not be billed by the Fire Company. However, should the Fire Company be operating under permission of another entity's ambulance service certificate, then that entity may bill for this Company's services and remit payment hereto.
 - e. ALS intercept services, if available and rendered to the Fire Company by another ALS-intercept service, shall be paid by the Fire Company to the ALS-Intercept service at a negotiated rate by the Fire Company.
 - f. The Town adopts a schedule of fees which is, at least, usual and customary in this area and will issue bills for the following:

BLS	\$1,000.00
ALS 1	\$1,250.00
ALS 2	\$1,500.00
Mileage	\$38.00 per mile
Refusals	\$0

- g. Balance billing between the amount billed and the amount authorized by insurance shall not occur and is prohibited by law.
- h. Firefighters and their families will not be billed, except as such service is covered by VFBL for line of duty injuries.

- i. Billing revenues are the property of the Fire Company and will be deposited in an account specifically designated for such purpose. No other funds shall be deposited in the account. Transfers will be made from the account to other budget lines, in such amounts as the Fire Company resolves either annually or on a month to month basis.
 - j. Each quarter, the treasurer shall provide a report to the Town Board on the:
 1. Amount billed
 2. Amount received
 3. Amount to be transferred from the account
 4. Amount past due (30, 60, 90)
 5. Amount recommended to be “written off” and forgiven
 6. Total amount received for the month and year
 7. Total amount billed for the month and year.
- 4) The Fire Company will adopt a charity care policy.

This resolution shall take effect immediately.

BOARD DISCUSSION

Supervisor Maerten invited resident, Jim Sobczyk, to speak to the board about a potential grant funding offered by the Greater Buffalo Niagara Regional Transportation Council. He is requesting that the Town Board authorize Rotella Grant Management to complete an application for funding for a feasibility study regarding the completion of the town’s Rails to Trails bike path that will connect the City of North Tonawanda and the City of Lockport. The Town Board had no objections to authorize the grant writer to complete the application.

Supervisor Maerten mentioned that he was looking into opportunities to fund an upgrade to the Town Hall’s front lobby to add an electronic entrance door for handicap access.

A short discussion took place about a request for a stop sign on Paddock Ridge. The Board decided to leave the decision up to the Building Inspector and Highway Superintendent based on their professional opinions.

Councilman Hickman asked the rest of the Board if they objected to the Pendleton Farm & Home Days committee’s request to post sponsor banners on the baseball fencing during the event. There were no objections.

Councilman Buechler provided a brief update on the Recreation Committee stating that member Yvonne Vivian is still working with Rotella Grant Management to obtain funding. He commented that it was determined that the town wasn’t eligible for some of the grants that Mrs. Vivian had hoped for.

Councilman Lombardo mentioned the he and Councilman Leible met with Mike Zimmerman, Board President of 9 Mile Island Youth Camp, to check on the condition of the property. He stated that it appears that the buildings are pretty much cleaned up except for a few items left by the day care group. Mr. Lombardo also said that some repairs will need to be made to some of the buildings. A discussion continued with the Highway Superintendent regarding this matter. Councilman Lombardo also mentioned that the group which provided the summer day camp at 9 Mile Island is interested in doing a presentation for the Board regarding their request to use the island in the summer of 2024.

Engineer Britton complimented the DPW staff for the work they did prepping the community center site.

Town Clerk Maurer asked the Board to consider approving the updated Park Policy soon and reminded them to work on revisions to the Fee Schedule.

Highway Superintendent Fischer said that his crew worked very hard to get the stone in and fill the hole at the community center site.

A resident asked if the Board is considering accepting the donation of the used portable toilets from the AnJo baseball league. The Board stated that no decision has been made at this time.

Motion by Councilman Leible, seconded by Councilman Hickman, to enter into an Executive Session with the Highway/Water & Sewer Superintendent and the Deputy Supervisor, at 7:50 p.m. to discuss contract negotiations for the town's collective bargaining unit. Motion carried.

Motion by Councilman Lombardo, seconded by Councilman Leible, to adjourn from the Executive Session at 8:08 p.m. Motion carried.

Motion by Councilman Leible, seconded by Councilman Buechler, to adjourn from the Work Session at 8:08 p.m. Motion carried.

BUDGET SESSION

The budget session began with Budget Officer Maturski explaining that an updated Tentative Budget was posted showing updates which were discussed over the last few weeks. He noted that any further adjustments will be added to the Preliminary Budget.

The following line items on the 2024 Tentative Budget were discussed:

A1220	Supervisor
A7120	Recreation
A7550	Celebrations
A7989	Other Culture & Recreation
H7150	Paving - Tennis Courts
H203	Recreation - Paving Grant

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from the Budget Session at 8:50 p.m. Motion carried.

Deborah K. Maurer, Town Clerk