

**TOWN OF PENDLETON**  
**REGULAR MEETING**  
March 11, 2024

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 11<sup>th</sup> day of March 2024 at 7:00 p.m.

Supervisor Maerten called the meeting to order at 7:10 p.m.

Supervisor Maerten read the invocation and the salute to the flag. A moment of silence was also observed to honor former Town Justice, the Honorable Donald D. Lanternier and Mr. Gary Braun, a longtime member of the Recreation Committee, who passed away recently.

Roll Call:

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

Also present:

Deborah Maurer - Town Clerk  
Claude Joerg - Town Attorney  
Tom Valentine - Assessor  
Dave Fischer - Highway/Water & Sewer Superintendent  
Ron Diedrich - Building Inspector/Code Enforcement Officer  
Mark Walter - Deputy Town Supervisor

There were 17 residents in attendance, 12 of which were Starpoint students.

**AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA**

The following changes were made to the agenda:

- Remove Approval of Meeting Minutes
- Add #29 - New Wendelville Fire Company Member

**PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS**

There were no public remarks or comments on the agenda items.

**ROUTINE BUSINESS**

RESOLUTION 78-24

**ABSTRACT #5**

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 11<sup>th</sup> day of March 2024, to authorize payment of Voucher Abstract #5, Vouchers #24-00206 to #24-00254, which will be paid on March 13, 2024 as follows:

General Fund	\$	25,333.85
Highway	\$	43,520.32
Fire Protection	\$	3,217.00
Sewer	\$	15,845.14
Water	\$	5,605.90
Total	\$	93,522.21

**OTHER REPORTS**

**Supervisor Maerten** reported that the sales tax collected for January 2024 was \$210,498.24. This is an increase of \$6,875.12 compared with January 2023. The year to date received is \$210,498.24 which is an increase of \$6,875.12 from 2023.

**Councilman Leible** had nothing to report.

**Councilman Hickman** reported that there has been good activity with receiving applications for the positions of Recreation Director and Summer Recreation Director. He stated that the Town has also received several applications for counselors for the Summer Recreation Program. He and Councilman Buechler will be conducting interviews for the director positions soon.

**Councilmen Lombardo** had nothing to report.

**Councilmen Buechler** said that it is very exciting to see so many qualified candidates for the Recreation Director and Summer Recreation Director positions which will provide an opportunity for the Town to make a good selection.

**Attorney Joerg** had nothing to report.

**Engineer Britton** explained that the next round for reapplication for funding for the Campbell Boulevard Water Line Extension Project is in June. He is in the process of preparing the documentation for that application in hopes of being able to advance with that project. He also reminded everyone that there will be an interactive Public Informational Meeting, regarding the update to the Comprehensive Plan, on Wednesday, March 13, 2024 at 6:30 p.m. This meeting will be held at Town Hall and is open to all.

#### **DEPARTMENT HEADS**

**Town Clerk Maurer** reported that monthly reports were received from the Assessor, Building Inspector/Code Enforcement Officer, and Dog Control Officer. These reports, along with the monthly reports for the Town Clerk, Tax collection, and Water/Sewer collection, were posted online with the agenda documents. Mrs. Maurer informed the Board of the following monies received and collected in the month of February:

Total State, County and Local Revenues	\$	32,173.00
Town & County Taxes (to date)	\$	7,891,729.71
Water/Sewer Collection	\$	75,170.85

**Highway and Water/Sewer Superintendent Fischer** reported that during the month of February his crew salted and plowed as needed, conducted sewer jetting, and installed culvert pipes for some of the residents on the waitlist. He said that they have also been busy getting mowers ready for the summer and installed the new motor in the John Deere tractor.

**Building Inspector Diedrich** had nothing to report.

**Assessor Valentine** explained that March 1<sup>st</sup> was taxable status day for Pendleton and was also the last day to turn in exemption applications for the 2024 Tax Roll. He reported that approximately 300 exemption applications were turned in and that they will be in the process of reviewing them for the next four - six weeks prior to turning in the Tentative Roll to Niagara County.

#### **NEW BUSINESS**

RESOLUTION 79-24

##### **DPW OPERATIONS - APRIL 8, 2024**

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

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

WHEREAS, a solar eclipse, which is a rare event, will be visible in the Town of Pendleton and surrounding areas on April 8, 2024; and

WHEREAS, an extraordinary number of eclipse viewers are predicted to be in the area on this date and plans are being prepared by local agencies to deal with the increase in people and traffic in the area on this date; and

WHEREAS, reports from previous eclipse events have documented the extraordinary pressure on traffic systems in the areas where the full eclipse is visible; and

WHEREAS, there is potential for an extraordinary amount of traffic and people in the Town Park on this date, impeding the operations of the Town Hall; and

WHEREAS, it is prudent to be prepared to cease all public works operations and close the Public Works Facility on April 8, 2024 to minimize potential disruptions to public works operations, should conditions necessitate this decision.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the Supervisor is authorized to cease all operations of the Highway Department and the Water & Sewer Department, at his discretion, on April 8, 2024. This resolution shall take effect immediately.

RESOLUTION 80-24

**PORTABLE TOILETS - MAY THROUGH SEPTEMBER**

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

WHEREAS, each summer the Town of Pendleton arranges for the placement of portable toilets at various recreational areas in the Town for the convenience of the public; and

WHEREAS, multiple quotes were solicited for portable toilet services; and

WHEREAS, the following quotes were received for portable toilets:

Julie's Portable Toilets: \$2,075.00  
Modern Disposal Services: \$2,825.00

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the quote provided by Julie's Portable Toilets is authorized for an expenditure not to exceed \$2,075.00 for service from May through September. This resolution shall take effect immediately.

RESOLUTION 81-24

**PORTABLE TOILETS - APRIL 5 THROUGH APRIL 8, 2024**

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

WHEREAS, a need for portable toilet placement in the Town Park during the upcoming eclipse event has been established; and

WHEREAS, multiple quotes were solicited for portable toilet services; and

WHEREAS, the following quotes were received for portable toilets:

Julie's Portable Toilets: \$1,080.00  
Modern Disposal Services: \$860.00

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the quote provided by Modern Disposal Services is authorized for an expenditure not to exceed \$860.00 for service from approximately April 5, 2024 through April 8, 2024. This resolution shall take effect immediately.

Next, a discussion took place regarding the contract for the Fourth of July fireworks. The Town received a contract from Skylighters of New York LLC. Councilman Leible requested contracts from three other vendors stating that two of them were unavailable for July Fourth and he did not receive a response from Pyrotechnics.

RESOLUTION 82-24

**FIREWORKS CONTRACT**

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

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

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, 2024 fireworks show; and

WHEREAS, it is recommended to the Town Board that a new contract for the July 4, 2024 fireworks presentation be accepted pending approval of the Town Attorney.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the contract for the July 4, 2024 fireworks display in the Town Park is awarded to Skylighters of New York LLC for \$20,625.00, pending final approval of 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.

RESOLUTION 83-24

**FIREWORKS PERMIT FEE**

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 11<sup>th</sup> day of March 2024, that any and all fees associated with the planned July 4, 2024 fireworks show in the Town Park are waived for the Town and its contractor. This resolution shall take effect immediately.

RESOLUTION 84-24

**2023 BUDGET LINE TRANSFERS**

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 11<sup>th</sup> day of March 2024, that the budget line transfers recommended by the Budget Officer, as presented to the Town Board, are authorized for the 2023 budget. This resolution shall take effect immediately.

<u>General Fund</u>						
#	Budget Code	Description	Amount	Budget Code	Description	Amount
1	A1420.0420	Attorney - Contractual - Pro.	\$3,750.00	A1420.0410	Attorney - Contractual	\$3,750.00
2	A3310.0400	Traffic Control - Contractual	\$5,020.48	A1355.0110	Assessor - Personnel Svcs. - Clerk	\$5,020.48
3	A7150.0401	Parks & Rec. - CFA - Pro. Services	\$12,253.52	A1710.0400	Administrative - Pro. Fees	\$11,231.85
				A1640.0400	Central Garage - Contractual	1021.67
		TOTAL:	\$21,024.00		TOTAL:	\$21,024.00
<u>Highway Fund</u>						
#	Budget Code	Description	Amount	Budget Code	Description	Amount
4	DA5110.0100	Maintenance of Roads - Personnel	\$19,685.78	DA1990.0400	Contingency	\$19,665.78
		TOTAL:	\$19,685.78		TOTAL:	\$19,665.78
<u>Sewer Fund</u>						
#	Budget Code	Description	Amount	Budget Code	Description	Amount
5	SS8120.0410	Sewage Collection - Supplies	\$46,525.72	SS8120.0200	Sewage Collection - Equipment	\$39,010.61
				SS8120.0450	Sewage Collection - Pump Stat. Maint.	\$6,000.00
				SS8120.0451	Sewage Collection - Main Maint.	\$1,515.11
6	SS8120.0460	Sewage Collection - Pump Station	\$602.96	SS8120.0451	Sewage Collection - Main Maint.	\$602.96
7	SS8120.0481	Sewage Collection - Fuel	\$1,140.05	SS8120.0451	Sewage Collection - Main Maint.	\$1,140.05
		TOTAL:	\$48,268.73		TOTAL:	\$48,268.73
<u>Water Fund</u>						
#	Budget Code	Description	Amount	Budget Code	Description	Amount
8	SW8340.0400	Directional Boring - Contractual	\$2,099.20	SW1990.0400	Contractual	\$2,099.20
9	SW8340.0420	Trans. & Dist. - Power & Pumps	\$206.13	SW1990.0400	Contractual	\$206.13
10	SW8340.0430	Trans. & Dist. - Meters	\$5,843.21	SW1990.0400	Contractual	\$5,843.21
		TOTAL:	\$8,148.54		TOTAL:	\$8,148.54

RESOLUTION 85-24

**NCDSS CONTRACT - SUMMER RECREATION PROGRAM**

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 11<sup>th</sup> day of March 2024, that agreement between Niagara County Social Services and the Town of Pendleton, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

Next, Supervisor Maerten explained that there are two proposed change orders to the Community Center contracts. Both of these change orders are a result of the moving of the “server room” to a different location in Town Hall.

RESOLUTION 86-24

**COMMUNITY CENTER CHANGE ORDER MC-1**

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

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

WHEREAS, the Town Board of the Town of Pendleton authorized the advertisement for bids for a Community Center Project by resolution on January 9, 2023; and

WHEREAS, acceptance of the lowest bid for this advertised project was accepted by resolution on May 8, 2023; and

WHEREAS, work on the Community Center Project has commenced and Change Order MC-1 related to the addition of conduits has been recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that proposed Change Order MC-1, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 87-24

**COMMUNITY CENTER CHANGE ORDER EC-5**

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

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

WHEREAS, the Town Board of the Town of Pendleton authorized the advertisement for bids for a Community Center Project by resolution on January 9, 2023; and

WHEREAS, acceptance of the lowest bid for this advertised project was accepted by resolution on May 8, 2023; and

WHEREAS, work on the Community Center Project has commenced and Change Order EC-5 related to the addition of conduits has been recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that proposed Change Order EC-5, as presented to the Town Board and corrected by the Town Engineer, is accepted. This resolution shall take effect immediately.

RESOLUTION 88-24

**2023 JUDICIAL AUDIT - HONORABLE KEVIN MACK**

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 11<sup>th</sup> day of March 2024, to accept the results of the 2023 audit of the Honorable Justice Kevin Mack as presented by Councilman Lombardo.

RESOLUTION 89-24

**2023 JUDICIAL AUDIT - HONORABLE TODD OSTROWSKI**

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 11<sup>th</sup> day of March 2024, to accept the results of the 2023 audit of the Honorable Justice Todd Ostrowski as presented by Councilman Leible.

RESOLUTION 90-24

**SCHEDULE PUBLIC HEARING - REZONING REQUEST**

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

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

WHEREAS, as property owner or the property owner's representative did present plans for development of specific parcels of property located on Campbell Boulevard in the Town of Pendleton; and

WHEREAS, a portion of the properties detailed in the application under review by the Planning Board is improperly zoned for the proposed development; and

WHEREAS, the zoning of each parcel includes Light Commercial (CO-1) and Residential (R-2); and

WHEREAS, the Planning Board has recommended rezoning of these specific parcels to appropriate zoning, in anticipation of possible approval of the development of these specific parcels.

WHEREAS, a public hearing is required for the requested property rezoning.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that a public hearing is scheduled for April 15, 2024 at 6:55 pm for the request to rezone SBL 136.00-1-46.12 and 136.00-1-46.112 from the current mixed zoning. The proposed change includes SBL 136.00-1-46.12 being rezoned to Residential (R-2) for the entirety of the parcel and SBL 136.00-1-46.112 being rezoned to Light Commercial (CO-1) for the entirety of the parcel. This resolution shall take effect immediately.

RESOLUTION 91-24

**SCHEDULE PUBLIC HEARING - LOCAL LAW TO AMEND TOWN CODE FOR PARKING RESTRICTIONS**

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

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

WHEREAS, The Town of Pendleton hereby proposes a Local Law, pursuant to the New York Municipal Home Rule Law, the New York State Town Law to amend the Pendleton Town Code, Section 235-4 relative to parking restrictions in the Town of Pendleton; and

WHEREAS, Beach Ridge Road and portions of Townline Road are located within the borders of the Town of Pendleton and those roads intersect near the Town's westerly border; and

WHEREAS, Niagara County is responsible for the maintenance, upkeep, and repair of Beach Ridge Road in the Town of Pendleton; and

WHEREAS, The Supervisor of the Town of Pendleton has received numerous reports of concern related to the safety of residents that have their residences near the intersection of Beach Ridge Road and Townline Road due to the local businesses which are located near such intersection; and  
WHEREAS, Town Code Section 235-4 Section A – General Provisions provides for those roads in the Town of Pendleton where parking is restricted; and

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March, 2024 that a public hearing will be held on the 15<sup>th</sup> day of April, 2024 at 6:45 p.m. in the Pendleton Town Hall, Pendleton, New York, on said Local Law to add the following subsections (6), (7) and (8) to the Pendleton Town Code Section 235-4 A General Provisions;

(6) The North side of Beach Ridge Road for a distance of 150 feet East from the stop sign at the approximate intersection of Beach Ridge Road and Townline Road; and

(7) The South side of Beach Ridge Road for a distance of 375 feet East from the approximate intersection of Beach Ridge Road and Townline Road; and

(8) The East side of Townline Road for a distance of 150 feet North from the approximate intersection of Townline Road and Beach Ridge Road.

BE IT FURTHER RESOLVED, that this Local Law shall become effective pursuant to the laws of the State of New York.

RESOLUTION 92-24

**APPOINTMENT OF SEASONAL LABORER - CRAIG WALTER**

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 11<sup>th</sup> day of March 2024, that Craig Walter is appointed to the position of seasonal Laborer, reporting to the Highway Department, at a rate of compensation of \$21.32 per hour. This resolution shall take effect immediately.

RESOLUTION 93-24

**APPOINTMENT OF SEASONAL LABORER - RICHARD ALBERT**

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 11<sup>th</sup> day of March 2024, that Richard Albert is appointed to the position of seasonal Laborer, reporting to the Highway Department, at a rate of compensation of \$21.32 per hour. This resolution shall take effect immediately.

RESOLUTION 94-24

**APPOINTMENTS TO CONSERVATION ADVISORY COUNCIL**

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 11<sup>th</sup> day of March 2024, that Angie Gilbert and Robert Gilbert are hereby appointed to the Conservation Advisory Council for a term that expires on December 31, 2024. This resolution shall take effect immediately.

RESOLUTION 95-24

**APPOINTMENT TO ZONING BOARD OF APPEALS**

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024, that James Meholick is hereby appointed to the Zoning Board of Appeals until December 31, 2026 which is the balance of the term for the current vacancy.

RESOLUTION 96-24

**APPOINTMENT OF DEPUTY TOWN CLERK - JULIE BUTLER**

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 11<sup>th</sup> day of March 2024, that Julie Butler is appointed to the position of part-time Deputy Clerk, reporting to the Town Clerk, at a rate of compensation of \$18.50 per hour. This resolution shall take effect immediately.

RESOLUTION 97-24

**ARCGIS ACCOUNTS**

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

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

WHEREAS, the Town Board did approve a resolution accepting a proposal from Nussbaumer & Clarke, Inc. to provide engineering support services to the Town of Pendleton for the integration and utilization of ESRI ArcGIS Online software at the February 12, 2024 meeting; and

WHEREAS, an expenditure has been requested to create ArcGIS user accounts.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the expenditure of \$1,210.00 for ArcGIS user accounts is approved. This resolution shall take effect immediately.

RESOLUTION 98-24

**NYSTCA ANNUAL CONFERENCE**

Motion by Councilman Buechler, 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 11<sup>th</sup> day of March 2024, that Town Clerk Maurer is authorized to attend the New York State Town Clerk's Association (NYSTCA) annual conference from April 21 - 24, 2024.

RESOLUTION 99-24

**EDMUNDS CLOUD HOSTING PROPOSAL**

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 11<sup>th</sup> day of March 2024, that the proposal from Edmunds GovTech, as presented to the Town Board, is approved. This resolution shall take effect immediately.

RESOLUTION 100-24

**LOSAP INVESTMENT POLICY STATEMENT**

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 11<sup>th</sup> day of March 2024, that Investment Policy Statement for the Town's Defined Benefit Length of Service Program (LOSAP), as presented to the Town Board, is approved. This resolution shall take effect immediately.

RESOLUTION 101-24

**JCAP AWARD**

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 11<sup>th</sup> day of March 2024, that a grant under the 2023-24 cycle of the Justice Court Assistance Program (JCAP) awarded to the Town of Pendleton is accepted as presented to the Town Board. This resolution shall take effect immediately.

RESOLUTION 102-24

**FUA - CHALLENGER LEAGUE CORP.**

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 11<sup>th</sup> day of March 2024, to approve the Facilities Usage Agreement for the organization known as Challenger Baseball League, LLC.



RESOLUTION 103-24

**FUA - HUNTERS CREEK CONDOMINIUM B**

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 11<sup>th</sup> day of March 2024, to approve the Facilities Usage Agreement for the organization known as Hunters Creek Condominium.

RESOLUTION 104-24

**COMMITMENT TO PROJECT FUNDING - DEPEAU PARK**

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

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

Nays 0

WHEREAS, the Town of Pendleton has tentatively been approved for grant funding for the repaving of the surfaces of the tennis court and hockey area located in Depeau Park; and

WHEREAS, the amount of grant funding is \$75,000.00 and the estimated cost of the project is \$120,000.00; and

WHEREAS, it is necessary for the Town of Pendleton to commit funding for the balance of this project prior to final award of this grant funding.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024 that the Town of Pendleton is committed to the proposed project in Depeau Park and will commit necessary funding above the grant award amount to ensure this project is completed as proposed. This resolution shall take effect immediately.

RESOLUTION 105-24

**WATER METER PURCHASE**

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 11<sup>th</sup> day of March 2024, that water meters and meter readers 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 meter readers; and

FURTHER, BE IT RESOLVED, that the purchase of fifteen (15) Badger water meters and fifteen (15) meter readers is approved for a cost of \$5,949.00. This resolution shall take effect immediately.

RESOLUTION 106-24

**APPOINTMENT OF RECREATION DIRECTOR**

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

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

Nays 0

WHEREAS, the Town Board did approve a resolution approving a posting for the part-time position of Recreation Director at the January 8, 2024 reorganization meeting; and

WHEREAS, the approved posting and job description was advertised; and

WHEREAS, multiple applications for the posted position were received and applicants were interviewed for this position; and

WHEREAS, a recommendation has been communicated to the Town Board for appointment to the position of Recreation Director.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024, that Patrick Covell is appointed to the position of Recreation Director at

an annual rate of compensation of \$30,000.00, paid on the biweekly payroll schedule. This resolution shall take effect immediately.

**RESOLUTION 107-24**

**APPOINTMENT OF SUMMER RECREATION DIRECTOR**

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

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

WHEREAS, the Town Board did approve a resolution authorizing the posting for the part-time position of Summer Recreation Director at the February 26, 2024 work session; and

WHEREAS, the approved posting and job description was advertised; and

WHEREAS, multiple applications for the posted position were received and applicants were interviewed for this position; and

WHEREAS, a recommendation has been communicated to the Town Board for appointment to the position of Summer Recreation Director.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 11<sup>th</sup> day of March 2024, that Monica Wall is appointed to the position of Summer Recreation Director at the annual compensation rate of \$8,213.00, paid on the biweekly payroll schedule. This resolution shall take effect immediately.

**RESOLUTION 108-24**

**WENDELVILL FIRE COMPANY - NEW MEMBER**

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 11<sup>th</sup> day of March 2024, to accept Matthew Neuman, from Ridgeview Drive West, as a new member of the Wendelville Fire Company.

**BOARD MEMBERS DISCUSSION**

Supervisor Maerten stated that the Regular Board Meeting, originally scheduled for April 8, 2024, will now be held on April 15, 2024 at 7:00 p.m. in order to avoid any disruptions that may occur due to the Solar Eclipse.

**PUBLIC REMARKS/COMMENTS**

A representative from Solar on Earth spoke to the Town Board about a potential monthly credit that the Town might be eligible for on its National Grid bills.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from the Regular Meeting at 8:20 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk