

**TOWN OF PENDLETON
PUBLIC HEARING & REGULAR MEETING
July 8, 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 8th day of July 2024 at 7:00 p.m.

**PUBLIC HEARING
REZONING REQUEST FOR SBL 136.00-1-46.2**

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on June 26, 2024 and on the Town's website.

Supervisor Maerten opened the Public Hearing at 6:59 p.m.

The purpose of this public hearing was to allow public input on a request to rezone SBL 136.00-1-46.2 from the current mixed zoning. The proposed change includes SBL 136.00-1-46.2 being rezoned to Light Commercial (CO-1) for the entirety of the parcel.

There were no questions or comments from the public.

Motion made by Councilman Leible, seconded by Councilman Buechler, to close the Public Hearing at 7:00 p.m. Motion carried.

REGULAR MEETING

Supervisor Maerten called the meeting to order at 7:00 p.m.

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

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
David Britton - Town Engineer
Dave Fischer - Highway/Water & Sewer Superintendent
Ron Diedrich - Building Inspector/Code Enforcement Officer
Tom Valentine - Assessor
Mark Walter - Deputy Town Supervisor

There were 31 residents in attendance.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

No changes were made to the agenda.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

The first resident who spoke had questions regarding two vouchers included in Voucher Abstract #13: one for payment to OHOL Farms and another for the Pendleton Seniors trip. She also expressed concerns about the proposed local law to amend Town Code Sections 191-6, 191-7, and 191-8, and made a suggestion for the proposed Fee Schedule.

Next, a resident requested that the Town Board consider postponing the vote on the proposed local law to amend Town Code Sections 191-6, 191-7, and 191-8, suggesting that it be submitted to a public vote.

Another resident, who had attended the public hearing last month, spoke out against closing the multi-use trail to ATVs.

A Bear Ridge Road resident expressed support for keeping the trail open to ATVs and inquired about the number of complaints that have been filed regarding this issue.

One resident argued that closing the trail to ATVs would negatively impact local businesses financially and expressed hope that alternative solutions could be found.

Another resident noted that repairs are needed for the town-owned parking lot near Craft Coffee House, as its current condition is creating dangerous situations near the bike path.

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

ROUTINE BUSINESS

RESOLUTION 198-24

MEETING MINUTES - JUNE 10, 2024

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 8th day of July 2024, that the meeting minutes for the Regular Meeting held on June 10, 2024, are approved as presented by Town Clerk Maurer.

RESOLUTION 199-24

MEETING MINUTES - JUNE 17, 2024

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 8th day of July 2024, that the meeting minutes for the Work Session held on June 17, 2024, are approved as presented by Town Clerk Maurer.

RESOLUTION 200-24

ABSTRACT #12

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 July 2024, to authorize payment of Voucher Abstract #12, Vouchers #24-00613 to #24-00661 which was paid on June 26, 2024 as follows:

General	\$	18,187.26
Highway	\$	13,271.54
Capital	\$	153,458.13
Refuse	\$	48,728.60
Sewer	\$	3,416.89
Water	\$	1,682.70
Total	\$	238,745.12

RESOLUTION 201-24

ABSTRACT #13

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 8th day of July 2024, to authorize payment of Voucher Abstract #13, Vouchers #24-00662 to #24-00712 to be paid on July 10, 2024 as follows:

General	\$	155,690.27
Highway	\$	82,419.90
Capital	\$	2,250.00
Sewer	\$	39,138.28
Water	\$	2,755.91
Total	\$	282,254.36

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for May 2024 was \$188,692.49. This is an increase of \$10,518.47 compared with May 2023. The year to date received is \$983,163.58, which is an increase of \$21,088.46 from 2023.

Supervisor Maerten also reported that he met with Budget Officer Tom Matuski to begin preparation of the 2025 budget. He stated that Mr. Matuski will be reaching out to department heads to set up meetings for the budget discussions.

Councilman Leible provided a brief recap of the July 4th celebration. He said that the fireworks and music were great, and that the magic show was awesome. Mr. Leible also stated that attendance was the highest he has seen in the past 20 years.

Councilman Lombardo had nothing to report.

Councilman Buechler provided updates from the Recreation Committee, stating that they fully support the proposed agreement between the Town and Buffalo Bomb Squad Sports, Inc. He mentioned that the committee is requesting to increase its membership from seven to ten members. Lastly, he reported that the Length of Service Award Program (LOSAP) audit has been submitted to the Town Clerk's office.

Councilman Hickman said that he agreed with Councilman Buechler's report from the Recreation Committee.

Attorney Joerg had nothing to report at this time.

Engineer Britton had nothing to report.

DEPARTMENT HEADS

Town Clerk Maurer reported that monthly reports were received from the Assessor, Building Inspector/Code Enforcement Officer, and Highway Superintendent. These reports, along with the monthly reports for the Town Clerk and Water/Sewer collection, were posted online with the agenda documents.

Next, Mrs. Maurer informed the Board of the following monies received and collected in the month of June:

Total State, County and Local Revenues	\$	23,983.30
Water/Sewer Collection	\$	52,985.21

Mrs. Maurer also reported that the Town is hosting the Niagara County Veterans Service Agency's mobile "Thank A Vet" program at the Town Hall on Tuesday, July 23rd from 12:00 p.m. until 6:00 p.m. Veterans will need to show a copy of their DD-214 Member 4 Copy or proof of honorable discharge and proof of Niagara County residency to be eligible for a discount card.

Highway and Water/Sewer Superintendent Fischer reported that the new Splash Pad is now open and has been quite busy. He stated that a few tweaks are needed but otherwise it is working out well.

Building Inspector Diedrich had nothing to report.

Assessor Valentine reported that the Final Assessment Roll was submitted to Niagara County at the end of June. He also stated that he has been out taking pictures of properties around Town to update the parcel records.

NEW BUSINESS

Dominic Campbell, from Boy Scout Troop 47, presented his proposal for a new informational trail kiosk to be situated at the intersection of the rail trail and Mapleton Road. The kiosk will provide historical information about the area, historically known as Hodgeville. He requested permission from the Town Board to develop this kiosk as part of his Eagle Scout Service Project.

RESOLUTION 202-24

EAGLE SCOUT PROJECT

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 July 2024, to authorize Dominic Campbell to complete his Eagle Scout Service Project for as presented to the Town Board.

RESOLUTION 203-24

REZONING REQUEST - 136.00-1-46.2

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

Nays 0

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

WHEREAS, the Planning Board has recommended rezoning of this specific parcel to appropriate zoning, in anticipation of possible approval of the development of this specific parcel; and

WHEREAS, a public hearing was scheduled and advertised for July 8, 2024 for the requested property rezoning.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of July 2024, that the request to rezone SBL 136.00-1-46.2 from the current mixed zoning to Light Commercial (CO-1) for the entirety of the parcel is approved. This resolution shall take effect immediately.

LOCAL LAW NO. -- OF THE YEAR 2024 TO AMEND TOWN CODE SECTIONS 191-6, 191-7 AND 191-8

Supervisor Maerten asked if any Town Board member wanted to speak about the proposed local law. Councilman Leible initiated the conversation by suggesting that this agenda item be tabled until the end of the year to allow for the organization of a committee of volunteers to find solutions to the concerns of the town. Councilman Buechler reminded everyone of the liability to the Town and stated that only ten residents have registered for permits to ride on the trails. He admitted that most of the problems are committed by out-of-town, nonregistered riders and that it is difficult for the deputy sheriff to enforce the permit regulation. He also stated that he is in favor of forming a committee to rectify some of the reported issues. Councilman Lombardo expressed support for forming a committee and opposed closing the trail as a solution. Councilman Hickman agreed to table the decision on the local law but emphasized the need for formal agendas and meeting minutes. Supervisor Maerten agreed that the committee should report back to the Town Board. Councilman Leible volunteered to lead the committee. Councilman Lombardo inquired about

putting the vote on referendum for public input, but the Town Attorney indicated it was not feasible.

RESOLUTION 204-24

BUFFALO BOMB SQUAD SPORTS INC. AGREEMENT

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 endeavors to provide athletic and recreational programing for resident families; and

WHEREAS, baseball and softball programs have historically been organized and implemented in the Town of Pendleton annually; and

WHEREAS, baseball and softball programs are currently organized by the Recreation Committee and volunteers working in conjunction with the Recreation Committee; and

WHEREAS, the Recreation Committee has recommended engaging in an agreement with an independent organization which has experience planning, organizing, and implementing baseball and softball programs; and

WHEREAS, such an agreement 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 8th day of July 2024, that the agreement between the Town and the Buffalo Bomb Squad, as presented, is approved. This resolution shall take effect immediately. [**This Resolution was later amended. See RESOLUTION 214-24**]

RESOLUTION 205-24

CHANGE OF TITLE - SUMMER RECREATION POSITION

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

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

WHEREAS, Sydney Labaugh was appointed to the position of Lifeguard at the June 10, 2024 meeting of the Town Board; and

WHEREAS, the Summer Recreation Program Director has requested a change of title for this individual to Recreation Leader.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of July 2024, that the action to appoint Sydney Labaugh to the position of Lifeguard is rescinded and this individual is appointed to the position of Recreation Leader effective July 1, 2024. This resolution shall take effect immediately.

RESOLUTION 206-24

APPOINTMENT OF SUMMER RECREATION EMPLOYEE

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 of Pendleton plans and implements an annual summer recreation program for community youth; and

WHEREAS, the Town's Summer Recreation Program is coordinated and managed by the Recreation Director, who is appointed by the Town Board; and

WHEREAS, the Recreation Director relies on the efforts of seasonal employees hired for multiple position titles to assist with all-aspects of the operation of the Summer Recreation Program; and

WHEREAS, the Town Board approved advertisement of multiple position titles for the Summer Recreation Program at the December 11, 2023 meeting; and

WHEREAS, the Recreation Director has requested appointment of an individual to a specific title.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of July 2024, that Daniel Gavacs is appointed to the position of Lifeguard effective July 1, 2024. This resolution shall take effect immediately.

RESOLUTION 207-24

DECLARE EQUIPMENT SURPLUS

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 July 2024, that the following items are declared surplus and may be disposed of as appropriate:

- Dell monitors, serial numbers CN OKU789-71618-821-BBA3 and OKU789-71618-821-BBA5
- Brother Laser Fax Intellifax 2840, serial number U63274L7J517728
- Brother Fax/Scan/Copy MFC 7840W, serial number U62064G0N30357
- HP Printer Officejet Pro 9020, serial number TH96L 460W8

This resolution shall take effect immediately.

RESOLUTION 208-24

BUDGET TRANSFERS

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 July 2024 that the following budget transfers are approved:

Transfer to: Engineering - Salt Barn & Generator (A1440.0421), \$2,540.00

Transfer from: Engineer Solar (A1440.0419), \$2,540.00

Transfer to: Parks - Contractual (A7110.0400), \$384.00

Transfer from: Parks - Supplies (A7110.0400), \$384.00

Transfer to: Drainage - Pers. Service - Stormwater (A8540.0110), \$690.00

Transfer from: Drainage - Personnel Services (A8540.0100), \$690.00

Transfer to: Drainage - Contractual Expense (A8540.0400), \$173.00

Transfer from: Drainage - Personnel Services (A8540.0400), \$173.00

Transfer to: Town Hall - Town Hall Work (A1620.0120), \$7,440.00

Transfer from: Town Hall - Fixed Assets (A1620.0200), \$7,440.00

This resolution shall take effect immediately.

RESOLUTION 209-24

BUDGET AMENDMENT

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 July 2024, that the 2024 budget shall be amended to add budget line Farmers' Market - Supplies (A1989.450).

FURTHER, BE IT RESOLVED, that a transfer of \$2,250.00 from Farmer's Market (A1989.0400) to Farmers' Market - Supplies (A1989.0450) is approved. This resolution shall take effect immediately.

RESOLUTION 210-24

FEE SCHEDULE UPDATES

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 July 2024, that the updated fee schedule, as presented, is approved. This resolution shall take effect immediately.

Town of Pendleton Fee Schedule

Type	Fee
Residential buildings*	
Single-Family Residence – 0 to 2,000 square feet	\$900
Single-Family Residence – Over 2,000 square feet	\$900, plus \$0.35 per square foot over 2,000
Two-Family Residence	\$1,200
Multifamily Residence – 1 to 5 units	\$1,500
Multifamily Residence – More than 5 units	\$1,500 plus \$25 additional per unit above 5.
New York State fee for new buildings with trusses	\$50
Building Permit renewal (12 months)	Same as original fee
Miscellaneous structures/buildings/concrete (<i>i.e.</i> , porches, gazebos, decks and patios)	\$90
Fence, good side out	\$50
Replacement roofing	\$75
Generator	\$65
Plumbing other than new home (<i>e.g.</i> , sump pump, drain tile, hot water tank, furnace, etc.)	\$75
Alterations or additions	
Up to 500 square feet	\$100
500 to 1,000 square feet	\$150
More than 1,000 square feet	\$250
Commercial and industrial buildings	
0 to 1,000 square feet floor space*	\$500
Over 1,000 square feet floor space*	\$500, plus \$0.35 per square foot over 1,000
Alteration, repair, removal, etc.	\$0.25 per square foot
Change in occupancy	\$75
Addition to commercial and industrial plumbing	\$50, plus \$25 per fixture
Generator, commercial	\$150
Fence, commercial	\$100
Roof, commercial	\$150
Pool, commercial	\$500
Demolition, commercial	\$250
New York State fee for truss signage	\$50
Commercial and industrial parking lot	
New	\$250
Resurface	\$150
Agricultural buildings	
0 to 3,000 square feet	\$125
3,001 to 6,000 square feet	\$250
Over 6,000 square feet	\$500
Accessory Buildings	
Residential storage buildings/sheds (144 square feet or less)	\$25
Residential Garage or barn (145 to 400 square feet)	\$50
Residential Garage or barn over 400 square feet	\$0.15 per square foot
Commercial garage or barn	\$0.20 per square foot
Pools	
Aboveground pool and deck	\$50

In-ground pool and fence	\$125
Signs (temporary)	
30-day permit	\$30
30-day-permit plus (maximum 90 days)	\$50
Signs (permanent, new)	
100 square feet (each face)	\$0.50 per square foot
Additional square feet (each face)	\$0.15 per square foot
Signs (alteration, reface, relocation or addition)	\$0.30 per square foot
Bed-and-Breakfast	
Special Use Permit application fee	\$300
Special Use Permit annual renewal fee	\$300
Code Enforcement Officer/Building Inspector annual inspection fee	\$50
Certificates of Occupancy/Compliance	
Certificate of occupancy/compliance – Single- and Two-Family Residence	\$95
Certificate of occupancy/Certificate of compliance – Multifamily Residence (3 or more units and sleeping rooms)	\$40 per unit
Certificate of occupancy/ Certificate of compliance – Commercial (per tenant)	\$150
Certificate of occupancy/ Certificate of compliance – Industrial (per tenant)	\$150
Copy of any Certificate of occupancy/ Certificate of compliance or license	\$10 each
Miscellaneous	
Compliance inspection	\$50
Fire alarm system	\$75
Demolition of structure – up to 3,000 square feet	\$125
Demolition of structure – over 3,000 square feet	\$200
Excavations or grading, other than building construction	\$65
Fuel-burning stoves or fireplace (wood, gas, pellet, propane, etc.)	\$50
Garage Sales and related sales (more than 2 per year)	\$275
Home Occupation (Type B) permit, per year	\$200
Operating Permit	\$150
Floodplain development permit	\$150
Additional inspections (recall, or not ready when inspectors were called)	\$50 per recall, paid before CO
To lift a Stop-Work Order from a job that was stopped due to violation	\$100
Fuel tank installation – 1,000 gallons or more	\$75 per tank
Junkyard permit	\$5,000 plus \$1,000 per acre
Permit for Mobile Home Park or manufactured housing park	\$7,500 plus \$1,000 per acre
Mobile Home Park licensing fee (and renewal)	\$500
Contractor's license	\$100 per calendar year
Curb cut, installation only, pipe at owner's expense	\$500
Inspection or curb cut where pipe has been set by contractor	\$200
Solar panels, residential under 1 acre	\$150
Large-scale solar energy system	\$2,500 or such other amount as the Planning Board may determine to cover Town costs

Residential wind energy conversion system site plan review fee	\$200, plus any associated cost incurred by the Town for outside consultants.
Residential wind energy conversion system building permit	\$100
Peddler's or solicitor's permit	\$25
Transient business	\$125 annually or \$25 per event
Junk dealer's permit	\$500 annually
Special Use Permit for Adult Use	\$1,000
Adult Use Certificate of Registration (or amendment thereto)	\$1,000
Permit application fee for moving a building under Chapter 110-2	\$50
Public Improvement Permit	\$350
Application fee for permit for the siting, construction and modification or expansion of landfills	\$1,000
Permit for decorative/ornamental pond	\$65
Amusement Center license	\$1,000 annually
Amusement Center license application fee	\$500
License fee to operate Amusement Games	\$50 per game, annually
Amusement Game Distributor license fee	\$100 annually
Oil and gas well, annual inspection fee	\$50
Special use permit for airport/airstrip	\$1,000
Camping, travel trailer and/or recreational vehicle parks	
Annual special use permit fee	\$5,000
Monthly fee for each space occupied in a month for a period(s) aggregating more than 15 days	\$200
Site plan review payment schedule	
Under 1 land-disturbed acre	\$300
Under 2 land-disturbed acres	\$450
Under 3 land-disturbed acres	\$750
Under 4 land-disturbed acres	\$1,250
Under 5 land-disturbed acres	\$1,750
Under 6 land-disturbed acres	\$2,250
Over 6 land-disturbed acres	\$2,500
Site plan review sketch (§§ 247-54(D)(1)(b), 247-46(C), and 247-34(F)(4))	\$125
Site plan application fee	\$100
Special use permits	
Special use permit application.	\$300
Special use permit annual review.	\$300
Environmental SEQRA review	
Short Environmental Assessment Form (SEAF)	\$200
Long Environmental Assessment Form (LEAF)	\$500
No permit obtained or delayed	
In the event that work requiring a Building Permit is commenced without having the appropriate permit applied for, secured and obtained, or that work is commenced without having obtained a Contractor's license from the Town, said permit or license fees will be doubled. Each day is considered a separate violation.	

*Cost includes certificate of occupancy, final

Fees for public hearings:

Type	Fee
Zoning Board of Appeals	\$125
Planning Board	\$125

Subdivision fees:

Type	Fee
Minor Subdivision	
Sketch plan application	\$30 per lot or dwelling unit, with a maximum of \$75
Final plat submission	\$25 per lot or dwelling unit, with a maximum of \$100 (plus \$125 for publication of hearing)
Application fee	\$60
Major Subdivision	
Sketch plan application	\$30 per lot or dwelling unit, with a maximum of \$750
Preliminary plat submission	\$2,000 or \$100 per lot or dwelling unit, whichever is greater (plus \$125 for publication of hearing)
Final plat submission	\$2,000 or \$75 per lot or dwelling unit, whichever is greater (plus \$125 for publication of hearing)
Application fee	\$500
Recreation fee in lieu of parkland (major subdivisions only)	\$1,000 per lot

Fees for cellular communications towers:

- A. The fee for the construction and equipping of a tower shall be 1% of the cost of construction and equipping of the tower as estimated by the developer and verified by the Town; or the minimum fee shall be \$2,000 and the maximum fee shall be \$5,000.
- B. Each construction, modification, or alteration of a tower shall require a permit and fee as stated above.

Stormwater management fees:

- A. Fees for land development activities. Any applicant submitting a Stormwater Pollution Prevention Plan (“SWPPP”) to the Town for a land development activity or land disturbance requiring a New York State Department of Environmental Conservation (“DEC”) State Pollution Discharge Elimination System (“SPDES”) construction permit shall submit a fee to the Town based upon the acreage of the entire development in accordance with the following schedule:

Acreage of Entire Development	SWPPP Review Fee
Under 5 acres	\$650
5 to 10 acres	\$1,000
Over 10 acres	\$1,000, plus \$500 for every 5 acres above 10 acres

Acreage of Entire Development	Inspection Fee
Under 5 acres	\$2,750
5 to 10 acres	\$3,750
Over 10 acres	\$6,500

- B. For all land development activities to be completed in multiple phases over time, the applicant, in addition to the fee provided above in Subsection A, shall pay the Town an additional \$500 for each subsequent phase after the first phase of the project, to be paid prior to the start of construction of each subsequent phase.
- C. Drainage permit application review fee: \$500

Dog licensing fees:

Fees shall be as follows:

Type	Fee
Spayed or neutered dog	\$8
Unspayed or unneutered dog	\$20
Purebred license	\$25
Enumeration fee	\$25
Replacement tag	\$3
Late fee (60 days)	\$25
First impoundment	No fee
All subsequent impoundments	\$50

Miscellaneous water/sewer fees:

A. Water Department:

Type	Fee
1-inch water service tap-in fee	\$1,100
Over 1 inch: cost of material plus labor	Priced per job
Inspection fee for tap-in over 1 inch	\$50
3/4-inch water meter fee with electronics	\$400
1-inch water meter fee with electronics	\$600
Water meter pit	Priced per job
Water service termination fee (dig to disconnect)	\$200
Damaged/frozen water meter – 3/4 inch	\$100
Damaged/frozen water meter – 1 inch	\$300
Damaged water meter electronics – 3/4-inch or 1-inch	\$300
Water meter/electronics over 1 inch	Priced per job
Water curb box damage	\$150
Water on/off fee after hours	\$100
Sold-home water and/or sewer inspection compliance	\$50

B. Sewer Department:

Type	Fee
Pressure sewer tap/inspection	\$1,100
Gravity sewer tap 6-inch standard – Subdivision	\$400
Gravity sewer tap 6-inch standard – All others	\$1,000
Grinder system unit	Call Sewer Department for price
Sewer service termination fee (dig to disconnect)	\$200
Grinder system curb box damage	\$200
Sewer call (normal hours)	Prevailing rate
Sewer service call (after hours)	2-hour minimum, prevailing rate

Fees for Document Copying:

Type	Fee
Letter size (8 1/2" x 11") documents	\$0.25 per page
Legal size (8 1/2" x 14") documents	\$0.25 per page
Ledger size (11" x 17") documents	\$0.35 per page
Architectural size (24" x 36") documents	\$12.00 first sheet, \$5.00 each additional sheet
Portable Storage Device for FOIL Request	\$3.20 per device

Other Miscellaneous Fees:

Type	Fee
Ball Diamond Usage Fee	\$50.00 per use
Certified Copies	\$10.00
Extra Capacity Bag Tag	\$5.00
E-Z Pass Tag	\$25.00
Farmer's Market FT Vendor	\$195.00
Farmer's Market PT Vendor	\$110.00
Farmer's Market POP-UP	\$85.00
Genealogical Search	\$11.00
Marriage License	\$40.00
NSF Returned Check Fee	\$20.00
Passport Photo	\$15.00

Passport Application Execution Fee	\$35.00
Pendleton Logo Decal	\$2.00
Pendleton Logo Pin	\$4.00
Park Pavilion Rental	\$25.00
Refuse – Additional Service	\$55.00/year prorated
Recycling – Additional Bin	\$65.00 or \$95.00
Summer Rec Registration – NON-Resident	\$525.00
Summer Rec Registration – Resident	\$260.00

Recycling Fees:

Type	Fee
Electronics Recycling	\$ No Fee
Scrap Metal	\$ Priced per job
Tire Recycling – Motorcycle, ATV, and similar sized tires.	\$5.00 per tire
Tire Recycling – Automobile and light truck	\$5.00 per tire
Tire Recycling – Truck tires (19.5 inches and larger)	\$12.00 per tire
Tire Recycling – Tires on rims and heavy equipment tires.	Not accepted.

RESOLUTION 211-24

STANDARD WORK DAY RESOLUTION FOR NYSLRS

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 8th day of July 2024, that the Town of Pendleton/30384 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

NAME	TITLE	CURRENT TERM	STANDARD WORK DAY	RECORD OF ACTIVITIES RESULTS	NOT SUBMITTED	PAY FREQUENCY	TIER 1
Elected Officials:							
Wolfgang Buechler	Councilman	1/1/24-12/31/27	8	3.96		Quarterly	No
David Leible	Councilman	1/1/24-12/31/27	8	3.8		Quarterly	No
Joel Maerten	Supervisor	1/1/24-12/31/25	8	9.07		Bi-Weekly	No
David Fischer	Highway Superintendent	1/1/24-12/31/25	8	0	X	Bi-Weekly	No
Deborah Maurer	Town Clerk	1/1/24-12/31/27	8	22.67		Bi-Weekly	No
Appointed Officials:							
Wyatt Maerten	Dog Control Officer	1/1/24-12/31/25	8	.49		Quarterly	No

RESOLUTION 212-24

PURCHASE OF REFUSE AND RECYCLING TOTES

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 July 2024, that the purchase of 95-gallon refuse and recycling totes from Modern Disposal Services for a cost not to exceed \$6,800.00 is approved. This resolution shall take effect immediately.

RESOLUTION 213-24

FACILITIES USAGE AGREEMENT - ONTARIO SHORES FCU

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 July 2024, to approve the Facilities Usage Agreement for the organization known as Ontario Shores Federal Credit Union, pending insurance approval.

RESOLUTION 214-24

BUFFALO BOMB SQUAD SPORTS INC. AGREEMENT AMENDMENT

Motion by Councilman Lombardo, 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 July 2024, to rescind *RESOLUTION 204-24 BUFFALO BOMB SQUAD SPORTS INC. AGREEMENT* and approve the agreement with the Buffalo Bomb Squad Sports Inc. with an addition of a 30-day cancellation clause for cause.

BOARD MEMBERS DISCUSSION

Supervisor Maerten announced that there will be a Special Meeting on July 15, 2024 at 7:00 p.m. and there will not be a Work Session on July 22, 2024. The next Regular Meeting will be held on August 12, 2024.

PUBLIC REMARKS/COMMENTS

A resident mentioned the earlier comment regarding liability on the trails, pointing out that the Town should also consider liability issues at the parks. She also addressed the statement about expanding the recreation committee membership and reiterated concerns about the legality of the proposed local law.

Another resident mentioned that she had emailed the Highway Superintendent and the Town Board about the flooding issues at Bull Creek. She asked if there have been any updates and was told to speak with the Town Supervisor and Town Engineer after the meeting.

A third resident wanted to know why “side-by-sides” were not allowed on the trails and hoped that the new committee can look into the possibility of allowing them.

A Pine Lake Terrace resident reported that he has been making complaints to the Town for the past 4 ½ years about a home on Beach Ridge Road. He cited many issues which he felt were in violation of Town ordinances and wanted to know why they were not being enforced.

Finally, a resident commented on the initial grant application for the multi-use trail, questioning whether the Town would be required to return grant funds if the trail deviates from its original intended use. Additionally, she inquired about supervision protocols at the Splash Pad, noting that this also poses a liability for the Town.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from the Regular Meeting at 8:05 p.m. Motion carried.

Deborah K. Maurer, Town Clerk