

**TOWN OF PENDLETON**  
**SPECIAL MEETING**  
July 15, 2024

A Special Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 15<sup>th</sup> day of July 2024 at 7:00 p.m.

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

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  
Dave Fischer - Highway/Water & Sewer Superintendent  
Dave Britton - Town Engineer  
Mark Walter - Deputy Town Supervisor

There were five other people in attendance.

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

There were no amendments, additions or deletions made to the agenda.

**PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS**

There were no public remarks or comments on agenda items.

**NEW BUSINESS**

Engineer Britton briefed the Board on the proposed change orders required for the construction of the Community Center. Following a brief discussion, all questions were addressed.

RESOLUTION 215-24

**COMMUNITY CENTER CHANGE ORDER - EC-11**

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 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-11 related to Installation of Pull Box for Conduit from Town Hall to Community Center is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 15<sup>th</sup> day of July 2024, that proposed Change Order EC-11, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 216-24

**COMMUNITY CENTER CHANGE ORDER - EC-12**

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 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 Orders MC-4 and EC-12, related to T&M for completing work under Parise Mechanical Contract, are recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 15<sup>th</sup> day of July 2024, that proposed Change Order MC-4 and proposed Change Order EC-12, as presented to the Town Board, are accepted. This resolution shall take effect immediately.

RESOLUTION 217-24

**COMMUNITY CENTER CHANGE ORDER - GC-19**

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 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 GC-19 related to Addition of Snow Guards to the Roof of the Community Center is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 15<sup>th</sup> day of July 2024, that proposed Change Order GC-19, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 218-24

**COMMUNITY CENTER CHANGE ORDER - GC-20**

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 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 GC-20 related to Subbase Prep for Patio Concrete Slabs is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 15<sup>th</sup> day of July 2024, that proposed Change Order GC-20, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 219-24

**COMMUNITY CENTER EXPENDITURE - WINDOW**

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 15<sup>th</sup> day of July 2024, that the quote for supplying and installation of a window for the Community Center submitted by Twin City Glass for \$2,574.00 is approved. This resolution shall take effect immediately.

RESOLUTION 220-24

**COMMUNITY CENTER EXPENDITURE - LIGHT FIXTURE**

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 15<sup>th</sup> day of July 2024, that purchase of a lighting fixture for the Community Center from Anzalone Electric for \$1,806.00 is approved. This resolution shall take effect immediately.

RESOLUTION 221-24

**EXPENDITURE FOR TRUCK BODY**

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

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

Nays 0

WHEREAS, the Town Board of the Town of Pendleton approved the purchase of a 2024 Chevrolet Silverado 3500HD truck chassis; and

WHEREAS, it is necessary to purchase and have installed a body and salt spreader for this acquired truck; and

WHEREAS, the Highway Superintendent has requested authorization for an expenditure for purchase and installation of an appropriate body and salt spreader as specified in a quote reflecting purchasing consortium pricing.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 15<sup>th</sup> day of July 2024, that the quote for the purchase and installation of a truck body as provided by Viking Cives USA for \$53,019.92 is accepted. This resolution shall take effect immediately.

RESOLUTION 222-24

**FUA - AMHERST ALLIANCE CHURCH**

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 15<sup>th</sup> day of July 2024, that the Facilities Usage Agreement, for the organization known as Amherst Alliance Church, is approved.

RESOLUTION 223-24

**ACCEPT RESIGNATION - BURGIO**

Motion by Councilman Buechler, 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 15<sup>th</sup> day of July 2024, to accept the resignation of Christopher Burgio from his position as part-time Building Inspector & Code Enforcement Officer, effective July 12, 2024.

RESOLUTION 224-24

**ACCEPT RESIGNATION - KALBFLEISCH**

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 15<sup>th</sup> day of July 2024, to accept the resignation of Benjamin Kalbfleisch from his position of Laborer in the Water & Sewer Department, effective immediately.

**PUBLIC REMARKS/COMMENTS**

A subcontractor from the Community Center construction project addressed the Town Board regarding payment issues with the contractor. He requested the Board's assistance in resolving the matter. Engineer Britton contributed to the discussion, and Supervisor Maerten stated that he would look into the issue.

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There were no other public remarks or comments.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from Regular Meeting at 7:25 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk