

PENDLETON TOWN BOARD
REGULAR AND ORGANIZATIONAL MEETING & PUBLIC HEARINGS
January 13, 2025

A Regular and Organizational Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 13th day of January 2025, at 7:00 p.m.

PUBLIC HEARING #1
PROPOSED MODIFICATION OF WATER RATES

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on December 13, 2024 and on the Town's website.

Supervisor Maerten opened the Public Hearing at 6:56 p.m.

The purpose of the hearing was to receive public input for the proposed modification of water rates for all users effective as of January 1, 2025 as follows:

- 0 to 6,000 gallons - \$24.00 (minimum).
- 6,001 to 12,000 gallons – \$1.95 per thousand gallons.
- 12,001 to 22,000 gallons – \$1.75 per thousand gallons.
- 22,001 to 32,000 gallons – \$1.65 per thousand gallons.
- Over 32,000 gallons – \$1.55 per thousand gallons.

The first resident to speak was Mr. Edward Harman of Lockport Road. Mr. Harman spoke in opposition to the increase in water rates. He suggested that it would be beneficial for the Town to present the data used to justify the decision to raise the water rates. He also referenced information he found while reviewing the approved 2025 Budget and the Revenue/Expense reports from 2024, noting that these documents showed a surplus in the water accounts. Mr. Harman emphasized that the Town Board should have researched this information more thoroughly before approving the budget.

The next speaker, Mrs. Sara Siracuse of Monroe Street, expressed confusion about why the rates are being raised, noting that she has previously shared her concerns on this issue.

There were no additional comments from the public.

Motion made by Councilman Lombardo, seconded by Councilman Buechler, to close the Public Hearing at 7:02 p.m. Motion carried.

PUBLIC HEARING #2
PROPOSED MODIFICATION OF SEWER RATES

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on December 13, 2024 and on the Town's website.

Supervisor Maerten opened the Public Hearing at 7:02 p.m.

The purpose of the hearing was to receive public input for the proposed modification of sewer rates for all users effective as of January 1, 2025 as follows:

- Residential (Single Family and Two-Unit Dwellings)
- 0 to 12,000 gallons – \$32.00 (minimum).
- Over 12,000 gallons – \$2.65 per thousand gallons.

- Non-Residential and Buildings with More Than Two (2) Units.
- 0 to 12,000 gallons – \$37.00 (minimum).
- Over 12,000 gallons – \$3.65 per thousand gallons.

Mr. Edward Harman spoke again by referring to his comments during the first Public Hearing.

There were no additional comments from the public.

Motion made by Councilman Buechler, seconded by Councilman Hickman, to close the Public Hearing at 7:03 p.m. Motion carried.

REGULAR MEETING

Supervisor Maerten called the meeting to order at 7:03 p.m.

Supervisor Maerten led the invocation and the Pledge of Allegiance.

Roll Call:

Supervisor Maerten	Present
Councilman Buechler	Present
Councilman Hickman	Present
Councilman Leible	Absent
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
Troy Barnes - Building Inspector/Code Enforcement Officer
Patrick Covell - Recreation Director

There were 13 residents in attendance, four of whom were Starpoint students.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

No amendments were made to the agenda.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

Mr. Harman asked the Town Board to reject the proposed rate increases and postpone the decision until they research the matter further.

No other public remarks or comments were made on the agenda items.

ROUTINE BUSINESS

RESOLUTION 01-25

MEETING MINUTES – NOVEMBER 25, 2024

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the meeting minutes from the Work Session held on November 25, 2024, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 02-25

MEETING MINUTES – DECEMBER 9, 2024

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the meeting minutes from the Regular Meeting held on December 9, 2024, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 03-25

ABSTRACT #24

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, to authorize payment of Voucher Abstract #24, Vouchers #24-01282 to #24-01338 that was paid on December 24, 2024:

General Fund	\$	19,455.82
Highway	\$	28,231.22
Refuse	\$	48,767.31
Sewer	\$	2,829.75
Water	\$	2,475.97
Total	\$	101,760.07

RESOLUTION 04-25

ABSTRACT #1

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, to authorize payment of Voucher Abstract #1, to be paid on January 15, 2025 as follows:

- o Vouchers #24-01339 to #24-01389 for year ending 2024:

General Fund	\$	20,122.50
Highway	\$	25,134.94
Fire District	\$	2,760.00
Sewer	\$	6,365.59
Water	\$	59,962.81
Total	\$	114,345.84

- o Vouchers #25-00001 to #25-00005 for year ending 2025:

General Fund	\$	1,734.76
Water	\$	69.48
Total	\$	1,804.24

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for November 2024 was \$196,139.23. This is an increase of \$5,480.35 when compared with November 2023. The year to date received is \$2,238,954.50 which is an increase of \$4,346.51 from 2023.

COMMITTEE APPOINTMENTS 2025

Assessment	Councilmen Buechler and Leible
Building Inspections & Code Enforcement	Councilmen Hickman and Lombardo
Building & Capital Improvements	Councilmen Leible and Lombardo
Business Development	Councilman Hickman, Supervisor Maerten
Fire Company Service Award	Councilmen Buechler and Hickman
Fire Board	Councilman Leible, Supervisor Maerten
Insurance	Councilman Lombardo, Supervisor Maerten
Town Newsletter	Councilmen Leible and Lombardo
Water & Sewer	Councilmen Hickman and Leible
Highway & Drainage	Councilmen Buechler and Lombardo
Recreation	Councilmen Buechler and Hickman
Security	Councilmen Leible and Lombardo
Conservation, Parks, & Trails	Councilmen Hickman and Leible
Ethics	Councilman Buechler
Celebrations	Councilmen Leible and Lombardo
Senior Citizens	Councilmen Leible and Lombardo

SUPERVISOR APPOINTMENTS

Deputy Town Supervisor	Mark Walter
Emergency Services Coordinator	Mark Walter
Town Historian	Thomas Kraemer
Budget Officer	Thomas Matuski

ASSIGNMENT OF ANNUAL AUDITS

Chief Fiscal Officer	Councilman Buechler
Town Clerk/Tax Collector	Councilman Hickman
Town Justice – Judge Mack	Councilman Leible
Town Justice – Judge Ostrowski	Councilman Lombardo
Water & Sewer Collection	Councilmen Hickman and Lombardo

Councilman Hickman had nothing to report.

Councilman Lombardo reported that he facilitated several repairs at Town Hall, including replacing the batteries in the emergency lights, contracting a plumber for repairs in the women’s restroom and kitchen, and scheduling service for necessary HVAC repairs.

Councilman Buechler reported that he completed the Length of Service Award Program (LOSAP) audit with the Wendelville Fire Company, noting that everything was in good order.

Attorney Joerg had nothing to report.

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, Dog Control Officer, Highway Superintendent, and the Town Engineer. 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 December:

Total State, County and Local Revenues	\$	11,672.81
Water/Sewer Collection	\$	84,620.09

She also reported that the 2025 County and Town Tax Collection period has begun and reminded residents that the tax bills are due without penalty by January 31, 2025.

Highway and Water/Sewer Superintendent Fischer had nothing to report.

Building Inspector Diedrich introduced Troy Barnes as the newly appointed Building Inspector for the Town. He highlighted Mr. Barnes' many years of experience in local government, his extensive education and field expertise, and expressed confidence that he will be a valuable asset to the Town.

Recreation Director Covell had nothing to report.

NEW BUSINESS

RESOLUTION 05-25

AUTHORIZATION OF 2024 BUDGET AMENDMENT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the 2024 budget is amended with the addition of Brauer Special District (SSZ.10010).

FURTHER, BE IT RESOLVED, that the transfer of \$3,250.00 from Sewer Storm Water Brauer (SS.1001) to Brauer Special District (SSZ.10010) is approved. This resolution shall take effect immediately.

RESOLUTION 06-25

AUTHORIZATION OF 2024 BUDGET TRANSFERS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the following budget transfers for the 2024 budget listed below are approved. This resolution shall take effect immediately.

General Fund

Transfer To:				Transfer From:		
#	Budget Code	Description	Amount	Budget Code	Description	Amount
1	A00-1440-410	Engineering Fees-PB Production	\$500.00	A00-1420-400	Attorney - Contractual	\$500.00
2	A00-1440-417	Engineering Stormwater	\$1,000.00	A00-1420-400	Attorney - Contractual	\$1,000.00
3	A00-1450-400	Elections - contractual	\$65.00	A00-1420-400	Attorney - Contractual	\$65.00
4	A00-1620-100	Town Hall Personnel Services	\$ 1,000.00	A00-7120-101	Recreation - Personnel Coordinator	\$ 1,000.00
5	A00-1620-400	Town Hall Contractual	\$ 4,400.00	A00-1420-400	Attorney - Contractual	\$ 4,400.00
6	A00-1670-400	Central Print & Mailing-Contractual	\$150.00	A00-1420-400	Attorney - Contractual	\$150.00
7	A00-1710-401	IT Administration	\$3,500.00	A00-1710-410	IT Professional fees	\$3,500.00
8	A00-3620-150	Safety Inspection-Secretary	\$1,000.00	A00-7120-101	Recreation - Personnel Coordinator	\$1,000.00
9	A00-5010-110	Super. Of Highway-Personnel Services	\$5,000.00	A00-8540-100	Drainage Personnel Services	\$5,000.00
10	A00-7110-120	Park Security - Personnel	\$750.00	A00-7120-101	Recreation - Personnel Coordinator	\$750.00
11	A00-8090-100	Conservation Board-Personnel	\$1,155.00	A00-7120-101	Recreation - Personnel Coordinator	\$1,155.00
12	A00-9030-800	Social Security	\$18,000.00	A00-1420-400	Attorney - Contractual	\$18,000.00

Highway Fund

Transfer To:				Transfer From:		
#	Budget Code	Description	Amount	Budget Code	Description	Amount
13	DA0-5110-100	Maintenance of Roads - Personnel	\$5,000.00	DA0-5110-451	Road and Drainage Supplies	\$5,000.00
14	DA0-5110-200	Maintenance of Roads - Equipment	\$78,005.00	DA0-5130-401	Machinery - Gradall	\$74,500.00
				DA0-5130-400	Machinery - Contractual	\$3,505.00
15	DA0-9010-800	NYS Retirement	\$7,500.00	DA0-5142-401	Snow Removal - Salt	\$7,500.00

Sewer Fund

Transfer To:				Transfer From:		
#	Budget Code	Description	Amount	Budget Code	Description	Amount
16	SS0-8120-100	Sewage - Personnel Services	\$10,000.00	SS0-8120-410	Sewage Collection - Supplies	\$7,500.00
17	SS0-9010-800	NYS Retirement	\$8,000.00	SS0-8120-470	Sewage Collection - Leak Detection	\$8,000.00

RESOLUTION 07-25

ESTABLISHMENT OF 2025 COMPENSATION RATES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town of Pendleton relies on the time, efforts, and dedication of many individuals through each individual's appointment to various boards, committees, and other positions; and

WHEREAS, the Town Board of the Town of Pendleton approved a budget for 2025 on November 12, 2024; and

WHEREAS, the approved 2025 budget includes appropriations for compensation of all individuals appointed to various boards, committees, and other positions.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the following rates of compensation are established for 2025 as follows:

- A) Planning Board members shall be compensated at the rate of \$2,508.00 per member annually.
- B) Planning Board Chairman shall be compensated at the rate of \$5,439.00 annually.
- C) Planning Board Administrative Assistant shall be compensated at the rate of \$15,703.00 annually.
- D) Planning Board Recording Secretary shall be compensated at the rate of \$2,351.00 annually.
- E) Zoning Board of Appeals members shall be compensated at the rate of \$1,187.00 per member annually.
- F) Zoning Board of Appeals Chairman shall be compensated at the rate of \$1,580.00 annually.
- G) Zoning Board of Appeals Secretary shall be compensated at the rate of \$1,553.00 annually.
- H) Conservation Board members shall be compensated at the rate of \$50.00 per meeting per member.
- I) Board of Assessment Review members shall be compensated at the rate of \$494.00 per member annually.
- J) Board of Assessment Review Chairperson shall be compensated at the rate of \$345.00 annually in addition to the base rate of pay for Board members.
- K) 1st Deputy Town Clerks shall be compensated at the rate of \$23.69 per hour.
- L) 2nd Deputy Town Clerk shall be compensated at the rate of \$19.06 per hour.
- M) 3rd Deputy Town Clerk shall be compensated at the rate of \$21.63 per hour.
- N) IT Coordinator shall be compensated at the rate of \$12,560.00 annually.
- O) Supervisor's Secretary shall be compensated at the rate of \$21,284.00 annually.
- P) Justice's Clerks shall be compensated at the rate of \$22.36 per hour.
- Q) Constables shall be compensated at the rate of \$20.60 per hour.
- R) Cleaner - Town Hall shall be compensated at the rate of \$18.13 per hour.
- S) Full-time Building Inspector & Code Enforcement Officer Ronald Diedrich shall be compensated at the rate of \$72,062 annually.
- T) Stormwater Management Coordinator shall be compensated at the rate of \$2,870.00 annually.
- U) Part-time Personnel Records Clerk shall be compensated at the rate of \$2,127.00 per month.
- V) Part-time Public Works Clerical shall be compensated at the rate of \$18.00 per hour.
- W) Full-time Public Works Clerical shall be compensated at the rate of \$22.39 per hour.
- X) Part-time Recreation Director shall be compensated at the rate of \$30,900.00 annually.
- Y) Assessors Information clerk shall be compensated at the rate of \$21.63 per hour.

BE IT FURTHER RESOLVED, that this resolution shall be effective as of January 1, 2025.

RESOLUTION 08-25

ESTABLISHMENT OF NYSLRS STANDARD WORK DAY RESOLUTION

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Town of Pendleton, Location Code 30384, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (hours/day)
Clerks	8 hours / day
Custodian/Cleaner	8 hours / day
Building Inspector	8 hours / day
Assessor	8 hours / day
Park Attendant	8 hours / day
Constable	8 hours / day
Typist	8 hours / day
Laborer	8 hours / day
Truck Driver	8 hours / day
Waste Water Maintenance Person	8 hours / day
Auto Mechanic	8 hours / day
Equipment Operator	8 hours / day
Assistant Recreation Director	8 hours / day
Recreation Leader	8 hours / day
Swim Pool Director	8 hours / day
Lifeguard	8 hours / day

RESOLUTION 09-25

AUTHORIZATION OF CELL PHONE STIPEND

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

WHEREAS, specific Town of Pendleton elected officials, appointed officials, and employees are required to be accessible at times considered to be outside of typical weekday office and work hours; and

WHEREAS, the Town of Pendleton has provided a stipend for multiple elected officials, appointed officials, and employees who have opted to use a personal cell phone for Town-related business, forgoing issuance of a Town-owned and maintained device; and

WHEREAS, this practice has decreased the cost of cell phone services charged to the Town of Pendleton; and

WHEREAS, continuing the payment of a cell phone stipend to select individuals in place of issuance of a Town-owned device will continue to decrease the cost of such services billed to the Town of Pendleton.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that a monthly stipend of \$28.00 shall be paid to the Highway Superintendent, Deputy Water & Sewer Superintendent, Deputy Highway Superintendent, members of the Town Board, any individual employed as a full or part time Building Inspector or Code Enforcement Officer, Town Clerk, Personnel Records Clerk for the period January 1, 2025 through December 31, 2025. This resolution shall be effective immediately.

RESOLUTION 10-25

ACCEPTANCE OF RESIGNATION

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the resignation from Thomas Valentine for the position of Sole Assessor is accepted. This resolution shall take effect immediately.

RESOLUTION 11-25

APPOINTMENT OF ASSESSOR

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that Miranda Freiert is appointed to the full-time position of Sole Assessor with an effective starting date of January 1, 2025 at an annual salary of \$52,000.

FURTHER, BE IT RESOLVED, that the annual salary shall be increased to \$56,000 upon completion of the following courses:

- A) Orientation
- B) Fundamentals of Assessment Administration
- C) Fundamentals of Data Collection

FURTHER, BE IT RESOLVED, that the annual salary shall be increased to \$60,000 upon completion of the following courses:

- D) Ethics
- E) Cost, Market, and Income Approach to Value

FURTHER, BE IT RESOLVED, that annual salary shall be increased to \$64,000 upon completion of the following courses and confirmation of completion of the Basic Certification Program:

- F) Fundamentals of Mass Appraisal
- G) Introduction to Farm Appraisal

FURTHER, BE IT RESOLVED, that the appointee must complete the New York State Department of Taxation and Finance Office of Real Property Tax Services Assessor's Basic Certification Program within three (3) years of beginning an initial term of office.

FURTHER, BE IT RESOLVED, per Real Property Tax Law (RPTL) §310, such appointments shall be for a six-year term of office with the current term of office ending September 30, 2025. This appointment shall be effective through September 30, 2025. This resolution shall take effect immediately.

RESOLUTION 12-25

APPOINTMENT OF TEMPORARY ASSESSOR

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that Thomas Valentine is appointed to the position of Temporary Assessor, with an effective starting date of January 13, 2025, at an annual rate of compensation of \$63,963.00. This resolution shall take effect immediately.

RESOLUTION 13-25

APPOINTMENT OF TRUCK DRIVER

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

WHEREAS, the Town of Pendleton funds and operates public works operations that include the Highway Department and the Water & Sewer Department; and

WHEREAS, proper staffing is necessary to ensure that these departments are able to efficiently and effectively perform all functions within each department's respective scope of operation; and

WHEREAS, advertisement of Highway Department openings was authorized by resolution of the Town Board during the December 11, 2023 meeting and these openings have been publicly posted and multiple candidates have been interviewed for these positions.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that Marc Kolbmann is appointed as Truck Driver at a rate of compensation stated in the current Collective Bargaining Agreement for this position at pay rate Step 3.

BE IT FURTHER RESOLVED, that a six (6) month probationary period shall commence, beginning the first full day Marc Kolbmann reports for work following proper notification and release from any and all current employers.

BE IT FURTHER RESOLVED, that Marc Kolbmann shall move to successive pay steps as detailed in the approved Collective Bargaining Agreement on the annual anniversary of the date of his commencing employment with the Town. This resolution shall take effect immediately.

RESOLUTION 14-25

APPROVAL OF MOU WITH TEAMSTERS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Memorandum of Understanding between the Town and Teamsters Local Union No. 264, as presented, is approved.

FURTHER, BE IT RESOLVED, that Dylan Richardson is appointed to the position of Laborer assigned to the Water & Sewer Department effective January 14, 2025. This resolution shall take effect immediately.

RESOLUTION 15-25

AUTHORIZATION OF ADVERTISEMENT FOR SUMMER RECREATION POSTINGS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Town Clerk is authorized to advertise for the following Summer Recreation Program positions:

- A) Swimming Pool Director
- B) Lifeguard
- C) Recreation Leader
- D) Assistant Recreation Director

FURTHER, BE IT RESOLVED, that rates of compensation shall be established by resolution at a future date or at time of appointment of candidates. This resolution shall take effect immediately.

RESOLUTION 16-25

AUTHORIZATION OF ADVERTISEMENT FOR SUMMER RECREATION DIRECTOR

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Town Clerk is authorized to advertise for the posting for the Summer Recreation Director.

FURTHER, BE IT RESOLVED, that rate of compensation shall be established by resolution at a future date or at time of appointment of candidates. This resolution shall take effect immediately.

RESOLUTION 17-25

AUTHORIZATION OF ADVERTISEMENT FOR SEASONAL LABORER POSITIONS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Town Clerk is hereby authorized to publicly advertise for two (2) seasonal laborer positions assigned to the Highway Department, with anticipated assignment dates to be from May 1, 2025 to October 1, 2025, depending upon applicant availability.

FURTHER, BE IT RESOLVED, that the rate of pay for these seasonal positions will be established at the time of appointment. This resolution shall take effect immediately.

RESOLUTION 18-25

AUTHORIZATION OF ADVERTISEMENT FOR SEASONAL PARK ATTENDANT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Town Clerk is hereby authorized to publicly advertise for the position of a seasonal Park Attendant position assigned to the Highway Department, with anticipated assignment dates to begin after May 1, 2025.

FURTHER, BE IT RESOLVED, that the rate of compensation shall be established at the time of appointment of a potential candidate. This resolution shall take effect immediately.

RESOLUTION 19-25

AUTHORIZATION OF MODIFICATION OF WATER RATES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town of Pendleton provides municipal water service to the residents and property owners of the Town; and

WHEREAS, all costs and expenses associated with the maintenance and operation of infrastructure necessary to provide municipal water service continues to increase; and

WHEREAS, the cost increases to the Town of Pendleton and the Niagara County Water District, which provides water to the Town's system, continue to exceed year-to-year increases experienced in past years; and

WHEREAS, the water rates charged for water usage by metered users in the Town of Pendleton must be updated to reflect the increased cost of providing clean and safe drinking water; and

WHEREAS, a public hearing for this proposed rate modification was scheduled by resolution of the Town Board on December 9, 2024, advertised, and held on January 13, 2025 at 6:50 pm.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that adopted water rates for all users effective as of January 1, 2025 shall be established as follows:

Minimum charge:	First 6,000 gals/quarter = \$24.00/quarter, plus
Next:	6,000 gals/quarter = \$1.95 per thousand gallons, plus
Next:	10,000 gals/quarter = \$1.75 per thousand gallons, plus
Next:	10,000 gals/quarter = \$1.65 per thousand gallons, plus
All over:	32,000 gals/quarter = \$1.55 per thousand gallons

This resolution shall take effect immediately.

RESOLUTION 20-25

AUTHORIZATION OF MODIFICATION OF SEWER RATES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town of Pendleton provides municipal sewer service to specific residents and property owners of the Town; and

WHEREAS, all costs and expenses associated with the maintenance and operation of infrastructure necessary to provide municipal sewer service continues to increase; and

WHEREAS, the cost increases to the Town of Pendleton and the Niagara County Sewer District, which receives the Town's system outflow, have exceeded year-to-year increases experienced in past years; and

WHEREAS, the sewer rates charged to users in the Town of Pendleton must be updated to reflect the increased cost of providing this service.

WHEREAS, a public hearing for this proposed rate modification was scheduled by resolution of the Town Board on December 9, 2024, advertised, and held on January 13, 2025 at 6:55 pm.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that adopted sewer rates for all users effective as of January 1, 2025 shall be established as follows:

Residential (Single Family and Two-Unit Dwellings)	
Minimum Charge:	0 to 12,000 gallons - \$32.00, plus
Next:	Over 12,000 gallons - \$2.65 per thousand gallons.
Non-Residential and Buildings with More Than Two Units	
Minimum Charge:	0 to 12,000 gallons - \$37.00, plus
Next:	Over 12,000 gallons - \$3.65 per thousand gallons.

This resolution shall take effect immediately.

RESOLUTION 21-25

ESTABLISHMENT OF BILLING RATES FOR MUNICIPALITIES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town of Pendleton operates and maintains a water system for the distribution of water purchased from the Niagara County Water District, and

WHEREAS, the Town of Pendleton water system interconnects with water systems operated by adjacent municipalities and, through these interconnections, provides water to these interconnected systems; and

WHEREAS, water supplied to other system operators is billed at the rate established by the Niagara County Water District; and

WHEREAS, a resolution was adopted on January 23, 2023 establishing billing rates to other systems operators through 2027; and

WHEREAS, it is necessary to modify such rates to account for increased charges to the Town of Pendleton.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the Town of Pendleton Water & Sewer Department is directed to charge municipalities receiving water from the Town's system at a rate of \$1.50 per 1,000 gallons.

FURTHER, BE IT RESOLVED, that this resolution supersedes any previously adopted resolution establishing such rates. This resolution shall be effective as of January 1, 2025.

RESOLUTION 22-25

AUTHORIZATION OF GRANT MANAGEMENT SERVICES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town of Pendleton has, and continues to, benefit from resources available through a variety of grant funding opportunities available at the local, state, and federal level; and

WHEREAS, Rotella Grant Management has an established relationship with the Town of Pendleton, providing comprehensive services related to identifying funding opportunities, securing grant approval, and administration of all grant awards; and

WHEREAS, the Town will continue to benefit from the services of an experienced grant writer with professional staff who are familiar with the Town of Pendleton and its needs; and

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the Town of Pendleton will compensate Rotella Grant Management at a rate of \$1,550.00 per month for the 2025 calendar year for grant-related consultation, including but not limited to:

- 1) Identification of funding opportunities.
- 2) Grant writing, which generally includes preparation of all materials for submission of final grant applications.
- 3) Meetings and general communication with Town representatives.
- 4) Communication and coordination with representatives of grant-awarding agencies and organizations.
- 5) Grant administration, management, and mandatory reporting.
- 6) Grant reimbursement.

FURTHER, BE IT RESOLVED, this resolution shall be effective as of January 1, 2025.

RESOLUTION 23-25

ACCEPTANCE OF PROPOSAL OF PROFESSIONAL SERVICES – DRESCHER & MALECKI

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the proposal for professional services received from Drescher & Malecki is accepted as presented. This resolution shall take effect immediately.

RESOLUTION 24-25

APPROVAL OF CONTRACT AMENDMENT – DORE LANDSCAPING

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town Board of the Town of Pendleton approved a contract for landscape maintenance for 2024 and 2025 at the October 9, 2023 meeting; and

WHEREAS, modification of this contract to include additional maintenance efforts has been recommended to the Town Board for approval.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the contract for landscape and bed maintenance with Dore Landscape Associates, Inc. is modified as follows:

- A) Addition of monthly landscaping and bed maintenance for the Town Hall, Veterans Memorial, and War Memorial (“the cannon”) for July, August, and September 2025 at a cost of \$300.00 per month.
- B) Addition of monthly maintenance of the Pendleton Station bike path trailhead feature for the months of April, May, June, July, August, and September 2025 at a cost of \$50.00 per month.

This resolution shall take effect immediately.

RESOLUTION 25-25

REJECTION OF REQUEST FOR PROPOSAL BIDS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, the Town Board of the Town of Pendleton authorized the advertisement of multiple Requests for Proposals at the November 25, 2024 meeting; and

WHEREAS, proposals were received by the published deadline by the Town Clerk; and

WHEREAS, the Town Board has received the recommendation to reject all proposals.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that all proposals received for the following approved and advertised Requests for Proposals are rejected:

- 1) Requests for Proposals for Community Center Cameras
- 2) Requests for Proposals for Community Center Door Access Controls
- 3) Requests for Proposals for Fiber Optic Installation

This resolution shall take effect immediately.

RESOLUTION 26-25

AUTHORIZATION OF ADVERTISEMENT OF REQUEST FOR PROPOSALS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that advertisement for Requests for Proposals for Town Network Infrastructure Installation and Update is authorized as detailed in the Request for Proposals presented below.

FURTHER, BE IT RESOLVED, that the Requests for Proposals will be made available on January 14, 2025 and all proposals are to be submitted to the Town Clerk by 3:00 p.m. local time on February 4, 2025, with the proposals publicly opened and read aloud at 3:05 p.m. This resolution shall take effect immediately.

Request for Proposals Town Network Infrastructure Installation and Update

Overview: The Town of Pendleton is requesting proposals for work that generally involves:

- Installation of door access control systems for the Town's Community Center and integration with the existing control system (Component 1).
- Installation of security cameras and control systems for the Town's Community Center and integration with the existing control system (Component 2).
- Installation of a fiber optic network connection between the Town Hall and Community Center (Component 3).

Project Location: The Town Hall is located at 6570 Campbell Boulevard and the Community Center is located at 6608 Campbell Boulevard in the Town of Pendleton. Both buildings are located on the same parcel of Town-owned property. The distance between the two buildings is approximately 450 feet.

Project Description: The proposed work includes the following:

Component 1 of 3

- A) Installation of eleven (11) door access control systems for existing interior and exterior doors.
- B) Installation of eleven (11) high-security door access readers.
- C) Connection of existing door strikes and electronic locks provided by the owner or the designated owner's representative.
- D) Installation of power supplies and necessary electrical wiring to each power supply.
- E) Installation of all necessary system components required for operation.
- F) Providing twenty-five (25) high-security key fobs.
- G) Programming of controls systems and panels to connect to the existing control system.

The existing control system is ProdataKey and all hardware, components, and control systems are to integrate with this system and all hardware and components currently in place. All materials and components shall be rated for the application.

Component 2 of 3

- A) Supplying and installation of eleven (11) - 8 MP 4k exterior cameras.
- B) Supplying and installation of five (5) - 4 MP interior cameras.
- C) Supplying and installation of a 24-port gigabit PoE switch and rack in existing data closet.
- D) Supplying and installation of uninterruptible power supply (UPS).
- E) Connection of all components to the existing system.
- F) All necessary calibration and programming to ensure proper system operation and integration with the existing camera system.
- G) Installation of any data and power components required for system operation.
- H) Providing training to Town personnel on the operation of the system.

All components, materials, and fitting shall be rated for the application.

Component 3 of 3

The proposed work involved placement of twelve (12) strand fiber optic cable between the Town Hall and Community Center in an existing 3-inch buried conduit.

Interior work at the Town Hall involves transitioning the fiber optic cable from the conduit into the building and continued interior placement of the fiber optic cable to an existing network server room.

Interior work at the Community Center involves transitioning the fiber optic cable from the conduit into the building and continued interior placement of the fiber optic cable to an existing network server room.

The fiber optic cable will be terminated at each end as specified by the Town. All transitions involve appropriate placement of fittings and weather-barrier products to ensure appropriate resistance to intrusion of water into the conduit and buildings. All necessary hardware for proper placement of the fiber optic cable at all locations shall be included in the work. All materials shall be rated for the application.

Additional Requirements

Proposal must include an allowance for the cost of consulting and/or collaborative work with the Town's network consultant for any required integration with current systems controlling the components detailed above.

Requested Proposal: Submitted proposals must include all costs, including materials and labor, to complete the project as detailed. Furthermore, proposals must reflect current Prevailing Wage requirements.

Contract award will be made on the basis of best value given consideration to product durability and performance, and quality of craftsmanship that meets the Town's expectation for the Project.

The Town of Pendleton is an exempt organization under the Tax Law and is exempt from payment of sales taxes on all materials which are to be incorporated into the project.

Contact: Any questions and other communications are to be directed to the Supervisor, who may be reached at (716) 625-8833. Access to the site of the proposed work is available during typical open hours of Town of Pendleton offices.

Deadline: All proposals are due to the Town Clerk of the Town of Pendleton by 3:00 pm on February 4, 2025.

RESOLUTION 27-25

ACCEPTANCE OF PROPOSAL – COMMUNITY CENTER PAVING PROJECT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

WHEREAS, the Town Board of the Town of Pendleton approved the Community Center Paving Project at the November 12, 2024 meeting; and

WHEREAS, the Supervisor was authorized to request a proposal for technical assistance in the design, planning, and coordination of this capital project; and

WHEREAS, a proposal has been received by the Town Board for such work for this approved capital project.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that proposal received from Nussbaumer & Clarke, Inc. for \$16,500.00 is accepted and approved. This resolution shall take effect immediately.

RESOLUTION 28-25

APPROVAL OF SEQR TYPE II DETERMINATION – COMMUNITY CENTER

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

WHEREAS, the Town of Pendleton is considering improvements to the Town-owned parking lot located at the Pendleton Town Park and Community Center. Improvements include the reconstruction of the existing parking lot and installation of a storm system to address drainage deficiencies; and

WHEREAS, this project was approved as the Community Center Paving Project at the November 12, 2024 meeting of the Town Board; and

WHEREAS, after comparing the thresholds in 6 NYCRR 617.4 and 617.5 under SEQR, the Town has determined that the proposed improvements meet the definition of a Type 2 action involving the maintenance, repair, and replacement of existing facilities involving no substantial changes to existing facilities.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that as a Type 2 action under SEQR, the Community Center Paving Project has been found categorically to not have significant adverse impacts on the environment and no further review under SEQR is required. This resolution shall take effect immediately.

RESOLUTION 29-25

ACCEPTANCE OF COMMUNITY CENTER CHANGE ORDER – MC-6

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

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 MC-6 related to Schedule Hold Ups R1 is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that proposed Change Order MC-6 at a cost of \$1,740.76, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 30-25

ACCEPTANCE OF COMMUNITY CENTER CHANGE ORDER – MC-7

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

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 MC-7 related to Contract Allowance Reduction is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025 that proposed Change Order MC-7 with a decreased cost of \$6,012.56, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 31-25

ACCEPTANCE OF COMMUNITY CENTER CHANGE ORDER – GC-23

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

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-23 related to Masonry Wraps at Carport is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that proposed Change Order GC-23 with a decreased cost of \$3,349.70, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 32-25

ACCEPTANCE OF COMMUNITY CENTER CHANGE ORDER – GC-24

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

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-24 related to Concrete Infill at Exterior Doorways and Drywall Finishing is recommended by the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that proposed Change Order GC-24 at a cost of \$19,487.90, as presented to the Town Board, is accepted. This resolution shall take effect immediately.

RESOLUTION 33-25

APPROVAL OF PARKS POLICY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that Parks Policy, as presented by the Recreation Committee, is approved. This resolution shall take effect immediately.

RESOLUTION 34-25

APPROVAL OF MAJOR SUBDIVISION FEE

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
 Nays 0
 Absent 1 Leible

WHEREAS, an application for a major subdivision to be located on Campbell Boulevard (SBL 15.01-1-19.11) in the Town of Pendleton was submitted to the Planning Board by Regency Builders; and

WHEREAS, the preliminary plat for this proposed major subdivision was approved by the Planning Board on December 17, 2024; and

WHEREAS, Town Code § 220-28. Parks, Open Spaces and Natural Features states, “The Planning Board may require the dedication or reservation of an area or areas for a park or parks, playground, open space or other recreational use. This area or areas shall be not less than 10% of the total subdivision area and shall be of a character, extent and location suitable to the needs created by such developments.”; and

WHEREAS, Town Code further states that the Planning Board may waive the requirements that the plat show land for such purposes and instead shall require payment of a fee per subdivision lot in lieu of the dedication or reservation of areas or sites for the such uses; and

WHEREAS, the Planning Board on December 17, 2024 approved a recommendation for the waiver of dedicated areas for parks and open space, recommending the imposition of the approved per-lot fee for this project; and

WHEREAS, the Town Board of the Town of Pendleton on January 8, 2018 approved a \$1,000.00 fee per lot in such situations wherein the dedication of parkland or open space is waived for major subdivisions.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that requirement for dedicated open space as specified in Town Code § 220-28 is waived for the proposed major subdivision.

FURTHER, BE IT RESOLVED, that the alternate fee for this major subdivision in the amount of \$1,000.00 per lot is approved and shall be paid in full prior to issuance of any building permits. This resolution shall take effect immediately.

RESOLUTION 35-25

AUTHORIZATION OF EXPENDITURE – ROCK SALT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, winter road maintenance is an essential duty of the Town of Pendleton Highway Department; and

WHEREAS, rock salt is an essential material used in the performance of winter road maintenance; and

WHEREAS, the Town of Pendleton may procure rock salt from American Rock Salt Company LLC at a price set by the New York State Office of General Services – Procurement Services.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that Highway Department may procure during the 2025 budget year up to the estimated amount of 2640 tons of rock salt from American Rock Salt Company LLC at the price set by the New York State Office of General Services – Procurement Services.

RESOLUTION 36-25

AUTHORIZATION OF EXPENDITURE – SEWER PARTS - SIEWERT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Sewer Department has standardized the use of pump equipment manufactured by Equipment One Corporation (E/One), and

FURTHER, BE IT RESOLVED, that Siewert Equipment has been designated as the sole source supplier for E/One equipment, parts, and components, and

FURTHER, BE IT RESOLVED, that the proposed expenditure of \$7,264.55 for parts as quoted by Siewert Equipment is approved. This resolution shall take effect immediately.

RESOLUTION 37-25

AUTHORIZATION OF EXPENDITURE – SEWER PARTS – CORE & MAIN

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the quote from Core & Main for Sewer Department supplies in the amount of \$9,233.80 is accepted and the expenditure is approved. This resolution shall take effect immediately.

RESOLUTION 38-25

ADOPTION OF HARRIET TUBMAN UNDERGROUND RAILROAD SCENIC BYWAY NOMINATION

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

WHEREAS, the historic qualities of the Harriet Tubman Underground Railroad New York Scenic Byway, as described in the corridor management plan, and the surrounding areas have been appreciated and celebrated for over a century by the residents of New York State, as well as tourists, historians, artists, authors, and other visitors to the region; and it is this unique combination of the journeys of Harriet Tubman and those Freedom Seekers who traveled on the Underground Railroad that create the special sense of place that is vital in telling the New York story of the human desire for freedom and the historic sites they utilized during their journey to emancipation; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, composed of representatives of 22 municipalities along the proposed scenic byway route, committed to working cooperatively to protect and promote the historic, scenic, recreational, and economic well-being of the 544-mile Corridor throughout the state and agreed to pursue the nomination of the Harriet Tubman Underground Railroad New York Scenic Byway; and

WHEREAS, under the leadership of the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee, each of the 22 counties contributed to the development of this corridor management plan by encouraging public participation, confirming the vision and goals, and leading individual meetings of the Collaborative; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, consisting of relatives of Harriet Tubman, descendants of Freedom Seekers, Harriet Tubman and/or Underground Railroad historians, representatives from state and federal agencies, has strengthened the historic integrity, representation, and the principles of the corridor management plan; and

WHEREAS, in the process of developing this corridor management plan, the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee has strengthened the bonds of inter-municipal cooperation, and the involved entities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved visitor experience that interprets and promotes the corridor's intrinsic qualities and resources; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the Town of Pendleton supports the designation of the Harriet Tubman Underground Railroad New York Scenic Byway which includes programs for stewardship and enhancement of the historic scenic byway and guidance to manage future activities along its corridor; and

BE IT FURTHER RESOLVED, that the Town of Pendleton confirms that they will consult with the Harriet Tubman Underground Rail Road New York Scenic Byway Steering Committee on any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

BE IT FURTHER RESOLVED, that the Town of Pendleton will work in partnership with the other municipalities along the Harriet Tubman Underground Railroad New York Scenic Byway and local and regional stakeholders in order to support future Byway programs, economic development, marketing, and collaborate with these interested entities to explore opportunities for cooperation to realize the Scenic Byway goals.

RESOLUTION 39-25

APPROVAL OF FACILITIES USAGE AGREEMENT – PENDLETON SKI CLUB

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, that the Facilities Usage Agreement, as presented, is hereby approved for the organization known as the Pendleton Ski Club.

RESOLUTION 40-25

SCHEDULE PUBLIC HEARING – SPECIAL USE PERMIT APPLICATION

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS, an application for a Special Use Permit was submitted to the Planning Board for a stone and construction debris crushing operation to be located at 5532 Killian Road; and

WHEREAS, the applicant has completed the approved site plan modifications to this property and conducted a noise and dust study; and

WHEREAS, the Planning Board of the Town of Pendleton voted on December 17, 2024 to recommend approval of a Special Use Permit for this proposed operation; and

WHEREAS, Town Code §247-16C states, “Applications for a special use permit shall be reviewed by the Planning Board, which shall report its findings on the application to the Town Board.”; and

WHEREAS, Town Code §247-16C further states, “Hearing and decision. Following receipt of the Planning Board's report, the Town Board shall hold a public hearing on an application for a special use permit within 62 days of receiving the application, publicly noticed in a printed newspaper of general circulation in the Town at least five days prior to the hearing.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that a public hearing is scheduled on February 10, 2025 at 6:55 p.m., for a Special Use Permit for the proposed stone and construction debris crushing operation to be located at 5532 Killian Road. This resolution shall take effect immediately.

RESOLUTION 41-25

SCHEDULE PUBLIC HEARING – REZONING REQUEST

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0

Absent 1 Leible

WHEREAS, a 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 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 13th day of January 2025, that a public hearing is scheduled for February 10, 2025 at 6:50 p.m. for the request to rezone a property on Campbell Boulevard (SBL 150.01-1-19.11) from the current mixed zoning. The proposed change includes this property (SBL 150.01-1-19.11) being rezoned to Light Commercial (CO-1) for the entirety of the parcel. This resolution shall take effect immediately.

RESOLUTION 42-25

SCHEDULE PUBLIC HEARING – LOCAL LAW NO. ___ OF 2025

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

WHEREAS, the Town of Pendleton hereby proposes a Local Law, pursuant to The Alternative Veterans Exemption from Real Property Taxation under Section 458-a of the Real Property Tax Law (RPTL) of the State of New York, to increase the maximum exemptions permitted by §458-a (2) a, b, and c, so that the maximum exemptions for the Town of Pendleton, for qualifying veterans, who own real property in said Town, shall be thirty thousand dollars, twenty thousand dollars, and one hundred thousand dollars respectively.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January, 2025 that a public hearing will be held on the 27th day of January, 2025 at 6:45 p.m. in the Pendleton Town Hall, Pendleton, New York, on said Local Law to add the following Article V to the Pendleton Town Code Part II General Legislation, Taxation:

Section 1. Purpose

New York State Real Property Tax Law provision §458-a (2) a, b, and c, provides a limited exemption from real property taxes for real property owned by persons who rendered military service to the United States, provided the property meets the requirements set forth in the law. The purpose of this Local law is to increase the maximum exemptions permitted by §458-a (2) a, b, and c to thirty thousand dollars, twenty thousand dollars, and one hundred thousand dollars respectively, to qualifying veterans.

Section 2. Authority

Pursuant to New York State Real Property Tax Law provision §458-a (2) d, local governments including towns are authorized to increase the maximum exemption allowable by §458-a (2) a, b, and c to thirty thousand dollars, twenty thousand dollars, and one hundred thousand dollars respectively by enactment of a Local Law, following a public hearing.

Section 3. Application for Exemption

1. Application for such exemption, along with proof concerning military service rendered to the United States defined above, shall be filed with the Town of Pendleton assessor on or before the taxable status date on a form as prescribed by New York State.

2. Certification shall be required for any period of time claimed by an applicant that is not already on file with the applicable town assessor.
3. The assessor shall review the application and certification to ensure they have satisfied the requirements of this law.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

ORGANIZATION – FISCAL - AUTHORIZATIONS

RESOLUTION 43-25

OFFICIAL DEPOSITORY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that Evans Bank, headquartered in Hamburg, New York, is designated an authorized depository for 2024.

RESOLUTION 44-25

OFFICIAL TOWN NEWSPAPER

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to designate the Union Sun & Journal as the town's official newspaper.

RESOLUTION 45-25

PETTY CASH FUNDS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to establish the following petty cash funds: Town Clerk: \$250.00 and Tax Collector: \$300.00.

RESOLUTION 46-25

MEETING DATES

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to schedule the Regular Town Board Meetings for the second Monday of each month at 7:00 p.m.

RESOLUTION 47-25

PAYROLL

Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to pay the following employees on a **bi-weekly** basis: Supervisor, Town Clerk, Assessor, Highway and Water/Sewer Superintendent, Highway, Water and Sewer Department personnel, Building Inspectors, Town Attorney, Supervisor's Secretary, general clerks, laborers, justice clerks, Planning Board Administrative Assistant, and Town Constables; **quarterly**: Deputy Town Supervisor, Town Justices, Councilmen, Dog Control Officer, Recreation Director and Summer Recreation Director; and **annually**: Planning Board, Zoning Board of Appeals, Conservation Advisory Council, Board of Assessment Review, Registrar of Vital Statistics, Budget Officer and Town Historian.

RESOLUTION 48-25

APPOINTMENT OF TOWN ENGINEER

Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Dave Britton of Nussbaumer and Clarke, Inc. as Town Engineer.

RESOLUTION 49-25

APPOINTMENT OF PLANNING BOARD MEMBER

Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to appoint David Naus to a seven-year term on the Planning Board.

RESOLUTION 50-25

APPOINTMENT OF ZONING BOARD OF APPEALS MEMBER

Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to appoint Nicholas Graves to a five-year term on the Zoning Board of Appeals.

RESOLUTION 51-25

APPOINTMENT OF ZONING BOARD OF APPEALS SECRETARY

Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to appoint James Meholick as the Zoning Board of Appeals Secretary.

RESOLUTION 52-25

APPOINTMENT OF PLANNING BOARD CHAIRPERSON

Motion by Councilman Buechler, seconded by Councilman Lombardo, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of January 2025, to appoint the following Chairpersons to their respective Boards and Committees:

- Planning Board: Joseph McCaffrey
- Zoning Board of Appeals: Nicholas Graves
- Recreation Committee: Patrick Covell

RESOLUTION 53-25

APPOINTMENT OF PLANNING BOARD ADMINISTRATIVE AND SECRETARY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint John Higgins as the Planning Board Administrative Assistant and Secretary.

RESOLUTION 54-25

APPOINTMENT OF REGISTRAR OF VITAL STATISTICS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Town Clerk Deborah Maurer as Registrar of Vital Statistics to coincide with her term as Town Clerk.

RESOLUTION 55-25

APPOINTMENT OF RECORDS MANAGEMENT OFFICER

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Town Clerk Deborah Maurer as Records Management Officer to coincide with her term as Town Clerk.

RESOLUTION 56-25

APPOINTMENT OF INVESTIGATOR OF BINGO AND GAMES OF CHANCE

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Town Clerk Deborah Maurer as Investigator of Bingo and Games of Chance to coincide with her term as Town Clerk.

RESOLUTION 57-25

APPOINTMENT OF MARRIAGE OFFICER

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Town Clerk Deborah Maurer as Marriage Officer to coincide with her term as Town Clerk.

RESOLUTION 58-25

APPOINTMENT OF DEPUTY TOWN CLERKS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Noreen Lemma as First Deputy Town Clerk, Aimee Jarvis as second Deputy Town Clerk and Kimberly Frey as third Deputy Town Clerk, for one-year terms.

RESOLUTION 59-25

APPOINTMENT OF DEPUTY REGISTRAR OF VITAL STATISTICS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Noreen Lemma as Deputy Registrar of Vital Statistics for a one-year term.

RESOLUTION 60-25

APPOINTMENT OF DEPUTY TAX COLLECTOR

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Noreen Lemma as Deputy Tax Collector for a one-year term.

RESOLUTION 61-25

APPOINTMENT OF DEPUTY HIGHWAY SUPERINTENDENT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Peter Bayer as Deputy Highway Superintendent until rescinded.

RESOLUTION 62-25

APPOINTMENT OF STORMWATER MANAGEMENT OFFICER (SMO)

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to reappoint Building Inspector Ronald Diedrich as the Town's Stormwater Management Officer until rescinded.

RESOLUTION 63-25

AUTHORIZATION FOR CODE ENFORCEMENT OFFICER TO PROCEED WITH ISSUING VIOLATIONS FOR NOT MAINTAINING GRASS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize the Building Inspector/Code Enforcement Officer to proceed for the work to be done, with the expense to be assessed upon the affected properties, and the assessment constituting a lien and charged upon such properties providing that notice has been given, and no response or action was taken by the home owner to control brush, grass and/or weeds.

RESOLUTION 64-25

AUTHORIZATION FOR MILEAGE REIMBURSEMENT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize mileage reimbursement to be paid at the standard IRS rate, as outlined in the Town's Vehicle Use Policy.

RESOLUTION 65-25

PROCUREMENT POLICY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to renew the current Procurement Policy.

RESOLUTION 66-25

CODE OF ETHICS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to renew the current Code of Ethics.

RESOLUTION 67-25

SEXUAL HARASSMENT POLICY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to renew the current Sexual Harassment Policy.

RESOLUTION 68-25

WORKPLACE VIOLENCE POLICY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to renew the current Workplace Violence Policy.

RESOLUTION 69-25

AUTHORIZATION FOR SUPERVISOR

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize the Supervisor to invest surplus monies pursuant to Town Law, pay principal and interest on debts, pay utility and necessary bills prior to audit.

RESOLUTION 70-25

AUTHORIZE HIGHWAY SUPERINTENDENT

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize the Highway Superintendent to purchase stone, fuel, oil, culvert pipe, etc., within budget, at County prices.

RESOLUTION 71-25

PURCHASE OF WATER FROM NIAGARA COUNTY

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS the Town of Pendleton Water Department provides water service to all properties located within the Town's borders; and

WHEREAS it is necessary for the Town of Pendleton to purchase water from the Niagara County Water District; and

WHEREAS invoices for the purchase of water from the Niagara County Water District may require approval by the Town Board per the Town's procurement policy adopted January 15, 2025;

NOW, THEREFORE, BE IT RESOLVED that the Water Superintendent or Deputy Water Superintendent may submit vouchers for payment of invoices for water purchased from the Niagara County Water District without delay for approval of the Town Board for the 2025 budget year and such payment issued with the next payment cycle.

RESOLUTION 72-25

PURCHASE OF WATER FROM NEIGHBORING TOWNS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

WHEREAS the Town of Pendleton Water Department provides water service to all properties located within the Town's borders; and

WHEREAS it is necessary for the Town of Pendleton to purchase water from the Towns of Cambria, Lockport, and Wheatfield for water supply for select properties serviced by the Town; and

WHEREAS quarterly expenditures for the purchase of water from neighboring towns may require approval by the Town Board per the Town's procurement policy adopted January 15, 2025;

NOW, THEREFORE, BE IT RESOLVED that the Water Superintendent or Deputy Water Superintendent may submit vouchers for payment of invoices for water supplied by the Towns of Cambria, Lockport, and Wheatfield without delay for approval of the Town Board for the 2025 budget year and such payment issued with the next payment cycle.

RESOLUTION 73-25

APPROVAL OF CONTRACT WITH WFC FOR PURCHASE OF FUEL

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, that the contract with the Wendelville Fire Company, Inc. for the purchase of fuel is approved. This resolution shall take effect immediately.

RESOLUTION 74-25

ANNUAL MEMBERSHIPS

Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize annual membership for the Town of Pendleton for the following:

- American Water Works Association (AWWA)
- Association of Public Historians of New York (APHNY)
- New York Planning Federation (NYPF)
- New York State Assessors Association (NYSAA)
- New York State Association of Magistrates Court Clerks (NYSAMCC)
- New York State Magistrates Association (NYSMA)
- New York State Association of Tax Receivers and Collectors (NYSATRC)
- New York State Association of Towns (NYSAOT)
- New York State Association of Town Superintendents of Highways, Inc.
- New York State Town Clerk's Association (NYSTCA)
- Niagara County Assessors Association (NCAA)
- Niagara County Association of Town Superintendents of Highways, Inc.
- Niagara County Magistrates Association (NCMA)
- Niagara County Municipal Clerks Association (NCMCA)
- Niagara County Supervisors Association (NCSA)

RESOLUTION 75-25

YEARLY AGREEMENTS

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

ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo

Nays 0

Absent 1 Leible

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of January 2025, to authorize the Supervisor to sign the following yearly agreements:

- Niagara Community Action Program (NIACAP)
- Niagara County SPCA

PUBLIC REMARKS/COMMENTS

A resident suggested that the Town should publish "meeting rules" to inform the public about how meetings will be conducted. She also recommended allocating time to correct discrepancies in the budget, particularly where codes do not align and incorrect information appears to exist in the Edmunds system.

Another resident addressed the audit report issued by the Office of the New York State Comptroller in September 2024. He referenced recommendations from 2022 regarding journal entries intended to align the town's accounting records with its annual financial report, asking whether those adjustments had been completed. The resident also requested clarification on when taxpayers would be informed about the actual and projected costs of the capital projects highlighted in the recent audit.

No further public remarks or comments were made.

Supervisor Maerten has announced the following upcoming meetings:

- Public Hearing: January 27, 2025, at 6:45 p.m.
- Town Board Work Session: January 27, 2025, at 7:00 p.m.
- Public Hearings: February 10, 2025, starting at 6:50 p.m.
- Town Board Regular Meeting: February 10, 2025, at 7:00 p.m.

Motion by Councilman Lombardo, seconded by Councilman Buechler, to adjourn from the Regular Meeting at 7:52 p.m. Motion carried.

Deborah K. Maurer, Town Clerk

PENDING APPROVAL