

**TOWN OF PENDLETON
PUBLIC HEARING and WORK SESSION
January 27, 2025**

A Work Session of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 27th day of January, 2025 at 7:00 p.m. The meeting was open to the public. A Public Hearing preceded the Work Session.

PUBLIC HEARING

PUBLIC HEARING – LOCAL LAW NO. __ OF 2025: INCREASING THE MAXIMUM ALTERNATIVE VETERANS EXEMPTION

Supervisor Maerten opened the Public Hearing at 7:00 p.m.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on January 21, 2025 and on the Town's website.

The purpose of the hearing was to receive public input on a proposed Local Law to add the following subsection 224-15 to the Pendleton Town Code Section 224 General Legislation, Taxation; The Alternative Veteran's Exemption from Real Property Taxation under Section 458-a of the Real Property Tax law (RPTL) of the State of New York, is to increase so that the maximum exemptions permitted by §458-a (2) a, b, and c shall be thirty thousand dollars, twenty thousand dollars, and one hundred thousand dollars respectively, to qualifying veterans.

A copy of the proposed Local Law was made available at the Pendleton Town Hall and/ or the Town of Pendleton Website at www.pendletonny.us.

Supervisor Maerten opened up the floor to the public, but no comments were received.

Motion made by Councilman Leible, seconded by Councilman Buechler, to close the Public Hearing at 7:04 p.m. Motion carried.

WORK SESSION

Supervisor Maerten called the meeting to order at 7:04 p.m.

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

Also present:

Deborah Maurer – Town Clerk
Dave Fischer – Highway/Water & Sewer Superintendent
Claude Joerg – Town Attorney
Dave Britton – Town Engineer
Mark Walter – Deputy Town Supervisor
Miranda Freiart – Assessor
Patrick Covell – Recreation Director
Thomas Kraemer – Town Historian

There was one resident in attendance.

Supervisor began the work session by asking for public comments on the agenda items. There were no public comments received.

RESOLUTION 76-25

MEETING MINUTES – JANUARY 13, 2025

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

ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo

Nays 0

Absent 1 Hickman

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that the meeting minutes for the Regular and Organizational Meeting held on January 13, 2025, are approved as presented by Town Clerk Maurer.

RESOLUTION 77-25

ABSTRACT #2A

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

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

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, to authorize payment of Voucher Abstract #2a, Vouchers #24-01390 to #24-01433, for year ending 2024, to be paid on January 29, 2025 as follows:

General Fund	\$	64,318.99
Highway	\$	30,355.07
H Fund	\$	39,730.12
Refuse	\$	50,723.08
Sewer	\$	201.18
Water	\$	1,007.81
General Fund (2025)	\$	113.97
Total	\$	186,450.22

RESOLUTION 78-25

ABSTRACT #2B

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

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

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, to authorize payment of Voucher Abstract #2b, Vouchers #25-00006 to #25-00050, for year ending 2025, to be paid on January 29, 2025 as follows:

General Fund	\$	26,549.42
Highway	\$	32,214.27
Fire District	\$	467,000.00
Sewer	\$	12,165.45
Water	\$	2,024.78
Total	\$	539,953.92

RESOLUTION 79-25

LOCAL LAW NO. ___ OF 2025: INCREASING THE MAXIMUM ALTERNATIVE VETERANS EXEMPTION

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

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

LAW NO _____ OF THE YEAR 2025

TOWN OF PENDLETON, COUNTY OF NIAGARA COUNTY, STATE OF NEW YORK

TITLE: LOCAL LAW INCREASING THE MAXIMUM ALTERNATIVE VETERAN'S

EXEMPTION REAL PROPERTY TAX EXEMPTION

WHEREAS, a public hearing was held on the 27th day of January, 2025 at 6:45 p.m. in the Pendleton Town Hall, Town of Pendleton, County of Niagara and State of New York, and

WHEREAS, no individuals appeared to speak on said Local Law, and

WHEREAS, no amendments were made to said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that a Local Law of the Town of Pendleton, County of Niagara, State of New York, for the year 2025, in relation 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, be enacted by the Town of Pendleton, County of Niagara, State of New York, as follows:

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.

RESOLUTION 80-25

FACILITIES USAGE AGREEMENT – BOY SCOUT TROOP 47/NINE MILE ISLAND

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

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

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, to approve the Facilities Usage Agreement between the Town of Pendleton and Boy Scout Troop 47, for use of Nine Mile Island, as presented.

RESOLUTION 81-25

WITHDRAW ADVERTISEMENT FOR POSITION

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

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

WHEREAS, the Town Board of the Town of Pendleton passed a resolution authorizing the advertisement of the position of Summer Recreation Director on January 13, 2025; and

WHEREAS, the Summer Recreation Director is not a seasonal position; and

WHEREAS, it is appropriate to rescind the previously passed resolution authorizing the advertisement of this position.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that the resolution authorizing the advertisement of the position of Summer Recreation Director is rescinded. This resolution shall take effect immediately.

RESOLUTION 82-25

EXPENDITURE FOR AED DEVICES

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

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

WHEREAS, quotes for the purchase of four (4) - Automated External Defibrillation (AED) devices, accessories, and cabinets as follows:

- A) Reliant Workplace Solutions, LLC: \$9,600.00
- B) DiVal: \$10,537.35
- C) AED Grant.com: \$9,625.62 (No quote for inspections)
- D) Zoll Medical Corp.: \$9,948.55 (No quote for inspections)

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that the purchase of Automatic External Defibrillation (AED) devices, accessories, and inspections as quoted by Reliant Workplace Solutions, LLC, is approved for a total cost of \$9,600.00. This resolution shall be effective immediately.

RESOLUTION 83-25

ADVERTISEMENT FOR REQUESTS FOR PROPOSALS – HIGHWAY GARAGE DOOR

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

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

BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that advertisement for Requests for Proposals for Highway Garage Overhead Door Replacement is authorized as detailed in the attached Request for Proposals.

FURTHER, BE IT RESOLVED, that the Requests for Proposals will be made available on January 28, 2025 and all proposals are to be submitted to the Town Clerk by 3:00 pm local time on February 6, 2025, with the proposals publicly opened and read aloud at 3:05 pm. This resolution shall take effect immediately.

**Request for Proposals
Highway Garage Overhead Door Replacement**

Overview: The Town of Pendleton is requesting proposals for work that generally involves the replacement of an existing overhead door at the Town-owned and operated Highway Garage.

Project Location: The Highway Garage facility is located at 6640 Campbell Boulevard in the Town of Pendleton.

Project Description: The proposed work includes the following:

- Removal of the existing overhead door and operating equipment at the north end of the Highway Garage facility.
- Installation of a new replacement door of equivalent quality and performance, maintaining existing clearance dimensions and operational performance.
- Installation of new controlling equipment for operation of the new overhead door.
- Any and all modifications to electrical connections and carpentry features to ensure a finished project.

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.

Contact: Any questions and other communications are to be directed to Highway Superintendent David Fischer, who may be reached at (716) 625-8033. Access to the site of the proposed work is available during typical open hours of the Town of Pendleton Highway Department.

Deadline: All proposals are due to the Town Clerk of the Town of Pendleton by 3:00 pm on February 6, 2025.

RESOLUTION 84-25

EXPENDITURE – POWER CRIMPER

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

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

WHEREAS, the Town Board of the Town of Pendleton has received a request from the Highway Superintendent to purchase a used, but operational, power crimper with accessories to replace an obsolete unit currently owned by the Town; and

WHEREAS, the purchase of a used power crimper provides a substantial savings compared to the cost of a new unit; and

WHEREAS, there are no comparables currently available for an equivalent used and operationally unit.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that the purchase of a used power crimper with accessories from Fitzsimmons Hydraulics for an amount not to exceed \$3,195.00, is approved. This resolution shall be effective immediately.

RESOLUTION 85-25

AGREEMENT – NORTH TONAWANDA PUBLIC LIBRARY

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

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

WHEREAS, the Town Board of the Town of Pendleton authorized, by resolution, an agreement between the Town and the North Tonawanda Public Library on February 12, 2024; and

WHEREAS, a contract has been presented to the Town Board which extends the services available to the residents of the Town through the North Tonawanda Public Library and supports the mission of this library for 2025.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 27th day of January 2025, that the contract between the Town and the North Tonawanda Public Library, as presented, is approved. This resolution shall be effective immediately.

BOARD DISCUSSION

Engineer Britton stated that he, along with Building Inspector Diedrich and Highway Superintendent Fischer, recently met to address issues with the parking lot at the new Community Center. The meeting was productive, uncovering various additional improvement needs. Britton mentioned they will collaborate on drafting a master plan to present to the Town Board once finalized.

Town Clerk Maurer reported that she has been working with a representative from Congressman Nick Langworthy's office and the Lockport USPS Postmaster on a longstanding request to install a blue USPS mailbox at Town Hall. Since taking office in 2018, she has faced repeated rejections from USPS but believes she is now close to achieving this goal.

Recreation Director Covell reported that details for the 2025 Summer Recreation program, including dates and pricing, are nearly ready pending final confirmation of the field trip schedule.

Supervisor Maerten introduced the Town's new Historian, Thomas Kraemer, who briefly shared his background growing up in Pendleton and his thirty-year career with the railroad. Mr. Kraemer expressed enthusiasm for providing historical insights to the Town.

PUBLIC REMARKS/COMMENTS

There were no public comments.

Motion by Councilman Leible, seconded by Councilman Buechler, to enter into an Executive Session with the Town Attorney and Deputy Town Supervisor, to discuss potential litigation, at 7:25 p.m. Motion carried.

Motion by Councilman Leible, seconded by Councilman Lombardo, to adjourn from the Executive Session and the Work Session at 8:31 p.m. Motion carried.

Deborah K. Maurer, Town Clerk

PENDING APPROVAL