TOWN OF PENDLETON
SPECIAL MEETING
June 25, 2025

A Special Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 25th day of June 2025 at 7:00 p.m.

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

Roll Call:

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

Also present:
Deborah Maurer - Town Clerk
Claude Joerg - Town Attorney
Dave Fischer - Highway/Water & Sewer Superintendent
Troy Barnes – Building Inspector/Code Enforcement Officer
Mark Walter - Deputy Town Supervisor

There were no other people in attendance.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

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

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

There were no public remarks or comments on agenda items.

NEW BUSINESS

RESOLUTION 198-25
SCHEDULE PUBLIC HEARING
Motion by Councilman Leible, seconded by Councilman Buechler, the following resolution was

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

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 25th day of June 2025, to amend and approve the published resolution scheduling a public hearing as follows:

TOWN OF PENDLETON LOCAL LAW NO. __ OF THE YEAR, 2025

A LOCAL LAW ENTITLED:
"AMENDMENT OF THE DEFINED BENEFIT SERVICE AWARD PROGRAM WHICH IS SPONSORED BY THE TOWN OF PENDLETON FOR ACTIVE VOLUNTEER FIREFIGHTER MEMBERS OF THE WENDELVILLE FIRE COMPANY, INC."

WHEREAS, The Town of Pendleton hereby proposes a Local Law, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) and New York General Municipal Law §216 entitled: "**AMENDMENT OF THE DEFINED BENEFIT SERVICE AWARD PROGRAM WHICH IS SPONSORED BY THE TOWN OF PENDLETON FOR ACTIVE VOLUNTEER FIREFIGHTER MEMBERS OF THE WENDELVILLE FIRE COMPANY, INC."**

WHEREAS, pursuant to the New York General Municipal Law §216 ". . . once a service award program has been established [for the Volunteer Firefighter members that provide firefighting services to the Town of Pendleton], it may be . . . amended in the same manner as it was created

in accordance with the provisions of this article [§216] by following the procedures set forth in subdivision one or two of this section; and

WHEREAS, The Town of Pendleton created and established a Defined Benefit Service Award Program, effective January 1, 1995. The program is sponsored by the Town of Pendleton, and is administered by the Pendleton Town Board, for active Volunteer Firefighter members of the Wendelville Fire Company, Inc.; and

WHEREAS, the Town of Pendleton, by the Pendleton Town Board, seeks to Amend the service award program that was been established for the Volunteer Firefighter members that provide firefighting services to the Town of Pendleton, and thereby increase the benefits so provided to such Firefighter members; and

WHEREAS, the Town of Pendleton, by the Pendleton Town Board, has determined that it is necessary to so increase such benefits in order to promote recruitment and retention of Firefighter members of the Wendelville Fire Company, Inc.; and

WHEREAS, pursuant to the New York General Municipal Law §216, the following is stated in furtherance of this Local Law:

(i) the name of each fire company having volunteer firefighters who are potential participants in the program;
RESPONSE: Wendelville Fire Company, Inc.

(ii) whether the program will be administered by the political subdivision or the state;
RESPONSE: The program will be administered by the Town of Pendleton.

(iii) the entitlement age under the program
RESPONSE: The entitlement age shall be sixty-five [65].

(iv) the estimated annual cost of program, including the estimated annual administration fee;
RESPONSE: The estimated annual cost of the program will increase from approximately $165,000.00 to $250,000.00, the estimated annual administration fee shall remain as an additional $6,600.00.

(v) the number of years of fire service required to obtain a nonforfeitable right to a service award;
RESPONSE: This Local Law does not amend, modify or change such provision of the established Defined Benefit Service Award Program, which became effective January 1, 1995.

(vi) the activities for which points shall be granted toward a year of fire service;
RESPONSE: This Local Law does not amend, modify or change such provision of the established Defined Benefit Service Award Program, which became effective January 1, 1995.

(vii) the amount of the contribution to the program to be made on behalf of each participant credited with a year of fire service;
RESPONSE: The annual cost shall increase to approximately $2,475.00 per covered participant.

(viii) the extent to which the program provides for contributions for fire service rendered by a participant during one or more of the five calendar years immediately preceding the adoption of the program;
RESPONSE: This Local Law does not amend, modify or change such provision of the established Defined Benefit Service Award Program, which became effective January 1, 1995.

(ix) in the case of a service award program which provides for contributions for fire service rendered by a participant during one or more of the five calendar years

immediately preceding the adoption of the program, the timing and method of financing such contributions;
RESPONSE: This Local Law does not amend, modify or change such provision of the established Defined Benefit Service Award Program, which became effective January 1, 1995.

(x) the date as of which the program shall take effect; in the case of a service award program to take effect on a day other than the first day of January, whether points toward a year of fire service shall be granted for activities performed prior to the effective date of the program and on or after the immediately preceding first day of January;
RESPONSE: These amendments to the established Defined Benefit Service Award Program shall take effect on January 1, 2026.

(xi) the date on which the proposition authorizing the adoption of the program shall be submitted to referendum;
RESPONSE: The proposition authorizing the amendment of the established Defined Benefit Service Award Program shall occur on the November 4, 2025 general election for state and/or local government officers.

WHEREAS, in addition to those matters set forth above as required by General Municipal Law §216; the proposition to amend the term and provisions of the Defined Benefit Service Award Program for active members of the Wendelville Fire Company, Inc., will increase the monthly service award from twenty dollars [$20.00] to thirty dollars [$30.00] for each year beginning January 1, 2026 in which an active Volunteer Firefighter earns a year of service credit under the service award program point system **AND** would increase the maximum years of service credit that can be earned in the program from Thirty [30] years to Forty [40] years; and

WHEREAS, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) and New York General Municipal Law §216 such local law shall become operative as prescribed herein only if there is approval at the November 4, 2025 general election by the affirmative vote of a majority of the qualified electors of the Town of Pendleton voting upon the proposition; and

WHEREAS, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) and New York General Municipal Law §216 if a majority of the votes cast on the proposition to amend the term and provisions of the Defined Benefit Service Award Program for active members of the Wendelville Fire Company, Inc. as herein provided shall be in the affirmative, then such amended provisions of the Defined Benefit Service Award Program for active members of the Wendelville Fire Company, Inc., commencing January 1, 2026.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on the 14th day of July, 2025 at 6:45 p.m. in the Pendleton Town Hall, Pendleton, New York, on said Local Law to amend the term and provisions of the Defined Benefit Service Award Program for active members of the Wendelville Fire Company, Inc. as herein provided; and be it further

BE IT FURTHER RESOLVED, that this Local Law shall be subject to a mandatory referendum and shall only become effective after the approval of the electors of the Town of Pendleton at the November 4, 2025 general election of state and/or local government officers.

PUBLIC REMARKS/COMMENTS

There were no public remarks or comments.

Motion by Councilman Leible, seconded by Councilman Hickman, to adjourn from Special Meeting at 7:01 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk