PENDLETON TOWN BOARD
PUBLIC HEARINGS & REGULAR MEETING
July 14, 2025

A Regular Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 14th day of July, 2025, at 7:00 p.m.

PUBLIC HEARING #1
PROPOSED LOCAL LAW NO. ___OF 2025 – "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."

Supervisor Maerten opened the Public Hearing at 6:48 p.m.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on July 1, 2025 and on the Town's website.

The purpose of the hearing was to hear from all interested parties and citizens regarding the adoption of a proposed local law. Said Local Law is 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, in the following manner:

1. The Wendelville Fire Company, Inc. is the fire company having volunteer firefighters who are potential participants in the program;
2. The program will be administered by the Town of Pendleton.
3. The entitlement age under the program shall be sixty-five [65].
4. The estimated annual cost of program, including the estimated annual administration fee, will increase from approximately $165,000.00 to $250,000.00, the estimated annual administration fee shall remain as an additional $6,600.00.
5. The amount of the annual contribution to the program to be made on behalf of each participant credited with a year of fire service will be approximately $2,475.00 per covered participant.
6. The date as of which the program shall take effect shall be January 1, 2026.
7. The date on which the proposition authorizing the adoption of the program shall be submitted to referendum, 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.

A copy of said proposed Local Law, was made available at the Town Clerk's Office, 6570 Campbell Blvd, Lockport, New York 14094 and on the Town's website.

Supervisor Maerten opened up the floor to public comments.

Wendelville Fire Company President, Russell Talma, stated that the fire company supports all efforts towards recruitment and retention of members especially as emergency calls rise while volunteer numbers decrease.

There were no additional comments from the public.

Motion made by Councilman Leible, seconded by Councilman Buechler, to close the Public Hearing at 6:49 p.m. Motion carried.

PUBLIC HEARING #2
PROPOSED EXTENSION OF SEWER IMPROVEMENT AREA NO. 1

Supervisor Maerten opened the Public Hearing at 6:50 p.m.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on June 27, 2025 and on the Town's website.

The purpose of the hearing was to receive public input on the proposed extension of Town of Pendleton Sewer Improvement Area No. 1 to include the parcel associated with the Regency Estates subdivision as further described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Pendleton, County of Niagara and State of New York, being part of Lot 76, Township 13, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point on the southeast line of Campbell Boulevard at its intersection with the north line of lands now or formerly conveyed to Sharon K. Brown by deed recorded in Liber 3350 of deeds at page 315;

THENCE N 27°37'46" E, along the southeast line of Campbell Boulevard, a distance of 102.40 feet to a point on the south line of lands now or formerly conveyed to Roland & Jessie Draper by deed recorded in Liber 1171 of deeds at page 553;

THENCE N 89°03'01" E, along the south line of said lands conveyed to Draper, a distance of 362.42 feet to the southeast corner thereof;

THENCE N 27°37'46" E, along the southeast line of said lands conveyed to Draper being parallel with the southeast line of Campbell Boulevard, a distance of 200.00 feet to a point on the south line of lands now or formerly conveyed to Charles & Nancy Terhaar by deed recorded in Liber 1311 of deeds at page 276;

THENCE N 89°03'01" E, along the south line of said lands conveyed to Terhaar and the south line of lands now or formerly conveyed to Joseph Hahn, by deed recorded in Liber 3286 of deeds at page 140, a distance of 1906.34 feet to a point on the northwest line of lands conveyed to the Lockport & Buffalo Railway Company by Liber 147 of deeds at page 74;

THENCE S 44°23'44" W, along the northwest line of said lands conveyed to the Lockport & Buffalo Railway Company, a distance of 1327.83 feet to a point on the south line of a permanent easement acquired by the Power Authority of the State of New York for the Niagara – Adirondack Tie Line, Map No. 84R1, Parcel No. 87, recorded in Liber 1353 of deeds at page 89;

THENCE S 88°37'24" W, along the south line of said easement to the Power Authority of the State of New York, a distance of 1222.88 feet to the southeast corner of lands now or formerly conveyed to S. Brown Properties, by deed recorded as Instrument No. 2011-04259;

THENCE N 00°34'34" W, along the east line of said lands conveyed to S. Brown Properties, a distance of 399.79 feet to a point on the south line of said lands conveyed to Sharon K. Brown by aforesaid;

THENCE N 89°25'26" E, along the south line of said lands conveyed to Sharon K. Brown a distance of 174.08 feet to the southeast corner thereof;

THENCE N 00°34'34" W, along the east line of said lands conveyed to Sharon K. Brown, a distance of 400.00 feet to the northeast corner thereof;

THENCE S 89°25'26" W, along the north line of said lands conveyed to Sharon K. Brown, a distance of 300.00 feet to the Point or Beginning.

Supervisor Maerten opened up the floor to comments.

Councilman Buechler inquired about the cost of the extension and was informed that there would be no cost to the Town. Engineer Britton explained that the costs are paid for by the developer as part of the Public Improvement Permit process.

A resident asked where the Regency Estates subdivision will be and was informed that it will be off of Campbell Boulevard across from the Dollar General Store.

There were no additional comments from the public.

Motion made by Councilman Leible, seconded by Councilman Lombardo, to close the Public Hearing at 6:53 p.m. Motion carried.

PUBLIC HEARING #3
PROPOSED FORMATION OF STORMWATER DISTRICT

Supervisor Maerten opened the Public Hearing at 6:55 p.m.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on June 27, 2025 and on the Town's website.

The purpose of the hearing was to receive public input on the formation of the Stormwater District entitled Regency Estates Storm District. The district boundary is further described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Pendleton, County of Niagara and State of New York, being part of Lot 76, Township 13, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point on the southeast line of Campbell Boulevard at its intersection with the north line of lands now or formerly conveyed to Sharon K. Brown by deed recorded in Liber 3350 of deeds at page 315;

THENCE N 27°37'46" E, along the southeast line of Campbell Boulevard, a distance of 102.40 feet to a point on the south line of lands now or formerly conveyed to Roland & Jessie Draper by deed recorded in Liber 1171 of deeds at page 553;

THENCE N 89°03'01" E, along the south line of said lands conveyed to Draper, a distance of 362.42 feet to the southeast corner thereof;

THENCE N 27°37'46" E, along the southeast line of said lands conveyed to Draper being parallel with the southeast line of Campbell Boulevard, a distance of 200.00 feet to a point on the south line of lands now or formerly conveyed to Charles & Nancy Terhaar by deed recorded in Liber 1311 of deeds at page 276;

THENCE N 89°03'01" E, along the south line of said lands conveyed to Terhaar and the south line of lands now or formerly conveyed to Joseph Hahn, by deed recorded in Liber 3286 of deeds at page 140, a distance of 1906.34 feet to a point on the northwest line of lands conveyed to the Lockport & Buffalo Railway Company by Liber 147 of deeds at page 74;

THENCE S 44°23'44" W, along the northwest line of said lands conveyed to the Lockport & Buffalo Railway Company, a distance of 1327.83 feet to a point on the south line of a permanent easement acquired by the Power Authority of the State of New York for the Niagara – Adirondack Tie Line, Map No. 84R1, Parcel No. 87, recorded in Liber 1353 of deeds at page 89;

THENCE S 88°37'24" W, along the south line of said easement to the Power Authority of the State of New York, a distance of 1222.88 feet to the southeast corner of lands now or formerly conveyed to S. Brown Properties, by deed recorded as Instrument No. 2011-04259;

THENCE N 00°34'34" W, along the east line of said lands conveyed to S. Brown Properties, a distance of 399.79 feet to a point on the south line of said lands conveyed to Sharon K. Brown by aforesaid;

THENCE N 89°25'26" E, along the south line of said lands conveyed to Sharon K. Brown a distance of 174.08 feet to the southeast corner thereof;

THENCE N 00°34'34" W, along the east line of said lands conveyed to Sharon K. Brown, a distance of 400.00 feet to the northeast corner thereof;

THENCE S 89°25'26" W, along the north line of said lands conveyed to Sharon K. Brown, a distance of 300.00 feet to the Point or Beginning.

Supervisor Maerten opened up the floor to public comments.

A resident inquired about the builder for the new homes and was informed that Regency Builders LLC will be undertaking the construction of the homes as well.

There were no additional comments from the public.

Motion made by Councilman Leible, seconded by Councilman Lombardo, to close the Public Hearing at 6:57 p.m. Motion carried.

REGULAR MEETING

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

Supervisor Maerten led the invocation and the Pledge of Allegiance.

Roll Call:

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

Also present:

Deborah Maurer - Town Clerk
Claude Joerg - Town Attorney
David Britton - Town Engineer
Troy Barnes - Building Inspector/Code Enforcement Officer
Miranda Freiert - Assessor
Patrick Covell - Recreation Director
Mark Walter – Deputy Supervisor
Lucas Frew – Deputy Water and Sewer Superintendent

There were 21 residents in attendance.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

No amendments were made to the agenda.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

One resident commented on Voucher Abstract #12, questioning why the Town was paying for two separate individual auditors and requested an explanation.

Another resident stated that the proposed budget amendment and transfer resolution should include not only the amount being transferred but also the current balance in the budget line from which the funds are being drawn.

No further comments were made by the public.

ROUTINE BUSINESS

RESOLUTION 199-25
MEETING MINUTES – JUNE 9, 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 14th day of July 2025, that the meeting minutes from the Regular Meeting held on June 9, 2025, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 200-25
MEETING MINUTES – JUNE 25, 2025
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 14th day of July 2025, that the meeting minutes from the Special Meeting held on June 25, 2025, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 201-25
ABSTRACT #12
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 14th day of July 2025, to authorize payment of Voucher Abstract #12, Vouchers #25-00558 to #25-00624 which was paid on June 25, 2025, as follows:

General Fund	$	129,336.45
Highway	$	3,378.46
Refuse	$	50,244.37
Sewer	$	2,234.31
Water	$	5,055.30
Total	$	190,248.89

RESOLUTION 202-25
ABSTRACT #13
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 14th day of July 2025, to authorize payment of Voucher Abstract #13, Vouchers #25-00625 to #25-00691 to be paid on July 16, 2025, as follows:

General Fund	$	59,372.11
Highway	$	19,575.07
Capital Fund	$	322.92
Sewer	$	4,174.81
Water	$	73,524.22
Total	$	156,969.13

OTHER REPORTS

Supervisor Maerten reported that the tax collected for May 2025 was $197,724.96. This is an increase of $9,032.47 when compared with May 2024. The year to date received is $1,008,192.73 which an increase of $25,029.15 from 2024.

Councilman Leible reported that the Town's Fourth of July celebration went well and thanked

the Wendelville Fire Company for standing by during the event. He also noted that he facilitated recent furnace repairs on the north side of the building and expects that a full replacement will be necessary before winter. Lastly, he reported that he is still in the process of obtaining quotes for resealing and striping the Town Hall parking lot.

Councilman Lombardo thanked Councilman Leible for all of his efforts in organizing the Fourth of July event. He also reported that they both met with the Town Justices to discuss the installation of electrical outlets on the dais in the meeting room, and noted that the project should be completed soon.

Councilman Buechler had nothing to report.

Attorney Joerg had no report.

Engineer Britton provided a brief update on the Community Center paving project, stating that a kick-off meeting was held last week and that the work may be completed as early as mid- to late August. A discussion also took place regarding the restoration of the tennis courts at both Town parks. Supervisor Maerten asked Mr. Britton to prepare detailed bid specifications to move the project forward.

DEPARTMENT HEADS

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

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

Total State, County and Local Revenues	$	131,202.84
Water/Sewer Collection	$	5,035.79

Mrs. Maurer also stated that water bills were expected to be mailed out this week and reminded residents that any unpaid balances after September 16th will be levied onto their 2026 tax bill. She further reported that pavilion rentals can now be made online through the Town's Parks and Recreation website.

Lastly, Mrs. Maurer noted that the Town Board portraits displayed in the room have been properly labeled with the names of former Town Board members. She thanked Deputy Clerk Aimee Jarvis for all of her help with the project.

Building Inspector Barnes reported that the contractor selected for property maintenance on unkempt Town properties has completed the job on Beach Ridge Road.

Assessor Freiert reported that the Final Tax Roll is now available for viewing online. She also announced that the new Assessor's Clerk, Colleen Gebauer, began her first day earlier and expressed confidence that she will be a great asset to the Town.

Recreation Director Covell reported that the 2025 Summer Recreation Program began the previous week and seems to be going well. He also reminded everyone that the next Pendleton Station Market event will be on Sunday, July 20th.

NEW BUSINESS

RESOLUTION 203-25
DEPEAU PARK SEQR – NEGATIVE DECLARATION
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 of Pendleton (Town) is considering various improvements at the Depeau Park located in the Town of Pendleton, Niagara County. Depeau Park is currently owned by New York State, and any proposed site improvements by the Town are required to be completed by

Permit with the New York State Canal Corporation. In general, the park Improvements include replacement of the existing fencing, resurfacing the existing court surfaces, new posts and nets for tennis courts, restoration, and expanding the gravel parking.

WHEREAS, after comparing the thresholds in 6 NYCRR 617.4 and 617.5 under SEQR, the Town has determined that the proposed improvements do not meet the definition or thresholds of a Type 1 or Type 2 action and therefore potential environmental impacts will be reviewed under SEQRA as a coordinated unlisted action.

WHEREAS AND THEREFORE BE IT RESOLVED, that as an action under SEQR, the project is not expected to categorically have significant adverse impacts on the environment and therefore it is anticipated that a Negative Declaration of no adverse impact be issued and that no further review under SEQR will be required. This resolution shall take effect immediately.

RESOLUTION 204-25
ASSESSOR REAPPOINTMENT
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, at the January 13, 2025 meeting of the Town Board of the Town of Pendleton, Miranda Freiert was appointed to the position of Sole Assessor; and

WHEREAS, all appointments to the position of Sole Assessor in New York State expire on September 30, 2025; and

WHEREAS, the successive term for the position of Sole Assessor is October 1, 2025 to September 30, 2031; and

WHEREAS, it is recommended to reappoint Miranda Freiert to the appointed position of Sole Assessor.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 14th day of July 2025, that Miranda Freiert is appointed to the full-time position of Sole Assessor for the term of October 1, 2025 to September 30, 2031. This resolution shall take effect immediately.

RESOLUTION 205-25
APPROVAL OF AGREEMENT - LOCKPORT 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
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 14th day of July 2025, that agreement between the Town and the Lockport Library, as presented, is approved. This resolution is effective reflecting the terms of the agreement, stipulated as of January 1, 2025.

RESOLUTION 206-25
REGENCY ESTATES – SEWER IMPROVEMENT AREA EXTENSION
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 has received a request to approve the extension of the Sewer Improvement Area to include a proposed residential development known as Regency Estates; and

WHEREAS, the Regency Estates subdivision, as proposed for development by Regency Builders, LLC, is located on the east side of Campbell Boulevard (NYS Route 270), approximately 1,900± feet north of the intersection with Feigle Road; and

WHEREAS, the proposed subdivision involves the development of twenty-seven (27) single

family residential detached lots on 39.97± acres of land; and

WHEREAS, the entire subdivision will be served by gravity sewers and it will be necessary to extend the sanitary sewer improvement area to serve the new subdivision; and

WHEREAS, a public hearing was scheduled by resolution of the Town Board on June 9, 2025 for July 14, 2025 at 6:50 pm; and

WHEREAS, the public hearing was held as scheduled; and

WHEREAS, it is recommended to approve this extension of the Sewer Improvement Area.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 14th day of July 2025, that the proposed Sewer Improvement Area extension, as described in this resolution and supporting documentation, is approved.

FURTHER, BE IT RESOLVED, that the proposed sewer extension shall be in all respects paid for by the developer and that there shall be no liability and or cost to the Town.

FURTHER, BE IT RESOLVED, that the developer shall indemnify and defend the Town from any cost or expense as a result of such sewer extension, including having the Town named as an additional insured on an insurance policy concerning this work. This resolution shall take effect immediately.

RESOLUTION 207-25
REGENCY ESTATES – STORMWATER DISTRICT
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 Planning Board approved a residential construction project adjacent to Campbell Boulevard in the Town of Pendleton known as the Regency Estates Subdivision; and

WHEREAS, the boundaries and subdivision lots for the Regency Estates Subdivision are as follows: in the Town of Pendleton, County of Niagara, those parcels described on the Niagara County Land and Tax Map as Section, Block, and Lot number SBL 136.00-1-46.12, and;

WHEREAS, approved construction plans for this project include various stormwater management features and structure which require ongoing maintenance performed by the Town of Pendleton Highway Department; and

WHEREAS, public hearings were scheduled, advertised, and held on July 14, 2025 to receive public input for the proposed new Stormwater District for the Regency Estates Subdivision and the District fee of $65.00 annually per lot; and

WHEREAS, establishment of a Stormwater District and annual fee for this project is necessary to ensure funding for future annual maintenance.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 14th day of July 2025, that the proposed Regency Estates Stormwater District is approved.

FURTHER, BE IT RESOLVED, that this resolution shall be forwarded to the County of Niagara for implementation so that the assessment of the District Fee of $65.00 per lot can commence on the subdivision lots of the Regency Estates subdivision on the annual Niagara County tax bills commencing with the 2026 tax bills.

RESOLUTION 208-25
WENDELVILLE FIRE COMPANY – NEW MEMBER
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 14th day of July 2025, that Douglas Ward is approved as a member of the Wendelville Fire Company, Inc. This resolution shall take effect immediately.

RESOLUTION 209-25
2025 BUDGET AMENDMENT AND TRANSFER
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 14th day of July 2025, that the following budget amendment for the 2025 budget is approved:

Amended 2025 Budget:
Safety - Property Maintenance (A003620-401)

FURTHER, BE IT RESOLVED, that a budget transfer from General Fund Balance of $11,000.00 to Safety - Property Maintenance (A003620-401) is approved. This resolution shall take effect immediately.

RESOLUTION 209-25
AUTHORIZE EXPENDITURE - SEWER EQUIPMENT REPAIR
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 of Pendleton Water & Sewer Department has standardized the use of pump equipment manufactured by Equipment One Corporation (E/One); and

WHEREAS, Siewert Equipment has been designated by resolution of the Town Board as the sole source supplier for E/One equipment, parts, and components; and

WHEREAS, a request for an expenditure for repair of sewer equipment has been presented to the Town Board for consideration by the Water & Sewer Superintendent.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 14th day of July 2025 that the proposed expenditure of $5,678.55 for sewer equipment repair, as quoted by Siewert Equipment, is approved. This resolution shall take effect immediately.

Deputy Water and Sewer Superintendent Lucas Frew provided an update on a situation near the intersection of Tonawanda Creek Road and Alexander Parkway. His department has been investigating a persistent damp spot in the roadway at that location. The water line in question supplies the Hunter's Creek Condominiums on Alexander Parkway. Several tests have been conducted, and a review of the homeowners' water meters has not indicated any leaks. Mr. Frew is requesting leak detection services to determine whether the issue lies on the Town's side or if it is a matter that needs to be addressed by Hunter's Creek Condominiums.

RESOLUTION 210-25
AUTHORIZE EXPENDITURE – LEAK DETECTION SERVICES
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 14th day of July 2025, that GPRS is designated as a sole source supplier of leak detection services.

FURTHER, BE IT RESOLVED, that the proposal submitted by GPRS for leak detection services is approved. This resolution shall take effect immediately.

RESOLUTION 211-25
LOSAP LOCAL LAW
Motion by Councilman Leible, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Leible, Lombardo
Nays 0
Absent 1 Hickman

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."

A Local Law of the Town of Pendleton, County of Niagara, New York, a Local Law, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) and New York General Municipal Law §216 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, in the following manner:

1. The Wendelville Fire Company, Inc. is the fire company having volunteer firefighters who are potential participants in the program;
2. The program will be administered by the Town of Pendleton.
3. The entitlement age under the program shall be sixty-five [65].
4. The estimated annual cost of program, including the estimated annual administration fee, will increase from approximately $165,000.00 to $250,000.00, the estimated annual administration fee shall remain as an additional $6,600.00.
5. The amount of the annual contribution to the program to be made on behalf of each participant credited with a year of fire service will be approximately $2,475.00 per covered participant.
6. The date as of which the program shall take effect shall be January 1, 2026.
7. The date on which the proposition authorizing the adoption of the program shall be submitted to referendum, 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.

WHEREAS, a public hearing was held on July 14th, 2025 at 6:45 p.m. in the Pendleton Town Hall, Town of Pendleton, Lockport, New York, on said Local Law, and

WHEREAS, one person 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, New York, for 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." be adopted by the Town of Pendleton, County of Niagara, New York as follows:

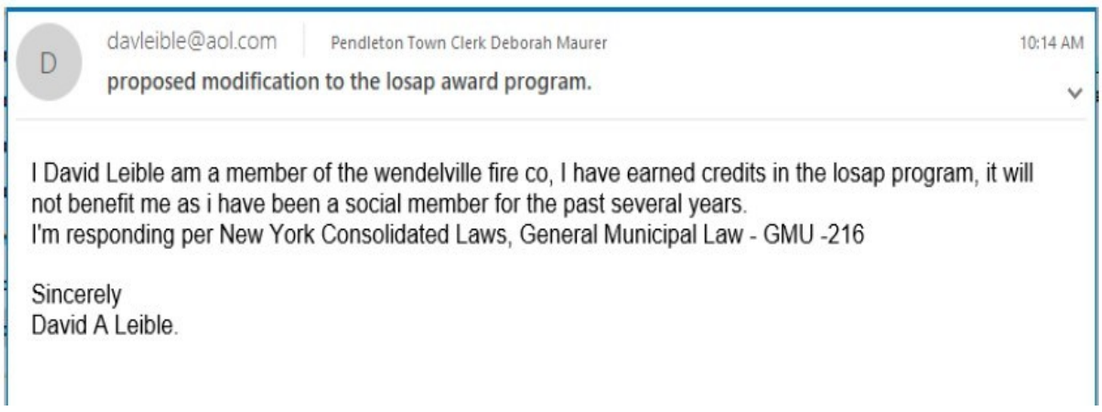
1. The Wendelville Fire Company, Inc. is the fire company having volunteer firefighters who are potential participants in the program;
2. The program will be administered by the Town of Pendleton.
3. The entitlement age under the program shall be sixty-five [65].

4. The estimated annual cost of program, including the estimated annual administration fee, will increase from approximately $165,000.00 to $250,000.00, the estimated annual administration fee shall remain as an additional $6,600.00.
5. The amount of the annual contribution to the program to be made on behalf of each participant credited with a year of fire service will be approximately $2,475.00 per covered participant.
6. The date as of which the program shall take effect shall be January 1, 2026.
7. The date on which the proposition authorizing the adoption of the program shall be submitted to referendum, 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.

RESOLVED, that this local law currently numbered as Local Law Number __of the year 2025, is hereby approved and adopted, by the Town of Pendleton, subject to a mandatory referendum to be held on November 4, 2025, and upon approval by the voters of the Town of Pendleton to be filed with the New York Secretary of State.

Additionally, as required by General Municipal Law §216, subsection 5, the disclosure letters provided by Councilman Leible, Councilman Lombardo, and Supervisor Maerten, are included below:


D

davleible@aol.com Pendleton Town Clerk Deborah Maurer 10:14 AM

proposed modification to the losap award program.

I David Leible am a member of the wendelville fire co, I have earned credits in the losap program, it will not benefit me as i have been a social member for the past several years.
I'm responding per New York Consolidated Laws, General Municipal Law - GMU -216

Sincerely
David A Leible.

TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094

Supervisor Joel Maerten
Councilman Wolfgang Buechler
Councilman Joseph Hickman
Councilman David Leible
Councilman Scott Lombardo

July 10, 2025

Deborah Maurer, Town Clerk
Town of Pendleton
6570 Campbell Boulevard
Lockport, NY 14094

RE: Proposed Modification to Length of Service Award Program

A public hearing has been scheduled for July 14, 2025, for a proposed modification of the Length of Service Award Program (LOSAP), which is funded by the Town of Pendleton for members of the Wendelville Fire Company, Inc. It is anticipated that a resolution will be offered for consideration of the Town Board following the public hearing, authorizing placement of the proposed LOSAP modification as a proposition on the ballot of the next scheduled local election. As a current active member of the Fire Company, the issue of a possible conflict must be addressed.

Per New York Consolidated Laws, General Municipal Law - GMU § 216, it is stated:

> Notwithstanding any inconsistent provision of law, no member of the governing board of a political subdivision of the state is prohibited by virtue of being a member of a volunteer fire company or department from voting upon a resolution authorizing a referendum on the establishment of a service award program if more than forty percent of the governing board would otherwise be prohibited from voting upon such resolution. Any member of such governing board voting upon such a resolution who serves as a member of a volunteer fire company or department shall publicly disclose in writing to the governing board such status. Such written disclosure shall be part of and set forth in the official record of the proceedings of such governing board.

I am currently an active member of the Fire Company, I have earned multiple years of credit in the LOSAP, and such future payments may be affected should this proposition be approved. I am writing this statement to comply with the intent of this section of General Municipal Law, which is to publicly disclose any possible conflict of interest prior to participating in any Town Board vote related to the LOSAP.

Thank you for including this statement in the public documents for the July 14, 2025, meeting of the Town Board.

Sincerely,

Scott A. Lombardo
Pendleton Town Councilman

[NOTE: The Local Law will not receive a number until it is approved by mandatory referendum and filed with New York State.]

Su**pervis**or Maerten has announced the following upcoming meetings:

- Tentative Town Board Work Session: No meeting is currently scheduled for Monday, July 28, 2025.
- Town Board Regular Meeting: Scheduled for August 11, 2025, at 7:00 p.m.

PUBLIC REMARKS/COMMENTS

The first resident questioned why some departmental reports are not published online. Town Clerk Maurer responded that she posts all reports provided to her, noting occasional delays due to reports not being received from other departments.

Several residents living along Campbell Boulevard near Meyer Road addressed the Town Board with ongoing concerns regarding poor drainage and lack of maintenance of the roadside ditches in front of their homes. They described persistent standing water in the ditches and their yards, noting

that the conditions have worsened due to a lack of follow-up on complaints submitted as far back as October 2024.

Specific complaints included:

- Cattails being cut but not properly removed, resulting in thick piles (12”–18”) of debris that block water flow.
- Overgrown vegetation obstructing visibility when pulling out of driveways, creating a significant traffic safety hazard on a very busy roadway.
- Structural damage to private property, including one resident who reported losing a shed due to water damage.
- Concerns that the stagnant water may pose health risks, attract pests, and lower property values.

Residents expressed strong dissatisfaction with the town’s response, or lack thereof, and stated that repeated calls and emails had not resulted in any corrective action. They emphasized that the ditches need to be fully dredged—not just trimmed—and that a more permanent solution must be identified.

Several residents also urged the Town Board to work with the New York State Department of Transportation, as Campbell Boulevard is a state road, and coordination is essential for any long-term fix. Numerous photos were submitted as visual evidence of the flooding, overgrowth, and property damage.

Another resident inquired about door-to-door solicitors and whether they require a permit. Town Clerk Maurer acknowledged the issue, stating that the company in question has been instructed to cease operations until obtaining the necessary permits.

A potential property owner sought the Town Board’s permission to install a driveway on a “paper road.” She was informed that the Planning Board is aware of her request and will provide further guidance.

Lastly, a member of the audience commented on the paving of the parking lot in front of the new Community Center, expressing concerns about construction quality and payment delays to subcontractors.

No further public remarks or comments were made.

Motion by Councilman Leible, seconded by Councilman Lombardo, to adjourn from the Regular Meeting at 7:43 p.m. Motion carried.

_____
Deborah K. Maurer, Town Clerk