PENDLETON TOWN BOARD
REGULAR MEETING
September 8, 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 8th day of September, 2025, at 7:00 p.m.

Supervisor Maerten called the meeting to order at 7:02 p.m.

Supervisor Maerten led the invocation and the Pledge of Allegiance. A moment of silence was observed in memory of the Town's Planning Board Chairman, Joseph McCaffrey, who passed away unexpectedly on September 7th.

Roll Call:

Supervisor Maerten	Present
Councilman Buechler	Present
Councilman Hickman	Present
Councilman Lombardo	Present

Also present:
Deborah Maurer - Town Clerk
Claude Joerg - Town Attorney
David Britton - Town Engineer
Dave Fischer - Highway/Water & Sewer Superintendent
Troy Barnes - Building Inspector/Code Enforcement Officer
Miranda Freiert - Assessor
Patrick Covell - Recreation Director
Mark Walter – Deputy Supervisor
Tom Maturski – Budget Officer

There were seven residents in attendance.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

- Add – Proclamation Honoring Councilman Dave Leible

No other amendments were made to the agenda.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

A resident of Sheetram Road expressed concern regarding an expense listed on Abstract #16 for the concrete work at the Community Center, noting that there are no funds allocated in the budget for this item. She also questioned the budget code used for the principal and interest payment on the Gradall loan included on Abstract #17. Additionally, the resident raised questions about the contract between the Town and the Pendleton Senior Citizens Club, Inc., and inquired whether and when a notice was publicized for the vacant Town Board position.

No further public comments were made.

ROUTINE BUSINESS

RESOLUTION 229-25
MEETING MINUTES – AUGUST 11, 2025
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that the meeting minutes from the Regular Meeting held on August 11, 2025, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 230-25
ABSTRACT #16
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, to authorize payment of Abstract #16, Vouchers #25-00840 to #25-00892, which was paid on August 27, 2025, as follows:

General Fund	$	17,999.56
Highway	$	13,448.19
Capital Fund	$	23,190.00
Sewer	$	567.05
Water	$	7,167.07
Trust & Agency	$	1,165.50
Total	$	63,537.37

RESOLUTION 231-25
ABSTRACT #17
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, to authorize payment of Voucher Abstract #17, Vouchers #25-000893 to #25-000934, to be paid on September 10, 2025, as follows:

General Fund	$	27,731.19
Highway	$	110,245.21
Sewer	$	237.03
Water	$	11,334.17
Total	$	149,547.60

OTHER REPORTS

Supervisor Maerten reported that the tax collected for July 2025 was $219,011.90. This is an increase of $18,744.56 when compared with July 2024. The year to date received is $1,485,203.73 which an increase of $89,692.06 from 2024.

Councilman Hickman had nothing new to report.

Councilman Lombardo announced that the 15th Annual Pendleton Community & Shop Local Faire will be held at Pendleton Center United Methodist Church, 6864 Campbell Boulevard, Pendleton, NY, on Saturday, October 4, 2025, from 10:00 a.m. to 1:00 p.m. He noted that the event will feature local vendors, food, a petting zoo, and other activities for residents.

Councilman Buechler shared his condolences regarding the passing of Planning Board Chairman Joe McCaffrey. He stated that he had known Joe for over 30 years and that Joe's heart was always with the Town.

Attorney Joerg had nothing to report.

Engineer Britton provided updates on ongoing projects:

- GIS Implementation: 95% of sanitary sewer manhole locations have been mapped and inspected.
- Community Center: Parking lot paving is complete; a few punch list items remain before the building can be opened to the public.
- Regency Estates Subdivision: Contractors are still working on earthmoving; the project is progressing well.
- Pendleton Parks Tennis Courts Improvements: Site plan drawings will soon be completed and presented to the Town Board. The goal is to issue a bid in early winter and start the project in spring.
- Comprehensive Plan: A draft will be forwarded to the Town Board by December, with final adoption targeted for February 2026.

A lengthy discussion followed regarding significant changes to NYSDEC wetland regulations that took effect on January 1, 2025. It was noted that areas classified as wetlands in Pendleton increased by 196%, which will significantly impact the Town, particularly for potential new development. Mr. Britton noted that the new wetland boundaries can be viewed on the GIS map available on the Town's website.

Budget Officer Maturski stated that he has been working on the budget since July. After receiving input from most department heads, the budget is now in the hands of the Town Board. He noted that budget worksheets will be provided for online posting; these worksheets reflect the amounts requested by the departments, not necessarily what will be approved. Mr. Maturski explained the layout of the worksheets, reported that the Town is currently at the tax cap, and noted that sales tax has increased across New York State. He also provided additional details about the budget process.

Town Clerk Maurer requested an electronic copy of the worksheets for posting and asked for clarification on whether this "draft budget" is actually the official Tentative Budget for 2026. Mr. Maturski confirmed that it is.

DEPARTMENT HEADS

Town Clerk Maurer also offered her condolences to the family of Joe McCaffrey, noting that he was highly knowledgeable and dedicated 33 years of his life to serving on the Planning Board. His expertise and wisdom will be greatly missed.

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

Also posted online are reports from the Wendelville Fire Company that include:

- EMS Quarterly Review document
- EMS Report for January, February and March of 2025
- EMS Report for April, May and June of 2025
- Charity Care Policy

She also informed the Board of the following revenues collected during the month of August:

- Total State, County, and Local Revenues: $44,413.48
- Water/Sewer Collection: $131,176.75

Highway Superintendent Fischer also shared his condolences to the McCaffrey family. Mr. Fischer had known Joe personally for many years and said that he was one of the most intellectual people he has known and he always walked away learning something from Joe.

Building Inspector Barnes reported that he has received numerous resumes for the Building Inspector position and has forwarded them to the Town Board for their review.

Assessor Freiert stated that she has received many calls about the school tax bills that were recently mailed out. She wanted to remind residents that she can only assist them with exemption specific information and that anything else related to the collection of the school tax bill must be handled directly with the school tax collector.

Recreation Director Covell had nothing to report.

NEW BUSINESS

RESOLUTION 232-25
PURCHASE OF WATER METER
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0

WHEREAS, water meters and meter readers manufactured by Badger Meter has been declared as a standardized item for use as a component of Town-owned water infrastructure; and

WHEREAS, Moley Industries is recognized as the sole source provider of Badger water meters and meter readers; and

WHEREAS, a request has been submitted by the Water & Sewer Department for authorization to purchase a water meter.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that the purchase of a water meter, as quoted separately, is approved for a cost of $3,800.60. This resolution shall take effect immediately.

RESOLUTION 233-25
ADVERTISEMENT OF POSITIONS – HIGHWAY DEPARTMENT
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that the posting for the positions of Motor Equipment Operator, Truck Driver, and Laborer, assigned to the Highway Department, are authorized for posting in anticipation of potential openings. This resolution shall take effect immediately.

RESOLUTION 234-25
SCHEDULE PUBLIC HEARING – RENEWAL OF SPECIAL USE PERMIT
Motion by Councilman Hickman, seconded by Councilman Lombardo, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
WHEREAS, the Planning Board of the Town of Pendleton is considering a recommendation for renewal of a Special Use Permit for a project known as Pendleton Solar 2, located at 6600 Donner Road; 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 8th day of September 2025 that a public hearing is scheduled on October 13, 2025 at 6:55 pm for a Special Use Permit for Pendleton Solar 2, which is located at 6600 Donner Road. This resolution shall take effect immediately.

RESOLUTION 235-25
WENDELVILLE NEW MEMBERS
Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that Sofia Greco and Peter Chenier are approved as members of the Wendelville Fire Company, Inc. This resolution shall take effect immediately.

RESOLUTION 236-25
SUBMITTAL OF WIAA GRANT APPLICATION
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0

WHEREAS, the Town of Pendleton, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in the Campbell Boulevard Water Main map, plan and report, to address the repair and maintenance of the Campbell Boulevard Water Main Replacement, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Pendleton deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Pendleton Town Board, that:

1. Supervisor Joel Maerten, or his representative or successor in office, is the representative authorized to act on behalf of the Pendleton Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.

2. The Supervisor, or his representative, is authorized to make an application for the total project cost in the amount of $1,890,000 of which the Town is requesting 70% of the total project cost in grant funding ($1,323,000);

3. The Pendleton Town Board hereby authorizes matching funds to fund to cover the Town's portion of the cost of the Project, not to exceed 40% of the total project cost ($567,000);

4. The Pendleton Town Board agrees to fund its portion of the cost of the Project by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;

5. The one certified copy of this Resolution be prepared and submitted with the electronic WIIA grant application to the NYS Environmental Facilities Corporation; and

6. This Resolution takes effect immediately.

RESOLUTION 237-25
APPOINTMENT TO BOARD OF ASSESSMENT REVIEW
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that Sandra Masterson is appointed to the Board of Assessment Review for a term that commences on October 1, 2025 and expires on September 30, 2030. This resolution shall take effect immediately.

RESOLUTION 238-25
SURPLUS CELL PHONES
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that the following items are declared surplus and are authorized for appropriate disposal:

(1) - Samsung Galaxy S9, Item # 353305096896184

(1) - Cellular Device, Item # 354834100964224

(1) - Samsung Cellular Device, Item # 352410094451759

This resolution shall take effect immediately.

RESOLUTION 239-25
ADVERTISEMENT OF REQUEST FOR PROPOSALS – NETWORK INFRASTRUCTURE WORK
Motion by Councilman Buechler, seconded by Councilman Lombardo, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that advertisement for Requests for Proposals for Network Infrastructure Work is authorized as detailed in the attached Request for Proposals.

FURTHER, BE IT RESOLVED**,** that the Requests for Proposals will be made available on September 9, 2025, and all proposals are to be submitted to the Town Clerk by 3:00 pm local time on October 7, 2025, with the proposals publicly opened and read aloud at 3:05 pm. This resolution shall take effect immediately.

RESOLUTION 240-25
ACCEPTANCE OF PROPOSAL – TOWN HALL PARKING LOT SEALING/STRIPING
Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
WHEREAS, the Town Board of the Town of Pendleton did approve by resolutions on August 11, 2025 the advertisement of Request for Proposals related to sealing and striping of the Town Hall parking lot; and

WHEREAS, the approved Request for Proposals were advertised and all submissions were opened and tabulated by the Town Clerk as specified in the authorizing resolution; and

WHEREAS, it is recommended that the Town Board accept the lowest cost responsive proposals.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that the combined proposal submitted by Black Gold Sealer for $10,500.00 for sealing and striping of the Town Hall parking lot is accepted and approved. This resolution shall take effect immediately.

RESOLUTION 241-25
APPOINTMENT OF DEPUTY HIGHWAY SUPERINTENDENT
Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
WHEREAS, the Town Board of the Town of Pendleton has previously established the position of Deputy Highway Superintendent and pursuant to New York Consolidated Laws, Town Law - TWN § 32 the deputy town superintendent of highways shall be appointed by and serve at the pleasure of the town superintendent of highways; and

WHEREAS, pursuant to New York Consolidated Laws, Town Law - TWN § 32, a deputy highway superintendent was appointed by resolution of the Town Board on March 28, 2022 and the incumbent has communicated the desire to relinquish this title effective August 28, 2025; and

WHEREAS, Highway Superintendent David Fischer has notified the Town Board that he has appointed Jonathan Berry as Deputy Highway Superintendent beginning on September 8, 2025.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that it is affirmed that Jonathan Berry has been appointed Deputy Highway Superintendent by Highway Superintendent David Fischer, pursuant to Town Law, and Mr. Berry will assume all duties of his position beginning September 8, 2025. This resolution shall take effect immediately.

RESOLUTION 242-25
APPOINTMENT TO POSITION TITLE – MOTOR EQUIPMENT OPERATOR
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was

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

WHEREAS, the Town Board of the Town of Pendleton appointed Peter Bayer as Deputy Highway Superintendent by resolution on March 28, 2022; and

WHEREAS, Mr. Bayer has communicated his desire to relinquish this title effective August 28, 2025; and

WHEREAS, it is appropriate to affirm Peter Bayer's title within the Highway Department.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that Peter Bayer is appointed to the position of Motor Equipment Operator effective September 1, 2025.

RESOLUTION 243-25
AUTHORIZATION TO FORWARD UNPAID BILLS TO ASSESSOR
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, to authorize the Water & Sewer Department to forward all water bills having a balance greater than $9.99, as of 4:00 p.m. on September 16, 2025, to the Town Assessor's office to be levied to the Niagara County Tax Bill as unpaid town charges. This resolution shall take effect immediately.

RESOLUTION 244-25
APPROVAL OF CONTRACT – PENDLETON SENIOR CITIZENS CLUB, INC.
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that the contact between the Town and the Pendleton Senior Citizens Club, Inc., as presented to the Town Board, is approved. This resolution shall take effect immediately.

RESOLUTION 245-25
APPLICATION FOR JUSTICE COURT ASSISTANCE PROGRAM (JCAP) 2025-26 GRANT
Motion by Councilman Buechler, seconded by Councilman Lombardo, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
WHEREAS, the Justice Court Assistance Program (JCAP) was established in 1999 to provide some state assistance to town and village courts; and

WHEREAS, the Town of Pendleton Court has received an invitation to apply for grant funding assistance under the 2025-26 Justice Court Assistance Program.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that the Town of Pendleton Court is authorized to apply for a JCAP Grant in the 2025-26 grant cycle up to $30,000. This resolution shall take effect immediately.

RESOLUTION 246-25
APPOINTMENT OF CONSTABLES
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that Brian Schell and Elaine Hertel are appointed as Constables at the established rate of

compensation, pending approval of Niagara County Civil Service. This resolution shall take effect immediately.

RESOLUTION 247-25
MODIFICATION OF RATE OF COMPENSATION
Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that employees with the title of Constable shall be compensated at a rate of $30.00 hour. This resolution shall take effect October 1, 2025.

RESOLUTION 248-25
MODIFICATION OF WORK SCHEDULE – ASSESSOR'S INFORMATION CLERK
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that the Assessor's Information Clerk's work schedule is authorized as 8:30 am to 4:00 pm.

FURTHER, BE IT RESOLVED, that the Assessor's Information Clerk shall be paid for days the Town Hall is closed in a pay period in which a minimum of seventy (70) total hours is worked. This resolution shall take effect immediately.

RESOLUTION 249-25
ADVERTISEMENT OF REQUEST FOR PROPOSALS – TOWN HALL HVAC REPLACEMENT
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, that advertisement for Requests for Proposals for Heating, Ventilation, and Cooling (HVAC) 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 September 9, 2025, and all proposals are to be submitted to the Town Clerk by 3:00 pm local time on October 7, 2025, with the proposals publicly opened and read aloud at 3:05 pm. This resolution shall take effect immediately.

RESOLUTION 250-25
2026 TENTATIVE BUDGET
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, to affirm and accept that the 2026 Tentative Budget was received as presented by the Budget Officer.

RESOLUTION 251-25
PROCLAMATION HONORING COUNCILMAN DAVIE LEIBLE
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 8th day of September 2025, to affirm the presentation of the following proclamation:

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On behalf of the Citizens of the Town of Pendleton, we hereby issue this proclamation honoring commitment and service to the community.

Proclamation Honoring

David A. Leible

WHEREAS, David A. Leible was a life-time resident of the Town of Pendleton who served his community over many years; and

WHEREAS, Mr. Leible volunteered as a member of the Wendelville Fire Company, dedicating his time to the firematic and social operation of the Fire Company; and

WHEREAS, David served as a member of the Town of Pendleton Zoning Board of Appeals from 2002 to 2003; and

WHEREAS, David Leible was elected to the Town Board of the Town of Pendleton in 2004 and served continuously until August of 2025, devoting his time to the many duties for which an elected representative is responsible.

THEREFORE, The Town Board of the Town of Pendleton, on behalf of the citizens of this great town, hereby recognizes David A. Leible for his service to the community and shares in his families' loss. His efforts have been appreciated by all and he leaves a legacy of true dedication to the Town of Pendleton.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Town of Pendleton this 18st day of August 2025.

JOEL M. MAERTEN, SUPERVISOR
TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK

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Supervisor Maerten also noted that a separate proclamation was adopted by the Niagara County Legislature, signed by 2nd District Legislator and Chairperson, Becky Wydysh and 11th District Legislator Anthony J. Nemi. This proclamation will be presented to the Leible family.

RESOLUTION 252-25
APPOINTMENT TO VACANT POSITION
Motion by Councilman Buechler, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Hickman, Lombardo
Nays 0
WHEREAS, in accordance with New York Consolidated Laws, Town Laws, Article 4, Section 60, the Town Board of the Town of Pendleton is composed of the supervisor and council members; and

WHEREAS, in August 2025 a vacancy was created by the passing of an elected member of the Town Board; and

WHEREAS, New York Consolidated Laws, Town Laws, Article 4, Section 64 states: Whenever a vacancy shall occur or exist in any town office, the town board or a majority of the members thereof, may appoint a qualified person to fill the vacancy; and

WHEREAS, New York Consolidated Laws, Town Laws, Article 4, Section 64 further states: If the appointment be made to fill a vacancy in an elective office, the person so appointed shall hold office until the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled; and

WHEREAS, to ensure proper and efficient operation of all aspects of Town of Pendleton government, it is in the best interest of all to appoint an individual to the current Town Board vacancy; and

WHEREAS, a well-qualified applicant has communicated his desire to serve as a member of the Town Board under the conditions stipulated by New York Town Law.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 8th day of September 2025, that Dylan Rumbold is appointed to the vacant Town Board position, with a term of office expiring on December 31, 2026. This resolution shall take effect immediately.

Next, a motion was made by Councilman Lombardo, seconded by Councilman Buechler, to enter into an Executive Session with the Town Attorney, Deputy Town Supervisor, and the Building Inspector, to discuss personnel issues in the Building Department, at 7:54 p.m. Motion carried.

Motion by Councilman Lombardo, seconded by Councilman Hickman, to adjourn from the Executive Session at 8:05 p.m. Motion carried.

Another motion was then made by Councilman Lombardo, seconded by Councilman Buechler, to enter into a second Executive Session with the Town Attorney, Engineer, Town Engineer's engineer, and Deputy Town Supervisor, to discuss a legal matter, at 8:06 p.m. Motion carried.

Motion by Councilman Buechler, seconded by Councilman Hickman, to adjourn from the second Executive Session at 8:30 p.m. Motion carried.

Supervisor Maerten has announced the following upcoming meetings:
- Tentative Town Board Work Session: Not anticipated for this month.
- Budget Meeting: October 6, 2025 at 7:00 p.m.
- Town Board Regular Meeting: October 13, 2025 at 7:00 p.m.

PUBLIC REMARKS/COMMENTS

A resident offered additional condolences to the McCaffrey family and shared an anecdote about her first meeting with Joe, noting that his expertise and knowledge will be missed. She also clarified that last year she had questioned the Town Attorney regarding whether a resolution was needed to accept the Tentative Budget, explaining that her previous comment was actually about moving from the Tentative Budget to the Preliminary Budget.

Another resident acknowledged Mr. McCaffrey's passing, calling it a significant loss to the Town and offering condolences to the family. She also inquired about the budget session process, asking whether the public would be allowed to ask questions or make comments.

No further public remarks or comments were made.

Motion by Councilman Hickman, seconded by Councilman Buechler, to adjourn from the Regular Meeting at 8:34 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk