PENDLETON TOWN BOARD
REGULAR MEETING
February 9, 2026

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 9th day of February 2026, at 7:00 p.m.

Supervisor Maerten had a moment of silence for our Building Dept. Clerk Kimberly Frey.

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 Kantor	Absent
Councilman Lukasik	Present
Councilman Rumbold	Present

Also present:

Noreen Lemma - 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

There were 14 residents in attendance, 3 of whom were Starpoint students.

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

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

ROUTINE BUSINESS

- Approval of Minutes
- Special Meeting – January 5, 2026
- Regular Meeting – January 12, 2026

RESOLUTION 56-26
MEETING MINUTES – January 5, 2026
Motion by Councilman Buechler, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 9th day of February 2026, that the meeting minutes from the Special Meeting held on January 5, 2026, are hereby approved as presented by Town Clerk Lemma.

RESOLUTION 57-26
MEETING MINUTES – January 12, 2026
Motion by Councilman Rumbold, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 9th day of February 2026, that the meeting minutes from the Regular Meeting held on January 12, 2026, are hereby approved as presented by Town Clerk Lemma.

RESOLUTION 58-26
ABSTRACT #3
Motion by Councilman Buechler seconded by Councilman Rumbold
the following resolution was
ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 9th day of February 2026, to authorize payment of Voucher Abstract #3, Vouchers #26-00102 to #26-00150, to be paid on February 11,2026, as follows:

General Fund		$	82,279.15
Highway		$	10,383.98
Sewer		$	1,533.89
Water		$	3,122.20
	Total	$	37,783.30

OTHER REPORTS

Supervisor Maerten reported that the sales tax collected for December 2025 was $277,282.94 This is an increase of $38,340.83 when compared with December 2024. The year to date received is $2,642,245.74 which is an increase of $283,864.74 from 2024.

Councilman Buechler noted LOSAP audit was completed and given to the Town Clerk. Next May working on report opening on ZBA, resumes ethics board open.

Councilman Lukasik reported that he conducted the annual audit for the Honorable Judge Ostrowski and completed his seminar in Corning, NY. Also looking into having a parade for the 4th of July and our 250th Anniversary of America. Thanks, the Highway crew.

Councilman Kantor was absent

Councilman Rumbold reported he had completed the Annual audit for the Town Clerk and Tax Collector's office. Met with KAX and progress is being made for the newsletter, had a nice time at the Fireman's dinner, and Thanked Dave Fischer and his crew for a job well done, plowing and pump replacements.

Attorney Joerg Talked about the Historical Society, Veterans and Seniors.

Engineer Britton MS4 annual reports, working with Mr. Fischer on lead copper, mailing emergency response plan.

DEPARTMENT HEADS

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

Highway and Water/Sewer Superintendent Fischer reported that his department has been busy snowplowing and salting the roads throughout the past month. Talked about a salt shortage, and mailbox replacement.

Building Inspector Barnes reported about renewals, and working on Annual reports DOS

Assessor Freiert had nothing to report.

Recreation Director Covell had nothing to report.

NEW BUSINESS

RESOLUTION 59-26
APPROVING BUDGET TRANSFERS

Motion by Councilman Lukasik, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, THEREFORE BE IT RESOLVED**,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the following budget transfers for the 2025 budget are approved:

#	Transfer To:			Transfer From:		
	Budget Code	**Description**	**Amount**	**Budget Code**	**Description**	**Amount**
1	A00-1010-400	Town Board - Contractual	$169.00	A00-1110-100	Justices' - Personnel	$169.00
2	A00-1110-450	Justice Supplies	$986.00	A00-1110-100	Justices' - Personnel	$986.00
3	A00-1220-200	Supervisor - Fixed Asset	$613.00	A00-1110-100	Justices' - Personnel	$613.00
4	A00-1320-400	Auditing	$4,515.00	A00-1110-100	Justices' - Personnel	$4,515.00
5	A00-1355-100	Assessor Personnel Svc.	$2,231.00	A00-1110-100	Justices' - Personnel	$2,231.00
6	A00-1410-100	Town Clerk - Personnel	$834.00	A00-1110-100	Justices' - Personnel	$834.00
7	A00-1420-100	Attorney - Personnel	$770.00	A00-1110-100	Justices' - Personnel	$770.00
8	A00-1420-410	Attorney - Contractual	$915.00	A00-1110-100	Justices' - Personnel	$915.00
9	A00-1420-420	Attorney Contractual Professional fee	$68.00	A00-1110-100	Justices' - Personnel	$68.00
10	A00-1440-400	Engineer - Contractual	$3,000.00	A00-1110-100	Justices' - Personnel	$3,000.00
11	A00-1440-413	General Engineering	$21,584.00	A00-1420-400	Atty.Contractual Litigation	$21,584.00
12	A00-1440-417	Engineer Stormwater	$1,385.00	A00-1420-400	Atty.Contractual Litigation	$1,385.00
13	A00-1620-120	Town Hall - Personnel	$645	A00-1420-400	Atty.Contractual Litigation	$645.00
14	A00-1620-130	Town Hall IT Coordinator	$235	A00-1420-400	Atty.Contractual Litigation	$235.00
15	A00-1620-400	Town Hall Contractual	$50,115	A00-3310-410	Sheriff Patrol	$50,115.00
16	A00-1640-400	Central Garage - Contractual	$2,241.00	A00-1670-400	Central Printing - Contractual	$2,241.00
17	A00-1660-400	Central Storage - Contractual	$23.00	A00-1670-400	Central Printing - Contractual	$23.00
18	A00-1710-401	IT Administration	$165.00	A00-1670-400	Central Printing - Contractual	$165.00
19	A00-1710-410	Administrative – IT Professional Fees	$126.00	A00-1355—110	Assessor – Pers. Svcs. Clerk	$126.00
20	A00-3610-110	Assessment Review Chairman	$482.00	A00-1670-400	Central Printing - Contractual	$482.00
21	A00-3620-400	Safety Inspection Contractual	$633.00	A00-1670-400	Central Printing - Contractual	$633.00
22	A00-7110-400	Parks - Contractual	$2,597.00	A00-1670-400	Central Printing - Contractual	$2,597.00
23	A00-7110-450	Parks - Supply	$46.00	A00-1670-400	Central Printing - Contractual	$46.00
24	A00-7120-100	Recreation Summer - Personnel	$2,341.00	A00-7120-101	Rec.Personnel Coordinator	$2,341.00
25	A00-7989-410	Nine Mile Island	$46.00	A00-7120-400	Recreation - Contractual	$46.00
26	A00-8010-100	Zoning Board Appeals - Personnel	$365.00	A00-7120-400	Recreation - Contractual	$365.00

27	A00-8010-410	Zoning Board Appeals - Contractual	$186.00	A00-7120-400	Recreation - Contractual	$186.00
28	A00-9030-800	Social Security	$5,839.00	A00-7120-400	Recreation - Contractual	$5,839.00
		TOTAL:	**$103,029.00**		**TOTAL:**	**$103,029.00**
29	DA0-5130-100	Machinery - Personnel	$13,152.00	DA0-5110-100	Maint. of Roads - Personnel	$13,152.00
30	DA0-5140-100	Misc. Personnel	$472.00	DA0-5110-100	Maint. of Roads - Personnel	$472.00
31	DA0-9060-800	Hospital/Medical	$219.00	DA0-5110-100	Maint. of Roads - Personnel	$219.00
		TOTAL:	**$13,843.00**		**TOTAL:**	**$13,843.00**
32	SF0-3410-400	Fire Protection - Contractual	$2,640.00	SF0-9010-800	LOSAP	$2,640.00
		TOTAL:	**$2,640.00**		**TOTAL:**	**$2,640.00**
33	SS0-8110-110	Administration - Personnel	$1.00	SS0-8120-410	Sewage Collection Supplies	$1.00
34	SS0-8110-410	Administration Office Supply	$867.00	SS0-8120-410	Sewage Collection Supplies	$867.00
35	SS0-8120-100	Sewage - Personnel	$12,619.00	SS0-8120-410	Sewage Collection Supplies	$12,619.00
36	SS0-8120-481	Sewage - Fuel	$603.00	SS0-8120-410	Sewage Collection Supplies	$603.00
37	SS0-9030-800	Social Security	$998.00	SS0-8120-410	Sewage Collection Supplies	$998.00
		TOTAL:	**$15,088.00**		**TOTAL:**	**$15,088.00**
38	SW0-8340-100	Trans & Dist. - Personnel	$1,406.00	SW0-8310-430	Water Admin.- Pro. Fees	$1,406.00
39	SW0-8340-430	Trans & Dist. - Meters	$4,730.00	SW0-8310-200	Water Admin - Equipment	$4,730.00
40	SW0-8340-470	Trans & Dist. - New Water Lines	$447.00	SW0-8340-410	Trans & Dist. - Truck Expense	$447.00
41	SW0-9060-800	Hospital/Medical	$1,055.00	SW0-8310-430	Trans & Dist. - Meters	$1,055.00
42	SW0-8320-400	Water Purchases	$24,009.00	SW0-8310-100	Water Admin - Personnel	$10,109.00
				SW0-8310-200	Water Admin - Equipment	$270.00
				SW0-9010-800	NYS Retirement	$4,531.00
				SW0-9030-800	Social Security	$1,375.00
				SW0-9040-810	Worker Compensation	$1,100.00
				SW0-8389-400	Other Water Expense	$479.00
				SW0-8340-490	Trans & Dist. - Fuel	$1,645.00
				SW0-8340-420	Trans & Dist. – Pwr. & Pumps	$2,000.00
				SW0-8340-460	Trans & Dist. - Equip. Rental	$2,500.00
		TOTAL:	**$31,647.00**		**TOTAL:**	**$31,647.00**

This resolution shall take effect immediately.

RESOLUTION 60-26
SCHEDULING PUBLIC HEARING
Motion by Councilman Rumbold, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Planning Board of the Town of Pendleton has recommended to the Town Board the issuance of a Special Use Permit for a telecommunications tower project to be located on property at 6699 East Canal Road (SBL 151.00-1-53.1); 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 9th day of February 2026 that a public hearing is scheduled on March 9, 2026 at 6:55 pm for a Special Use Permit for the proposed telecommunication tower project, which is located at 6699 East Canal Road. This resolution shall take effect immediately.

RESOLUTION 61-26
AUTHORIZING EXPENSES FOR TRAVEL (ASSESSOR)
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the Assessor is authorized travel to attend a training class currently scheduled for the month of September 2026 in Auburn, New York.

FURTHER, BE IT RESOLVED, that the Assessor is authorized to incur expenses related to attending this training class. This resolution shall take effect immediately.

RESOLUTION 62-26
APPOINTING INDIVIDUALS (CAC)
Motion by Councilman Buechler, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that Angie Gilbert, Robert Gilbert, Tobias Fronmuller are hereby appointed to the Conservation Advisory Council for a term that expires on December 31, 2026. This resolution shall take effect immediately.

RESOLUTION 63-26
CREATING CAPITAL PROJECT BUDGET
Motion by Councilman Rumbold, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Town Board of the Town of Pendleton did authorize by resolution the Park Recreation Area Improvement Project on February 10, 2025 as a Capital Project; and

WHEREAS, the Town Board accepted and approved a proposal from Nussbaumer & Clarke, Inc. for technical assistance related to design, bidding, and construction services for the Park Recreation Area Improvement Project by resolution on August 11, 2025; and

WHEREAS, proposed project designs and cost estimates were presented to the Town Board for review and feedback; and

WHEREAS, the Town Board intends to initiate this project and award a contract to the lowest responsible bidder; and

WHEREAS, it is necessary to create a Capital Project Budget for this project.

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the Capital Project Budget for the Park Recreation Area Improvement Project is approved as follows:

Expenditures:	H7180.201 – Construction: $110,000
	H7180.401 – Engineering: $18,000
Revenue:	H200 – Interfund Transfer: $128,000

This resolution shall take effect immediately.

RESOLUTION 64-26
AMENDING PAY CYCLE
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Town Board of the Town of Pendleton did authorize by resolution the pay cycle for all town employees; and

WHEREAS, the resolution erroneously listed the pay cycle for the Recreation Director; and

WHEREAS, it is appropriate to modify the pay cycle for this title.

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the pay cycle for the Recreation Director shall be biweekly. This resolution shall be effective as of January 1, 2026.

RESOLUTION 65-26
AWARDING BID
Motion by Councilman Buechler, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Town Board of the Town of Pendleton did authorize by resolution the Park Recreation Area Improvement Project on February 10, 2025 as a Capital Project; and

WHEREAS, the Town Board accepted and approved a proposal from Nussbaumer & Clarke, Inc. for technical assistance related to design, bidding, and construction services for the Park Recreation Area Improvement Project by resolution on August 11, 2025; and

WHEREAS, proposed project designs were presented to the Town Board for review and feedback; and

WHEREAS, project specifications and technical drawings advertisement of bidding of the Park Recreation Area Improvement Project were presented to the Town Board by Nussbaumer & Clarke, reflecting feedback; and

WHEREAS, the Town Board did authorize by resolution on December 22, 2025 the advertisement of bid documents for this project.

WHEREAS, multiple bids were received, reviewed, and presented to the Town Board for consideration; and

WHEREAS, it is recommended to award this project work to the lowest bidding contractor.

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the bid submitted by American Paving & Excavating in the amount of $108,095.00 for the Park Recreation Improvement Project is accepted and approved

FURTHER, BE IT RESOLVED, that the Supervisor is authorized to sign contract documents for this project. This resolution shall take effect immediately.

RESOLUTION 66-26
APPOINTING INDIVIDUAL TO POSITION
Motion by Councilman Buechler, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that Mary Anderson is appointed to the part-time position of Temporary Clerk, assigned to the Town Court, at a rate of compensation of $21.00 per hour. This resolution shall take effect immediately.

RESOLUTION 67-26
ACCEPTING COURT AUDIT
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the audit of Justice Ostrowski for 2025, as presented, is accepted. This resolution shall take effect immediately.

RESOLUTION 68-26
MODIFYING FACILITIES USAGE AGREEMENT
Motion by Councilman Rumbold, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Town Board of the Town of Pendleton did approve by resolution a Facilities Usage Agreement (FUA) on February 22, 2022; and

WHEREAS, the approving resolution made the following requirement for the usage of Facilities Usage Agreements:

> Usage by outside groups is limited to outdoor spaces (e.g., ball diamonds and park spaces), the Town Hall Meeting Room, and park pavilions; and

WHEREAS, The Town has constructed a Community Center for use by community groups and other entities and individuals through the Facilities Usage Agreement approval process; and

WHEREAS, modification of the Facilities Usage Agreement is necessary to include the Community Center.

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the Facilities Usage Agreement is modified to include the Community Center with no other changes or modifications to the requirements for approval of usage. This resolution shall take effect immediately.

RESOLUTION 69-26
APPROVING PVA AGREEMENT
Motion by Councilman Rumbold, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the agreement between the Town and Pendleton Veterans Association, as presented, is approved. his resolution shall take effect immediately.

RESOLUTION 70-26
APPROVING HSOP AGREEMENT
Motion by Councilman Buechler, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the agreement between the Town and Historical Society of Pendleton, as presented, is approved. his resolution shall take effect immediately.

RESOLUTION 71-26
AUTHORIZING CONTRACT FOR FIREWORKS
Motion by Councilman Rumbold, seconded by Councilman Lukasik, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

WHEREAS, the Town of Pendleton has for many years celebrated Independence Day with a fireworks display; and

WHEREAS, multiple fireworks contractors were requested to provide proposals for the July 4, 2026 fireworks show; and

WHEREAS, it is recommended to the Town Board that a new contract for the July 4, 2026 fireworks presentation be accepted pending approval of the Town Attorney.

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the contract for the July 4, 2026 fireworks display in the Town Park is awarded to Skylighters of New York LLC for $24,750.00, pending final approval of the Town Attorney.

FURTHER, BE IT RESOLVED, the Supervisor is authorized to sign contracts for this authorized expense. This resolution shall take effect immediately.

RESOLUTION 72-26
AUTHORIZING WAIVER OF FEES
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor
NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that any and all fees associated with the planned July 4, 2026 fireworks show in the Town Park are waived for the Town, its contractor, and vendors. This resolution shall take effect immediately.

RESOLUTION 73-26
AUTHORIZING EXPENSES FOR TRAVEL (TOWN CLERK)
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the Town Clerk is authorized travel to conference currently scheduled for the month of April 2026.

FURTHER, BE IT RESOLVED, that the Town Clerk is authorized to incur expenses related to attending this conference. This resolution shall take effect immediately.

RESOLUTION 74-26
ACCEPTING TOWN CLERK & TAX COLLECTOR AUDIT
Motion by Councilman Lukasik, seconded by Councilman Buechler, the following resolution was ADOPTED: Ayes 4 Maerten, Buechler, Lukasik, Rumbold
Nays 0
Absent 1 Kantor

NOW, **THEREFORE BE IT RESOLVED,** by the Town Board of the Town of Pendleton on this 9th day of February 2026 that the audit of the Town Clerk for 2025, as presented, is accepted. This resolution shall take effect immediately.

PUBLIC REMARKS/COMMENTS

No further public remarks or comments were made.

Supervisor Maerten has announced the following upcoming meetings:

- Town Board Regular Meeting: March 9, 2026, at 7:00 p.m.
- Public Hearings: Scheduled for March 9, 2026, beginning at 6:55 p.m.

Motion by Councilman Buechler, seconded by Councilman Rumbold, to adjourn from the Regular Meeting at 7:45 p.m. Motion carried.

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Noreen E. Lemma, Town Clerk