

TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on June 5, 2017. In attendance: Deputy Supervisor Rosemarie Bush; Councilors Carl Dennis, Greg Herlihy and Victor Lafrenz; Town Clerk Ann Christmas; Highway Superintendent Tom Purcell; Town Attorney Jeff Brown and Bookkeeper Tom Chartrand.

Absent: Councilor Giovanni LaFace; Supervisor Carole Marsh

The meeting was called to order at 7 p.m. followed by a moment of silence for our service men and women.

The monthly report of the Supervisor was submitted and reviewed. It was a good month for Town Clerk fees. Court fines continue to be low. The swim program fees are up slightly. Bookkeeper Chartrand updated the Town Board on the Clerk 1 position for Judge Ali. The budgeted yearly salary is \$1500.00. Currently they have spent \$1,423.00. Judge Cognetti's Clerk 1 is on target for the budgeted amount.

R-45-17 Motion by Dennis, seconded by Herlihy to approve the following transfer:

GENERAL FUND

From: A1991.4	Contingent	Contractual	\$100.00
To: A1989.4	Workshops	Contractual	\$100.00

All in favor. Motion carried.

Highway Superintendent Purcell reported to the Town Board that the bridge on Indian Hill Road has been yellow flagged. He has sent the information to O'Brien & Gere. Their structural and geo-technical engineers are reviewing it. It was built in approximately 1928. In 1994 a new deck was put on it. It is inspected every two years.

Highway Superintendent Purcell presented the Town Board with the 25 year Award from PERMA that he received at the annual conference.

Deputy Supervisor Bush informed the Town Board that Supervisor Marsh had sent a letter to County Executive Mahoney concerning the shared services meeting. The letter listed the following shared services which we currently do:

1. Syracuse Onondaga County Planning Agency
2. Snow Plow agreement with Onondaga County
3. Combined Tax Collector Office with Town Clerk
4. Collect Taxes for Fayetteville-Manlius and Jamesville-Dewitt school districts
5. Share Assessor with Fabius
6. Swim Program at Cazenovia College with Town of LaFayette
7. SPCA for Dog Control

8. Utilize County and State Bids for Purchasing
9. PERMA-Public Employers Risk Management Association for our Workers Comp
10. Onondaga County Planning Federation
11. CNY Stormwater Coalition
12. Onondaga County Water and Environmental Protection for sewer maintenance and stormwater illicit discharge hotline
13. OCWA operates and maintains our water districts
14. Southern Onondaga Trash Service (SOTS)
15. Highway Department works with neighboring towns on various projects
16. County Highway Department Truck is housed at Pompey Highway Garage during winter

For this year's swim program there are 280 children enrolled and 11 from LaFayette.

Councilor Dennis reported that he was glad to see that Don Chrysler finally got the roof put on his house at 7364 Cherry Street.

Councilor Herlihy reported that he had been working with Town Clerk Christmas on setting up a Facebook page.

R-46-17 Motion by Herlihy, seconded by Dennis to authorize the setting up of a Facebook page for the Town of Pompey. Town Clerk Christmas and Councilor Herlihy will be the Administrators. Nothing will be posted without the express consent of Supervisor Marsh. All in favor. Motion carried.

Councilor Herlihy reported that he will follow up on the letter sent to Judge Ali about the salary of his Clerk 1.

A letter has been received from the Unified Court Systems about the auditing of the Court records.

R-47-17 Motion by Herlihy, seconded by Dennis to authorize the Supervisor to enter into a contract for professional service of an independent auditor to audit the Town Court records in an amount not to exceed \$2,000.00. All in favor. Motion carried.

Attorney Brown updated the Town Board on the Zoning Board Meeting concerning the Scott Schaal property (Hunter Springs Landscaping). Our Code Enforcement officer issued appearance tickets commencing a criminal action against him in violation of our Code which was challenged in front of the Zoning Board of Appeals. The Zoning Board went along with Mr. Schaal's claim that his operation is a Farm. He will need to get Site Plan Approval from the Planning Board. They upheld that no building permit or certificate of occupancy was issued; no fine or penalty should be given. Stormwater plans will need to be included with the Site Plan application. There is also an action pending in Town Court. Attorney Brown informed Judge Cognetti, who inquired from the audience, that it is not the intent to continue the criminal proceed, given the decision by the Zoning Board of Appeals. Judge Cognetti cautioned the Town Board that a precedent may be set. Attorney Brown feels that there is enough

proof to show that a precedent will not be set in this case because of its unique set of facts.

R-48-17 Motion by Dennis, seconded by Herlihy to hold the July meeting on July 10, 2017, at 7 p.m. due to the July 4th holiday. All in favor. Motion carried.

R-49-17 Motion by Dennis, seconded by Herlihy to hold a Public Hearing on July 10, 2017 at 7 p.m. to consider the adoption of proposed Local Law No. 1 of 2017 to amend Chapter 165 (Zoning), Section 165-9.1 (Farm Business Overlay Zone District) of the Code of the Town of Pompey to allow for the sale and consumption of food at farm wineries, breweries, distilleries and cider mills. All in favor. Motion carried.

R-50-17 Motion by Dennis, seconded by Lafrenz to hold a Public Hearing on July 10, 2017 at 7:02 p.m. to consider the adoption of proposed Local Law No. 2 of 2017 to amend Chapter 165 (Zoning) of the Code of the Town of Pompey to add new section 165-40.1 entitled Easements and Rights of Way. All in favor. Motion carried.

The following statement was read into the minutes: *In accordance with the requirements of the NYSDEC SPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4's) a draft copy of the Stormwater Management Program Annual Report is available in the Town Clerk's office for review and comment. Written comments on the Report can be submitted to the Town Clerk.*

Ralph Cognetti spoke to the Town Board about the idea of having No Littering signs installed on all north/south roads in the Town. He and his wife pick up a tremendous amount of litter every day when they walk along Watervale Road. Councilor Dennis stated that he doesn't feel a sign will stop the littering. He applauds Mr. Cognetti for where he is coming from though. Mr. Cognetti will check with the Sheriff's office for other ideas on what can be done.

R-51-17 Motion by Dennis, seconded by Lafrenz to approve the monthly reports and bank reconciliations of the Town Clerk and Supervisor. All in favor. Motion carried.

R-52-17 Motion by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 175-209, totaling \$82,980.96; Highway Fund Abstract Nos. 91-101, totaling \$31,552.64; Special Districts Abstract Nos. 18-19, totaling \$58.71 and Trust & Agency Fund Abstract No. 7, totaling \$877.50. All in favor. Motion carried.

R-53-17 Motion by Dennis, seconded by Herlihy to authorize Supervisor Marsh to execute the Snow Plow contract with the County of Onondaga. All in favor. Motion carried.

Public Comment

Don Neugebauer questioned Attorney Brown why the Town was so strong against Mr. Schaal by taking him to Court. Attorney Brown informed him of the prior history of this case.

Renee Rotondo stated that she was at the Zoning Board meeting and was disappointed in the outcome. She was afraid to stop over at Mr. Schaal's business; Mr. Schaal called her neighbor a coward. She definitely

feels a precedent has been set. He is not a farm. She asked if she can get a copy of the papers Mr. Schaal submitted. Attorney Brown advised her to submit a FOIL request.

Jesse Walser stated that he is extremely frustrated that nothing is happening with regard to expanding broadband in the Town. Charter has submitted a request for an extension of time to build out. Attorney Brown stated that he would actively check into the matter. He would like to have Mr. Walser fully involved as he has extensive knowledge on the subject.

R-54-17 Motion by Dennis, seconded by Herlihy to adjourn at 7:50 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk