

TOWN OF POMPEY BOARD MINUTES

A Special Meeting of the Town Board of the Town of Pompey was held on July 24, 2017. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Giovanni LaFace and Victor Lafrenz; Town Clerk Ann Christmas; Highway Superintendent Tom Purcell; Town Attorney Jeff Brown and Bookkeeper Tom Chartrand.

The meeting was called to order at 5:30 p.m. followed by the Pledge of Allegiance.

The purpose of the meeting was to discuss how to pay for the roadwork that will need to be done on the roads affected by the July 1st storm.

Highway Superintendent Purcell estimates that it will cost \$170,000.00 for all of the roads that he mentioned at the July 10, 2017 meeting along with the box culvert to be installed on Gulf Road. He estimated these costs at FEMA rates. These costs are in addition to the \$500,000.00 projected cost to repair Gulf Road.

County Legislator Knapp informed us that the County has sustained damages of approximately \$6,000,000.00. The Town of Spafford has over \$3,000,000.00 in damages. He feels that all the towns affected in the County will satisfy the State threshold of \$28,000,000.00. This is a reimbursement situation. We still need to have the State declare our area as a state of emergency area.

Attorney Brown and Bookkeeper Chartrand spoke to the Town Board about the different types of bonding; either a Bond Anticipation Note which would be paid off in short order or a full Bond which is much more complicated. If we would pay it off in more than 5 years we would need to do a full Bond.

Engineer Snell feels we are looking at a total cost of \$700,000.00. Some work on the spring is included in this amount. He has been informed by Bob Duell that we should do the work now and submit it to FEMA. It may take several months for us to get an answer on any type of reimbursement.

Attorney Brown stated that he will check with bond counsel and fiscal advisors on this.

R-77-17 Motion by Marsh, seconded by Lafrenz to authorize Attorney Brown to engage bond counsel and a fiscal advisor in connection with the bonding for road repair work from the July 1, 2017 storm. All in favor. Motion carried.

There was a discussion on the spring on the Gulf Road. Many people use the spring to get water. It is principally located on property owned by John Shaheen and Susan Kiehl. We are unclear where it begins. There was discussion of a 30' easement and 120' from the road if we were to maintain it. Mr. Shaheen doesn't want the legal liability. Engineer Snell stated that we should keep track of any charges for this as it can be submitted in our FEMA claim.

R-78-17 Motion by Herlihy, seconded by Dennis to allow Attorney Brown to begin working on drafting an Agreement between John Shaheen and the Town of Pompey and work to best limit the Town's liability in connection with the potability of the water and to have Mr. Denkenberger, Surveyor, work on getting a survey that will include that portion of the property where the easement will be. All in favor. Motion carried.

There was a discussion on how best to limit the Town's liability on the spring. Councilor Herlihy asked if John Shaheen should be listed as an additional insured on our general liability policy. Attorney Brown suggested that Supervisor Marsh notify our insurer of this. It was suggested that a sign be put up stating that the water is for non-human consumption only. Councilor Herlihy suggested that perhaps anyone who is taking water from the spring be required to sign a waiver which could be made available at the town hall. Attorney Brown will do research on this and Health Department issues.

R-79-17 Motion by Herlihy, seconded by Lafrenz to approve the following transfer:

Highway Fund

From:	DA5110.4	Repairs	Contractual	\$50,000.00
To:	DA8790.4	Emergency Disaster Work	Contractual	\$50,000.00

All in favor. Motion carried.

R-80-17 Motion by Dennis, seconded by LaFace to approve the payment of General Fund Abstract Nos. 255-267, totaling \$10,098.45; Special Districts Abstract Nos. 22024, totaling \$96.10 and Trust & Agency Abstract Nos. 10-11, totaling \$1,615.73. All in favor. Motion carried.

R-81-17 Motion by Herlihy, seconded by Dennis to adjourn at 6:30 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk