

TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on December 2, 2013. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz, Craig Smithgall; Town Attorney Jeff Brown, Highway Superintendent Tom Purcell; Bookkeeper Tom Chartrand and Town Clerk Ann Christmas.

Supervisor Marsh called the meeting to order at 7 p.m. with the Pledge of Allegiance followed by a moment of silence for our service men and women and also for Tom Chartrand's mother, Rosalie Kenny.

R-214-13 Made by Dennis, seconded by Herlihy to open the Public Hearing on the adoption of Local Law No. 6 of 2013 at 7:01 p.m. All in favor. Motion carried.

Attorney Brown explained that this was voted on last month but we hadn't heard back from County Planning at the time. We now have County Planning's approval in place and we should consider this again.

No one spoke in favor or against said proposed law.

R-215-13 Made by Dennis, seconded by LaFrenz to close the Public Hearing on the adoption of Local Law No. 6 of 2013 at 7:02 p.m. All in favor. Motion carried.

R-216-13 Made by Dennis, seconded by Herlihy that in connection with Local Law No. 6 of 2013 the Town Board is the lead agency, this is an unlisted action and there is no significant adverse environmental impact associated with this law. All in favor. Motion carried.

R-217-13 Made by Marsh, seconded by Dennis to adopt Local Law No. 6 of 2013 to amend Chapters 109 (Junkyards), 144 (Subdivision of Land) and 165 (Zoning) of the Code of the Town of Pompey to expand various notification requirements and to add a public hearing requirement to §165-15 (small wind energy conversion systems) with notice by applicant to property owners within 1000 feet of a proposed small wind energy conversion system. All in favor. Motion carried.

The monthly report of the Supervisor was submitted and reviewed. In the General

Fund he reported that the Court fines continue to come in very strong. Right now we are approximately \$18,000 above the budgeted amount. We received the final payment on the schoolhouse grant. He anticipated this coming in next year. There will be a deficit on that line next year but a surplus on that line this year so it will be awash. In the Trust & Agency Fund there was a \$30,000 donation from John and Donna Palladino to be used towards the purchase of the next piece of equipment for the Highway Department.

R-218-13 Made by Marsh, seconded by Dennis to send a thank you note to John and Donna Palladino for their generous donation of \$30,000.00 to be used towards the purchase of the next piece of highway equipment for the Highway Department. All in favor. Motion carried.

R-219-13 Made by Dennis, seconded by Herlihy to approve the following transfers:

General Fund

From:	A1330.1	Tax Collector	Personal Services	\$600.00
	A1991.4	Contingent	Contractual	<u>\$3500.00</u>
			Total	\$4100.00
To:	A1330.4	Tax Collector	Contractual	\$600.00
	A1480.4	Public Information (Website)	Contractual	\$250.00
	A1670.4	Central Printing	Contractual	\$1450.00
	A7320.4	Youth Services (PASS)	Contractual	\$300.00
	AB120.4	Constable	Contractual	<u>\$1500.00</u>
			Total	\$4100.00

Highway Fund

From:	DA5110.1	General Repairs	Personal Services	\$10,000.00
	DA5110.4	General Repairs	Contractual	<u>\$50,000.00</u>
			Total	\$60,000.00
To:	DA5130.2	Machinery	Equipment	\$50,000.00
	DA5130.4	Machinery	Contractual	<u>\$10,000.00</u>
			Total	\$60,000.00

Special Drainage District Fund

From:	SD599	Apropriated Surplus	Fund Balance	\$600.00
To:	SD8121.4	Pompey Pines	Contractual	\$400.00
	SD8125.4	Hartsfield	Contractual	<u>\$200.00</u>
			Total	\$600.00

Special Sewer Fund

From:	SS599	Apropriated Surplus	Fund Balance	\$2,300.00
To:	SS8121.4	Pompey Pines	Contractual	\$2,300.00

All in favor. Motion carried.

- R-220-13 Made by Dennis, seconded by Herlihy to move the final general monthly payroll from December 31, 2103 to December 19, 2103. All in favor. Motion carried.
- R-221-13 Made by Dennis, seconded by LaFrenz to authorize payment to Toggenburg Ski Center for the ski program. All in favor. Motion carried.
- R-222-13 Made by Dennis, seconded by Herlihy to authorize Highway Superintendent Purcell to sign the Permit furnished by OCWA to install 335 feet of 8" DICL water main at Arbutus Park, Extension 3. All in favor. Motion carried.
- R-223-13 Made by Marsh, seconded by Dennis to allow one Highway Department employee to sell back 24 hours of unused vacation time. (The Town Board adopted a policy in June of 2008 that town employees on a volunteer basis could sell back unused vacation time up to a maximum of 40 hours per year.) All in favor. Motion carried.
- R-224-13 Made by Marsh, seconded by Dennis to purchase under OGS Onondaga County Contract No. 7823 the truck body and snow plow equipment to go on the 2014 Western Star 6 x 6 10 wheeler cab and chassis that just came in for the sum of \$103,030.50. All in favor. Motion carried.

Supervisor Marsh spoke about the fundraiser that was held on November 30, 2013 for Josh Virgil who was injured many years ago in a motor vehicle accident.

Councilor Herlihy was a classmate of Josh's and worked very hard on the fundraiser. As of today \$20,000.00 was raised. Todd Caputo of Sun Chevrolet agreed to match what was raised to purchase a new van for Josh.

Supervisor Marsh stated that she had received a letter of resignation from Greg Mann from the Planning Board effective immediately.

R-225-13 Made by Dennis, seconded by Dennis to send a letter of thanks to Greg Mann for his years of service. All in favor. Motion carried.

R-226-13 Made by Marsh, seconded by Dennis to appoint Robert Neufang to fill the unexpired term of Greg Mann on the Planning Board (term expires 12/31/2015).

Councilor LaFrenz stated that Richard Bassett had sent a letter asking to be considered. He feels you need to look at the qualifications. He questioned if the Planning Board had been asked who they would like. He feels it is a disservice to the Planning Board. He wants to defer the vote until the Planning Board is advised. Supervisor Marsh stated that there was a motion on the floor that had been seconded.

Roll call vote:

Councilor Dennis:	Yes
Supervisor Marsh:	Yes
Councilor Herlihy:	Yes
Councilor LaFrenz:	No
Councilor Smithgall:	No

Motion carried.

Councilor Smithgall stated that Mr. Bassett is a very nice person. Other positions may come up and they will keep him in mind.

R-227-13 Made by Dennis, seconded by Marsh to hold the year-end meeting on December 30, 2013 at 6 p.m. All in favor. Motion carried.

R-228-13 Made by Dennis, seconded by Herlihy to hold the organizational meeting and regular monthly meeting of the Town Board on January 6, 2014, at 7 p.m. All in favor. Motion carried.

Supervisor Marsh brought up to the Town Board the matter of the letters of Denyse Wertz concerning a tree that was cut down and her request to be reimbursed.

Highway Superintendent Purcell explained that he was driving down Oran Gulf Road one day and he met Raymond Wertz walking his dog along the road. They discussed the large dead maple tree on the edge of their property. The tree was on the Town's right of way. They agreed that it was unsafe and Highway Superintendent Purcell asked if he wanted it taken down. Mr. Wertz stated that he would like it taken down. When the Highway Department employees went over to remove the tree the house sitter was there and they found that only the butt of the tree was left as someone else had cut down the top part of the tree. They cut down the butt of the tree and chopped up the branches. They took the butt of the tree to the landfill. Attorney Brown read from NYS Highway Law Section 322 that the Highway Superintendent can remove unsafe trees and there was a 1990 opinion upholding this. Attorney Brown feels that Highway Superintendent Purcell was within his legal rights in removing the tree and that approval isn't necessary under state law. Mrs. Wertz was asking to be reimbursed for the installation of a post to put up a No Trespass Sign, screws, brush, post cement, labor to put up the sign; 5-8 face cords of hardwood, delivered and stacked and clean up at a total cost of approximately \$1,000.00. The Town Board unanimously agreed not to pay anything to Mrs. Wertz. Attorney Brown will send her a letter informing her of this.

Code Enforcement Officer spoke about the peacocks that are running around on Brown Gulf Road. He will speak to Attorney Brown on Tuesday to see what can be done.

Councilor Dennis applauded Councilor Herlihy on the Josh Virgil fundraiser. He was glad to hear that it was very successful.

R-229-13 Made by Dennis, seconded by Herlihy to approve the Supervisor, Town Clerk & Tax Collector monthly reports and bank reconciliations. All in favor. Motion carried.

R-230-13 Made by Dennis, seconded by Herlihy to send a letter of support of the Ironman 70.3 to be held on June 22, 2014. All in favor. Motion carried.

R-231-13 Made by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 391-436, totaling \$20,355.75; Highway Fund Abstract Nos. 175-186, totaling \$8,060.77; Special District Abstract Nos. 43-45, totaling \$1,299.50; Trust & Agency Abstract Nos. 17-22, totaling \$2,683.63. All in favor. Motion carried.

Public Comment

John Shaheen informed the Town Board that he has been doing research on how to offset electrical costs in the town buildings. He has contacted two companies to see what's available. In February he will do a presentation. Supervisor Marsh asked what he was looking into. He is looking at solar energy. He stated that the Town of DeWitt installed solar panels; Auburn has an RFP out and that Skaneateles is going to solar. Supervisor Marsh asked what it cost the Town of DeWitt. He said it was paid for by stimulus money. He will contact Regional Planning to see if there are grants available.

Renee Rotondo stated that she doesn't like how the Town Board chooses candidates for each of the Boards. She has nothing against Bob Neufang but she doesn't feel that the Town Board gives anyone a chance. She stated that Bob Neufang is the Chairman of the Conservative Party in the Town. Supervisor Marsh stated that she didn't seek their endorsement.

Stan Omiecinski stated that there is a group of people coming to the Town Board

that want the park spruced up in Pompey Hill. He talked to Dave Valesky but never heard back from David Knapp. The Town Board previously told him that the park is not owned by the Town; that it is New York State and Onondaga County right of ways.

Alexandra Coursen asked about the credentials of the new Planning Board member and how the decision was made. Councilor Smithgall stated that the Town is made up of farmers, lawyers, etc. and they all bring their expertise to the Town. There is nothing in NYS Town Law that Planning Board members need to be engineers or lawyers. She always stated that she felt that the Planning Board should have a say.

Councilor LaFrenz stated that everyone got a letter from Richard Bassett. He never heard from Mr. Neufang and has no knowledge of his background or qualifications.

Bob Neufang stated his background. He has business degree; he worked at Carrier; he is a mechanical engineer; is a contractor. He stated that he spoke with Councilor LaFrenz for over two hours this summer when he was seeking the Conservative endorsement.

R-232-13 Made by Dennis, seconded by Marsh to adjourn at 7:50 p.m. All in favor.
Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk

