

## TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on February 4, 2013. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor Lafrenz and Craig Smithgall Town Clerk Ann Christmas and Attorney Mark Wasmund and Code Enforcement Officer Richard Penhall. There were 16 residents in attendance.

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.

Code Enforcement Officer reported that it has been a slow month building permit wise. He has been working with Councilor Herlihy and Town Clerk Christmas to begin the process of doing fire inspections for commercial property and public assembly buildings within the Town. He will send out a letter to the owner of any buildings that he will need to inspect prior to his visit. He and Councilor Herlihy are going to attend the Officers Meeting on Wednesday, February 6<sup>th</sup>, at the Pompey Hill Fire Department. He thinks that there are approximately 40 buildings that will need to be inspected.

Bookkeeper Chartrand handed out to the Town Board members a list of the transfer that were approved in December. He stated that the amount of money in the fund balances is down. The monthly report of the Supervisor was submitted and reviewed. Councilor Herlihy asked if the mortgage tax money had come in; yes it was in the December report. He also informed the Town Board that he has been in contact with the Parks Department about the schoolhouse grant. They are waiting for paperwork. We will need to do an amendment to the grant. As we didn't use all of the money that was in the grant they will need a letter from us waiving the balance of our grant.

R-50-13            Made by Dennis, seconded by Lafrenz to authorize Supervisor Marsh to execute the amendment to grant that we received from NYS Parks Recreation & Historic Preservation for work at the schoolhouse. All in favor. Motion carried.

R-51-13            Made by Dennis, seconded by Herlihy to have Supervisor Marsh send a letter to NYS Parks Recreation & Historic Preservation waiving the balance of our grant. All in favor. Motion carried.

R-52-13            Made by Dennis, seconded by Herlihy that pursuant to Vehicle and Traffic Law 1660 (11) all vehicles with a gross weight of over five (5) tons per axle are temporarily excluded from the following highways situate in the Town of Pompey, Onondaga County, New York: Brickyard Falls Road, Broadfield Road to the Village of Manlius; Bush Road, Route 91 to Ransom Road; Frank Long Road, Gates Road to Route 91; Gardner Road, Cemetery Road to Pratts Falls Road; Gibbs Road, Broadfield Road to Indian Hill Road; Gulf Road, Route 20 south to Oran-Delphi Road; Henderson Road; Gates Road to Taylor Road; Indian Hill Road, Watervale Road East to Spur Road; Jerome Road, Chase Road to Fabius/Pompey town line; Number 2 Road East & West, Watervale Road east to Oran-Delphi Road; Number 4 Road East & West, Cemetery Road to Number 5 Road; Oran Gulf Road, Route 20 north to the Oran Spur Road; Oran Station Road, Route 92 to the Manlius/Pompey town line; Pompey Pines Drive, Pompey Center Road West; Purcell Road, No. 5 Road to Fabius/Pompey town line; Ransom Road, Route 91 to LaFayette/Pompey town line; Taylor Road, Route 91 to Route 173. All in favor. Motion carried.

R-53-13            Made by Dennis, seconded by Smithgall to approve the Agreement to Spend Highway Funds and to send it in to Onondaga County Department of Transportation for their signature. All in favor. Motion carried.

R-54-13 Made by Dennis, seconded by Herlihy to execute the contract with MacKenzie Hughes LLP to provide routine legal services to the Town Board, Planning Board and Zoning Board of Appeals during 2013 for a flat annual rate of \$32,000.00 (as per the adopted 2013 budget) to be billed and paid in 12 equal monthly installments. All in favor. Motion carried.

R-55-13 Made by Marsh, seconded by Dennis to adopt the following Resolution:

WHEREAS, New York State Town Law Sections 267 and 271 requires mandatory training of municipal planning board and zoning board of appeals members, and

WHEREAS, Town Law Sections 267 and 271 provide that to be eligible for reappointment to such boards, such member shall have completed the training promoted by the town board, and

WHEREAS, Town Law Sections 267 and 271 also provide that the town may remove any member of such planning board for cause, and *may* provide by resolution for removal of any planning board member for non-compliance with minimum requirements relating to meeting attendance and training as established by the town by resolution, and

WHEREAS, Town Law Sections 267 and 271 also provide that appropriate training required by this paragraph may be identified by the Town Board when, in the judgment of the governing body, it is in the best interest of the town to do so, therefore

RESOLVED, that the Town Board hereby approves the training program entitled "Municipality Legal Briefing" to be conducted February 8, 2013 by Mackenzie Hughes LLP as appropriate to meet the requirements of Town Law Sections 267 and 271.

All in favor. Motion carried.

Councilor Dennis stated that he liked Stan Omiecinski's idea that he brought up several months ago about getting a grant to spruce up the park in Pompey Hill. He would like to have this idea pursued and see if there is any money available. Supervisor Marsh stated that the Town doesn't own this property that it is part right of way from the State and part right of way from the County.

R-56-13 Made by Dennis, seconded by Herlihy to authorize Supervisor Marsh to send a letter to find out who owns the "park" property in Pompey Hill. All in favor. Motion carried.

Councilor Lafrenz stated that he had two resolutions that he was going to present to the Town Board concerning the adoption of the Master Plan.

R-57-13 Made by Lafrenz, seconded by Marsh to adopt the following resolution:

**WHEREAS**, the Town of Pompey is a municipal corporation located in southeastern Onondaga County and governed by the Town of Pompey Town Board (BOARD); and

**WHEREAS**, the BOARD appointed a Master Plan Committee (COMMITTEE) in February 2012 to examine and update the current 1989 Town of Pompey Master Plan and 2002 Draft Master Plan; and

**WHEREAS**, the COMMITTEE met on numerous occasions throughout 2012 and developed a draft Comprehensive Master Plan for Land Conservation and Use dated September 20, 2012 (the Plan); and

**WHEREAS**, the Plan involves the adoption of the Town's land use plan, which characterizes it as a Type I action under the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR 617); and

**WHEREAS**, Type I actions under SEQRA require coordinated review of the potential project-related environmental and socio-economic impacts among local and State Involved Agencies; and

**WHEREAS**, 6 NYCRR § 617.2(s) defines an Involved Agency as an agency that has jurisdiction by law to fund, approve or directly undertake an action; and

**WHEREAS**, consistent with 6 NYCRR § 617.2(s), the Syracuse-Onondaga County Planning Agency is an Involved Agency, as well as the following agencies:  
New York State Department of Environmental Conservation, Region 7  
New York State Department of Transportation, Region 3  
Onondaga County Department of Health  
Onondaga County Department of Water Environment Protection  
Onondaga County Water Authority  
Onondaga County Department of Transportation  
Town of DeWitt, Town Board  
Town of Manlius, Town Board  
Town of Cazenovia, Town Board  
Town of Fabius, Town Board  
Onondaga Nation  
Syracuse Metropolitan Transportation Council  
New York State Office of Parks, Recreation, and Historic Preservation  
Cazenovia Central School District  
Fabius-Pompey Central School District  
Fayetteville-Manlius Central School District  
Jamesville-DeWitt Central School District  
Environmental Notice Bulletin; and

**WHEREAS**, in accordance with 6 NYCRR § 617.6, a coordinated SEQRA review of Type I actions requires the establishment of a Lead Agency among the Involved Agencies; and

**WHEREAS**, 6 NYCRR 617.2(u) defines Lead Agency as an Involved Agency principally responsible for undertaking, funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required; and

**WHEREAS**, it is the intent of the BOARD to declare its intent to act as SEQRA Lead Agency for the purposes of assessing potential environmental impacts associated with the Plan including the preparation of a Full Environmental Assessment Form (EAF) and subsequent Notice of Determination;

**NOW, THEREFORE BE IT RESOLVED THAT:**

The BOARD shall:

1. Prepare a SEQRA Lead Agency Coordination package including the following components:
  - Full EAF (Part 1 – Project Information)
  - List of Permits and Approvals
  - List of Involved & Interested Agencies
  - Coordination Request Form requesting the following information from Involved Agencies:

- Objections (if any) to the County acting as SEQRA Lead Agency
- Identification of issues that should be addressed in the SEQRA process

2. Distribute the Lead Agency Coordination package to Involved Agencies to initiate a maximum 30-day Lead Agency coordination period
3. Implement subsequent activities and prepare and file subsequent documents as may be necessary to comply with SEQRA and its implementing regulations including completion of the Full EAF Parts 2 (Project Impacts and Their Magnitude) and 3 (Evaluation of the Importance of Impacts), and a Notice of Determination.

All in favor. Motion carried.

R-58-13 Made by Lafrenz, seconded by Herlihy to hold a Public Hearing on March 4, 2013, at 7 p.m. to consider the adoption of the draft Master Plan. All in favor. Motion carried.

Councilor Smithgall reviewed the latest landfill monitoring report. He feels things have remained the same for the last 10-15 years.

R-59-13 Made by Marsh, seconded by Lafrenz to authorize the following to attend the NYS Association of Towns meeting in New York City from February 17-20, 2013: Councilor Herlihy, Councilor Lafrenz, Code Enforcement Officer Penhall, Town Clerk Christmas, Zoning Board Chairman Tessier and Planning Board Chairman Coursen. All in favor. Motion carried.

Supervisor Marsh stated that she feels it is very important for those in government to continue to receive education when it is offered.

R-60-13 Made by Marsh, seconded by Herlihy to designate Vic Lafrenz as a Delegate at the NYS Association of Towns meeting. All in favor. Motion carried.

R-61-23 Made by Marsh, seconded by Dennis to support the renewal of the liquor license of Knoxville's Pub. All in favor. Motion carried.

R-62-13 Made by Marsh, seconded by Dennis to authorize the Supervisor to execute the swim contract with Cazenovia College in the amount of \$6,778.75. All in favor. Motion carried.

Rosemarie Bush reported that she has submitted the Aging & Youth report. Her budget may have to be adjusted as she wasn't aware of the proposed increase in minimum wage. She has 300-350 kids in the program. Supervisor Marsh told her that she does an excellent job.

R-63-13 Made by Smithgall, seconded by Dennis to authorize the Supervisor to execute the Annual Program Assessment for Youth and Aging. All in favor. Motion carried.

R-64-13 Made by Dennis, seconded by Smithgall to send a letter of support for the Syracuse Ironman 70.3 to be held on June 23, 2013. They will furnish us with a Certificate of Insurance. All in favor. Motion carried.

R-65-13 Made by Dennis, seconded by Herlihy to approve the annual audit of the Supervisor's records, Town Clerk/Tax Collector's records and Justice Court records. All in favor. Motion carried.

R-66-13 Made by Marsh, seconded by Dennis to declare as surplus the old computer desk. All in favor. Motion carried.

- R-67-13 Made by Dennis, seconded by Lafrenz to approve the payment of General Fund Abstract Nos. 37-81, totaling \$934,295.99; Highway Fund Abstract Nos. 12-25, totaling \$18,089.01; Special Districts Abstract Nos. 3-8, totaling \$575,667.29 and Trust & Agency Abstract Nos. 2-4, totaling \$7,000.00. All in favor. Motion carried.
- R-68-13 Made by Dennis, seconded by Herlihy to accept the Supervisor's report and bank reconciliation and the Town Clerk & Tax Collector's reports and bank reconciliations. All in favor. Motion carried.

#### Public Comment

Frank Kline asked if there has been a ban on hydrofracking yet. Supervisor Marsh stated that there is an extension to the moratorium and they are working on laws to make sure that it can be legally defended.

Victor Greene asked if a letter had been written to David Slottje about amending our zoning laws pro bono. Supervisor Marsh stated that Mr. Slottje sent her a letter after the last meeting. It is being reviewed by the team. As soon as the team looks at the letter it will be given out.

Jesse Walser asked Supervisor Marsh if she had forwarded the email he sent her and attorney Brown about the franchise agreement with Time Warner to the other board members. She stated that she hadn't sent it to them but that she would. She also informed him that she had spoken to County Legislator David Knapp about this and he told her that maybe the County can get a grant to proceed on this. The other Supervisors feel that this would be the best way to go.

- R-69-13 Made by Marsh, seconded by Dennis to go into Executive Session to discuss past employees and the return of items at 7:40 p.m. All in favor. Motion carried.
- R-70-13 Made by Dennis, seconded by Herlihy to return to Regular Session from Executive Session at 8:30 p.m. All in favor. Motion carried.
- R-71-13 Made by Dennis, seconded by Herlihy to adjourn at 8:30 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk