

TOWN OF POMPEY BOARD MINUTES

The Town of Pompey Town Board held their monthly meeting on July 6, 2016. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy and Victor Lafrenz; Attorney Jeff Brown; Accountant 1 Tom Chartrand and Town Clerk Ann Christmas.

Absent: Councilor Giovanni LaFace

Supervisor Marsh called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and a moment of silence for our service men and women and also for Camilo Moore who was killed on Route 91.

The quarterly and monthly reports of the Supervisor were submitted and reviewed. Town Clerk fees were up; Justice Court fees are down from last year; the swim program is on target. The swim program just started; there were a few withdrawals. Highway Department budget is in line. Overall we are in good shape.

R-91-16 Motion by Dennis, seconded by Lafrenz to approve the following transfers:

GENERAL FUND

| | | | | |
|-------|---------|-------------------|--------------|-------------------|
| From: | A1440.4 | Engineer | Contractual | \$1,000.00 |
| | A9040.8 | Employee Benefits | Workers Comp | <u>\$3,000.00</u> |
| | | | Total: | \$4,000.00 |
| To: | A1420.4 | Attorney | Contractual | \$4,000.00 |

HIGHWAY FUND

| | | | | |
|-------|----------|-----------|--------------------|------------|
| From: | DA599 | Surplus | Insurance Recovery | \$1,857.00 |
| To: | DA5130.2 | Machinery | Equipment | \$1,857.00 |

All in favor. Motion carried.

R-92-16 Motion by Dennis, seconded by Herlihy to adopt the Standard Work Day and Reporting Resolution for Elected and Appointed Officials. All in favor. Motion carried.

R-93-16 Motion by Dennis, seconded by Herlihy to authorize Supervisor Marsh to execute the amendment to the Enhanced Services Agreement with the Onondaga County Sheriff's Department. The new amount paid will be \$74.28/hour. All in favor. Motion carried.

The Highway Department is on vacation this week. Highway Superintendent Purcell left a report that they will start milling some of the streets in Pompey Pines on July 11th and paving will begin on July 18th. He has contacted the Pompey Pines Homeowners Association and they were going to let the residents know.

Supervisor Marsh reported that there are 80 homes in the 677 exchange that do not have phone service.

R-94-16 Motion by Herlihy, seconded by Dennis to authorize Supervisor Marsh to send a letter to Chairman Ryan McMahon and the County Legislature asking that Time Warner expand their service in Round 2. All in favor. Motion carried.

Attorney Brown asked Jesse Walser if he could send him a letter of the basics of what he is asking for.

Attorney Brown reported that he had been out of town of military training and didn't get multiple quotes for the copies he needed to have done in connection with the Verizon lawsuit. There were 2,700 documents to be copied and he needed 4 sets for a total of 11,000 copies. The total cost for this was \$3,398.18.

R-95-16 Motion by Dennis, seconded by Herlihy to make an emergency declaration for the copying of 11,000 pages at a total cost of \$3,398.18. All in favor. Motion carried.

R-96-16 Motion by Marsh, seconded by Dennis to authorize the payment of \$300.00 for the secretary that Attorney Brown hired to work on the Verizon lawsuit. She worked 12 hours and was reimbursed \$25.00 per hour. All in favor. Motion carried.

Attorney Brown explained the procedure for declaring Don Chrysler's house at 7364 Cherry Street as unsafe. It is the opinion of Rick Penhall that this house needs to be demolished.

R-97-16 Motion by Dennis, seconded by Herlihy to hold a Public hearing on August 1, 2016 at 7 p.m. to give the homeowner the opportunity to discuss the demolition of his house in a public setting. All in favor. Motion carried.

R-98-16 Motion by Dennis, seconded by Lafrenz to adopt the following Resolution:

TOWN OF POMPEY

RESOLUTION/NOTICE/ORDER OF TOWN OF POMPEY BOARD CONFIRMING FINDING THAT BUILDING IS UNSAFE AND SHOULD BE DEMOLISHED

The following resolution was offered by Councilor Dennis, who moved its adoption, seconded by Councilor Lafrenz, to-wit:

WHEREAS, the Inspection Report dated July 6, 2016 prepared by the Town Code Enforcement Office ("CEO"), in such manner and in such detail as required by the Code of the Town of Pompey Chapter 69, Section 5, declaring that the building located at 7364 Cherry Street, Pompey, New York is unsafe and should be demolished and removed, has been duly filed in the office of the Town Clerk, and

WHEREAS, the Inspection Report states more particularly that the roof of the structure has large holes in it allowing the elements to enter the structure and damage the interior, including the structural members, making the building unstable and susceptible to collapse, all posing a threat to the public, fire and EMS, and

WHEREAS, the current owner of the building has been notified by the CEO on multiple occasions about the unsafe condition of the structure, and

WHEREAS, the status of the building was to be discussed at the Town Board's regular meeting on July 6, 2016, in the Town Hall, Pompey, New York, and

WHEREAS, the Town Board did discuss the status of the property in public session during the Board's regular meeting on July 6, 2016, in the Town Hall, Pompey, New York, at which time all interested persons were allowed to speak, it is hereby

RESOLVED AND DETERMINED, that the Town Board confirms the findings of the Inspection Report that the building located at 3942 Route 91, Pompey, New York is unsafe and should be demolished and removed; and it is hereby further

RESOLVED AND DETERMINED, that the building has become unsafe due to age, poor maintenance, the elements and general deterioration. The building poses a danger to anyone who does or may occupy it and to passersby; and it is hereby further

RESOLVED AND DETERMINED, that specific structural issues include:

- The roof of the structure has large holes in it allowing the elements to enter;
- Certain walls have collapsed and others are in serious danger of collapse;
- Structural members are exposed and are deteriorating;
- There are numerous broken doors and windows;
- Internal walls and ceilings are missing; and
- The structure is not habitable.

RESOLVED AND DETERMINED, that the building is ordered to be demolished and removed according to the following requirements:

- A demolition permit shall be obtained from the Town of Pompey (to include payment of the appropriate permit fee);
- A licensed asbestos demolition contractor shall perform all demolition and site work;
- Asbestos project notification shall be made to the New York State Department of Labor at least 10 days prior to the commencement of work;
- An asbestos project notification fee of \$4,000 shall be paid to State of New York;

- Asbestos project notification shall be made to the U.S. Environmental Protection Agency;
- New York State Department of Transportation shall be notified at least 10 days prior to the commencement of work;
- Dig Safely New York shall be called at least 10 days prior to the commencement of work; and
- The site shall be filled, graded with top soil and seeded to the satisfaction of the Town's Code Enforcement Officer.

RESOLVED AND DETERMINED, that the demolition and removal of such building shall commence within thirty (30) days of the service of this Resolution/Notice/Order and shall be completed within sixty (60) days thereafter; and it is hereby further

RESOLVED AND DETERMINED, that a public hearing be held before the Town Board in relation to such dangerous and unsafe building on August 1, 2016, at 7 p.m. at Town Hall, 8354 US Route 20, Manlius, New York; and it is hereby further

RESOLVED AND DETERMINED, that notice of this Resolution/Notice/Order shall be served personally or by certified mail upon the current owner of the building (or his executors, legal representatives, agents or lessees) as provided in the Code of the Town of Pompey Chapter 69, Section 8; and it is hereby further,

RESOLVED AND DETERMINED, that in the event that the owner of the building fails or refuses to comply with this Order, the Town Board is authorized to provide for the demolition and removal of said building, with all expenses thereof being assessed against the land on which the building is located and to institute a special proceeding to collect the costs of demolition, including legal expenses; and it is hereby further,

RESOLVED AND DETERMINED, that the Town Clerk shall file a certified copy of this Resolution/Notice/Order in the Office of the Clerk of the County of Onondaga.

The question of the adoption of the foregoing resolution was put to a vote on roll call at the Town of Pompey Town Board's regular meeting on July 6, 2016, which resulted as follows:

Supervisor Marsh - Aye

| | | |
|-------------------|---|--------|
| Councilor Dennis | - | Aye |
| Councilor Herlihy | - | Aye |
| Councilor Lafrenz | - | Aye |
| Councilor LaFace | - | Absent |

The resolution was declared adopted.

Ann Christmas
Town Clerk

Town Seal

R-99-16 Motion by Dennis, seconded by Herlihy to participate in the CNY Stormwater Coalition as we have done in the past at a cost of \$3,600.00 per year. All in favor. Motion carried.

R-100-16 Motion by Marsh, seconded by Dennis to ask for a speed reduction on Oran Station Road. NYS Department of Transportation has requested this as the Town of Manlius would like the speed reduced on their end of the road. All in favor. Motion carried.

R-101-16 Motion by Dennis, seconded by Lafrenz to authorize the Supervisor to enter into an agreement with Fayetteville-Manlius School District for the collection of school taxes. All in favor. Motion carried.

R-102-16 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-103-16 Motion by Dennis, seconded by Herlihy to authorize the payment of General Fund Abstract Nos. 107-123, totaling \$29,704.54; Highway Fund Abstract Nos. 210-243, totaling \$13,965.41; Special District Abstract Nos. 27-29, totaling \$1,251.64 and Trust & Agency Abstract No. 14, totaling \$4,000.00. All in favor. Motion carried.

R-104-16 Motion by Herlihy, seconded by Dennis to authorize the Supervisor to send a letter of support to Onondaga County Community Development in support of the Affordable Home Buyers program. All in favor. Motion carried.

- R-105-16 Motion by Dennis, seconded by Herlihy to go into Executive Session from Regular Session at 7:28 p.m. to discuss pending litigation. All in favor. Motion carried.
- R-106-16 Motion by Dennis, seconded by Lafrenz to return to Regular Session from Executive Session at 7:30 p.m. All in favor. Motion carried.
- R-107-16 Motion by Dennis, seconded by Herlihy to adjourn at 7:31 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk