

**TOWN OF POMPEY BOARD MINUTES**

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on August 5, 2013. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz, Craig Smithgall; Highway Superintendent Tom Purcell; Town Clerk Ann Christmas and Town Attorney Jeff Brown. There were also 54 residents in attendance.

Supervisor Marsh called the meeting to order at 6 p.m. followed by a moment of silence for our service men and women and also for resident Randy Graham who recently passed away.

Supervisor Marsh read the Rules of Procedure.

R-157-13        Made by Dennis, seconded by Smithgall to open the Public Hearing at 7:05 p.m. on the adoption of Local Law No. 3 of 2013 to amend Chapter 102 (Grass, Bush, Rubbish and Weeds) of the Code of the Town of Pompey to add automobiles to the definitions of "Rubbish" in the "Definitions" set forth in Section 102-2. All in favor. Motion carried.

Supervisor Marsh read the proposed law. Councilor Herlihy stated that this is important to have this added to the Code and for the residents who take care of their property so that they do not have eyesores next door.

No one spoke against the proposed law.

R-158-13        Made by Smithgall, seconded by Dennis to close the Public Hearing on the adoption of Local Law No. 3 of 2013 at 7:08 p.m. All in favor. Motion carried.

R-159-13        Made by Dennis, seconded by Herlihy to adopt of Local Law No. 3 of 2013 to amend Chapter 102 (Grass, Bush, Rubbish and Weeds) of the Code of the Town of Pompey to add automobiles to the definitions of "Rubbish" in the "Definitions" set forth in Section 102-2. All in favor. Motion carried.

County Legislator David Knapp was present. He informed the Town Board that the Town of Pompey will be receiving an additional \$7,600 this year for our snowplowing efforts. This is because Highway Superintendent Tom Purcell does a great job taking care of the county roads.

The monthly report of the Supervisor was submitted and reviewed. Bookkeeper Tom Chartrand reported that the Town recently received the first of two mortgage tax payments. This payment was in the amount of \$105,225.99. The second payment won't be received until approximately January 4, 2014. He also stated that the Justice Court fines are higher than expected this month.

R-160-13        Made by Dennis, seconded by LaFrenz to approve the following transfers:

GENERAL FUND

From:	A1991.4	Contingent	Contractual	\$3,300.00
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To:	A1320.4	Independent Auditor	Contractual	\$2,000.00
	A1620.2	Buildings	Equipment	\$1,300.00

SPECIAL DRAINAGE DISTRICT FUND

From:	SD599	Appropriated Surplus	Fund Balance	\$1,000.00
To:	SD8125.4	Hartsfield	Contractual	\$1,000.00

All in favor. Motion carried.

R-161-13 Made by Dennis, seconded by Herlihy to approve the bank reconciliations and reports of the Supervisor, Town Clerk and Tax Collector. All in favor. Motion carried.

Councilor Herlihy reported that as part of the Internal Review it was suggested that the Accountant provide the Town Board with budget to actual information on a quarterly basis. He will work with Bookkeeper Chartrand on this.

R-162-13 Made by Herlihy, seconded by Dennis to approve the budget reconciliation. All in favor. Motion carried.

Bookkeeper Chartrand reported that he had just received notification that our retirement bill for next year will be going up \$28,551.00. He will be sending out budget requests later in the month and we will need to schedule a budget workshop at the September meeting.

Highway Superintendent Purcell reported that they milled and paved the roads in Windsbury Hills and this was completed last week. They have started the resurfacing of 12 miles of roads.

Supervisor Marsh spoke to the Town Board about naming the Highway Garage as: John M. Palladino Highway Facility. She felt this was a way to honor his 52 years of being involved with the running of the highway department. All of the Board members thought this was a good idea.

R-163-13 Made by Marsh, seconded by Herlihy to name the highway garage as the John M. Palladino Highway Facility. We will get a plaque to put up and we will have a ceremony to do this. All in favor. Motion carried.

Councilor Herlihy commended Highway Superintendent Purcell on carrying on the longstanding tradition of his predecessor by leaving it in good shape. He feels John Palladino is deserving of this.

Supervisor Marsh appointed Rosemarie Bush as her Deputy Supervisor.

R-164-13 Made by Dennis, seconded by Herlihy to approve the Banking Resolution with NBT Bank NA dated August 5, 2013. All in favor. Motion carried.

Historian Hotaling asked Supervisor Marsh to let everyone know that on September 15<sup>th</sup> from 2-4 the Historical Society will be honored Norman F. Potter who was the only person from Pompey to receive a Medal of Honor in the Civil War.

Councilor Smithgall commented that he understood that there has been difficulty in the processing of Planning Board documents. The maps need to be signed in a timely fashion. There needs to be someone in line to sign the documents should the Chairman be unavailable.

Councilor Herlihy reported that he has received the finalized accounting review from Testone, Marshall and Discenza. They noted that significant improvements have been made to the accounting processes. A copy of the report can be obtained by contacting Town Clerk Christmas or himself.

Supervisor Marsh commented on the internal review. She stated that the lockbox has been a topic of discussion. She called several banks and also several tax receivers (Town of Manlius and Town of Cicero) about lockboxes. She was told that a lockbox is a hassle. She talked to Alliance Bank in Tully as Alliance Bank in Manlius does not offer the service. She was told that if we were to use a lockbox service that people would have to mail their payments to Canajoharie, NY; they do not accept partial payments; they do not give receipts; the payments need to be in the exact amount; if they are not in the correct amount the checks are returned; there is no customer service at all and in addition it is not economically feasible. These are the reasons why a lockbox will not be used.

Supervisor Marsh informed those in attendance that she had put "Discussion of Adult Home" on the agenda so that she could let everyone know that there is no application and that she personally does not support an overlay district. Councilor Herlihy stated that for the past several months he has heard from the residents about this and if and when we get an application it will be vetted thru the proper changes. At this point he feels that there is nothing to discuss. Councilor Dennis also stated that he doesn't approve of the overlay district. Attorney Brown stated that he had received a proposal for an overlay district but it has been withdrawn.

R-165-13      Made by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos.268-291, totaling \$17,349.70; Highway Fund Abstract Nos. 115-125, totaling \$70,037.92; Special District Abstract Nos. 30-31, totaling \$50,010.72; Trust & Agency Abstract No. 13, totaling \$500.00. All in favor. Motion carried.

Judge Cagnetti thanked everyone who has been so helpful to him since he started in January and especially Judge Ali. He came before the Town Board tonight to begin a discussion about the overcrowding of the Court Room. Only one person can fit comfortably in the Court office; there is no jury room if we were to have a trial; there is no room where the District Attorney can talk to people in private; filing in the office is a problem. There is money available for renovations to court rooms. People from Albany would come out and make recommendations. He would like permission to contact Albany and see how much is available to make the court room more accessible.

R-166-13      Made by Herlihy, seconded by Dennis to authorize Judge Cagnetti to make a JCAP Grant. All in favor. Motion carried.

R-167-13      Made by Dennis, seconded by Smithgall to adopt the Investment Policy. All in favor.  
Motion carried.

#### Public Comment Period

Dan Seidberg questioned if anything has been done on changing the policy on notification on applications. He was advised that a proposed law had been sent to the Town Board for changing the policy on notifications on wind turbine applications only. He would like it on all applications. He also would like to have more detail put on the agendas. He stated that he appreciates Supervisor Marsh's position and he asked if anyone on the Town Board would like to take a position on the Adult Home that has been proposed. Councilor Herlihy stated that he feels any application should be vetted thru the proper channels; that it looks like this proposal won't work; and that applicants should be treated fairly and openly. Councilor Dennis stated that he favored it when it was first came out; that agriculture doesn't fit down there; that he has listened to the residents on three different occasions; that he has been educated on what he heard from the public. Mr. Seidberg also stated that the Town Board minutes and agendas are on the website but the other boards are not on there. He would like full participation of the other boards.

Helen Bailey stated that she has been coming to the meetings for about six months; she thinks it is great having public comments at the beginning of the meeting. She asked if the Master Plan Committee was abolished. Councilor Smithgall informed her that it was and in the future there will be another Master Plan Committee. He doesn't think it has to be empanelled with the same blood and that it should not be a perpetual committee. He also feels that there should be timely reviews of the Town's Master Plan. Helen stated that she agrees with Councilor Smithgall that there should be a change in the people on the committee and that she thinks that there should be public comment at both the beginning and end of each meeting.

David Fleszar stated that he owns Fleszar Woodworking and Cass-A-Roo that are two businesses in the Town. He stated that he had filed a FOIL request with the Town and he still hasn't heard anything. He feels that this behavior is appalling and that papers should be afforded to citizens upon request. He understands that the Master Plan Committee was abolished and then the documents are gone; he can't believe this. He thanked Highway Superintendent Purcell for the good job he's done.

Kendall Slee stated that she is opposed to the overlay district application but understands it has been withdrawn.

Len Fallis questioned Supervisor Marsh and Attorney Brown if they have corresponded in any fashion (electronic, voice data, written or otherwise) with the developer concerning the overlay district application. Attorney Brown stated several weeks ago the application was received. He has had no discussion with the developer's attorney and that his previous comments were accurate. Mr. Fallis also asked about the accounting report and the Town Board going into Executive Session. This raises his concern about transparency and accountability. He asked if the Town Board intends to follow the recommendations or was the study a waste of money? Supervisor Marsh stated that we have the letter from the accounting

firm. We are doing everything they recommended.

Alexandra Coursen appreciates the comments made by Councilor Dennis. She appreciates that Councilor LaFrenz was against it from the start.

Tom Malagisi stated that the policies need to be followed; he doesn't feel that the proposal would be a good fit; if an application gets filed there should be studies on the power grid and also crime statistics.

R-168-13      Made by Dennis, seconded by Herlihy to adjourn at 7:55 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas, Pompey Town Clerk