

## TOWN BOARD MINUTES OF THE TOWN OF POMPEY

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on October 6, 2014, at the Pompey Town Hall. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy and Victor LaFrenz; Attorney Jeff Brown, Highway Superintendent Tom Purcell, Accountant 1 Tom Chartrand and Town Clerk Ann Christmas.

Absent: Councilor Craig Smithgall

Supervisor Marsh called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and a moment of silence for Hon. John Palladino, Richard Long and our service men and women.

R-137-14 Made by Marsh, seconded by Dennis to designate the following road as seasonal limited use highways to be exempt from snow and ice removal and maintenance: No. 2 Road East from Oran Delphi Road to Pompey Hollow Road. All in favor. Motion carried.

Highway Superintendent Purcell reported that the NYS contract for salt was finally released on September 28<sup>th</sup>. The cost this year will be \$46.99/ton up from 37.81/ton last year.

R-138-14 Made Dennis, seconded by LaFrenz to declare the following items for the PASS program as scrap (art supplies, paper, games, etc.) and to declare the following items as surplus: book cart; computers; printer; metal cabinets. All in favor. Motion carried.

The monthly report of the Supervisor was reviewed and approved.

R-139-14 Made by Dennis, seconded by Herlihy to approve the following transfer:

### GENERAL FUND

From:	A1991.4	Contingent	Contractual	\$300.00
To:	A1220.4	Supervisor	Contractual	\$300.00

### SPECIAL SEWER FUND

From:	SS599	Appropriated Surplus	Fund Balance	\$1900.00
To:	SS8121.4	Pompey Pines	Contractual	\$1900.00

### SPECIAL WATER FUND

From:	SW599	Appropriated Surplus	Fund Balance	\$130.00
To:	SW8345.4	Longmeadows	Contractual	\$130.00

All in favor.

Steve Snell from O'Brien & Gere was present and spoke to the Town Board about Broadfield Road drainage issues. He indicated that in the past several options were identified but any improvements to mitigate the flow rate through the Broadfield Road culvert or reduction of the water elevation upstream of the culvert would require additional drainage easement(s). One of the options could include making the detention area deeper but doing so would require an additional culvert or replacement of the existing culvert under Broadfield Road. The cost to replace the culvert under Broadfield Road would likely be significant. The Town would need to coordinate with the county on this as it is there culvert. Letters will be sent out to some adjacent residents to explain improvements the Town may consider.

Supervisor Marsh spoke to those in attendance about the animal situation with the former animal control officer. Supervisor Marsh has been at the SPCA every day. The number of volunteers, including groomers and veterinarians, is unbelievable. The donations are tremendous. The SPCA is now the dog officer for the Town of Pompey. Supervisor Marsh read from a letter that the Town received in March 2014 from NYS Ag & Markets giving the animal control officer a satisfactory inspection.

R-140-14 Made by LaFrenz, seconded by Marsh to authorize Attorney Brown to review the Town Code to make sure that the right board is handling the application for the wireless tower application. All in favor. Motion carried.

Attorney Brown reported that the John Chen property case was held in Town Court. Mr. Chen appeared and agreed to make all necessary improvements on his property. Mr. Penhall is in the process of making sure that it gets done.

R-141-14 Made by Dennis, seconded by Herlihy to approve the monthly reports and bank reconciliations of the Town Clerk, Tax Collector and Supervisor. All in favor. Motion carried.

R-142-14 Made by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 323-338, totaling \$12,023.75; Highway Fund Abstract Nos. 168-172, totaling \$23,913.35; Special District Abstract No. 31, totaling \$487.70 and Trust & Agency Abstract No. 30, totaling \$351.35. All in favor. Motion carried.

#### Public Comment

John Shaheen spoke about the expedited solar permit process.

Chris Moseson read a letter to the Town Board about the Verizon Wireless application. She left the letter and petition with Supervisor Marsh.

Phil Benedict asked what, if any, legal action the Town Board was taking involving the dog control officer. Supervisor Marsh and Councilor Dennis stated that the Town is cooperating fully with the ongoing investigations and legal proceedings. Attorney Brown explained that it is the District Attorney's responsibility, not the Town's, to initiate a criminal proceeding. He is unaware of any provision in our Town Code that would allow a criminal action against the dog control officer.

R-143-14 Made by Dennis, seconded by Herlihy to go into Executive Session to discuss the employment history of a particular individual and to obtain legal advice from the Town Attorney at 7:30 p.m. All in favor. Motion carried.

R-144-14 Made by Dennis, seconded by Herlihy to return to Regular Session at 8 p.m. All in favor. Motion carried.

R-145-14 Made by Dennis, seconded by Herlihy to adjourn at 8:01 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk