

TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on November 6, 2013. In attendance: Supervisor Carole Marsh; Councilors Greg Herlihy, Victor LaFrenz, Craig Smithgall; Town Attorney Jeff Brown; Budget Officer Thomas Chartrand; Code Enforcement Officer Richard Penhall; Highway Superintendent Tom Purcell and Town Clerk Ann Christmas.

Supervisor Marsh called the meeting to order at 7 p.m. followed by a moment of silence for our service men and women and also Joe Foley, Ava Pilcher, Jesse Wager and Justice Malcolm Knapp who recently passed away.

R-202-13 Made by LaFrenz, seconded by Herlihy to open the Public Hearing on the adoption of 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 at 7:01 p.m. All in favor. Motion carried.

Councilor Smithgall stated that he felt that 1000 feet is potentially excessive. He questioned if this was going over the top. Councilor LaFrenz stated that wherever there is a limit someone will not be happy and that he felt 1000 feet was a reasonable distance. John Shaheen questioned why the applicant should be responsible for the notification. Attorney Brown stated that all applicants for junkyards, subdivisions, site plans, etc. would have to make the notifications.

No one else spoke in favor or against the proposed law.

R-203-13 Made by Marsh, seconded by Herlihy to close the Public Hearing on the adoption of Local Law No. 6 of 2013 at 7:10 p.m. All in favor. Motion carried.

R-204-13 Made by Herlihy, seconded by LaFrenz to adopt Local Law No. 6 of 2013. All in favor. Motion carried.

R-205-13 Made by Herlihy, seconded by LaFrenz to open the Public Hearing on the adoption of the General, Highway, Special

Districts (including Delphi and Manlius Fire contracts) and SOTS budget for 2014 at 7:10 p.m. All in favor. Motion carried.

Budget Officer Chartrand reported that he handed out the new rate sheet to the Board members. He stated that he had received all of the numbers for the Fire Departments. We have no control over Pompey Hill Fire District's budget. He had budgeted for health insurance at a 10% increase and he had just received notification that there will be a 4% increase. There will be no increase in the Town & Highway tax rate this year. It will remain at \$2.05/thousand of assessed value.

Councilor Smithgall stated that he had reviewed the salaries of officials from 1995 to present date. Some people had no change since 2008. He has no problem with people getting increases in their salaries. He doesn't think that you can keep a zero increase forever and that the Town Board will have to eventually raise taxes.

No one else spoke in favor or against the proposed budget.

R-206-13 Made by Marsh, seconded by Herlihy to close the Public Hearing on the 2014 General, Highway, Special Districts (including Delphi and Manlius Fire contracts) and SOTS budget at 7:20 p.m. All in favor. Motion carried.

R-207-13 Made by Herlihy, seconded by Marsh to adopt the preliminary general and highway budget with the changes to the line items listed as the budget for 2014. 3 yes (Herlihy, LaFrenz, Marsh) 1 no (Smithgall) Motion carried.

R-208-13 Made by Herlihy, seconded by LaFrenz to adopt all of the special districts budgets listed (water, sewer, lighting, drainage, Manlius Fire and Delphi Falls Fire contracts). All in favor. Motion carried.

R-209-13 Made by Marsh, seconded by Smithgall to adopt the SOTS rates as expressed (no service: \$5.00 administration fee; 1 bag/week: \$80.00; 3 bags/week: \$200.00; unlimited bags/week: \$245.00). All in favor. Motion carried.

The monthly report of the Supervisor was submitted and reviewed.

Highway Superintendent Purcell reported that they are already for the snow. The building is full of salt and sand.

Supervisor Marsh handed out a proposed zoning complaint form.

Supervisor Marsh reported that she had received a letter of resignation from Fred Henecke who served on the Planning Board.

R-210-13 Made by Marsh, seconded by Herlihy to appoint Dan Bargabos to fill the unexpired term of Fred Henecke on the Planning Board. (Term will expire 12/31/2014) and to send a letter of thanks to Fred Henecke..

Councilor LaFrenz stated that he felt that having a builder on the Planning Board would be a conflict of interest. Attorney Brown stated that he would have to disclose any conflicts. Councilor Smithgall stated that if you have a direct financial interest it should be disclosed and you would reclude yourself.

All in favor. Motion carried.

Supervisor Marsh spoke about the dedication of the highway garage in John Palladino's honor. It was a great day. There were over 80 people in attendance. John was very taken and humbled with it. He gave his all to the Town of Pompey.

Councilor Herlihy stated that he agreed with Supervisor Marsh. It was a nice afternoon with John. There were many old pictures of the highway garage and the men who worked there to look at. He feels 50 years of service to the Town is a long time.

Councilor LaFrenz stated that the town depends on its resident to volunteer and you should thank them.

Councilor Smithgall informed Mike and Velda Ward that he had called NYS Dept. of Environmental Conservation Region 7 on their behalf concerning the gravel mining operation in Delphi Falls. The Kinsella's are in compliance with the permit. DEC has no control over the trucks per day. If there is an issue of dust on the road they would like to know about that. Mike Ward stated that he knows that Kinsella is in compliance with his permit. He stated that they are done mining in Delphi and it is now being used as a retail outlet for gravel. He doesn't feel that the Town can allow him to sell gravel. Highway Superintendent Purcell explained that a pug mill is brought to their site for a short period of time when they are paving. Suite-Kote brings it in. It is used when Pompey, Fabius and Cazenovia are doing cold mix paving. The Wards would like a traffic study done on Oran Delphi Road by the quarry. Councilor Herlihy commented that Kinsella has been a good neighbor in Delphi (they donated the land to the Fire Department and cleaned up the trailer park).

R-211-13 Made by Herlihy, seconded by Smithgall to accept the Town Clerk/Tax Collector and Supervisor's reports and bank reconciliations. All in favor. Motion carried.

R-212-13 Made by LaFrenz, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 358-390, totaling \$16,599.10; Highway Fund Abstract Nos. 161-174, totaling \$49,441.57; Special District Abstract Nos. 39-42, totaling \$5,970.24; Trust & Agency Abstract No. 16, totaling \$1,000.00. All in favor. Motion carried.

Public Comment

Velda Ward reminded everyone about the Scoping Meeting for I-81 to be held on November 13, 2013 at the OnCenter. She questioned the board if the Supervisor is required to vote. She then questioned if the Deputy Supervisor could vote. She was told no as the Deputy Supervisor isn't elected.

R-213-13 Made by Smithgall, seconded by Herlihy to adjourn at 8 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk