

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Monthly Meeting on Tuesday, June 13, 2023, at 6:30 p.m. The meeting was held in-person and was also live-streamed via Zoom platform. In attendance were: Deputy Supervisor Don Saleh, Councilors Ann Christmas, Bill Lipe, James Loomis, and Diana Carpenter; Highway Superintendent B.R. Way; Town Clerk Nikki Reid; Town Attorney Tim Frateschi; Town Accountant Jim Pompo; Zoom Host Veronica Hotaling; along with 39 residents.

The meeting was called to order at 6:30 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for John DeMetro and Andrew Edgars.

TOWN ACCOUNTANT'S REPORT:

Town Accountant Jim Pompo gave his monthly report. There is still \$683,000.00 in ARPA funds sitting in reserve. The town is in the process of determining how those funds are to be spent. There is currently almost \$2.9 million in the NYCLASS account; the town has earned about \$10,500.00 in interest this month.

R-77-23 Motion by Christmas, seconded by Loomis to approve the following transfer:

General Fund:

TO:	DA5110.1	General Repairs	\$8,000.00
FROM:	DA5142.1	Snow Removal	\$8,000.00

All in favor. Motion carried.

R-78-23 Motion by Christmas, seconded by Carpenter to accept the Supervisor's Monthly Report for May 2023. All in favor. Motion carried.

R-79-23 Motion by Christmas, seconded by Lipe to accept the May 2023 Bank Reconciliation Report for the Town Clerk and Tax Collector. All in favor. Motion carried.

TOWN CLERK'S REPORT:

R-80-23 Motion by Loomis, seconded by Christmas to accept the May 9, 2023 regular meeting minutes. All in favor. Motion carried.

R-81-23 Motion by Christmas, seconded by Loomis to approve the following payment of bills: Abstract Nos. 225-279, totaling \$92,946.02. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT'S REPORT

Highway Superintendent B.R. Way stated that the Highway Department just finished up oil and stone. The following roads were completed: Number 4 Road, Number 2 Road, Bush Road, Chase Road, Eldridge Road, Oran Station Road, Palladino Road, Rall Road, Sevier Road, Swamp Road, and Way Road. Next week, the Highway Department will start cracked sealant in the Pompey Pines and Preserves.

CODE'S OFFICE REPORT:

Although the Code's Officer was not present, he provided the Town Board members with the May 2023 monthly report; 14 building permits were issued and 7 completions.

R-82-23 Motion by Christmas, seconded by Lipe to accept the May 2023 Code Enforcement Officer's Report. All in favor. Motion carried.

R-83-23 Motion by Carpenter, seconded by Christmas to accept the May 2023 Bank Reconciliation Report for the Supervisor. All in favor. Motion carried.

TOWN ATTORNEY'S REPORT:

Town Attorney Tim Frateschi discussed the Pompey Hill Cemetery Association's request for town assistance in purchasing cemetery recordkeeping software. He stated that it is now the Town Board's decision on what it wants to do. The Town Board discussed that this was not something that was budgeted for and there are several cemeteries in the Town of Pompey. Town Attorney Tim Frateschi stated this will ultimately need a policy as well as a legal decision. This was tabled for the next meeting.

Town Attorney Tim Frateschi drafted a resolution calling for a public hearing in the matter of Local Law 2023-4 to amend the town code to place a moratorium on the process of accepting applications for home occupations. The Home Occupation Committee is looking at the law which admittedly is somewhat contradictory internally and they believe that it should be rewritten. If the Town Board is interested in moving forward with the moratorium, Town Attorney Tim Frateschi recommends a suspension of any enforcement action that has been taken place on any home occupations, which he can do as the Attorney for the Town. This local law would consist of a 6-month moratorium. Councilor Loomis stated that he is on the Home Occupation Committee and there is a lack of distinct application processes in the way the law is Written. The Committee needs a few more months to work through the details that will allow people to have home occupation businesses in the town.

R-84-23 Motion by Loomis, seconded by Christmas to hold a Public Hearing on July 11, 2023, at 6:35 p.m., to consider the adoption of Local Law 2023-4 to amend the

town code to place a moratorium on the process of accepting applications for home occupations. All in favor. Motion carried.

John Shaheen put out a proposal to replace the windows at the Town Hall; he received three quotes: Latocha Builders & Renovations, Inc in the amount of \$15,170.00; T.C.P. Contracting in the amount of \$12,900.00; and JWM Construction in the amount of \$4,369.80. John Shaheen has spoken to all the contractors and said they are all responsible bidders.

- R-85-23 Motion by Loomis, seconded by Lipe to award the Town Hall Window Replacement Project to JWM Construction in the amount of \$4,369.80, subject to legal review. All in favor. Motion carried.

SUPERVISOR'S REPORT:

The Town Board Members discussed the Town of Pompey's Credit Card Use Policy that Supervisor Rotondo drafted. The Town Board Members discussed the responsibilities, usages, purchases, and internal control procedures. The final document will be reviewed at the next town board meeting.

COUNCILOR'S REPORT:

- R-86-23 Motion by Loomis, seconded by Christmas to approve the audit of the Justice Court records. All in favor. Motion carried.

PUBLIC COMMENT:

Shawn Brazo, Frank Long Road: Reached out to 92 neighbors addressing any concerns regarding the solar application on Frank Long Road. He stated that only one neighbor responded. He also provided a fact versus fiction sheet regarding solar and also discussed the residents' concerns with the bond and Seaboard's financial liability; it is a cash bond that is adequate to handle the decommissioning and deconstruction.

Craig Regan, Frank Long Road: He received the letter from Mr. Brazo and had questions regarding the fact versus fiction sheet. He asked about the Stormwater Prevention Plan and asked if this is being supported by the Town Engineer.

Barbara Stacer, Sweet Road: Discussed Pivot Energy's second solar application to the Town Board along with Seaboard's solar application and she's curious why 4 applications aren't considered an influx and qualifier for a moratorium.

Jane Podkaminer, Kinderlane: She would like ECC minutes to be available on the website. She talked about the view for the people living on Sentinel Heights that will be impacted by the Solar farm.

Carolyn Martin, Whitney Farm Lane: Frank Long Road was made for farmers; farmers that have been there for hundreds of years. A solar farm is not a farm, it is a business.

Richard Margino, Henneberry Road: He talked to many of his neighbors and said about 95% of them do not want solar in the town. He asked the Supervisor and Councilors to tell the solar companies that this is not something Pompey wants or needs.

Florence Saleh, Soloman Seal Lane: The benefit of solar will help everyone, everywhere. This will help us do our part for global warming. She understands how people feel, but she is not alone with how feels regarding solar in the town. She stated that there is a need for renewable energy that will not increase global warming.

Martha Viglietta, Gibbs Road: Discussed the smoky skies last week and the changes that are happening in our climate. The burning of fossil fuels have ruined the atmosphere by filling it with more heat trapping and carbon dioxide. Solar is needed right now.

Deborah Grenier, Cemetery Road: She asked for clarification on the moratorium for home occupations and asked how many applications have been submitted. She stated that the town is against solar and if there is a moratorium for home occupations, there should be one for tier 3 solar applications.

Matt Foote, Number 2 Road: He's been self-employed for the last seven years. He discussed some of his neighbors' prior concerns regarding his business located on his property. He has reduced the frequency of deliveries. In September of 2021, he received approval from Codes Officer Bob Rodriguez to operate his home business. In July of 2022, he received a violation notice from Deputy Codes Officer Tyler Johnson. In March of 2023 he received an appearance ticket. Since then, he's been in touch with Deputy Codes Officer Tyler Johnson and was told if he satisfied the requirements, he would receive his permit. The other 4 neighbors on his road who also have home occupation businesses, have not had to go through the same process. He wants to know how the moratorium is going to affect him.

Nancy Furdock, Sevier Road: She asked if the code officer reports are available to the public. She also asked the status on the abandoned house on Academy Street. She suggested that a committee be formed for potential locations in the town for commercial solar applications. She is not willing to completely reject solar going forward, but is hoping the townspeople and the town board can work cooperatively by asking the ECC to take a look and see if there is a better location for solar projects.

Carol Porto, Pompey Center Road: She stated that diesel equipment cannot be powered by solar farm energy. She stated that the number one reason for global warming is that as the sun gets older, it gets bigger and hotter. She thinks solar is a scam.

R-87-23 Motion by Christmas, seconded by Carpenter to adjourn at 8:06 p.m. All in favor. Motion carried.

Respectfully Submitted,

Nikki Reid

Pompey Town Clerk