

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Meeting on Monday, October 4, 2021 at 6:30 p.m. The meeting was held in-person and was also livestreamed via Zoom platform. In attendance were: Supervisor Renee Rotondo, Councilors Sheila Larkin, Ann Christmas, Judy McElhannon, Carl Dennis; Accountant 1 Tom Chartrand; Highway Superintendent B.R. Way; Town Attorney Tim Frateschi; Town Clerk Nikki Reid; County Legislator Dave Knapp; and Zoom Host Veronica Hotaling; along with 13 residents.

Supervisor Rotondo called the meeting to order at 6:31 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for the passing of Karen Pidutti.

TOWN FINANCES

Accountant Tom Chartrand gave an update on Town Finances:

Town Clerk fees had another strong month, coming in at \$3,800.00. Court fines are starting to improve; they are around 58% of budget.

General Fund: Spending at 65%; Revenue at 100%.

Highway Fund: Spending at 58%; Revenue at 97%.

R-175-21 Motion by Christmas, seconded by Larkin to accept the September 2021 Monthly Report for the Supervisor Account. All in favor. Motion carried.

R-176-21 Motion by Christmas, seconded by Dennis to accept the September 2021 Bank Reconciliation Reports and Monthly Reports for the Supervisor, Town Clerk, and Tax Collector. All in favor. Motion carried.

Accountant Tom Chartrand updated that the 2022 Budget has been adjusted from Attentive to Preliminary. A Public Hearing has been set for Thursday, October 28, 2021, at 6:30 p.m. The main highlights are the Town is under the tax cap and currently looking at \$2.66 per thousand assessed value, which is unchanged from the 2021 Budget.

R-177-21 Motion by Dennis, seconded by Christmas to approve the following transfer:

HIGHWAY FUND

From: DA590	Surplus	CHIPS, PAVENY, EWR	<u>\$174,310.00</u>
		TOTAL	\$174,310.00

To:	DA5112.2	Improvements	Capital Outlay	<u>\$174,310.00</u>
			TOTAL	\$174,310.00

GENERAL FUND

From:	A1355.4	Assessors	Contractual	\$1,000.00
	A1991.4	Contingent	Contractual	\$4,540.00
	A3310.4	Traffic Control	Contractual	\$20.00
	A5010.1	Highway Superintendent	Personal Services	<u>\$3,680.00</u>
			TOTAL	\$9,240.00

TOTAL \$38,000.00

To:	A1680.4	Central Communications System	Contractual	\$38,000.00
	A1930.4	Judgements & Claims	Contractual	\$4,500.00
	A3310.2	Traffic Control (Entry Signs)	Equipment	\$20.00
	A5010.2	Supt. Of Highways	Equipment	\$2,000.00
	A5010.4	Supt. Of Highways	Contractual	\$1,680.00
	A6410.4	Publicity	Contractual	<u>\$40.00</u>
			TOTAL	\$9,240.00

SPECIAL DRAINAGE DISTRICT FUND

From:	SD599	Appropriated Surplus	Fund Balance	<u>\$4,800.00</u>
			TOTAL	\$4,800.00
To:	SD8125.4	Hartsfield - Drainage	Contractual	\$100.00
	SD8126.4	Arbutus – Drainage	Contractual	<u>\$4,700.00</u>
			TOTAL	\$4,800.00

All in favor. Motion carried.

NYS MARIJUANA REGULATION AND TAXATION ACT (MRTA)

Town Attorney Tim Frateschi gave an update on the sale of marijuana in the Town of Pompey. In order to sell marijuana, you have to be licensed. New York State has given municipalities the ability to opt-out of on-site consumption facilities and dispensaries. The Town has until the end of the year to opt-out if it chooses to do so. Town Attorney Tim Frateschi has drafted a Local Law which if adopted, will allow the Town of Pompey to opt-out of onsite consumption facilities and dispensaries. Supervisor Rotondo explained the process that has led to the Public Hearing. New York State passed a law on March 31, 2021 that legalized the consumption of marijuana. Starting in April of 2021, the Town Board of the Town of Pompey began the dialog regarding MRTA. In May, the Town Board discussed options on how to gather information and educate the public. The Board Members decided to hold informational sessions to both educate and receive feedback from the public. The first informational session was held in July followed by one more in August. At the September meeting, the Town Board Members made the decision to have the Attorney for the Town draft a Local Law that would allow the Town to opt-out of on-site consumption facilities and dispensaries.

LOCAL LAW 2021-3 TO OPT-OUT OF CANNABIS DISPENSARIES AND ON-SITE CONSUMPTION LOUNGES

- R-178-21 Motion by Christmas, seconded by McElhannon to waive the reading of the Public Notice. All in favor. Motion carried.
- R-179-21 Motion by Dennis, seconded by McElhannon to open the Public Hearing on Local Law 2021-3 to Opt-Out of Cannabis Dispensaries and On-Site Consumption Lounges. All in favor. Motion carried.

Public Comment:

Town Resident Brittany Malone, Hamilton Road, is in favor of opting out and thanked the Town Board Members.

Supervisor Rotondo shared that Owner of Heritage Hill Brewhouse, Dan Palladino, is also in favor of opting out. He is not in favor of on-site lounges.

- R-180-21 Motion by McElhannon, seconded by Christmas to close the Public Hearing on Local Law 2021-3 to Opt-Out of Cannabis Dispensaries and On-Site Consumption Lounges. All in favor. Motion carried.

R-181-21 Motion by Rotondo, seconded by Larkin to pass Local Law 2021-3 to Opt-Out of Cannabis Dispensaries and On-Site Consumption Lounges in the Town of Pompey.

ROLL CALL VOTE

Ayes: Supervisor Rotondo; Councilors Christmas, McElhannon, Larkin, Dennis.

Noes: None

DECLARED ADOPTED

October 4, 2021

All in favor. Motion carried unanimously.

TOWN CLERK

R-182-21 Motion by Dennis, seconded by Christmas to accept the September 1, 2021 Meeting Minutes. All in favor. Motion carried.

TOWN COUNCILOR REPORTS

Councilor McElhannon gave an update on the signage in the Town of Pompey. She has been working with Nancy Abbott of Sign Solutions who has done an excellent job. The Highway Department is working on creating new posts to attach the signs to.

Council Larkin updated that she is working on forming a Social Media Policy.

R-183-21 Motion by Christmas, seconded by McElhannon to authorize Supervisor Rotondo to sign the LED Lighting Proposal. All in favor. Motion carried.

R-184-21 Motion by McElhannon, seconded by Christmas to rehire Bob Rodriguez as Codes Enforcement Officer and to be paid \$32.00. All in favor. Motion carried.

Supervisor Rotondo said she can not thank Bob and Lesley Rodriguez enough for their willingness to return to the Codes Office and how appreciative she is.

R-185-21 Motion by Larkin, seconded by Christmas to authorize Supervisor Rotondo to expand the contract with Done Best Cleaning Service to include the cleaning of the Highway Garage at \$120.00 per month, except for the first cleaning which will be \$240.00. All in favor. Motion carried.

John Rybinski appeared before the Town Board for the second time regarding the Holiday Hunt, which extends the deer hunting season through the Christmas Holiday. He drafted a Resolution that would allow the Town of Pompey to opt-out of the Holiday Hunt. He explained that the extension of the hunting season hinders all user groups from enjoying the outdoors during

the holiday season.

R-186-21 Motion by Larkin, seconded by McElhannon to adopt the Memorializing Resolution to the NYS DEC to opt-out of the Holiday Hunt which will allow Mr. Rybinski to move forward with the DEC. All in favor. Motion carried.

R-187-21 Motion by Rotondo, seconded by Christmas to authorize the issuances of an RFB for the scope of work John Shaheen has presented to the Town Board to replace the furnaces in the Town Hall with energy efficient heat pumps and high efficiency filters. All in favor. Motion carried.

County Legislator Dave Knapp came before the Town Board. Regarding Town Infrastructure, \$6,500.00 has been secured for a new water treatment system for the Town Hall; \$2,000.00 for the new water system in the Town Hall; and \$16,500.00 towards the roof on the Salt Barn.

Debbie Grenier – Cemetery Road: Is there an Enhanced Sheriff's Program? Supervisor Rotondo responded yes and it still is used for speeding and local areas where there are issues. They are still used for the Justice Court and Security. Roads are randomly patrolled to continue to catch speeders by surprise. Councilor Larkin clarified that the Sheriff's patrol Pompey regardless because it is their territory. Debbie also asked Town Accountant Tom Chartrand if the town taxes will be increasing in 2022. He stated no, the tax rate has stayed the same. Debbie asked what the Covid Stimulus money will be put towards in 2022. Town Accountant Tom Chartrand stated that money will be set aside to put towards a future re-vale of the town, a new garage roof, a new fuel monitoring system, an entrance sign, a new truck, and a portion of a new loader. Supervisor Rotondo stated that the Town of Pompey's infrastructure has been neglected for so long; the money is so beneficial to the Town.

Linda Herlihy – Watervale Road: She congratulated B.R. Way for his appointment to Highway Superintendent. She also asked what happened with the previous Codes Officer that was hired? Supervisor Rotondo stated that there was a personnel issue. Town Attorney Tim Frateschi stated that Tim Ganey submitted his Letter of Resignation and Bob Rodriguez was willing and to fill the vacancy.

Carolanne Porto – Pompey Center Road: She asked Accountant Tom Chartrand how does the equalization rate work for school taxes? He explained that property values are divided by a percentage to bring the equalization to 100%.

R-188-21 Motion by McElhannon, seconded by Rotondo to adjourn at 7:57 p.m. All in favor. Motion carried.

Respectfully Submitted,

Nicole Reid
Pompey Town Clerk