

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Monthly Meeting on Tuesday, February 14, 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 (virtually), Bill Lipe, James Loomis, and Diana Carpenter; Accountant James Pompo; Highway Superintendent B.R. Way; Town Attorney Tim Frateschi; Town Clerk Nikki Reid; Zoom Host Veronica Hotaling; along with 23 residents.

Deputy Supervisor Saleh called the meeting to order at 6:30 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for Frederick Prindle and Thomas Winn.

SEABOARD TIER 3 SOLAR PROJECT: 7000 FRANK LONG ROAD:

Bennett Ramsey, Bill Anterline, and Ryan Clark gave an initial presentation to the Town Board regarding an application for a zoning overlay consideration for a Tier 3 Solar Project located at 7000 Frank Long Road. This application was previously presented to the Planning Board. Of the 68.5 acres, 30.2 acres would be developed: 49% of the total acreage. Councilor Lipe questioned the cost of the whole project; including construction it will be north of twelve million dollars. Councilor Lipe mentioned a few major concerns he has. His first concern is regarding the \$379,000.00 decommission bond. He also stated that there is a huge drainage problem on Route 91 and asked specifically how this issue will be mitigated. Seaboard Solar Representatives said that they will install a very large and on-site permanent retention pond, or possibly even multiple retention ponds. This will capture the stormwater that is on the site before it leaves the site. Town Attorney Tim Frateschi stated that if there are draining concerns, the Town Board should require the applicant to provide a Stormwater Pollution Prevention Plan in the initial stages of this project before it considers the zone overlay change. Seaboard Solar Representatives stated that they have full blown intentions of doing a Storm Water Pollution Prevention Plan. Councilor Loomis questioned if the neighbors have been addressed at this point? They stated that they are willing to work with the neighbors; letters have been sent, and conversation have begun. Councilor Carpenter mentioned that this application is different than previous ones because Seaboard Solar will own the property for the remainder of the project, including the decommissioning state. She also questioned what the benefit to the community is. Would they consider a community host agreement? The applicant stated that they are willing to enter into an agreement and will provide incentives that would work for the Town. They have already made an agreement with National Grid and are guaranteed power lines. The Town Board made a recommendation to the applicant that the Storm Water Pollution Prevention Plan Report be received by the next Town Board meeting

and then a public hearing can be set after a Local Law is drafted by Town Attorney Tim Frateschi.

R-24-23 Motion by Loomis, seconded by Lipe to appoint Debra Rapp as Deputy Clerk 1 in the Town Clerk's Office, retroactive to January 1, 2023. All in favor. Motion carried.

TOWN FINANCES:

Property Town Tax has been received to date. NYCLASS account currently has \$1.85 million. Checking account has \$4.1 million.

R-25-23 Motion by Carpenter, seconded by Lipe to authorize Town Clerk Nikki Reid to post a Legal Notice which states that the financial statement for the year 2022 has been completed for the Town of Pompey and have been filed with the State Comptroller. Copies are on file in the Town Clerk's Office where they may be inspected by all interested parties during regular Town Clerk hours. All in favor. Motion carried.

R-26-23 Motion by Carpenter, seconded by Lipe to accept the Supervisor's Monthly Report for January 2023. All in favor. Motion carried.

TOWN CLERK:

R-27-23 Motion by Lipe, seconded by Carpenter to accept the January 2023 Bank Reconciliation Reports for the Town Clerk and Tax Collector Accounts. All in favor. Motion carried.

R-28-23 Motion by Loomis, seconded by Lipe to accept the December 28, 2022 Regular Meeting Minutes, January 4, 2023 Organizational Meeting Minutes, and the January 4, 2023 Regular Meeting Minutes. All in favor. Motion carried.

R-29-23 Motion by Lipe, seconded by Carpenter to approve the following payment of bills: Abstract Nos. 11-81, totaling \$3,381,588.62. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT:

Highway Superintendent B.R. Way stated that the Highway Department is in really good shape with salt and sand. Spring services have been started, ditching has been started, and the crew is way ahead of schedule as of right now.

CODE'S OFFICE REPORT:

Although the Code's Officer was not present, he provided the Town Board members with his 2022 annual report, as well as the January 2023 monthly report.

TOWN ATTORNEY:

- R-30-23 Motion by Lipe, seconded by Carpenter to set a Public Hearing at the next Regular Town Board Meeting, March 14, 2023 at 6:35 p.m., for the consideration of Local Law 2023-4 to amend Town Code Section 149 to update firefighter exemption provisions in accordance with recent changes in New York State Law. All in favor. Motion carried.
- R-31-23 Motion by Lipe, seconded by Loomis to authorize Supervisor Rotondo to sign the Delphi Falls Fire Department Contract. All in favor. Motion carried.

TOWN COUNCILOR'S REPORT:

Councilor Christmas was having technical difficulties so on her behalf, Councilor Lipe gave an update on the future of the Swim Program. Tully Swim Program is in option to Pompey residents, but limited to 50 participants. The cost is \$175 per day, which includes 30 days of lessons. This happens to be cheaper than what the town was paying Cazenovia College. Councilor Loomis says that Jamesville Beach is probably the best option, and at this point, the most likely one.

SUPERVISOR'S REPORT:

On behalf of Supervisor Rotondo, Deputy Supervisor Saleh gave an update on home occupations. Supervisor Rotondo intends on forming a committee to consider the issue and will draft a new local law to submit to the Board. Committee members will include both Town Officials and Town Residents. For those interested, notice will be posted on the Town of Pompey's website and Facebook page.

- R-32-23 Motion by Loomis, seconded by Carpenter to declare two 2-drawer file cabinets as scrap and to allow former Bookkeeper Tom Chartrand to retain those file cabinets. All in favor. Motion carried.
- R-33-23 Motion by Loomis, seconded by Lipe to approve Supervisor Rotondo's attendance at the Association of Towns Annual Conference in New York City from February 20-22, 2023 at the town cost of registration only; \$150.00. All in favor. Motion carried.

PUBLIC COMMENT:

Scott Armstrong – Pompey Center Road: Concerned about the pole barn on Pompey Center Road. It is not zoned for commercial use. The single-family home has been converted to a two-family home. No variance was granted on this property.

Joan Armstrong – Pompey Center Road: Wants to know what the town is willing to do regarding the pole barn on Pompey Center Road. The value of her property has decreased since this pole barn was built. The landlord is absent. The barn exceeds the height restrictions set forth in the town code.

Nathan & Jane Podkaminer – Kinder Lane: Is it possible for the Planning Board to make a presentation on their findings and the SWIP report to the Town Board? They are concerned since Frank Long Road is a fragile road and already has drainage issues.

Mark Robinson – Number 2 Road: Mentioned two businesses that are being run in the town that need enforcement from the Town’s Code Officer.

R-34-23 Motion by Loomis, seconded by Carpenter to enter into Executive Session at 8:13 p.m. to discuss the collective bargaining agreement. All in favor. Motion carried.

R-35-23 Motion by Lipe, seconded by Loomis to return to Regular Session from Executive Session at 8:15 p.m. All in favor. Motion carried.

All present Board Members, along with Councilor Christmas via video conferencing, reviewed and the Collective Bargaining Agreement with Teamsters Local 317 as presented to the Town Board.

R-36-23 Motion by Lipe, seconded by Carpenter to accept the Collective Bargaining Agreement with Teamsters Local 317, effective January 1, 2023 – December 31, 2023, as presented to the Town Board. All in favor. Motion carried.

R-37-23 Motion by Loomis, seconded by Carpenter to adjourn at 8:17 p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid
Pompey Town Clerk