

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Meeting on Monday, December 5, 2022 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 Ann Christmas, David Angello, Bill Lipe, James Loomis; Highway Superintendent B.R. Way; Accountant Tom Chartrand; Town Attorney Tim Frateschi; Zoom Host Veronica Hotaling; along with 15 residents.

Supervisor Rotondo called the meeting to order at 6:36 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for this season of light and hope and for this month that we can all find some peace and good health.

PUBLIC HEARING ON LOCAL LAW 2022-4

R-201-22 Motion by Rotondo, seconded by Christmas to declare the Town Board as Lead Agency for Local Law 2022-4. All in favor. Motion carried.

Town Attorney Tim Frateshi read through the 11 questions on the SEQR to determine the environmental significance of the adoption of Local Law 2022-4 that would repeal and replace the Pompey Fire and Building Code with the State recommended changes.

R-202-22 Motion by Angello, seconded by Christmas to declare a negative declaration under SEQR. All in favor. Motion carried.

R-203-22 Motion by Christmas, seconded by Rotondo to open the public hearing at 6:43 p.m. to consider the adoption of Local Law 2022-4 that would repeal and replace the Pompey Fire and Building Code with the State recommended changes. All in favor. Motion carried.

Debbie Grenier: Can you highlight some of the things that are changing that would affect the building and fire code? Supervisor Rotondo responded that there is an opportunity for virtual inspections of events, which would be at the discretion of the Codes Enforcement Officer. There is also the possibility of the expansion of the operating permits. Town Attorney Tim Frateschi also read some additional information from the Department of State's fact sheet.

R-204-22 Motion by Christmas, seconded by Lipe to close the public hearing at 6:49 p.m. All in favor. Motion carried.

R-205-22 Motion by Loomis, seconded by Lipe to approve Local Law 2022-4 that would repeal and replace the Pompey Fire and Building Code with the State recommended changes. All in favor. Motion carried.

PUBLIC HEARING ON LOCAL LAW 2022-5

Supervisor Rotondo gave a brief overview on how the consideration of adopting a local law that would amend the town code even began. This past year, there have been a few residents that have been interested in applying for a home occupation permit. It was then discovered that the town does not have an application for this type of permit, and a form would have to be created. It was then discovered that under the current code, the Planning Board, who is in charge of doing site plan review, does not have authority to do so. A draft has been started that explains how the town wants home occupations going forward to be regulated. It will require Site Plan Review before the Planning Board.

R-206-22 Motion by Rotondo, seconded by Christmas to waive the reading of the notice of the public hearing. All in favor. Motion carried.

R-207-22 Motion by Loomis, seconded by Angello to open the public hearing at 6:56 p.m. to consider the adoption of Local Law 2022-5 to amend Chapter 165 of the town code entitled "Zoning" of the Town of Pompey to clarify the approval of home occupation site plans.

PUBLIC COMMENT:

Joel Cheely, Number 2 Road East: There are four home occupation businesses across the street from where he lives on Number 2 Road East. He was curious as to whether any of these businesses have the special permits required to be in compliance where they are located. He believes anyone who has a home occupation business should get a permit to do so.

Mark Robinson, Number 2 Road East: He provided the Town Board Councilors with pictures from a home occupation business on his road. He stated that the resident was issued a Stop Work order but has been continuing to work anyway. He also stated that the warehouse the resident is building is on Federal Wetlands. He is curious about what inspections have been done. He also asked if the resident will be paying residential taxes or business taxes. He put in a driveway that was never approved.

Alvin Merz, Number 2 Road East: He's concerned about the traffic on Number 2 Road East. Because of these home occupations, there are tractor trailers that come up and down the road constantly.

Judy Robinson, Number 2 Road East: She lives right next door to the home occupation business that is causing so many issues. She provided pictures of the numerous mail trucks that come daily. She's lived on Number 2 Road East since 1957 and said the traffic to this property has gotten out of control.

Kim Jarvis, Number 2 Road East: She's been living on Number 2 Road East for the last twenty years. She and her husband have two small children and she does not want tractor trailers driving on their road, she's concerned about the weight on the road. They already have a speed issue.

Supervisor Rotondo stated that the Planning Board met last month regarding Local Law 2022-5 which would amend Chapter 165 of the Town Code to clarify the approval of Home Occupation Site Plans. They came up with a list of proposals of suggested changes that include parking issues, accessory structures, different standards of different zones, traffic (more than what would normally be on the road), on premises sales of merchandise would be prohibited.

Carol Porto, Pompey Center Road: There is a humongous pole barn on Pompey Center Road that takes up all the property. If this resident decides they want to run a business out that pole barn, what will prohibit that? Supervisor Rotondo responded that there are restrictions on specific uses, which are located within the specific zones and that specific property could not sustain an agriculture-based business.

The Town Board Members agreed to leave the public hearing open for another month. They would like to hear more community feedback. Residents are encouraged to email their comments and suggestions to the Board Members.

R-208-22 Motion by Loomis, seconded by Christmas to continue the public hearing for Local Law 2022-5 on Wednesday, January 4, 2023, at 6:35 p.m. All in favor. Motion carried.

TOWN FINANCES:

Supervisor Rotondo stated how she received a letter from Accountant Tom Chartrand regarding his resignation as Accountant 1. He stated that it's been his pleasure working with many town supervisors and boards since he started his career at the town in 1994. It is his intention to contract with the town and provide his knowledge and experience under Thomas Chartrand Accountant for part of 2023. He will work with the new accounting services as a source of reference. His last day as Bookkeeper to the Supervisor will be December 31, 2022. Supervisor Rotondo spoke on everyone's behalf and stated how sadly they accept his resignation and that he is truly a treasure.

Town Accountant Tom Chartrand gave his monthly report. It was another strong month for Town Clerk fees; a little over \$5,000.00. Great news on NYCLASS interest rate; it's up to nearly 3.6%. It was a light month for court fines. After waiting 8 months, the \$50,000.00 multi-modal grant finally came in. The first half of the grant from the County for the Preserve Drainage has been received as well as the \$400,000.00 from the SAM Grant which was put towards the new Gradeall.

General Fund: Spending at 78%; Revenue at 96%
 Highway Fund: Spending at 73%; Revenue at 95%

R-209-22 Motion by Christmas, seconded by Lipe to accept the Supervisor's Monthly Report for November 2022. All in favor. Motion carried.

R-210-22 Motion by Christmas, seconded by Lipe to accept the November 2022 Bank Reconciliation Reports for Supervisor, Town Clerk, and Tax Collector Accounts. All in favor. Motion carried.

R-211- 22 Motion by Christmas, seconded Angello to approve the payment of General Fund Abstract Nos. 404-458, totaling \$18,955.72; Highway Abstract Nos. 192-213, totaling \$51,462.51; Special District Nos. 28-28, totaling \$401.3; Capital Fund Nos. 2-4, totaling \$613,805.73. All in favor. Motion carried.

R-212-22 Motion by Rotondo, seconded by Christmas, to approve the following transfer:

GENERAL FUND

From:	A1440.4	Engineer	Contractual	\$5,000.00
	A1640.4	Central Garage	Contractual	<u>\$500.00</u>
			TOTAL	\$5,500.00
To:	A1220.4	Supervisor	Contractual	\$100.00
	A1620.2	Buildings	Equipment	\$4,000.00
	A1680.4	Central Communications System	Contractual	\$900.00
	A1640.1	Central Garage	Personal Services	<u>\$500.00</u>
			TOTAL	\$5,500.00

All in favor. Motion carried.

R-212-22 Motion by Christmas, seconded by Lipe to allow Supervisor Rotondo to make any necessary year-end budget transfers. All in favor. Motion carried.

R-213-22 Motion by Christmas, seconded by Loomis to hold a Special Year-End Board Meeting on Wednesday, December 28, 2022 at 6:30 p.m. All in favor. Motion carried.

TOWN CLERK'S REPORT:

R-214-22 Motion by Rotondo, seconded by Christmas to accept the November 2, 2022 meeting minutes. All in favor. Motion carried.

R-215-22 Motion by Rotondo, seconded by Christmas to accept the resignation from Pat Frazee from the Zoning Board of Appeals. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT'S REPORT:

R-216-22 Motion by Rotondo, seconded by Loomis to approve comp time in the amount of 60 hours for Ed Lelakowski and to approve comp time in the amount of 20 hours for Wyatt Burdin. All in favor. Motion carried.

R-217-22 Motion by Angello, seconded by to authorize Town Clerk Nikki Reid to write a Letter of Intent to hire Cyncon Equipment to provide the following as proposed in the quote in the sum off \$292,312.00 for Statewide Sourcewell Contract #093021-BUC for the purchase of a Bucher V65T Vacuum Street Sweeper and to authorize Town Clerk Nikki Reid to write a Letter of Intent to hire Beam Mack Sales Service, Inc. to provide the following as proposed in the quote in the sum off \$216,091.30 for Statewide Contract #8996 for the purchase of a CHASSIS. All in favor. Motion carried.

TOWN ATTORNEY'S REPORT:

Town Attorney Tim Frateschi drafted two resolutions that call for a public hearing regarding Local Law 2022-6 and Local Law 2022-7.

R-218-22 Motion by Rotondo, seconded by Christmas to hold a Public Hearing on Wednesday, December 28, 2022 at 6:35 p.m. for the consideration of Local Law 2022-6 to AMEND ARTICLE III OF CHAPTER 149 OF THE TOWN CODE ENTITLED "TAXATION", TO INCREASE THE INCOME LIMIT FOR THE SENIOR CITIZEN TAX EXEMPTION PERSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW and for the consideration of Local Law 2022-7 to AMEND ARTICLE III OF CHAPTER 149 OF THE TOWN CODE ENTITLED "TAXATION", TO INCREASE THE INCOME LIMIT FOR THE PERSONS WITH DISABILITY EXEMPTION PERSUANT TO SECTION 459-c OF THE REAL PROPERTY TAX LAW. All in favor. Motion carried.

COUNCILORS' REPORT:

Councilor Angello gave an update on the status of the Preserve drainage project. The final walk through has been done and Councilor Angello stated that he can say with confidence that the drainage issues that have been going on for over 20 years have been corrected. He thanked Supervisor Rotondo and the Town Board Members for their help in resolving the situation and stated that JJ Lane did a great job. Supervisor Rotondo gave credit to Councilor Angello for being a great advocate for his neighborhood.

SUPERVISOR'S REPORT:

Supervisor Rotondo gave an update on the Pompey Hill Cemetery Organizational meeting which occurred on November 10th at the Pompey Community Church. The meeting was well attended and many of the residents who attended are able to be a part of the cemetery board, which would be defunct as of this year since the last living member is resigning. She stated that this is such a testament to this community coming together to help the cemetery, which is in such need of attention.

R-219-22 Motion by Christmas, seconded by Lipe to designate Supervisor Rotondo as Delegate to the NYS Association of Towns Conference. All in favor. Motion carried.

R-220-22 Motion by Rotondo, seconded by Christmas to appoint Pam O'Malley to fulfill the unexpired term of the vacancy on the Environmental Conservation Committee. All in favor. Motion carried.

R-221-22 Motion by Christmas, seconded by Angello to authorize Supervisor Rotondo to sign both contracts with CNY SPCA for dog control and for the prevention of cruelty to animals for 2023 in the amount of \$5,274.40. All in favor. Motion carried.

R-222-22 Motion by Christmas, seconded by Lipe to authorize Supervisor Rotondo to sign the Manlius Fire Protection Agreement for Fire and Ambulance Services in the amount of \$721,817.00. All in favor. Motion carried.

Supervisor Rotondo stated that there is a new round of Main Street Beautification funding coming for commercial businesses on Main Street in the business district in the Town of Pompey. Another condition has been added to the previous requirements; the applicant must certify that they have no open code violations and that their property taxes are current. Information will be posted on the Town of Pompey's website; the deadline to apply is January 13, 2023.

R-223-22 Motion by Loomis, seconded by Lipe to authorize Supervisor Rotondo to send a formal letter to the Town Justices requesting regularly scheduled Justice Court Clerk hours. All in favor. Motion carried.

PUBLIC COMMENT:

Debbie Grenier, Cemetery Road: Sent an email last week asking for an external audit of the town for several reasons and asked the board to consider doing one.

Jim Schoonmaker, Watervale Road: Make a motion, put it before the board and vote no to settle the request for an audit.

Nancy Furdock: Is there a way to calculate how much taxes will increase regarding the senior citizen tax exemption, prior to the public hearing?

Carol Porto, Pompey Center Road: How many people in this town receive exemptions?

Councilor Angello stated that this is his last board meeting and he wanted to thank everybody. He's learned a lot about politics and truly enjoyed being on the board. He appreciates everyone that has attended meetings and bringing their concerns and thoughts forward. The only way to have a better town moving forward is open communication and looking at what the issues are and trying to come up with a solution. He congratulated Diana Carpenter on her win in the election and wished her good luck and wished her nothing but the best.

R-224-22 Motion by Christmas , seconded by Angello to adjourn at 8:54 p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid
Pompey Town Clerk