

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held it's Regular Meeting on Monday, August 2, 2021 at 6:30 p.m. The meeting was held in-person and was also livestreamed on the Town of Pompey's Facebook page and via Zoom platform. In attendance were: Supervisor Renee Rotondo, Councilors Sheila Larkin, Judy McElhannon, Carl Dennis; Accountant 1 Tom Chartrand; Town Attorney Tim Frateschi; Town Clerk Nikki Reid; Zoom Host Veronica Hotaling; along with 18 residents.

Supervisor Rotondo called the meeting to order at 6:32 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for the passing of Michiko Stultz who will be sorely missed.

INFORMATIONAL SESSION ON NYS MARIJUANA REGULATION AND TAXATION ACT (MRTA)

This was the second Informational Session held by the Pompey Town Board regarding the New York State Marijuana Regulation and Taxation Act that was passed by the State Legislature earlier this year. Town Attorney Tim Frateschi gave another brief overview of what authority the Town has. The Town of Pompey has the opportunity to opt-out of the allowance of licensed On-Site Consumption Facilities and Dispensaries but must do so by the end of the year. The Town can always opt-in at a later time. If the Town does not opt-out by the end of the year, there will not be another opportunity to do so.

Public Comment:

Donald Chrysler, Old Coleman Hill Road: After talking with the boy scouts, they are concerned that this will lead to something stronger than marijuana. He does not want this opportunity to be available in our community.

Supervisor Rotondo read into the record, 4 emails that she received from Town Residents regarding this matter.

Hollie Frazee, Number 5 Road: Opt-out.

Barbara Virgil, Number 4 Road: Opt-out.

Joe Lormand, Squirrel Corn Lane: Opt-out.

Richard Mosesson, Indian Hill Road: Don't opt-out.

After having two Informational Sessions and much discussion, the Pompey Town Board decided to opt-out of allowing On-Site Consumption Facilities and Dispensaries in the Town of Pompey. Town Attorney Tim Frateschi will draft a Local Law and a Public Hearing will be scheduled for October 4, 2021.

R-146-21 Motion by Rotondo, seconded by McElhannon to open the Public Hearing at 6:46 p.m. for the Unsafe Buildings located at 7364 Cherry Street, Pompey Hill, owned by Frank and Linda Chrysler. All in favor. Motion carried.

Property owner Don Chrysler agrees that there are issues with the property located at 7364 Cherry Street. During this past winter, heavy snowfall and accumulation caused the garage roof and back shed to collapse and cave in. He did reach out to an Amish company; they were supposed come in June and reset the walls and take down the old section but now they are not able to do the work until the end of August. He talked about the structure and the beams of the house that was built in 1807. Chrysler had hopes that this property could be renovated and eventually transformed into a Bed-and-Breakfast. He said that the last ten years that he's owned this property he has financially struggled with it. He did reach out to Nicholas Construction to get a quote on how much it would cost to demolish the property. Supervisor Rotondo asked Mr. Chrysler what has been done to the property since the last time he came before the Town Board five years ago. He stated that he has not done anything in the last five years. Councilor Larkin asked Mr. Chrysler what his plans are for the property if he is able to fix it up; he stated that he would like to see it become a small Bed-and-Breakfast; Councilor Dennis responded parking would be an issue. Supervisor Rotondo gave Frank Chrysler two options: He can repair and restore the property so that it's no longer dangerous and unsafe or his second option is to demolish the property. Unfortunately, due to the unsafe and dangerous conditions of this property, the County will not offer a beautification grant.

Town Attorney Tim Frateschi responded to Mr. Chrysler that the property has been deemed unsafe by both the Town's Code Enforcement Officer and the Town Board and action needs to be taken. He suggested that Mr. Chrysler hire an Engineer to evaluate whether or not the property is structurally salvageable and come before the Town Board with his findings. Town Attorney Tim Frateschi also stated that as of today, the property is unsafe, and can be taken down by the Town within 90 days which will be extremely expensive. Mr. Chrysler asked the Town Board if he can come to the next Town Board meeting to show his progress on getting the property evaluated by an Engineer; the Town Board agreed to his request however they did inform him that the demolition of the garage must be commenced in the next thirty days. Codes Enforcement Officer Bob Rodriguez also added the rear porch needs to be taken down and all openings, including windows, must be boarded up. Mr. Chrysler said he would do this and will appear before the Town Board on September 1, 2021.

R-147-21 Motion by Dennis, seconded by McElhannon to close the Public Hearing at 7:09 p.m. for the Unsafe Buildings located at 7364 Cherry Street, Pompey Hill, owned by Don and Linda Chrysler. All in favor. Motion carried.

R-148-21 Motion by Dennis, seconded by Larkin to declare the garage as an unsafe structure, to be demolished commencing within the next 30 days, to declare the back porch on the house as an unsafe structure, to be demolished commencing within the next 30 days, that all the windows and openings in the house to be

secured and closed commencing within the next 30 days. All in favor. Motion carried.

The Town Board indicated that it would wait to hear from the Property Owner on September 1, 2021 to determine whether or not from an engineering standpoint that the house can be salvaged and restored, for the property owned by Donald and Linda Chrysler, located at 7364 Cherry Street, Pompey Hill.

After speaking with Dan Bender from NetManageIT, Supervisor Rotondo learned that the Town can save money if it upgrades the current phone system to a cloud-based VOIP phone system. Dan Bender recommended Phone Consultant Brian Carr. After working with Brian, she learned that significant money will in fact be saved. If the Town upgrades its phone system and additionally connects with the Highway Department, the monthly bill will go from over \$700 per month to less than \$300 per month. Both the Supervisor and the Town Clerk participated in several virtual meetings with Dan Bender and Brian Carr and have been given 3 different proposals. Brian Carr gave a brief overview to the Town Board on the different capabilities of the new phone system.

R-149-21 Motion by McElhannon, seconded by Larkin, to upgrade to a cloud-based VOIP phone system and to enter into a 3-year-contract with BroadVoice. All in favor. Motion carried.

TOWN FINANCES

Accountant Tom Chartrand gave an update on Town Finances:

The Town of Pompey received the first half of the ARPA funding: \$371,609.89

The Town of Pompey received the first half of the County Mortgage Tax: \$153,000.00. The second payment will be received at the end of November 2021.

R-150-21 Motion by Dennis, seconded by McElhannon to accept the July 2021 bank reconciliation reports and monthly reports for the Supervisor and Town Clerk. All in favor. Motion carried.

R-151-21 Motion by Rotondo, seconded by McElhannon to approve the payment of General Fund Abstract Nos. 252-275, totaling \$21,337.41; Highway Fund Abstract Nos. 118-131, totaling \$95,037.39; Special District Abstract Nos. 26-26, totaling \$48,405.00. All in favor. Motion carried.

General Fund: Spending at 51%; Revenue at 98%.

Highway Fund: Spending at 40%; Revenue at 93%.

TOWN CLERK

R-152-21 Motion by Dennis, seconded by Larkin to accept the July 7, 2021 meeting minutes. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Tom Purcell was not present at the meeting. Supervisor Rotondo updated that the status of the salt barn roof repair is still being negotiated through the Insurance Company and the County Contractor due to the cost of the repair. Supervisor Rotondo also took a moment to thank the Highway Department for the work they did on the park in the Pompey Hill Hamlet.

TOWN ATTORNEY

R-153-21 Motion by McElhannon, seconded by Larkin to apply for and accept the 2021 Justice Court Assistance Program as set forth in the resolution prepared by the Attorney for the Town. All in favor. Motion carried.

Town Attorney Tim Frateschi gave an update on the resident request for a sign ordinance on #2 Road. He recommended that the Town should not pass any laws that would regulate No Trespassing signs. This seems to be an isolated dispute between neighbors and that is not the best situation to pass a local law for the entire Town. Resident Richard Kimball responded that although this may not be illegal, this is wrong and should be considered a public nuisance. Supervisor Rotondo responded that the Town Board will not adopt an ordinance for a neighborhood dispute. Another resident whose property is affected by the excessive signs said that they are posted signs right near his kids' playset and considers this an intent to harass them. Supervisor Rotondo recommended reaching out to a Dispute Resolution Service to resolve this neighborhood dispute, she even offered to share some resources with them.

CODES ENFORCEMENT OFFICER

Codes Enforcement Officer Bob Rodriguez gave an update on the process of the Pompey Center Road eviction. The residents residing there have been evicted and the house has been sold. The new owners are already in the process of repairing the house and barn, including new siding and a new roof.

Syracuse Time and Alarm will be installing the new fire alarm system this upcoming month.

Codes Clerk Leslie Rodriguez has withdrawn her letter of resignation; Town Clerk Nikki Reid has accepted it, and she will continue to work with the new Codes Officer Tim Ganey.

TOWN COUNCILOR REPORTS

Town Councilor Christmas was not present at the meeting but did nominate Marybeth Pazaras to be appointed as the Planning Board and Zoning Board of Appeals Secretary.

R-154-21 Motion by Larkin, seconded by McElhannon to appoint Marybeth Pazaras as the Planning Board and Zoning Board of Appeals Secretary. All in favor. Motion carried.

R-155-21 Motion by Rotondo, seconded by Dennis to change the Planning Board and Zoning Board of Appeals Secretarial Position from salary to an hourly rate of \$13.00. All in favor. Motion carried.

Supervisor Rotondo stated that Councilor Christmas and Planning Board Chair Sue Smith have been putting together a Tier 3 Resource Manual for the Town Board and Planning Board, which will be extremely helpful.

Councilor Dennis reported that the schoolhouse repair came out beautifully and they did an excellent job repairing it. He also reported that John Kennedy is working on repairing the Oxen. John will reach out to the Highway Department to complete the project.

SUPERVISOR REPORT

As a result of the Special Meeting held on July 26, 2021 regarding the ARPA and County ARPA funding workshop, Supervisor Rotondo stated that there is no rush to figure out the best way to spend the ARPA funds, however the County ARPA funding is time sensitive. Highway Superintendent Tom Purcell is getting a quote from Josall Roofing for the cost of material for a new metal roof on the original Highway Garage. He is also getting a quote for the oil and water separator, a water treatment system, and a water heater for the Town Hall.

R-156-21 Motion by Larkin, seconded by McElhannon to authorize the Supervisor to apply for the County ARPA Capital Improvements Program. All in favor. Motion carried.

Supervisor Rotondo updated that the County Water and Environmental Protection Agency has decided that the Preserve Drainage Project does qualify for the \$200,000.00 Sewer Consolidation Lease. She thanked County Legislator Dave Knapp for his help getting this approved.

The Unified Solar Permit has been finalized; a \$175.00 application fee has been set in place.

Supervisor Rotondo stated that all 4 benchmarks "NYSERDA Clean Energy Community have been completed. She would like to use the \$5,000.00 that the Town will be receiving to put towards energy efficient LED lighting in the Town Buildings.

Supervisor Rotondo gave an update on the Sweet Road Speed Reduction. The County put up the 45 mile per hour speed signs in the wrong places, then removed them, and put them in other places. Supervisor Rotondo would like to appeal the new placement of the signs in the buffer zone, which does not come close to the areas of concern.

R-157-21 Motion by McElhannon, seconded by Dennis to authorize the Supervisor to appeal the Sweet Road Speed Reduction decision. All in favor. Motion carried.

Supervisor Rotondo talked with the Sheriff's Office about the special detail requests for certain roads in the Town of Pompey. She is going to have the Sheriff's come out randomly a couple of times a week and target the roads that are known for excessive speeding.

Public Comment:

Ed Deziley, Cherry Street:

"I'm offended about a lot of things in the Country, but my flag isn't one of them". Supervisor Rotondo stated that the Town has received numerous complaints about the curse word on the flag hanging at their property on Cherry Street. The homeowners responded that they won't take the flag down.

Greg Herlihy, Pompey Center Road:

"Madam Supervisor Please cease criticizing the work of previous code enforcement officers in such a public fashion. I think they all had the Towns best interest at heart, and worked well with our builders and residents while respecting the fundamental right of people who pay dearly for what they struggle to own and improve within the confines of the law. I think you might be putting the Town in great legal peril thru your reckless and quite frankly classless statements. If I were any of them you would be speaking with an attorney. Think about that please before you speak. I value my tax dollars and don't want them spent paying legal settlements. Very unprofessional. You owe them all Thank You!"

Diane Carpenter:

"Thank you for arranging that. The cars on 20 also passing school buses with reds on"

Jamie Epstein, Henneberry Road:

"Can we please talk about all the break ins lately not only in Pompey but several other towns. There was break ins last night in Pompey! Troopers admitted they have trying to catch these guys for a year, and we feel like nothing is being done about it". Supervisor Rotondo remarked that law enforcement is doing the best they can with what resources they have, but there are break-ins everywhere. She recommended using video cams, locking doors – cars and houses – and not leaving anything in view.

R-158-21 Motion by Dennis, seconded by McElhannon to adjourn at 8:26 p.m. All in favor. Motion carried.

Respectfully Submitted,

Nicole Reid
Pompey Town Clerk