

## TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Monthly Meeting on December 7, 2020. It was held via video conferencing, as permitted by the NYS Open Meetings Law and Executive Order 202.1. This is based upon notices and health advisories issued by Federal, State, and Local officials related to the COVID-19 virus. Board members remotely attended the meeting by connecting to video conference from an electronic device. For the public's viewing, the video conferencing meeting was hosted via zoom. There were some technical difficulties, so it was not livestreamed on Facebook, however all residents were given the zoom link if they wanted to participate in the meeting.

The following remotely attended: Supervisor Renee Rotondo, Councilors Judy McElhannon, Ann Christmas, Carl Dennis; Highway Superintendent Tom Purcell; Accountant 1 Tom Chartrand; Attorney for Town Tim Frateschi; Codes Officer Bob Rodriguez, Town Clerk Nikki Reid; County Legislator David Knapp, CYN Regional Planning and Development Board Amanda Mazzoni, and Zoom Host Veronica Hotaling.

Supervisor Rotondo called the meeting to order at 6:34 p.m. followed by the Pledge of Allegiance.

CYN Regional Planning and Development Board Amanda Mazzoni gave a presentation on LED Lighting for the Town. If the Town chose the utility-owned LED option, National Grid would continue to own and maintain the town street lights just as they do now, as well as buy the streetlights, perform the conversion, and continue to maintain the streetlights. This is the cheaper and quicker option. The second choice would be the Municipal Purchase option. The town would buy the streetlights from National Grid, pay for all LED conversion materials and labor, and be responsible for maintaining them. This option is a lot more complicated and expensive. The Town of Pompey currently has 122 high pressure sodium cobra head luminaires. The cost to covert the current lights to LED lights would be \$13,107.81. With \$6,720 in available estimated incentives, the total cost to the town to convert to LED lights would be \$6,387.81. The annual savings from converting to LED would be \$3,460.72 (21.8%). Town Bookkeeper Tom Chartrand ran some numbers and said that if we did this very early in 2021, we would need to come up with an additional \$3,200.00 in our budget to cover the cost of the project. He also stated that every month we wait, we'd add another \$500 to \$600 dollars to the cost because we wouldn't have the savings on the LED lights.

Bookkeeper Chartrand gave a report on the December financials: He advised the Board of the percentage of year-to-date spending as of the end of November: General Fund: at 69%; Highway at 77%, Revenue for General Fund: at 93%; Revenue for Highway: at 97%. Regarding the interest on NYCLASS, we are at .085. The Town also received a substantial mortgage tax of roughly \$150,000.00 which was \$100,000.00 above what was budgeted for.

R-180-20 Motion by Christmas, seconded by McElhannon to approve the reconciliation of bank statements and the monthly reports for the Supervisor, Tax Collector and Town Clerk bank accounts for the month of November. All in favor. Motion carried.

R-181-20 Motion by Christmas , seconded by McElhannon to approve the payment of General Fund Abstract Nos. 359-413, totaling \$23,365.07; Highway Fund Abstract Nos. 193-209, totaling \$10,560.79; Special District Fund Nos. 39-40, totaling \$620.54; Trust and Agency Abstract Nos. 15-16, totaling \$1,124.69. All in favor. Motion carried.

R-182-20 Motion by Dennis, seconded by McElhannon to approve the following transfer:

GENERAL FUND

From:	A3120.4	Police & Constable	Contractual	<u>\$1,000.00</u>
			TOTAL	\$1,000.00

To:	A1480.4	Public Information (website)	Contractual	\$900.00
	A4289.4	Health Other (COVID)	Contractual	<u>\$100.00</u>
			TOTAL	\$1,000.00

SPECIAL DRAINAGE DISTRICT FUND

From:	SD599	Appropriated Surplus	Fund Balance	<u>\$2,400.00</u>
			TOTAL	\$2,400.00

To:	SD8121.4	Pompey Pines – Drainage	Contractual	\$700.00
	SD8127.4	Arbutus Sect. 3 – Drainage	Contractual	<u>\$1,700.00</u>
			TOTAL	\$2,400.00

All in favor. Motion carried.

R-183-20 Motion by Christmas, seconded by McElhannon to allow Supervisor Rotondo to make any necessary year-end transfers. All in favor. Motion carried.

R-184-20 Motion by Dennis, seconded by McElhannon to set the final general payroll to coincide with the December 24, 2020 highway payroll. All in favor. Motion carried.

R-185-20 Motion by Dennis, seconded by Rotondo to enter into an agreement with the Central New York Planning Board and National Grid to replace the existing lights with LED lights, subject to attorney approval. All in favor. Motion carried.

R-186-20 Motion by Rotondo, seconded by Dennis to schedule a Town Board Special Meeting and do year-end business on Monday, December 28, 2020 at 6:30 p.m.

R-187-20 Motion by McElhannon, seconded by Christmas to accept the November 4, 2020 minutes. All in favor. Motion carried.

Town Clerk Reid gave an update on new hours of operation. The Town Clerk’s Office continues to operate by appointment only: Monday through Thursday from 9am to 4pm. Starting in January the office will be open on Saturdays from 9am to 12pm during tax collecting season. Due to Covid-19, there are also adjustments that need to be made during the upcoming tax collecting season. All taxpayers are strongly encouraged to mail in their tax payment and if possible, please avoid coming to the Town Hall. A drop box will be installed outside of the Town Hall for people who need to pay in person. All taxpayers need to enter the property from the Pompey Center Road entrance and exit from the Route 20 entrance.

Highway Superintendent Purcell shared his plan for plowing if the highway crew has to COVID quarantine. He has three extra people who are willing to plow as well as the surrounding towns and county.

Codes Enforcement Officer Rodriguez is working on window proposals for the Town Hall. He also reported that year-to-date, 109 permits have been issued and 4 more are in process. Year-to-date fees collected: \$14,443.00.

R-188-20 Motion by Dennis, seconded by McElhannon to adopt the following Resolution

---

**IN THE MATTER**

**of**

**AUTHORIZING THE SUPERVISOR TO  
SIGN AN AGREEMENT WITH THE  
CENTRAL NEW YORK REGIONAL  
PLANNING BOARD FOR CNY  
STORMWATER COALITION STAFF  
SERVICES AND EDUCATION  
COMPLIANCE ASSISTANCE PROGRAM**

---

**RESOLUTION 2020-3**

The **TOWN BOARD OF THE TOWN OF POMPEY**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Pompey [in virtual session on the interactive platform commonly referred to a Zoom], located at 8354 U.S. Route 20, Manlius, NY 13104 County of Onondaga, State of New York, on the 7<sup>th</sup> of December, 2020, at 6:30 p.m.

The meeting was called to order by Renee Rotondo, Supervisor, and the following were present, namely:

	Renee Rotondo	Supervisor
	Ann Christmas	Councilor
	Carl Dennis	Councilor
	Judy McElhannon	Councilor
Absent:	Sheila Larkin	Councilor

WHEREAS, **TOWN OF POMPEY**, herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by

distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF POMPEY**

1. That RENEE ROTONDO, Supervisor of the Town of Pompey, or such person's successor in office, is the representative authorized to act on behalf of the Municipality's governing body in all matters related the Project;
2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

I, **NIKKI REID**, Town Clerk of the Town of Pompey, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Pompey at a regular meeting of the Board duly called and held on the 7<sup>th</sup> day of December, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I **FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Pompey, this 7<sup>th</sup> day of December, 2020.

**DATED: December 7, 2020**  
**Pompey, New York**

---

**Nikki Reid**  
**Town Clerk of the Town of Pompey**  
**Onondaga County, New York**

The resolution was declared adopted.

Nikki Reid  
Town Clerk

All in favor. Motion carried.

R-189-20 Motion by McElhannon, seconded by Dennis to adopt the following Resolution:

---

**IN THE MATTER**

**Of**

**AUTHORIZING THE SUPERVISOR TO SIGN AN  
AGREEMENT WITH THE ONONDAGA COUNTY  
RESOURCE RECOVERY AGENCY**

---

**RESOLUTION 2020-4**

The **TOWN BOARD OF THE TOWN OF POMPEY**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Pompey [in virtual session on the interactive platform commonly referred to a Zoom], located at 8354 U.S. Route 20, Manlius, NY 13104 County of Onondaga, State of New York, on the 7<sup>th</sup> of December, 2020, at 6:30 p.m.

The meeting was called to order by Renee Rotondo, Supervisor, and the following were present, namely:

	Renee Rotondo	Supervisor
	Ann Christmas	Councilor
	Carl Dennis	Councilor
	Judy McElhannon	Councilor
Absent:	Sheila Larkin	Councilor

**WHEREAS**, the Town of Pompey and the Onondaga County Resource Recovery Agency (“OCCRA”) have agreed to work together to transport all of the Town’s refuse and recyclables to the integrated Onondaga County Solid Waste Management System;

**WHEREAS**, a vital component of the Solid Waste Management System was to recover, market and sell recyclable materials to offset the cost of operating the Solid Waste Management System as set forth in the County Source Separation Law;

**WHEREAS**, over the past several years the markets for recyclable materials has become substantially non-existent, thus creating a deficit in the operating costs related to the Solid Waste Management System;

**WHEREAS**, as a result of these closed markets, OCRAA has determined that a new recycling tipping fee of \$34 per ton must be implemented to fill the deficit caused by the inability to sell recyclable materials;

**WHEREAS**, the Town desires to continue to participate in the Solid Waste Management System and further desires to continue the contractual relationship with OCCRA;

**NOW THEREFORE BE IT,**

**RESOLVED, that the** Town of Pompey hereby authorizes the Town Supervisor to enter into the “Agreement for Use of the OCRAA Waste Management System” as presented to the Board on December 7, 2020; and be it

**FURTHER RESOLVED**, that the Supervisor is authorized to take any, and all, steps necessary to implement this contract.



I, **NIKKI REID**, Town Clerk of the Town of Pompey, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Pompey at a regular meeting of the Board duly called and held on the 7<sup>th</sup> day of December, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I **FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Pompey, this 7th day of December, 2020.

**DATED: December 7, 2020**  
**Pompey, New York**

---

**Nikki Reid**  
**Town Clerk of the Town of Pompey**  
**Onondaga County, New York**

The resolution was declared adopted.

Nikki Reid  
Town Clerk

All in favor. Motion carried.

Supervisor Rotondo called the SPCA and asked for 3 years' worth of data for both dog control and animal cruelty. There have been well over 65 calls and more than 25 dogs have been seized.

R-190-20 Motion by Dennis, seconded by Christmas to adopt the following Resolution:

---

**IN THE MATTER**

**Of**

**AUTHORIZING THE SUPERVISOR TO SIGN AN  
AGREEMENT WITH THE ONONDAGA COUNTY SPCA  
FOR ENFORCEMENT SERVICES UNDER ARTICLE 26  
AND ARTICLE 7 OF THE AGRICULTURE AND MARKETS  
LAW**

---

**RESOLUTION 2020-5**

The **TOWN BOARD OF THE TOWN OF POMPEY**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Pompey [in virtual session on the interactive platform commonly referred to a Zoom], located at 8354 U.S. Route 20, Manlius, NY 13104 County of Onondaga, State of New York, on the 7<sup>th</sup> of December, 2020, at 6:30 p.m.

The meeting was called to order by Renee Rotondo, Supervisor, and the following were present, namely:

	Renee Rotondo	Supervisor
	Ann Christmas	Councilor
	Carl Dennis	Councilor
	Judy McElhannon	Councilor
Absent:	Sheila Larkin	Councilor

**WHEREAS**, the Town of Pompey has contracted in the past with the Central New York Society for the Prevention of Cruelty to Animals (the “CNYSPCA”) to investigate and enforce Agriculture and Markets Law violations under Article 7 (dogs running at large) and Article 26 (cruelty of animals, among other provisions);

**WHEREAS**, two contracts have been placed before the Town Board to consider that would continue this investigation and enforcement responsibility and relationship between the CNYSPCA and the Town;

**WHEREAS**, the services provided for Article 7 investigation and enforcement will cost \$4,000.00 annually and services provided under the Article 26 investigation and enforcement will cost \$1,274.40 annually;

**WHEREAS**, enforcement of these provisions of the Agriculture and Markets Law are a vital service to the people of the Town of Pompey and the animals that are in the Town;

**RESOLVED, that the** Town of Pompey hereby authorizes the Town Supervisor to enter into the following agreements with the CNYSPCA:

1. Services to investigate and enforce violations under Article 7 of the Agriculture and Markets Law in the amount of \$4,000
2. Services to investigate and enforce violations under Article 26 of the Agriculture and Markets Law in the amount of \$1,274.40; and be it

**FURTHER RESOLVED**, that the Supervisor is authorized to take any, and all, steps necessary to implement these contracts.

I, **NIKKI REID**, Town Clerk of the Town of Pompey, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Pompey at a regular meeting of the Board duly called and held on the 7<sup>th</sup> day of December, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I **FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Pompey, this 7th day of December, 2020.

**DATED: December 7, 2020**  
**Pompey, New York**

---

**Nikki Reid**  
**Town Clerk of the Town of Pompey**  
**Onondaga County, New York**

The resolution was declared adopted.

Nikki Reid  
Town Clerk

All in favor. Motion carried.

Town Attorney Tim Frateschi gave a report on codes violations and court proceedings regarding the junkyard property on Pompey Center Road. The Judge has asked the owner and the town to enter into an agreement on how to start cleaning up the property. He remarked that steps have already been taken and the property is being worked on. The owner has been cooperative and making progress. Codes Enforcement Officer Rodriguez agreed and stated that although there is still some cleanup to be done, it is vastly better than it was. He also said that this is just the start of what he will do for the town. Rodriguez will work with people to get their properties cleaned up and if they chose not to, the appropriate steps will be taken. Supervisor Rotondo thanked Town Attorney Tim Frateschi and Codes Enforcement Officer Bob Rodriguez for all of their hard work.

R-191-20 Motion by Dennis, seconded by McElhannon to set the Organizational Meeting date for Monday, January 4, 2021 at 6:30 p.m.

Supervisor Rotondo reminded all Town Officials that there are only a couple of weeks left to complete the mandatory 2020 Sexual Harassment Training.

Supervisor Rotondo revisited the discussion that began at the November 4, 2020 Town Board meeting regarding a public hearing for a Solar Farm Overlay District Local Law. With the increased rates in COVID, the ability to do an in-person public hearing is not an option at this point. She asked the Board Members to weigh in on how this should be done. All present Board members agreed that holding an in-person public hearing is too difficult at this time and all agreed on hosting a virtual public hearing.

R-192-20 Motion by Dennis, seconded by McElhannon to revise the previous resolution to the following: Set the Organizational Meeting date for Monday, January 4, 2021 at 6:00 p.m. followed by a Virtual Public Hearing on the Solar Farm Overlay District Local Law at 6:30 p.m. All in favor. Motion Carried.

Supervisor Rotondo gave an update on resident concerns brought up at the November 4, 2020 meeting regarding noise and activities at Heritage Hill. In the last month, she has spent many hours looking into the issue. Supervisor Rotondo met with the Planning Board Chair and review previous meeting minutes as well as the application for site plan approval. Dan Palladino provided additional information regarding Farm Days to Supervisor Rotondo which was shared with Town Attorney Tim Frateschi and Town Board Members. An informational session is being discussed, which could possibly take place in January; however due to COVID it would have to be a virtual meeting. What has become apparent is the difference of opinions about what is protected under Ag & Markets Law, the right to farm, and what is included and protected by it.

Supervisor Rotondo reported that there is also a second event that is being planned by another group to hold two tractor pulls in Pompey; one that will piggy-back off the Firemen Field Days, and another that will coincide with Farm Days in August of next year.

Supervisor Rotondo asked the Board Members for their thoughts on having an applicant apply for a permit in order to host a mass event or assembly. She did reach out to a few other towns who have similar actions in place. Councilor Dennis asked what role the Town of Pompey has in regulating Farm Days in which Town Attorney Tim Frateschi commented that the town has zero control on regulating any mass event or assembly. However, if the town wanted to consider having an applicant apply for a permit, it would give them some control over the event. County Legislator David Knapp agreed with Attorney Frateschi and mentioned that the purpose for the permit is to allow the Town to be a part of the event and to ensure code enforcement as well as applicant accountability. If the applicant does not follow what is permitted, the town can actually stop the event from happening. County Legislator David Knapp also addressed some previous comments regarding Heritage Hill. He stated this is a unique situation because there is a lot going on between Ag & Markets and the right to farm laws, and the New York Agriculture Land Trust, who has a say in what is allowed and not allowed since they own the development rights and the easement. He suggested a get-together with neighbors and other concerned residents to talk about the event, what it is and what it is not and to make sure everyone is comfortable. Supervisor Rotondo remarked that a permit would be a benefit and would set up the applicant for success rather than failure. This would require the adoption of a local law which will be addressed in January after the Board has time to review newly shared information.

**Public Comment:**

Gregory Herlihy, as someone who is possibly interested in building something similar on one of his farm properties, suggested that you have an attorney from NY Ag & Markets participate in a joint meeting with the Town Board and Planning Board to clarify the legalities for now and in the future.

Joanne Hoeffler borders the Palladino property on Route 91. She's very concerned regarding Farm Days and having 25,000 people just a couple of hundred feet from their property. She is worried Farm Days may devalue their property; there is also a concern for the lack of privacy. She met with Dan and asked him to move the event to the other side of the road. Joanne knows all the great things that could come from this event; however she doesn't want that amount of people in her back yard, it's too invasive. She is asking Dan to reconsider moving the event to the other side of the road.

Paul Livingston is Palladino's nearest neighbor on Sweet Road. He stated that Farm Days is a huge thing for everyone. He said that it does not matter where it possibly gets moved, there isn't a place where no one would be affected. Moving it will only affect other people. He states that this is such a big event for our town and community that he will tough it out and deal with it. He does not think that Dan's business is invasive at all, and he lives right down the street.

Joanne Hoeffler states that she is concerned that this event may lead to more events down the road. She approached Palladino and asked him to put in writing that he would not have any other large events in the future, but he would not agree to putting that in writing. She is

concerned that once more roads and lighting are installed, there will be more larger events down the road.

Dan McClung from Michael Avenue thanked the Board for putting time in to investigate this, especially at such a busy time of year. He said there has been issues with neighbors regarding noise for quite some time. The crux of the issue is why are things like drive-in concerts , flood lights, and PA systems considered agriculture. He would like to be able to sit on his deck and have dinner without music rolling down from the hills. McClung commented that Heritage Hill has really changed the character of this town.

Stan Gorman from Sevier Road is concerned about the Verizon tower and the radio frequency that is being given off. Verizon has put up another 10 antennas on one of the towers, and they will be transitioning to 5G, so they will have to increase their capacity. Another major concern is if you go to Channel 9 News and look at the 'View from Pompey' is it a camera looking directly in their backyard and through their back window. He's not sure when all of this transpired, or if the town was contacted for any of these changes but moving forward he wants the Town to be aware of these changes. He is also wondering if the Town of Pompey could have some tax revenue from this and their continued expansion to go to 5G. He also thanked County Legislator David Knapp for being on our little town's meeting. Supervisor Rotondo remarked that a call to Channel 9 news may be an easy solution to move the camera. She stated that she would do some investigating; if Verizon will be enhancing the value of the tower, then the town should benefit from that. Supervisor Rotondo stated that every two years the radio frequency should be tested but because there were limited funds last year, they only did an abbreviated test. They will be looking into this more. Stan Gorman also remarked that one of the towers is currently for sale. He just wants to make sure all of this is addressed and looked in to. Codes Enforcement Officer Rodriguez stated that Verizon would need to obtain a permit if they are adding anything to the existing tower. Maintenance or routine maintenance would not require a permit.

James Loomis, Number 4 Road, suggested some type of barrier to lessen the noise or lighting. He stated that Heritage Hill has been a great blessing for Pompey and the community. He said that these events will be a great opportunity for local groups and charities to raise money to help local programs and people.

Dan Palladino started off by saying that he is in agreement and fully supportive of a town permit; he thinks it a great idea and has already provided the town with sought after information. He has many neighbors who have sent favorable comments and support for Heritage Hill and Farm Days. He is disappointed in the Hoefflers and the McClungs because he has always been more than amicable towards his neighbors. He states that Joanee Hoeffler's brother Joe flies an ultralight, and with Palladino's encouragement, takes off on the Palladino farm and buzzes all over. He thinks it is great and he never complains about the noise. He also states that his neighbors used to host a party and set off fireworks on the 4<sup>th</sup> of July, and he would sit on his deck and watch them, and never complained about the noise. To say that he never informed the neighbors about Farm Days is completely untrue. Palladino states that he

sent a letter to every neighbor on his block, including surrounding ones on Henneberry Road. He informed them of what Farm Days is, what the basic impact would be, and where it was going to be. He has always been forthright with his communications even at risk of losing the deal because of it. He visited the Hoefflers' at their home and agreed to a recorded conversation for over an hour and a half talking about Farm Days and his rights to farm. He addressed the Hoefflers' concern about the event being in their back yard, in which Palladino stated they built their house right near his property line to maximize their view. He thanks everyone for their time and would love to have a community benefit after Farm Days just to thank them and will do his best to make sure that happens.

County Legislator David Knapp commented to Stan Gorman that he texted his contact from Channel 9 and was given the number to who can help with moving the camera.

Supervisor Rotondo stated that after speaking with County Legislator David Knapp, she learned that the County offers services free of charge for RFP work which can cover part of what was going to otherwise be a very costly engineering expense for the salt barn roof replacement. She thanked Knapp for being such a valuable resource to the town and really appreciates the working relationship.

R-193-20      Motion by Rotondo , seconded by McElhannon to adjourn. All in favor. Motion carried.

Respectfully Submitted,

Nicole Reid  
Pompey Town Clerk