

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Monthly Meeting on Monday, March 20, 2023 at 4:30 p.m. The meeting was held in-person and was also live-streamed via Zoom platform. In attendance were: Supervisor Rotondo, Councilors Ann Christmas (virtually), Bill Lipe, James Loomis, and Diana Carpenter; Accountant James Pompo; Highway Superintendent B.R. Way; Town Attorney Tim Frateschi; Zoom Host Veronica Hotaling.

- R-38-23 Motion made by Diana Carpenter, seconded by James Loomis to authorize Timothy Frateschi, the Attorney for the Town, to keep a record of the motions that were made during the Town Board meeting in the absence of the Town Clerk and Deputy Town Clerk. All in favor. Motion carried.
- R-39-23 Motion made by Diana Carpenter, seconded by James Loomis to waive the reading of the public hearing notice for Local Law 2023-4 **AMENDING CHAPTER 149 OF THE TOWN CODE (“TAXATION”) TO CODIFY RECENT CHANGES PASSED BY THE STATE LEGISLATURE RELATED TO EXEMPTIONS FOR MEMBERS OF VOLUNTEER FIRE COMPANIES AND AMBULANCE SERVICES**. All in favor. Motion carried.
- R-40-23 Motion made by Diana Carpenter, seconded by James Loomis to open the public hearing for Local Law 2023-4 **AMENDING CHAPTER 149 OF THE TOWN CODE (“TAXATION”) TO CODIFY RECENT CHANGES PASSED BY THE STATE LEGISLATURE RELATED TO EXEMPTIONS FOR MEMBERS OF VOLUNTEER FIRE COMPANIES AND AMBULANCE SERVICES**. All in favor. Motion carried.
- R-41-23 Motion made by Diana Carpenter, seconded by James Loomis to approve Local Law 2023-4 as presented to the Town Board in the resolution prepared by the Attorney for the Town.

LOCAL LAW 2023 -4, A LOCAL LAW AMENDING THE CODE OF THE TOWN OF POMPEY:

**Be it enacted by the Town Board of the Town of Pompey, Onondaga County,
New York as follows:**

Section 1. That Article IV of Chapter 149 of the Town Code is hereby amended as follows:

§ 149-7. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ENROLLED MEMBER

An enrolled member of a fire/ambulance company in the Town of Pompey.

FIRE/AMBULANCE COMPANY

Any incorporated volunteer fire company, incorporated volunteer fire department, or incorporated volunteer ambulance service serving the Town of Pompey.

§ 149-8 Extent of exemption.

An exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Pompey as long as eligibility requirements are met.

§ 149-9 Qualifications for annual exemption and application.

Such exemption shall be granted to an enrolled member of incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes, or except as set forth herein;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Pompey and the Town of Pompey is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service;
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Pompey, which is hereby established as two years
- G. Application: A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor, on a form prescribed by the New York State Commissioner of Taxation and Finance. The Town of Pompey shall maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.
- H. No Diminution of benefits. An applicant who is receiving any benefits pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this Article.
- I. Un-remarried spouse of enrolled member killed in the line of duty. The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer has been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.
- J. Un-remarried spouse of deceased enrolled member. The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to

receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse has been receiving the exemption at the time of his or her death.

§ 149-10 ~~Qualifications for lifetime exemption.~~ Grant of lifetime exemption.
Any eligible enrolled member who accrues more than 20 years of active volunteer service (certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located in the Town of Pompey. The property must be used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for the applicant’s residence, but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by the Article.

§ 149-11 Certification.

The Town shall adopt, by resolution, the procedure for the certifications required in this article.

Section 2. This law shall take effect upon filing with the New York State Department of State pursuant to Municipal Home Rule Law Section 27.

~~Strikeout~~ – removed language

Underline – new language

R-42-23 Motion made by Diana Carpenter, seconded by Renee Rotondo to approve the bank reconciliations as presented by the Town Clerk and the Town Tax Collector. All in favor. Motion carried.

R-43-23 Motion made by Renee Rotondo, seconded by Diana Carpenter to transfer \$20,000 from A4089 (Federal Aid – Other (ARPA) to A1640.2 (Central Garage Equipment) account for the increase in the garage roof replacement cost, to be paid from ARPA funding. All in favor. Motion carried.

R-44-23 Motion made by James Loomis, seconded by Diana Carpenter to approve the minutes prepared by the Town Clerk for the 2/14/23 Town Board meeting. All in favor. Motion carried.

R-45-23 Motion made by Renee Rotondo, seconded by Bill Lipe to pay the bills presented and reviewed by the Town Board. All in favor. Motion carried.

R-46-23 Motion made by Renee Rotondo, seconded by Bill Lipe to authorize the Supervisor to enter into a contract with Josall Roofing (under the County Contract) to replace the highway building roof for a cost of \$204,800.00. All in favor. Motion carried.

- R-47-23 Motion made by James Loomis, seconded by Diana Carpenter to approve the 284 Highway Contract required by State Law and presented to the Board by the Highway Superintendent. All in favor. Motion carried.
- R-48-23 Motion made by Renee Rotondo, seconded by Diana Carpenter to enter into executive session to discuss the employment history of a particular person in the Codes Enforcement Office. All in favor. Motion carried.
- R-49-23 Motion made by James Loomis to come out of Executive Session, seconded by Renee Rotondo and to enter into regular session at 6:26 pm. All in favor. Motion carried.
- R-50-23 Motion made by Renee Rotondo, seconded by James Loomis to increase the hours authorized for Timothy Bearup, Code Enforcement Officer, to 25 hours per week and increase his annual salary to \$48,100 to compensate him for the increased hours. All in favor. Motion carried.
- R-51-23 Motion made by Renee Rotondo, seconded by James Loomis to adjourn the meeting at 6.29 pm. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid

Pompey Town Clerk