

## TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Monthly Meeting on Tuesday, November 14, 2023, at 6:30 p.m. The meeting was held in-person and was also live-streamed via Zoom platform. In attendance were: Supervisor Renee Rotondo, Councilors Ann Christmas, Bill Lipe, James Loomis, Diana Carpenter; Town Clerk Nikki Reid; Town Attorney Tim Frateschi; Town Accountant Jim Pompo; Zoom Host Veronica Hotaling; along with 12 residents.

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

A moment of silence was had for Emmett Bailey and Joseph Gaetta.

Town Accountant Jim Pompo discussed the 2024 Preliminary Budget and some post hearing adjustments for the General Fund which included mortgage tax rate, increasing the attorney contractual expenses, decreasing the central garage contractual expenses, increasing the environmental contractual expenses, a decrease in workers compensation, a decrease in health insurance expenditures, and an increase in CAVAC expenses. Town Accountant Jim Pompo discussed the 2024 Preliminary Budget and some post hearing adjustments for the Highway Fund which included using some of the ARPA funds for capital expenditures.

R-162-23 Motion by Carpenter, seconded by Christmas to accept all of the changes as an amendment to the preliminary 2024 budget. All in favor. Motion carried.

R-163-23 Motion by Christmas, seconded by Rotondo to approve the 2024 General Fund and Highway Fund Budgets as presented. All in favor. Motion carried.

R-164-23 Motion by Christmas, seconded by Rotondo to approve the 2024 Fire District Budgets. All in favor. Motion carried.

R-165-23 Motion by Christmas, seconded by Loomis to approve all of the Special Districts and SOTS. All in favor. Motion carried.

### TIER 3 SOLAR PROJECT, PIVOT ENERGY:

Supervisor Rotondo stated that the Town Board received the resolution from the Planning Board, which recommended that this project move forward in terms of Site Plan by a 5 to 2 vote. The Town Board members also received a two-page recommendation from the Environmental Conservation Committee. Pivot Energy appeared before the Town Board to follow up on the status of the project moving forward. Comments from County Planning have not been received yet and the Town Board would like to read the comments that were emailed to the Supervisor and Code Officer regarding the Code Officer's concerns. Supervisor Rotondo asked the Town Board members if they would like to move forward and schedule a public hearing. Councilor Loomis stated that he has reached out to the surrounding neighbors who remain opposed to this project; he does not support moving forward with a public hearing. Councilor Carpenter also spoke with some of the surrounding neighbors who are concerned that the

decommissioning bond is not enough. Supervisor Rotondo asked the Town Board if there was any discussion regarding holding a public hearing for the Tier 3 Solar Project. Councilor Christmas asked if they should wait until January to hold the public hearing, as there will be a new administration and stated that they should be involved since they will be responsible for overseeing the Tier 3 Solar Project. Town Attorney Tim Frateschi stated that the Town Board has the option to hold the public hearing in December and to leave it open until January. Supervisor Rotondo stated that if this application goes before the new administration, it will not be approved. Councilor Loomis agreed that the new administration should have the final say regarding this project.

R-166-23 Motion by Rotondo, seconded by Carpenter to hold public hearing on December 12, 2023 at 6:35 p.m.

Ayes: Supervisor Rotondo; Councilor Carpenter  
Nays: Councilor Christmas; Councilor Lipe; Councilor Loomis

The motion did not carry.

LOCAL LAW 2023-6: A LOCAL LAW TO AMEND CHAPTER 165 TO AMEND ARTICLE IV (SUPPLEMENTAL REGULATIONS) AND CREATE A NEW SECTION 165-14.1 THAT REGULATES THE USE OF SHORT-TERM RENTALS IN THE TOWN OF POMPEY

A public hearing was held on October 10, 2023, for the consideration of adopting Local Law 2023-6.

R-167-23 Motion by Loomis, seconded by Christmas to adopt LOCAL LAW 2023-6: A LOCAL LAW TO AMEND CHAPTER 165 TO AMEND ARTICLE IV (SUPPLEMENTAL REGULATIONS) AND CREATE A NEW SECTION 165-14.1 THAT REGULATES THE USE OF SHORT-TERM RENTALS IN THE TOWN OF POMPEY. All in favor. Motion carried.

R-168-23 Motion by Christmas, seconded by Carpenter to set the short-term rental permit fee at \$25.00 which is valid for 3 years. All in favor. Motion carried.

LOCAL LAW 2023-7: A LOCAL LAW REPEALING SUB-SECTION G(2) – “HOME OCCUPATIONS” OF SECTION 165.44 OF ARTICLE VIII (ADMINISTRATION AND ENFORCEMENT) OF THE TOWN CODE AND REPLACING IT WITH A NEW SECTION ENTITLED “HOME-BASED BUSINESSES”

Supervisor Rotondo gave an update on Local Law 2023-7. This law only applies to non-commercial properties. An applicant would have to appear before the Planning Board to get approval if they did not meet the standards set forth. This puts a process in place for home-based businesses. This is the ninth draft on this law.

R-169-23 Motion by Rotondo, seconded by Lipe to schedule a public hearing on December 12, 2023 at 6:35 p.m. to adopt LOCAL LAW 2023-7 : A LOCAL LAW REPEALING SUB-SECTION G(2) – “HOME OCCUPATIONS” OF SECTION 165.44 OF ARTICLE VIII (ADMINISTRATION AND ENFORCEMENT) OF THE TOWN CODE AND REPLACING IT WITH A NEW SECTION ENTITLED “HOME-BASED BUSINESSES”. All in favor. Motion carried.

ACCOUNTANT’S REPORT:

R-170-23 Motion by Christmas, seconded by Carpenter to accept the October 2023 Monthly Statement for the Supervisor’s Account. All in favor. Motion carried.

R-171-23 Motion by Christmas, seconded by Lipe to accept the October 2023 Bank Reconciliation Reports for the Supervisor Account. All in favor. Motion carried.

Town Accountant Jim Pompo stated that the NYCLASS account brought in \$8,800.00 last month.

R-172-23 Motion by Carpenter, seconded by Christmas to approve the following transfer:

**General Fund:**

A3310.2	Traffic Control Equipment	\$4,505.00
A4089	Federal Aid Other (ARPA)	(\$4,505.00)

All in favor. Motion carried.

R-173-23 Motion by Rotondo, seconded by Christmas to approve the following transfer:

**General Fund:**

A1620.20	Buildings - Equipment	\$6,190.00
A1990.4	Contingent	(\$1,547.50)
A2760	Grants from Local Government	(\$4,642.50)

All in favor. Motion carried.

TOWN CLERK’S REPORT:

R-174-23 Motion by Rotondo, seconded by Lipe to accept the October 10, 2023 Regular Meeting minutes and the October 30, 2023 Special Meeting minutes. All in favor. Motion carried.

R-175-23 Motion by Christmas, seconded by Carpenter to accept the October 2023 Bank Reconciliation Reports for the Town Clerk and Tax Collector. All in favor. Motion carried.

R-176-23 Motion by Rotondo, seconded by Loomis to approve the following payment of bills: Abstract Nos. 482-552, totaling \$213,125.03. All in favor. Motion carried.

Town Clerk Nikki Reid gave an update on the annual Holiday Tree Lighting. It will take place on Sunday, December 3, 2023 at 2:00 pm at the Town Hall. It's a great community event.

HIGHWAY SUPERINTENDENT:

Although the Highway Superintendent Bruce Way was not present, Councilor Lipe gave an update on his behalf.

R-177-23 Motion by Loomis, seconded by Rotondo to declare the following items as surplus: Truck# 01-44, 2001 International 10 wheel cab and chassis with a dual Dump body and Frink double wing and front funnel plow and Truck# 14-24 2014 F150 pickup truck. All in favor. Motion carried.

CODE OFFICER'S REPORT:

Although the Code Officer was not present, he had provided the Town Board members with the October 2023 monthly report; 14 building permits were issued, 21 completions, and 1 stop-work-orders.

TOWN ATTORNEY'S REPORT:

R-178-23 Motion by Christmas, seconded by Carpenter to authorize Supervisor Rotondo to sign the agreement for use of OCCRA Solid Waste Management System. All in favor. Motion carried.

TOWN COUNCILOR REPORT:

R-179-23 Motion by Christmas, seconded by Loomis to accept the audit of the 2022 Town Clerk and Tax Collector financial records. All in favor. Motion carried.

TOWN SUPERVISOR'S REPORT:

R-180-23 Motion by Carpenter, seconded by Christmas to authorize Supervisor Rotondo to sign an agreement with the Central New York Regional Planning Board for CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program. All in favor. Motion carried.

R-181-23 Motion by Christmas, seconded by Loomis to authorize Supervisor Rotondo to sign the 2023 Intermunicipal Agreement for the Onondaga County Sheriff's Enhanced Services. All in favor. Motion carried.

**PUBLIC COMMENT:**

John Shaheen, Gulf Road: He responded to the concerns voiced by Carl Fahrenkurg regarding his vote on the Pivot Energy proposal and the allegation of potential conflict between the Master Plan and the Solar Overlay Zoning code as well as his concerns regarding risk to the Town, in particular the decommissioning of the panels.

Mark Nardella, Esty Road: He made a request to the Town Board and asked them to let the new administration deal with the home occupation local law.

Ivan Fuller, Route 91: He was pleased to hear what Supervisor Rotondo had to say at the Pompey Hill Fire Department meeting regarding the plan for new construction of a proposed firehouse. She brought up a lot of important issues that many people are not aware of.

Trever Marsteller, Pompey Center Road: Wanted to know when the draft of the Home Occupation Law will be posted on the Town of Pompey's website.

Ricard Margino, Henneberry Road: Wanted to congratulate the new officials and wished them luck. He also thanked Supervisor Rotondo for the last four years of her service. He also mentioned the Pompey Hill Fire Department's plan for new construction. He stated that the building is in disarray and is in dire need of being replaced.

Alma Hartnett: Thanked Supervisor Rotondo for her service.

Nancy Furdock, Sevier Road: She congratulated all the newly elected officials. She also asked what the difference is between commercial based businesses and home-based businesses.

Don Saleh, Soloman Seal Lane: Please consider having a public hearing for the Pivot Energy Solar Application.

Barbara Stacer, Sweet Road: Decisions regarding the Pivot Energy Solar project should not be left to a board with members leaving next month.

R-182-23 Motion by Christmas, seconded by Lipe to adjourn the meeting at 8:39 p.m. All in favor. Motion carried.

Respectfully submitted,  
Nikki Reid  
Pompey Town Clerk

