

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Meeting on Monday, March 7, 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 (virtual), Judy McElhannon, James Loomis; Highway Superintendent B.R. Way; Accountant Tom Chartrand; Town Attorney Tim Frateschi; Town Clerk Nikki Reid; Zoom Host Veronica Hotaling; along with three 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 in solidarity with the people of Ukraine who are suffering and struggling for their sovereignty.

A moment of celebration was had for Pompey Resident Kathy Wells, who will be celebrating her 100th Birthday on March 14th. She was wished a happy birthday and a happy and very healthy year.

Roll Call: Supervisor Rotondo, Councilor McElhannon, Councilor Loomis, Councilor Christmas, Highway Superintendent Way.

UPDATE ON UNSAFE BUILDING - 7364 CHERRY STREET:

Don Chrysler gave the Town Board an update on the unsafe building located at 7364 Cherry Street. The Town Board asked Mr. Chrysler what progress has been made since he last appeared before the Town Board on February 7, 2022. He stated that he contacted the Codes Officer on February 22nd but did not get a permit because the Codes Officer needed to receive an update from Mr. Chrysler's Engineer before he would issue a permit. Mr. Chrysler said that he has not been able to get in touch with his Engineer. Supervisor Rotondo remarked that the Town Board asked for a good faith effort and asked what has been accomplished over the last month. Mr. Chrysler responded that he was only able to start the demolition of the chimney and repair one wall. Supervisor Rotondo stated that they cannot give him any more time. Mr. Chrysler said that at this point, he just wants to sell the property and get back what he's invested into it. The Town Board and Town Attorney discussed what matters of actions they should take. Councilor Loomis stated that he needs to list the property for sale; Councilor McElhannon agreed and said the sooner the better. Supervisor Rotondo stated that if Mr. Chrysler continues to do nothing, it will continue to fall apart. Councilor Christmas asked Mr. Chrysler if he's done any of the work that was supposed to be done last fall; there were two pages of things that were required by the Codes Officer. He responded that he was not able to get those things done. Councilor Loomis stated that the work needs to be done whether he lists the property for sale or lets someone buy it as-is. After much discussion, the Town Board told Mr. Chrysler that the unsafe building located at 7364 Cherry Street must be listed for sale within a month and if he can prove this to the Town Board at the April 4, 2022 meeting, the Town Board will give a reasonable amount of time for him to sell the property.

TOWN FINANCES

Town Accountant Tom Chartrand gave an update on Town Finances.

General Fund: Spending at 15%; Revenue at 74%.

Highway Fund: Spending at 7%; Revenue at 76%

R-44-22 Motion by Christmas, seconded by McElhannon to accept the Supervisor's Monthly Statements for February 2022. All in favor. Motion carried.

R-45-22 Motion by Christmas, seconded by McElhannon to approve the February Bank Reconciliation Reports for the Supervisor, Town Clerk, and Tax Collector. All in favor. Motion carried.

R-46-22 Motion by Rotondo, seconded by McElhannon to approve the payment of General Fund Abstract Nos. 82-115, totaling \$20,858.67; Highway Abstract Nos. 37-53, totaling \$34,684.42; Special District Nos. 8-8, totaling \$648.33. All in favor. Motion carried.

R-47-22 Motion by Christmas, seconded by McElhannon to accept the Annual Financial Report for the Fiscal Year End of 12/31/2021 and to allow the Town Clerk to prepare a Legal Notice which will be available to the public during normal business hours. All in favor. Motion carried.

TOWN CLERK'S REPORT

R-48-22 Motion by McElhannon, seconded by Rotondo to accept the February 7, 2022 Meeting Minutes. All in favor. Motion carried.

Town Clerk Nikki Reid gave an update on the 2022 Earth Day Event; she has been working with Martha Viglietta and other members of the Environmental Conservation Commission. The event will take place on Saturday, April 30th from 9 a.m. until 12:00 p.m. at the Pompey Town Hall. Residents are encouraged to participate in roadside cleanup which can be dropped off at the Highway Department for free disposal. The Highway Department will also be collecting scrap metal; please no air conditioning units, refrigerators, microwaves, or electronics. A full list of unaccepted items are available on the OCRRA website. There will also be free tree seedlings giveaways: residents will have the choice between White Spruce or Red Pine. Paper shredding may also be available; Nikki is waiting to hear back from Shred Solvers to see their availability.

R-49-22 Motion by Christmas, seconded by Loomis to authorize Town Clerk Nikki Reid to attend the 2022 Annual Town Clerks Association Conference which will be held at the Crowne Plaza Albany at the Desmond Hotel. All in favor. Motion carried.

Town Clerk Nikki Reid updated that masks are no longer required to enter the Town Hall however we respect your decision to mask or not. There are several Covid test kits available to the residents, even if they have received them in the past.

HIGHWAY SUPERINTENDENT'S REPORT:

Highway Superintendent B.R. Way asked the Board Members for the approval to purchase two new garage doors; he received four quotes for this public works project. He recommended that Cedar Lane be awarded the work since they provided the lowest quote.

R-50-22 Motion by Rotondo, seconded by McElhannon to award the work to Cedar Lane Door Service for no more than the cost of \$20,988.00 for both garage doors to be replaced. All in favor. Motion carried.

TOWN ATTORNEY'S REPORT:

Town Attorney Tim Frateschi gave an update on the cherry tree that was removed on Schoolhouse Property. The tree was overhanging and split and could have fallen on the Schoolhouse. The neighbor claimed that the tree was on her property. Based on the site plan and survey reviewed by the Town Attorney, the tree was on the Town of Pompey's property. Town Attorney Tim Frateschi spoke with the neighbor and told her that they would have to get a new site plan or survey to prove the tree was in fact on her property, which she did not do. At this point, he recommends that the tree be removed by the Town and stored properly.

Town Attorney Tim Frateschi stated that the SAM contract is for the purchase of a Grade-all. The State will reimburse the Town once the purchase is made. \$38,000 has

been set aside for the purchase. Town Attorney Tim Frateschi has reviewed the contract and that it be moved by the Town Board.

R-51-22 Motion by Christmas, seconded by McElhannon to authorize Supervisor Rotondo to sign the contract for the purchase of a Grade-all, which is reimbursable by the State. All in favor. Motion carried.

Town Attorney Tim Frateschi gave an update on the Main Street Beautification Grant. He stated that the Town needs to come to an agreement with the recipients of the grant; there are some changes that need to be made with the contract between the County and the Town.

R-52-22 Motion by Rotondo, seconded by McElhannon to approve the Main Street Beautification Grant Contract presented by the Town Attorney subject to further negotiations with the County and subject to Legal Review. All in favor. Motion carried.

R-53-22 Motion by Christmas, seconded by McElhannon to authorize Supervisor Rotondo to sign the 2022 Enhanced Sheriff's Contract. All in favor. Motion carried.

Town Attorney Tim Frateschi reviewed what is required to be recorded in meeting minutes. The State requires resolutions, motions, and votes to be recorded. It is the Town Clerk's terminology and responsibility to be the voice. If there is something specific that a member wants in the minutes, the Town Clerk does not have to acquiesce. However, it is helpful if the Clerk adds context to the meeting minutes.

The State Law allowing virtual attendance of Board Members at Town Meetings is due to expire on March 15, 2022 but will probably be extended again.

SUPERVISOR'S REPORT:

Supervisor Rotondo gave an update on the Codes Office. She has been working with the Planning Board Chair, Zoning Board Chair, and Codes Clerk on how to restructure the Codes Office and how to staff it at the appropriate level to meet town demand. She thanked the group that's been working together for being so helpful on what the needs are for that office. She stated that the Town is currently searching for a part-time Codes Officer and a part-time Deputy Codes Officer. In the meantime, Planning Board Chairperson Sue Smith will be handling Planning Board issues and Supervisor Rotondo will be handling complaints. Supervisor Rotondo reached out to former Codes Enforcement Officer Lloyd Sutton to see if he would be able to temporarily handle building permits, which he has agreed to. Councilor McElhannon stated that this is an excellent idea and that she has known Mr. Sutton for a long time. Councilor Christmas said that Town would be very lucky to have him, stating that he is highly qualified, an expert in the field, and has a lot of knowledge and experience. Councilor Loomis agrees that the permits shouldn't wait for a permanent hire.

R-54-22 Motion by McElhannon, seconded by Christmas to authorize Lloyd Sutton to review permits and any other Codes Enforcement duties required for a period of two months and to be paid \$35.00 per hour. All in favor. Motion carried.

Supervisor Rotondo gave an update on the fourth draft of the Disposition Policy, which just needed a few minor tweaks. It's a great starting point on how to dispose of Town Property appropriately.

R-55-22 Motion by McElhannon, seconded by Christmas to approve the Disposition of Property Policy as presented. All in favor. Motion carried.

Supervisor Rotondo updated that there are two applicants interested in joining the Environmental Conservation Commission; Kathleen Bertuch of Broadfield Road and John Harrington of Swift Road.

- R-56-22 Motion by Rotondo, seconded by McElhannon to appoint Kathleen Bertuch to the Environmental Conservation Commission. All in favor. Motion carried.
- R-57-22 Motion by Christmas, seconded by Loomis to appoint John Herrington to the Environmental Conservation Commission. All in favor. Motion carried.
- R-58-22 Motion by Loomis, seconded by McElhannon to authorize 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 and to pass the following Resolution 2022-1:

A written resolution was presented to the Board to continue to use the CNY Regional Planning and Development Board to provide 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 Water Sewer System (MS4) operators since 2002, as follows:

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 located at 8354 U.S. Route 20, Manlius, NY 13104 County of Onondaga, State of New York, on the 7th of March, 2022, at 6:30 p.m., which session was also virtually broadcast via Zoom.

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

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|----------------------------------|------------|
| Renee Rotondo | Supervisor |
| Ann Christmas (virtually) | Councilor |
| Judy McElhannon | Councilor |
| James Loomis | Councilor |
| Absent: Willard "Bill" Lipe, III | 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 to 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.

All in favor. Motion carried.

R-59-22 Motion by Loomis, seconded by McElhannon to authorize Supervisor Rotondo to sign the 2022 Environmental Monitoring Landfill Contract. All in favor. Motion carried.

Supervisor Rotondo gave an update on the Pivot Energy Solar Project, which is being proposed on Sweet Road. Each Board Member was given a binder full of compiled information regarding this project and the process for the Site Plan Concept Review. Supervisor Rotondo asked each Board Member to review all of the information and then review the Town's Local Law on the Overlay District. This will be on the agenda at the next Town Board Meeting.

PUBLIC COMMENT:

Tim Chrysler: The Town would be lucky to have Lloyd back; he wasn't a popular guy which means he did his job.

Stan Gorman: Is this the same Solar Application that the Planning Board voted not to approve or not to move forward with? The ECC is part of this process for Solar Application, when does the ECC look at the application?

Town Clerk Nikki Reid read in the record, a letter of resignation.

Ms. Reid:

I am writing to provide official notification of my resignation from the Pompey Town Board, effective 30 days from the date of this letter, March 9, 2022. I have seriously considered this action and believe it to be in my best interest. I look forward to continuing to support and love living in this great community of ours. Sincerely, and with gratitude for the opportunity to serve.

Judy McElhannon

Town Board Member

Supervisor Rotondo thanked Councilor McElhannon for all of her hard work and said that she was how beyond sad and sorry that she is leaving. She respects her decision and will not ask her to change it. Councilor Christmas said Councilor McElhannon will be very missed. Highway Superintendent B.R. Way and Town Clerk Nikki Reid both remarked that she will be missed very much. Councilor Loomis stated that it has been

nice getting to meet her. Councilor McElhannon responded that she is focusing on her family and it's truly been a pleasure serving.

R-60-22 Motion by Rotondo, seconded by McElhannon to adjourn at 8:15p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid

Pompey Town Clerk