

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Organizational Meeting followed by the Regular Monthly Meeting on January 4, 2021. 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 and by livestreaming on the Town of Pompey Facebook page.

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; and Zoom Host Veronica Hotaling.

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

R-1-21 Motion by Rotondo, seconded by McElhannon to Appoint Baldwin, Sutphen & Frateschi, PLLC as attorney for the Town for the 2021 calendar and to be compensated \$36,000 per year. All in favor. Motion carried.

R-2-21 Motion by Dennis, seconded by McElhannon to adopt the following procedures/policies:

- Reaffirm Procurement Policy
- Reaffirm Investment Policy
- Reaffirm Scrap Metal Policy
- Reaffirm Fee Schedule
- Reaffirm Employee Handbook
- Set 6 hours as the standard workday for part-time elected officials, part-time employees and Code Enforcement Officer
- Approve raises for Highway Department Employees
- Approve prepayment of postage and utility bills

All in favor. Motion carried.

R-3-21 Motion by Christmas, seconded by Dennis to make the following appointments:

- Eastern Shores Associates as Brokers of Record
- Arcadis US, Inc. as Engineer for the Town
- NBT Bank and NYCLASS as Official Banks
- The Post Standard as Legal Newspaper

- Veronica Hotaling as Web Manager, subject to approval of 2021 letter of engagement
- NetManagelt as IT Manager, subject to approval of 2021 letter of engagement

All in favor. Motion carried.

R-4-21 Motion by McElhannon, seconded by Dennis to set the following:

- Mileage reimbursement for any town business at \$.56 per mile
- Regular meeting date and time of Town Board will be first Monday of each month except July, September, and November when the meetings will be July 7, September 1 and November 3, meetings to begin at 6:30 p.m.

All in favor. Motion carried.

R-5-21 Motion by Christmas, seconded by Rotondo to appoint Bob Rodriguez as Code Enforcement Officer to be compensated \$32.00 per hour not to exceed \$21,500 per year. All in favor. Motion carried.

R-6-21 Motion by Christmas, seconded by Dennis to appoint Lesley Rodriguez as Clerk I to Code Enforcement Officer to be compensated \$13.00 per hour, not to exceed \$3900 per year. All in favor. Motion carried.

R-7-21 Motion by Christmas, seconded by Dennis to appoint Nicole Reid as Marriage Officer. All in favor. Motion carried.

R-8-21 Motion by Christmas, seconded by Dennis to appoint Debra Rapp as Deputy Clerk to be compensated \$14.00 per hour, not to exceed \$7,000 per year. All in favor. Motion carried.

R-9-21 Motion by Christmas, seconded by Dennis to appoint Kim Memory and Ken Stvan as Court Clerks to be compensated \$4,500. All in favor. Motion carried.

R-10-21 Motion by Dennis, seconded by McElhannon to appoint Sue Smith as Chairwoman of the Planning Board, Dave Tessier as Chairman of the Zoning Board of Appeals, Frank Erwin as Chairman of the Environmental Conservation Commission and Ray Randall as Chairman of the Board of Assessment Review, each to receive a stipend of \$300.00 per year. All in favor. Motion carried.

- R-11-21 Motion by Dennis, seconded by Rotondo that each member of the Planning Board, Zoning Board and Environmental Conservation will receive a stipend of \$150/year. All in favor. Motion carried.
- R-12-21 Motion by Dennis, seconded by McElhannon that each member of the Board of Assessment Review will receive a stipend in the amount of \$50.00 per meeting attended. All in favor. Motion carried.
- R-13-21 Motion by Rotondo, seconded by Dennis to reappoint John Shaheen to the Planning Board (term expires 12/31/28). All in favor. Motion carried.
- R-14-21 Motion by Dennis, seconded by McElhannon to reappoint Kevin Sharpe to the Zoning Board of Appeals (term expires 12/31/26). All in favor. Motion carried.
- R-15-21 Motion by Dennis, seconded by Christmas to reappoint Frank Erwin, Jeff Barber, Craig Dennis and Mike Niles to the Environmental Conservation Commission (terms expire 12/31/22). All in favor. Motion carried.
- R-16-21 Motion by McElhannon, seconded by Dennis to reappoint Edwin Drexler to the Board of Assessment Review (term expires 9/30/26). All in favor. Motion carried.
- R-17-21 Motion by McElhannon, seconded by Dennis to appoint Don Neugebauer, plus 2 others TBD to the Board of Ethics (term expires 12/31/21). All in favor. Motion carried.
- R-18-21 Motion by McElhannon, seconded by Rotondo to appoint Donna Alnutt as Secretary to Planning Board, to be compensated \$100.00 per meeting attended, up to a maximum of \$1200 per year. All in favor. Motion carried.
- R-19-21 Motion by McElhannon, seconded by Dennis to appoint Donna Alnutt as Secretary to Zoning Board, to be compensated \$80.00 per meeting attended, up to \$960 per year. All in favor. Motion carried.
- R-20-21 Motion by Rotondo, seconded by Dennis to appoint Meghan Campbell as Swim Program Director to be compensated \$2,700. All in favor. Motion carried.
- R-21-21 Motion by Rotondo, seconded by McElhannon to set swim program registration fees for town residents at \$40 for the first child, \$30 for the second child, \$20 for the third child, and a cap at \$100 for more than three children. Non-residents

will pay a registration fee of \$75 each per student with no further discount. All in favor. Motion carried.

R-22-21 Motion by Rotondo, seconded by McElhannon to appoint Carl Dennis as Deputy Supervisor. All in favor.

R-23-21 Motion by Rotondo, seconded by Christmas to appoint Thomas Chartrand as Accountant 1 (part-time) to be compensated \$20,510.00/per year and to appoint Thomas Chartrand as Budget Officer to be compensated \$4,500.00 /per year. All in favor. Motion carried.

R-24-21 Motion by Rotondo, seconded by Dennis to appoint Ruth Hotaling as Historian to be compensated \$1,780 / per year. All in favor. Motion carried.

R-25-21 Motion by Dennis, seconded by McElhannon to authorize the following:

- \$500,000 bond for Supervisor and Town Clerk and \$50,000 bond for all others
- Highway Superintendent to spend up to \$8,000 without prior approval
- Petty Cash fund of \$125 for Town Clerk/Tax Collector
- Petty Cash fund of \$125 for Justice Court
- Supervisor to spend up to \$1000 without prior approval

All in favor. Motion carried.

R-26-21 Motion by Dennis, seconded by McElhannon to authorize the Supervisor to pay the health insurance bills. All in favor. Motion carried.

Bookkeeper Chartrand gave an updated report on receipts and disbursements, which was a rather good month for the town. The Justice Court came in a bit stronger, however we are still \$12,000 short from the budget year-to-date. Franchising came in and we are up a few thousand dollars on that line. We were expecting our state aid (AIM) to come in at 80%, but it actually came in at 100% of what we budgeted. Our mortgage tax was huge for us due to a lot of people refinancing. In the General Fund, we are positive \$89,000 to what we had budgeted, which is great for us and our current spending is \$233,000 under what was budgeted. We still have not received the last CHIPS check for the work that was done late into the season, so the Highway Revenue is short \$45,000. Lastly, the Highway Fund is \$272,000 below their spending.

R-27-21 Motion by Dennis, seconded by McElhannon to accept the Supervisor's December 2020 Monthly Statement.

- R-28-21 Motion by Christmas, seconded by Dennis to accept the December 2020 reconciliation reports and monthly reports for the Supervisor, Town Clerk, and Tax Collector. All in favor. Motion carried.
- R-29-21 Motion by Dennis, seconded by Christmas to approve the payment of General Fund Abstract Nos. 1-22, totaling \$113,421.41; Highway Fund Abstract Nos. 1-10, totaling \$10,231.01; Special District Abstract Nos. 1-2, totaling \$480.62. All in favor. Motion carried.
- R-30-21 Motion by Dennis, seconded by McElhannon to accept the December 7, 2020 Regular meeting minutes and the December 28, 2020 Special meeting minutes. All in favor. Motion carried.

Town Clerk Reid gave an update on how the collection of taxes has been going especially regarding COVID. She said that it has been a huge success; many people have been mailing in their tax payments as well as utilizing the tax collection box that was installed at the Town Hall. She thanked all the residents for being so cooperative during COVID because it has been a particularly challenging process.

Town Highway Superintendent Purcell reported that the highway crew had an exceptionally Long New Year's Eve dealing with freezing rain, which is important to be on top of. They started plowing around 6:00 p.m. and plowed until 1:30 a.m.; went home for a couple of hours, and were back out plowing at 5 a.m. Superintendent Purcell updated they have already made 42 plow trips this season: 8 in November, 29 in December, and 5 in January. Supervisor Rotondo asked Highway Superintendent if the equipment has been holding up, in which he remarked that they had two trucks break down on Friday night; one truck had hydraulic hose failure from front to back and the other truck had an error hose on one of the breaks. He stated they were fortunate enough to have the equipment in house to make the necessary repairs.

Codes Enforcement Officer gave his report on year-end permits and fees. To date, he has issued 118 permits and has collected \$16,281 in fees. He responded that due to COVID, people stayed home and made home improvements instead of traveling. We have ten new houses in the area and overall, 2020 was a good year for the Codes Department. Rodriguez updated that he is continuing to work on cleaning up the Town. He is working really hard on getting things straightened around on a few residences that have had numerous complaints. COVID has had an impact on this due to the courts being closed. Town Attorney Tim Frateschi gave an update on the codes violation that is currently pending in court. He has been in direct contact with the defendant to check the status of cleaning up the property. The defendant stated that he has done more work than what was discussed prior to the last Town Board meeting, but according to Codes Officer Rodriguez, there is still a significant amount of work to be done on the property. Due to COVID, his court date for tomorrow has been cancelled and pushed back to February 2021.

Town Attorney Tim Frateschi stated that the Governor has issued an executive order that every municipality come up with a mandatory emergency plan to address emergency situations related to COVID. This plan must be a written plan and has to be completed by April 1, 2021. The town will work on formulating this plan throughout the next month, which will be shared once it is completed. Supervisor Rotondo stated that she is a member of the County Town Supervisors group and they are hoping to come up with a plan that all of the towns can use with slight variations as needed so that this does not turn into a major project for each municipality.

Supervisor Rotondo gave an update on the study for the speed reduction request on Sweet Road. We finally received a response from the state which agreed to reduce the speed from 45 mph coming out of the 30 mph zone. There is an order to follow the letter from the state, which will give further details.

R-31-21 Motion by Dennis, seconded by Christmas to appoint Supervisor Rotondo as Delegate to the Association of Towns Annual Business Session which will be held virtually this year. All in favor. Motion carried.

Supervisor Rotondo received a request from John and Patty Feeney on Citation Road asking for the town's consideration to install a streetlight on the corner of Route 20 and Citation Road as well as the corner of Gardner Road and Citation Road. The board agreed that there is a big difference between the corner of Route 20 versus the corner of Gardner Road. Councilor Dennis remarked that the corner of Route 20 is a dangerous spot and should be lit accordingly. Highway Superintendent Purcell stated that there is an existing pole on Route 20 and that we would have to reach out to National Grid to have the streetlight added.

Supervisor Rotondo gave an update on health insurance options. Insurance rates have gone up 15% with our current carrier, which is unacceptable. Supervisor Rotondo and Accountant Chartrand have been looking into this matter and found an insurance agent who has come up with 3 different plans for the town to consider. We are still awaiting the details of these plans; this discussion will be continued once that information is available.

Supervisor Rotondo updated that tonight's public hearing for the Solar Farm Overlay District Local Law has been postponed due to a last-minute provision that had not been included. This was sent to County Planning today for their comments regarding this. We also did not have enough notice to hold this hearing and Supervisor Rotondo feels that this type of public hearing deserves it's own time so she is proposing to not wait until February, but to hold this public hearing this month.

R-32-21 Motion by Rotondo, seconded by Dennis to schedule a Public Hearing for the Solar Farm Overlay District Local Law on Tuesday, January 19, 2021 at 6:00 p.m. All in favor. Motion carried.

Supervisor Rotondo gave an update on the issues regarding the cell towers, which was brought before the Town Board at the previous meeting by concerned resident Stan Gorman. She wanted to give an update on the progress made since the last Town Board meeting. She has been working with Councilor Christmas on this issue. Councilor Christmas was very helpful in formulating a list that determined all the owners of the towers and who pays taxes on them. Supervisor Rotondo visited the towers on Sevier Road; she took some pictures and got some FCC numbers. Her intention is to send a letter to each of those companies asking for information on their tower, including what they have got on them, what they have added to it, who else has been given permission to put something on their tower, and what else has been put on by someone else. There are multiple reasons for doing this; the town should be doing an inventory on the towers and should know what has been put on them, it also affects their assessment. If they have improved the enhancement of the towers and their worth more, they should be assessed accordingly. Supervisor Rotondo has drafted a letter that she would like Town Attorney Frateschi to review. She would also like the ECC to be involved with this matter; this would be a perfect project for them. This has been neglected far too long.

Supervisor Rotondo gave an update on the previously discussed mass gathering permit. We are beginning to see businesses grow out of their agricultural properties and it's creating some conflict in the community and the town in general. We need to have a discussion and have community input on this matter. We need to be clear on what is or is not allowed under Ag & Markets, and need to determine what oversight does the public want the town to have when public events occur. Supervisor Rotondo welcomes a public discourse on this matter.

Public Comment:

James Loomis, Number 4 Road: Charging for the swim program only prevents poor kids from learning to swim, sad.

Greg Herlihy: Charging residents for the swim program is a terrible idea. One life saved by this program is worth every penny the Town spends. A great number of residents in the town of Pompey pay Town taxes and get zero services. I'm sorry to see this.

Samantha Shapess: Why are our taxes going up if we are below budget?

Greg Herlihy: Also where was this decision shared with the public during the budget process?

Samantha Shapess: Why do we need a private source to pay for that when pay taxes?

Greg Herlihy: Please also clarify the percentage increase in Town taxes. Am I correct in saying Town taxes are increasing 8.1%.

Anonymous: Is there scholarship or financial aid possibility in regard to the swim lessons.

Don Saleh suggested donating money to cover the cost of swim lessons for needy students.

R-33-21 Motion by Rotondo, seconded by Dennis to adjourn at 7:31 p.m. All in favor.
Motion carried.

Respectfully Submitted,

Nicole Reid
Pompey Town Clerk