

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 Wednesday, January 4, 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 (virtually), Bill Lipe, James Loomis, and Diana Carpenter; Accountant Tom Chartrand; Highway Superintendent B.R. Way; Town Attorney Tim Frateschi; Town Clerk Nikki Reid; and Zoom Host Veronica Hotaling.

Supervisor Rotondo called the meeting to order at 6:35 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for Greg Harder; a 20- year old Fabius Pompey student who passed away a few days before the Christmas holiday. Many people knew him and his family.

R-1-23 Motion by Rotondo, seconded by Loomis to appoint Baldwin, Sutphen & Frateschi, PLLC as Attorney for the Town to be compensated \$36,000.00 per year. All in favor. Motion carried.

R-2-23 Motion by Christmas, seconded by Lipe 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 payment of postage, utility bills and health insurance premiums prior to Town Board audit.

All in favor. Motion carried.

R-3-23 Motion by Lipe, seconded by Rotondo to make the following appointments:

- Eastern Shores Associates as Brokers of Record
- Dunn and Sgromo Engineers PLLC 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 2023 letter of engagement.

- NetManagelt as IT Manager, subject to approval of 2023 letter of engagement.

All in favor. Motion carried.

R-4-23 Motion by Rotondo, seconded Loomis to set the following:

- Mileage reimbursement for travel for town business at \$.655 per mile
- Regular meeting date and time for Town Board will be the second Tuesday of each month at 6:30 p.m.

All in favor. Motion carried.

R-5-23 Motion by Loomis, seconded by Carpenter to make the following appointments:

- Appoint Timothy Bearup as Code Enforcement Officer to be compensated \$37.00 per hour, not to exceed \$36,000.00 per year.
- Appoint Tyler Johnson as Deputy Code Enforcement Officer to be compensated \$25.00 per hour, not to exceed \$9,100.00 per year.
- Appoint Nicole Reid as Marriage Officer.
- Appoint Peggy Riker as Deputy Clerk to be compensated \$16.00 per hour, not to exceed \$7,800.00 per year.
- Appoint Kim Memory and Ken Stvan as Justice Court Clerks to be compensated \$5,000.00 per year.

All in favor. Motion carried.

R-6-23 Motion by Carpenter, seconded by Christmas to make the following appointments:

- Appoint Sue Smith as Chairwoman of the Planning Board, Dave Tessier as Chairman of the Zoning Board of Appeals, and Phil George as Chairman of the Environmental Conservation Commission, each to receive a stipend of \$300.00 per year.
- Appoint Ray Randall as Chairman of the Board of Assessment Review, to receive a stipend of \$150.00 per year.
- Set the stipend for each member of the Planning Board, Zoning Board of Appeals, and Environmental Conservation Commission at \$150.00 per year.
- Set the stipend for each member of the Board of Assessment Review at \$50.00 per meeting attended.

All in favor. Motion carried.

R-7-23 Motion by Christmas, seconded by Carpenter to make the following appointments:

- Reappoint Deb Cook to the Planning Board (term expires 2030).
- Reappoint Don Neugebauer to the Zoning Board of Appeals (term expires 2028)
- Reappoint Kathleen Bertuch, Adam Scalisi, Craig Dennis, and Pamela O’Malley to the Environmental Conservation Commission (term expires 2024).
- Reappoint Terril Stearns to the Board of Assessment Review (term expires September 30, 2028).
- Appoint Don Saleh, Reappoint Don Neugebauer and Alma Hartnett to the Board of Ethics (term expires 2023).

All in favor. Motion carried.

R-8-23 Motion by Carpenter, seconded by Christmas to make the following appointments:

- Appoint Sarah LoGuidice as Secretary to the Planning Board, to be compensated at an hourly rate of \$16.00, up to a maximum of \$1,200.00 per year.
- Appoint Sarah LoGuidice as Secretary to the Zoning Board of Appeals, to be compensated at an hourly rate of \$16.00, up to a maximum of \$1,200.00 per year.
- Appoint Town Supervisor to be the 2023 representative to OCEBA for communication purposes.

All in favor. Motion carried.

R-9-23 Motion by Loomis, seconded by Rotondo to appoint Meghan Campbell as Swim Program Director to be compensated \$3,500.00. All in favor. Motion carried.

R-10-23 Motion by Rotondo, seconded by Lipe to make the following appointments:

- Donald Saleh as Deputy Supervisor.
- The accounting firm of F.J. Pompo and Company PC as Bookkeeper to be compensated \$50,400.00 per year.
- Ruth Hotaling as Historian to be compensated \$1,780.00 per year.
- Enter into contract with Thomas Chartrand Accounting Services on a temporary basis at \$90.00 per hour, up to a maximum of \$3,000.00 per year.

All in favor. Motion carried.

R-11-23 Motion by Lipe, seconded by Loomis to authorize the following:

- \$500,000.00 bond for Supervisor and Town Clerk and \$50,000.00 bond for all others.
- Highway Superintendent to spend up to \$8,000.00 without prior approval, subject to procurement policy.
- Petty cash fund for \$125.00 for Town Clerk / Tax Collector.
- Petty cash fund for \$125.00 for Justice Court.
- Supervisor to spend up to \$1,000.00 without prior approval.

All in favor. Motion carried.

Supervisor Rotondo called the regular monthly meeting to order at 6:49 p.m.

TOWN FINANCES:

R-12-23 Motion by Carpenter, seconded by Loomis to accept the December 2022 Bank Reconciliation Reports for Supervisor, Town Clerk, and Tax Collector Accounts. All in favor. Motion carried.

R-13-23 Motion by Rotondo, seconded Lipe to approve the following payment of bills: General Fund Abstract Nos. 404-458, totaling \$18,955.72; Highway Abstract Nos. 192-213, totaling \$51,462.51; Special District Nos. 28-28, totaling \$401.3; Capital Fund Nos. 2-4, totaling \$613,805.73. All in favor. Motion carried.

Town Accountant Tom Chartrand stated that Town Clerk fees exceeded the estimated budget by \$6,500.00 which is great news. NYCLASS interest rate is slightly over 4%, which is also great news. Justice Court fees fell short by \$1,060.00. Franchise fee exceeded the budget by \$1,800.00. Mortgage tax credit was received; exceeded the budget by \$66,000.00.

General Fund: Spending at 82%; Revenue at 105%
 Highway Fund: Spending at 79%; Revenue at 104%

R-14-23 Motion by Lipe, seconded by Loomis to accept the Supervisor’s Monthly Report for December 2022. All in favor. Motion carried.

LOCAL LAW 2023-1:

R-15-23 Motion by Carpenter, seconded by Lipe to waive the reading of the Legal Notice and to re-open the public hearing at 6:59 p.m. All in favor. Motion carried.

Supervisor Rotondo stated how she reached out to Tax Assessor Brian Fitts to see what the

impact would be if the Town Board approved the local law. He came to the determination that there would not be a significant increase on taxpayers. There are only 196 senior properties aged 65 years or older that could qualify; however, that doesn't mean they all will because they have to reach the income level to receive that exemption. Worse case scenario, the town would have to come up with \$50,000.00 of revenue to cover the tax exemption. Using those numbers, Town Accountant Tom Chartrand said the tax rate would be an \$0.08 increase on a \$1,000 assessed value, worse case scenario. Councilor Lipe questioned when the last time the ceiling has been increased. Supervisor Rotondo stated that the ceiling for Senior Citizens Tax Exemption has not been raised since 2006. Councilor Loomis stated that seniors are more likely to be on a fixed income which means they are probably hurting the most. Supervisor Rotondo stated that the town needs to reflect on the impact this will have and how we want to treat our seniors.

Public Comment:

Nancy Furdock, Sevier Road: If these numbers are accurate, this seems like a no brainer. She also asked if the town has a way to notify seniors to let them know that this is available to them. Town Attorney Tim Frateschi stated that they already receive the exemption, this is automatic. Supervisor Rotondo will also talk with Assessor Fitts on getting seniors notified who haven't applied for the exemption yet.

Mark Nardella, Esty Road: If this becomes too much of an impact, can it be pushed back the other way in future years. Can this be adjusted if need be? Town Attorney Tim Frateschi stated that this probably could be adjusted by changing the local law.

R-16-23 Motion by Loomis, seconded by Lipe to close the public hearing at 7:09 p.m. All in favor. Motion carried.

LOCAL LAW 2023-2:

R-17-23 Motion by Rotondo, seconded by Loomis to waive the reading of the legal notice and to re-open the public hearing at 7:09 p.m. All in favor. Motion carried.

Supervisor Rotondo stated that this local law is very similar to the previous one, but with way less people that would qualify. This too would have a very insignificant impact on the tax rate.

R-18-23 Motion by Lipe, seconded by Carpenter to close the public hearing at 7:12 p.m. All in favor. Motion carried.

R-19-23 Motion by Loomis, seconded by Rotondo to adopt LOCAL LAW 2023-1 LOCAL LAW 2023-1 TO AMEND ARTICLE III OF CHAPTER 149 OF THE TOWN CODE ENTITLED "TAXATION," TO INCREASE THE INCOME LIMIT FOR THE SENIOR CITIZEN TAX EXEMPTION PERSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW.

**LOCAL LAW 2023-1, A LOCAL LAW AMENDING
ARTICLE III OF CHAPTER 149 ENTITLED "TAXATION"
THAT INCREASES THE INCOME LIMITS FOR THE
SENIOR CITIZEN PROPERTY TAX EXEMPTION:**

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

Section 1. Article III, Section 149-6 of Chapter 149 of the Town Code is amended as follows:

§149-6 Exemption granted.

Pursuant to § 467 of the Real Property Tax Law, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, shall be exempt from taxation to the extent set forth below:

Income Limits by Tax Year

Exemption	2006	2008 (Beginning 7-1-2007)	2009	
			Beginning 7-1-2008)	2010 (Beginning 7-1-2009)
50%	\$26,000	\$27,000	\$28,000	\$29,000
45%	\$27,000	\$28,000	\$29,000	\$30,000
40%	\$28,000	\$29,000	\$30,000	\$31,000
35%	\$29,000	\$30,000	\$31,000	\$32,000
30%	\$29,900	\$30,900	\$31,900	\$32,900
25%	\$30,800	\$31,800	\$32,800	\$33,800
20%	\$31,700	\$32,700	\$33,700	\$34,700
15%	\$32,600	\$33,600	\$34,600	\$35,600
10%	\$33,500	\$34,500	\$35,500	\$36,500
5%	\$34,400	\$35,400	\$36,400	\$37,400

Assessed Value Exempt from Taxation

\$50,000 or Less	50%
\$50,001 - \$50,999	45%
\$51,000 - \$51,999	40%
\$52,000 - \$52,999	35%
\$53,000 - \$53,899	30%
\$53,900 - \$54,799	25%
\$54,800 - \$55,699	20%
\$55,700 - \$56,599	15%
\$56,600 - \$57,499	10%
\$57,500 - \$58,399	5%

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Section 2. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

All in favor. Motion carried.

R-20-23 Motion by Rotondo, seconded by Lipe to adopt LOCAL LAW 2023-2 LAW AMENDING ARTICLE V OF CHAPTER 149 ENTITLED “TAXATION” THAT INCREASES THE INCOME LIMITS FOR THE EXEMPTION FOR PERSONS WITH DISABILITIES

**LOCAL LAW 2023-2, A LOCAL LAW AMENDING
ARTICLE V OF CHAPTER 149 ENTITLED “TAXATION”
THAT INCREASES THE INCOME LIMITS FOR THE
EXEMPTION FOR PERSONS WITH DISABILITIES:**

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

Section 1. Article V, Section 149-13 of Chapter 149 of the Town Code is amended as follows:

§149-13 Exemption granted.

Pursuant to § 459-c of the Real Property Tax Law, real property owned by persons with disabilities whose incomes are limited by reason of such disabilities shall be exempt from taxation to the extent set forth below:

Exemption	Income Limits by Tax Year			
	2006	2008 (Beginning 7-1-2007)	2009 Beginning 7-1-2008)	2010 (Beginning 7-1-2009)
50%	\$26,000	\$27,000	\$28,000	\$29,000
45%	\$27,000	\$28,000	\$29,000	\$30,000
40%	\$28,000	\$29,000	\$30,000	\$31,000
35%	\$29,000	\$30,000	\$31,000	\$32,000
30%	\$29,900	\$30,900	\$31,900	\$32,900
25%	\$30,800	\$31,800	\$32,800	\$33,800
20%	\$31,700	\$32,700	\$33,700	\$34,700
15%	\$32,600	\$33,600	\$34,600	\$35,600
10%	\$33,500	\$34,500	\$35,500	\$36,500
5%	\$34,400	\$35,400	\$36,400	\$37,400

Assessed Value Exempt from Taxation

<u>\$50,000 or Less</u>	50%
<u>\$50,001 - \$50,999</u>	45%
<u>\$51,000 - \$51,999</u>	40%
<u>\$52,000 - \$52,999</u>	35%
<u>\$53,000 - \$53,899</u>	30%
<u>\$53,900 - \$54,799</u>	25%
<u>\$54,800 - \$55,699</u>	20%
<u>\$55,700 - \$56,599</u>	15%
<u>\$56,600 - \$57,499</u>	10%
<u>\$57,500 - \$58,399</u>	5%

~~Strikeout~~ – removed language

Underline – added language

Section 2. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

All in favor. Motion carried.

LOCAL LAW 2023-3:

Supervisor Rotondo stated that this public hearing is to consider the adoption of a new local law that would amend our home occupation section of the code to clarify the process or the procedure that a business would need to through to get approval for a home occupation. This public hearing first opened on December 5, 2022 and after hearing feedback from the public and the Planning Board, Supervisor Rotondo feels that the Town Board need to scrap the home occupation law that is written in draft form and start new as it really seems unworkable. She suggested to the Town Board that they do not continue the public hearing, to withdraw this local law as written in draft form, and to ask Town Attorney Tim Frateschi to draft something that will work based on what has been heard from the public. Town Attorney Tim Frateschi stated that he's being looking at other municipalities and how their home occupation laws look like; he stated that it's usually a process of a special permit instead of a site plan. Councilor Lipe questioned whether existing businesses will be grandfathered in or will have to apply for a special permit.

PUBLIC COMMENT:

Mark Robinson, Number 2 Road: It appears that more and more people are moving into the country and doing what they want without getting the proper permits to do so. There is a resident that has been issued a stop-work order and is still working regardless.

Sharon Robinson, Number 2 Road: She is the most concerned about existing businesses being grandfathered in. She put in a complaint a full year ago regarding the home occupation on her road and nothing on the Town's end has been done. The resident is running a business; shipping and receiving, selling stuff, trucks come and go, football lights are always on; and her house is right next door. Town Attorney Tim Frateschi explained that you can not be grandfathered in if you are not properly doing what you're supposed to be doing; you can not run a home occupation unless you have permission to do so.

R-21-23 Motion by Rotondo, seconded by Lipe to close the public hearing at 7:33 p.m. All in favor. Motion carried.

Supervisor Rotondo asked the Town Board how they should proceed with this. Councilor Loomis agreed that they need to revisit the whole thing and possibly hold a public workshop. Town Attorney Tim Frateschi stated that he will put together a few local laws on how other municipalities handle home occupations. Supervisor Rotondo stated that this situation needs to be addressed and public input is vital.

TOWN CLERK REPORT:

R-22-23 Motion by Lipe, seconded by Rotondo to accept the December 5, 2022 meeting minutes. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT REPORT:

Highway Superintendent stated that it's been raining, which has saved a lot of materials. The Highway Department has been working on lots of repairs in the shop and getting it cleaned up. He is planning on hosting an open house this spring, which will be open to the public.

CODES REPORT:

Deputy Codes Officer Tyler Johnson reported that there was a fire at a home on Route 91 on Christmas morning. A beehive was built up in the chimney flue and caught the exterior of the house on fire. The homeowners were very lucky to have caught it in time; the house had minimal damage. Upon inspection, there were issues with non-working smoke detectors and non-working carbon monoxide detectors. Deputy Codes Officer Johnson reminded residents that the town code requires all houses to have working smoke detectors and carbon monoxide detectors, they save lives.

Codes Officer Tim Bearup was not able to attend the meeting; however, he did supply the Town Board with a written report for the month of December.

SUPERVISOR'S REPORT:

Supervisor Rotondo gave an update on the letter that was sent to the Governor on behalf of the

town regarding the Holiday Hunt. The Governor has vetoed that legislation and the Holiday Hunt is allowed.

Supervisor Rotondo gave an update on the NYSERDA grant. An event was sponsored by HeatSmart; depending on the amount of residents that signed up for heat pumps, there was an opportunity for the town to receive a grant. Supervisor Rotondo stated that the town was awarded a \$5,000.00 grant through NYSERDA that will be put towards an energy related project. She is open to suggestions.

Supervisor Rotondo updated that there is a new Tier 3 Solar Project that has begun the application process. The applicant went before the Planning Board in December and the Planning Board is requesting another month to make their recommendations and determinations back to the Town Board. This project is being proposed on Frank Long Road. This is a completely different concept than the Tier 3 Application on Sweet Road; also a different developer.

Supervisor Rotondo gave an update on the Swim Program. Cazenovia College is closing, effective end of this spring semester. As of right now, all buildings will be closed at the end of June including the pool. There are no plans for anybody to operate it over the summer. With that being said, the Swim Program at Cazenovia College can not be relied on. The Town is looking into other options.

PUBLIC COMMENT:

Alma Hartnett, Ridge Road: She's requesting that the agenda and other Town information to be posted on the website.

R-23-23 Motion by Christmas, seconded by Carpenter to adjourn at 7:57 p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid
Pompey Town Clerk