

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Meeting on Monday, June 6, 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, Bill Lipe, James Loomis; Town Clerk Nikki Reid; Accountant Tom Chartrand; Town Engineer John Dunkle; Town Attorney Tim Frateschi; Zoom Host Veronica Hotaling. Along with 47 residents.

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

Town Clerk Nikki Reid called the Roll: Supervisor Rotondo, Councilor Christmas, Council Lipe, Councilor Loomis.

A moment of silence was had for 3 Pompey Residents; Richard Rowlinson, Phyllis Stearns, and Gloria Mabie; they will all be sorely missed.

Councilor Lipe highly recommended Dave Angello to fill the vacancy on the Town Board. Mr. Angello and his wife have lived in Pompey the last 23 years and share three children. He has an undergraduate degree in Engineering and has had a very distinguished career at Johnson Controls. Councilor Lipe stated that Mr. Angello lives in the Pompey Preserves, an area that currently does not have board representation. Councilor Christmas agrees that it would be nice to have the north end of Pompey to have representation. Supervisor Rotondo stated that Mr. Angello was an advocate for the drainage issues in the Preserve.

R-111-22 Motion by Lipe, seconded by Christmas to appoint Dave Angello to fill the Town Board Councilor vacancy through December 31, 2022. All in favor. Motion carried.

Roll Call Vote:

Ayes: Supervisor Rotondo, Councilor Christmas, Councilor Lipe

Abstain: Councilor Loomis

Town Clerk Nikki Reid read Dave Angello the Oath of Office and swore him in at 6:45 p.m.

PIVOT ENERGY TIER 3 SOLAR PROJECT

R-112-22 Motion by Rotondo, seconded by Christmas to declare the Town Board Lead Agency for Local Law 2022-1. All in favor. Motion carried.

Town Attorney Tim Frateschi read through all 17 questions from part two of the long Environmental Assessment Form. He reminded the public that the SEQR analysis is just for the zone change, not for the site plan. However, when considering the Local Law, the Town Board will consider the environmental impacts of the one thing that would be allowed – a solar farm as proposed by the applicant. Onondaga County Planning Board determined that said referral will have no significant adverse inter-community or county-wide implications. Supervisor Rotondo read County Planning’s comment into the record:

1. While below the parcel thresholds established in local law, the entirety of the project area to be affected by the solar project appears to contain Prime Agricultural Soils. The installation of solar energy systems on active or prime farmland should be designed to minimize disruption to existing and future agricultural operations by avoiding configurations that fragment farm fields and production, siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.

2. A zone change of over 25 acres is a Type I action under SEQR and should be reviewed as such.

Supervisor Rotondo stated that the Town Board also received a very detailed response from the Environmental Conservation Commission regarding their concerns relative to the environmental impacts. This will be made part of the record and made available to the public and posted on the Town of Pompey’s website.

Gordon Woodcock, Pivot Energy, shared a brief presentation on the solar project that is being proposed. This will be made available to the public and posted on the Town of Pompey’s website.

R-113-22 Motion by Christmas, seconded by Lipe to open the public hearing at 7:55 p.m. All in favor. Motion carried.

Zarita Hack – Pratts Falls Road: In favor. Pivot Energy is willing to work with the community. Renewable energy is important. Tax Revenue is huge. Once the panels are installed, the impact is minimal, no traffic, no heavy machinery, no noise.

Beth Scalisi – Route 20: In favor. They use solar to heat their greenhouse and their home. The future is grim if we don’t make some type of progress.

Martha Viglietta – Gibbs Road. In favor. All electric future must happen; the sooner the better.

Stan Hack – Pratts Falls Road. In favor. He urges the Board to consider the future. Who knows what the economy is going to look like in 25 years. This will bring income to the town and have low impact. If the owner decides to decommission the panels after 25 years, the land will go back to what it is today. We will have our own local power source if there are ever black outs or brown outs.

Anthony Viglietta – Gibbs Road. In favor. His main focus is long term climate. The scientific community is screaming for us to do something. He asks the Town Board Members, as Elected Officials, to be for something. We have to make compromises to save our future.

Adam Scalisi – Route 20. In favor. He agrees with the previous speakers. He also added that the alternative energy that is being pursued is a very good compliment and supporting attribute to agriculture, which is such a prevalent occupation in our community.

Jim Schoonmaker – Watervale Road. In favor. He's in support of the effort to proceed with this project. It's a look toward the future and is something that the town should be striving for in regard to renewable energy. He also stated that there are over 8,000 solar panel solar array on Taylor Road that has been there for over 5 years.

Bill Osuchkowski – Henneberry Road. In favor. He cleared the land, subdivided it, and sold it to the Stacers. He's seen these solar projects all over the county; they are viable and working projects. He has everyone's interest and says this will work for everyone. He did a lot of research before he approached Pivot Energy. He cares about this community and states we need a back-up to the grid. There is a reason why glaciers are melting, and animals are dying from the heat. He asks the Board to please consider this project.

Helen Bailey – Ridge Road. Not either in favor or not in favor. Had questions regarding what utility company will be purchasing electricity. (Gordon Woodcock responded National Grid). She also asked if the cell towers on Sevier with interfere with these panels. (Gordon Woodcock responded no). She also asked if there will be lights (no) and if there is a height restriction (Tim Frateschi stated 10 feet).

Barbara Stacer – Sweet Road. Opposed. Her family lives right next door to where the panels will be installed. There will be glare, noise, and disturbance to the quality of her family's life. She questioned the definition of prime farmland. She stated that there needs to be more details regarding mitigation. She also stated that the Town Board didn't have enough information made available to complete the SEQR and it seemed to be guessed at.

Shawn Stacer – Sweet Road. Opposed. He questioned whether the solar panels or transformers can catch fire. (Gordon Woodcock responded that the panels Pivot Energy

uses are silicone, glass, and aluminum and he will check with the local fire department but stated there are transformers all over town that haven't been an issue).

Nancy Furdock – Sevier Road. Not opposed to solar but wants to make sure that the public understands the overarching question is whether or not to change the zoning from agriculture residential to let's add a solar overlay district. She also stated that she was told that Stork LLC hired Pivot Energy to do this project and wants to know if that's true? (Gordon Woodcock responded that this is entirely incorrect). Lastly, she stated that she would like the Town Board to put a referendum on the ballot regarding this solar project at the next election. (Town Attorney Tim Frateschi stated that New York State Law is very specific on what can be put to public referendum and zone changes are not subject to public referendum; our State Constitution does not allow for initiative and referendum like other states have.)

Deborah Grenier – Cemetery Road. Opposed. The Stacers will have to look at those solar panels every day. It's horrible and unimageable.

Chad Welch – Pratts Falls Road. Are there any alternatives to where these panels can go? People visiting Pompey for agritourism, who go down Sweet Road to visit Heritage Hill and other agricultural views will have to look at the solar farm.

Mary Baum – Sweet Road. Opposed. She agrees with everyone else who's opposed. She is the neighbor to this proposed project. Not opposed to renewable energy but thousands of solar panels between two homes, is that really the right place to do this? She questioned if the developer can pay to upgrade the solar farm if they choose to. (Gordon Woodcock responded that it would be prohibitively expensive to do so).

Robert Knapp – Broadfield Road. All of Pompey used to be agricultural. What happens in 25 years when they need to be decommissioned. (Supervisor Rotondo stated that there is a very stringent decommission plan that the company has to put in place).

Marybeth Ulbright – Number 5 Road West. How much of a tax break will the owner get? (Solar farms are not required to pay taxes at all however you can enter into a payment in lieu of tax agreement with the company. The pilot will be the payments that come to the town and the school district.

Carol Porto – Pompey Center Road. Opposed. This land is made for farmers. The Town will not benefit from this because they can fight assessment.

Stan Gorman – Sevier Road. His main concern is the town's ability to monitor and enforce all the stuff that is in the law. He believes the law is very well written but needs some teeth to it. Will there be penalties if they chose to violate the policy, such as financial fines or accountability?

R-114-22 Motion by Christmas, seconded Rotondo to close the public hearing at 9:13 p.m. All in favor. Motion carried.

Written comments will be accepted until June 29, 2022.

TOWN FINANCES REPORT:

Town Accountant Tom Chartrand gave his monthly report. He stated that it was another good month for Town Clerk fees; a little under \$2,000.00. NYCLASS interest is creeping up. Court fines are doing well, about 46% of budget. A small amount of scrap metal money came in.

General Fund: Spending at 31%; Revenue at 77%
Highway Fund: Spending at 24%; Revenue at 80%

R-115-22 Motion by Christmas, seconded by Lipe to accept the Supervisor's Monthly Report for May 2022. All in favor. Motion carried.

R-116-22 Motion by Christmas, seconded by Lipe to accept the May 2022 Bank Reconciliation Reports for Supervisor, Town Clerk, and Tax Collector Accounts. All in favor. Motion carried.

R-117-22 Motion by Christmas, seconded by Lipe, to approve the following transfer:

GENERAL FUND

From:	A599	Surplus	Close 2021	\$28,000.00
	A1991.4	Contingent	Contractual	<u>\$10,000.00</u>
			TOTAL	\$38,000.00
To:	A9060.8	Employee Benefits	Hospital	<u>\$38,000.00</u>
			TOTAL	\$38,000.00

All in favor. Motion carried.

TOWN ENGINEER REPORT

Town Engineer John Dunkle gave a brief presentation of the 2021-2022 MS-4 Annual Report. This will be made available to the public and posted on the Town of Pompey's website.

R-118-22 Motion by Angello, seconded by Christmas to authorize Supervisor Rotondo to sign the MS-4 Annual Report. All in favor. Motion carried.

TOWN CLERK REPORT

R-119-22 Motion by Rotondo, seconded by Christmas to accept the May 2, 2022 Regular Meeting minutes and the May 16, 2022 Special Meeting minutes. All in favor. Motion carried.

Town Clerk Nikki Reid gave an update on the corporate change of ownership of Knoxie's Pub; Sonji Morgan will be become the new owner of Knoxie's Pub. Town Board had no concerns about the notice of ownership change

Town Clerk Nikki Reid discussed the fees for school tax collection. She mentioned that it was discussed at budget season to potentially increase the cost of collection. After discussion, the Town Board is suggesting an increase to \$3.50 per parcel.

R-120-22 Motion by Christmas, seconded by Rotondo to update the eCodes and pay General Code no more than \$2,500.00 to codify and supplement Town of Pompey legislation. All in favor. Motion carried.

CODE ENFORCEMENT REPORT:

Supervisor Rotondo introduced the new Codes Officer Tim Bearup and Deputy Codes Officer Tyler Johnson. She stated how appreciative the Board is that they both accepted the positions. Tim will be mostly responsible for building permits, Planning Board applications, Certificates of Occupancies. Tyler will mostly be responsible for Fire Inspections and Code Violation Complaints.

Codes Officer Bearup gave an update on the progress he's made in May. He issued 13 permits, 7 completions, and 2 Work to Stop Orders. He will be meeting with the DEC this week to discuss wetlands.

Deputy Codes Officer Johnson gave an update on the progress he's made in May. He has been going through the fire inspection files. Fire inspections have been lacking. Certain occupancies have to be done every year, such as the Town Hall. He reached out to the Fire Department and they've expressed concerns regarding certain businesses within the Town that they would like to see inspected. He's also been handling old complaints that haven't been addressed as well as some new ones. He's sent out quite a few letters of Order to Remedy as well as Fire Inspection letters.

TOWN ATTORNEY REPORT:

R-121-22 Motion by Christmas, seconded by Lipe to authorize Supervisor Rotondo to sign the Intermunicipal Agreement for a \$200,000 grant by and between

the County of Onondaga and the Town of Pompey for drainage infrastructure work at the Preserve. All in favor. Motion carried.

Town Attorney Tim Frateschi presented a Local Law / Policy to permit Town Officials to attend public meetings remotely / virtually.

R-122-22 Motion by Rotondo, seconded by Christmas to schedule a public hearing on July 6, 2022 at 6:35 p.m. to adopt LOCAL LAW 2022-2 CREATING CHAPTER 55 ENTITLED "TOWN BOARD POLICIES" OF THE TOWN OF POMPEY TO IMPLEMENT VARIOUS TOWN POLICIES AND PROCEDURES AND PROCEDURES INCLUDING VIDEOCONFERENCING OF TOWN PUBLIC BODIES. All in favor. Motion carried.

SUPERVISOR'S REPORT:

Supervisor Rotondo gave an update on the Assessor's Office. Assessor Brian Fitts, Fitts Appraisal, contract expires July 1, 2022. After speaking with Mr. Fitts, he is finding that he can handle Pompey and would like to extend his contract.

R-123-22 Motion by Rotondo, seconded by Christmas to appoint Brian Fitts, Fitts Appraisal, as the Town Tax Assessor effective July 2, 2022 through September 30, 2025. All in favor. Motion carried.

Swimming lessons schedules have been posted. 212 kids have registered: 126 residents, 86 non-residents. Of the 58 resident families, 53 families paid the suggested fee.

Supervisor Rotondo mentioned to the Board that she would like them to give consideration to short term rentals in the Town of Pompey. Many towns have a registration process or licensing with a fee. Councilor Christmas volunteered to be on a committee that would delve into establishing provisions for short term rentals. Resident Helen Bailey also volunteered to be on the committee.

PUBLIC COMMENT:

Deborah Grenier, Cemetery Road: Had questions about the signs regarding the solar project on Sweet Road.

R-124-22 Motion by Rotondo, seconded by Christmas to enter into Executive Session at 9:40 p.m. regarding the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, promotion, demotion, suspension, dismissal or removal of a particular person or corporation. All in favor. Motion carried.

- R-125-22 Motion by Rotondo, seconded by Christmas to leave Executive Session at 10:30 p.m. All in favor. Motion carried.
- R-126-22 Motion by Christmas, seconded by Lipe to approve the payment of General Fund Abstract Nos. 150-176, totaling \$25,704.66; Highway Abstract Nos. 83-95, totaling \$181,073.93; Special District Nos. 13-13, totaling \$385.91. All in favor. Motion carried.
- R-127-22 Motion by Rotondo, seconded by Christmas to adjourn at 10:32 p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid
Pompey Town Clerk