

## TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on October 7, 2013. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz, Craig Smithgall; Accountant Tom Chartrand; Highway Superintendent Tom Purcell; Town Clerk Ann Christmas and Town Attorney Jeff Brown. There were also 19 residents in attendance.

Supervisor Marsh called the meeting to order at 7 p.m. followed by a moment of silence for our service men and women.

R-189-13        Made by Dennis, seconded by Herlihy to open the Public Hearing on the adoption of Local Law No. 5 of 2013 at 7:01 p.m. All in favor. Motion carried.

This law would create and appoint a Vice Chairperson to the Planning Board to act in the absence of or failure to act by the Chairperson. Councilor LaFrenz stated that this went straight to the point. Supervisor Marsh stated that the Vice Chairperson shall act for the Chairperson in his or her absence or if the Chairperson otherwise fails to carry out his or her official duties within five (5) business days of any required action. The Vice-Chair could run the meeting if the Chairperson wasn't at the meeting and the Vice Chair would be a member of the Planning Board. No one spoke in favor or against the proposed law.

R-190-13        Made by Dennis, seconded by Herlihy to close the Public Hearing on the adoption of Local Law No. 5 of 2013 at 7:03 p.m. All in favor. Motion carried.

R-191-13        Made by Dennis, seconded by Herlihy to adopt Local Law No. 5 of 2013 to amend Chapter 41 (Planning Board) of the Town of the Town of Pompey to create and appoint a Vice-Chairperson to the Town of Pompey Planning Board to act in the absence of or failure to act by the Chairperson. All in favor. Motion carried.

R-192-13        Made by Dennis, seconded by Smithgall to open the Public Hearing on the adoption of Local Law No. 6 of 2013 at 7:04 p.m. All in favor. Motion carried.

Budget Officer Chartrand explained that we are very close to the inflationary number set by the State. Currently we are a few hundred dollars under it. CAVAC is the only special district that we haven't heard back on. If their numbers are the same as last year we would be okay but if they are higher than we would need the local law to override the tax levy limit. No one spoke in favor or against the proposed law.

R-193-13        Made by Dennis, seconded by LaFrenz to close the Public Hearing on the adoption of Local Law No. 6 of 2013 at 7:06 p.m. All in favor. Motion closed.

R-194-13        Made by Dennis, seconded by Herlihy to adopt Local Law No. 6 of 2013 to override the tax levy limit established by N.Y. General Municipal Law § 3-c. All in favor. Motion carried.

The monthly report of the Supervisor was submitted and reviewed.

R-195-13        Made by Dennis, seconded by Herlihy to approve the following transfer:

GENERAL FUND:

|       |         |                     |          |
|-------|---------|---------------------|----------|
| From: | A1991.4 | Contingent          | \$500.00 |
| To:   | A1320.4 | Independent Auditor | \$500.00 |

All in favor. Motion carried.

R-196-13 Made by Herlihy, seconded by Dennis to designate the following road as seasonal limited use highways to be exempt from snow and ice removal and maintenance: No. 2 Road East from Oran Delphi Road to Pompey Hollow Road. All in favor. Motion carried.

Supervisor Marsh thanked the Town Board members and the employees for working to keep the Town and Highway budget at the same rate of \$2.05 that it has been for several years. She appreciates all of the help to keep it the same. Councilor Dennis stated that he was very happy that we had a balanced budget again. Councilor Herlihy reiterated what Councilor Dennis said and also stated that he felt that this is a testament to the Town Board.

Councilor LaFrenz stated that John Shaheen is doing a solar evaluation on the Town Hall and it should be finished in December.

Councilor Smithgall informed the Town Board that he had reviewed the landfill report. The water is the same as it has been for many years. Gas monitoring is also being performed. He also informed the Town Board that he has been spending time with Code Enforcement Officer Penhall and that they had driven around Delphi Falls looking at potential zoning violations (i.e. abandoned cars, dilapidated buildings). This will be an ongoing process.

Supervisor Marsh reported that the following permits were issued in September: 2 single family homes, 2 swimming pools, 1 addition; 4 alterations, solar, misc. and 2 storage barns.

R-197-13 Made by Marsh, seconded by Dennis to authorize the Town Clerk to sign the New York State Department of Environmental Conservation License Issuing Agent Agreement subject to the review of Attorney Brown. All in favor. Motion carried.

R-198-13 Made by Dennis, seconded by Smithgall to authorize the Supervisor to sign the letter of intent requested by Central New York Regional Planning Board for a MS-4 Stormwater Grant. All in favor. Motion carried.

R-199-13 Made by Dennis, seconded by Herlihy to approve the Supervisor, Town Clerk and Tax Collector's report and bank reconciliations. All in favor. Motion carried.

R-200-13 Made by Dennis, seconded by Smithgall to approve the payment of General Fund Abstract Nos. 332-254, totaling \$10,116.66; Highway Fund Abstract Nos. 147-160, totaling \$33,366.03; and Special District Abstract No. 37, totaling \$484.05. All in favor. Motion carried.

Public Comment

Michael Ward expressed his concerns of the amount of truck traffic on Oran Delphi Road. He feels the traffic is coming from an illegal mine. He said the Delphi Falls mine was started in 1987 and is no longer a mine. It is a retail outlet. He requested that the Town have a road study done on how many trucks travel the road daily. Supervisor Marsh stated that she would ask the County to do this. He would also like a report by Richard Penhall on the 1987 permit that was issued. He stated that there are 100 acres zoned agricultural and it is being used for mining. Councilor Smithgall will investigate the DEC permit.

R-201-13      Made by Dennis, seconded by Herlihy to adjourn at 7:25 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk