

TOWN OF POMPEY BOARD MINUTES

The Town Board of Town of Pompey held its Regular Monthly Meeting on March 5, 2018. In attendance were: Supervisor Carole Marsh, Councilors: Carl Dennis, Giovanni LaFace, Greg Herlihy, Sheila Larkin, Town Attorney Jeff Brown, Highway Superintendent Tom Purcell, Town Engineer Steve Snell, Bookkeeper Tom Chartrand and Town Clerk Ann Christmas.

Supervisor Marsh called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and a moment of silence for our service men and women and for those who protect us along with a moment of silence for the loss of Anne Findlay.

R-35-18 Motion by Dennis, seconded by Herlihy to open the Public Hearing on the adoption of Local Law No. 2 of 2018 to Extend the effective period of the Cold War Veterans Exemption at 7:01 p.m. All in favor. Motion carried.

Attorney Brown explained the basis for this. It is to amend the Cold War Veterans Exemption. Previously this exemption was for a ten year window and now it is unlimited. There is only a small group that gets it.

No one spoke in favor or against the proposed Local Law.

R-36-18 Motion by Dennis, seconded by LaFace to close the Public Hearing on the adoption of Local Law No. 2 of 2018 to Extend the effective period of the Cold War Veterans Exemption at 7:03 p.m. All in favor. Motion carried.

R-37-18 Motion by Dennis, seconded by LaFace to adopt Local Law No. 2 of 2018 to Extend the Effective Period of the Cold War Veterans Exemption. All in favor. Motion carried.

The monthly report of the Supervisor was submitted and reviewed. It was a quiet month. We received one-half of the snow/ice removal money from the County; it came in \$4,000.00 higher than we expected. Some of the abstracts appear higher but that is because we paid out the Pompey Hill Fire District Contract, CAVAC and SOTS along with the Manlius and Delphi Falls Fire contracts.

R-38-18 Motion by Herlihy, seconded by Dennis to approve the following transfer:

HIGHWAY FUND

From:	DA599	Surplus	2017 Balance	\$90,000.00
To:	DA5110.4	Repairs	Contractual	\$50,000.00
	DA5130.2	Machinery	Equipment	<u>\$40,000.00</u>
			Total:	\$90,000.00

All in favor. Motion carried.

R-39-18 Motion by Herlihy, seconded by Dennis to authorize the Town Clerk to advertise that the year-end report including SOTS has been filed. All in favor. Motion carried.

Supervisor Marsh thanked Highway Superintendent Purcell and his crew for the great job they do and that the Town Board greatly appreciates all of their hard work especially during last Friday's storm.

Highway Superintendent Purcell reported that so far they have made 103 trips plowing and sanding this season. The average is 112 trips. He informed the Board that if plows damage any mailboxes that they are repaired. He reported that DEC and the Army Corp of Engineers are still working on getting permission for the installation of the box Culvert on Gulf Road.

Supervisor Marsh reported that she met with Bradley Herrington who is trying to get his Eagle Scout badge. As his project he would like to beautify the park in Pompey Hill between Sweet Road and Route 91.

R-40-18 Motion by Marsh, seconded by Herlihy to establish a Safety Committee that will consist of Fred Hill (Safety Coordinator) along with Carl Dennis, Michael Pratt and Mike Smith. All in favor. Motion carried.

The Historian's 2017 report was submitted and reviewed. It was a very in-depth report. The Town Board all agreed that Ruth Hotaling is a great Historian.

R-41-18 Motion by Dennis, seconded by Herlihy to accept the 2017 Historian report submitted by Ruth Hotaling. All in favor. Motion carried.

Councilor Dennis reported that he had met on February 15th with Attorney Brown and Susan Kiehl and her attorney. Ms. Kiehl requested to be compensated for the water that comes from her spring and runs down to Gulf Road. She would like to be compensated \$2,500.00 per year. The agreement would run for 15 years. This amount covers her taxes on the property.

R-42-18 Motion by Dennis, seconded by Herlihy to enter into an Agreement with Susan Kiehl for an easement on her property that includes the spring running to Gulf Road. She will be compensated \$2,500 per year. This Agreement will run for 15 years and she cannot extinguish the easement by selling her property. All in favor. Motion carried.

John Shaheen has been helpful in this project as well. For the cost of the survey he is deeding over land where the spring water comes out on Gulf Road.

Councilor LaFace reported that he met several weeks ago with Highway Superintendent Purcell, Town Engineer Snell, Mr. Armstrong and Mr. Kohler about the Spruce Ridge flooding. Mr. Kohler was very cooperative. We need to manage the water coming off the property and divert it back to the stream. We will need a permanent easement across Mr. Kohler's property. Spruce Ridge has a drainage district and it is benefiting from a portion of this district. We can do this project in stages to help keep the costs down. The Highway Department may be able to do some of the work. We will need to get a surveyor to prepare the easement, obtain topography and provide to O'Brien &

Gere in order to design the improvements. Town Engineer Snell will prepare a description of the project and a cost estimate. We will have Mr. Kohler execute the easement before proceeding with the work.

R-43-18 Motion by Herlihy, seconded by Dennis to authorize the Supervisor to sign the Landfill Monitoring Agreement with O'Brien & Gere at a cost of up to \$13,938.00/year. All in favor. Motion carried.

Councilor Herlihy informed the Town Board that he has spoken with County Legislator David Knapp and the County is behind the Town on our project of locating the fuel tanks in the town. They feel it is an innovative project and may be able to give us some funds for this project.

Councilor Larkin questioned the Town Board about the February 7, 2018 minutes in connection with the appointment of Jeffrey Cooke as part-time Code Enforcement Officer. She voted for him for as part-time Code Enforcement officer for the specific job of locating the fuel tanks on residents' property only. She feels that this is a good project for the Town to do. Her concern is that the minutes do not say anything about this appointment being for the specific job of locating fuel tanks. She thinks for the public knowledge this should be in the minutes as our Code Enforcement Officer is paid \$37,500.00/ per year and now Jeffrey Cooke will be paid up to \$20,000.00/year as part-time Code Enforcement Officer. She questioned if he has had the necessary training. Attorney Brown stated that Civil Service restricts how the job can be officially classified.

R-44-18 Motion by Larkin to amend the February 7, 2018 minutes to include that it is project specific for the appointment of Jeffrey Cooke as Code Enforcement Officer. There was no second to this motion. Motion failed.

Highway Superintendent Purcell informed the Town Board that he had received a letter from FEMA in which it turned our request for aid. The Town of Fair Haven reached out to the higher government officials for help. Supervisor Marsh stated that she has reached out to County Legislator David Knapp for help. To date we have spent \$188,000 on the Gulf Road project. We still need to do paving of the road and bank stabilization.

Ed Drexler spoke to the Town Board about several issues. He questioned why the Planning Board changes its meeting dates and some months have no meetings. The Town Board couldn't think of any time that this had happened. He then spoke to the Town Board about his hay elevator that was totaled on Christmas Day when a tree came down on it. Our insurance company will not pay for it because the town had not received any prior notification about the tree being a danger. The elevator was parked on the town right of way. His insurance only covers certain pieces of equipment. New York State law states that the town needs to receive written prior knowledge of a hazard before it can be held liable. The Town Board informed him that we couldn't use taxpayer money to pay for a private citizen's property.

There was a lengthy discussion on the pay for Judge Cognetti, Court Clerk Ken Stvan and Clerk 1 Kim Memory for the work they do in the month of March for Judge Ali's cases. Judge Cognetti will receive a stipend of \$770.00 for the month of March. The two clerks will each receive a stipend in the amount of \$253.00 for the month of March contingent upon several actions (see motion below). A letter was received from Court Clerk Stvan in which he stated that he wanted to be paid his salary like he has been

paid in the past (\$4,570.00/year). He doesn't think that they should be paid \$12.00/hour.

- R-45-18 Motion by Herlihy, seconded by Marsh to set a stipend in the amount of \$770.00 for the month of March for Judge Cognetti to handle Judge Ali's cases contingent upon approval by the 5th Judicial District. All in favor. Motion carried.
- R-46-18 Motion by Herlihy, seconded by Larkin to set a stipend in the amount of \$253.00 each for Court Clerk Stvan and Clerk 1 Memory for the month of March for the extra work of taking over Judge Ali's cases contingent upon approval being given by the 5th Judicial District, the Oath of Office book being signed by Court Clerk Stvan and Judge Cognetti signing off on the hours worked for both Court Clerk Stvan and Clerk 1 Memory. All in favor. Motion carried.
- R-47-18 Motion by Dennis, seconded by Herlihy to authorize Judge Cognetti to attend the 2 day of continuing educational training at The Desmond on March 20, 2018 – March 21, 2018 at a cost of \$230.00. Judge Cognetti will submit receipts for tolls and food. All in favor. Motion carried.
- R-48-18 Motion by Dennis, seconded by LaFace to approve the bank reconciliations and monthly reports of the Supervisor and Town Clerk. All in favor. Motion carried.
- R-49-18 Motion by Dennis, seconded by LaFace to approve the payment of General Fund Abstract Nos. 67-96, totaling \$25,145.52; Highway Fund Abstract Nos. 45-62, totaling \$56,918.14 and Special District Abstract Nos. 7-9, totaling \$12,426.29. All in favor. Motion carried.
- R-50-18 Motion by Dennis, seconded by LaFace to approve the audit of the Supervisor, Town Clerk and Tax Collector's records. All in favor. Motion carried.

Town Clerk Christmas explained to the Town Board about an incident that occurred in her office when her deputy was in the office by herself. She would like to get security cameras installed so she will see the vehicles in the parking lot and as they come into the building. It was agreed that it should be hardwired in versus wireless. Stan Gorman suggested that she contact Hoefler Communications for a quote as they are town residents.

Public Comment

Stan Gorman questioned the Town Board about what was going on with the cell tower on Sevier Road. Code Enforcement Officer Hill informed him that they removed 6 antennae and replaced them with 4; there is less emissions and a pad for generator was installed. Mr. Gorman was on the Tower Committee many years ago. The Town is allowed to test the towers every 6 years. He wanted to know when the last test was performed. We will get quotes before the next meeting on the cost of performing the testing.

R-51-18 Motion by Dennis, seconded by LaFace to adjourn at 8:40 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas
Pompey Town Clerk