

## TOWN OF POMPEY BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on August 4, 2014. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz, Craig Smithgall; Highway Superintendent Tom Purcell; Bookkeeper Thomas Chartrand; Town Attorney Ted Spencer, Town Clerk Ann Christmas and Code Enforcement Officer Richard Penhall.

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 also for the Larkin family who lost their home in a fire on August 3, 2014.

The monthly report of the Supervisor was submitted and reviewed. The Court fines have increased and we should make budget on this; the first payment of mortgage tax funds has been received and was lower than budgeted; we just received the first payment from Fabius for the shared services agreement. We have not received the second payment from Onondaga County for snowplowing and the severity factor. Bookkeeper Chartrand has spoken to County Legislator David Knapp about this.

R-108-14 Made by Dennis, seconded by Herlihy to hold budget workshops on September 22, 2014 and September 30, 2014, at 6 p.m. All in favor. Motion carried.

Supervisor Marsh informed those in attendance that she had attended a meeting at the Pompey Post Office about the reduction of hours beginning in January of 2015. There are form letters on the table that people can send to Congressman Maffei asking for his help in keeping the post office open the same as it currently is.

Supervisor Marsh also reported that she, along with County Legislator Knapp, had sent letters to NYS Ag & Markets regarding the Palladino, Clapp and Way farms being in the Farmland Protection Program.

Supervisor Marsh reported that she attended the Farm Day event at the Jim & Sue Smith Farm on Route 20 on Saturday. It was very well attended. The Smith Family was awarded New York State Farm of the Year.

There was a discussion on the proposed Vehicle Use Policy. Councilor Smithgall commented that it is too restrictive. He questioned if this is to force people to drive their own vehicles. He also asked who is responsible for keeping the vehicle clean; checking the oil; tires, etc. Supervisor Marsh stated that this is similar to policies adopted in other towns. We are trying to protect the town.

R-109-14 Made by Herlihy, seconded by Dennis to adopt the Vehicle Use Policy as written. 3 yes (Dennis, Herlihy, Marsh) 2 no (LaFrenz, Smithgall) Motion carried.

R-110-14 Made by Smithgall, seconded by Herlihy to commend the Smith Family for the fine example of their farming practices. They are wonderful citizens for the work they do for the Town. All in favor. Motion carried.

Supervisor Marsh advised those in attendance that a Proclamation from the Town was given to the Smith Family.

Councilor Smithgall recognized Lt. Daley from the Onondaga County Sheriff's Dept. He thanked him for his service and stated that he felt safer with him there. He feels this is an excellent service the Town provides.

Councilor Herlihy asked that everyone keep the Larkin family in their thoughts and prayers during this difficult time.

Councilor Dennis stated that he felt sending a letter to Dan Maffei is a great idea as the Pompey Post Office needs to be open 8 hours a day.

R-111-14 Made by Dennis, seconded by Herlihy to accept the monthly reports and bank reconciliations of the Town Clerk/Tax Collector and Supervisor. All in favor. Motion carried.

R-112-14 Made by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 252-284, totaling \$20,074.12; Highway Fund Abstract Nos. 123-136, totaling \$126,078.18; Special District Abstract Nos. 22-24, totaling \$33,735.50; Trust & Agency Abstract Nos. 22-25, totaling \$567.50. All in favor. Motion carried.

There was a discussion on Bill Osuchowski and his request to be reimbursed for a charge on his tax bill for lawnmowing. Code Enforcement Officer reported that he had received calls from some neighbors complaining that the lawn had not been mowed at property owned by Mr. Osuchowski on

Henneberry Road. A notice was served on him that his lawn needed to be mowed or if it wasn't done the Town would arrange to mow it and be put on his tax bill. Code Officer Penhall stated that it was a busy time and there was a mix up. Mr. Osuchowski had called and informed Code Enforcement Penhall that he was going to mow the lawn. In the meantime, the Highway Department arranged to have this lawn mowed and when Mr. Osuchowski went to mow the lawn it was already done. Mr. Penhall feels that we should cut Mr. Osuchowski some slack but it isn't his decision. Supervisor Marsh stated that it is our responsibility because of the mix up. Code Enforcement Officer Penhall admitted that he hadn't let the Highway Department know that Mr. Osuchowski had contacted him about the mowing of the lawn. Councilor Smithgall feels that the Town would be setting a precedent if we refunded this money to Mr. Osuchowski. He wants to see an evaluation on who we have do this service. He wants to know the dollars per hour per machine and have someone from the Highway Department watch while the job is done. Councilor Herlihy stated that we have a procurement policy. Bookkeeper Chartrand stated that we have never exceeded the amounts in our procurement policy and that the contractors have insurance. Councilor Dennis stated that there appears to have been a breakdown in communication and we should be forgiving. It was an oversight that Code Enforcement Officer Penhall never informed Highway Superintendent Purcell.

R-113-14 Made by Dennis, seconded by Herlihy to reimburse Bill Osuchowski in the amount of \$175.00 for the lawnmowing charge. 3 yes (Dennis, Herlihy, Marsh) 2 no (LaFrenz, Smithgall) Motion carried.

There was a discussion on the Chen property. Code Enforcement Officer Penhall reported that there was a fire at the house owned by John Chen and Carol Hatch on Oran Delphi Road several years ago. It was totally destroyed. There is an open cellar, open pool and junked cars on the property. He is unable to find Mr. Chen. For safety sake the property should be cleaned up. Supervisor Marsh stated that he hasn't paid the taxes and that the County has informed us that this property will be put up for auction in October 2015 for unpaid taxes. Both owners of the property need to be notified. So far only notices have been sent to Mr. Chen. Supervisor Marsh questioned if we spend the money to clean it up will we get the money back. Code Enforcement Officer Penhall stated that Vince Giordano (the caretaker for Dolly Honig) told him if he could have the junked cars he will clean the property up for free. Attorney Spencer stated that we couldn't do that. He said that there is a procedure that Mr. Penhall needs to be followed. It is very important that he tries to locate the owners and give them proper service. He informed Mr. Penhall that this is all stated in Chapter 69 of the Town Code. Mr. Penhall stated that the Sheriff's

Department had told him that Carol Hatch didn't want anything to do with the property. Attorney Spencer stated that she is still a record owner and needs to be notified. Bookkeeper Chartrand asked if this could be accomplished by October 1, 2014. No it isn't likely that this can be accomplished. If we wait until next year we will not be able to submit the bills for payment as the property will be auctioned off. Councilor Herlihy questioned if we could issue an appearance ticket for the junked cars. Attorney Spencer stated that we could do this. The idea of putting a snow fence up around the open basement and swimming pool was discussed. Attorney Spencer thought this would be an appropriate measure for safety. Councilor LaFrenz asked if we would be responsible for maintaining it.

R-114-14 Made by Herlihy, seconded by Dennis to have Code Enforcement Officer Penhall initiate a zoning code violation for junked cars against Jon Chen and Carol Hatch. All in favor. Motion carried.

Code Enforcement Officer Penhall spoke to the Town Board about the proposed permit for solar applications. This was forwarded to us from Chris Carrick who spoke at last month's meeting. He recommends that the Town adopt this new permit as a lot of solar work is being done in the Town. Councilor LaFrenz stated this is a good idea.

R-1151-4 Made by Smithgall, seconded by LaFrenz to adopt the Unified Solar Permit as our permit for solar projects contingent upon the permit being changed to contain Town of Pompey information on the application. (This will be done and reviewed at next month's meeting). All in favor. Motion carried.

R-116-14 Made by Herlihy, seconded by Dennis to declare the 3 three old computers (2 Dell, Intel Pentium), 1 Dynamo label maker, 1 file cabinet and 1 HP printer as scrap and to be destroyed. All in favor. Motion carried.

R-117-14 Made by Dennis, seconded by Herlihy to adjourn at 8 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk

