

## TOWN OF POMPEY TOWN BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on December 1, 2014, at the Pompey Town Hall. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz and Craig Smithgall; Accountant I Tom Chartrand; Highway Superintendent Tom Purcell, Attorney Jeff Brown 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 servicemen and women and also for Ed Murdock, resident of the Town of Pompey.

R-174-14 Made by Marsh, seconded by Dennis to authorize one Highway Department employee to buy back 24 hours of unused vacation time. All in favor. Motion carried.

The monthly report of the Supervisor was submitted and reviewed. November was a busy month; Town Clerk fees were good and Justice Court fines were good. Currently the justice court fines are \$6,000.00 above budget. Scrap metal was sold during the month. We also received the severity factor money from the County for snowplowing.

R-175-14 Made by Marsh, seconded by Dennis to approve the following transfer:

### HIGHWAY FUND

|       |          |           |                   |            |
|-------|----------|-----------|-------------------|------------|
| From: | DA5130.4 | Machinery | Contractual       | \$5,000.00 |
| To:   | DA599    | Surplus   | County Snow & Ice | \$5,000.00 |

All in favor. Motion carried.

R-176-14 Made by Herlihy, seconded by Dennis to authorize the Supervisor to make any necessary end of year transfers. All in favor. Motion carried.

R-177-14 Made by Dennis, seconded by Herlihy to hold a year-end meeting on December 29, 2014 at 5:30 p.m. All in favor. Motion carried.

R-178-14 Made by Herlihy, seconded by Dennis to hold the organizational meeting followed by the regular monthly meeting on January 5, 2015, at 6:30 p.m. All in favor. Motion carried.

R-179-14 Made by Herlihy, seconded by Dennis to adopt the following:

RESOLUTION CREATING THE OFFICE OF  
POMPEY TOWN ATTORNEY AND APPOINTING  
JEFFREY D. BROWN, ESQ. TO THE POSITION

The following resolution was offered by Councilor Herlihy, who moved its adoption, seconded by Councilor Dennis, to-wit:

**WHEREAS**, the Town of Pompey desires to create the office of Town Attorney in order to enhance the efficiency and cost effectiveness of the delivery of legal services to the Town; and

**WHEREAS**, the general responsibilities of the Town Attorney are to negotiate, prepare, approve and audit written contracts, leases and other legal instruments; attend meetings of the Town Board, Planning Board and Zoning Board of Appeals; draft local laws and resolutions for consideration by the Town Board; create or extend special districts; provide legal advice and counsel to the Town Board, Planning Board and Zoning Board of Appeals; and provide litigation services to the Town on an as-needed basis; and

**WHEREAS**, the accomplishment of the above duties involves the exercise of discretion by the Town Attorney on behalf of the Town.

**NOW, THEREFORE, BE IT RESOLVED**, that the Office of Town Attorney is created in the Town of Pompey; and

**BE IT FURTHER RESOLVED**, that Jeffrey D. Brown, Esq. is hereby appointed to the position of Town Attorney to perform the above-mentioned responsibilities for a term beginning January 1, 2015 and ending on December 31, 2015, at an annual compensation of \$35,000, plus any actual out of pocket expenses incurred in providing such services; and

**BE IT FURTHER RESOLVED**, that the Town Attorney position is considered a public office and as such the Town Attorney shall sign and file an oath of office with the Town Clerk.

The question of the adoption of the foregoing resolution was put to a vote at the Town of Pompey's regularly scheduled meeting on December 1, 2014, which resulted as follows:

The resolution was declared adopted.

All in favor. Motion carried.

R-180-14 Made by Dennis, seconded by LaFrenz to authorize the Supervisor to sign the contract with CNY SPCA for The Prevention of Cruelty to Animals in the amount of \$637.20. All in favor. Motion carried.

R-181-14 Made by Herlihy, seconded by Dennis to authorize the Supervisor to sign the contract with CNY SPCA for Dog Control Officer for 2015 in the amount of \$4,000.00. All in favor. Motion carried.

Supervisor Marsh reported that a letter had been sent to Carl Ford at NYS Dept. of Transportation concerning the ditches in Pompey Hill.

R-182-14 Made by Herlihy, seconded by Dennis to authorize the Supervisor to sign the contract with the County of Onondaga for Youth Services. All in favor. Motion carried.

Councilor Herlihy reported that representatives from the Village of Manlius met with the Town Board about their contract. They will provide more details in their contract on equipment to be purchased and they will be adopting a policy for fund balances. This year they purchased two ambulances and that was part of the reason why their tax rate increased this year. The Village of Manlius owns the fire company and the Town of Pompey and Town of Manlius contract with the Village for fire and ambulance services.

Supervisor Marsh complimented Town Clerk Christmas and Rosemarie Bush on the great job they did of putting the Holiday Party and Christmas Tree Lighting together. Kellish Farm Singers came down and added to the festivities. There was a nice crowd and Santa arrived by fire truck.

Councilor Smithgall feels that the County is doing a pathetic job of plowing Route 20 and asked what the Town can do. Supervisor Marsh will contact the Commissioner Donnelly about this.

Code Enforcement Officer Penhall reported that he has been doing research on the different sites on Sevier Road. He is not sure if they are all working. He feels many of the buildings are in rough shape. Supervisor Marsh will be writing letters to the owners asking about their intentions.

Attorney Brown reported that he has been working with John Shaheen on the local law dealing with solar systems. He will have something for the Town Board at the January meeting. He also reported that he has checked out the references for CMA, Inc. They all have been positive. He will put together a draft contract. Verizon Wireless is looking at the alternate sites that were furnished to them. Their application is on hold until December 29, 2014. Attorney Brown also reported that he has been working with Rick Penhall about the Chen property. They have been encouraging Mr. Chen to clean up his property like he agreed to do. If nothing happens they will bring him back to Court. Senator Schumer's office has contacted Attorney Brown about broadband grants. His office will check to see if there is anything out there.

R-183-14 Made by Dennis, seconded by Herlihy to approve the monthly reports and bank reconciliations of the Town Clerk/Tax Collector and Supervisor. All in favor. Motion carried.

R-184-14 Made by Smithgall, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 366-411 totaling \$18,289.38; Highway Fund Abstract Nos. 188-202, totaling \$21,819.13; Special District Abstract Nos. 35-36, totaling \$581.71 and Trust & Agency Abstract No. 33, totaling \$437.50. All in favor. Motion carried.

#### Public Comment:

Mr. William Kohler of Broadfield Road spoke to the Town Board about a drainage problem he has been experiencing for a number of years. He believes it is coming from Spruce Ridge South. He feels he has a solution to the problem and would like to meet with our engineer. He has talked to Onondaga County Department of Transportation and to New York State Department of Environmental Conservation. Highway Superintendent Purcell and Engineer Steve Snell will set up an appointment to meet with him.

R-185-14 Made by Dennis, seconded by Herlihy to adjourn at 7:50 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk