

## TOWN OF POMPEY TOWN BOARD MINUTES

The Regular Monthly Meeting of the Town Board of the Town of Pompey was held on April 7, 2014 at the Delphi Falls Fire House. In attendance: Supervisor Carole Marsh; Councilors Carl Dennis, Greg Herlihy, Victor LaFrenz and Craig Smithgall; Highway Superintendent Tom Purcell; Accountant 1 Tom Chartrand, Town Attorney Jeff Brown, Code Enforcement Officer Rick Penhall 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.

The monthly report of the Supervisor was submitted and reviewed.

R-72-14 Made by Marsh, seconded by Dennis to approve the following transfer:

### Highway Fund

From:	DA9060.8	Employee Benefits	Health	\$2,835.00
To:	DA9050.8	Employee Benefits	Unemployment Insurance	\$2,835.00

All in favor. Motion carried.

Accountant 1 reported that as part of the internal review recommendations Councilor Herlihy and himself reviewed budget to current. They reviewed the December 31, 2013 and March 30, 2014. Everything matched.

Highway Superintendent reported that he had received a quote for his new pick-up truck to be purchased under NYS OGS.

R-73-14 Made by Herlihy, seconded by Dennis to authorize the purchase under NYS OGS Contract No. PC66390 a 2014 Ford F150 4 x 4 Supercab pick-up truck from Henderson Ford in Webster, New York, for a total price of \$28,331.03. All in favor. Motion carried.

Highway Superintendent Purcell reported that Julie Melancon, from NYS Dept. of Environmental Conservation, met on March 18<sup>th</sup> with himself, Mark Parrish from O'Brien & Gere, Rick Penhall and Ann Christmas concerning MS-4. She did an inspection of the highway garage. She informed him that

they needed additional training and they have already taken care of that. She had no problem with the housekeeping issues there and told him he was in good shape. They are in violation because of their floor drain discharge from the garage. He reviewed the letter that Mark Parrish sent him that contained their proposal for services. They would design an oil/water separator and prepare the SPDES Permit and meet with NYS DEC to discuss the project. Their estimate for these services would be a total of \$11,000.00 (oil/separator design--\$5,000.00; SPDES Permit--\$6,000.00). There is \$18,000.00 in the budget for the oil/separator. Councilor Smithgall questioned if there is a need for this. He feels that once you get a NYSDEC permit you are locked into it forever. Supervisor Marsh stated that we have known we were going to need to put in the oil/separator and have budgeted money towards it. Attorney Brown stated that the law says we need to do it. Highway Superintendent Purcell stated that without the system he can't wash the trucks. Councilor Smithgall stated that he really hates to go down the SPDES path. Attorney Brown stated that they could do an enforcement action against the town. The benefit of doing it would be that we avoid NYSDEC fines. Highway Superintendent Purcell will be working side by side with O'Brien & Gere and DEC on this to find the best resolution.

R-74-14 Made by Herlihy, seconded by Dennis to authorize the Supervisor to sign the proposal from O'Brien & Gere to begin the process of designing an oil/water separator and preparation of the SPDES permit at an estimated cost of \$11,000.00. 4 yes (Dennis, Herlihy, Lafrenz, Marsh) 1 no (Smithgall) Motion carried.

Highway Superintendent Purcell reported that he attend Advocacy Day in Albany on March 5, 2104 to request an increase in CHIPS funding. He just received notification that they will receive an additional \$14,000.00 in CHIPS funding to be used towards highway work this year.

Code Enforcement Officer reported that now that the weather is clearing up he has been out looking for junk automobiles. He has sent notices out to three individuals. He has received responses from them and is working with them on getting the properties cleaned up. He has sent a certified letter to John Chen. He letter was returned as undeliverable. He has taken new pictures of the property. Mr. Chen's attorney, Woodruff Carroll, hasn't been responsive. He drew up a new building permit form that will give us more information and the residents appear to like it as they feel it is easier to fill out.

Supervisor Marsh reported that she met with Mr. Bird from the NYS Department of Labor concerning Workplace Violence Training for Public

Employees. He will come out for a meeting and training on a Wednesday night. All board members will need to attend this. She also asked if anyone had suggestions for an Eagle Scout project. She had received a call from Donna Hryckiewicz who has a son that wants to do an Eagle Scout project. Ruth Hotaling suggested that he clean up some of the abandoned cemeteries as there are many stones that need to be re-set.

Councilor Smithgall stated that he has been working with Rick Penhall on time sheets and mileage logs.

Councilor Dennis thanked Highway Superintendent Purcell for hooking up the hose to the water at the spring on Gulf Road.

A letter of resignation has been received from David Kimpel from the Environmental Conservation Commission.

R-75-14 Made by Marsh, seconded by Herlihy to accept David Kimpel's letter of resignation from the Environmental Conservation Commission and to send a letter of appreciation for his years of service. All in favor. Motion carried.

R-76-14 Made by Smithgall, seconded by Dennis to appoint Richard Bassett to the Environmental Conservation Commission to fill the unexpired term of David Kimpel (term to expire 12/31/15). All in favor. Motion carried.

Councilor Herlihy thanked Tom Chartrand for getting together with him to go over the paperwork that was suggested to be done in the internal review.

R-77-14 Made by Dennis, seconded by Herlihy to approve the payment of General Fund Abstract Nos. 101-135, totaling \$50,222.99; Highway Fund Abstract Nos. 45-67, totaling \$43,012.87; Special District Abstract Nos. 14-15, totaling \$1,225.45 and Trust & Agency Abstract Nos. 1-6, totaling \$1,220.56. All in favor. Motion carried.

R-78-14 Made by Dennis, seconded by Herlihy to approve the monthly reports and bank reconciliations of the Supervisor and Town Clerk/Tax Collector. All in favor. Motion carried.

Historian Ruth Hotaling thanked the Town Board for sending her to the annual conference of the NYS Historians. As always she learned a lot and came back with great ideas. The presenters were wonderful. She also introduced Anne Shelly who is the new President of the Historical Society.

Jill LaFrenz spoke about PASS (the after school program for children who live in the Town of Pompey). They are looking for volunteers. She thanked the Town Board for their support and also the Fire Department for allowing them to use the building. They are now in a partnership with Cazenovia College where interns are coming over and work with the children. They offer the children a healthy snack, play with them, help with homework and offer extra support. Supervisor Marsh thanked them for their hardwork.

Anne Shelly thanked the Town Board for their support over the years. They have started a large scale digitization project.

R-79-14 Made by Herlihy, seconded by Dennis to go into Executive Session from Regular Session at 7:33 to discuss litigation on a tax certiorari case. All in favor. Motion carried.

R-80-14 Made by Dennis, seconded by Herlihy to return to Regular Session from Executive Session at 7:40 p.m. All in favor. Motion carried.

R-81-14 Made by Dennis, seconded by Herlihy to authorize the Town Attorney to settle the Jessica Pletka case pursuant to the proposed Stipulation of Settlement. All in favor. Motion carried.

R-82-14 Made by Dennis, seconded by Herlihy to adjourn at 7:41 p.m. All in favor. Motion carried.

Respectfully submitted,

Ann Christmas  
Pompey Town Clerk