

Regular Meeting
March 4, 2015

The regular meeting of the Town Board of the Town of Homer held on Wednesday, March 4, 2015, in the board room of the Town Hall building was called to order by Supervisor Frederick J. Forbes, Sr., at 6:30 p.m.

PRESENT

Frederick J. Forbes, Sr., Supervisor
Barry E. Warren, Councilman
Dan A. Weddle, Councilman
Kevin M. Williams, Councilman
Brian D. Young, Councilman
Patrick M. Snyder, Attorney for the Town
Anita W. Jebbett, Town Clerk

OTHERS PRESENT

Linda Jones, Cortland County legislator
Sarah Vaber, reporter, Cortland Standard

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the February 4th regular meeting and the February 10th special meeting were approved as presented, on motion by Councilman Williams, seconded by Councilman Young and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's monthly reports of all receipts and disbursements for February.
2. The Supervisor's report of all revenues and expenditures for January.
3. The Dog Control Officer's report of all activities for the month of January.
4. The Code Enforcement Officer's report of all building permits issued in February.

ANNUAL REPORTS

Presented for audit by the Board were:

1. The Supervisor's accounting records for the General Fund, Highway Fund and Trust & Agency Account for 2014.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General Fund vouchers #31 through #57 totaling \$21,615.86 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Highway Fund vouchers #22 through #40 totaling \$30,350.07 be approved for payment.**

NEW BUSINESS

Court audit – Supervisor Forbes reported that an audit of the Justice Court finances as of the end of fiscal year 2013 had finally been completed and submitted by Cahill, Knobel & Associates, on February 11, 2015. They had been asked to verify account balances as of the end of the term of office of former Justice Gary Shiffer. Nothing that would warrant any further research or explanation was found.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that the financial review of the Justice Court records as of 12/31/2013 by Cahill, Knobel & Associates is hereby accepted by the Town Board and will be sent to the New York State Unified Court System.**

Budget transfers – On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the budget transfers proposed by Supervisor Forbes as of the end of fiscal year 2014 are hereby adopted (attached).**

Drug testing program – On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that Supervisor Forbes be authorized to sign a one-year contract with Hogan Drug & Alcohol Testing of Moravia to perform drug and alcohol testing for the Town’s Highway Department employees.**

American Red Cross – Supervisor Forbes said that the local Red Cross will continue to designate the Town Hall and the Highway Garage as shelters in the event of an emergency.

Selective Insurance – Forbes reported that the insurance company will cover medical expenses for a mishap that occurred on the front steps of the Town Hall Building.

County Landfill – Supervisor Forbes read a letter from County Legislator Donnell Boyden explaining his support for “flow control” at the Landfill.

Court grant – On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the 2015 budget for the Justice Court be modified to reflect the receipt of a grant from the Justice Court Assistance Program (JCAP) of \$2,031.44 for computer case management software and office equipment.**

Town Clerk seminar – On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **Clerk Jebbett was authorized to attend a regional meeting of the NYS Town Clerk’s Association to be held in Binghamton on Monday, March 23rd.**

Lincoln Monument project – On motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the Town Board hereby adopts the full environmental assessment review and negative declaration on the Lincoln Monument Project to be located at the Homer Town Hall as prepared by Attorney Snyder, and authorizes Supervisor Forbes to sign the review.**

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: Whereas, the Town Board of the Town of Homer appointed an Historic Advisory Committee to advise it concerning the creation of the monument to honor former residents who were associated with Abraham Lincoln, and**

Whereas, the Committee has developed a proposed Lincoln Monument Project which will involve the creation of bronze art to be placed at the entranceway and inside the Town Hall building; and

Whereas, the project will be funded by potential grants and donations from the community; and

Whereas, the project will not have any adverse environmental impacts as described under the State Environmental Quality Review Act;

Now, therefore, be it resolved, that the Town Board finds that the Lincoln Monument Project shall be approved, subject to a permissive referendum, as required by NYS Town Law Section 220.

Extension of tax collection period – On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the Town Board requests that the County Treasurer’s Office grant an extension of time until June 1st, 2015, for the collection of taxes in the Town of Homer.**

Manure storage pit – There was discussion about the proposed amendment to the Town of Homer Zoning Law adding site plan review for manure storage pits greater than 500,000 gallons. Supervisor Forbes said that the only leverage the Town has is to force more openness about the process which the site plan review is meant to do.

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town Board accepts the proposed changes to the Town Zoning Law, adding section 1416 on Manure Storage, and agrees to send it on to the Cortland County Planning Board for their review, with the only change being that the requirement for three copies of stamped engineering plans be amended to one set of plans and an electronic version of those plans.**

Councilman Warren reported that he had attended a meeting of the area residents concerned with the New Hope View Farms manure storage pit off Foster-Moore Road. He said that members of that group would like to attend the Town Board meeting at which the amendment will be adopted. Supervisor Forbes said that most likely it would take place at the Town's May meeting.

Assessor agreement – Supervisor Forbes said that contracts with the City of Cortland and the Town of Virgil for the new assessor are currently in process of being written.

ATTORNEY FOR THE TOWN

Attorney Snyder reported that according to the Association of Towns it is not proper for the Town to be involved in the fund raising for the Lincoln Monument Project.

Therefore the Historic Advisory Committee has made a tentative arrangement with CNY Arts, which will help with obtaining grants, fund raising and managing the funds, in exchange for keeping 5% of the amount of money raised for their administrative costs. Snyder said that he is still looking into other aspects of the proposed agreement with CNY Arts before he can recommend signing it.

COUNTY LEGISLATOR

County Legislator Linda Jones reported on the issues being discussed by the County Legislature since she began her term of office in January, including the new radio system, the re-paving of the County's parking lots and the adoption of assigned counsel legislation.

Jones explained why she voted against hiring a law firm to draft "flow control" legislation, and suggested that if "ash for trash" goes through, "flow control" may follow - all matters relating to the County Landfill which are being debated at the County level. She gave each Board member a letter explaining why she is opposed to the County's "ash for trash" proposal.

Supervisor Forbes thanked her for her presentation and keeping the Town up to date on County matters.

EXECUTIVE SESSION

On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously, the Board entered into an executive session at 8:00 p.m. to discuss a health-related issue concerning a particular employee.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously, the executive session was adjourned at 8:10 p.m.

The meeting was adjourned at 8:15 p.m.

Anita W. Jebbett
Town Clerk