

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, December 3, 2008, was called to order by Deputy Supervisor Dan A. Weddle at 7:40 p.m.

PRESENT

Dan A. Weddle, Deputy Supervisor
Barry E. Warren, Councilman
Kevin M. Williams, Councilman
Brian D. Young, Councilman
Patrick M. Snyder, Attorney for the Town
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

ABSENT

Frederick J. Forbes, Supervisor – due to illness

OTHERS PRESENT

Gary Shiffer, Town Justice
Bernie Thoma, Thoma Development Consultants

Deputy Supervisor Weddle led those present in the pledge of allegiance.

MINUTES

The minutes of the November 5th public hearings and the November 5th regular meeting were approved as presented, on motion by Councilman Warren, seconded by Councilman Young and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. Town Clerk's report of all receipts and disbursements for the month of November.
2. Dog Control Officer's monthly report of all activities for November.
3. Code Enforcement Officer's monthly report of all building permits issued in November.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that General vouchers #357 through #388 totaling \$52,387.78 be approved for payment.**

Highway bills were approved as audited on motion by Deputy Supervisor Weddle, seconded by Councilman Young and carried unanimously: **RESOLVED: that Highway vouchers #195 through #215 totaling \$35,456.12 be approved for payment.** Weddle noted that of that amount \$19,453.00 was for the annual NYS Retirement System contribution.

THOMA DEVELOPMENT CONSULTANTS

Bernie Thoma of Thoma Development Consultants was present to suggest that the Town again attempt to obtain a grant for housing rehabilitation from the NYS Governor's Office for Small Cities under the US Department of Housing and Urban Development.

Thoma said that he had received information from the State as to how many points the Town of Homer had received for its last application when it was turned down for a grant. He explained that the State no longer will give them the information without a request from the Town Supervisor and that they no longer can see how the Town rated as compared to other Towns which also applied. This lack of transparency makes it difficult to fully understand why the Town was turned down for the fourth time.

Thoma said that there is another housing rehab program that the Town could apply for called the Home program. The application is similar and they could apply for the Home program at the same time as the Housing Rehab program. Both are due in either March or April. The main difference is that not all the administrative costs are covered by the Home program which could amount to around \$5,000 to \$10,000. The Housing Rehab grant is for a maximum of \$400,000 while the Home grant could be for more. He suggested applying for \$450,000 to \$500,000 as this could be used to improve more homes. However, the Home program requires that the money be spent within a two year period. Usually Thoma Development would charge \$2,500 for the Home program application but he offered to submit applications for both the Housing Rehab grant and the Home grant for \$750 each.

In response to questions from the Board members, Thoma said that he does expect the funds to be available next year as they are federal funds funneled through the State. He said that he would not need an answer to his request until January. The Board thanked him for attending the meeting.

OLD BUSINESS

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that Town of Homer Highway Superintendent John R. Phelps has designated certain Town highways and portions of Town highways as seasonal limited use highways, and is hereby authorized by the Homer Town Board to temporarily discontinue snow and ice removal and maintenance on those Town highways and portions thereof from December 1st, 2008, to April 1st, 2009 as follows:**

Foster Road	.50 miles
Burhans Road	.50 miles
Wolf Road	.25 miles
Grange Road	.75 mile from Rice Road to Brake Hill Road
Brake Hill Road	.50 miles
Rice Road	.50 miles
Carroway Hill Rd	.25 miles
McDonald Road	.25 miles
Sessions Hill Rd	2.50 miles
Vern King Road	entire length
Maxson Road	1.70 miles from Sessions Hill
Forbes Road	.80 miles
Chapman Road	1.00 miles
Searls Road	.50 miles
Dillon Road	.25 miles

Highway Superintendent John Phelps asked that the "No Parking on Town Roads" block advertisement be re-worded and re-run to include any roads in the Town, not just the Town roads. He said that the County had asked for this change in the wording. Town Clerk Jebbett agreed to have the "Cortland Standard" re-run the ads.

On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the Town of Homer, pursuant to Tax Law Section 1262, elects to receive directly its entire share of Cortland County sales taxes, which would otherwise be applied to reduce the county tax levy on real property in the Town of Homer; and**

Be it further resolved, this resolution shall be effective with calendar year 2009; and

It is further resolved, that the Homer Town Clerk shall forward a certified copy of this resolution to the Cortland County Treasurer and the Cortland County Director of Real Property Tax Services.

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that in accordance with the *Records Retention and Disposition Schedule MU-1*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law of the State of New York, certain records as per the attached listing have been determined by the Records Management Officer to be eligible for disposition, and are hereby authorized to be disposed of.**

TOWN HALL RENOVATIONS

Clerk Jebbett described some recent problems with the elevator not working properly. Deputy Supervisor Weddle said that the Board is waiting to hear if Supervisor Forbes has had any success in contacting other elevator companies about maintenance contracts.

Councilman Warren reported on a walk-through of the new addition and renovated courtroom that took place on November 28th with Supervisor Forbes and Diamond & Thiel Project Manager Scott Crysler. He said that they found several things that need to be completed. A checklist was made and Crysler had said that he will be taking care of all items as soon as possible. Councilman Young noted that the area around the double doors had not been completed the last time he had checked, and Highway Superintendent Phelps said that there is a gap between the double doors that may be able to be adjusted. The final check for the retainage is being held until all the work has been finished.

There was some discussion about the plan to install new windows in the Town Hall next year. Attorney Snyder said that the specs are about complete, but if the NYS grant funds are used towards the windows, the State Historic Preservation Office (SHPO) has a say in the project. Crawford & Stearns, who are preparing the specs, are now arguing with the SHPO about replacement windows versus custom-made storm windows and preserving the old windows. Councilman Warren said that it isn't a matter of energy efficiency because they can now manufacture energy-efficient wood-framed windows, but a matter of maintenance. The vinyl-clad windows would require much less maintenance in the future.

Board members questioned whether the NYS grant monies could be used to repair and replace concrete work, in particular around the windows, which is currently failing. Project Manager Scott Crysler had said that due to new materials now available the Town would now be able to replace rather than just patch areas where the concrete is failing with identical-looking blocks. Councilman Williams said that he would look into the matter and it was postponed until January for more discussion.

HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps said that the parking lot is ready for use for the winter months and will be top-coated and lined in the spring. He said that it is being used mainly by Town Hall employees and he does plow it along with the back parking lot.

Phelps remarked that due to the thaw/freeze situation over the month of November he has already used more sand than he had anticipated.

ATTORNEY FOR THE TOWN

Attorney Pat Snyder reported on the proceeds of the ZBA meeting held on December 2nd during which the ZBA Board members upheld the decision of Code Officer John Daniels as to the Richard Kniffen property on Route 11. Daniels had said that it was industrial/business under the old zoning and industrial under the new zoning. The matter will now be taken up in a court dispute between the current owner Kniffen

and a prospective buyer. Snyder said that the court dispute has nothing to do with the Town.

Attorney Snyder also reported that the ZBA had approved an area variance for Richard Riley to subdivide a building lot at the intersection of Meadowview Drive and Alfred Lane that is less than the County required 2.4 acres. Snyder said that Riley had had to hire an engineer to design the septic system for the one acre lot, and that the design had been accepted by the County Health Department.

Supervisor Forbes had informed Attorney Snyder that Matt Neuman has agreed to act as an unofficial/unpaid representative of the Town of Homer in the matter of zoning for windmill projects.

TOWN JUSTICE COURT

Town Justice Gary Shiffer was present to thank the Board for its continued support of the Town Justice Court. He reported that Court Clerk Stacy Hall will soon be going on maternity leave. Shiffer explained that his former NYS Police secretary will be helping out only temporarily in her absence and has been undergoing some training. He may be training another person who is also willing to help out. He had tried to recruit Court Clerks from other towns but was successful only in getting a partial commitment from Barb from the Town of Preble.

Justice Shiffer said that he is also busy preparing for a new District Attorney and a new Assistant DA for Homer after the first of the year.

He said that he is hopeful that the other person recruited to help out may be willing to continue as a backup after Stacy returns.

Town Clerk Jebbett reminded the Board members that the next Town Board meeting will be at 12:00 noon on Wednesday, December 31st.

The meeting was adjourned at 8:45 p.m.

Anita W. Jebbett
Town Clerk