

Regular Meeting  
February 4, 2009

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, February 4, 2009, was called to order by Supervisor Frederick J. Forbes at 7:00 p.m.

PRESENT

Frederick J. Forbes, Supervisor  
Barry E. Warren, Councilman  
Dan A. Weddle, 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

OTHERS PRESENT

Randy Crawford, architect, Crawford & Stearns  
Ann Hotchkin, Thoma Development Consultants  
Aimee Milks, Thoma Development Consultants  
Eric Mulvihill, reporter, WXHC  
Holden Slattery, reporter, Cortland Standard

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

**The minutes of the January 7<sup>th</sup>, 2009, organizational meeting were approved as presented,** on motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

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

TOWN HALL RENOVATIONS

Architect Randy Crawford was present to discuss the Town's plans to replace the windows on the Town Hall Building with energy-efficient windows.

Supervisor Forbes explained that when Councilman Williams first applied for funding from the State through Senator Seward, the idea was to pay for the new addition and justice court renovation with any funds received. By the time the funding was awarded in the amount of \$100,000, the Town had already almost completed those renovations. As the next step in renovating the Town Hall involves more energy-efficient windows, it was hoped that the grant award could be applied towards the windows. Forbes said that he was concerned that SHPO (NYS Historic Preservation Office) may not allow the funds to be used to replace the windows with new, but similar-looking vinyl-clad windows.

Councilman Williams said that he had spoken with someone at SHPO about using the funds for repairing the concrete on the outside of the Town Hall. They had suggested that it could be used for that purpose, but also suggested that the funds be used as soon as possible.

Randy Crawford of Crawford & Stearns said that in order to be acceptable to SHPO, the Town Hall windows would need to be considered beyond repair. Windows are normally an important part of a historical building. He said that SHPO may suggest repairing the old wooden frame windows, installing weather stripping, and purchasing storm windows.

He agreed that the concrete also needs to be addressed and said that Steps Plus in Syracuse had re-created the blocks for the new addition and the portico and could be used to make the new blocks for repairing the building. He suggested that the Town open a dialog with SHPO to see how they would view the project.

Crawford said that another option would be to spend the grant money on the concrete work this year and replace the windows the next year. In response to a question from Attorney Snyder, Crawford said that the windows and concrete work could be done separately. He said that it is possible the Town would save money by splitting the work so that no subcontractors are involved and if local contractors are able to provide the work.

Supervisor Forbes asked Crawford to speak with SHPO on behalf of the Town and report back to him as soon as possible. Board members thanked him for his input.

The meeting was recessed at 7:30 p.m. in order for the public hearing to be held.

Anita W. Jebbett  
Town Clerk

Public Hearing  
February 4, 2009

A public hearing on the Town's 2009 application for funding under the federal Small Cities Community Development Program held in the board room of the Town Hall Building on Wednesday, February 4, 2009, was called to order by Supervisor Frederick J. Forbes at 7:35 p.m.

PRESENT

Frederick J. Forbes, Supervisor  
Barry E. Warren, Councilman  
Dan A. Weddle, 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

OTHERS PRESENT

Ann Hotchkin, Thoma Development Consultants  
Aimee Milks, Thoma Development Consultants  
Eric Mulvihill, reporter, WXHC  
Holden Slattery, reporter, Cortland Standard

Supervisor Forbes stated that the purpose of the public hearing was to allow public input into the Town's intention to apply for funding for housing rehabilitation (see legal notice).

Ann Hotchkin from Thoma Development Consultants explained that while briefly the State had sought to increase the amount of the grants available to \$600,000, as reads in the legal notice, the amount has since been put back to \$400,000 as the maximum funding request.

As there were no questions or comments, the public hearing was adjourned at 7:40 p.m.

Anita W. Jebbett  
Town Clerk

The regular meeting of the Town Board of the Town of Homer was reconvened at 7:40 p.m. in the board room of the Town Hall Building by Supervisor Frederick J. Forbes.

PRESENT

Frederick J. Forbes, Supervisor  
Barry E. Warren, Councilman  
Dan A. Weddle, 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

OTHERS PRESENT

Ann Hotchkin, Thoma Development Consultants  
Aimee Milks, Thoma Development Consultants  
Gary Shiffer, Town Justice  
David Quinlan, artist & organizer, Abraham Lincoln Celebration  
Martin Sweeney, Town Historian  
Eric Mulvihill, reporter, WXHC  
Holden Slattery, reporter, Cortland Standard

THOMA DEVELOPMENT CONSULTANTS

Ann Hotchkin of Thoma Development suggested that the Town Board also consider applying for a Home Grant. While the housing rehabilitation grant allows a sufficient amount for administrative costs, the Home Grant allows only a very small percentage. Hotchkin suggested that if the Town were to consider applying for a Home Grant, they would be able to build into the grant some administrative costs which could then be covered by the grant instead of the Town's needing to fund up to \$10,000 in administrative costs. She told the Board that they should have a good chance to get at least one or the other of the grants which both provide funds for housing rehabilitation. The cost for them to apply for the Home Grant for the Town would be another \$750. The Home Grant does not require public hearings and is due March 17<sup>th</sup>. The Community Development Block Grant application is due April 24<sup>th</sup>, and does require a second public hearing. Hotchkin said that with either grant she hoped to complete 14 or 15 housing units.

Supervisor Forbes asked if any board member wished to make a motion to apply for the Home Grant. No motion was made. He thanked Hotchkin for attending the meeting.

NEW BUSINESS

On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Kenneth Poole of East Homer be appointed to complete the unexpired term of Andrea Dawson in the Town Zoning Board of Appeals which is due to expire on December 31, 2009.**

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the Town hereby requests that the Cortland County Treasurer grant them an extension of time from April 1st until June 1<sup>st</sup>, 2009, for the collection of taxes in the Town of Homer.**

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Paul Burhans and Lindsay Andersen as animal control officers for the Town of Homer for the year 2009 are to perform the services outlined by the contract (attached).**

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town of Homer hereby agrees to contract with Accessibility Solutions, of Syracuse, for semi-annual inspections of the Town's elevator in February and August, following the expiration of the warranty provided by Victory Lifts of Syracuse, for a fee of \$120 per inspection.**

Supervisor Forbes reviewed the proposed budget transfers with Board members for the year 2008. Forbes noted that the Town Hall renovations made in 2008, the addition and court room renovation, along with the new parking lot, had stayed under budget.

On motion by Supervisor Forbes, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the proposed budget transfers for the 2008 Town budget hereby be accepted, and that the donation of \$1,000 from Kathleen Cincotta Moore be encumbered towards the purchase of a bench commemorating former Town Code Enforcement Officer Gary Moore.**

On motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the Town purchase a 6-foot black cast-iron bench from Parkitects, Inc., of Lansing, for \$1,115.**

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that Supervisor Frederick J. Forbes be appointed as the Point of Contact and Highway Superintendent John R. Phelps as the alternate Point of Contact for the Cortland County Multi-Jurisdictional All-Hazard Mitigation Plan; and that Code Enforcement Officer John Daniels be appointed as the Town's Floodplain Administrator in regard to the Plan.**

#### ABRAHAM LINCOLN BICENTENARY

Town Historian Martin Sweeney was present to explain that 2009 marks the 200<sup>th</sup> anniversary of the birth of our 16<sup>th</sup> President of the United States, Abraham Lincoln. He said that Homer has a connection to Lincoln through three of its former residents, Francis B. Carpenter, William O. Stoddard, and Eli DeVoe. Upon realizing Homer's strong connection to Lincoln, David Quinlan, local painter, educator, and member of the Homer Board of Education, conceived the idea of celebrating Homer's connection to Lincoln "in paint and print". He also applied for and received a grant to enable the celebration to take place. With that introduction, Sweeney presented Mr. Quinlan and his painting, a portrait of Abraham Lincoln, 3' x 4', to be hung in the newly renovated court room at the Town Hall, on permanent loan to the Town.

After some applause from the Town Board, Quinlan explained how he had learned about Homer's connections with Lincoln and his decision to paint a portrait of him. He described how they have arranged to have a prominent Lincoln historian, Harold Holzer, speak at the Center for the Arts on May 15<sup>th</sup>. He thanked the Town Board for all of their support.

Supervisor Forbes said that he thought it was only fitting and appropriate for a portrait of Lincoln to be hanging in the court room. On behalf of the Town he thanked both Quinlan and Sweeney for all they've done to make Homer's history "three-dimensional".

Forbes reminded the Board that they have been asked to participate in a parade on May 16<sup>th</sup> honoring Lincoln. He has been asked, along with the Village Mayor, to place a wreath on the grave of Francis B. Carpenter in the Glenwood Cemetery.

## HIGHWAY SUPERINTENDENT

Parks Road - There was a discussion of calls received from residents of Parks Road complaining about large trucks using Parks Road to access a gas well site in the Town of Cortlandville outside of McGraw. Supervisor Forbes said that the Town Clerk and the Highway Superintendent had both spoken with the County Sheriff's Department and suggested that Shippey Road be used instead. Highway Superintendent Phelps said that he has spoken with the people involved in the gas drilling so that they now know to use Shippey Road instead.

Forbes said that Attorney Snyder, in response to a request from the Town Board, has researched how the Town can prevent heavy trucks from using Parks Road which is not built to withstand heavy truck traffic. There was concern that should the windmill project be approved, they may want to use Parks Road for delivering the heavy equipment for the windmills.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town begin the process necessary to exclude all trucks weighing over 10,000 lbs. (or 5-tons) from using Parks Road, except for local delivery; that those trucks weighing over 10,000 lbs must use the posted landfill route; and that Highway Superintendent Phelps order and post the appropriate signs.**

Superintendent Phelps reported on the past month's activities as follows:

1. There was an accident on Hights Gulf Road involving a snowplow truck and a parked vehicle. He has spoken with the insurance company about this incident.
2. He has brought in more sand and salt due to the continuing wintery weather.
3. He will be installing a time clock at the Highway Garage for the employees.

Phelps suggested that all employees have a bi-annual physical because they all must be able to drive and operate machinery. The Board agreed that a physical exam requirement would be good for the employees.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that all Town highway employees are required to have a physical examination prior to their becoming a permanent employee and then every odd year, and that the employee manual be amended to read the same.**

Superintendent Phelps said that he has no plans at this time to purchase any new equipment in 2009. However, he may need to adjust the budget to include more money for repairs.

## ATTORNEY FOR THE TOWN

Attorney Snyder said that he has been reviewing a new floodplain law proposed by the NYS Department of Environmental Conservation. He said that he will be contacting the DEC with his objections to what he sees as an expansion of regulation.

Windmill regulations – Supervisor Forbes reported on a conversation with TCI Renewables representative Gareth McDonald who reported some concerns about regulations being drafted by a Cortland County committee. After much discussion it was the consensus of the Town Board that the required setback be the maximum height of the windmill blade plus 50 feet, unless a variance is obtained from an adjoining neighbor. Attorney Snyder is to convey that opinion to the committee members.

## BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that General vouchers #9 through #38 totaling \$18,873.02 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #4 through #24 totaling \$25,056.84 be approved for payment.**

#### EXECUTIVE SESSION

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously, the Board convened an executive session at 9:20 p.m. for the purpose of discussing a matter involving the employment history of a particular person.

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously, the executive session was adjourned at 9:45 p.m. No action was taken.

The regular meeting was adjourned at 9:46 p.m.

Anita W. Jebbett  
Town Clerk