

Regular Meeting  
August 5, 2009

The regular meeting of the Town Board of the Town of Homer held on Wednesday, August 5<sup>th</sup>, 2009, in the board room of the Town Hall Building was called to order by Supervisor Frederick J. Forbes at 7:30 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

Paul Burhans, Dog Control Officer  
Jon Carnes, Crawford & Stearns, Architects

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

**The minutes of the July 8<sup>th</sup>, 2009, regular board 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 the following:

1. The Town Clerk's monthly report of all receipts and disbursements for the month of July.
2. The Supervisor's monthly report of all moneys received and disbursed for the month of July.
3. The Dog Control Officer's report of all activities for the month of July.
4. The Code Enforcement Officer's report of all building permits issued in July.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that General vouchers #198 through #219 totaling \$23,154.92 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #137 through #153 totaling \$98,646.22 be approved for payment.**

VICTORY LIFTS

Supervisor Forbes said that he had understood that a one year warranty from Victory Lifts applied starting with the final approval of the new addition on September 4<sup>th</sup>, 2008.

He said that a situation had occurred in which Otis Elevator had sent two representatives who, unannounced, had tried to check out the elevator in order to quote a price for a service contract. In so doing they triggered the safety switches and were

unable to get the elevator to operate. Victory Lifts had to come to re-set the switches. Their bill of \$294 has been sent to Otis Elevator.

Forbes said that Victory Lifts quote for an annual service contract had been high and that he had found another local company that offered a cheaper rate. Jon Carnes, from Crawford & Stearns, cautioned that the elevator is a specialized type of lift that all elevator companies may not be able to service. He said that he would speak with Victory Lifts to see if they could offer a better price for a service contract.

## TOWN HALL RENOVATIONS

Jon Carnes discussed Crawford & Stearns' proposal for a new portico on the south side of the building for the Senior Center and Court Room entrance. It would resemble that for the new addition and include a ramp to the Court Room entrance. He suggested that Board members look over the plans which show four parallel parking spaces instead of the perpendicular parking that now takes place, a grassy area next to the building and more grass and plantings instead of the asphalt. He said he would be submitting the plans to the State Historic Preservation Office (SHPO) for their review which could take at least six weeks.

There was much discussion about when to go out to bid for the new portico and for the window and masonry repairs. Carnes said that he could have all the specs and bids ready for the October meeting. The Board agreed they did not want to have a masonry project going on during the colder months, and that it would be best to go to bid this year with the project to start around April 1<sup>st</sup>, 2010.

## NEW BUSINESS

Collateral Source Bill - Supervisor Forbes read a letter from the Counsel to the Governor stating that the Governor had agreed to sign the Collateral Source Bill which had finally passed the State Senate.

Henkel Corporation assessment case - The Town has received notice of a lawsuit from the Henkel Corporation (former RH Miller) who claims that their industrial/commercial buildings on James and Elm Streets in the Village are over-assessed. Attorney Pat Snyder will be speaking with Assessor Nedra Griswold regarding this lawsuit.

After-Fire Inspector Appointment - Supervisor Forbes reported that Code Enforcement Officer John Daniels will be suggesting a couple of names of persons to replace the late Douglas Staley as the Town's after-fire inspector.

Forbes told the Board of a surprise party planned for Roland (Frog) Fragnoli, owner of the Homer Men & Boys Store, in honor of all he has done for Homer, planned for Wednesday, August 12<sup>th</sup> at 2:30 p.m.

## FARMLAND PROTECTION

Attorney Patrick Snyder reported that he has revised the consulting contract with American Farmland Trust and that they have agreed to all the changes. They will now have to account for their time and explain what they have done during that time; they agree to indemnify the Town; the Towns will pay if and when the grants are received; and other changes meant to protect the Towns involved and the taxpayers. Snyder said that Attorney Don Armstrong, the Attorney for the Town of Preble, has also agreed to these changes.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Homer Town Board hereby authorizes Supervisor Frederick J. Forbes to sign the revised contract with the American Farmland Trust in coordination with the Towns of Scott and Preble to develop a regional agricultural and farmland protection plan that includes town-specific components for each of the three communities.**

Supervisor Forbes said that there will be a meeting of the Farmland Protection Committee on Tuesday, August 11<sup>th</sup>, at the Town Hall.

#### HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported that Sweeney Road has been ground and re-surfaced and the shoulders re-done. It is just awaiting the top-coat which will be oil & stone. He said that he had checked into black-topping but it was seven to eight times more expensive. He said that he has already submitted the application to the State CHIPS program for reimbursement for the project.

Phelps said that the Town highway employees have been working recently for other area Towns to return the favor for all the work the other Towns provided for Homer during the Hatfield Road and Sweeney Road projects.

Superintendent Phelps reported that the salt shed roof has now been replaced. It was damaged by vandals early in the summer. He said that he will need to photograph and e-mail pictures of the new roof to the insurance agent. Insurance has paid for the entire replacement.

Phelps said that he is looking into a privacy fence for the Jeff Andrews property next to the Town Hall. Andrews had stopped in to remind the Town that he would like one installed.

#### TOWN CLERK

Town Clerk Jebbett reported that the dog enumeration is progressing well and that Mike Kopley is doing a very thorough job.

The meeting was adjourned at 9:00 p.m.

Anita W. Jebbett  
Town Clerk