

Regular Meeting
November 4, 2009

The regular meeting of the Town Board of the Town of Homer held on Wednesday, November 4, 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

Martin Sweeney, Town Historian
Gary Shiffer, Town Justice

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the October 7th, 2009, regular meeting were approved as presented, on motion by Councilman Weddle, seconded by Councilman Young and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

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

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 #269 through #293 totaling \$20,654.28 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that Highway vouchers #195 through #213 totaling \$11,553.76 be approved for payment.**

TOWN HISTORIAN

Town Historian Martin Sweeney presented the Board with his annual report (attached) of all his activities since November of 2008. He said that he would also be sending a copy to the County Historian and to the State. Sweeney noted that for the first time a history of Homer was available on line as a link through the Village of Homer's

website. Since posting it online, he has received numerous requests for information resulting in some very interesting contacts over the last year.

He met with a historian from California who was researching the life of Amelia Stone Quinton, a Homer resident who was influential in a women's organization which worked to improve the lives of the American Indians.

The Lincoln celebration in May was a big success and included a parade, a play, displays and two talks by well-known Lincoln scholar Harold Holzer, as well as a talk by former Presidential candidate George McGovern in September who had written a book about Lincoln.

He read a newspaper article from 1935 about a local circus put on by three Homer boys that made headlines that year.

Town Historian Sweeney showed the Town Board several interesting items he had received over the year including a self-published autobiography of Homer resident Stan Nilsson, a first-generation Swedish immigrant; a personal history of World War I by Leo Bailey, a former resident and Homer teacher; and "bronze" plaque with a profile of Lincoln donated by a couple from Apalachin because of Homer's ties to Abraham Lincoln.

He reported that overall the year had been very full and personally satisfying for him. On behalf of the Town Board, Supervisor Forbes thanked Sweeney for the fine job he had done over the past year.

OLD BUSINESS

Elevator Maintenance - Supervisor Forbes said that Accessibility Solutions had done a thorough inspection of the Town's elevator in order to submit a proposal for its annual maintenance, but the Town had not yet heard back from them. Forbes said that he would call them.

After-Fire Inspector Appointment – Supervisor Forbes said that he had spoken with Michael Anderson of the City of Cortland Fire Department who has contracted with the Village of Homer to do their after-fire inspections. He had asked him to contact Attorney Snyder about a contract, but he had not yet done so. Forbes said that he would follow-up on this matter.

NEW 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, 2009, to April 1st, 2010, 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

There was some discussion about the Village's request for some of the funds generated by the Homer Town Justice Court as a result of the Homer Police Department's activities. Councilman Williams is to look into how this might be handled in other Towns with Village Police Departments.

TOWN BUDGET FOR 2010

Supervisor Forbes stated that the Town's budget for 2010 left the Library and Village's recreation funding the same as in 2009. No raises were given to employees receiving health insurance. The tax rate remains the same as last year's although they made numerous adjustments to the budget. The budget for the assessment reval was able to be cut in half as it will be funded over two years, but the savings all goes towards next year's NYS Retirement bill.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the preliminary Town Budget as modified after the budget workshop meeting hereby be adopted as the Town Budget for 2010, with the tax rate to be \$1.58 per thousand for Village residents and \$2.10 per thousand for Town residents.**

HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported on his department's activities over the past month. He said that he would be working on the Town's Highway Inventory. Phelps said that the State had red-tagged the Hights Gulf Road bridge due to scale on some of the beams and so he will be posting a weight limit of 22 tons .

There was discussion about the County Highway Department's request for the Town to plow two of the major roads in the Town now maintained by the County: East Homer-Baltimore Road and Health Camp Road. After reviewing the proposal, Phelps said that he had asked for \$700-\$800 more than the County's offer of \$3,300 per mile, but they had turned him down. Instead, the County offered to plow snow at either end of each road, all of which are hills, if needed during their second shift plow run, and would make sure that the Town has enough material. The reason for the request is that the State is asking the County to maintain some highways for them.

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Homer Town Board hereby agrees to a contract with the Cortland County Highway Department for the Town Highway Department to provide snow/ice removal maintenance on East Homer-Baltimore Road and Health Camp Road, both formerly maintained by the County, for payment of \$3,300 per mile, contingent upon approval of the contract by the Attorney for the Town.**

ATTORNEY FOR THE TOWN

Floodplain Law – Attorney Snyder suggested that a public hearing be scheduled for the December 2nd board meeting on a proposed local law implementing a permit program for properties in the floodplain.

Draft Road Preservation Law – Attorney Snyder reminded Board members to review their copies of the proposed Road Preservation Local Law. He will be attending a presentation being given by a NYS Department of Transportation representative on November 10th at 10:00 a.m. at the Cortland County Planning Department on the topic. He said that the proposed law is still a work in progress.

Just Dandy assessment case – Snyder reported that Just Dandy will no longer be pursuing a reduction of their assessment for their Little York gas station property.

American Tower assessment case – Attorney Snyder said that American Tower has never used the communications tower they built in Little York on property owned by Mike Niswender and are asking that the assessment be reduced from \$120,000 to \$55,000.

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town Board hereby authorizes Attorney Patrick Snyder to accept the negotiated amount of \$55,000 for an assessment for the American Tower property on Little York Crossing Road.**

Farmland Protection – Snyder reported that he had finally reached an agreement with American Farmland Trust and that they would be required to document the time that they put into preparing a plan for Homer, Scott & Preble.

On motion by Councilman Weddle, seconded by Councilman Young and carried unanimously: **RESOLVED: that Supervisor Forbes hereby be authorized to sign the agreement with American Farmland Trust to prepare a farmland protection plan for the Towns of Homer, Scott and Preble.**

Town Hall Exterior Renovation Project – Attorney Snyder said that he has spoken with a person who had worked on the Town Hall windows thirty years ago and was fairly sure that asbestos window putty (or caulk) had been used. Snyder was asked to contact Architect Randy Crawford about testing the caulk prior to opening the bids.

On motion by Councilman Warren, seconded by Supervisor Forbes and carried unanimously: **RESOLVED: that a \$250 test of the window caulk used for the Town Hall windows be performed if requested by Architect Randy Crawford with approval by Attorney for the Town Patrick Snyder.**

EXECUTIVE SESSION

On motion by Councilman Young, seconded by Councilman Warren and carried unanimously, **the Town Board entered into an executive session at 8:50 p.m. to discuss a contractual matter.**

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously, **the Town Board adjourned its executive session at 9:10 p.m.**

No action was taken. The meeting was adjourned at 9:11 p.m.

Anita W. Jebbett
Town Clerk