

Organizational Meeting
January 6, 2010

The annual organizational meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, January 6th, 2010, was called to order by Supervisor Frederick J. Forbes at 7:30 p.m.

PRESENT

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

OTHERS PRESENT

Paul Burhans, Dog Control Officer
Jon Carnes, Crawford & Stearns, Architects
Jennifer Gofkowski, Cortland County legislator

Supervisor Frederick J. Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the December 30th year-end meeting were approved as presented, on motion by Councilman Young, seconded by Councilman Weddle 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 December.
2. The Supervisor's monthly report of all moneys received and disbursed for the month of November.
3. The Code Enforcement Officer's report of building permits issued for the month of December.
4. The Dog Control Officer's report of all activities for the month of December.

ANNUAL REPORTS

Presented for audit by the Board were:

1. The Town Clerk's annual report of all receipts and disbursements for the year 2009.
2. The Code Enforcement Officer's annual report of all building permits issued in 2009.

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 #358 through #369 for 2009 totaling \$12,784.09, and vouchers #1 through #5 for 2010 totaling \$1,035.00 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Weddle, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #257 through #260 for 2009 totaling \$4,222.17, and voucher #1 for 2010 totaling \$765.00 be approved for payment.**

NEW BUSINESS

Health Savings Accounts - There was some discussion about whether or not to change the timing of the deposits into the Health Savings Accounts from quarterly to semi-annually. The consensus of the Board was to continue to deposit into the accounts on a quarterly basis.

Elevator Maintenance – Supervisor Forbes said that Accessibility Solutions has declined to offer maintenance on the Town’s elevator, stating that “items not meeting code would require extensive time and labor to rectify”. Jon Carnes is to investigate the alleged code violations. The Town has subsequently contracted with Victory Lifts to provide the semi-annual maintenance.

Casey Fields - Supervisor Forbes read a letter from Attorney Matthew Neuman stating on behalf of Tony Casey that he has recreational fields available for the Town to utilize. Board members stated that they have no control over recreational programs and that the Village Recreation Department and the Homer Schools know what fields are needed.

Fire Inspector – Attorney Snyder said that he has still not heard from Village Attorney Patrick Perfetti about using their Fire Inspector for the Town’s after-fire inspections. He hoped to have information for the next Board meeting.

CNY Horse Club – On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that a check for \$225 from the CNY Horse Club for use of the Senior Center be accepted as a donation to the Town of Homer.** There was discussion that all non-governmental groups using the Senior Center should make a donation to the Town to help pay for the lights and heat, but no amount was specified.

TOWN HALL EXTERIOR REHABILITATION

Jon Carnes from Crawford & Stearns was present to discuss the bids received for the exterior rehabilitation of the Town Hall. He noted that neither he nor the Town Attorney had heard from James & Son from Skaneateles, the low bidders who have been eliminated from consideration due to information gathered by Carnes of less than satisfactory work. He recommended that the Town now engage with Diamond & Thiel of Syracuse as the lowest responsible bidders. Carnes said that the Board will need to clarify the scope of the project and the alternates that they want to have done.

In particular there was much discussion about the possibility that there is asbestos in the window putty and how best to address the problem. Carnes recommended that the Town hire a company to conduct a survey of the windows to determine how much if any asbestos there may be in the window putty, but that the contractor for the project be responsible for removing the asbestos. Carnes said that only the areas that need to be worked on would need remediation; all asbestos does not have to be removed.

It was decided to hold a special meeting to discuss the details of the bids and set the scopes of the project on Monday, January 11th, at 9:00 a.m. in the board room.

The Board thanked Carnes for all his information.

2010 RESOLUTIONS & APPOINTMENTS

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the official meeting schedule for 2010, with the Town Board meetings scheduled at 7:30 p.m. on the first Wednesday after the first**

Tuesday of each month, and the year-end meeting scheduled for Wednesday, December 29th, at noon, hereby be adopted.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the following resolutions and appointments for the year 2010 are hereby approved:**

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| 1. Deputy Supervisor | Dan A. Weddle |
| 2. Town Meeting Dates | Monthly; 1st Wednesday after the 1st Tuesday |
| 3. Official Newspaper | Cortland Standard |
| 4. Official Depository for Town Funds | Key Bank |
| 5. Attorney for the Town | Patrick M. Snyder |
| 6. Budget Officer | Frederick J. Forbes |
| 7. Deputy Highway Superintendent | Dale K. Everts |
| 8. Town Clerk/Tax Collector | Anita W. Jebbett |
| 9. Deputy Town Clerk/Collector | Barbara A. Crandall |
| 10. Registrar of Vital Statistics | Anita W. Jebbett |
| 11. Deputy Registrar | Barbara A. Crandall |
| 12. Dog Control Officer | Paul C. Burhans |
| 13. Code Enforcement Officer | John R. Daniels |
| 14. Fire Inspector | To be determined |
| 15. Board of Appeals member appointments | David Deasy
Kenneth Poole |
|
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| 16. Planning Board member appointments | Michael McMahon
Eugene Wright |
| 17. PB/AB/ZRB chairman rate per meeting | \$50/meeting |
| 18. PB/AB/ZRB member rate per meeting | \$30/meeting |
| 19. Mileage allowance for Town Officials | per Fed govt. |
| 21. Approval to invest surplus funds | Frederick J. Forbes |
| 22. Hourly rate for Highway employees | No increase |
| 23. Bid price for abrasive/salt | Cortland County |
| 24. Bid price for fuel | Village of Homer |
| 25. Appointments to Board of Assessment Review | none |
| 26. Board of Assessment Review rate | \$100/day |
| 27. Appointment of delegate to Association of Towns meeting | none |
| 28. Town Historian appointment | Martin Sweeney |
| 29. Resolution-salaries as stated in budget | yes |
| 30. Town Board members salaries paid monthly | yes |
| 31. Resolution-utility bills to be paid upon receipt | yes |

ATTORNEY FOR THE TOWN

Attorney Snyder reported that he had attended a recent county Wind Power Committee meeting. Supervisor Forbes indicated that he had been contacted by a person who believes that the committee is intent on preventing any wind power projects. Attorney Snyder explained that committee members had made a trip to a wind farm project and had returned believing that the currently proposed setback distances needed to be increased significantly. The committee is recommending a 3000 foot setback from wind towers to nonparticipating residences and other setbacks from property lines and structures. Wendy Marsh, the attorney who is representing the county (at TCI Renewables expense) is of the opinion that such setback distances may kill the prospects for any wind development. She asked that town boards be consulted to determine whether they would be willing to go along with lesser setbacks if it is necessary for a project to go forward. Supervisor Forbes stated his concern about our country's consumption of foreign oil. After discussing the setbacks all board members agreed that they would consider smaller setbacks if it is necessary for a project to be developed. They would be willing to

listen to the company's proposals before deciding on the question. (Corrected January 19, 2010)

Attorney Snyder said that the public hearing on the proposed flood plain law will be scheduled for the February Town Board meeting.

He reported that he had sent his draft of a highway protection law to the Association of Towns and that he had received some comments from them but no substantial changes were recommended. He will present to the Board the final draft on the highway protection law at the next meeting.

Supervisor Forbes thanked Snyder for his thoughtful and well-researched letter to the NYSDEC on natural gas drilling.

COUNTY LEGISLATURE

Jennifer Gofkowski introduced herself as the new County Legislator for Homer District 10 and was welcomed by Town Board members. She expressed hope for making some positive changes in County government. Gofkowski described some personnel changes that she was implementing, including changes in the office of County Auditor and possibly that of County Administrator.

Supervisor Forbes told her of his disappointment in the County's cuts to the Office of Real Property which affect the Town's contract with the County for assessment services and, in particular, for the proposed update of the Town's assessed values.

Real Property Director William Cinquanti will be attending the Town's March board meeting. In the meantime, Cinquanti has instructed his employees in the Real Property Tax Services Office to apply for a grant for the Town's reval.

Forbes invited Gofkowski to attend the Consolidation Committee meetings between the Towns of Homer and Scott on the 3rd Wednesday of each month.

The meeting was adjourned at 9:20 p.m.

Anita W. Jebbett
Town Clerk