

Regular Meeting  
April 7, 2010

The regular meeting of the Town Board of the Town of Homer held on Wednesday, April 7<sup>th</sup>, 2010, in the board room of the Town Hall Building 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

Jennifer Gofkowski, Cortland County Legislator  
Mike Park, Cortland County Legislator  
Tom Kile, representative, CNY Living History Center  
Hugh Riehlman, representative, CNY Living History Center  
William Cinquanti, Director, Cortland County Real Property Tax Services  
Kate Kearney, Real Property Analyst, State Office of Real Property Services  
Nedra Griswold, Assessor, Town of Homer  
Martin Sweeney, Town Historian

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

**The minutes of the March 3<sup>rd</sup>, 2010, 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. The Town Clerk's monthly report of all receipts and disbursements for March.
2. The Supervisor's monthly report of all cash received and disbursed for the month of March.
3. The Code Enforcement Officer's monthly report of all building permits issued in March.
4. The Dog Control Officer's monthly report of all activities for March.

NEW BUSINESS

1976 Brockway truck - Tom Kile and Hugh Riehlman were present to represent the CNY Living History Center which houses the Brockway Truck Museum. Kile asked the Town Board to consider donating the remaining Town-owned Brockway truck to the Museum. At the March meeting the Board had resolved to advertise for bids for that truck but had not yet done so. The truck dates from 1976 and is one of the last models built in Cortland. Kile said that he worked for the Town of Homer Highway Department at the time it was purchased and he believes that the truck has never left Cortland County. He explained that it is underpowered and undersized for current use. Highway Superintendent Phelps had said at the March meeting that it is rarely used. Kile said that the Town could probably get \$3,000 for the truck or maybe \$4,000 if it were advertised widely. He said that it would have cost \$15,000 when new. Hugh Riehlman said that the County had donated a Brockway truck to the Museum that they had owned.

Supervisor Forbes said that the Board would consider their request later in the meeting and thanked them for coming.

## EXECUTIVE SESSION

On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously, **the Town Board entered into an executive session at 7:50 p.m. for the purpose of discussing the contractual relationship with a particular person or corporation.**

No action was taken. On motion by Councilman Young, seconded by Councilman Williams and carried unanimously, **the Town Board adjourned the executive session at 8:15 p.m. and reconvened the regular meeting.**

## ASSESSMENT UPDATE PROPOSALS

County Real Property Tax Services Director William Cinquanti, Town Assessor Nedra Griswold and NYS Real Property Analyst Kate Kearney presented the bids that they had received for providing an assessment update for the Town. Assessor Griswold had prepared the RFP's (request for proposals) and had received back only two bids: one from GAR Associates, Inc. for \$215,100 or \$72.30 per parcel; and the second from Maxwell Appraisal Service for \$133,875 or \$45.00 per parcel. Director Cinquanti and Kate Kearney explained that the County could provide any new photographs that were needed and provide the printing and mailing that would be involved with an update. Because of this they believed that they would be able to negotiate with Maxwell to lower his bid to \$42.50 or \$40.00 per parcel. Kearney said that the State Real Property Tax Services Office has had experience with Maxwell Appraisal Service and they highly recommended them.

Supervisor Forbes explained that he was not happy with either quote which he felt were much too high. He said that he had met with Acting County Administrator Jack Williams, Bill Cinquanti and some legislators to request that the County re-consider doing the update themselves. He was concerned because the Town of Homer needs to be at a 100% equalization rate in order for any consolidation with the Town of Scott to take place. Forbes felt that the Town Board needed more time before making any decision. He explained that they had received one other proposal but one that was not in writing. Due to not having all the information, he was unable to bring that proposal up at this meeting. Supervisor Forbes said that the Board would need to schedule a special meeting in the near future about the proposed assessment update.

Councilman Young expressed his great displeasure with the fact that the County had not held up their end of the bargain agreed to when the Town contracted with the County for their assessment services. It was understood at that time that the County would provide an assessment update at a cost of \$11 per parcel. He said that although he has great respect for Cinquanti, he is very angry at how the County has mistreated the Town and now wants the Town to come up with an extra \$100,000 for the reval.

County Director Cinquanti explained that the matter was completely out of his control and that he felt terrible to have to renege on a promise he had made to the Town at the time they entered into the contract. At that time County Administrator Scott Schrader had fully supported Director Cinquanti's plan to move towards County-wide assessment. Cinquanti explained that all the current assessors will be retiring within the next ten years and that would leave the Towns and City without qualified assessors. Since it takes so much training to become an assessor, it could end up being very costly. He explained that his plan was a pro-active program to hire and train County assessors and data collectors at an up-front cost that would have the County Real Property Tax Services Office ready to provide fair and accurate assessment services to the entire County. He explained that his plan could only work with the support of the County Legislature and that since the County Administrator was no longer there and new legislators had come into office, he was no longer receiving that support and his budget had been cut.

Cinquanti said that the Town had been spoiled by Assessor Larry Fitts who, along with Cortlandville Assessor David Briggs, are among the few assessors that are also able to conduct their own revals. Therefore, the Town had never had to pay an outside

contractor as most Towns do and that \$40 to \$45 per parcel is the going rate for reveals. He explained that usually it takes one assessor to keep up with all the work for 3,500 parcels. Nedra Griswold is currently maintaining 5,000 parcels.

Supervisor Forbes thanked them all for attending the meeting and said that the Board would be scheduling another meeting in the near future to discuss it further.

## TOWN HISTORIAN

Town Historian Martin Sweeney was present to propose that the Town further pursue ways to promote Homer as a “Lincoln Mecca” as a way to lure tourists and history buffs to this area. He said that he is currently copywriting a book he has written on William Osborn Stoddard, Francis Bicknell Carpenter, and Eli DeVoe, all Homer residents with important connections to Abraham Lincoln. The 150<sup>th</sup> anniversary of the Civil War will be observed starting this year through 2015 and he is proposing to establish a committee to work on taking advantage of Homer’s connection to Lincoln. He suggested such changes as signs at the various entrances to Homer that say “Welcome to Historic Homer” and adding more of a Homer history theme to the annual “Holiday in Homer”. He and David Quinlan would be willing to chair a committee to capitalize on the Lincoln connection and he would like a letter of support from the Town Board.

Homer will be visited by a famous Lincoln sculptor, John McClarey of Illinois, at the end of April. He may be interested in doing a statuary group that would include Lincoln, Stoddard, Carpenter & something to represent DeVoe since no photo of him has been found. McClarey said that he is familiar with methods to obtain funding for such an undertaking and is very interested in taking on this project. Sweeney suggested a location on the Village Green for the sculpture and has spoken with the First Religious Society that owns the Green. He has contacted the Village of Homer as well but has yet to hear from them.

Town Board members agreed to write a letter of support for Sweeney’s ideas and thanked him for coming.

## NEW BUSINESS, CONTINUED

County request for letter of support regarding electronics recycling - Supervisor Forbes informed the Board of a resolution passed by the Cortland County Legislature in which the County asks the State to support E-waste regulations requiring manufacturers to be involved in the recycling and management of consumer electronic waste.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously, **it was resolved to table the County’s request for a letter of support regarding electronics recycling to allow time for the Board to review the request.**

Liability Insurance - The Town Board agreed with Supervisor Forbes that Dan Gustafson be asked to discuss the Town’s liability insurance policy with Mike Cartini of First Niagara who wishes to offer a quote.

Village of Homer Recreation Contract – Attorney Patrick Snyder said that he and Village Attorney Patrick Perfetti had agreed upon wording for the contract between the Town and the Village for the Town’s participation in the Village recreation programs. The revision includes a statement whereby the Town and Village indemnify each other for their own employees’ negligence to the extent of any liability not covered by insurance. Supervisor Forbes will be signing the revised contract. Board members also agreed with the revised date for the Town’s payment to the Village.

County Amnesty Days – Supervisor Forbes has received notification from the County that the County Landfill will be having an amnesty week for Towns and Villages the week of May 3<sup>rd</sup> through May 7<sup>th</sup> to give them the opportunity to take items cleaned up along the roadsides to the Landfill. Highway Superintendent John Phelps again emphasized that he is against allowing residents to participate in an Amnesty Day as has

been the case in the Towns of Scott and Preble. He said that it quickly gets out of hand and strongly advised the Town Board against it.

1976 Brockway truck - On motion by Councilman Warren, seconded by Councilman Weddle and carried, Supervisor Forbes, Warren and Weddle voting in the affirmative and Councilmen Williams and Young opposed: **RESOLVED: that the 1976 Brockway truck owned by the Town Highway Department be donated to the non-profit CNY Living History Center located in Cortlandville.**

TCI Renewables - There was discussion about a letter from TCI Renewables, the company interested in developing a wind farm in Cortland County. They voiced concern over the setbacks being discussed by the Wind Power Committee and are requesting a meeting with the Town Supervisors involved in the proposed project and their attorneys.

Senior Center kitchen vent – Councilman Warren reported that he had looked into the matter of installing a vent for the Senior Center kitchen to remove heat and cooking odors from the room. On the advice of K&B Plumbing and Heating Warren has priced a vent-type fan with a decorative wooden piece to set into an open window for approximately \$116. He said that there were ways to make it secure and also removable in colder weather.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that Councilman Warren be authorized to purchase a vent-type fan for the Senior Center kitchen window and to install it.**

Farmland Protection Committee - Councilman Young invited Supervisor Forbes and Attorney Snyder to attend a meeting of the Farmland Protection Committee to be held at the County Planning Department, 37 Church Street, on April 29<sup>th</sup> at 7:00 p.m.

#### ATTORNEY FOR THE TOWN

Attorney Patrick Snyder reviewed the Full Environmental Assessment Form he had completed on behalf of the Town Board for the proposed local law for the protection of Town roads.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that Supervisor Frederick Forbes is hereby authorized to sign the Environmental Assessment Form for the Adoption of a Local Law for Protection of Town Roads and to issue a negative declaration.**

Snyder said that Beard's are requesting a variance to expand their gravel mine (East Homer Sand & Gravel) closer to East River Road. Since he has represented them in the past he is unable to represent either the Beard's or the Town Zoning Board of Appeals in this matter. The Town is still waiting for more information about their proposal.

#### HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported that he has been able to purchase sand for the 2010-2011 winter season for the same price as he has the last two years. His crew has also been sweeping up sand left on the roads from this season to recycle and reuse. They have already picked up around 700 tons of material. (Corrected 4-19-10)

Phelps reported that the County's request for the Town to plow some extra roads this past season has worked out very well and he has told the County he would be willing to continue doing so next winter.

Superintendent Phelps reported that they have also been busy cutting trees in the Town's right-of-way, servicing trucks, and painting snowplows since the weather has turned so mild.

He has been making sure their workplace conditions are in compliance with all safety regulations and that they are properly recycling any used oil filters or oil.

Phelps has conducted a review of the insurance listings and values for all Town-owned vehicles and they have also been reviewed by Councilman Young.

#### HOMER-SCOTT CONSOLIDATION

There was some discussion about the proposed consolidation of the Towns of Homer and Scott. Board members Kevin Williams and Brian Young expressed an interest in reviewing the budgets of both Towns and related financial information. Supervisor Forbes agreed to schedule a meeting in the near future for the financial review. The Town of Scott is considering hiring another attorney to review the consolidation proposal with them since Attorney Patrick Snyder is also the Attorney for the Town of Homer.

#### BILLS TO BE PAID

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #43 through #65 totaling \$13,610.75 be approved for payment.**

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that General vouchers #66 through #103 totaling \$36,659.46 be approved for payment.**

The meeting was adjourned at 11:00 p.m.

Anita W. Jebbett  
Town Clerk