

Regular Meeting  
July 7, 2010

The regular meeting of the Town Board of the Town of Homer held on Wednesday, July 7, 2010, 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

Ed Finkbeiner, reporter, The Homer News  
Jamar Thrasher, reporter, Cortland Standard

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

**The minutes of the June 2<sup>nd</sup> regular meeting were approved as presented, on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously.**

MONTHLY REPORTS

Presented for audit by the board were:

1. The Supervisor's monthly report of all cash receipts and disbursements for the month of May.
2. The Town Clerk's monthly report of all receipts and disbursements for the month of June.
3. The Code Enforcement Officer's monthly report of all building permits issued in June.
4. The Dog Control Officer's monthly report of all activities for June.
5. The Tax Collector's report of all 2010 Town/County taxes returned to the County Treasurer as of June 1<sup>st</sup>.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General vouchers #162 through #191 totaling \$59,806.70 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Highway vouchers #118 through #137 totaling \$70,076.76 be approved for payment.**

NEW BUSINESS

Town Hall cleaning contract – The contract for cleaning the offices and court room is up for renewal and there was discussion about adding a stripping and waxing of the office bathroom floors twice a year for an additional \$3 per month. Board members thought that was a fair charge for the additional work involved.

On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the contract with Advantage Cleaning Service, Cortland, be renewed for the cleaning of the Town Hall offices and court room, with the addition of a stripping/waxing of the office bathrooms once a year for \$71.50 per month.**

Town Hall Exterior Renovation Project - Supervisor Forbes reported that Diamond & Thiel had requested a change order relating to the asbestos abatement of the Town Hall windows back in April. He said that neither Jon Carnes of Crawford & Stearns nor Linda Fisher from Diamond & Thiel had sent the change order to the Town and that it could have been taken up much sooner at either the May or June meeting had they done so. This matter has slowed the start date of the project. The change order represents an increase in the cost of the abatement which had been quoted by Diamond & Thiel at \$500 per window. They had determined that 15 windows need abatement with an average cost of \$637 per window or \$9,555 total.

On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Supervisor Forbes be authorized to try to negotiate with Diamond & Thiel the difference between their original quote and the amount of the change order, but if it is non-negotiable, that he be authorized to sign the change order for an additional \$9,555 for the asbestos abatement of 15 windows.**

Senior Center internet connection – The Town is offering to allow the Senior Center to connect in to the Town's broadband internet connection. Mark and Bernadette Travis of Good News Computing have offered to provide two to three internet connections and two reconditioned computers for the seniors for the cost of the materials, \$165. According to them this would be at no additional cost to the Town. The County has agreed to pay the cost of the installation.

Use of Senior Center - Stacy Hall, Justice Court Clerk, has requested the use of the Senior Center once monthly for a scrapbooking class she is offering.

On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: the Senior Center may be used by non-governmental groups but with a minimum donation of \$25 per use.**

New Town Assessor – As of July 1<sup>st</sup> David Briggs became the new assessor for the Town of Homer. Supervisor Forbes reported that Briggs would like to move the Town of Homer computer and files to his office on Church Street in the City of Cortland in September although they would continue to be owned by the Town. Until that time Briggs will be hiring Frances Armstrong to provide office hours in the Assessor's Office in the Town Hall. There was concern voiced about the loss of the assessor's office in the Town Hall. It was suggested that Briggs ask Fran to come to the Senior Center on certain days to answer the questions of Town of Homer residents.

On motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Town Assessor David Briggs be allowed to move the Town's computer and assessment records to his Church Street offices in September.**

Supervisor Forbes said that the Town Board has thanked Nedra Griswold of Cortland County Real Property Tax Services for her service as Assessor with a gift of flowers and would be thanking Fran Armstrong for her service as clerk to the Assessor with a gift card.

Worker's Compensation increase – Supervisor Forbes said that he met with the new County Administrator Martin Murphy and County Legislative Chairman Jack Williams regarding an increase in the Town's worker's compensation bill scheduled for 2011. This is due to a claim made in 2009 when an employee slipped on some ice and injured his shoulder.

Farmland Protection Grant – On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town of Homer request an extension of the contract with the State of New York for the agricultural planning grant until August 13<sup>th</sup>, 2011, in order to finish work on the farmland protection plan.**

Village request for Justice Court fees – Councilman Williams reported that he will be looking into the claim by the Village that they should share in the Town’s Justice Court fees because of the work done by the Village-run police department. He said that about 28% of the work done by the Court is generated by the Village Police. Supervisor Forbes said that he had reminded Village Trustee Mike Berry that the Town paid for all the renovations to the Court. Forbes also said that once other operating costs are added in the Court will not appear to be as profitable. Councilman Williams will follow up on the Village’s claim at the next meeting.

Town Hall maintenance – Supervisor Forbes asked Councilman Warren if a fan in the dome of the Town Hall building would make the air conditioner run better after getting a suggestion to that effect from a Diamond & Thiel employee. Councilman Warren said that he felt it would just move the cooled air in the office area up to the “attic” area and pull more warm air into the office area.

Forbes suggested that the Board consider lowering the ceiling in the Supervisor’s Office and installing new light fixtures in conjunction with the current window project.

Town Clerk Jebbett explained that after repairing a gas leak discovered by a NYSEG employee checking the building in response to a gas leak in the Senior Center stove, representatives from K & B Plumbing and Heating of Cortland pointed out problems with the Town’s old boiler and two hot water heaters in the front corner of the building. They said that the boiler is out-dated and inefficient and keeps water at 200 degrees all year round. One of the hot water heaters has a gas leak and the other a water leak that threatens to erode a hole in it.

Councilman Warren read a report and cost estimate from K & B for various ways to re-work the Town’s heating system. There was much discussion about whether or not to utilize the new boiler in the Justice Court area for the entire building. The new boiler is supposed to have the capacity to heat the entire building and all the hot water and is a high-efficiency system. The removal of the old chimney was discussed with the Board agreeing that the Town would remove the chimney itself.

Since the Senior Center uses the bulk of the hot water it was suggested that the County be approached to give some money towards any renovation of the system.

Clerk Jebbett voiced concern about not having another heating source to rely on if one breaks down. Supervisor Forbes said that the Town still owns three propane heaters and an electric heater. Councilman Warren suggested purchasing spare parts to have on hand for the one boiler.

Attorney Snyder suggested that the Town obtain three quotes for the job.

On motion by Councilman Williams, seconded by Supervisor Forbes and carried unanimously: **RESOLVED: that Councilman Warren be authorized to ask three different plumbing and heating contractors to present quotes at the August meeting for eliminating the front boiler and two hot water heaters and running all heating and hot water from the new system in the back part of the Town Hall building.**

New York State Retirement Incentives - There was discussion about two new incentives offered by the NYS Retirement System to encourage longtime employees to retire. One of the Town highway employees, Daniel Lyon, has voiced an interest in retiring using State Incentive Part B, whereby employees who are age 55 with at least 25 years of service can retire without any deduction for early retirement. The Town would have to pay a portion of the retirement incentive and it would require the adoption of a local law authorizing the adoption of the incentive.

On motion by Councilman Williams, seconded by Supervisor Forbes and carried unanimously: **RESOLVED: that the Town of Homer make the Age 55/25-year Retirement Benefit (Part B) available for qualified Town employees and authorize the Attorney for the Town to prepare the appropriate local law for a public hearing and adoption at the August 4<sup>th</sup> Town Board meeting.**

## HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported that his Highway crew was taking a week's vacation along with the 4<sup>th</sup> of July holiday. Prior to the holiday they worked on repairing a section of Houghton Hill Road.

There was much discussion about the purchase of a new front end loader. Phelps said that he has found that used machines are selling for more than new machines on State bid. Different sizes of machines were discussed as well as the four major brands, Case, New Holland, John Deere and Caterpillar, and their warranties. The Town's loader is a Daewoo and if sold outright Superintendent Phelps said that it could bring \$22,000 to \$23,000. Councilman Young said that he and Superintendent Phelps would get together to discuss the various options and would be prepared to suggest how best to proceed at the August board meeting.

## ATTORNEY FOR THE TOWN

Attorney Pat Snyder reported on some matters coming up before the Zoning Board of Appeals and the Planning Board, in particular Edwin Beard's request to expand his gravel mining operation to within 25 feet of East River Road. He has applied for an area variance from the Zoning Board but will still need a special permit from the Planning Board which has expressed concerns over the mine's proximity to the County-owned highway.

There was discussion about the Farmland Protection Grant and contract. Snyder will be checking with Dan Dineen or Janice Degni about paperwork that needs to be completed.

Snyder reported that the Homer-Scott Consolidation study has been halted by the decision of the Scott Town Board to vote against consolidation.

Supervisor Forbes said that Attorney John Ryan has agreed to take charge of the matter on the behalf of residents who wish to petition to place consolidation on the ballot in November. Forbes said that he was aware of some Scott and Homer residents who are carrying petitions to get the matter placed on the ballot. He said that if the matter is voted down it cannot be addressed again for four years.

Attorney Snyder asked to be excused from attending the August 4<sup>th</sup> board meeting as he will be attending a family reunion in South Carolina.

The meeting was adjourned at 9:40 p.m.

Anita W. Jebbett  
Town Clerk