

Regular Meeting
August 4, 2010

The regular meeting of the Town Board of the Town of Homer held on Wednesday, August 4th, 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
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

ABSENT

Patrick M. Snyder, Attorney for the Town

OTHERS PRESENT

Paul Burhans, Dog Control Officer
Ed Finkbeiner, reporter, The Homer News

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

MINUTES

The minutes of the July 7th 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 June.
2. The Town Clerk's monthly report of all receipts and disbursements 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 for July.
5. The Supervisor's detailed copy of the 2010 Town budget as of June 30th.

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 #192 through #212 totaling \$27,687.79 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 #138 through #148 totaling \$25,637.45 be approved for payment.**

NEW BUSINESS

Time Warner cable claim - Supervisor Forbes reported that he has received an email from Mike Caton of Computel stating that the four year effort to retrieve approximately \$6,000 of an underpayment by Time Warner for the Town's franchise fee may be coming to an end. Forbes asked Councilman Kevin Williams to represent the Town at a meeting with Tom Doheny of Time Warner on Thursday in the Village Mayor's Office on this matter. Forbes noted that Attorney for the Town Pat Snyder had asked him to wait until Snyder returned from vacation before the Board agreed to any settlement.

Wind Power Project – Supervisor Forbes reported that he has received several letters from residents of East Homer who are in favor of the wind power project proposed by TCI Renewables of Canada. The letter accuses the Town Board of supporting the stronger regulations being proposed by a county-wide committee which was formed to consider the pros and cons of the wind power project. Forbes said that judging from their discussions of the matter at previous meetings, the Homer Town Board does not support some of the stronger regulations proposed by the committee. He feels that many of the members of the committee appear to be opposed to a wind farm in Cortland County, and he does not expect progress on the wind farm proposal this year.

Councilman Warren stated that because he may stand to gain from a wind power project, he plans to abstain from any vote on the proposal, but hopes that the other Town Board members will decide as they see fit. Councilman Williams suggested that no response was necessary to those who signed the letters regarding the proposed wind farm.

Supervisor Forbes also stated that he does not see the reason to propose a moratorium on hydrofracking (a method of drilling for underground gas deposits) as other towns have done. He said that it would take an organization with more expertise than the Town Board has to decide whether to permit or ban hydrofracking.

Assessment lawsuits - Supervisor Forbes reported that the Town Clerk has received two lawsuits against the proposed assessed value of property, one from Verizon concerning a property they own at 58 North Main Street and the other from Henkel Corporation for industrial property they own on James Street.

Town Hall Exterior Renovation Project - Supervisor Frederick Forbes handed out a schedule of the work to be done on the Town Hall provided to him by Diamond & Thiel, the general contractors for the job. Work is expected to be completed by the end of September. According to Project Foreman Scott Crysler the precast sub-contractors "dropped the ball" due to a personnel change resulting in the project being behind schedule. He expects the work to begin in about three weeks.

Councilman Warren reported on some decisions that he had made on the Board's behalf during a discussion with Crysler:

1. The color for the storm windows will be black.
2. The paint will be removed from the lower half of the seven large windows (now exposed) and they will be restored to the original stained wood appearance. (There will be an extra charge for this.)
3. The top halves of the large double-hung windows will be made inoperable.
4. The Town will be eliminating the three vents in the front boiler room when the heating system is updated in the near future.
5. In the kitchen, the exhaust fan will remain in the window. Councilman Williams suggested that the panel and vent be painted black.
6. Lakeland Environmental shall be hired to do an inspection of the asbestos abatement after Abscope completes its work next week.

Town Board members agreed with all of his decisions.

Another matter discussed was the hardware on the windows. The originals were found to be painted steel, not brass. Board members agreed that they be painted to go with the woodwork as shown by a sample.

Supervisor Fred Forbes said that he had received a compliment on the Town Hall Building's appearance from James Nichols who resides in the house directly across the street from the Town Hall.

Local Law #3 of 2010- On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **BE IT RESOLVED: that the Town Board of the Town of Homer does hereby elect to provide benefits of Part B of Chapter 105 of the Laws, 2010, commencing on October 1, 2010, for all eligible employees who retire with an effective date of retirement set during the 90-day period beginning with and immediately following the commencement date and who are otherwise eligible as specified by Part B of Chapter 105, Laws of 2010.**

Supervisor Forbes recommended that the Town pay the amount of the retirement benefits that will be due in one lump sum in February of 2012.

Recording Secretary for Planning & Zoning Boards – Lindsay Kemp is currently the recording secretary but no longer wishes to do so due to her other commitments. Clerk Jebbett said that the job involves attending the evening meetings and writing up minutes and currently pays \$15 per hour.

Board of Assessment Review - Councilman Williams reported that Janet Steck of 113 Clinton Street in the Village has asked to be considered for the Board of Assessment Review. Supervisor Forbes said that currently the three positions have been filled and Hugh Riehlman has agreed to be an alternate.

Updating Town's heating system – Councilman Warren said that he had contacted three contractors to get bids for updating the Town Hall's heating system. Since he did not yet have the third bid, the bids were not reviewed or discussed.

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that Councilman Warren be authorized to accept and review the bids for the Town Hall heating system repair.**

Forbes said that he would consult the Town Attorney to see if Board approval would be necessary in order to award the bid. There was concern that the repairs take place prior to the onset of cold fall weather.

HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps said that he may want to sell the 1998 Daewoo loader outright, rather than trade it in, if he can get more money for it.

There was much discussion about going to bid for a new wheel loader to replace the Daewoo. On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Highway Superintendent Phelps be authorized to prepare the specs and advertise for bids for a new four-wheel-drive wheel loader.**

Phelps said that the Town has been working with the Village of Homer on their paving projects. Next week the Town plans to start oil and stoning some roads. He will be taking the 1999 diesel pickup truck and an old pressure washer to a Teitsworth Auction next week which follows Empire Farm Days. Phelps also said that they have been working on repairing the lower end of Wolf Road, Carroway Hill Road, Sessions Hill Road, and McDonald Road.

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

Anita W. Jebbett
Town Clerk