

Special Meeting  
September 1, 2010

A special meeting of the Town Board of the Town of Homer held on September 1<sup>st</sup>, 2010, in the board room of the Town Hall Building was called to order by Supervisor Frederick J. Forbes at 9:05 a.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

Supervisor Forbes said that the Homer Town Clerk has certified the signatures on a petition to place on the November ballot a vote for or against consolidating the Towns of Homer and Scott. On Thursday, September 2<sup>nd</sup>, the Town of Scott Town Board is set to make a similar resolution.

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: RESOLVED:

**WHEREAS a petition to begin a consolidation proceeding has been submitted by certain voters in the Towns of Scott and Homer, and**  
**WHEREAS the proposed consolidation would combine the Town of Scott with the Town of Homer, and**  
**WHEREAS the petition was submitted to the Town Clerk of the Town of Homer, as set forth under General Municipal Law, Article 17-A, and**  
**WHEREAS the Homer Town Clerk on August 25, 2010, did certify that the number of valid signatures on the petitions is sufficient to commence a consolidation proceeding, and**  
**WHEREAS General Municipal Law Article 17-A, Section 758 requires that the Town Board meet and schedule a public referendum, to be held between 60 and 90 days from the date of said meeting, and**  
**WHEREAS the general election will be held on November 2, 2010, and this date falls within the required 60 to 90 day time period,**  
**NOW IT IS HEREBY RESOLVED, that the Town Board of Homer does hereby call for a public referendum on the question of consolidation to be held at the general election on November 2, 2010, and**  
**IT IS FURTHER RESOLVED that the question to be placed before the electors shall be as follows: "Shall the Town of Scott be consolidated with the Town of Homer? Yes \_\_\_\_\_, No \_\_\_\_\_."**

Supervisor Forbes said that if the Board members know of people willing to work on a consolidation committee to have them contact him.

Bids on new wheel loader - Highway Superintendent Phelps reported on the bid opening for a new wheel loader that took place on August 23<sup>rd</sup>, 2010. There was much discussion about the bids and whether or not the loaders that were bid meet the specifications. On motion by Councilman Young, seconded by Supervisor Forbes and carried unanimously: RESOLVED: **that the Town Board accepts the bid from Five Star Equipment, East Syracuse, for \$124,044 without a trade-in allowance, for a 2010 John Deere 624K wheel loader; the lower bids having been rejected for not meeting the specifications in regard to horsepower, engine displacement, and engine size;**

**and to advertise for bids on the 1998/1999 Daewoo 250 loader in order to sell it outright.**

Possible conflict of interest - Attorney Patrick Snyder explained that there is a problem with a possible conflict of interest involving the assessment case of David Yaman Properties. A clerk in the office of the Judge who will be hearing the case is married to an attorney that works for the same law firm that is representing Yaman, though he is not involved in that particular case. Snyder explained that he does not see a real conflict of interest or bias in this situation.

On motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Supervisor Forbes be authorized to sign a statement that the Town was advised concerning the Judicial Ethics opinion and the option of remittal, and that the Town agrees that Judge Jeffrey Tait should not be disqualified.**

The special meeting was adjourned at 10:00 a.m.

Anita W. Jebbett  
Town Clerk