

Regular Meeting
October 6, 2010

The regular meeting of the Town Board of the Town of Homer held on Wednesday, October 6, 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

Paul C. Burhans, Dog Control Officer

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the September 1st special meeting and the September 8th regular meeting were approved as presented, on motion by Councilman Weddle, 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 the month of September.
2. The Dog Control Officer's monthly report of all activities for September.
3. The Code Enforcement Officer's monthly report of all building permits issued for September.

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 #234 through #262 totaling \$59,650.03 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 #169 through #189 totaling \$82,619.16 be approved for payment.**

NEW BUSINESS

Town Assessor - Supervisor Forbes said that Assessor David Briggs would be attending the Town's November meeting to report on the progress of the Town assessment revaluation. Briggs had reported to the Supervisor that he was expecting to complete the data collection on the properties in the Village soon.

Forbes reported that he was assured by the State that since the Town is currently updating their assessments and the Town of Scott's assessment is at 100 percent, this would not be an issue if the two Towns were to consolidate. The issue of consolidation will be on the November ballot.

Town Hall Exterior Renovation Project - Supervisor Forbes reported that the general contractor has run into a problem with the masonry sub-contractor. Because of personnel changes the sub-contractor has not completed the pre-cast masonry pieces on time. They are planning to start the masonry work on October 18th, but due to the temperature sensitivity of the mortar, they may not be able to complete their work this fall. Board members agreed that it was not an option for them to use a less expensive but less sensitive mortar in order to speed up completion as the company was not willing to adjust their contract accordingly. Jon Carnes of Crawford & Stearns has told the general contractor Diamond & Thiel that these issues need to be resolved at no extra expense to the Town. Forbes suggested that there may be a silver lining in that the project will not be completed prior to the Town receiving the grant it was awarded for the Town Hall restoration.

Retirement of Town Highway Employees – On motion by Councilman Weddle, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the health insurance coverage for retiring Town Highway Department employees Charles Hopkins and Daniel Lyon be paid by the Town through the end of this year.**

Air quality issues in Village Offices – Councilman Warren reported on complaints by Village employees that something in the building was causing them to become ill. The Town Board has received a letter from the Village Mayor outlining their concerns. Warren said that he has purchased an air purifier on behalf of the Town and placed it in the office of the Village Clerk. He has also brought in Eric Monsen of Microbac Laboratories to look over the building for air quality issues. Monsen did not see any obvious adverse conditions. He has proposed testing for airborne fungal spores, carbon monoxide and carbon dioxide for a cost of around \$1,300. Councilman Warren pointed out that work to replace the old boiler and two hot water heaters located in the north-west corner of the building will begin the middle of next week. Their removal would eliminate the potential for any carbon monoxide. On motion by Supervisor Forbes, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Councilman Warren be designated as the lead person regarding the health concerns in the Village Offices and is authorized to take the necessary steps to further investigate any possible environmental concerns.**

Broadband for Town residents - Councilman Williams reported on attending a meeting with Village Mayor Mike McDermott and some County representatives regarding a new company which would like to come into the area to provide cable television, telephone and broadband internet. They say they would be able to serve areas that now do not have access to high speed internet service. Williams said that he was excited about their proposal as it would provide for competition with Time-Warner Cable, provide newer technology, and should lower costs for consumers.

Computel – Councilman Williams reported that Mike Caton of Computel is hopeful that Time Warner will finally settle with the Town of Homer regarding its underpayment of fees due the Town. On motion by Councilman Williams, seconded by Supervisor Forbes and carried unanimously: **RESOLVED: that Attorney Snyder and Councilman Williams work with Mike Caton of Computel to compose a settlement proposal for Time Warner stating that the Town is willing to waive any interest charges on the amount due the Town as long as there are no back charges to customers for the settlement.**

Dog Licensing - Town Clerk Jebbett explained that because the State would no longer be licensing dogs after January 1st, 2011, the Town would have to revise its local law regarding dog control. She has revised a proposed local law from the Town of Groton to fit the Town of Homer's needs with advice from the NYS Dept of Ag & Markets and Attorney Patrick Snyder. Supervisor Forbes asked her to send each Board member a copy of the proposed local law along with the suggested dog licensing fees and they would address the issue at a special meeting.

Tentative Town Budget for 2011 - Supervisor Forbes presented his tentative budget proposal for 2011. He explained that he was able to keep the proposed tax rate the same as that for 2010. The Fire District would also be keeping the 2011 fire tax rate

the same by applying \$1,000 in fund balance. It was decided to hold a special budget workshop meeting on Wednesday, October 20th, at 7:00 p.m. to further review the budget and to discuss the dog licensing local law and proposed fees.

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: the tentative budget for 2011 is hereby adopted as the preliminary budget for 2011, with a proposed tax rate of \$1.58 for Village residents and \$1.58 plus the fire tax rate of \$.51 for a total of \$2.09 for Town residents.**

Town Hall Front Portico – Councilman Warren reported that after the last Town Board meeting Councilman Young and he had noticed that the front steps had been slowly moving away from the building. Warren had contacted Paul Yaman Construction who had built the steps and within a few days they stopped in and made the necessary adjustment to prevent that from continuing to happen.

ATTORNEY FOR THE TOWN

Attorney Patrick Snyder reported that he will be consulting with Town Assessor David Briggs on an assessment case involving the Henkel Corporation properties on James and Maple Streets in the Village. An appraisal of the properties may be needed.

He conducted a two-hour training session for Town Planning Board and Zoning Board of Appeals members that was well attended and well received. Members of those Boards are required to obtain four hours of training each year according to a recent State law.

HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps described some problems with high water that resulted from the previous week's unusually heavy rainfall. Phelps said that 4 or 5 places saw damage from the rainfall, primarily in the Hights Gulf area. He said that a foot bridge to a private residence was damaged, but it was not the Town's responsibility to repair.

Phelps said that he will be sending truck #13, a 1996 GMC Top Kick to an upcoming Teitsworth Equipment Auction. He is planning to purchase a new insert sander for his new truck with the proceeds, hoped to be around \$5,000 to \$6,000.

There was much discussion about the upcoming retirement of two Town Highway Department employees, Charles Hopkins and Daniel Lyon. Phelps said that for now he only intends to hire one full-time employee. If necessary, he may look into hiring part-time help for the snow removal season.

There was discussion about the New York Power Authority's Solar Initiative to benefit local towns and school districts. Participating municipalities would get a solar photovoltaic array installed at no up-front cost to the town or school to provide fixed price solar energy. The amount of available land at the Town Highway Garage property was discussed.

The meeting was adjourned at 10:00 p.m.

Anita W. Jebbett
Town Clerk