

Regular Meeting  
August 3, 2011

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, August 3, 2011, 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

Tim Duff, owner, TDL  
Gary VanGorder, Executive Director, Cortland County IDA/BDC  
Ed Finkbeiner, reporter, The Homer News  
Mike Berry, Trustee, Village of Homer  
Genevieve Suits, Mayor, Village of Homer \*  
Jack Williams, Chairman, Cortland County legislature \*  
David Briggs, Assessor, Town of Homer \*  
Stuart Young, Chairman, Board of Assessment Review \*  
(\* present for executive session only)

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

**The minutes of the July 6<sup>th</sup>, 2011, regular meeting were approved as presented,** on motion by Councilman Warren, seconded by Councilman Williams 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 July.
2. The Supervisor's report of all cash receipts and disbursements for June.
3. The Dog Control Officer's report of all activities for July.
4. The Code Enforcement Officer's report of all building permits issued for July.

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 #185 through #209 totaling \$51,949.09 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #120 through #137 totaling \$47,069.75 be approved for payment.**

## OLD BUSINESS

Town Hall Exterior Renovation Project – Supervisor Forbes reported that more work needs to be done to complete the project. Due to vacations of both the contractor and the architect, a project update will not be available until later in the month.

New broadband company – New Visions fiber-optic cable company is looking to expand into the Homer area. Forbes suggested that interested residents set up meetings inside the Village and in the Town to ascertain how much interest there would be in such a service.

Proposed Crown City wind farm – Supervisor Forbes explained that a discussion of the setbacks proposed by TCI Renewables would be postponed until the September meeting. He had intended that Larry Jones, the Town's representative on the wind farm committee, participate in the discussion but due to a family emergency he is unable to attend.

County Hazard Mitigation Plan – The adoption of a resolution concerning a multi-jurisdictional hazard mitigation plan was postponed until the September meeting in order to give Attorney Snyder time to look over the proposed plan.

## NEW BUSINESS

Small business grant - Gary VanGorder, Executive Director of the Cortland County IDA/BDC was present to explain that Tim Duff, owner of TDL located on Route 11, north of Little York Crossing, was looking into obtaining a \$50,000 small business development grant in order to expand his business and hire two new employees. VanGorder said that, with the Board's consent, they would be asking Thoma Development Consultants to write the grant application on behalf of the Town which would be responsible for paying the \$2,500 fee for the application. He said that they have had great success with Thoma Development in the past for similar grants.

Tim Duff explained that he had purchased FILS-Agritech, an established business of specialized agricultural products, and is now planning to have items manufactured here in Cortland that were originally shipped from New Zealand. He will need to hire two employees when he makes this change. Duff said that if he does not receive the grant, he will personally reimburse the Town for the \$2,500 fee. If he does receive the grant, the Town is reimbursed the fee through the grant.

On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the Town Board agrees, based on the recommendation of the Cortland County Business Development Corporation (BDC), to pay the \$2,500 fee to Thoma Development Consultants for writing an application for a Small Business Community Development Block Grant (CDBG) on behalf of Tim Duff, owner of TDL, in order for him to establish production of his products in Homer and with the understanding that the Town will be reimbursed by TDL in the event they do not receive the grant.**

Board room renovations – The board room walls have recently been repaired and painted, areas without carpeting have been carpeted and new pictures hung. The total cost of the painting and carpet has been \$556. Supervisor Forbes noted that Town Highway employee Bill O'Rand had done a good job painting the board room and hallway. Linoleum near the elevator that was damaged during the Village's move has been repaired by R H Osborne and the cost billed to the Village.

Cardiff Giant hoax celebration – On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the Town Board hereby supports Town Historian Martin Sweeney’s participation in the celebration of the 142 year old Cardiff “Giant” hoax involving Homer native David Hannum which will take place at the Center for the Arts on October 27<sup>th</sup>.**

Councilman Williams noted the Town Board’s support for Sweeney’s enthusiasm for local history and his efforts to educate the public about Homer’s past.

Court assistance grant application – On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED:**

**That the Homer Town Board hereby approves the 2011 grant application prepared by Town Justice Gary Shiffer for assistance from the State of New York Justice Court Assistance Program (JCAP), with the understanding that the funding is being sought to enhance the Homer Justice Court’s ability to provide suitable and sufficient service to our community through proper court facilities, automated equipment and necessary supplies for operation.**

Changes to Town Health Insurance – On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the following policy concerning health insurance coverage hereby be adopted: Health insurance coverage may be provided at Town expense for the following:**

- **Town Board members, Town Clerk, Highway Superintendent, Town Justice, and all Highway Department employees who are permanent and full-time.**
- **The Town will continue coverage for retirees, spouses of deceased employees, and former employees, provided that such persons reimburse the Town for all costs, and that payment is received by the Town by the 25<sup>th</sup> of the preceding month. The Town Supervisor may require that any such payments be made by electronic funds transfers. Any bank fees or charges would be the responsibility of the covered person.**

Floodplain permit fees – On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED:**

**WHEREAS the Town of Homer has enacted a local law for flood damage prevention, known as Local Law Number 1 of 2010, and**

**WHEREAS the local law became effective on June 20, 2010 upon being filed by the Department of State, and**

**WHEREAS Section 4.2-2 of said local law provides that application fees for floodplain development permits will be set by resolution of the town board,**

**NOW, it is hereby resolved, that the application fee for a floodplain development permit shall be \$ 40.00.**

#### HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps reported that he and his crew are in process of finishing up two projects to be funded through the State CHIPS program. He has also completed the shoulder work on Creech Road and has been working with the Village on their Copeland Ave repaving project. Phelps said that within the month he will have several trees removed and will be stabilizing an area of Hights Gulf Road.

EXECUTIVE SESSION

On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously, **it was resolved to enter into an executive session at 8:10 p.m. for the purpose of discussing several assessment lawsuits, matters involving possible litigation.**

On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously, **the executive session was adjourned at 9:00 p.m.**

A special meeting to further discuss the assessment lawsuits was scheduled for Wednesday, August 17<sup>th</sup> at 7:00 p.m. in the Town Hall board room.

On motion by Councilman Young, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the Town Board hereby authorizes Patrick M. Snyder, Attorney for the Town of Homer, to sign the proposed settlement of the Henkel Corporation assessment lawsuit on behalf of the Town.**

The meeting was adjourned at 9:10 p.m.

Anita W. Jebbett  
Town Clerk