

Regular Meeting
September 7, 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, September 7th, 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
Patrick M. Snyder, Attorney for the Town
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

ABSENT

Brian D. Young, Councilman

OTHERS PRESENT

Paul C. Burhans, Dog Control Officer
Lawrence Jones, member, Wind Power Committee
Ed Finkbeiner, reporter, The Homer News

MINUTES

The minutes of the August 3rd regular meeting and the August 17th special meeting were approved as presented, on motion by Councilman Weddle, seconded by Councilman Warren 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 August.
2. The Supervisor's report of all cash receipts and disbursements for July & August.
3. The Dog Control Officer's report of all activities for August.
4. The Code Enforcement Officer's report of all building permits issued for August.

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 #210 through #239 totaling \$18,115.13 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously: **RESOLVED: Highway vouchers #138 through #158 totaling \$49,817.50 be approved for payment.**

OLD BUSINESS

Assessment Lawsuits – The Board agreed to postpone any decision regarding the lawsuits that have been filed in response to the recent revaluation of assessments in the Town until the October meeting in order to allow time for a response from the Village, Homer School District and the County as to how they wish the Town to proceed.

Health Savings Accounts – Councilman Williams reported that he had been checking into switching the Town employees over to a different bank for their health savings accounts that would earn them more interest. However, after checking again with that bank, he found that they now are charging fees that are more than those being charged by the current H.S.A. bank. Williams said that he will continue to check into similar programs to be sure the Town is getting the best deal.

Proposed Crown City wind farm – Supervisor Forbes said that he is in the process of getting input from the Towns of Solon and Cortlandville regarding setbacks for the wind towers being proposed by TCI Renewables of Canada. The Board reviewed a listing of the setbacks proposed by them. Larry Jones, who had been the Town's representative on the Wind Power Committee, was present at the request of the Supervisor to join in the discussion. Jones said that overall he agreed with the setbacks proposed by TCI, except that he had some concerns about the setback for the "adjacent property line of a non-participating landowner". Jones suggested that instead of 165 meters (541 feet) he thought the distance should be 250 (820 feet) to 500 meters (1642 feet). The Town Board agreed to consider his suggestion and thanked him for his input.

Town Hall Renovations - Supervisor Forbes reported that there has been no progress on the work yet to be completed on the Town Hall Exterior Rehab project.

NEW BUSINESS

Town Hall elevator – Town Clerk Jebbett reported on two recent malfunctions of the Town's lift. The problems were quickly resolved by a technician from Victory Lifts of Syracuse.

New Visions meeting - Supervisor Forbes reminded Board members of a meeting for those interested in an alternative to Time Warner for internet, cable television, and telephone service which will be held in the Community Building on Tuesday, September 13, 2011, at 7:00 p.m. New Visions is hoping to expand its business into the Town and Village of Homer if there is enough interest.

Court Audit – Councilman Williams reported that he and Councilman Young would be conducting their annual audit of the Town Court before the end of the month.

Youth Program Aid – Supervisor Forbes read a letter from the Cortland County Youth Bureau notifying the Town that the State had lowered the amount it would reimburse the Town for its participation in the Village's recreation programs from \$741 to \$553.

Assessor's Office in Town Hall - Supervisor Forbes said that there had been some confusion about continuing to maintain an office for the Assessor in the Town Hall. Originally, Assessor David Briggs had wanted to move everything to his downtown Cortland address.

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: **RESOLVED: that as long as Frances Armstrong continues to be employed by Assessor David Briggs, an office for the Assessor will continue to be maintained in the Town Hall.**

Contract with County for snowplowing – On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the Town Supervisor be authorized to sign the five-year contract with the County of Cortland whereby the Town agrees to provide snow and ice control on 7.72 miles of County highway on East Homer Baltimore Road and Health Camp Road for a payment of \$26,049.21 for the 2011-2012 snow season, with a two per-cent increase per season.**

ATTORNEY FOR THE TOWN

Attorney Patrick Snyder suggested the Board consider adding an amendment to the County-proposed resolution authorizing them to adopt the County's proposed all-hazard mitigation plan as follows: "Nothing herein shall commit the Town to undertake, approve, or fund any action unless the requirements of the State Environmental Quality Review Act have been satisfied."

On motion by Councilman Weddle, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the following resolution is hereby adopted:**

WHEREAS, all of Cortland County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS, a coalition of Cortland County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cortland County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Homer:

1. Adopts in its entirety, the Cortland County Multi-Jurisdictional All-Hazard Mitigation Plan (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

2. Will use the adopted and approved portions of the Plan to guide pre-and post-disaster mitigation of the hazards identified.

3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4. Will continue its support of the Mitigation Planning Committee as described within the Plan.

5. Will help to promote and support the mitigation successes of all participants in this Plan.

6. Will incorporate mitigation planning as an integral component of government and partner operations.

7. Will provide an update of the Plan in conjunction with the County no less than every five years.

8. Nothing herein shall commit the Town to undertake, approve, or fund any action unless the requirements of the State Environmental Quality Review Act have been satisfied.

Attorney Snyder reported that the judgment in the Yaman assessment lawsuit has been received. He said he would be in contact with Assessor David Briggs to clarify the amounts owed by each municipality. Snyder reminded the Board that it should be paid on a timely basis or they would be charged a penalty. He is anticipating a judgment on the Henkel case in the near future.

HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported that he had been checking on water problems that evening due to the heavy rains from Tropical Storm Lee. Fortunately there were no serious problems.

Phelps said that they have now finished their work on Tamarack Lane. They had to re-shape the ditches to allow for better drainage as well as re-surface the road. The project will be paid for through the State CHIPS program.

Councilman Williams reported on a request from Cosmos Heights residents for more salt to be applied to their road during the winter months.

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

Anita W. Jebbett
Town Clerk