

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, February 8th, 2012, was called to order by Supervisor Frederick J. Forbes at 6:30 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

Steve Hughes, reporter, Cortland Standard

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the January 4th, 2012, annual organizational 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 January.
2. The Dog Control Officer's monthly report of all activities for December and January.
3. The Code Enforcement Officer's report of all building permits issued in January.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Williams, seconded by Councilman Weddle, and carried unanimously: **RESOLVED: that General Fund vouchers #6 through #33 totaling \$45,851.63 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Highway Fund vouchers #3 through #22 totaling \$18,610.42 be approved for payment.**

OLD BUSINESS

Farmland Protection Grant – Supervisor Forbes reported on a conversation he had recently with John Brennan of the NYS Department of Agriculture & Markets. Brennan would like to see the project closed out by the end of this year and is hoping to see some changes to the plan as it now stands.

Wind farm project – Forbes reported on attending a meeting at the County regarding the wind farm proposed by TCI Renewables. He suggested that the County

become involved in coordinating the proposed project. Attorney Snyder said that the County is the lead agency for the project.

Rental of Town Hall Offices – Supervisor Forbes said that he has spoken with various people regarding the availability of space in the Town Hall for governmental agencies or private businesses. There was discussion about how much to charge for renting out the approximately 1175 square feet of space. Forbes will be checking with realtors and the Town will be posting an ad in the near future.

Dormitory Authority grant – Forbes said that he had been informed by the Dormitory Authority that the Town should hear something within a couple of weeks about their pending grant money.

Town Hall Exterior Renovation project – Councilman Warren reported on his meeting with Jon Carnes of Crawford & Stearns, Architects, to review the work completed by Diamond & Thiel Construction on the project. They found all but a couple of minor items to be satisfactory. Carnes suggested that the Town sign off on the project with a guarantee from Diamond & Thiel that they will be back in the spring to make those minor repairs.

NEW BUSINESS

Assessment maintenance aid – Supervisor Forbes reported that the Town will be receiving around \$14,000 in State aid for completing a revaluation of the Town's assessments in 2011.

Extension of tax collection - On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the Town of Homer hereby requests that the County grant them an extension of time until May 31st, 2012, for the Town of Homer Tax Collector to collect taxes.**

Two-percent tax cap – Supervisor Forbes reported that he has completed and filed online the State-mandated form in order to comply with the new two-percent tax cap law. Forbes said that the State Comptroller's Office would be auditing the Town later on this year.

Town Ethics Board – Supervisor Forbes said that he has heard from all but one of the individuals asked to be members of a Town of Homer Ethics Board. Of those who responded only one has declined to be on the board. It was suggested that there also be an alternate member in the event someone was unavailable to attend a meeting. Forbes will be contacting those suggested as alternates and will report back at the March meeting. Attorney Snyder said that no changes are necessary to the Town's existing Code of Ethics.

Gas drilling – There was discussion about area Towns which have enacted laws to prevent hydraulic fracturing (fracking) by gas companies and others that have come out in favor of gas drilling. Attorney Snyder suggested that the Town of Homer wait to see how current litigation involving the Town of Dryden is resolved before making any public statement for or against hydro-fracking.

2011 Town budget modifications – On motion by Councilman Williams, seconded by Councilman Young and carried unanimously: **RESOLVED: that the proposed modifications of the 2011 Town budget as recommended by Supervisor Forbes (attached) hereby be adopted.**

ATTORNEY FOR THE TOWN

Attorney Snyder said that he had reviewed the 2012 Dog Control Officer's contract upon request by the Supervisor. He has asked that it be revised and expects to have the revised copy for the March meeting.

Snyder reported on the two ongoing assessment lawsuits:

Barry Ryan property, 16 North Main Street - Oral arguments have been scheduled for Friday, February 24th, at the Cortland County Supreme Court. On behalf of the Town Snyder has made a motion to require that the appraiser be allowed to obtain access to the interior of the home or that the homeowners appear to give depositions regarding the interior.

Donald L. Barber Funeral Home, Inc., 5016 Route 11 – The attorney acting on behalf of the Homer Central School District has requested that the Funeral Home provide income and expense statements. If that information is not provided, Attorney Snyder and the HCS attorney may ask for the case to be dismissed.

HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps reported that he has spoken with Village Public Works Superintendent Larry Barber about sharing the cost and the use of a wood chipper. Supervisor Forbes and Town Board members agreed that sharing the expense and use of such an expensive piece of equipment would be good for the Homer taxpayer. Phelps said that a new chipper could cost as much as \$60,000.

There was much discussion about selling three older Town vehicles this year and going to bid for a new snowplow/dump truck. Phelps estimated that a new 10-wheel truck equipped with a plow, box and spreader could cost between \$160,000 to just under \$200,000.

He also suggested that the Town consider purchasing a used snowplow truck from the Town of Cazenovia Highway Department which has a policy of selling their vehicles once they have around 50,000 miles on them. Their next vehicle will be available in 2013 and he thought that it may be offered at around \$100,000.

On motion by Councilman Young, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the Town Board hereby agrees to issue a letter of intent to purchase a used snowplow truck from the Town of Cazenovia when it becomes available in 2013.**

Superintendent Phelps said that the County Highway Department is looking into having all Towns adopt the same Road Protection Law to protect them should gas drilling or other major construction projects start up in Cortland County. Supervisor Forbes said that Homer's Road Protection law has been in effect for over two years but that the Town would review the County's proposal and consider adopting it instead of the current law so that all Towns would be consistent.

TAX COLLECTOR

Town Clerk Jebbett reported that the Town had collected just over 75% of the \$5.8 million tax levy by the end of January. That percentage was up one-half percent over 2011 and up 12% over 2009. Of that amount around \$300,000 was collected in partial payments. Taxpayers were very appreciative of having the option to make partial payments.

The meeting was adjourned at 8:00 p.m.

Anita W. Jebbett
Town Clerk