

Regular Meeting
April 4, 2012

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall Building on Wednesday, April 4th, 2012, 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
Anita W. Jebbett, Town Clerk

ABSENT

John R. Phelps, Highway Superintendent

OTHERS PRESENT

Paul C. Burhans, Dog Control Officer
Martin Sweeney, Town Historian
Gordon Wheelock, Cortland County legislator
Gail Bundy, resident, 37 N. Main Street
Donald Ferris, reporter, "The Homer News"
Eric Mulvihill, reporter, WXHC

PLEDGE OF ALLEGIANCE

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the March 7th, 2012, 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 March.
2. The Supervisor's monthly report of all cash receipts and disbursements for February.
3. The Code Enforcement Officer's report of all building permits issued for March.
4. The Dog Control Officer's report of all activities for the month of March.

BILLS TO BE PAID

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Highway vouchers # 37 through #56 totaling \$30,798.20 be approved for payment.**

General bills were approved as audited on motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General vouchers #56 through #85 totaling \$27,289.75 be approved for payment.**

TOWN HISTORIAN

Town Historian Martin Sweeney was present to give an update on recent acquisitions and projects. The donations included a book, History of Grace Christian Fellowship also know as First Baptist Church of Homer, New York, written by John A. Gustafson, and a collection of natural and man-made artifacts from Rodney Sellen, a former Town of Homer Supervisor.

Sweeney also told of his involvement with an upcoming scavenger hunt for Homer High School students sponsored by “Sustainable Cortland”. He had been asked to come up with local history-related puzzles for the students to solve during the scavenger hunt.

He is also working with the Homer Business Association to develop a walking tour of the Village of Homer designed to attract visitors to Homer for “Heritage Tourism”. Sweeney said that New York State is also trying to promote history tourism which may result in a sign on the Thruway directing people to “Historic Homer – Birthplace of Lincoln’s Secretary, Portraitist, and Detective”. He once again promoted the placement of a statue of Stoddard, Carpenter and DeVoe on the Village green.

Sweeney also said that he has concerns about hydrofracking which he feels will do damage to efforts to attract people here for “Heritage Tourism”.

The Town Board thanked him for his presentation.

NEW BUSINESS

Dormitory Authority grant – Supervisor Forbes reported that the \$100,000 grant for the renovation of the Homer Town Hall was received by direct deposit on March 29th. Forbes thanked Councilman Williams for all his efforts in securing the grant. Williams in turn thanked Supervisor Forbes and Town Clerk Jebbett for completing all the necessary paperwork.

MICAH meeting – Supervisor Forbes reported on his meeting with members of a church-affiliated group which has concerns about hydro-fracking and which is attempting to educate members of policy-making bodies about these concerns. He said that the Town Board has not taken a stance on hydro-fracking and is waiting until the NYS DEC issues its environmental impact study on the process. The decisions by some New York Towns to zone out gas drilling will most likely be appealed. Forbes noted that Gail Bundy, in attendance at the meeting, is a member of MICAH and assured her that the Town has no hidden agenda.

Proposed wind farm – Supervisor Forbes reported that he would be attending a meeting at the County Office Building on April 5th regarding the wind farm proposed by TCI Renewables along with representatives from the Towns of Solon, Cortlandville and Truxton, County Legislative Chairman Mike Park, Attorney Snyder and Councilman Williams.

Sales tax proposal – Supervisor Forbes also reported that he would be attending a meeting at the County Office Building on a proposal by the County to make changes to the current sales tax distribution formula.

Amnesty Week – Forbes reported that the County Landfill’s Amnesty Week will be the week of May 21st through May 26th.

Homer Fire Department Installation Dinner – Supervisor Forbes reported that the Town has received an invitation and that any Board member interested in attending the April 20th dinner should let him know. He plans to attend if no one else is able to do so.

Town audit – Forbes reported that the New York State Comptroller’s Office will begin conducting an audit of the Town’s books on Thursday, April 5th.

Rescinding dog license agreement – On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: RESOLVED:

WHEREAS, in 2010, the Governor disbanded the Animal Population Control Spay/Neuter Program and appointed the American Society for the Prevention of Cruelty to Animals (ASPCA) to administer the program, and the option for counties to apply for an exemption to collect and retain these fees from local municipal clerks, and

WHEREAS, by Resolution 278-11, Cortland County exercised this exemption option and entered into municipal agreements with the towns for the County Clerk to collect these fees, and

WHEREAS, the spay/neuter facilities in Cortland County have been guaranteed money to be received from the ASPCA, above and beyond the yearly collection in Cortland County, and

WHEREAS, the municipal clerks of Cortland County and the spay/neuter facilities of Cortland County have agreed it would be more financially beneficial to rescind the exemption of Cortland County from the spay/neuter program in New York State,

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Agreement, entered into on the 30th day of December, 2011, by and between the County of Cortland, 60 Central Ave, Cortland, New York, and the Town of Homer with offices located at 31 N Main Street, Homer, New York, is hereby terminated and that the funds thus far collected by Cortland County will be forwarded to the NYS Department of Agriculture & Markets, Licensing Bureau, and all future money collected by the Town Clerks for the spay/neuter fee will be sent to the NYS Department of Agriculture & Markets, Licensing Bureau, and further that the exemption of Cortland County from the spay/neuter program in New York State is hereby rescinded.

Library tax – Supervisor Forbes suggested that the method for supporting the Phillips Library be reconsidered. Currently both the Village and Town pay the Library an annual amount for its support. The Library also receives funding through an item on the school tax bill.

On motion by Councilman Young, seconded by Councilman Williams and carried unanimously, RESOLVED: **that further discussion on a proposal by Supervisor Forbes to adjust the library tax formula is postponed until the May 2nd meeting.**

Rental of Town office space – There was discussion about the rental of the office space available in the Town Hall. The matter was tabled until the May meeting.

HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps was not in attendance because he was at an emergency management meeting at the County Office Building.

In a written report Phelps noted that the new Vermeer wood chipper had been delivered. This will be shared with the Village of Homer and will cost the Town \$14,598. The Highway crew has torn down the remaining portion of the Town Hall chimney that had been connected to the old boiler. They had rented scaffolding for that project and for re-painting the interior of the Town Highway Garage. The Town has been hauling in the sand that they will need for the 2012-2013 winter season. At least one-half of this past season's sand was never used. Sweeping of the roadsides is almost complete.

Supervisor Forbes asked Councilmen Weddle and Young to get together with Highway Superintendent Phelps to discuss a possible bid for a new truck prior to the May meeting.

On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously: RESOLVED: **that the Town's used Woodchuck wood chipper, purchased in 1992, be sold to the Town of Freetown for \$3,500.**

Forbes reported that the Village is looking into obtaining all their fuel through the County Highway Department. Councilman Young suggested that the Town continue to

utilize their fuel tanks at the Highway Garage and that a computer system would not be necessary.

ATTORNEY FOR THE TOWN

Attorney Patrick Snyder reported on the status of the two assessment cases. In the Barry Ryan case the trial has been rescheduled until July 20th. An appraisal revised since the depositions will be received within the next two weeks.

In the Donald L. Barber Funeral Home matter, no further information has been supplied. Snyder said that at some point the Judge could establish a time limit by which that information must be made available.

Attorney Snyder reported on a Town code violation that was sent to Town Justice Court. James & Charlene Foster of West Scott Road were charged with a violation of the Town's building code. They told the Court that they were in process of complying and the matter was re-scheduled for April 24th.

COUNTY LEGISLATOR

Newly-elected County Legislator Gordon Wheelock was welcomed to the meeting. He had given each Board member a written report of his activities at the County over the past three months. He showed the Board maps of proposed legislative district changes.

Supervisor Forbes and the Town Board also welcomed the new editor of "The Homer News", Donald Ferris. Forbes said that he looks forward to the continuation of the newspaper under Don's stewardship.

The meeting was adjourned at 9:20 p.m.

Anita W. Jebbett
Town Clerk