

Regular Meeting
August 8, 2012

The regular meeting of the Town Board of the Town of Homer held on Wednesday, August 8th, 2012, 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
Patrick M. Snyder, Attorney for the Town
Anita W. Jebbett, Town Clerk

ABSENT

Brian D. Young, Councilman

OTHERS PRESENT

Michael Park, Chairman, Cortland County Legislature
Gordon Wheelock, Cortland County Legislator
Martin Sweeney, Town Historian
Donald Ferris, reporter, The Homer News

Supervisor Forbes led those present in the pledge of allegiance.

MINUTES

The minutes of the July 11th regular board meeting were approved as presented, on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's monthly report of receipts and disbursements for July.
2. The Supervisor's monthly report of cash receipts and disbursements for July.
3. The Code Officer's monthly report of all building permits issued for July.
4. The Dog Control Officer's report of all activities for June and July.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that General vouchers #178 through #202 totaling \$16,320.17 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Weddle, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Highway vouchers #116 through #130 totaling \$41,952.08 be approved for payment.**

The meeting was adjourned at 7:40 p.m. to allow everyone to move downstairs to the Senior Center in order to accommodate the number of people in attendance. (See attached list of 45 others.)

The meeting was reconvened at 7:50 p.m. in the Senior Center. Supervisor Forbes welcomed all those in attendance.

TOWN HISTORIAN

Town Historian Martin Sweeney asked the Town Board to take advantage of a proposal made by Sue A. Clark, a resident of Jordan, New York, who has offered to digitize some of the historical records of the Town of Homer stored currently in the Town's vault. She intends to add them to a web site for anyone researching history and/or genealogy pertaining to the Town and Village of Homer. She has offered to do this at no charge to the Town except for the cost of a backup system or flash drives. Historian Sweeney said that he was willing to supervise her work which would most likely be done on weekends or evenings.

In response to a question from Councilman Williams, Sweeney said that all work would take place on site at the Town Hall.

Town Clerk Jebbett noted that many of the Town's historical records are available on microfilm, but that this proposal would utilize newer technology to make the information more widely available.

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Sue A. Clark be authorized to digitize the historical records of the Town of Homer under the supervision of Town Historian Martin Sweeney.**

WIND TURBINE PROPOSAL – TCI RENEWABLES

Gareth McDonald from TCI Renewables of Montreal, Quebec, Canada, was present to give the Town Board an updated map of the proposed project and a timeline for the completion of the Environmental Impact Statement. He said that they are considering the comments received at a recent public meeting in completing the SEQRA process.

Kim Harris of Truxton questioned the qualifications of TCI's environmental experts. McDonald assured her that the experts were indeed familiar with wind turbines and that they were considering such issues as noise, effect on animals, and visual impact. He told her that he could provide "resumes" for the experts if necessary.

DISTRICT ATTORNEY

District Attorney Mark Suben was present to report to the Town Board on the various activities of his office over the past few years that he has been the District Attorney. He is currently running for re-election. He described why he feels he should be returned to office.

D.A. Suben took several questions from those in attendance. He thanked the Town Board for allowing him to make his presentation.

HYDRO-FRACKING ISSUE

Several of the people in attendance gave presentations against the process of hydraulic fracturing as follows:

Kim Hubbard, 39 North Main Street – He remarked about how special Homer is, having moved back here after many years of living other places around the country. He said that he appreciates the deliberative process the Town Board has undertaken. Hubbard urged the Board to keep Homer the special place that it is.

Michelle Brooks, 5338 Route 41 – She spoke on behalf of local business owners about her opposition to hydro-fracking and its potential for negative effects on the quality of the water, and on tourism and farming in the area (see attached letter). Brooks asked the Town Board to enact a moratorium on hydro-fracking.

Father Paul Alciati, Copeland Avenue – He stated that he is a new member of the community and was speaking as a Christian concerned about the local environment. He voiced concern about the ability of the NYS DEC to provide the proper overview for hydro-fracking operations in a time of State budget cutbacks. Father Alciati also urged the Town Board to consider a moratorium.

Martin Sweeney, 21 Brentwood Drive – He voiced his concern as Town Historian that the potential for “heritage tourism” in the Homer area may be adversely affected by the hydro-fracking industry. As a municipal historian he is concerned about the local environment as well saving historic sites.

Town Attorney Patrick Snyder said that the Town Board has set up a Zoning Advisory Committee to review the subject rather than to establish a ban or moratorium at this time. The committee’s job is to review the Town’s zoning and to recommend to the Town Board any zoning changes that are determined to be necessary. They must also take into consideration the Town’s comprehensive plan. Snyder said that the Board is proceeding cautiously and deliberately per his recommendation.

Supervisor Frederick Forbes said that he has met with the attorney working with MICAH as well as traveled to Pennsylvania to meet with people involved in the hydro-fracking there. He said that he is trying to walk a fine line in a very pragmatic and careful way. Forbes stated that the next meeting of the Zoning Advisory Committee will be at 7:00 p.m. on August 14th. Todd Miller, a geologist from the USDA, will be the speaker. All Committee meetings are open to the public. It is expected that the Committee will meet on the 14th and one more time prior to the next meeting of the Town Board on September 5th. Forbes said that the Town Board would not be making any firm commitments at this time and that they need follow a process to avoid any challenges.

Attorney Snyder said that he recently had a conversation with a representative from the NYS DEC who told him that there are currently no applications pending to do any drilling in Cortland County. The representative stated that after the DEC releases its decision on hydro-fracking in New York State, it would take several months for any drilling company just to complete the preliminary paperwork.

There was some discussion about having Board members with active gas leases recuse themselves from voting on the matter. Supervisor Forbes stated that he no longer has any active gas leases. Attorney Snyder said that a majority vote would be required for the Board to take any action.

Gary Smith of MICAH and several others re-iterated their request that the Town Board establish a moratorium on hydraulic fracturing.

Supervisor Forbes and Councilman Warren each explained how important this community is to them as individuals and lifelong residents, and how, as a Board, they take their position and responsibilities very seriously. They both stated that the Board needs input from the Zoning Advisory Committee in order to make a decision that can not be challenged.

Supervisor Forbes thanked everyone for attending and invited any interested to stay for the remainder of the meeting.

ATTORNEY FOR THE TOWN

Attorney Snyder reported that the matter of the Ryan assessment lawsuit has been completed. The Barber Funeral Home lawsuit is still ongoing. Various documents requested by both the Town and School District have not yet been provided by the Funeral Home.

TOWN HALL BUILDING

Councilman Warren distributed to Board members a proposal for improving the south side of the Town Hall Building. There was much discussion. Councilman Warren is to speak with Highway Superintendent Phelps to see how much of the work can be done by the Town itself, and to get two or three quotes for the work that can not be done in-house.

The proposal would involve removing some of the concrete sidewalk and replacing it with shrubs and plantings, maintaining the parking spaces including marking any handicapped parking spaces, and paving around the new entrance to the Court Room.

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

Anita W. Jebbett
Town Clerk