

Regular Meeting
December 4, 2013

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall building on Wednesday, December 4, 2013, 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

Gary Shiffer, Town Justice
William Foley, Town Justice-Elect
Nancy Ruscio, Superintendent, Homer Central School District
Michael Falls, Director of Finance, Homer Central School District
Bernie Zolla, Technician, Homer Central School District
Victor Siegle, member, Wind Power Committee
Pamela Jenkins, resident, Town of Cortlandville
Michael Barylski, resident, Town of Solon
Kimberly Harris, resident, Town of Truxton
Tyrone Heppard, reporter, Cortland Standard
Donald Ferris, reporter, The Homer News

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the November 6th public hearing and regular meeting were approved as presented, on motion by Councilman Williams, seconded by Councilman Young and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Supervisor's report of all cash receipts and disbursements for November.
2. The Town Clerk's report of all receipts and disbursements for November.
3. The Code Enforcement Officer's report of all building permits issued in November.

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 vouchers #257 through #280 totaling \$60,196.60 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Young, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway vouchers #186 through #209 totaling \$70,396.82 be approved for payment.**

HOMER CENTRAL SCHOOL DISTRICT PROPOSED PROJECT

Superintendent Nancy Ruscio gave a presentation on the proposed capital project which is scheduled for a vote on Thursday, December 12th. She discussed the process by which the current \$21 million proposal had come about over a period of the last couple of years stemming from a State-required Building Condition Survey and concerns about safety. The capital project calls for many improvements to each District building.

Director of Finance Michael Falls explained the funding of the project, at least 72% of which will come from State building aid.

They took questions from the public and urged those in attendance to vote on December 12th.

Supervisor Forbes asked if school buses might be available for the purpose of taking local citizens to review projects in other areas. Ruscio said that they could utilize school buses for a cost.

Forbes asked if Ruscio was aware of what effect an ad valorem tax might have on school budgets if gas wells or other types of utilities were to be located in the District. Ruscio said that she was not at this time.

TOWN JUSTICE

Town Justice Gary Shiffer took the opportunity to thank the Town Board, Attorney Snyder, and the Town Office staff for their outstanding cooperation over his eight years as Town Justice. He plans to retire as of December 31st and introduced to the Board his successor, William Foley. Shiffer said that he has enjoyed the job and will miss the excitement and all the people he has met over the years, especially those he worked with.

Justice-Elect Foley thanked Justice Shiffer for allowing him to sit in during court. He said that he has also spent time in the Town of Cortlandville courtroom and will be attending training in Albany next week. He said that he hopes to continue to represent the Town well and to give those appearing in Homer Town Court a fair shake.

On behalf of the Town Board Supervisor Forbes thanked Justice Shiffer for his service and offered their appreciation of how well he represented the Town.

COUNTY LANDFILL PROPOSAL

Former Homer resident Pamela Jenkins was present to urge the Town Board to look further into the County's proposal to exchange its trash for the ash generated by the City of Syracuse's trash-burning incinerator. She said that the public has been excluded from the process, both in Cortland and Onondaga Counties, even though taxpayer money has been spent on moving the project along. She described her concern about the ash containing toxic metals and how it may contaminate the local aquifer. She listed problems with the current operation of the landfill, from gates not being locked at night, to the acceptance of lead-contaminated soil from former Camp Pharsalia without NYSDEC approval. She submitted written information on this topic and urged Board members to review it.

WIND POWER COMMITTEE

Councilman Weddle reported on the recommendations of the Wind Power Committee. After several meetings, much discussion and input from the public, the Committee members agreed to the setbacks that the Town of Cortlandville had adopted. Committee member Victor Siegle handed out copies of the proposed local law to Town Board members and interested citizens. He said that the changes to the Cortlandville law made by the Homer Committee were not significant. They had tried for a balance to satisfy people both for the project and those with concerns.

On motion by Councilman Weddle, seconded by Councilman Williams and carried, Councilmen Weddle, Williams and Young voting aye, Supervisor Forbes voting nay, and Councilman Warren abstaining: **RESOLVED: that the Town Board hereby approves the proposed Wind Energy Law as recommended by the Wind Power Committee to be made available for public comment from now until the Public Hearing scheduled for Wednesday, January 8, 2014, at 6:00 p.m., and that fees for any permit will be established by the Town Board.**

Supervisor Forbes asked that the Wind Power Committee reconvene in January in order to review the public comments and recommendations of the County Planning Board. He thanked Victor Siegle on behalf of the Town Board for his professionalism and hard work.

NEW BUSINESS

New DEC licensing program - On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that Town Clerk Jebbett is authorized to sign the agreement with the NYS Department of Environmental Conservation to sell conservation licenses utilizing the new software system being developed by the DEC.**

Postage meter refill - On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the Town Clerk is authorized to add \$1200 to the postage meter for mailing the Town & County taxes at the end of the month.**

Appointment of Deputy Code Officer - On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Kevin McMahon is appointed as the Deputy Code Enforcement Officer for the Town of Homer to act on behalf of Code Enforcement Officer John Daniels during his absence during the winter months.**

Notice of Claim - There was a brief discussion about a Notice of Claim filed by an individual who had complained about an interaction with Court staff on a certain day. The matter has been turned over to the Town's insurance carrier.

County Landfill proposal - There was discussion over the issue of the County Landfill and proposed "ash for trash" program. No action was taken by the Town Board as it was determined that they have no jurisdiction over the matter. Attorney Snyder advised the Board that if there is any doubt whether the Town has jurisdiction over this project it should be referred to the Code Enforcement Officer for his opinion.

Slade Drive complaint - Discussion about a complaint on Slade Drive was postponed until the January meeting.

Court audit - Town Justice Shiffer reported that he has contacted an accounting firm to audit the Court books at the end of his term in office. The Town Board intends to review quotes for performing an audit at the next Town Board meeting which will be at 12:00 noon on Monday, December 30th.

HIGHWAY SUPERINTENDENT

Highway Superintendent John Phelps said that he has hired two seasonal workers for the winter and they are working out well. He reported on vehicle repair problems that had been taken care of over the past month.

EXECUTIVE SESSION

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously, the Town Board went into an executive session at 9:00 p.m. in order to discuss the medical, financial and employment history of particular persons.

On motion by Supervisor Forbes, seconded by Councilman Weddle and carried unanimously, the executive session was adjourned and the regular meeting reconvened at 9:25 p.m.

NEW BUSINESS

Health insurance policy – On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously: **RESOLVED: that any Medicare-eligible Town employee or official who is also eligible for health insurance coverage by the Town be offered only a Medicare supplementary policy.**

Town probationary period – On motion by Supervisor Forbes, seconded by Councilman Young and carried unanimously: **RESOLVED: that the probationary period for new Highway Department employees be increased to a period of not more than 52 weeks.**

The regular meeting was adjourned at 9:40 p.m.

Anita W. Jebbett
Town Clerk