

Regular Meeting
August 6, 2014

The regular meeting of the Town Board of the Town of Homer held on Wednesday, August 6, 2014, in the Senior Center 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, Town Councilman
Dan A. Weddle, Town Councilman
Kevin M. Williams, Town Councilman
Patrick M. Snyder, Attorney for the Town
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

ABSENT

Brian D. Young, Town Councilman

OTHERS PRESENT

Francis Casullo, Attorney
Martin Sweeney, Town Historian
David Quinlan, resident
Stephanie Spina, resident
Alice Lake, resident
Sandi Cook, resident
Sara Watrous, resident
Gail Bundy, member, Zoning Advisory Committee
Christopher Sammond, member, Zoning Advisory Committee
Bonnie Smith, resident
Gary Smith, Director, MICAH
Donald Ferris, reporter, The Homer News
Emmett Neno, reporter, Cortland Standard

PLEDGE OF ALLEGIANCE

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's report of all cash receipts & disbursements for July.
2. The Supervisor's report of all receipts & disbursements for June & July.
3. The Code Enforcement Officer's report of all building permits issued for July.

EXECUTIVE SESSION

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously, the Town Board members including the Town Supervisor, the Town Clerk and Attorney Casullo moved to the Town Board room at 7:35 p.m. to conduct an executive session regarding possible litigation relating to a Planning Board matter.

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously, the executive session was adjourned at 7:45 p.m. and the regular session re-convened in the Senior Center at 7:50 p.m.

HOMER STATUARY PROPOSAL

Town Historian Martin Sweeney with help from David Quinlan and Stephanie Spina, made a PowerPoint presentation of their proposal for statuary honoring Homer residents Francis B. Carpenter, William O. Stoddard, and Eli DeVoe who were each involved in different ways with the legacy of President Abraham Lincoln.

Sweeney outlined the history of their proposal which was originally intended for the Village green. Since it was turned down by both the Village Board and the First Religious Society (Homer Congregational Church), he had asked the sculptor, Frank Porcu to make a proposal for the Town Hall property. He presented several different views of Porcu's proposal which incorporates the features of the monument into the Town Hall building.

Sweeney asked the Town Board to consider this proposal and if they decide it has merit, to appoint Sweeney, Quinlan and Spina as a committee to look into funding for the project which he feels will help to promote heritage tourism in the Town. He thanked the Town Board for allowing them to give the presentation.

MORATORIUM ON GAS DRILLING

Supervisor Forbes said that each Board member had a copy of a proposed local law to establish a moratorium for a period of six months on natural gas or petroleum extraction and exploration that had been prepared by Attorney Patrick Snyder.

On motion by Councilman Weddle, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the Town Board hereby accepts the proposed Local Law #1 of 2014, as presented, to establish a moratorium for a period of six months on natural gas extraction and exploration activities, underground storage of natural gas, and disposal of natural gas or petroleum extraction related wastes in the Town, and asks that it be submitted to the Cortland County Planning Board for their review.**

On motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that the Town Board will schedule a public hearing on the proposed Local Law #1 of 2014, to establish a six-month moratorium on gas drilling, for Wednesday, September 3rd, 2014, at 7:00 p.m. prior to the regularly scheduled Town Board meeting.**

Supervisor Forbes asked the Town Clerk to have the proposed local law posted on the Town's web site. Attorney Snyder explained that the local law could be approved or revised following the public hearing and that it would become effective following approval and filing with the Secretary of State.

NEW BUSINESS

Proposed speed limit change – Supervisor Forbes said that the current speed limit on Hooker Ave is 35 mph, to correct a misunderstanding from the July meeting. He asked Highway Superintendent Phelps to check to see if there is adequate signage. Forbes will be asking the State Department of Transportation about extending the 35 mph speed limit from the Village limits to Hooker Ave and possibly lowering the speed limit to 45 mph from Hooker Ave to Bob's BBQ.

Farmland protection – Supervisor Forbes reported that on behalf of the Town Board he has written a letter in support of an application by Gary and Christine Slade for a Farmland Protection Grant.

Phillips Library – A thank you letter has been received from Phillips Library for the Town's support, one-half of which was paid in June.

River clean-up – The Cortland County Soil & Water Conservation District is again requesting volunteers for their annual river clean-up scheduled for Saturday, September 27th.

OLD BUSINESS

Liability insurance – Councilman Williams reported that just prior to the June meeting the Town received notice of a 5% increase in the cost of its liability insurance. Because of this they have requested another quote from a different insurance company which will be submitted by the September meeting. The Town has paid one-quarter of the annual cost of the insurance to First Niagara and he has spoken with a representative at First Niagara to change the billing from annual to quarterly. A final decision on the coverage will be made at the September meeting.

Village rent proposal – There was discussion about how much to charge the Village for rent should they ever decide to move their offices back to the Town Hall. In response to a question by Councilman Williams, Supervisor Forbes said that of the total taxes levied in the Town, the Village pays 43% while the Town pays 57%.

On motion by Councilman Warren, seconded by Supervisor Forbes, and carried, Councilmen Warren, Weddle and Supervisor Forbes voting in the affirmative and Councilman Williams opposed: **RESOLVED: that the Town hereby offers the Village office space at the Town Hall for \$700 per month plus the cost of the water & sewer service should they decide to move their offices.**

Forbes said that their intention was not to pressure the Village but to respond to a request by Village residents. Williams said that he does not think the Village should have to pay any rent for the space because they are already paying through their Town taxes.

HIGHWAY SUPERINTENDENT

Superintendent Phelps reported on his department's activities over the past month. He said that they had a dead tree taken down that had been located at the corner of the Town Hall parking lot, cleaned up trees that came down in a recent storm on Brake Hill Road, and removed and replaced five culvert pipes with one more to be done on Stevens Road.

He has been issued stream improvement permits for Hights Gulf Creek which Cortland County Soil & Water intends to make into a training session on stabilizing a creek to prevent flooding. The Susquehanna River Coalition may be providing some funding for the training event which is scheduled for September.

Phelps said that they are still working on summer road surfacing projects. He is considering replacing the mower tractor which has been unreliable. He may sell the current mower tractor and truck #12 at a future auction.

TOWN ATTORNEY

Attorney Snyder reported receiving a letter from a law firm from Pittsburgh that is offering to evaluate the proposed purchase of Time Warner by ComCast at no cost to the Town.

MINUTES

The minutes of the July 2nd regular meeting were approved as presented, on motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously.

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 Fund vouchers #159 through #185, removing voucher #173 for liability insurance – First Niagara Risk Management, for a total of \$21,923.67 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Williams, seconded by Councilman Weddle and carried unanimously: **RESOLVED: that Highway Fund vouchers #105 through #123 totaling \$34,364.14 be approved for payment.**

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

Anita W. Jebbett
Town Clerk