

The regular meeting of the Town Board of the Town of Homer held on Wednesday, June 3, 2015, in the board room of the Town Hall building was called to order by Supervisor Frederick J. Forbes, Sr., at 7:30 p.m.

PRESENT

Frederick J. Forbes, Sr., 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

OTHERS PRESENT

Steven Major, Lakeland Environmental Inc.
Pauline Penoyer, Pine Hill Trailer Park
Roger Williams, Landmark Society
Linda Jones, Cortland County legislator
Gordon Wheelock, Cortland County legislator
Larry Jones, resident
Amy Gernon, reporter, Cortland Standard

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the May 6th public hearing and regular meeting were approved as presented, on motion by Councilman Young, seconded by Councilman Weddle 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 May.
2. The Supervisor's monthly report of all cash receipts and disbursements for April & May.
3. The Code Enforcement Officer's report of all building permits issued in May.
4. The Dog Control Officer's report of all activities for May.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General Fund vouchers #120 through #151 totaling \$68,755.03 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 #82 through #100 totaling \$18,798.67 be approved for payment.**

PROPOSED LOCAL LAW ON MANURE STORAGE FACILITIES

Supervisor Forbes said that the Town Board had taken into consideration suggestions made by the County Planning Department, the Town Planning Board, and attendees at the public hearing on May 6th, and had asked the Town Attorney to revise the wording of the proposed local law.

Forbes also reported that the Town Board has received a response from the Town Planning Board to the letter from Amanda Barber of Cortland County Soil & Water Conservation District, which was received just prior to the public hearing. The response was written by Mike McMahon, vice-chairman of the Town Planning Board, and addressed each of her concerns point-by-point. The Planning Board agreed

with McMahon and has made no further suggestions for changes to the local law since the May 6 public hearing, other than those previously discussed.

Attorney Snyder outlined the changes that were made to the proposed law:

The description of a manure storage facility subject to site plan review has been changed from over 500,000 *gallons* to over 100,000 *cubic feet*; a sketch plan is required, but stamped engineering plans may be requested by the Planning Board; the wording “may hold a public hearing” has been changed to “shall hold a public hearing”; and any fencing required should be consistent with USDA standards. A copy of the revised proposed local law was distributed to all town board members. The board discussed it and decided that no further changes were needed.

Attorney Snyder said that he would be submitting the revised law (attached) to the Cortland County Planning Department and would ask whether any further review was required pursuant to the GML. Supervisor Forbes said that a vote would be taken at the July 8th meeting on the proposed local law.

TOWN HALL TESTING

Town Board members discussed the lingering concerns expressed by members of the Village Board over purported health issues within the Town Hall building, and, in particular, asbestos, mold and bird guano.

Steve Major of Lakeland Environmental discussed the areas of concern and the methods that could be used to test the building for those particular issues.

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously:
RESOLVED: that Steve Major of Lakeland Environmental be asked to prepare a proposal for testing the Town Hall building for asbestos, mold and bird guano, and that the Town Board schedule a special meeting to review his proposal.

LANDMARK SOCIETY

Roger Williams, President of the Landmark Society, presented the background of the group – a non-profit organization formed in 1973 in order to establish the historic district in Homer and preserve the 1890 House in Cortland. They have a long history of involvement in historic preservation. After becoming dormant around 2000 the group was revitalized in 2013 with the intent to become a resource for those in the community interested in historic preservation and/or the history of Homer. He noted the 2nd Annual Homer History Celebration to be held June 11th through the 13th and the Homer History Center, currently located in the Key Bank building. However, it is not a space in which they can provide the kind of services they want to provide including displaying Town and Village artifacts that have been donated to them.

Roger Williams said that the Town Hall is a wonderful historic building and asked the Town Board to consider working together with the Landmark Society to provide them with some space in the building. He said that they are willing to entertain the idea of cost-sharing as some of their activities generate income for the non-profit. The Town Board agreed to discuss the matter further in the near future.

OTHER BUSINESS

Town Hall painting – Councilman Warren reported that Brian Halliwell of Halliwell Painting has told him that they will complete the exterior painting of the Town Hall begun last year in early June. Warren said he will contact him again if work doesn’t begin soon.

Postage meter refill – On motion by Councilman Weddle, seconded by Councilman Williams and carried unanimously, **the Town Clerk was authorized to add up to \$1000 to the Town postage meter.**

Assessor Clerk to retire – Long-time clerk Fran Armstrong said that she is planning on retiring as of July 1st due to health issues. Board members agreed that she has done an excellent job and will be greatly missed. Supervisor Forbes said that Assessor Randy Deal would be looking to hire someone to replace her. Forbes said that some glitches in combining the assessor offices are being worked out. Councilman Young said that is not too early to begin thinking about a replacement for the current assessor who plans to retire within three years.

Cleaning contract – On motion by Councilman Young, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Supervisor Forbes be authorized to sign a one-year contract with Advantage Cleaners to clean the offices at the Town Hall at a cost of \$61.50 per week.**

Forbes noted that there is no increase in the cost for the upcoming year.

Key Bank fees – Supervisor Forbes reported that the Homer Key Bank manager, Susan Sandy, had met with him to discuss a change in public sector banking fees. Sandy had said that a cut by the State in covering collateralization costs has led to an increase in monthly banking fees on public sector accounts.. She said that most but not all other banks are doing the same. Forbes said that at this time he does not recommend changing to a different bank.

Storage issues - There was some discussion about the Town Justice's need for more storage space and the Town Historian's need for another file cabinet.

Pine Hill Trailer Park assessment - Forbes said that Assessor Randy Deal has agreed with the new owners of Pine Hill Trailer Park that its assessment is too high and has suggested that the assessment be lowered to \$1 million from over \$1.5 million, subject to the Town Board's approval.

On motion by Councilman Warren, seconded by Councilman Young and carried unanimously: **RESOLVED: that Attorney Snyder be authorized to prepare the paperwork for a settlement with Pine Hill Park, LLC, over the assessment of its trailer park property, accepting the assessor's recommendation for a total assessment of \$1 million.**

COUNTY LEGISLATOR

County Legislators Linda Jones and Gordon Wheelock were present to report on the activities of the County Legislature over the past month. They explained that votes on the "ash for trash" proposal are now on hold, both in Cortland County and Onondaga County, while they continue to work on details of the plan. The community college TC3's request for a 4% increase is still being negotiated. A "social host" law and fireworks law have been approved by the legislature, and a new budget director and landfill supervisor have been hired.

ATTORNEY FOR THE TOWN

Attorney Patrick Snyder reported that he has finally received a response to his FOIA (Freedom of Information Act) request to the United States Department of Agriculture for information on the construction of the New Hope View Farm manure storage pit located off Foster-Moore Road. He said that of the 22 pages that he has been given, the USDA has redacted names such as those of the engineers and inspectors that he does not think they had a right to redact. Snyder said that he feels it is essential that the public has access to this type of information and that the New York State Freedom of Information Law is much better than the Federal law.

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

Anita W. Jebbett
Town Clerk