

The regular meeting of the Town Board of the Town of Homer held on Wednesday, December 6, 2017, in the board room of the Town Hall building was called to order by Supervisor Frederick J. Forbes, Sr., at 6:30 p.m.

PRESENT

Frederick J. Forbes, Sr., Supervisor
Larry R. Jones, Councilman
Michael R. Park, Councilman
Barry E. Warren, Councilman
Kevin M. Williams, Councilman
Patrick M. Snyder, Attorney for the Town
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

OTHERS PRESENT

Linda Jones, County Legislator
Clint Brooks, First National Bank of Dryden
Nick Graziano, reporter, Cortland Standard
Brad Smith, reporter, WXHC

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the November 8th public hearing and regular meeting and the November 17th special meeting were approved as presented, on motion by Councilman Park, seconded by Councilman Jones and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's report of all receipts & disbursements for November.
2. The Code Enforcement Officer's report of all building permits issued for November.
3. The Dog Control Officer's report of all activities for November.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Park, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General vouchers #246 through #268 totaling \$61,348.30 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Park and carried unanimously: **RESOLVED: that Highway vouchers #209 through #234 totaling \$73,353.87 be approved for payment.**

Community Development Fund bill was approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Community Development voucher #6 totaling \$14,212.50 be approved for payment.**

NEW BUSINESS

Winterfest fireworks display – On motion by Councilman Jones, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the fee of \$50 for a fireworks permit be waived for the application by the Winterfest Committee for their annual fireworks display in January 2018.**

Board of Assessment Review appointment – On motion by Supervisor Forbes, seconded by Councilman Park and carried unanimously: **RESOLVED: that Stuart E. Young be re-appointed to a five-year term, from October 2017 through September 2022, as member of the Town’s Board of Assessment Review.**

Notice of Claim – Attorney Snyder explained that a Notice of Claim has been filed by an individual who was injured in an accident that took place on the corner of Center Street and NYS Route 281 in the Village. A notice of claim does not start a lawsuit but it is a predicate for later filing a lawsuit against a government agency. Snyder said that he could not see how the Town could be liable in this case since the town has no responsibility for the roads where the accident occurred.

OLD BUSINESS

Dental insurance – Supervisor Forbes explained that the Town has now secured a new dental insurance policy, also with Excellus, and that all necessary paperwork has been filed.

Highway lighting – Councilman Williams said that he is continuing to gather information on the advantages and disadvantages of the Town actually purchasing their street lights and/or participating in the CNY Bright Lights program whereby all street lights would be converted to LED lights. Councilman Warren suggested that Williams look into how much would be saved by the Town by either option.

Court audit – On motion by Councilman Williams, seconded by Councilman Park and carried unanimously: **RESOLVED: WHEREAS, Section 2019-a of the uniform Justice Court Act requires that town boards provide an annual audit of the town justice court’s records and dockets; and WHEREAS, Town Board members Williams and Jones performed such an audit of the 2016 Town of Homer court records on November 27th 2017, using a checklist and documentation provided by the New York State Comptroller’s Office; and WHEREAS, Board members Williams and Jones found all records to be clear, concise, and accurate; that all reports and disbursements were made on a timely basis, that the checkbooks were reconciled on a timely basis, and that cooperation by the Town Justice and Court Clerk was found to be excellent;**

During the audit the following was noted:

- 1) **Audit sampling included the months of January, February, October, & December 2016. Sampling included verification of deposits in the Justice Account and Bail Account, and cash receipts tie-in to deposits in the Justice Account and Bail Account, as well as verification of timely banking procedures and timely Justice Fund monthly reporting documents.**
- 2) **Open caseloads were within normal range.**
- 3) **Justice Foley brought to the auditors’ attention that transactions to restore suspended licenses are unable to be tracked with the accuracy and accountability that he would like. The Court and the auditors do not have DMV information to cross check how many suspensions are lifted and how much money is being collected. Suspensions can be over a period of many years, and amounts collected would vary based on those years. A brief look at the records confirms this.**

NOW BE IT RESOLVED: that Justice Foley and the court auditors, Williams and Jones, will contact the Office of Court Administration and the DMV and alert those agencies to the auditing problem and request a solution prior to the next audit.

Town Hall Office Renovation – Supervisor Forbes said that a Proposal for Services from Architect Randy Crawford has been reviewed by the Town Attorney and approved for his signature, as authorized by the Board at the November special meeting. He suggested that Clerk Jebbett and Councilman Warren meet with the Village and Assessor to discuss the proper signage for the building. Forbes also suggested using Highway Department employees to help clean out the balcony and the stage prior to renovations.

On motion by Supervisor Forbes, seconded by Councilman Warren and carried unanimously: **RESOLVED: that Town Historian Sweeney be authorized to advertise for sale the remaining seats in the balcony of the Town Hall, and that any proceeds from the sale be placed into the account for the Lincoln Project.**

Thoma Development – On motion by Councilman Williams, seconded by Councilman Jones and carried unanimously: **RESOLVED: that the following property is hereby approved to participate in the Town of Homer’s Housing Rehabilitation Grant project: 5108 NYS Route 281.**

Postage meter refill – On motion by Councilman Warren, seconded by Councilman Jones and carried unanimously, **the Town Clerk was authorized to add \$1,500 to the Town’s postage meter.**

County Legislator Wheelock – On motion by Supervisor Forbes, seconded by Councilman Park and carried unanimously: **RESOLVED: that the Homer Town Board thanks Gordon Wheelock for his six years of service as a County Legislator, and recognizes and appreciates his many years of service in local government.**

County Legislator Linda Jones reported that Gordon Wheelock was named “Republican of the Year” at this year’s Cortland County Republican dinner.

Banking – Forbes explained that any decision on whether or not to change banks would be made at a later meeting.

HIGHWAY SUPERINTENDENT

On motion by Supervisor Forbes, seconded by Councilman Park and carried unanimously: **RESOLVED: that raises for Highway Department employees, ranging from \$.50 to \$1.00 per hour, be approved as agreed to by Highway Superintendent Phelps, with one employee opting for health insurance coverage, having his hourly rate reduced.**

Supervisor Forbes said that the raises were within the amount currently budgeted for 2018.

Highway Superintendent Phelps reported that they have spent the last month preparing vehicles for winter use. Some employees have opted to use their vacation time, and one employee is out on medical leave. He said that he has purchased gravel ahead from Kinsella for future road work in 2018.

Phelps said that he has asked engineers Barton & Loguidice to prepare plans for repairs to both the Pine Street Bridge in the Village and the Hights Gulf Road Bridge for next year.

ATTORNEY FOR THE TOWN

Attorney Snyder reported on a joint meeting of the Town’s Zoning Board of Appeals and Planning Board with County Environmental Health Engineer Michael Ryan regarding the minimum lot sizes. Both the Town zoning law and the County sanitary code require a minimum lot size of 2.4 acres for lots that are not served by public water and sewer. This had been a subject of some confusion and concern that applicants were using input from the county health department to support smaller lot sizes. Snyder said that it was a productive meeting that resolved questions and reinforced the importance of that minimum lot size. Engineer Ryan understands the concern and will provide the Town with documentation supporting the minimum lot size. He is of the opinion that it is very important to maintain the minimum of 2.4 acres to allow for extra land space should a well or septic system fail. He stated that all septic systems fail eventually. Snyder said that the Boards were grateful for Ryan’s input.

COUNTY LEGISLATOR

Legislator Linda Jones said that after January 1st she and new Legislator Kelly Preston will take turns attending the Town Board meetings. Jones reviewed the activities of the County Legislature over the past month, including how they are managing “flow control” in the landfill, and the vote to return the recycling center to being a County-run operation.

EXECUTIVE SESSION

On motion by Supervisor Forbes, seconded by Councilman Park and carried unanimously, it was resolved to enter into an executive session at 7:15 p.m. to discuss the employment history of a particular person or persons. No decisions were made.

On motion by Councilman Williams, seconded by Councilman Jones and carried unanimously, it was resolved to adjourn the executive session at 7:40 p.m.

There was discussion about the year-end meeting scheduled for Friday, December 29th, at noon.

The regular meeting was adjourned at 7:45 p.m.

Anita W. Jebbett
Town Clerk