

**Village of Homer Board of Trustees Meeting  
March 7, 2017  
6:00 p.m.**

The Regular Meeting of the Village of Homer Board of Trustees was held at the Community Building, 45 South Main St., Homer, New York with Mayor Suits presiding.

Members present:	Mayor, Genevieve A. Suits
	Trustee, Patrick Clune
	Trustee, Edward Finkbeiner
	Trustee, Kevin Slack
	Trustee, Eugene Smith.

Also present were: Village Clerk-Treasurer, Kristin Rocco-Petrella; Village Attorney, Francis Casullo; Clerk, Kalee Updyke; Laird Updyke; CEO, Craig Umbehauer; Fire Chief, Robert Johnson; Cody Johnson; Police Chief, Robert Pitman; Megan Williams; Les Wainman; Mark Goddard; Baylie Goddard; Steven & Bev Berry; Frank Suits Sr.; Victor Siegle; Hal McCabe; Suzanne Riley; Gordon Wheelock; Philip W.; Paul Gower; Andrew Leach; Jennifer Clune; Thomas News Reporters: Nick Graziano from the *Cortland Standard* and Don Ferris from *The Homer News*.

Mayor Suits called the meeting to order.

On **motion** by Trustee Smith, the Board approved the Village of Homer Board of Trustees Minutes of February 7, 2017 as written – **all ayes**.

On **motion** by Trustee Finkbeiner, the Board approved the Village of Homer Board of Trustees Special Meeting Minutes of February 10, 2017 as written – **all ayes**.

On **motion** by Trustee Slack, the Board approved the Village of Homer Board of Trustees Special Meeting Minutes of February 27, 2017 as written – **all ayes**.

**Motion** by Trustee Clune to pay the following bills for the months of February 2017 and March 2017– **all ayes**.

**ABSTRACT 12 – 2016/2017**

General Fund (A)	Vouchers 870-920	\$	70,424.07
Water Fund (F)	Vouchers 273-294	\$	16,272.64
Sewer Fund (G)	Vouchers 273-294	\$	15,055.01
Capital Projects Fund (H)	-----		-----
Comm. Dev. Fund (CD)	-----		-----

**ABSTRACT 13 – 2016/2017**

General Fund (A)	Vouchers 870-920	\$	70,424.07
Water Fund (F)	Vouchers 273-294	\$	16,272.64
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Capital Projects Fund (H)	-----		-----
Comm. Dev. Fund (CD)	-----		-----

**ABSTRACT 1 – 2017/2018**

General Fund (A)	Vouchers 1-12	\$	70,424.07
Water Fund (F)	Vouchers 1-4	\$	16,272.64
Sewer Fund (G)	Vouchers 1-4	\$	15,055.01
Capital Projects Fund (H)	-----		-----
Comm. Dev. Fund (CD)	-----		-----

**ACCEPTANCE FOR FILING OF WRITTEN REPORTS:**

**CEMETERY** – No report was submitted as the Cemetery is closed for the season.

**CODES** – Report was received as submitted. **Motion** to accept by Trustee Slack – **all ayes**.

**DOGS** – No report was submitted.

**DPW** – Report was received as submitted. **Motion** to accept by Trustee Clune – **all ayes**.

Trustee Clune highlighted items from Sup't. Harter's report. The Compost Site will reopen on April 1, 2017; spring cleanup would commence March 17<sup>th</sup> (south end), and April 24<sup>th</sup> (north end). Sup't. Harter would be meeting with a representative from the NYS DEC regarding the flooding on Durkee Street and how to address the problem. Trustee Clune also thanked the DPW for repairing the front window frame at the Village Office.

**FIRE INSPECTOR** – Report was received as submitted. **Motion** to accept by Trustee Smith – **all ayes**.

**FIRE DEPARTMENT** – Report was received as submitted. **Motion** to accept by Trustee Clune – **all ayes**.

Chief Johnson apprised the Board that fire truck #503 was currently repaired. He anticipated having the truck back in service in one week. Fire truck #501 was in Michigan for repairs; the estimated repair time was 5-6 months. The Cortlandville Fire District loaned the Village one of its fire trucks on a short-term basis. Chief Johnson explained that he was hoping to borrow a fire truck from the City of Ithaca until truck #503 was back in service. He was waiting to hear back from Mahlon Irish Jr. and Mike Harter who met with the City of Ithaca Fire Department today.

**POLICE** – Report was received as submitted. **Motion** to accept by Trustee Slack – **all ayes**.

**RECREATION** – No report was submitted.

**WATER & SEWER** – Report was received as submitted. **Motion** to accept by Trustee Slack – **all ayes**.

#### **PUBLIC COMMENT PERIOD:**

Mayor Suits offered privilege of the floor to those in attendance. No requests were made.

#### **OLD BUSINESS:**

Mayor Suits gave the Board an update regarding her meeting with Trustee Slack and two representatives from the Town of Homer regarding the office space available at the Town Hall. Roughly 1,800 sq. ft. was available to the Village for office space. The Town was willing to move their offices to the opposite side of the building where the Village offices were previously located, and where the Assessor is currently located. The space where the old stage is located was also offered to the Village. Mayor Suits indicated that they went over requirements no different than what the Building Committee has done and asked for stamped architectural drawings for the available space. No different than any other building being considered, the space has to go to the Building Committee for input. Mayor Suits indicated that the Town was more than willing to work with the Village. Trustee Slack added that the representatives from the Town were very gracious and willing to do what was necessary to suit the Village's needs.

Trustee Finkbeiner questioned when the Mayor's next meeting would be held. Mayor Suits indicated she would not meet with the Town until after it goes to the Building Committee for review as previously discussed. Trustee Finkbeiner thought that the review was done prior to the Trustee's January 2017 meeting. Mayor Suits explained that the Town was offering different space to the Village that had not been discussed before; the previous offer was for 1,100 sq. ft. while the new offer was for 1,800 sq. ft.

Trustee Finkbeiner questioned whether that would be enough space. Trustee Smith stated they were waiting for the Town to come back with architectural drawings to look at the weight bearing walls and how they propose the offices could be configured. Trustee Smith reported that he and Trustee Clune met earlier today to discuss the office space available at the Town Hall. They were waiting for information to come back from the Town. Once received, the Building Committee would meet and use the same matrix to make a recommendation to the Trustees.

Trustee Finkbeiner questioned whether the Trustees wanted the Building Committee to review the information instead of the Mayor and Trustee Slack. Mayor Suits was in favor of the Building Committee reviewing the new option as they have done with every other option in the past.

Trustee Clune made a motion for the Building Committee to present its final report at the April 4, 2017 meeting. There was no action on the motion at this time.

Trustee Slack stated that he has been on many boards and committees throughout his life. A committee is assigned a certain task, they do their research, report back to the Board and then the committee is done. He questioned why the Building Committee still lingers on. Mayor Suits explained that the Building Committee was not finished. Discussion continued regarding whether or not the Building Committee was still needed.

Trustee Clune made a motion for the Building Committee to present its final report at the April 4, 2017 meeting, if not sooner, at which point the Building Committee having done its job shall be disbanded. Trustee Finkbeiner questioned what would happen if the Building Committee was not in favor of moving back to the Town Hall. Trustee Clune stated that it would be up to the Trustees to look at the information as presented to them and make a decision.

*RESOLUTION #                    AUTHORIZE AND DIRECT THE BUILDING COMMITTEE TO PRESENT ITS FINAL REPORT TO THE BOARD OF TRUSTEES BY THE APRIL 4, 2017 BOARD OF TRUSTEES MEETING*

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*Motion by Trustee Clune*

*VOTES: AYE – Mayor Suits, Trustee Smith, Trustee Clune*

*NAY – Trustee Finkbeiner, Trustee Slack*

*ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize and direct the Building Committee to present its final report to the Board by or before the April 4, 2017 Board of Trustees Meeting, and it is further

*RESOLVED*, the Building Committee shall be disbanded after presenting the report.

Trustee Finkbeiner made a motion for Mayor Suits and Trustee Slack to continue to negotiate a lease to move back to the Town Hall. Discussion commenced. Trustee Clune stated that the Board needed to see the plans or drawings. Trustee Finkbeiner questioned why the Town would spend money on architectural drawings without knowing that the Village would be moving back to the Town Hall.

Discussion continued amongst the Board regarding the negotiations. Mayor Suits stated she would not want to negotiate a lease until after the Building Committee met and the Trustees have all the details. Trustee Finkbeiner thought that the Board should be working in parallel.

Trustee Smith indicated that there was another option being reviewed by the Building Committee – the Grange Building off of Copeland Avenue.

Trustee Clune questioned whether the two Trustees that are on the Building Committee could do the negotiations for the Village. Attorney Casullo stated that if the Board approves it, two Trustees can negotiate with the Town, but cannot bind anything. Mayor Suits suggested that negotiations be done for both structures.

*RESOLUTION #                    AUTHORIZE TRUSTEE SMITH AND TRUSTEE CLUNE TO NEGOTIATE SIMULTANEOUSLY WITH THE TOWN OF HOMER AND THE OWNER OF THE OTHER STRUCTURE AND PRESENT THE INFORMATION AT THE APRIL 4, 2017 BOARD OF TRUSTEES MEETING*

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*Motion by Trustee Clune*

*VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize and direct Trustee Smith and Trustee Clune, who are both members of the Building Committee, to simultaneously negotiate with representatives of the Town of Homer and the owner of the other structure being considered for the future location of the Village Office, and to present their information at the April 4, 2017 Board of Trustees meeting.

Mayor Suits requested Chief Johnson discuss the repairs to fire truck #501 and #503. Chief Johnson explained the status of the repairs to both fire trucks. The Board previously approved the repairs to truck #501 for an amount up to \$105,000, and approved the repairs to fire truck #503 for the amount of \$1,500. Firehouse Apparatus submitted a bill for additional work for \$10,000+. It was suggested that the additional repairs be approved and paid for from the Fire Truck Repair Reserve Fund.

Trustee Finkbeiner stated that there was \$36,000 in the Fire Truck Repair Reserve and \$267,893 in the Machinery Reserve Fund, and questioned what the Machinery Reserve Fund was for. Mayor Suits explained that the Machinery Reserve Fund could be used for any Village machinery for the municipality.

Village resident, Jennifer Clune questioned how the reserve funds are replenished. Mayor Suits explained that reserve funds are typically replenished at the end of the budget year. Expenditures from the Machinery Reserve Fund are subject to permissive referendum. Discussion continued. Trustee Clune made a motion for the repairs to fire truck #503 be paid from the Fire Truck Repair Reserve.

*RESOLUTION #                    AUTHORIZE PAYMENT OF REPAIRS TO FIRE TRUCK #503 FROM  
THE FIRE TRUCK REPAIR RESERVE FUND*

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*Motion by Trustee Clune  
VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize the payment of repairs to fire truck #503 from the Fire Truck Repair Reserve fund, subject to conducting the required public hearing.

Discussion continued regarding the repairs to fire truck #501 and the process of purchasing a new fire truck. Trustee Finkbeiner made a motion to divide the \$272,000+/- Building Reserve Fund equally between the Fire Truck Repair Reserve and Fire Truck Replacement Reserve; to hold on to the money for one month before disbursement to give the Board time to determine if the Building Reserve was initiated using a permissive referendum or not, and that if found that a referendum was used, the monies can be returned to the fund without penalty. Trustee Finkbeiner stated that there are no referendum requirements when establishing a type reserve fund.

Attorney Casullo explained that he was not aware of how the reserve fund was established and whether it was created subject to permissive referendum. He indicated that he spoke with the Comptroller’s Office today (Binghamton Region) regarding reserve funds and advised against Trustee Finkbeiner’s suggestion. Discussion continued.

*RESOLUTION                    DIVIDE THE \$272,000+/- BUILDING RESERVE FUND EQUALLY  
BETWEEN THE FIRE TRUCK REPAIR RESERVE AND FIRE TRUCK  
REPLACEMENT RESERVE FUNDS*

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*Motion by Trustee Finkbeiner  
VOTES: AYE – Trustee Finkbeiner, Trustee Slack  
NAY – Mayor Suits, Trustee Smith, Trustee Clune  
MOTION FAILED*

*RESOLUTION                    AUTHORIZE VILLAGE ATTORNEY AND CLERK-TREASURER TO  
RESEARCH THE ESTABLISHMENT OF THE BUILDING RESERVE  
FUND AND TO REPORT BACK TO THE BOARD IN APRIL*

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*Motion by Trustee Clune  
VOTES: AYE – Mayor Suits, Trustee Smith, Trustee Clune  
NAY – Trustee Finkbeiner, Trustee Slack  
ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize and direct the Village Attorney and Clerk-Treasurer to research the creation of the Municipal Improvement Reserve Fund and to report back to the Board in one month as to whether or not the reserve fund was created subject to permissive referendum, as well as how funds were added to the reserve account.

*RESOLUTION                    AUTHORIZE THE REPAIR OF POLICE CAR #125 ACCORDING TO  
RECOMMENDATION MADE BY CHIEF PITMAN*

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*Motion by Trustee Smith  
VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize and direct the repairs to Police Car #125 be completed by Petrella Bros. Auto Body, for the estimated amount of \$1,078.79 according to the recommendation made by Chief Pitman after obtaining quotes from four separate vendors.

*RESOLUTION                      DECLARE "APRIL IS FAIR HOUSING MONTH" IN THE VILLAGE OF HOMER*

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*Motion by Trustee Smith  
 VOTES: ALL AYES      ADOPTED*

*WHEREAS*, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988, and

*WHEREAS*, the month of April 2017 has been designated by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity as Fair Housing Month, now therefore

*BE IT RESOLVED*, the Board of Trustees of the Village of Homer hereby declares and proclaims April as Fair Housing Month in the Village.

Under new business, action was tabled regarding new garage doors at the Streets Garage as only two quotes were received and Sup’t. Harter was not in attendance to speak on the matter.

Mayor Suits apprised those in attendance that the Board of Trustees held a Special Meeting on February 27, 2017 for the purpose of authorizing the submission of a grant to the NYS DEC for trees in order to meet the March 1<sup>st</sup> submission deadline. WXHC reported that the grant would call for a \$12,000 cash match from the Village. Mayor Suits explained that the match would be realized through in-kind services, or rather from the labor costs of DPW employees.

Mayor Suits questioned whether there was anything further to come before the Board.

Attorney Casullo gave the Board an update regarding pending code/zoning violations that were before the court. Progress was being made to clear up the violations and an ultimate resolution was in sight.

Attorney Casullo also requested the Board convene to an Executive Session to discuss personnel matters.

Mayor Suits reported that the Office of the State Comptroller released its Fiscal Stress Monitoring Report for municipalities including the Village of Homer. Based on 2015-2016 financials, the Village was not listed as in Fiscal Stress.

Trustee Slack thanked Attorney Casullo for being so responsive to matters.

Mayor Suits requested the Trustees not wait until the day before a meeting to bring items up as it may put undue pressure on the Village Clerk’s office.

No further comments or discussion were heard.

On **motion** by Trustee Smith, the Board recessed the meeting to an Executive Session to discuss personnel matters at 6:51 p.m.

No action was taken.

On **motion** by Trustee Clune, the Board reconvened the Regular Meeting at 7:04 p.m.

*RESOLUTION                      AUTHORIZE WAGE INCREASE FOR DEVIN MOORE AS LABORER FOR THE VILLAGE OF HOMER STREETS DEPARTMENT*

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*Motion by Trustee Clune  
 VOTES: ALL AYES      ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize and direct a wage increase for Devin Moore as Laborer for the Village Streets Department from \$10.50 per hour to \$12.50 per hour, commencing with the next pay period, and be it further

*RESOLVED*, the Board of Trustees shall reconsider Mr. Moore’s hourly rate after he obtains a CDL license.

*RESOLUTION                      AUTHORIZE HIRING KAILEY REDDICK AS CLEANER FOR THE  
VILLAGE OF HOMER FIRE DEPARTMENT*

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*Motion by Trustee Clune*

*VOTES: ALL AYES      ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby authorize the hiring of Kailey Reddick, Rob San Drive, Homer, NY as Cleaner for the Village of Homer Fire Department, at an hourly rate of \$15.00, for 10 hours per week, and be it further

*RESOLVED*, the Board of Trustees shall re-evaluate the hourly rate after 6-months.

On **motion** by Trustee Clune, the Board adjourned the Regular Meeting at 7:07 p.m. – **all ayes.**

Respectfully submitted,

Kristin E. Rocco-Petrella, Clerk-Treasurer  
Genevieve A. Suits, Mayor