

**Village of Homer Board of Trustees Minutes
Homer, New York
2005-2006**

**HOMER, NY
MARCH 1, 2005**

5:30 P.M. Regular Meeting of the Board of Trustees was called to order by Mayor Richard Hemmings. Pledge of Allegiance followed.

PRESENT: Mayor Richard Hemmings; Trustees – Michael McDermott, Genevieve Suits, Michael Berry, Roy Crandall; Jo Anne Williams – Clerk-Treasurer; Patrick Perfetti – Village Attorney was absent; John Ryan – Fire Chief; Eric Mulvihill – news director WXHC 101.5 FM radio station; Mahlon Irish, Jr. – HFD President; Mike Trupko – Cortland Standard reporter; Patricia Hemmings – First Lady of the Village; residents – Jim Knoble, Tammy Beebe.

MINUTES of February 1 & 3, 2005 were received as submitted, Motion Michael McDermott, 2nd. Roy Crandall – all aye.

Motion to approve the following Budget Modification, Genevieve Suits, 2nd. Michael Berry – all aye.:
Increase A510 – A2350 - \$5,000

Increase A960 – A7140.401 - \$5,000

Purpose: to record amount received from Visitors' Bureau/Occupancy Tax for concert series.

Motion Michael McDermott, 2nd. Roy Crandall – all aye to have Trustee Michael Berry review the Village of Homer's Handbook for employees and make his recommendations for revisions and/or acceptance.

Clerk Williams asked the Board to address the section regarding Holidays. The Streets/Parks Department and the Water/Sewer Departments work (9) hour days Monday through Thursday and (4) hours on Fridays. If a holiday occurs on either of these days the superintendents need to adjust the workweek accordingly. The Board asked that the Clerk contact the superintendents for their input and draft an amendment for the handbook to be reviewed by Trustee Michael Berry.

Cemetery Investment Fund and Earle Abbey Trust Fund – Clerk Williams advised the Board of Trustees that she had transferred these two trusts from Key Bank to Edward Jones. The Cemetery Trust Fund dollars will be invested in laddering C.D.s. The Earle Abbey Trust Fund will be invested in American Funds. Based on the discussion with Edward Jones agent, Daron Glickert, Mayor Hemmings and clerk-treasurer Jo Anne Williams the Board was advised that the Clerk was removing the funds from Key Bank's Money Market account and was investing it with Edward Jones to receive a higher rate of interest.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

FIRE Chief's - report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye. Chief Ryan explained to the Board of Trustees that he wasn't able to submit his report one week prior to the Board Meeting. His records needed to be kept consistent and therefore would provide them the 25th of each month. The Board of Trustees accepted his explanation.

Trustee Michael McDermott thanked the Fire Department for all their assistance during the Winterfest celebration.

Chief Ryan also noted to the Board that the Fire Department's volunteers assisted with saving the skating rink this year. They spent several volunteer hours flooding the rink.

A purchase order for \$780 was authorized for software to update the Fire Department's frequencies.

Disaster Preparedness Plan – Chief Ryan noted that the plan that he resurrected was dated 1993. He asked the Clerk-Treasurer to check the Village's files to see if there was a plan that was dated later than 1993. If not, he recommended that the village update this plan.

Attorney's Opinion Letter re: Specs for New Tanker – Chief Ryan asked the Board to set a date to review the attorney's opinion letter in order that the specs for the tanker could be revised and sent to bidders.

Chief Ryan noted that it was a pleasure working with Mayor Hemmings and wished him the best.

FIRE DEPT. PRESIDENT'S report was received as submitted, Motion Genevieve Suits, 2nd. Michael McDermott – all aye.

President Irish asked the Board again to consider an additional \$100 company reimbursement. This would total \$900 per company instead of the \$800 approved at budget time. *(The Board didn't address this.)*

Firemen's Field Days, June 9 – 11, 2005 - President Irish requested permission from the Board of Trustees to serve alcohol during this period. The Board of Trustees authorized the Mayor to submit a letter to the Fire Department granting permission to serve alcohol during the Field Days, and to use their discretion in doing so.

2005 Budget for Computer – President Irish inquired about the procedure to purchase computers that were budgeted in the 2005 budget. He would like to purchase 3 computers through Dell at a cost of \$1500. He was instructed to follow the Village's Procurement Policy and submit a purchase order for the purchase. Trustee Berry stated he would be able to supply the telephone number for Gateway should they need it.

CEMETERY – Motion by Michael McDermott, 2nd. Michael Berry – all aye **to set the fee at \$200 for a beveled foundation for granite veteran's marker.**

CODES – report received as submitted, Motion Michael McDermott, 2nd. Roy Crandall – all aye.

Mayor inquired if any of the Board members had any update on the violation of Ling Wang, 100 S. Main Street, Homer. Attorney Perfetti was absent and therefore couldn't update the Board on his letter dated February 2, 2005.

Proposed legislation re “Junkyards and Storage of Junk” – Board members tabled discussion until the attorney could be present to review with them.

DOGS – report was received as submitted, Motion Michael McDermott, 2nd. Genevieve Suits – all aye.

POLICE – report was received as submitted, Motion Genevieve Suits, 2nd. Michael McDermott – all aye.

Update on hiring of new patrolman – Chief Mack had advised the Mayor that a new civil service list was to be available today or tomorrow. He's interested in hiring an officer who has just moved into Homer. He will be requesting a list from Civil Service that contains only Homer residents.

Update on handicap bathroom facilities – It was reported that it was almost completed. Chief Mack indicated that the Streets/Parks Department had done an excellent job.

Step-System for Police Officers – The Board’s figures that were agreed upon during the 2005/06 Budget process were forwarded to Attorney Perfetti for him to draft a policy that would protect this decision with future Boards.

RECREATION – report was received as submitted, **Motion** Michael McDermott, 2nd. Roy Crandall – all aye.

Ice skating rink was discussed. Mayor Hemmings stated that the trustees, Recreation Commission and Director and Supt. Galeotti should discuss this issue thoroughly to determine if it will be continued, how it will be implemented, and who will assume the responsibility. There has been concern that several places have been made available to our residents i.e. SUNY PER, McDonald rink. Resident, Tammy Beebe explained that many of the village residents can’t afford to pay to skate and this program reaches out to these people.

Request received from Little League, to allow a National Guard helicopter to fly in for Opening Day of the Little League Program. Clerk Williams advised the Board of Trustees that she had contacted the village’s insurance agent, Bailey Agency and they stated it wouldn’t be a problem. **Motion** Genevieve Suits, 2nd. Roy Crandall – all aye **to grant Little League’s request allowing a National Guard helicopter to fly in for Opening Day of the Little League Program.**

STREETS/PARKS – report was received as submitted, **Motion** Roy Crandall, 2nd. Genevieve Suits – all aye.

MEO/Mechanic job description – During the budget process, the Board of Trustees indicated that the village should have a written description that would address this position for the village. Trustees asked that the Clerk call the county to see how they break down this position. Currently the intentions were to have this employee work 6 months in the water/sewer department and 6 months for the streets/parks department. Mayor Hemmings suggested that the superintendents determine this employee’s work schedule depending upon the repairs/maintenance that were necessary during the workweek. *(Clerk contacted the County Highway Dept.- they didn’t have anyone in the position. Clerk contacted the City of Cortland Public Works Dept. They indicated that their employee plowed snow in the winter and the summer he runs the grinder. Whenever the mechanic is in need of assistance, he works with him.)*

Lawman of the Year Dinner – Trustee Roy Crandall attended this function representing the Mayor for the Village of Homer. He was to be a guest and ended up having to pay. The Board authorized that Trustee Roy Crandall be reimbursed \$14 for this function.

WATER/SEWER – report was received as submitted, **Motion** Michael McDermott, 2nd. Roy Crandall – all aye.

COMMUNITY DEVELOPMENT report.

Motion Roy Crandall, 2nd. Michael Berry – all aye **to open up the remaining grant funds for village rehab to both income properties and owner occupied properties.**

Contract with Thoma Development Consultants – **Motion** Michael McDermott, 2nd. Michael Berry – all aye **to authorize Mayor Hemmings to sign this document with the following provision added and contingent upon the final approval of Attorney Perfetti:** *In the event that either party hereunder, pursues litigation relative to this agreement, the parties hereto agree that such cause at action or suit must be commenced in the New York Supreme Court, in and for the County of Cortland.*

The Board of Trustees asked that the Clerk contact Thoma and request a more detailed report regarding the delinquent loans. Clerk Williams indicated that assistant clerk Pat Storrs could probably provide a report that would supply information that could be more helpful.

Meadowlands Project – Mayor Hemmings stated that the group considering purchasing lands for additional sport fields was still interested in purchasing the land behind the Express Mart off Rte. 281.

Village Historians – The Jermys’ letter of resignation was tabled until the April meeting.

ZBA resignation was received with regret from Stacy Brown. Trustee Genevieve Suits will contact Chairperson, Cindy Teter for a recommendation for her replacement.

Mayor Hemmings advised the Board that **NYS DEC will be hosting a Public Meeting, March 10, 2005 to present the Proposed Remedial Action Plan for Operable Unit 2 of the NYSEG Cortland Homer Former MGP site and solicit formal comments from the public. This will be held at 7:00 p.m. at the NYSDEC Cortland Office, 1285 Fisher Avenue.**

Mayor Hemmings wished both Trustees Michael McDermott and Genevieve Suits the best of luck in the upcoming Village Election, March 15, 2005.

Trustee Genevieve Suits expressed her gratitude to Mayor Hemmings and his work over the past 2 years.

The following bills were approved for payment, Motion Michael McDermott, 2nd. Michael Berry – all aye:

General Fund	Vouchers #1077-#1170	\$119,011.45
General Fund	Vouchers #1 - #7	\$ 89,457.72
Water Fund	Vouchers #386 - #422	\$ 14,508.00
Water Fund	Vouchers #1	\$ 8,250.05
Sewer Fund	Vouchers #386 - #422	\$ 82,092.15
Sewer Fund	Voucher #1	\$ 9,281.30
Comm.Dev.Block Fund	Check #1344 - #1347	\$ 1,070.77
Capital Projects Fund	-----	-----

7:15 p.m. Meeting adjourned, Motion Roy Crandall, 2nd. Michael Berry – all aye.

[Mayor Hemmings, It was a pleasure serving under you, and I know someone very special to both of us is looking down on you, saying “Great Job”. ---- JoAnne]

Richard B. Hemming, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
March 15, 2005

Village of Homer Election Results received from Cortland County Board of Elections follow:
Elections

]

		Col 1	Col 2	Col 3
		Mayor – Homer	Vill.Trustee - Homer	Vill.Trustee - Homer
A	Republican		Genevieve Suits	Leclar Dennis
A			322	53

B	Democrat	Michael McDermott	Joanne Mazzone	Tammy Beebe
B		312	347	163
C	Citizen's	Michael McDermott	Genevieve Suits	Leclar Dennis
C		67	59	19

Jo Anne B. Williams, Clerk-Treasurer

**HOMER, NY
April 4, 2005**

5:30 p.m. ORGANIZATION MEETING of the Village of Homer Board of Trustees was called to order by Mayor Michael McDermott. Pledge of Allegiance followed.

Clerk/Treasurer Jo Anne Williams swore in the following trustees: **Genevieve Suits and Joanne Mazzone.**

Mayor McDermott appointed Patrick Perfetti as Village Attorney. Clerk/Treasurer Williams swore him in.

PRESENT: Mayor Michael McDermott; Trustees – Roy Crandall, Genevieve Suits, Joanne Mazzone, Michael Berry (absent); Patrick Perfetti – Village Attorney; Michael Galeotti, Sr. – Supt. Streets/Parks; Dan Mack – Police Chief; Bruce Weber – Code Enforcement Officer; Lawrence Barber – Supt. Water/Sewer; John Ryan, Jr. – H.F.D. Chief; Jeffrey Lewis – Recreation Director; residents – Maribeth McEwan, Pat Hirschman, and Paul Suits.

The following resignations were accepted with regret: Stacy Brown from the Zoning Board of Appeals; Charles Jermy, Jr. and Charles Jermy III – Village co-historians.

The attached Organizational Annual Appointments and Appointments to Commissions were approved, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

There were no financial reports available from the depositories for the Board to review.

Purchase Order/Procurement Policy, Investment Policy, and Fee Schedules were approved as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

The Mayor or Board of Trustees presented no Conflict of Interest statements.

The Rules of Procedure were amended to state: *REGULAR MEETINGS – The Board of Trustees shall hold regular meetings on the 1st Tuesday of each month. Such regular meetings shall commence at 5:30 p.m. (not 4:00 p.m.) and be conducted in the boardroom at the village hall. The Board of Trustees shall determine any deviation of the foregoing paragraph.* **Motion** Roy Crandall, 2nd. Genevieve Suits – all aye.

The following resolutions were presented:

Whereas the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1. *That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of \$.38 per mile.*

Section 2. *That this resolution shall take effect immediately.*

Motion to approve, Genevieve Suits, 2nd. Roy Crandall – all aye.

Whereas there is to be held during the coming official year a) the New York State Conference of Mayors Annual Meeting and Training School; b) the New York State Conference of Mayors Annual Meeting and Fall Training School for Fiscal Officers and Municipal Clerks; c) the NYCOM Public Works Conference for the Streets/Parks Department, and AWWA Meetings for the Water/Sewer Department.

Whereas it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. *That the following officers and employees are hereby authorized to attend the following schools: NYCOM General Meetings – Mayor McDermott; NYCOM General Meetings – Members of the Board of Trustees; NYCOM Fall Training School – Jo Anne B. Williams, Clerk-Treas., Beverly D. Berry, Dep. Clerk-Treas.; AWWA Meeting – Supt. Lawrence Barber; NYCOM Public Works Conference – Supt. Michael Galeotti, Sr.*

Section 2. *That this resolution shall take effect immediately.*

Motion to approve, Roy Crandall, 2nd. Joanne Mazzone – all aye.

Whereas the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, and **Whereas**, all such claims shall be presented at the next regular meeting for audit, and **Whereas**, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

NOW THEREFORE BE IT RESOLVED:

Section 1. *That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.*

Section 2. *That this resolution shall take effect immediately.*

Motion to approve, Genevieve Suits, 2nd. Joanne Mazzone – all aye.

MINUTES for 3/1 & 3/15 were approved as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

TREASURER'S report for period ending February 28, 2005 was approved as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

The **attached Encumbrances for the General, Water and Sewer Fund were approved, Motion** Genevieve Suits, 2nd. Joanne Mazzone – all aye.

The **attached Budget Modifications were approved, Motion** Genevieve Suits, 2nd. Joanne Mazzone – all aye.

The **attached Budget Transfers for the General, Water and Sewer Funds were approved as submitted, Motion** Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Sale of the Village's portion of the Aficio Copier for \$325 to the Town of Homer was approved, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye. The Town of Homer will be transferring this copier to the Town of Homer's Justice office.

The **attached Proclamation declaring the month of April 2005 as Fair Housing Month in the Village of Homer was approved, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.**

The **attached Proclamation declaring April 29, 2005 as Roby Bostwick Day was approved, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.**

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CEMETERY – Mayor McDermott announced that Glenwood Cemetery had re-opened.

CODES – report was received as submitted, **Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.**

Zoning Violations updated:

Ling Wang – 100 S. Main Street. Building classified as dangerous under Village Zoning law, and failure to secure building, Building Code violation. Construction without permit. Construction continues without a permit, as reported by Code Officer Bruce Weber.

Attorney Perfetti informed the Board that they could prosecute as a zone violation in the Town Court or file in State Supreme Court. The second would be most costly. Contempt authority would be available in Supreme Court.

Trustee Roy Crandall inquired if a building permit was necessary. Code Officer replied that an addition was being constructed on the back of the house and it does require a permit.

Motion Roy Crandall, 2nd. Genevieve Suits – all aye. authorizing the attorney to prosecute in Supreme Court from the initiation of the violation as a dangerous building to construction without a permit.

Public Hearings scheduled May 3, 2005 @ 5:30 p.m. for proposed Local Law #1-2005 Junkyards and Storage of Junk.

DOG warden's report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Trustee Suits complimented Paul Burhans for the fine job he did this month regarding the unusual circumstances that he had to address.

POLICE report was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

Status of new hire – Chief Mack reported that he is still working on a transfer for Greg Vestal from the Tompkins County Sheriff's Department. He comes with several years of experience and would like to offer him the certified rate of \$32,500. Discussion followed. **Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye to hire him at \$32,500 for 6 months and then raise him to the certified rate of \$35,500. 2006 bump him up to the third anniversary date of hire rate of \$38,500.**

Painting of trim and dormer at police station – Chief Mack will check with D.S.S. whether or not their program allows individuals to paint at the height required for the trim and dormer. Attorney Perfetti also gave the Chief the telephone number of the department that handles *alternatives to incarnation* program.

Demand billing from NIMO for police station update – Clerk Williams advised the Board of Trustees that she had faxed Seth Lamont from Congressman Boehlert's office to see if contracting with a new provider could resolve the situation. (No response to date.)

Step-System for Police Department hires – Public Hearing is scheduled for May 3, 2005 @ 5:30 p.m. to hear public comments for or against proposed legislation of Local Law #2-2005. This outlines salary increases with date of hire and certifications.

Mayor McDermott complimented the Police Department on their handling of the unattended death on James Street.

FIRE – report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Mayor McDermott complimented the Fire Department for their assistance during the recent flooding in Cortland County.

1993 Emergency Preparedness Program – It was confirmed that this program was last updated in 1993. Mayor McDermott stated he would like to assist with updating this program with the Fire, Police, Streets/Parks, & Water/Sewer Departments.

Bid specs on tanker – Bid opening scheduled 4/27 @ 12:00 p.m. Attorney Perfetti stated that he needs the dimensions for the specs. Legal notice is to be published 4/12. Chief Ryan will give the Clerk a list of addresses to send the specs.

Motion Joanne Mazzone, 2nd. Roy Crandall – all aye **to approve Steve J. Dumond, 170 S. Main Street, Homer, NY for membership into the Homer Hook & Ladder Co. (physical papers were attached).**

Garbage truck accidents – Chief Ryan asked the Board to contact our congressmen to address the issues regarding garbage trucks traveling at excess speed on our county highways resulting in accidents. In some cases, it is thought that they are trying to bypass weigh stations.

RECREATION – report was received as submitted, Motion Joanne Mazzone, 2nd. Genevieve Suits – all aye.

Recreation Director, Jeff Lewis thanked the Streets/Parks and Water/Sewer Department for all their assistance during the year. He also noted that 85 helmets have been purchased for t-ball and softball. New ASA rules require helmets have masks and chin straps.

Concert Series Contract – Attorney Patrick Perfetti will contact Jim Demsey of the Cortland County Convention & Visitors Bureau to make the necessary corrections to the contract submitted to the Village for the Mayor's signature. **Motion** Genevieve Suits, 2nd. Joanne Mazzone – all aye **authorized the Mayor to sign the contract with the Cortland County Convention & Visitors Bureau contingent upon the recommended changes requested by Attorney Patrick Perfetti being applied to the original contract.** [Contract is for moneys to be used to encourage tourism in the area through the Village of Homer's summer concert series.]

STREETS/PARKS – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

County recycling rules to change when the new recycling center opens. Mayor to meet with Streets/Parks Supt. Galeotti, County representatives, and Clerk.

Supt. Galeotti reported that the **Handicap ramp for the Police Station, 43 ½ James Street requires plans to be stamped by an engineer.** Once the plans have been approved, the village personnel will get started on the construction.

Sealed bids for the two following tractor mowers were scheduled for 12:00 p.m. April 27, 2005.

1998 John Deere 425, 20 horsepower, 60” mower deck, 1308 hours, very good condition - \$3,000 minimum bid.

1995 John Deere 425, 20 Horsepower, 54” mower deck, 2145 hours, fair condition - \$1,000 minimum bid.

Town of Homer Supt. John Phelps and Village of Homer Supt. Galeotti stated that the Pine Street and Wall Street bridges would be closed until further notice.

Supt. Galeotti reported that foreman, Charles Ford would be retiring effective May 30, 2005.

Motion Roy Crandall, 2nd. Genevieve Suits – all aye to allow Charlie Ford, Jr. permission to take his CDL test on one of the Village of Homer vehicles. They further moved to have the Village Employee Handbook amended to state that no non-employee be allowed to use any village owned vehicle for the purpose of obtaining any motor vehicle license.

Sidewalk Program – Supt. Galeotti inquired if the Village would be offering a sidewalk program this year. This was tabled until next month to allow for time to check with Thoma if funds were available through the repayment account.

WATER/SEWER – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Update on new water tank – the shrinkage cracks were checked by the engineer, but no final approval was given.

Trustee Roy Crandall commended Supt. Barber for purchasing the most inexpensive tires for the 2000 Chevy Step Van.

Attorney Patrick Perfetti inquired if Supt. Barber was interested in commencing the process of obtaining easements to loop the waterlines of Burgett Drive and Bedford Street. Supt. Barber’s response was yes, because development of the Creal Property could be a very lengthy process.

FIRE DEPARTMENT’S PRESIDENT report was received as submitted, Motion Roy Crandall, 2nd. Joanne Mazzone – all aye.

Motion Genevieve Suits, 2nd. Roy Crandall – all aye that the fire department company reimbursement would remain at \$800 for each company and department and not increase to \$900 per the president’s request.

COMMUNITY DEVELOPMENT report.

Delinquent loans reviewed – Motion Roy Crandall, 2nd. Joanne Mazzone, In favor – Roy Crandall, Joanne Mazzone, Michael McDermott; opposed – 0; abstained for personal reasons – Genevieve Suits **authorizing Attorney Perfetti to commence enforcement proceedings against Jim and Tracy Durkee for non payment of their CDBG loan.**

Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye **authorizing Attorney Perfetti to commence enforcement proceedings against Dennis and Theresa Small for non-payment of their CDBG loan.**

Hands Free Cellular Use – Trustee Suits will contact the Village’s Cingular representative to obtain the equipment for each of the departments that were issued cellular phones that would allow them hands free cellular use. Cost to be assessed to each of the departments.

The Village newsletter provided an excellent source to advertise the remaining H.U.D. funds available for rehab of village residences. Several residents have picked up applications for this program.

2 + 4 Senior Housing –location revision on Cortland Street received approval from the Village of Homer Planning Board.

PhoneReview – Company that was authorized to review all landline telephone bills, indicated that a credit of \$552.59 would appear on our 3/17 Verizon bill. The Village will be billed half of this credit for their service.

Mayor McDermott noted that Trustee Michael Berry had spoke to him regarding a service offered by J.M. Murray Center that could assist with cleanup in the downtown business section. Due to his absence from this meeting, the Board chose to discuss it further at the May meeting.

Mayor noted that plans for the Grange Building on Cortland Street were still going forth.

Nunzio Giordiano’s subdivision request – Dr. Cadwallader has placed a request to the Planning Board to subdivide his property to allow Mr. Giordiano to purchase additional land for parking for his proposed restaurant on the corner of Rte. 90 and Rte. 281.

ATTORNEY – Attorney Patrick Perfetti advised the Board that on 3/23 he had received a letter from Bernie Thoma, Thoma Development Consultants, referencing **Lori Ann Crupi (Brown)**. Mr. Perfetti advised the Clerk the importance of time/date stamping these documents when received by the Village. He had 20 days to respond regarding this document and should have been notified as soon as possible to allow for his response. Attorney Perfetti will send a general answer to foreclosure notice.

Attorney Perfetti reported to the Board that he had filed an opposition to have **Pierre Beaudry’s** assessments lowered. The court hearing was scheduled for today, 4/4/05. Beaudry has since filed Chapter 7.

Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to pay the following bills:**

General Fund	Vouchers #8 - #96	\$146,884.05
Water Fund	Vouchers #2 - #42	\$ 15,060.37
Sewer Fund	Vouchers #2 - #43	\$ 12,950.64
Comm.Dev.Block Fund	Check #1349 - #1353	\$ 806.04
Capital Projects Fund	-----	-----

8:30 p.m. Motion to adjourn, Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
April 27, 2005

12:00 p.m. Bid Opening for 1998 John Deere 425 tractor/mower, 1995 John Deere 425 tractor/mower, and construction of Tanker Fire Fighting Apparatus.

PRESENT: Mayor Michael McDermott; Patrick Perfetti – Village Attorney; JoAnne Williams – Clerk/Treasurer; Trustees – Joanne Mazzone & Roy Crandall; Supt. of Streets/Parks Michael Galeotti; Fire Chief – John Ryan, Jr.; Gary McEuen, Jim Knoble, David Barber, Mike Niehus; Pete Amos and Mark Aswad representatives from 4-Guys and Eric Saulsbury, representative from S-Fire/Rosenbauer.

Mayor McDermott welcomed everyone and introduced Attorney Patrick Perfetti who read the attached legal notice regarding the bid opening for the two John Deere tractor mowers.

The following sealed bids were received for the 1998 John Deere tractor/lawn mower; Minimum bid of \$3,000 was required.

- 1) **Howard Reed, 236 Rte. 13, Cortland, NY 13045 -- \$3105.00**
- 2) **David Barber, 56 Copeland Ave., Homer, NY 13077 -- \$3102**

No bids were received for the 1995 John Deere tractor/lawn mower.

Attorney Perfetti read the attached legal notice regarding the sealed bid opening for Construction of a Tanker Fire Fighting Apparatus.

The following sealed bids were received for construction of a tanker fire fighting apparatus:

- | | | |
|----|---|--|
| 1) | Jerome Fire Equipment
8721 Caughdenoy Rd.
Clay, NY | Letter indicated that they wouldn't be
bidding on this vehicle due to the
time restraint. |
| 2) | 4-Guys, Inc.
230 Industrial Park Rd.
Meyersdale, PA 15552-0090 | Bid: \$160,714
Bid Bond included
Non-collusive signed and included |
| 3) | S-Fire/Rosenbauer
3809 Luker Rd.
Cortland, NY 13045 | Bid: \$133,300
Bid Bond included
Non-collusive signed and included |

The above bids were received and given to the Homer Fire Department's Chief John Ryan, Jr. The H.F.D. will review the bids and will be discussed by the Board of Trustees, May 3, 2005, 5:30 p.m. @ the Regular Meeting of the Board of Trustees.

12:15 Bid Opening closed.

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

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Chief – John Ryan, Jr.; Gary McEuen, Jim Knoble, David Barber, Mike Niehus; Pete Amos and Mark Aswad representatives from 4-Guys and Eric Saulsbury, representative from S-Fire/Rosenbauer.

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3809 Luker Rd.
Cortland, NY 13045 | Bid: \$133,300
Bid Bond included
Non-collusive signed and included |

The above bids were received and given to the Homer Fire Department's Chief John Ryan, Jr. The H.F.D. will review the bids and will be discussed by the Board of Trustees, May 3, 2005, 5:30 p.m. @ the Regular Meeting of the Board of Trustees.

12:15 Bid Opening closed.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
May 3, 2005

5:30 p.m. Public Hearings for proposed Local Law 1 & 2 – 2005 (*legal notices attached*) were called to order by Mayor Michael McDermott after the Pledge of Allegiance.

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Mazzone, Michael Berry, Roy Crandall; Patrick Perfetti – Village Attorney; Adam Samrov – Cortland Standard reporter; Eric Mulvihill – news director WXHC 101.5 FM; John Ryan, Jr. – HFD Chief; Scott Schrader – Cortland Co. Administrator; Don Chambers – Cort. Co. Highway Supt.; Newell Wilcox – Cort. Co. Legislator.

Mayor McDermott called Public Hearing for proposed Local #1-2005 to order. The local law was titled **JUNKYARDS AND STORAGE OF JUNK, Chapter 143, ARTICLE II, Storage of Junk Vehicle**. He asked if any public present wished to speak on behalf or against the proposed legislation. No public present requested permission to speak.

He then opened up discussion to the Board of Trustees.

Trustee Roy Crandall stated that the proposed legislation was too broad. He stated if owners removed the registration for the winter, the vehicle would be considered **junk**. Trustee Crandall suggested the owner should be required to obtain a permit from the Village.

Attorney Patrick Perfetti stated the original legislation provided for obtaining a permit. Prior to the final draft, the attorney and code officer reviewed several versions. Code Officer Bruce Weber felt the local law presented as local law #1-2005 was best suited for the Village.

Trustee Crandall stated a colorful permit in the window of the vehicle would be visible and better suited to track for the code officer.

Trustee Michael Berry felt the legislation proposed met his approval but he would be open to revisit the original draft to determine the differences between the two.

Public Hearing for local law #1-2005 was closed.

Trustee Roy Crandall **moved to table the vote on proposed Local Law #1-2005 until the Board could review the original draft and determine which law would be best for the Village**. This was seconded by Michael Berry – all in favor – aye.

5:40 p.m. Public Hearing for proposed Local Law #2 – 2005 was opened for comment. This local law was titled *POLICE DEPARTMENT Chapter 40. This local law addresses the compensation of Police Officers employed by the Village of Homer Police Department in a tiered system.*

Mayor McDermott invited the public present to speak in favor or against. No comments. The Board held no discussion. Hearing was closed.

Motion Roy Crandall, 2nd. Genevieve Suits – all aye **to adopt proposed Local Law #2-2005 as submitted**.

Mayor Michael McDermott asked the Board's **approval to appoint Verna Whitney, 4895 Creal Rd., Homer, NY as Historian for the Village of Homer. Motion to approve this appointment**, Genevieve Suits, 2nd. Michael Berry – all aye. The Mayor noted that Charles Bernheim and Josephine Brown would assist Mrs. Whitney.

Mayor McDermott **appointed Bruce Eves** to replace Bob Rosato on the **Recreation Commission**. This is a five-year appointment. **Motion to approve this appointment**, Michael Berry, 2nd. Joanne Mazzone – all aye. The Board asked that a certificate of appreciation be presented to Bob Rosato for the years he contributed to the Recreation Commission.

Board **MINUTES of 4/4/2005 and BID OPENING MINUTES of 4/27/2005 were approved as submitted**, **Motion** Roy Crandall, 2nd. Joanne Mazzone – all aye.

Clerk Williams asked the Board of Trustees if they would be in favor of enrolling with **NYS OGS to receive reduced rates from Verizon** (Village of Homer's telephone provider). This option was made available through PhoneReview. The Village of Homer had contracted with them to research all landline telephone

charges. The savings found would be equally shared. 40% of the savings from enrolling with NYS OGS would be billed to the Village of Homer by PhoneReview for a period of 12 months. After that period the Village would benefit from the entire savings. **Motion to enroll the Village of Homer with NYS OGS rates contingent upon review of the materials by Attorney Patrick Perfetti, Michael Berry, 2nd.** Roy Crandall – all aye.

Earle Abbey Trust Fund – Clerk Williams advised the Board of Trustees that the statements received from Edward Jones Investment indicated that the mutual funds for the Earle Abbey Trust Fund had lost \$2777.32 since the original investment. She explained to the Board that she had contacted Deron Glickert, sales rep from Edward Jones and he tried to reassure her that the investment was in for the long term and not to worry. The Clerk will continue to monitor and keep the Board advised.

Clerk reported that the sales tax for 1st Quarter reported was up 6% from last year. Total received from the county was \$134,460.81.

Clerk Williams advised the Board of Trustees that the prior Village/Town Justice Phil Brong had passed away April 26, 2005. He served as Village/Town Justice 1964 – 1997.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

FIRE – Chief’s report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Pine and Wall Street Bridges have been reopened to traffic. (*Town of Homer Highway Supt. John Phelps closed these bridges after the flood.*)

Mayor Michael McDermott complimented the Fire Department on their response and actions taken during Stewart Young’s barn fire.

The Board also complimented Kim McMasters for being voted “Fireperson of the Year”.

Tanker bids – Chief Ryan explained to the Board that the truck committee found several errors in both of the bids received. There were questions that would need to be answered by the manufacturers. The truck committee will submit a list of questions for each of the manufacturers and then review them with the Trustees that oversee the Fire Department. After this process has been completed, they would bring their findings before the entire Board. Chief Ryan explained that the final bid should be less than the one submitted at the bid opening. One of the bids suggested refinancing the #501 with the tanker. The Clerk would need to get a payoff figure in order to do this. The first payment of the tanker wouldn’t be until October or November 2006.

Fire Station leaking roof – It was reported that the roof was still leaking. Goddard Roofing still hasn’t responded.

The toilets are leaking and the plumber is expected tomorrow 5/4/05.

Firemen’s Field Day Parade permit has been signed by the Mayor and submitted to Chief Dan Mack for his approval.

Specs for windows at Fire Station – The president had spoke with Marvin Windows regarding replacement of the sashes. The HFD requested assistance from the Board to write specs for the replacement of the windows with insulated vinyl type windows that would reflect the period of the building. It was determined that trustees Genevieve Suits and Roy Crandall would meet with President Mahlon Irish, Jr. to discuss this project and determine what the specs would be.

Chief Ryan submitted a **P.O. for pagers** and requested that the trustees give their approval and sign the document. Approval was given.

H.F.D. president's report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Motion to accept the Annual Report from the Homer Fire Department, Michael Berry, 2nd. Joanne Mazzone – all aye.

The following officers were approved by the Board of Trustees for the Homer Fire Department: President – Mahlon Irish, Jr.; Vice-President – Gordon Wheelock; Corresponding Secretary – Kathy Keegan; Recording Secretary – Dick Elmer; Treasurer – Terry Holmes; Fire Chief – John Ryan, Jr.; Deputy Fire Chief – Philip Hess; 1st Asst. Chief – Charles Ford, Jr.; 2nd. Asst. Chief – Ernie Newell; Motion Genevieve Suits, 2nd. Michael Berry – all aye.

Board Members were reminded that Field Days and the Blue Grass Concert are June 9 – 11.

DOG report for the month of April 2005 was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye. Trustee Suits noted that she had received calls from people having problems with cats. It was noted that the Village doesn't permit discharge of weapons in the Village.

Chairman of the County Legislature Scott Steve introduced Scott Schrader, County Administrator, Don Chambers – County Highway Supt., and Newell Wilcox County Legislator. Mr. Steve announced the County Recycling Center opens tomorrow, 5/4/05. Mr. Schrader explained that recycling has been broken into three groups: paper group, glass group, and container group (plastic, metal & aluminum). Green bins will be distributed to each property owner and rental unit with the wording *GLASS ONLY* written on the outside. These bins will be free. Should any of these be stolen or broken, the replacement cost is \$5.00 and can be purchased at the County Recycling Center in Cortland.

The County has been discussing this program with the City of Cortland and no decision has been made at this point. Newell Wilcox stated the County expects that enough revenue will be received through the recycling center to save the County \$50,000 a year. He invited all the Board members to attend the grand opening of their new facility. A proposal has also been made to the Village Board to provide blue bins for items in the Container Group (plastics 1-7 and metal and aluminum). The cost to the Village would be \$2.50 per container and the County could postpone the billing until next budget year or whatever agreement could be reached between the two municipalities. The village would need to obtain approximately 1600 containers. Total cost would be \$4,000. The village would distribute them to each property owner and apartment dwelling at no initial cost to them. Should they be lost, broken or stolen, the replacement cost would be \$5.00 and obtainable through the County Recycling Center. The Streets/Parks garage would keep a couple dozen at their site for convenience of some of the elderly.

Paper and cardboard will continue to be picked up on a weekly basis.

The County distributed a sample advertisement announcement of the new collection. This could also be done through a newsletter, newspaper, local radio stations, and Village of Homer's website. A calendar would also be provided outlining which week what item was being collected.

The Board of Trustees decided they would like to get the input of some of their residents. Discussion was tabled until the June meeting.

CEMETERY – Winter burials – municipalities are exempt from winter burials. There was notice that some cemeteries fall under regulations that require winter burials.

Memorial Day Parade – 5/30/05 @ 9:00 a.m. Mayor McDermott reminded trustees that they should be ready to line up at 8:45 a.m. by the Homer Laundry.

CODES – report was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

The trustees inquired about the following items brought to their attention by Code Officer Weber's report:

Was the junk car removed from 45 Clinton Street? *Reply – 5/4/05 the car was removed.*

7 Franklin Street – What is the status of the unlicensed vehicle? *Code Officer Weber stated that owner Audrey Lewis stated that they were getting rid of it. CEO Weber placed another call to Randy Lewis.*

Basement on Water Street collapsing – *CEO Weber reported that no permit had been obtained yet.*

2 + 4 Sr. Housing questions from Mr. Tucker – *CEO Weber indicated that he couldn't recall the exact questions, only that they were general.*

Auto repair on S. Main Street – *CEO Weber stated it was located where Craig's used to be on Route 11, S. Main Street and is now "Lost Your Marbles".*

Board member inquired who was Don McLean in relation to Ling Wang property. *CEO Weber stated that he was the contractor.*

Mr. Weber also stated that a car isn't considered to be a junk vehicle when the plates are removed. The determination is whether or not the vehicle has a valid inspection or registration.

Mr. Weber also clarified that when plans require \$20,000 for construction, then the plans need to be stamped by an engineer or architect. The New York State Education Law regulates this.

A copy of a letter to the property owner of 60 N. Main Street, Homer was given to the Board members. Mr. Weber wanted the Trustees to be made aware of the problem.

Belinda Ryan inquired if she could obtain a permit to sell hot dogs from a wheeled cart, similar to Drew's Dogs. She would like to sell these in the Village Parks. Trustee Berry stated that he didn't have a problem with this along as no group at the concession stands were selling them at the same time. The issue with trash and the legality of selling from locations on village sidewalks were discussed This permit was tabled until such time these questions could be answered.

POLICE – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Trustee Genevieve Suits stated that the police commissioners (Suits & Berry) needed to establish a time when they could meet with Chief Mack and Sgt. Van Orden.

The Mayor advised the Board that Josh Parente had stated he would be leaving the Homer Police Department in three weeks.

Handicap Entrance to Police Department – Supt. Galeotti reported that the plans are all ready.

Painting update – There wasn't any report regarding the status of this project.

Demand Billing @ HPD – The Clerk reported that she hadn't received any word from Senator Seward's office regarding this.

RECREATION – report was received as submitted, Motion Joanne Mazzone, 2nd. Genevieve Suits – all aye.

Recreation director's report noted that this summer's concert series wouldn't be cancelled due to bad weather. The recreation department has secured the Center for the Arts @ \$50.00 for each show should there be a problem with the weather. The fee will only be charged if the village uses it.

Ice Rink update – Recreation Commission discussed this at their meeting. Ann Siegle will seek interested persons for input and possible assistance. Trustee Berry suggested purchasing cheap tarps to line the area since the skaters persist in puncturing the liners.

STREETS/PARKS – report was received as submitted, Motion Joanne Mazzone, 2nd. Genevieve Suits – all aye.

1995 John Deere Tractor Mower – This item went out for sealed bids with a \$1000 minimum bid required. No bids were received for this item. **Motion** Michael Berry, 2nd. Joanne Mazzone – all aye **to advertise again for sealed bids and lower the minimum bid to \$500. Bid Opening is scheduled for May 16, 2005.**

Demand billing notice for Streets/Parks Department – NIMO notified the Clerk that the Street/Parks Department had exceeded 2000 kWh for a period of two consecutive months. Mayor McDermott called and spoke with NIMO representative and they stated since each reading had only exceeded 2000 kWh by such a small amount they would wait until the next billing period to change to a demand billing. Mayor McDermott advised Supt. Galeotti to be cautious with their departments use to avoid demand billing.

Plant Watering – The Board of Trustees discussed watering plants during the weekend and holidays. Trustee Genevieve Suits contacted Arnold's Florist regarding watering of the plants. The cost for 2 guys, twice a week would be \$2,000 – \$2,500. The Board determined for that amount the Village could purchase all new flowers. Therefore they stated that the Streets/Parks Department could continue to water the plants as in the past. The Beautification Commission should be notified that hardier species should be considered for the hanging baskets.

Amnesty Week – The County of Cortland announced that Amnesty Week would be May 16 – 20. Mayor McDermott explained that he had spoken with Supt. Galeotti and they determined that the Village would schedule one day for Amnesty Day for village residents. Date was scheduled for May 14, 2005 from 8:00 a.m. to 4:00 p.m., at the Village of Homer compost site located at N. Fulton Street. The Village would accept white goods. Refrigerators, air conditioners and other appliances that contain refrigerant must have a certificate of purging included to be acceptable. Lumber would also be acceptable. No tires would be accepted. Advertisement will be done in the Cortland Standard prior to May 14, 2005. The compost site will be closed May 14th @ 4:00 p.m., and reopen Saturday, May 21, 2005.

Sidewalk Program for 2005 – The Board of Trustees determined that the Village wouldn't offer this program this year.

WATER/SEWER – report was received as submitted, Motion Michael Berry, 2nd. Joanne Mazzone – all aye.

Status of new water tanks – Supt. Barber stated that the Town of Cortlandville's concrete water tank has the same cracks as the new water tank has on the West Hill of the Village. Engineer, Tim Buhl was called by the Clerk and advised him that the Board of Trustees didn't want him to sign off until the contractor had done due diligence. Mr. Buhl assured the Clerk that he wouldn't.

Bedford Street/Burgett Drive waterline loop – Supt. Barber indicated that he was interested in obtaining easements to loop these waterlines. The uncertainty of developing this area would postpone the benefits of looping these lines.

Letter from Charles Spina, 22 N. Main Street – Mr. Spina requested an extension to repair the water service leak to his property. **Motion** Michael Berry, 2nd. Joanne Mazzone – all aye **to extend the time period to repair the service leak to his property at 22 N. Main Street to 30 days maximum from May 4, 2005.** Clerk/Treas. Williams will write a letter expressing the Board's decision.

COMMUNITY DEVELOPMENT report.

Thoma Development presented three options to the Board of Trustees for their Grant Writing Service.

Level One – This option the customer pays a monthly retainer of \$400. Contract is for 12 months. The retainer amount will reduce the hourly fees or grant fees for a specific project. The remainder of the any fee would be charged to the customer. Lump sum fee for grant application: reduced by 10%. Retainers would be billed on a quarterly basis. Hourly fees are listed for Senior Consultant, Program Managers, Clerical Personnel. Four hours of predevelopment work is at no charge for each new project. Unfunded grant application would be resubmitted at least once at no additional fee, assuming there aren't any significant changes.

Level Two - Customer pays a monthly retainer of \$100. Contract is for 12 months. Retainer reduces amount paid by the customer and will reduce the hourly fees or grant fees. The balance of any fees would be billed to the customer. Lump sum fee for grant application is reduced by 5%. A maximum of two hours of pre-development work for each project is at no charge. Hourly fees are higher than those in level one.

Level Three – No retainer. Contracts are entered into on per grant basis. There is no reduction for grant application. Hourly fees are \$85/hr for Senior Consultant; \$55/hr. for Program Managers; \$25/hr. for Clerical Personnel. Predevelopment work will be charged at hourly fee.

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to contract with Thoma for Grant Writing per illustration given for Level Two.** The assistant part-time Clerk, Patricia Storrs will commence doing the loan repayment accounting. This will assist the Board with more current information.

Balance of C.D.B.G. Grant for 1998 – Mayor McDermott reported that 19 owner occupied applications and 4 income property applications have been received and sent to Thoma Development Consultants to continue with the application process.

Handbook for Village of Homer Employees – Trustee Michael Berry reviewed the current handbook and his only suggestion was to include a policy for hands-free cellular use while operating village vehicles.

Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye **to purchase ear buds @ \$12.99 each for each person the village has provided a cellular telephone. Each person will be required to sign for these as well as the cellular telephone that they were provided. The document will also contain the policy for hands free cellular use.**

J.M. Murray Center Program – Trustee Michael Berry explained to the Board that J.M. Murray has a service that provides for their clients to assist with the sweeping, picking up litter, cleaning and weeding flowerbeds. Short discussion followed. **Motion** Joanne Mazzone, 2nd. Genevieve Suits – all aye **to have Molly Riley, representative from J. M. Murray Center set up a program that would benefit the Village of Homer.**

The following bills were authorized for payment, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

General Fund	Voucher #97 - #191	\$115,307.58
Water Fund	Voucher #44 - #78	\$121,041.06
Sewer Fund	Voucher #44 - #78	\$ 49,840.49
Comm.Dev.Block Fund	Check #1354 - #1356	\$ 667.20
Capital Projects Fund	Check #570 - #571	\$ 44,183.61

8:30 p.m. Meeting adjourned, Motion Joanne Mazzone, 2nd. Michael Berry – all aye

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
May 16, 2005

10:00 a.m. Bid Opening called to order by Clerk-Treasurer Jo Anne Williams. The *attached* legal notice appeared in the Cortland Standard May 7, 2005.

PRESENT: Mayor Michael McDermott; Jo Anne Williams – Clerk-Treasurer; Streets/Parks Superintendent Michael Galeotti and Brian Mueller.

The following bids were received for the **1995 John Deere 425 tractor mower:**

1. Lyn Thomson \$876.54
23 S. William Street
Homer, NY 13077
749-5303
2. Jean Ellsworth \$750.00
2554 NYS Rt. 215
Cortland, NY 13045
607-753-0691 (w)
607-753-0598 (h)
3. Matthew Manusse \$1650.00
PO Box 738, 2924 US Rte. 11
Whitney Point, NY 13862
607-692-4540 (office)
607-222-4246 (cell)
4. Lawrence Barber \$600.00
25 Fox Hollow
Cortland, NY 13045
756-2410
5. Tim Galeotti \$530.00
57 ½ Cayuga Street
Homer, NY 13077
423-2963
6. John Casey \$625.00
Little York Lake Rd.
Little York, NY 13087

749-7625

7. David Barber \$626.00
56 Copeland Ave.
Homer, NY 13077
749-7166

10:10 a.m. – Bid Opening closed.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
June 7, 2005

5:30 p.m. the Regular Meeting of the Board of Trustees was called to order by Mayor Michael McDermott. The Pledge of Allegiance followed.

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Roy Crandall, Michael Berry; Joanne Sweeney (arrived at 6:50 p.m.); Jeffrey Lewis – Recreation Director; Geoff Sorenson; Bruce Weber – Code Officer; Tammy and Steve Whatman – Almost Anything Trash Removal; John Helgren – Cortland Co. Health Department; Eric Mulvihill – WXHC 101.5 FM radio news director; Adam Samrov – Cortland Standard reporter; Jo Anne Williams – Clerk-Treasurer; Attorney Patrick Perfetti.

Mayor McDermott introduced Jeff Lewis, Recreation Director. Mr. Lewis briefly described a new program he would like to institute subject to the Board's approval which is *Adventure Program Trips*. He went on to introduce Geoff Sorenson who would be in charge of these trips. Mr. Sorenson distributed an outline of this program to the Board. The two trips that he indicated were Finger Lakes Trail Trip for youth entering 7th – 9th grades. The second was Adirondack High Peaks Trip for youth entering 9th - 12th grades. Protocol for trips was listed. A pre-trip meeting is a pre-requisite for parents and participants. Discussions would include itinerary, gear list, expectations and any last minute questions anyone may have. Both the participant and the parent must sign an expedition behavior letter. An agreement to follow safety policies must also be signed by the participant and the parent. Medical history and permission forms are included. Gear list is provided.

Mr. Sorenson, who is a Physical Education teacher for Homer Central School, and recently completed his major in recreation, would provide instruction of skills needed for a successful multi-day overnight adventure trip in the outdoors. After instruction, they would put these skills to practical use. Skills would vary with the age of the children. Examples of skills would include: backpacking, canoeing, rock climbing, biking, kayaking, fly fishing, caving or a combination of any of them.

Mr. Lewis stated that the Recreation Commission was very intrigued with this program. Those who participated would cover the cost of the program. All instructors would be certified.

Mayor McDermott expressed his only concern would be the Village's liability.

Attorney Patrick Perfetti indicated that there is a risk with everything. He expressed that background checks on all staff should be required and to check with the Village's insurance company, the George B. Bailey Agency if this program would be covered.

Mr. Lewis stated he felt the children would receive this program very well. There would be 6-8 children at the most for each of these trips. Estimated cost would be \$300 per participant per trip. Also there could be a possibility of being funded through grants or sponsors. Cortland Line provides a lot of supplies for his fly

fishing course. SUNY Cortland is a great resource. Mr. Lewis reminded the Board that he has \$2,000 in his budget for new programs.

Mayor McDermott suggested contacting the Elks Club, American Legion or the local Rod and Gun Clubs to assist with sponsors or scholarships for the program.

Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to accept the proposed outdoor program contingent upon approval from the Village’s insurance carrier.**

Steve and Tammy Whatman from Almost Anything Trash Removal addressed the Board. Mr. Whatman explained to the Board the Amnesty Day at the Village’s compost site on N. Fulton Street, May 14th. was a huge success. He thanked Supt. Galeotti, Phil Stockton, and Officer Greg Vestal for their assistance that day. He noted that there were over 12 tons of items he hauled himself on his trucks. These were items the Village wasn’t accepting that day and residents paid a small fee to him to have it hauled away. He further noted there was just less than 20 tons in the dumpsters. He recommended that the Village have another Amnesty Day in the fall if the County would accept these items at no cost.

With the staff present, Mr. Whatman felt that outsiders weren’t a problem.

Mr. Whatman requested that a letter be sent to the property owner of 32 Cayuga Street that stickered trash would not be picked up and should be removed from the curb. It was also suggested that it should be mentioned in the Village’s Newsletter.

He stated that the recyclables are presently being taken to Tompkins County because the Village doesn’t separate their items. The Cortland County Recycling Center only accepts specific items during specific weeks. Mr. Whatman indicated that if he were able to use the County’s Recycling Center it would save on fuel for him. Also, Tompkins County is suggesting that they may begin charging for items brought in from another counties. Mr. Whatman would like to see the Village separate their recycling. The trustees are in agreement, but are waiting to hear from the County on the outcome with the City before making any changes.

John Helgren representative from the Cortland County Health Department addressed the Board regarding drilling test wells at Newton Water Works. He stated that the purpose is to utilize information to update the Town’s Aquifer Protection District. The wells will be 4” with 2” borings in the back corner of the parking lot and the northwest corner of the recreation field. There will be **no cost** to the Village. **Motion** Michael Berry, 2nd. Genevieve Suits – all aye **to grant Cortland County Health Department permission to drill 4” wells with 2” boring on the northwest corner of Griggs Field and the back corner of the parking lot at Griggs Field at no cost to the Village.**

Minutes were approved of May 3, 2005 and also Bid Opening Minutes of 5/16/05, Motion Roy Crandall, 2nd. Michael Berry – all aye.

Treasurer’s report – Motion Roy Crandall, 2nd. Genevieve Suits – all aye **to have the Clerk-Treasurer transfer \$9,000 from the Accrued Benefits Reserve for the purpose of payment to Charles Ford for accumulated sick leave upon retiring into the NYS Employees Retirement System from the Village of Homer.**

Motion Michael Berry, 2nd. Roy Crandall – all aye **to include in the Employees Handbook for the Village of Homer the following: USE OF SICK LEAVE – Employees can use accumulated sick leave for sickness of only immediate family members i.e. wife/husband, and children.**

Budget Modification approved, Motion Michael Berry, 2nd. Roy Crandall – all aye.
Increase A510 – A2680 - \$2707.05

Increase A960 – A3410.401 - \$2707.05

Purpose: Use Insurance Recovery for the repair of the '92 Spartan.

Attorney Perfetti will contact McNeil & Co. to check on deductible being applied for an incident that occurred during standby for another Fire Company .

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CEMETERY – Mayor McDermott noted that foreman Jim Toolan and his crew did an excellent job preparing the cemetery for the Memorial Day celebration.

CODES – report was received as submitted, Motion Michael Berry, 2nd. Genevieve Suits – all aye.

Updates were given regarding those still in violation with the village codes. Code Officer Weber reported that Ling Wang, 100 S. Main Street, has had her building permit approved and everything appears to be going well with the contractor.

Trustee Roy Crandall indicated that he had received a call from Pat Gray, 41 Cayuga Street complaining about rubbish along the railroad tracks that adjoins her property. Code Officer Weber instructed Mr. Crandall to contact him regarding this issue.

Mayor inquired if Mr. Weber had heard anything from the owner of 60 N. Main Street. Mr. Weber stated that the certified letter had been returned to the Clerk's Office.

Board discussed proposed legislation titled **“Junkyards and Storage of Junk”**. Attorney Perfetti suggested that this issue was too lengthy to discuss at a normal meeting and suggested that a couple trustees be designated along with the code officer and himself to create a local law that would address the issues that were of concern. Trustees Roy Crandall and Michael Berry were selected to meet with Attorney Perfetti and Code Officer Weber.

DOG - report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Trustee Suits indicated that there was a neighborhood concern with two Dobermans. Dog warden, Paul Burhans is handling this.

POLICE – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Attorney Perfetti will respond to Patrolman Parente's attorney's letter.

Mayor McDermott inquired about painting the trim at the Police Station. It was noted that quotes were being obtained from Doc's Home Improvements (Tim Galeotti), Potter and Wade Sprouse.

RECREATION – report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

STREETS/PARKS – report was received as submitted, Motion Joanne Sweeney, 2nd. Genevieve Suits – all aye.

Mayor McDermott noted that Carl Gaffney was hired for the Streets/Parks Department and will start June 16, 2005.

2 + 4 Senior Housing – Mayor indicated that the newest plans call for two holding ponds, and use of Hannum Ave. to direct storm drains. They will need to obtain permission from NYS D.O.T. to direct the drainage under S. Main Street (Rte. 11).

Mayor recognized **Jim and Joan Nadge for donating two “Memorial Plaques” for memorial benches located at Stoker Park and Newton Park.** These plaques had been removed in 2004 by individuals who apparently couldn't find anything better to do.

WATER/SEWER - report was received as submitted, Motion Roy Crandall, 2nd. Joanne Sweeney – all aye.

Charles Spina's request to have an extension to repair his water service was approved through July 7, 2005, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Supt. Barber requested that the Water/Sewer Department hire a part-time laborer for the summer. The original intent when Michael Harter had been hired was that the Water/Sewer Department and Streets/Parks Department share him for six months in each department. He was hired as a mechanic and laborer, but is working full time as a mechanic since his services are required full time servicing all the village's vehicles. Monies will be available since Mike Harter will be working full time in the Streets/parks Department and also it appears that money that had been budgeted for Technology Park won't be needed. **Motion Michael Berry, 2nd.** Joanne Sweeney – all aye **to approve hiring a part-time laborer @ \$6.50/hr. for the summer months.**

The Board requested that Michael Harter submit a monthly report on the vehicles he has serviced. This will be attached to Supt. Galeotti's monthly report.

Discussion on the elimination of fluoride was tabled until July's monthly meeting to allow the trustees to review materials submitted by Trustee Crandall.

FIRE CHIEF'S – report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Tanker update – The truck committee called the manufacturers and 4-Guys is holding firm on their bid. Even though Rosenbauer's bid was the lowest, they didn't submit it as it was requested in the bid. Trustees Suits and Crandall will meet with the truck committee to discuss further.

Firemen Field Days is to take place this weekend. Clerk Williams indicated that the office hadn't received a Certificate of Insurance from the individual who was contracted to do the fireworks. Attorney Perfetti advised clerk Williams that without this the fireworks display couldn't be held. She will advise President Mahlon Irish, Jr. A copy of this certificate should be also mailed to Francis and Cheryl Riter, whose property is being used to ignite the displays.

COMMUNITY DEVELOPMENT report.

Delinquent Loans – The following summarizes actions on the delinquent loans.

Horr's – Attorney Patrick Perfetti filed a lien on their mortgage for the amount of their CDBG loan.

Small's – Attorney Perfetti will take action on this loan.

Kash's – Attorney will handle in small claims court.

Brayton, Crupi (Brown) – both are in foreclosure.

Memo from Thoma re: Andrew and Laurie Leach's participation in the CDBG program. This requires a waiver request because of Laurie Leach's mother; Beverly Berry is the village's Deputy Clerk-Treasurer. **Motion Genevieve Suits, 2nd.** Joanne Sweeney – in favor – Trustees Suits, Sweeney, Crandall, abstained Michael Berry (he is a uncle to Laurie Leach) that **the Board determined that there isn't any conflict of interest because Laurie Leach's mother Beverly Berry, Deputy Clerk-Treasurer doesn't have any voting powers, and therefore there wouldn't be a conflict.** Attorney Patrick Perfetti will be providing an **Opinion of Counsel letter.**

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to contract with Thoma Development at an hourly rate. Rates are as follows: \$75/hr. – Bernie Thoma; \$45/hr. – Program Manager; \$20/hr. clerical.**

OLD BUSINESS:

FEMA – Representatives met with the Mayor. Supt. Galeotti indicated that there wasn't as much damage at Durkee Park when the water receded. The Village came up with approximately \$4,000 +. The Homer Fire Department's involvement with the flooding can be used toward the Village's 12%. Chief Ryan indicates the figure for their assistance will be in the amount between \$5,000 - \$10,000 range. The fire department's assistance with other townships will be reimbursed to that particular town they assisted, not the Village.

1995 John Deere Tractor was sold through sealed bids for \$1650 to Matthew Manusse, May 16, 2005.

J.M. Murray Center, Inc. has been contacted to have their clients assist with cleaning up the business section of the Village of Homer. The area covered will consist of the Town Hall south to Key Bank, across the street from Key Bank north to the Happily After Book Store. They will assist with watering plants at street level twice a week, weeding around the trees, sweeping, picking up litter etc. They will be in the village three times a week.

VILLAGE HANDBOOK – The Village Clerk's office is continuing to update the handbook. Attorney Perfetti explained the importance that each employee signs a document that he/she has received this. **Motion** Roy Crandall, 2nd. Joanne Sweeney - all aye **to accept the handbook as presented with the amendment under USE OF SICK LEAVE allowing use for sickness of immediate family members i.e. spouse and children.** (Refer to motion under Treasurer's report.)

The *attached* resolution **endorsing the approval and endorsement for the Center for the Arts of Homer, Inc. was approved, Motion** Genevieve Suits, 2nd. Michael Berry – all aye.

ATTORNEY:

WATER USERS OF MUNICIPAL WATER OUTSIDE THE VILLAGE OF HOMER – Attorney Perfetti indicated that the State doesn't allow relevy of these services onto other municipal taxes. The only action the village has for non-payment of water rents is to 1) Shut off the service. 2) Require advance payments and hold as a deposit for the services. Currently the Village of Homer serves two residents outside the Village of Homer. They are Timothy and Crystal Marsh, 1226 New York State Route 90, Town of Homer, Cortland County and Rodney and Eivor Sellen, 5031 West Road, Town of Homer, Cortland County.

The following bills were approved for payment:

General Fund	Voucher #192 - #280	\$321,826.55
Water Fund	Voucher # 79 - #113	\$ 57,185.52
Sewer Fund	Voucher # 79 - #113	\$ 86,754.39
Comm.Dev.Block Fund	Check #1357 - #1359	\$ 1,140.74
Capital Projects Fund	Check #572 - #574	\$ 4,375.00

8:45 p.m. Meeting adjourned, Motion Michael Berry, 2nd. Roy Crandall, all aye.

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

July 5, 2005

5:30 p.m. Regular Meeting of the Board of Trustees was called to order by Mayor Michael McDermott. The Pledge of Allegiance followed.

PRESENT: Mayor Michael McDermott; Trustees – Joanne Sweeney, Genevieve Suits, Michael Berry, Roy Crandall; Eric Mulvihill – WXHC 101.5 FM news director; HFD Chief – John Ryan, Jr.; Recreation Director – Jeff Lewis; Cortland Standard reporter – Adam Samrov; Code Enforcement Officer – Bruce Weber (7:30 p.m.); Attorney – Patrick Perfetti; residents – Don VanSlyke and Randy Weatherby; and Clerk-Treasurer – Jo Anne B. Williams.

MINUTES of June 6, 2005 were accepted as presented, Motion Genevieve Suits, 2nd. Joanne Sweeney– all aye.

TREASURER’S report.

Clerk-Treasurer Jo Anne Williams reported that the Annual Update Document had been filed with the State Comptroller’s Office for fiscal year ending February 28, 2005. A copy is on file in the Clerk’s Office for review.

The following Budget Modification was approved, Motion Michael Berry, 2nd. Genevieve Suits – all aye. Increase A510 – A2350 - \$3,000

Increase A960 – A7140.401 - \$3,000

Purpose is to record monies received from Cortland Co. Convention and Visitors Bureau to assist with publicizing the Summer Concert series. This is to assist with encouraging tourism in Cortland County.

Motion Joanne Sweeney, 2nd. Michael Berry – all aye, to amend the encumbrances for fiscal year ending February 28, 2005 to include P.O. 1743 for \$10,000 for Durkee Park lighting.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CODES report was received as submitted, Motion Joanne Sweeney, 2nd. Genevieve Suits – all aye.

Attorney Perfetti requested that the letter the Village Planning Board requested the Code Officer send to James Harder listing 30 unlicensed vehicles not be enforced until such time when new legislation has been passed. He explained his concern for attempting to enforce legislation that was previously recorded in the Codes with legislation that the Board is considering revising. The situation would be much clearer if reference is made to only one law on record.

Residents Don Van Slyke and Randy Weatherby addressed the Village Board with their concerns with the garbage located at 32 & 34 Cortland Street and the number of children hanging out at this location. They are very loud, and shout profanities into the early hours of the morning. A number of these children are using skateboards. They noted the Village Police Department has made several arrests. These children appear to be unsupervised. They noted that this past weekend there wasn’t much unrest, but Mr. Weatherby stated that something had to be done about this situation.

Attorney Perfetti stated that the residents could take civil action against the tenants or landlord. The Village Board can only engage action on behalf of the Village. This would fall under a public nuisance, and Mr. Perfetti indicated that he would need to review the Village Codes. The Board of Trustees could also authorize the Police Department to make routine drive bys, and a letter could be sent to the landlord to make them aware that this problem exists.

Trustee Joanne Mazzone noted that the Village Codes does have a section-addressing curfew.

Mayor McDermott will talk to Police Chief Dan Mack and request that children violating the codes be kept until their parents arrive at the Police Station to pick them up. He would also contact the Code Officer to check each day for any violation that needed to be addressed at these two locations.

DOG report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Mazzone – all aye.

Trustee Suits indicated that the two Dobermans still remain an issue in her neighborhood. Her neighbor is building a 6' fence. The Town of Homer indicates that these two dogs aren't licensed. It was reported that they barked for 3 hours straight. The police department was summoned. It was reported that the owner agreed to take care of the situation. The owner fed them to take care of the situation and after they had eaten they began barking again.

POLICE report was received as submitted, Motion Joanne Sweeney, 2nd. Genevieve Suits – all aye.

It was reported that a young individual took a woman's purse in the Key Bank parking lot and ran down to the former David Harum Restaurant building and entered the building and made his way to the roof of the building where he was apprehended.

Discussion followed regarding the reimbursement of training costs from an officer leaving the employment of the Village of Homer prior to his completion of three years of service. The officer in question has turned this matter over to his attorney. Attorney Perfetti spoke with NYCOM attorney and was given information that he will do additional research and proceed accordingly. The Village Code of Ordinances Section 40-3 outlines the recovery costs should an officer leave prior to three years of the date of completion of training.

Update on handicap ramp for Police Station – The plans submitted to Code Officer Weber still require additional information. Trustee Suits will contact Cindy Teter, landscape architect for the project, to check on her progress with the required information.

Update on proposals for painting the trim of the Police Station - Supt. Galeotti stated he had received a proposal from Doc's Home Improvement. Wade Sprouse had been over to the Police Department to survey the area, but hasn't submitted his proposal to date. Officer Vestal's friend who does painting will also submit a proposal.

RECREATION – report was received as submitted, Motion Michael Berry, 2nd. Genevieve Suits – all aye.

Town of Preble field use update – The Town of Preble granted permission to the Village Recreation Department to use their fields for Babe Ruth baseball. They require additional medical insurance for the players and coaches. Town of Preble supervisor, Mrs. Pittman granted the request for one year only. Recreation director Jeff Lewis indicated that the Babe Ruth program opted not to use the fields. Next year director Jeff Lewis may request to speak to their Board and present numbers of those using the program and the location each participant represents to substantiate the request to use their fields.

Outdoor Program – Bailey Agency (Village of Homer's agent) indicated that Selective Insurance wouldn't provide insurance coverage for this program. They submitted a request from Commercial Travelers and they would provide coverage for the program with exclusions – climbing or scaling mountains. Jeff Lewis, recreation director spoke with Geoff Sorenson and he stated they wouldn't do the climbing or scaling mountains. They would like to pursue the program. If not done this year, they would like to actively pursue the following year.

Resignation received from Bruce Eves from the Recreation Commission. The Board of Trustees received this with regret. Individuals are being considered by the Mayor for this vacancy.

STREETS/PARKS report was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.
Report also received from Mike Harter, meo/mechanic regarding all the repairs/service to village owned vehicles for the month of July.

Previously a complaint had been received from Pat Gray regarding trash along the railroad track. She was directed to contact Code Officer Bruce Weber. No further contact has been made.

Short discussion ensued regarding mowing of the railroad property on Cortland Street. It was determined that the Village would continue to mow this area as they have in the past.

Fraternal organization had contacted the Mayor regarding placement of a plaque in memory of Leon Chandler, on the footbridge of Newton Water Works Park that crosses from the parking lot into the park. This request was granted.

F.E.M.A. update – The Fire Department will be receiving \$4302.00 for equipment costs during the flooding April 2-4, 2005. Chief John Ryan suggested that Mayor McDermott correspond with the supervisors from the Town of Homer and Town of Cortlandville to request the funds received by each municipality for services provided by the Village of Homer Fire Department be returned to the Village of Homer. F.E.M.A. distributes the funds to the community that the services were rendered. Chief Ryan asked if the funds are returned to the Village of Homer, that they be placed into the Fire Truck Reserve for the new tanker.

Newton Water Works received \$3093.29 from F.E.M.A. for removal of rock debris to allow the blocked channel to act an overflow channel to remove the health & safety hazard.

E-mail received concerning noise in the early morning hours. Dafee Tree Service was cutting trees commencing 7:00 a.m. An e-mail was received by an individual requesting that these services start at a later hour to allow working individuals extra hours of uninterrupted sleep. A reply was made by the Clerk's office indicating that the Codes allow for construction to commence at 7:00 a.m. and apologized for any inconveniences that it may have caused.

Notation was made regarding orange truck with Village of Homer on it seen over the 4th of July weekend on the corner of Clayton Ave. & Stephenson Street. (Clerk discussed this with Supt. Galeotti. He stated that it didn't belong to the Village of Homer, that it was a truck purchased from the Village of Homer by John Bergeron. He has been asked to remove the lettering on the truck, but to date hasn't removed it.)

Ticketing vehicles on Pine Street – Ward Dukelow contacted the Mayor to discuss individuals receiving tickets while dropping off/picking up their children at a day care residence on Pine Street. There are no signs indicating there's no parking. Trustee Roy Crandall stated that the signs were in the river. He has removed them, but the lettering has faded and would need to be re-lettered. Trustee Suits wanted to make sure they're licensed and have been approved for home occupancy business. (Code Officer stated that home day care is exempt from zoning enforcement.) Because Pine Street is very narrow, Mayor McDermott will contact Supt. Galeotti and have the "no parking" signs replaced.

WATER/SEWER report was received as submitted, Motion Roy Crandall, 2nd. Michael Berry - all aye.

Extension requested from Charles Spina, 22 N. Main Street, Homer to repair his water service line.
Motion Joanne Sweeney, 2nd. Michael Berry – all aye **approved his request for 30 days only, subject to**

service being shut off if correction hasn't been made by 30 days from July 5, 2005. Attorney Perfetti will advise Mr. Spina of the Board's decision.

\$8000 addendum to Natgun's Contract for a railing around the top of the tank was discussed. Supt. Barber requested that the railing be installed for safety reasons. The trustees questioned why this wasn't in the original specs. The Board asked Mayor McDermott to contact engineer Tim Buhl why this wasn't included. Further discussion was tabled until explanation could be given for the omission.

FIRE CHIEF'S report was received as submitted, Motion Genevieve Suits, 2nd. Michael Berry – all aye.

The application of Alan J. Congdon, 6 Henry Street, Homer, NY for membership into the Homer Hook & Ladder Company, and reinstatement of Jeff Sanford were accepted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye (*physical papers were attached*).

New Tanker – Fire Chief John Ryan, Jr. requested that the Board of Trustees award the tanker bid. The bids from Rosenbauer/S-Fire and 4-Guys were reviewed. 4-Guys bid including inspection trips totaled \$147,610. Rosenbauer's bid including inspection trips totaled \$139,950. Difference including inspection trips is \$7660. The Fire Department is hoping to receive \$4302 from F.E.M.A. and with the \$60,000 that will be in the Fire Truck Reserve; it would leave approximately \$83,308 to finance.

Trustee Berry requested that before awarding the bid, the Village should determine how they are intending to finance the vehicle. Chief Ryan gave Trustee Berry telephone numbers for 4-Guys, Mark Aswad – 315-422-0176 or Pete Amos 315-497-2097 and Eric Saulsbury – 607-749-4880 for Rosenbauer's to contact to discuss financing offered by their companies. The other option would be for the Village to obtain a Bond Anticipation Note. No award was approved at this time.

FIRE DEPARTMENT PRESIDENT'S report for the month of May and June were approved as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

The president's report inquired about the status of someone preparing bid specs for the replacement windows in the Fire Station. Trustee Roy Crandall will check with **the GlassSmith** on specs.

COMMUNITY DEVELOPMENT:

Delinquent loan status was reviewed by the Board. The Board of Trustees authorized Attorney Perfetti to take action against Dennis and Teresa Small. They further agreed to have the attorney attempt to collect the final payment from Louann and Joseph Kash, Jr. in small claims court.

Applicants for 2004 CDBG Program were submitted by Thoma Development Consultants for the following:

1. David and Debra Rawson
4 ½ Greenwich Street, Homer
0% loan for \$13,599.50 for plumbing, flooring, other, waterline replacement, roofing, exterior carpentry and electric.
2. Kathy Frisbie
62 Cortland Street, Homer
0% loan for \$9,086.34 for roofing, windows & doors, exterior carpentry, electric, flooring and other.
3. Paul and Patricia Husted
14 Meadow Drive, Homer
0% loan for \$12,968 for siding, windows & doors, interior carpentry, insulation & electric.

Trustees approved #1 – David and Debra Rawson and #3 – Paul and Patricia Husted, Motion Michael Berry, 2nd. Roy Crandall – all aye.

Motion Joanne Mazzone, 2nd. Genevieve Suits – all aye to have Thoma verify the source of income for #2 – Kathy Frisbie.

Mayor McDermott reported that the J. M. Murray Center clients were doing a fine job in the business section of the Village. He had received many compliments from the business owners.

County Recycling Program Update – The County is still waiting a decision from the city. The City of Cortland has this topic on their Agenda for July 5, 2005.

Fluoride in the village water supply – Trustee Roy Crandall provided pages of information for the trustees to review. The information provides a lot of negative information why fluoride should not be added to the water supply. Mr. Crandall stated that Europe bans fluoride. He further noted that studies have indicated that over the age of 14 years of age, there's no benefit. Natural fluoride is present in many foods and drinks i.e. cereal, beer, and wine. White spots and white streaks in the teeth indicate fluorosis.

Attorney Perfetti indicated that the pros and cons of fluoride are split. Information can go either way. It is a toxic substance. Trustee Crandall will continue to research and suggested that the trustees go to www.fluoride.org to obtain additional information.

Trustee Genevieve Suits spoke with four dentists in Cortland County. They indicated that removal of fluoride from our system would only increase their business.

Mayor McDermott stated that the fluoride system had been updated twice during his term as a trustee prior to being elected as mayor.

The Board indicated that Supt. Lawrence Barber and a representative from the County's Health Department should provide information on this topic prior to any further action being taken.

McDonald's Sports Complex requested advertising their activities on the Village's website. Motion Genevieve Suits, 2nd. Roy Crandall – all aye to grant their request that would allow them to advertise on the village's website www.HomerNY.org.

Cost Control Associates, Inc. –Mayor McDermott had introduced himself while attending a NYCOM conference. They sent a letter outlining their services. He indicated that the village had a telephone review done by PhoneReview. Cost Control would review bills for errors such as incorrect rates, charges for nonexistent services and equipment, meter malfunctions, and many others. In addition to finding errors, the Program also includes a search for ways to reduce ongoing costs.

There are no upfront fees. All fees are paid as a percentage of the refunds and savings after we would receive them. Research would include NYSEG, NIMO and Cingular (cellular) bills. They would need copies of two years of billing from each of the utilities.

Motion Michael Berry, 2nd. Roy Crandall – all aye to have Mayor McDermott pursue the services of Cost Control Associates, Inc.

The following bills were approved for payment, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.:

General Fund	Vouchers #281 - #387	\$784,606.41
Water Fund	Vouchers #114 - #144	\$ 16,176.29

Sewer Fund	Vouchers #114 - #144	\$ 9,455.00
Capital Proj. Fund	-----	-----
C.D.B.G. Fund	-----	-----

8:15 p.m. Meeting adjourned, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treas.

HOMER, NY
July 19, 2005

8:00 a.m. Special Meeting of the Board of Trustees was called to order by Mayor Michael McDermott.

PRESENT: Mayor Michael McDermott; Trustees – Joanne Sweeney, Roy Crandall, Genevieve Suits, Michael Berry; Eric Mulvihill – news director WXHC 101.5 FM; Attorney Patrick Perfetti; Clerk-treasurer Jo Anne Williams.

Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to authorize the Clerk-Treasurer to advertise bids for work on No.2 Well pump. Supt. Lawrence Barber to assist with specs and to be reviewed by engineer Kenneth Teter. Board recommended the Clerk-Treasurer advertise in the Post Standard as well as the Cortland Standard.**

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to expend up to \$8,000 from the Water System Reserve, subject to permissive referendum for the purpose of repairing the No.2 Well at Newton Water Works.** The balance of the project will be paid through the \$26,000 budgeted in this year’s budget.

Proposals received to paint the trim on the Homer Police Station at 43 ½ James Street, Homer were as follows:

Wade Sprouse	\$2030
Ronnie Rose	\$4000
Doc’s Homer Improve.	\$4800

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to award the project to Wade Sprouse.** *(Clerk to advise Mr. Sprouse, a certificate of insurance listing the Village as additional insured and a copy of his worker’s compensation if applicable, to the Clerk’s office prior to commencement of the project.)*

Application for 2004 CDBG Program – Phil Connery from Thoma Development Consultants presented to the Board additional information indicating additional income verification from applicant Kathy Frisbie, 62 Cortland Street. With the information supplied Michael Berry made a Motion, 2nd. Joanne Sweeney – all aye **to approve Kathy Frisbie’s application for a 0% loan for \$9086.34 for roofing, windows and doors, exterior carpentry, electric, flooring and other.**

9:00 a.m. meeting adjourned, Motion Joanne Sweeney, 2nd. Michael Berry.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
August 2, 2005

5:30 p.m. Regular Meeting of the Board of Trustees called to order by Mayor McDermott. Pledge of Allegiance followed.

PRESENT: Mayor Michael H. McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Michael Berry, Roy Crandall; Attorney Patrick Perfetti arrived at 4:45 p.m.; WXHC 101.5 FM news director – Eric Mulvihill; HFD Chief – John Ryan, Jr., Cortland Standard reporter – Adam Samrov; Jim Knobel – village resident; Jo Anne Williams – Clerk/Treasurer.

MINUTES of July 5, and July 19, 2005 **were approved as submitted, Motion** Michael Berry, 2nd. Roy Crandall – all aye.

Mayor McDermott scheduled a **meeting** with Planning Board Chair, Russ Darr, attorney Perfetti, Code Officer Bruce Weber and requested that Trustee Michael Berry or Genevieve Suits attend to discuss **code issues regarding Craig’s on S. West Street (Rte. 281) and Harder’s business on S. Main Street (Rte. 11)**. Clerk Williams was requested to provide copies of minutes regarding these two violations and copy of attorney’s opinion letter.

TREASURER’S report for operating funds through June 30, 2005 was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

FIRE CHIEF’S report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Chief Ryan indicated that the Homer Fire Department would receive \$4000 + from FEMA for their assistance during the flooding that occurred April 2005. Labor provided by the Homer Fire Department volunteers would be paid directly to the Town of Homer and Town of Cortlandville. Chief Ryan asked that Mayor McDermott request the volunteer’s portion paid to the other municipalities be refunded to the Village of Homer. Mayor McDermott will send letters to both the Town of Homer and Town of Cortlandville.

Chief Ryan reported that the telephone line that supports 749-2112 has been used by the County of Cortland as a roll over line for their 911 Center. The fire department had no knowledge of this until the Chief answered a call that came through on that line and questioned the county. The Fire Department had an answering machine connected to this line because there was no knowledge of this and have since disconnected the answering machine. The Chief discussed this issue with the county and they indicated that the \$800 budgeted for this line could be placed in the county’s budget and reimbursed to the village. Chief Ryan asked that the coordinator contact Clerk Williams to get the particulars regarding the 749-2112 number. Trustee Michael Berry suggested that both the Mayor and Fire Chief place their concerns in letterform to the Sheriff’s Department.

New tanker – Trustees Genevieve Suits and Michael Berry discussed awarding the bid for the tanker to Rosenbauer’s S-Fire. Financing was discussed. Clerk/Treasurer Williams had contacted Key Bank and Alliance Bank for an estimate of interest for the first year of a B.A.N. 3.75% was submitted by Alliance Bank. Key Bank would not respond unless they were actually bidding. Laurel Mountain Leasing offered 3.69% fixed interest for a five-year financing period. Total price for the tanker is \$137,950. The Village would put \$60,000 down and finance the balance, \$77,950. Short discussion followed. It was determined by the trustees to finance the tanker through Laurel Mountain Leasing at a fixed rate of 3.69%. The following resolution was passed.

RESOLUTION AUTHORIZING THE PURCHASE OF A TANKER: Motion Trustee Genevieve Suits, 2nd. Roy Crandall **to award the bid for a 2006 fire fighting apparatus – tanker to S-Fire/Rosenbauer. Bid was \$137,950.00. Village of Homer will make a down payment of \$60,000 from their Reserve Fund and finance the balance, \$77,950.00 through Laurel Mountain Leasing at a fixed rate of 3.69% for a period of**

five years. First payment date would be May 1, 2006 for \$17,919.33. All in favor – Trustees Genevieve Suits, Joanne Sweeney, Michael Berry and Roy Crandall. **Motion passed.** Trustee Genevieve Suits to contact Eric Saulsbury. Trustees asked that the leasing company be contacted to insure there wasn't any pre-payment penalty. (*Clerk/Treasurer Williams contacted Laurel Mountain Leasing and they stated that no pre-payment could be made within the first two years. After that a 1% penalty would be applied on the unpaid principal.*)

Motion Joanne Sweeney, 2nd. Michael Berry – all aye **to approve Ryan P. Mead, 9 Wall Street, Homer, NY into the Homer Hook & Ladder Company** (*physical papers were submitted*).

Mayor McDermott inquired if the Chief had contacted Greenbriar Nursing Home regarding the supervision of their required fire drill. The Chief had responded that he had contacted them three weeks ago.

Emergency Preparedness Plan – Mayor McDermott gave Chief Ryan a boilerplate plan provided by NYCOM for him to review. Purpose is to update the Village of Homer's Plan.

HFD PRESIDENT'S report – report was not received in time to be distributed to the trustees to review prior to the meeting. Trustee Suits will contact president Mahlon Irish to delegate this responsibility to the Vice-President if he isn't able to get it to the Clerk in time.

CODES report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye. Discussion ensued regarding issuing tickets in a designated “no parking” zone while dropping off children for day care. The attorney reminded the Board, removal of signs could be done only by local law and the officer's would need to continue issuing tickets as long as the laws were being violated.

Proposed legislation for “Junkyards and Storage of Junk” - Meeting date is to be rescheduled. Trustees Berry and Crandall will meet with attorney Perfetti to discuss finalizing the proposal.

Proposed Order on Ling Wang's property – Property is now in compliance with building permit requirements.

32-34 Cortland Street – Attorney Perfetti indicated that a government attorney could only bring about nuisance action. This is because nuisance activities may not be criminal. A citizen has to be placed on notice. The trash issue can be handled through the Village Codes. The code officer has been advised of this problem.

Ms. Beaudry is registered as the rightful owner of this property (34 Cortland St.). She had contacted the Clerk's Office and stated that she was no longer the owner of this property and it was transferred to Pierre's name through divorce action. Apparently these papers did not get filed.

56 – 56 ½ Cortland Street – This property is owned by Stephen Simolo, 4 Frederick Ave., Homer. Mayor McDermott reported to the Board that the language used by the group that congregate around this location is atrocious. The Mayor indicated that he tried unsuccessfully to contact the owner, but the number listed is no longer in service. The situation warrants a letter to be sent to the owner. Skate boarders are in the road and the Mayor is concerned that someone will get hurt. Mayor McDermott will write a letter and speak to the Police Chief regarding this problem.

DOGS – report was received as submitted, **Motion** Roy Crandall, 2nd. Joanne Sweeney – all aye.

Attorney Perfetti indicated that the nuisance ordinance doesn't address canines. Trustee Genevieve Suits will contact dog warden, Paul Burhans regarding the Doberman issue in her neighborhood.

POLICE – report was received as submitted, **Motion** Michael Berry, 2nd. Roy Crandall – all aye.

It was noted that the Police Department is now fully staffed with officers and the village is covered 24 hours a day.

Attorney Perfetti will follow up with **reimbursement** to the Village for **training for Officer Parente**.

NIMO (Billing indicates Police Department is still using over 2000 kWh each month.) Supt. Galeotti spoke with Larry Housel, electrician and he stated that there isn't any insulation in the building and the heat pump that runs the air conditioning runs off the old furnace that is well over 30 years old.

Handicap Ramp at Police Department – Supt. Galeotti reported that construction would commence in August.

RECREATION – report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Outdoor Program - It was reported that there seemed to be more interest with the adult population.

Vacancy on Recreation Commission - The following names were given for consideration: Gary “Buzz” Harrington, Jr. and Jim Ulrich.

Mayor McDermott informed the Board that four children had approached him concerning a skateboard park. Corey Kellogg had also inquired about beach volleyball @ Durkee Park. (This program had been offered in the past, but didn't receive enough participation to continue.)

STREETS/PARKS – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Clerk Williams had inquired if a contract was necessary between the Village of Homer and J.M. Murray Center regarding cleaning up the business section of the Village. The response was a contract wasn't necessary as they were volunteering their services.

Request for Proposals for TREE SERVICE were received. The low bidder was Steve Dafoe. **Motion by** Michael Berry, 2nd. Joanne Sweeney – all aye **to award the tree service for a one year contract July 2005 – June 2006 to Steve Dafoe.** Attorney Perfetti will draft the contract.

Mayor McDermott discussed installing a separate electrical service for the Streets/Parks garage that runs along N. Fulton Street. Purpose would be to avoid the possibility of being billed on a demand system. During the winter months, the heated garage is used to do all mechanical repairs to the vehicles. Supt. Galeotti will be in contact with Larry Housel for quotes.

WATER/SEWER – report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Charles Spina's water service leak at 22 N. Main Street has been repaired.

Fluoride issue – Discussion ensued. Trustee Crandall requested that Attorney Perfetti draft a resolution that would allow public discussion. Also, the village would ask individuals from the Health Department to be present to give their views. Attorney Perfetti will present the Board with resolutions that would allow discussion of the pros and cons of fluoride at the Board's September 2005 meeting.

Railing for new water tank – Mayor has not been able to speak with engineer Tim Buhl regarding why this railing wasn't included with the original specs. Trustee Joanne Sweeney recommended not paying Tim Buhl's bill until he has responded to the Mayor's inquiry. Payment will be held until the Mayor has heard from Mr. Buhl.

C.D.B.G. APPLICATIONS:

The following **grant applications were approved, Motion** Michael Berry, 2nd. Joanne Sweeney – all aye:

David & Katherine Mead, 10 Meadow Dr., 0% loan - \$5,455. Work to include roofing, windows & doors, exterior carpentry, and Insulation.

Marion Dallaire, 57 Copeland Ave. 0% loan - \$15,000. Work to include flooring, masonry, other, electric, and exterior carpentry.

Catherine White, 3 Balmoral Way, 0% loan - \$4,170. Work to include painting, exterior carpentry, electric, windows & doors and Plumbing.

Sharon Hobart, 47 N. Fulton Street, 0% loan - \$10,095. Work to include exterior carpentry, windows & doors, interior carpentry, Painting, masonry and other.

Delinquent Loan update – Attorney reported that no action had been taken against Kash or Small. Mrs. Small contacted the attorney's office but Mr. Perfetti wasn't in the office. Attorney Perfetti suggest that Mrs. Small be requested to attend the September Board Meeting and to make arrangements with the Clerk. The attorney will draft a letter that would also include the request for Mrs. Small to contact her x-husband to appear also.

Recycling pick-up change – Mayor reported that the City and County haven't resolved the issue to change collection and therefore the Village hasn't made any decisions. (The change would involve different weeks for collection of certain recyclables.)

Cost Control Associates – Attorney Perfetti will review the agreement prior to authorizing the Mayor's signature. Clerk advised that two years of utility bills would need to be pulled and copied for the company to do their review. This process would be very time consuming. It was suggested to the Clerk that seniors are looking for community service jobs for graduation requirement and maybe this would be something one of them could do. (*Clerk is very concerned to have someone who isn't familiar with the whys and what for could unintentionally mess up the village records.*)

Motion Joanne Sweeney, 2nd. Roy Crandall – all aye **to accept with regret the resignation of Tim Perfetti as alternate to the Zoning Board of Appeals.**

Fall Amnesty Day – Mayor noted that the County would not approve a second amnesty day exempting the tipping fees for items brought to the landfill. Mayor will contact Scott Schrader, County Administrator to discuss further. The Village would like approval of two amnesty days a year for the balance of the contract.

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to accept the \$2100 grant for preservation of records.**

8/15/05 @ 7:00 p.m., the Congregational Church has scheduled their wrap-up meeting for the Holiday In Homer celebration held in July. The Mayor asked that Joanne Sweeney attend on behalf of the Village. Mayor McDermott complimented Supt. Galeotti and Larry McCall for the excellent job they did with removal of the trash from this event.

Roland Fragnoli asked the Board's permission to have the Carhardt Van in the Village September 2005. The Board gave their blessing.

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to accept the G.I.S. Grant award of \$19,060.** (This grant was cut \$6,410 from the amount originally requested.) Dawn Stevens, Clerk Assistant will try to work out

the allotted amount to make this grant work and still have the required G.I.S. equipment to operate the program.)

Attorney - Attorney Patrick Perfetti advised the Board and Clerk that opinion letters written by legal council should be kept on file and available for public record.

The following bills were approved for payment, Motion Michael Berry, 2nd. Genevieve Suits – all aye.

General Fund	Vouchers #388 -#481	\$119,246.01
Water Fund	Vouchers #145 -#178	\$ 11,564.27
Sewer Fund	Vouchers #145 -#177	\$ 9,560.50
Capital Proj.Fund	Check #575	\$ 3,720.85
C.D.B.G. Fund	Check #1360 - #1372	\$ 12,743.78

7:50 p.m. Meeting adjourned Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Board of Trustees pictures will be scheduled for October 4th, 2005 Board Meeting.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
August 31, 2005

10:00 a.m. Bid Opening for Newton Water Works Well No.2 Pump Replacement, Village of Homer.

PRESENT: Mayor Michael H. McDermott, Supt. Water/Sewer Lawrence Barber, Andy Jones, representative from Henderson Bros., and Clerk-Treasurer Jo Anne Williams.

Mayor McDermott read the *attached* legal notice. The following bids were received:

1. Henderson Bros. Contracting, Inc. \$46,978.00
47 Gildman Rd. Non-collusive signed and enclosed
PO Box 788 Bid Bond enclosed
Central Square, NY 13036
2. Layne Christensen Co. \$74,850
Rte. 30 Non-collusive signed and enclosed
Schorarie, NY 12157 Bid Bond enclosed
3. M. A. Bongiovanni, Inc. \$83,000
1400 Jamesville Avenue Non-collusive signed and enclosed
PO Box 147, Colvin Station Bid Bond enclosed
Syracuse, NY 13205

Seneca Well Drillers called the Clerk's office and stated they were too busy to submit a bid at this time.

10:10 a.m. Bid Opening closed.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
September 6, 2005

5:30 p.m. Regular Meeting of the Board of Trustees was called to order by Mayor McDermott. The Pledge of Allegiance followed.

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Roy Crandall, Michael Berry; Attorney – Patrick Perfetti; Lawrence Barber – Supt. Water/Sewer (5:50 p.m.); Residents – Jim Knobel & Ward Dukelow; Sarah Buynovsky – Channel 10 News reporter; Eric Mulvihill – WXHC 101.5 FM news director; Assemblyman Gary Finch (5:50 p.m.); Verna Whitney – Historian (5:50 p.m.); Adam Samrov – Cortland Standard reporter; Mary Alice Bellardini (6:10 p.m.); Jo Anne Williams – Village Clerk-Treasurer.

MINUTES: not available, Clerk will have them available for the October 4th, 2005 meeting.

TREASURER’S report. Revenue and expenditure report for the General Fund through July 31, 2005 was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

Encumbrance liquidated – Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to liquidate P.O. 1851 – Technology Park sewer line for \$8280.** This obligation expired September 1, 2005.

Budget Modification – Decrease G960 – G8120.401 – \$6410.00

Increase G960 – G9901.900 - \$6410.00

Transfer to A for GIS grant expenses that were cut from the
Award.

Increase A510 - A5031 - \$6410.00

Increase A960 – A1460.200G - \$6410.00

Xfer from G to A for GIS expenditures in the General Fund.

Motion for the two budget modifications Roy Crandall, 2nd. Michael Berry – all aye.

Clerk Williams will be sending reminder notices to the department heads regarding the upcoming budget requests and employee appraisals due in mid November.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CODES – report was received as submitted, Motion Roy Crandall, 2nd. Michael Berry – all aye.

Mayor McDermott reported on his **meeting** with Planning Board Chair, Russ Darr, Code Officer Bruce Weber and Attorney Patrick Perfetti **regarding code issues with Gene Craig and Jim Harder.** To summarize the meeting, Craig was still in violation of his original site plan and Jim Harder had not removed the vehicles that remain in violation. Letters will be sent to each of these individuals citing them of their continued violation.

Kelly Patterson, S. William Street – complaints had been received regarding the portable basketball hoop set up at the street edge and trash around the outside of the house. Complainant stated young adults playing basketball on the corner of James and South William Street obstructed the line of vision for motorvehiclists. Also, language used by the group that congregated was inappropriate.

Anna McConnell, Warren Street – letter was sent regarding tall grass that needed to be cut in the backyard. Return receipt card was returned to the village but the issue was not taken care of. Mayor McDermott indicated that once the Streets/Parks Department had a break in their activities, maybe they could go to the location and bring it into compliance. The \$75/hr. fee would be assessed.

DOG report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Trustee Genevieve Suits stated that the problem in her Suits Ave. neighborhood regarding the Doberman was not taken care of by the dog owner. The dog owner refused to do anything, so the neighbor of the dog put up a fence tall enough to correct the problem.

POLICE – report was received as submitted, Motion Joanne Sweeney, 2nd. Genevieve Suits – all aye.

Mayor noted the Police Station trim was all painted. Supt. Galeotti intends to remove the concrete on the west side by the railroad track and replace it with blacktop. Henkle's plan is to replace the sidewalk in the area that runs east/west by the chain link fence. The Village would need to replace the section that runs south of the Police Station. It was also noted by one of the trustees, that the weeds were out of control and the landscape needed some care. Mayor McDermott will contact Supt. Galeotti to rectify the problem. It was also recommended that Chief Mack address his heating/cooling system in next year's budget.

Officer Parente's reimbursement – Attorney Perfetti indicated that the County Attorney didn't agree with his recommendation for the amount of reimbursement to the Village for Officer Parente's training. He would be more agreeable to \$1300. Trustee Berry indicated that the Village should continue to pursue the full amount of requested reimbursement, if only to enforce not raiding neighboring police forces. The Board was in agreement. Attorney Perfetti will continue on the behalf of the board's request.

Assemblyman Gary Finch presented a check in the amount of \$2100 to Village Historian Verna "Blinky" Whitney and Mayor McDermott for the purpose of assisting the Village of Homer with costs associated with the collection preservation. Upon completion of the presentation Assemblyman Finch inquired if he could be of further assistance to the Village of Homer. He stated that the historian should keep in contact with him should she require further funds. Mr. Finch alerted the Board that the assembly was working on repealing the sales tax on gasoline. He is very much aware of the problem the added costs placed on the families and businesses.

The Clerk inquired about retirement funds. Mr. Finch replied that the Retirement System is in much better shape than they were in the past. He also assured the Clerk that funding for C.H.I.P.S. would remain. Mayor McDermott thanked Assembly Gary Finch for coming and thanked him again for the \$2100 Grant.

Fluoridation – Attorney Perfetti stated that Home Rule doesn't allow a public referendum to remove fluoride from the water system. It would be up to the Board of Trustees. He further noted that the Village Code Book doesn't address fluoride. Therefore a local law should be passed giving the authority to either add it to the water system or not to allow the additive of fluoride to the water system. Mr. Perfetti provided 5 draft fluoridation laws for the Board to consider. One local law doesn't allow fluoride, the other four local laws provide for adding 1 ppm to 4 ppm. Currently the Village is adding 1 ppm. (Parts per million).

After discussing the matter, the Board in its entirety chose to hold a **Public Hearing, Tuesday, October 11, 2005 @ 7:00 p.m. in the Sr. Center of Town Hall Building to hear comments on 1) Not allowing the addition of fluoride to the water system; 2) to allow adding 1 ppm of fluoride to the water system, Motion** Joanne Sweeney, 2nd. Roy Crandall – all aye. The Mayor will attempt to have the same representation to speak for and against fluoride prior to taking public comments or questions. Suggestions were to have people present who represent the Health Department, SUNY Cortland professors educated in this topic, and American Dental Association.

Trustee Crandall reminded the Board that the Villages of Homer and Marathon were the only ones in Cortland County that added fluoride to their water system. He also stated that today's nutrition is better and therefore our children's teeth are better.

Discussion on proposed legislation "JUNKYARDS AND STORAGE OF JUNK". Former mayor, Mary Alice Bellardini asked the Board's permission to speak. Mayor McDermott invited her to make comments.

Mrs. Bellardini expressed the proposed law was too generous. That Section 143-6 B to allow the sale of three vehicles in one year from one's residence would be considered a business. She further concluded the period of time allowed to correct the violation was much too long. A violation could go on forever before any corrective action could be taken. She thanked the Board for allowing her to speak.

Following discussion by the Board the following amendments were made to the draft local law:

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to amend Section 143-6 B- under no circumstances may an individual have more than 2 (not 3) such motor vehicles for sale in a calendar year.**

Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye **to amend 143-7B – change to correct violation within 15 not 30 days, and prior to the expiration of the 15 not 30 days notice period, the registered owner or title holder of the abandon vehicle or junk vehicle and the owner of the property, where such are not one in the same person, may cure such violation by removal of the offending abandoned vehicle or junk vehicle,**

Motion Michael Berry, 2nd. Genevieve Suits, all in favor Berry, Suits, Sweeney; opposed Roy Crandall, motion carried **to amend Section 143-7C – where the violation is not cured within the 15 not 30 day notice period, the Village, through the Code Enforcement Officer, will notice the registered owner or title holder of the abandon vehicle or junk vehicle and the owner of property, where such are not one in the same person, to appear before the next regularly scheduled meeting of the Village Board of Trustees to give cause why such remediation of violation has not been effected, said Village Board of Trustees, may:**

Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye. **To amend Section 143-7C (2) Grant a single 15 (not 30) day period to permit remediation of the alleged violation: or,**

Motion Genevieve Suits, 2nd. Michael Berry – all aye **to amend the NOTICE OF VIOLATION OF OPEN STORAGE STATUTE in the bottom paragraph to read 2) grant a single 15 (not 30) day period to permit remediation of the alleged violation; or,**

Public Hearing for proposed Local Law #2-2005 "Junkyards and Storage of Junk" is scheduled for October 4, 2005 @ 5:30 p.m. in the Village Board Room of the Town Hall Building.

WATER/SEWER – report was received as submitted, Motion Joanne Sweeney, 2nd. Michael Berry – all aye.

\$8,000 railing proposed by Natgun for the new water tank – Mayor McDermott spoke with the engineer and he explained that OSHA did not require a railing around the hatch door at the top of the tank. Supt. Barber had requested a railing as a safety factor for all village employees accessing the hatch. The Mayor and Trustees were concerned that this was an oversight of the engineer and should have been included with the original specs.

Natgun, contractor for the tank quoted \$8,000 for a stainless steel railing to be installed around the hatch area. The Board discussed this and determined the cost to be extremely high. **Motion** Michael Berry, 2nd. Genevieve Suits – all aye **to have a stainless steel railing installed around the hatch area of the new water tank at a**

cost not to exceed \$8,000 with the stipulation that engineer Tim Buhl check with Natgun if the Village could contract with someone else to do the project (at a lower cost to the Village) and that the construction wouldn't affect the warranty of their tank.

Newton Water Works Well No.2 Pump Replacement Project awarded to Henderson Bros., Motion Roy Crandall, 2nd. Genevieve Suits – all aye. For the low bid of \$46,978.00. The project will be financed as follows: \$26,350 from the Water Fund Budget; \$8,000 from the Water System Reserve; \$12,628 Budget Modification after the encumbrance for P.O. 1853 Technology Park has been liquidated.

Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye to liquidate the encumbrance P.O. 1853 – Technology Park water line F8340.400, obligation expired, September 1, 2005.

Motion Michael Berry, 2nd. Roy Crandall – all aye. To Decrease F960 – F8340.400 \$12,628.00, and Increase F960 – F8320.401 \$12,628.00 for the purpose of funding the balance of the Well No.2 Pump Replacement Project.

Albany Street lift station repair – Motion Michael Berry, 2nd. Joanne Sweeney – all aye to expend \$7,911.10 from the Sewer Repair Reserve for the purpose of repairing the Albany Street lift station. (This is subject to permissive referendum.)

RECREATION report was received as submitted, Motion Joanne Sweeney, 2nd. Genevieve Suits – all aye.

Mayor McDermott reported that director Jeff Lewis hasn't been able to coordinate a meeting with the sports involved regarding his plans for Griggs Field.

It was further reported that the Little League out of Williamsport, Pa. invited the Homer Little League to go there because of their outstanding safety record. Homer along with four other teams would be placed in a drawing for money to be donated by the National League for field lighting. No word has been received on the outcome of the drawing.

Mayor McDermott stated that there had been vandalism at the Griggs Field Concession Stand.

Outdoor Program will be a new program offered in 2006.

The following names were recommended for the vacancy on the Recreation Commission: Gary "Buzz" Harrington, Jr., Hannum Ave., Troy Humphrey a new resident who lives on Cortland Street, and Jim Ulrich from Elm Street.

Sock Hop held Saturday, August 20th. was a success.

STREETS/PARKS report and Mechanic's report were accepted as submitted, Motion Genevieve Suits, 2nd. Michael Berry – all aye.

Mayor McDermott reported that the **Durkee Park Project** has been completed.

Supt. Galeotti indicated that electrician Larry Housel hasn't gotten back to him with a quote for a new service for the garage that runs along N. Fulton Street. Purpose of this quote is to avoid excessive kWh and being charged for the demand-billing rate.

FIRE – president's report for August was received as submitted, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

The President's report inquired if the Trustees had taken action regarding window specs for the fire station. Trustee Crandall indicated that he had stopped in at the GlassSmith shop on S. Main Street, Homer and requested that they submit specs for us. He will contact them again.

Clerk Williams reported that the **new tanker leasing through Laurel Mountain Leasing was locked in at the 3.69% interest.**

FIRE – chief's report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Chief Ryan's report indicated he was pricing a self-contained haul behind trailer for the purpose of storing Rehab/Highway/Haz-Mat/ and large cribbing supplies. The trailer would be hooked up behind the 542 or 511. The Board indicated that they would like the Chief to attend to discuss this further, and also inquire where the trailer would be stored.

Homer Rescue Squad was recently awarded a grant from New York State Department of Health/CNY EMS for \$3,400.00. This will be used to purchase (2) AED's. The original request was for 5. The Rescue Squad will purchase the Zoll ® AED Plus units. The rescue squad plans on equipping the 501 and the mutual aid engine 503 with the new AED's. Both units are equipped with a set of adult and infant electrode pads, carrying case, batteries, training & maintenance software.

COMMUNITY DEVELOPMENT report.

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to accept the Status of Funds report as submitted.**

Rehab Status report was received as submitted, Motion Joanne Sweeney, 2nd. Michael Berry – all aye.

Rehab Grant for seniors 65 and over – Thoma Development Consultants contacted the Clerk and inquired if the Village would be interested in submitting a grant application for this project. The fee to write this grant would be \$4500 (minus the monthly amount already paid to Thoma for grant writing), plus a 5% discount. Additional charges would include reimbursable expenses up to \$500 that would include 5% added to the actual cost. The assessor's office indicated to Thoma that the Village has 48 households that qualify for the aged exemption. Grant request would be for \$400,000 of which \$350,00 would be for rehab. Discussion of the Board followed.

The Board appeared to be concerned about the cost of writing the grant application. With the increase in fuel costs, cutting the amount in contingency and still having several months left in our current budget, they chose to table discussion until next month.

Delinquent loans – Joe Kash made his last payment, so attorney Perfetti will withdraw action on this individual.

Part-time Clerk Assistant Patricia Storrs was requested to contact attorney Perfetti with the balance for Phil Connery's business loan to re-amortize and get the interest rate based on prime.

Theresa Small contacted the Clerk and would like to attend the October 4, 2005 meeting to discuss her loan.

Holiday In Homer wrap-up meeting – Trustee Joanne Sweeney indicated that the committee was disappointed that the banner didn't get put up earlier. The Board explained, it wasn't the responsibility of the Village. In the past the church has contacted Steve Dafoe. Otherwise the committee was very happy with event.

Fall Amnesty Day – Don Chambers, Cortland County Highway Supt. was contacted regarding this. He replied that the county was not going to offer an amnesty day in the fall. Trustee Berry expressed that the Village should offer a second clean-up day and run it the same as the Village did in the spring. Our contract with the trash hauler provides for two days during the year. Trustee Suits and Berry will contact county legislatures Newell Wilcox, Steve Dafoe, and Tom Williams to see if anything can be worked out with the county and will advise the Clerk of their findings.

Appointment to Z.B.A. – Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye **to approve the Mayor’s appointment of Lisa Lewis as an alternate to the Zoning Board of Appeals. She will replace Tim Perfetti’s vacancy. Term will expire, March 31, 2008.**

ATTORNEY:

Cost Control Associates, Inc. (company that reviews utilities bills, telephone and cell phone bills) – Attorney Perfetti did not recommend the Village sign an agreement with this company as it was submitted. The three points he takes issue with are: the required use of the American Arbitration Association, Arbitrating in Albany, New York and the award of Attorney’s fees. The Clerk gave attorney Perfetti the person to contact and he will write a letter on behalf of the Board noting these issues.

Village of Homer vs. Ling Wang – Case has been resolved. Attorney Perfetti will submit a final bill to the Village.

Motion Roy Crandall, 2nd. Michael Berry – all aye **to pay the following bills:**

General Fund	Vouchers #482 - #596	\$193,555.26
Water Fund	Vouchers #179 - #218	\$ 17,204.45
Sewer Fund	Vouchers #179 - #218	\$105,222.99
Capital Proj.Fund	Check #576	\$ 662.50
C.D.B.G. Fund	Checks #1360 - #1372	\$ 12,743.78

Gary Schiffer, retired State Trooper introduced himself to the Board and advised them he was running for Town of Homer Justice.

8:35 p.m. meeting adjourned, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
October 4, 2005

5:30 p.m. Public Hearing, proposed Local Law #2-2005, “Junkyards and Storage of Junk”.

Present: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Michael Berry, Roy Crandall; Paul Burhans – Dog Control Officer; Gary Shiffer – individual running for Town of Homer Justice; Eric Mulvihill – news director WXHC 101.5 FM; Adam Samrov – Cortland Standard reporter; John Ryan, Jr. – HFD Chief; Dan Mack – Police Chief (arrived 5:55 p.m.); Steve Dafoe – County Legislator (arrived 6:30 p.m.); Gary Harrington (arrived 6:35 p.m.); residents - Larry Austin, Craig Handlemann, Barry Ryan, Harry Bellardini, Ward Dukelow.

Mayor McDermott led those present in the Pledge of Allegiance. He then called the Public Hearing to order. (**Public Hearing notice is attached.**) Attorney Patrick Perfetti read the proposed local law.

The Mayor then asked those present if anyone wished to make any comments.

Trustee Sweeney expressed her opposition to sections of the proposed local law.

Lawrence Austin – expressed his concern for the 15 day correction period. He noted some people are gone more than fifteen days. Attorney Perfetti stated that the Order to Correct within 15 days is from the receipt of said Notice and Order, by certified mail, return receipt requested.

Ward Dukelow questioned Section 143-6 Restrictions. C. – He stated that most of the driveways were of single width and the occupants of the property would need to continually move the cars to access the property. He further stated that he felt the law was too overly restricted.

Clerk Jo Anne Williams asked the attorney if we could leave off the Code Officer's name from the **Notice of Violation of Open Storage Statute** to avoid changing the Code Book when there's a change in code officer. Attorney responded yes, and that he caught that when reading over the legislation.

Mayor McDermott noted that he had received an e-mail regarding Section 143-6. The message noted that an apartment owner could have 4 or more apartments and that would allow an unlimited amount of vehicles that could be advertised for sale during the course of one year.

Barry Ryan suggested that it be changed to one vehicle for sale per parcel.

Attorney Perfetti stated this could be done.

Barry Ryan questioned Section 143-5 C (3), wouldn't all residents qualify as a dealer. He suggested deleting C-3.

Harry Bellardini suggested that a licensed dealer in Cortland could drive into his home in Homer and sell a vehicle.

Attorney Perfetti noted that dealers have a dark red placard that has to be displayed at their business.

Barry Ryan inquired if it were necessary to list all the items in Section 143-5 E?

Attorney Perfetti responded that they tried to address all aesthetics.

Craig Handelmann asked if a large lawnmower could be ticketed?

Attorney Perfetti stated, yes.

Trustee Genevieve Suits explained to those present that the laws are written to benefit all residents in the Village of Homer. This local law is to be more restrictive because the prior legislation didn't have the power needed to enforce it.

Harry Bellardini stated that if the Village doesn't take care of the junk on South Main Street, we'd have another junkyard.

Attorney Perfetti and Mayor McDermott both explained that this is another issue and the Village is attempting to take care of it.

Trustee Crandall stated that he agreed with Ward Dukelow, that the proposed legislation is restrictive.

6:05 p.m. the Mayor McDermott closed the Public Hearing.

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

**HOMER, NY
October 4, 2005**

6:05 p.m. Mayor McDermott called to order the Regular Meeting of the Board of Trustees.

PRESENT: Refer to the names listed in attendance of the Public Hearing, October 4, 2005.

MINUTES August 2, 31, and September 6, 2005 were received as submitted, Motion Joanne Sweeney, 2nd. Michael Berry – all aye. The September 6, 2005 Minutes should also include under the revisions to the proposed legislation for “Junkyards and Storage of Junk” Section 143-6 D, that it was changed to read – *a motor vehicle for sale shall not be so displayed for sale in excess of 15 (not 30) days.*

TREASURER’S Detail of Revenues and Expenditures was approved as submitted, Motion Genevieve Suits, 2nd. Michael Berry – all aye.

**Budget Modification – Increase F510-F2680-\$2810.00
Increase F960-F8340.200-\$2810.**

Purpose: to record insurance recovery for new locator.

Motion Michael Berry, 2nd. Genevieve Suits – all aye.

**Budget Modification – Increase A510-A2705-\$45.00
Increase A960-A9901.900-\$45.00**

Purpose is to record gift received in memory of Harold Chase.

Motion Roy Crandall, 2nd. Michael Berry – all aye.

**Budget Modification – Increase A510-A2680-\$655.00
Increase A960-A3410.200-\$655.00**

**Purpose is to records money received for damaged portable
Radio unit.**

Motion Michael Berry, 2nd. Roy Crandall – all aye.

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to accept the GIS proposal for \$10,660 from Bowne Management System, Inc. for the development, server installation and configuration of the GIS system for the Cemetery and Water/Sewer Departments.**

FAX fees were implemented at 10¢ each fax, Motion Michael Berry, 2nd. Roy Crandall – all aye. The fee was established to simplify charges for all users.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

POLICE – report was received as submitted, Motion Roy Crandall, 2nd. Joanne Sweeney – all aye.

Auxiliary Police – Chief Mack was notified that the Fire Police could no longer provide traffic control for events at a fire scene. In case of injury, they would not be covered. The Chief needs 18 to 19 auxiliary officers. Mayor McDermott suggested checking with some of the fire police to see if they would be willing to be police auxiliary. They would then be covered under the Village’s liability. Chief indicated that some of the fire police are interested. As police auxiliary, they would be **unarmed**. Officers would be needed for parades, field days.

Fan on heater at Police Station – Chief Mack indicated that it seems to be working.

Mayor McDermott thanked the DPW for planting of the scrubs, flowers at the Police Station. Mike's Welding is scheduled soon to attach the handicap railing.

Attorney reported that no word has been received regarding reimbursement from the County for police officer who had not completed his three years with the Village after his training. The Attorney sent a letter to the county September 13, 2005 pursuant to the request of the Board at the September board meeting. Motion to sue the county for reimbursement, Michael Berry, 2nd. Genevieve Suits – all aye.

Motion **Joanne Sweeney, 2nd. Michael Berry – all aye** to purchase two bicycles for the bicycle patrol program and the safety equipment for each of them, approximate cost is \$700.

Chief Mack indicated that he has been approached about relaxing the law for the overnight parking ordinance (2:00 a.m. – 6:00 p.m.) on the village streets. The Board indicated that it be left to the discretion of the officer on duty.

FIRE - Chief's report was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

Letter from CPO Kelly Ryan, Cortland Co. Sheriff Department Road Patrol Program - **Mayor McDermott read aloud the letter praising the Homer Fire Department personnel for the fantastic job they did on the accident scene located on Rt. 13 in the Town of Truxton on 9/24/05. All personnel acted professionally and did an excellent job.**

Emergency Preparedness Program – **Mayor McDermott indicated that he would like to get all departments together to devise an appropriate plan. NYCOM provided a boilerplate policy.**

Haul behind trailer – **Chief Ryan explained to the Board that the Fire Department is running out of room for equipment to take to emergency and fire scenes. They would need a 7'8" wide by 10' long trailer. This would probably leave the station 10-15 times a year. It would be chained to a telephone pole. Central Tractor priced the trailer under \$3,000. The department would be sending representatives to Binghamton to seek out a more suitable trailer. The cost would be shared between the Fire Department's President's account and the Chief's account. Trustee Berry asked that the Chief bring as much information to the Board as possible for the Board to review regarding the purchase of this piece of equipment.**

Dumpster @ Fire Station – **Mayor McDermott inquired if the Chief could inform him if the problems the trash hauler was having with the dumpster had been corrected. The Chief informed him that would fall under the President's responsibility and he couldn't respond on the issue.**

Windows at the Fire Station – **Trustee Crandall reported that he had spoken with Steve Douglas at the GlassSmith Shop regarding replacement of the windows with white aluminum framed windows. Mr. Douglas hasn't responded with any specs.**

New legislation was signed into law by the Governor (AO4717). **The intent of this bill is to allow a 10% real property tax exemption for volunteer firefighters and ambulance workers. This would allow the governing bodies of a city, town, village, county, and school districts after a public hearing the chance to adopt a local law or resolution to provide this for the members of the Homer Fire Department that own a house and live in such house in the village.**

The bill is designed to retain the members that the HFD already has and to attract new members.

Other departments have used the formula of using a minimum of 5 years of service to become eligible for this benefit. In addition, those with 20 years of service, they would receive a lifetime exemption on the tax break.

This topic will be discussed further at the November 2005 meeting.

FIRE president's report was received as submitted, Motion **Roy Crandall, 2nd. Genevieve Suits – all aye.**

Application for membership of Robert Becker, to the Tioghnoga Hose Co. #2 was brought before the board for approval, once Dr. Nizol has given his approval of his physical, Motion **Roy Crandall, 2nd. Michael Berry – all aye.**

RECREATION report was received as submitted, Motion **Joanne Sweeney, 2nd. Genevieve Suits – all aye.**

Motion **Roy Crandall, 2nd. Joanne Sweeney – all aye** to appoint Gary "Buzz" Harrington to the Recreation Commission, to complete Bruce Eves term (2010).

Configuration of Griggs Field – **Recreation director, Jeff Lewis met with Little League and Small Fry Football regarding the lay out of the proposed field at Griggs Field. Little League is attempting to obtain dollars from the National Little League Association to be used toward this project. Water/Sewer lines can be run from Hudson Street.**

CEMETERY – Mayor McDermott advised the Board that Foremen Toolan was installing a new drain in Glenwood Cemetery.

Mayor noted that former Cemetery Commission member, Henry Fagan had passed away September 25, 2005.

DOG report was received as submitted, Motion **Roy Crandall, 2nd. Genevieve Suits – all aye.**

CODES report was received as submitted, Motion **Roy Crandall, 2nd. Genevieve Suits – all aye.**

Anna McConnell, 19 Warren Street – **Supt. Galeotti indicated that it would take chain saws and most of one day for their department to take care of this violation. Fee would be \$75/hr. Supt. Galeotti to give estimated figures to Attorney Perfetti so he could draft a letter to Ms. McConnell to correct the violation. (tall grass, fallen trees, area promotes unwanted wildlife in a residential area)**

Proposed Local Law 4-2005 "Zoning" Chapter 228, Article VII – Administration and Enforcement - Public Hearing scheduled November 1, 2005 @ 5:30 p.m.

STREETS/PARKS & MECHANIC/MEO – report was received as submitted, Motion Genevieve Suits, 2nd. Roy Crandall – all aye.

Quote for separate meter for new garage along N. Fulton Street is estimated at \$2500.00.

Supt. Galeotti reported that the Village Bandstand is in bad shape. Supt. Galeotti is looking for a grant that would assist with the funding of the repair. For budget purposes, the Board of Trustees asked that Supt. Galeotti contact engineer Ken Teter to draft specs to stabilize the structure.

Amnesty Day – The County is meeting next week to discuss the possibility of having a second amnesty day. The Board of Trustees agreed it would be too late to coordinate with the hauler and residents.

Proposal received from the County to remove sales tax from residential energy. **Trustee Genevieve Suits stated that sales tax is the second largest revenue the village receives after property taxes. Removal of sales tax would mean any short fall would be placed onto the property taxes. It would only make the County look good.**

Trustee Michael Berry stated he wasn't in favor of attaching any expense on to the property owner. The Village has no way of making up for the loss.

The Board of Trustees directed Legislator Steve Dafoe, that the Village would only be in favor of reducing the sales tax to an amount that would maintain the same revenues as received last year.

WATER/SEWER report was received as submitted, Motion **Joanne Sweeney, 2nd. Roy Crandall – all aye.**

Mayor McDermott met with Tom Dumas an acquaintance of Leon Chandler's. It was determined that a historical sign would be purchased by the Wildlife Federation to honor the memory of Leon Chandler and it would be placed at the crossing bridge located in Newton Water Works, south of the parking lot.

Porta-johns will be removed from Durkee Park.

Water/Sewer quarterly billing for new concession stand located on Butts Field **will be billed the same as a single residence - Water - \$20.25 first 5,000 gallons, A\$2.10 per 1000 – 160,000 gallons; \$1.65 per 1000 over 160,000 gallons; Sewer - \$47.50 (first 25,000 gallons of water used); \$1.00 per thousand over 25,000 gallons, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.**

Railing for New Water Tank was awarded to Mike's Welding, cost \$1425.00 contingent upon Natgun not voiding the warranty of the tank, Motion **Genevieve Suits, 2nd. Roy Crandall – all aye.**

Fluoride Public Hearing is scheduled for October 11, 2005 @ 7:00 p.m.

Attorney Perfetti will draft a contract for Henderson Bros. For Well No.2 Repair at Newton Water Works.

Community Development:

Thoma advised the Village that grants were available for Seniors 65 and older – the Board chose to table this until the November 1, 2005 meeting.

6:45 p.m., October 11, 2005, a Special Meeting was scheduled to hear comments from Karen Niday, BDC/IDA and Scott Steve, Chairman of the County Legislature on the new parameters for the Empire Zone.

The following applications were approved for the 2004 CDBG Program, Motion **Roy Crandall, 2nd. Genevieve Suits – all aye, with the exception of Andrew and Laurie Leach, 112 S. Main Street, Homer, Trustee Berry recused himself because he is the uncle of Laurie Leach.**

- 1) **Andrew and Laurie Leach, 112 South Main Street, Homer, 0% loan, \$3,347, work includes: Roofing, Insulation, Windows & Doors interior carpentry, insulation and other.**
- 2) **James Reif, 25 Burgett Dr., Homer, 0% loan \$9,455, work includes roofing, insulation, windows & doors, other and exterior carpentry.**
- 3) **Kimberlee Metcalf, 3 Morgan Dr., Homer, 0% loan, \$5,595, work includes: roofing, windows & doors, exterior carpentry and interior carpentry.**

2 + 4 Sr. Housing Project Update – **Attorney Perfetti proposed a meeting with the Town of Homer Supervisor, Town Attorney, Village Mayor and himself to discuss the proposed PILOT agreement when and if this project actually gets off the ground. He is currently postponing this meeting until specific concerning issues about the project has been resolved. Short discussion followed regarding questions about storm water management.**

Mayor McDermott will schedule a meeting with Steve Whatman, Almost Anything Trash Removal to discuss proposed changes in recycling.

Attorney issues:

Cost Control Associates – **Clerk gave contact person and information to the Attorney to discuss contract presented to the Clerk.**

Sonya M. Horner – **paperwork was forwarded to the Attorney to handle the collection of debt for 5/8/05 accident on the corner of Cayuga and S. West Street. Bill totaled \$146.50 to replace 1 sign, post and concrete.**

Notice of Claim regarding individual falling on Henkle’s sidewalk on James Street **was referred to Bailey Agency for village representation.**

Revised Village Employee Handbook - **Attorney Perfetti recommended changes to Section 400 (6), 400 (7), 500 (7), 500 (13). The changes recommended will be given to Clerk Asst. Patricia Storrs. With these changes, the attorney gave his approval for the Board to approve.**

Code violation letter was sent to James Harder from Code Enforcement Officer, Bruce Weber. To date there has been no response. Attorney Perfetti recommended that action be taken after the Board has passed new legislation regarding: Site Plan Review.

Gene Craig – Mr. Patriarco, property owner, has contact Mr. Craig and advised him if he doesn’t comply with the Site Plan Review, he wouldn’t renew his lease.

Junk Car amendments – Motion **Michael Berry, 2nd. Roy Crandall – all aye.** To remove item 143-5 C (3); F (2) take out or; 143-6 add: B. Change “an individual” to “any premise”; Form – remove present code officer’s name – Bruce Weber.

Trustee Joanne Sweeney **met with the** Winter fest Committee, and they are seeking continued support from the Village.

Motion **Joanne Sweeney, 2nd. Genevieve Suits – all aye** to pay the following bills:

General Fund	Vouchers #597 - #688	\$128,880.32
Water Fund	Vouchers #219 - #257	\$ 93,779.92
Sewer Fund	Vouchers #219 - #257	\$ 10,226.40
Capital Proj.Fund	-----	-----
C.D.B.G. Fund	Checks #1373 - #1405	\$108,579.65

8:45 p.m. Motion **Roy Crandall, 2nd. Genevieve Suits - all aye** to adjourn.

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

HOMER, NY
October 11, 2005

6:45 p.m. Special Meeting of the Board of Trustees was called to order by Mayor McDermott. He led those present in the Pledge of Allegiance. This session was held in the Senior Center of the Town Hall Building to discuss the application for re-designation of certain areas within Cortland County as an Empire Zone.

PRESENT: Mayor Michael McDermott; Trustees – Roy Crandall, Michael Berry, Joanne Sweeney, Genevieve Suits; Patrick Perfetti – Attorney; Jo Anne Williams – Village Clerk-Treasurer; Beverly Berry – Deputy Clerk-Treasurer; Lawrence Barber – Supt. Water/Sewer.

OTHERS PRESENT: Harry Calale, Joanne Canale, Kim Hubbard, Fran Armstrong, Barb Crandall, Tom Williams, Scott Steve, Gordon Wheelock, Dick Hemmings, Karen Niday, Eric Mulvihill – News Director 101.5 FM, Pete Alteri, Thom Cornell, Sarah Buynovsky – News Channel 10 Now, Jim Knoble, Adam Samrov – Cortland Standard reporter, Joan Fitch.

Empire Zone – **Scott Steve, Chairman for the Cortland County Legislature and Karen Niday representing the BDC/IDA explained to the Board of Trustees that the State had placed the task on the County to designate areas for the Empire Zone that were contiguous. They presented a map to the Board outlining the area proposed. The business plans originally submitted initiating this zone were not contiguous to that of the City of Cortland. Areas previously designated in the Empire Zone that aren't contiguous will be grand fathered. They noted that any business with 50 or more employees could automatically request Empire Zone status.**

6:55 p.m. Motion **Michael Berry, 2nd. Roy Crandall – all aye** to enter into Executive Session to discuss this application.

7:00 p.m. Motion **Roy Crandall, 2nd. Michael Berry – all aye** to enter into Regular Session.

Attorney Perfetti read aloud the attached resolution supporting and concurring in the Cortland County application for re-designation of certain areas within Cortland County as an Empire Zone. Motion Michael Berry, 2nd. Roy Crandall – all aye voted in favor of this Resolution with the motion that it includes the final notations made by the Board of Trustees to the map presented.

7:05 p.m. Motion **Joanne Sweeney, 2nd. Genevieve Suits – all aye** to adjourn.

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

HOMER, NY
October 11, 2005

7:00 p.m. Public Hearing – Fluoridation of the Village Water Supply. *SEE ATTACHED MINUTES provided by Joan Fitch, Recording Secretary.*

**Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

HOMER, NY
November 1, 2005

5:30 p.m. Public Hearing for proposed Local Law #2-2005, “*Junkyards and Storage of Junk*”.

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Michael Berry, Roy Crandall; John Ryan – HFD Chief; Patrick Perfetti – Attorney; Eric Mulvihill – 101.5 FM news director, Adam Samrov – Cortland Standard reporter; Jo Anne Williams – Clerk-Treasurer; Beverly Berry – Deputy Clerk-Treasurer.

OTHERS PRESENT: Craig Handelmann, Jim Masterson, Don Ferris, Mary Alice Bellardini, Kevin Williams, Sarah Buynovsky – News Channel 10 NOW, Paul Suits, Barry Ryan, 7:04 p.m. – Audrey Lewis.

Mayor McDermott read the *attached* legal notice. Attorney Patrick Perfetti reviewed the changes made to the proposed local law. Mayor McDermott opened the hearing to comments.

Craig Handelmann – inquired if a vehicle “For Sale” was parked in a driveway could your normal car be parked on your grass.

Attorney Perfetti stated that the law wasn’t intended for licensed registered vehicles. The law pertains to the open storage of junk vehicles.

Jim Masterson – asked (1) for the definition of a abandoned vehicle and (2) he questioned that the 15 days to sell a vehicle doesn’t allow for enough time (3) the law also mentions side yards, which he wanted defined.

Attorney Perfetti – the questions regarding definition of a side yard would be any side that doesn’t front the road.

Jim Masterson – directed a question to a boat stored in the backside yard.

Attorney Perfetti – stated he wouldn’t be able to address this without further details and knowing the exact location of this property.

Trustee Roy Crandall publicly stated that he had miss-interpreted the law. He further stated that he agreed with Mr. Masterson. He apologized to the Board for any inconvenience he may have caused.

Trustee Joanne Sweeney stated that a boat that was unregistered or unlicensed would be considered junk.

No further comments, the Public Hearing was then closed at 5:45 p.m.

VOTE ON PROPOSED LOCAL LAW #2-2005 - Motion Genevieve Suits, 2nd. Michael Berry to approve proposed local law #2-2005 titled “Junkyards and Storage of Junk”, in favor – Trustees Suits, Berry, Sweeney, Opposed – Trustee Crandall, Motion carried.

5:45 P.M. Regular Session was called to order by Mayor McDermott.

FLUORIDE DISCUSSION – Mayor McDermott explained he had received the “Report of the Fort Collins Fluoride Technical Study Group” dated April 2003. It contains a lot of information. Also, a conference call was arranged with the Board members and the State Health Department to discuss fluoride. The Mayor stated he would like to entertain a motion to revisit this issue again in one year. Trustee Michael Berry stated he would rather table it and vote later. Trustee Roy Crandall felt that the vote should be taken either this evening or at the next board meeting.

Attorney Perfetti reminded the Board that this issue could not be tabled and carried forth for a vote with a different Board.

Trustee Suits indicated that Steven Broyles, Professor of Biological Sciences, SUNY Cortland had sent a letter to the Mayor that was in the folder for the trustees to review. He noted that he had attended the Public Hearing. He also noted that the trustees didn't appear to have any positive material available to them on fluoride. (Clerk Williams would like to enter into the minutes that the trustees and Mayor had voluminous information on the pros and cons of fluoride.) The Mayor noted that Prof. Broyles wasn't a village resident.

Barry Ryan – noted the decision of the Board affects the health and welfare of all residents.

Mary Alice Bellardini – The County Health Department has to offer the best information from the New York State Department of Health. If the Health Department changes their mind on the recommendation of fluoride, the Village could then make a change.

Attorney Perfetti – noted the purpose of this legislation is to address the issue of adding fluoride to the village water supply or discontinuing the use of fluoride. Currently, the Village Code of Ordinances is silent on this issue.

Motion Michael Berry, 2nd. Genevieve Suits – for the Village of Homer Water and Sewage Department to add a fluoride compound to the potable water supply in and for the Village of Homer, New York, not to exceed on part per million (1 ppm). In Favor – Trustees Michael Berry and Genevieve Suits; Opposed – Trustees Joanne Sweeney and Roy Crandall. Mayor McDermott explained that this is a very difficult decision to make on his part. The Mayor noted that the trustees have worked very diligently and contacted many authorities to assist them with their decision. The Mayor stated that the calls he has received against fluoride have been 27-2. He further stated that the Village is forcing people to ingest fluoride whether they want to or not. Mayor McDermott broke the tie vote by voting against the motion to add 1ppm fluoride to the Village of Homer water supply. Motion denied.

Motion Roy Crandall, 2nd. Joanne Sweeney that no fluoride compound may be added to the potable water supply in and for the Village of Homer, New York – In Favor – Trustees Roy Crandall and Joanne Sweeney; Opposed Trustees Michael Berry and Genevieve Suits. Mayor McDermott broke the tie vote by voting in favor of the elimination of fluoride in the village water supply. Motion carried.

Trustee Berry stated that the Village is taking a big step backwards. Trustee Suits reiterated this.

MINUTES 10/4, 10/4, 10/11, 10/11 were not available to be accepted.

Lease Agreement Resolution with Laurel Mountain Leasing (new tanker HFD) amended – Clerk Williams received a request to amend the original resolution authorizing the lease agreement with Laurel Mountain Leasing for the new tanker. She was requested to remove the 3.69% fixed rate of interest from the original resolution. As noted in the letter from them, interest is calculated based upon the term of the obligation; the exact number of days until the borrowed funds will be repaid in full. The interest rate that was proposed and approved by the Village on August 2, 2005 was based upon a repayment term of 2087 days. Funding will not occur on November 4, 2005; a repayment term of 2025 days. And since they will not be changing the payment or the payment date, the interest is calculated on the shorter term; which makes the rate higher. With this explanation Michael Berry made a Motion, 2nd. Genevieve Suits – all aye to amend the resolution passed on August 2, 2005, recorded on page 730 of the Minute Book, omitting the fixed interest of 3.69%.

Natural Gas Sales Agreement – NYSEG Solutions is the preferred natural gas supplier for MEGA Alliance members of which the Village of Homer is a member. A renewal agreement was sent to the Village with the recommendation for the Village to adopt variable pricing for the time being. This will probably be a big change from our current pricing, because of how the market has changed in recent months, but will still save us money compared to full utility service. If the pricing declines in the coming months, and conditions are favorable, MEGA may recommend locking in a fixed price at some time in the future. Motion Roy Crandall, 2nd. Michael Berry – all aye to have the Mayor sign the agreement adopting the variable rate for the natural gas supplier.

Holiday Seminar, December 2, 2005 @ Wyndham Syracuse “How to Manage your Municipality Energy Cost”, cost \$40/per person, 11:00 a.m. – 2:00 p.m. – Clerk Williams asked the Board’s approval for Bev Berry, Deputy Clerk-Treasurer and herself to attend this seminar, Motion Genevieve Suits, 2nd. Roy Crandall – all aye authorizing the Clerk and Deputy Clerk permission to attend this seminar.

February 10, 2006 was adopted as the last business day that the Village Clerk’s Office could accept any outstanding bills owed the Village, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Mayor McDermott asked that the minutes note the passing of Barbara Merrill, October 20, 2005. She served as Village Clerk-Treasurer for 15 years (1966-1981).

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CEMETERY – Mayor McDermott reminded the Board of Trustees that the Annual Cemetery Commission meeting will be conducted, November 17, 2005 @ 3:00 p.m. in the Board Room of the Town Hall. Foreman Jim Toolan will present his Budget for 2006-2007.

Mayor McDermott also asked that the Minutes reflect the passing of Terry Ryan, a former employee of the Cemetery. He died October 24, 2005. The Village employed him for the Glenwood Cemetery 1996-2001.

FIRE Chief’s report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Haul behind trailer – Chief Ryan noted in his report that he was seeking quotes on a 7 X 12 foot trailer. He went with City of Cortland firefighters to Johnson City to a dealer that sells Wells Cargo trailers. The salesman stated that they get their trailers out of Carbondale, Pennsylvania. The Chief was told that the cost would be around \$3800 plus shipping from Pa. The trailer was rated for 2200 pounds of cargo. The Chief and other reps from the City weren’t impressed with the dealer.

Upon their return, they went to CNY Power Sports in Cortland. Chief Ryan found one he liked that was less than the ones he saw in Johnson City. The trailer was 6 X 12 feet. It had a better build interior suitable for hanging shelving. Cargo rating was 1980 pounds. Cost was \$3500.00 of which the salesman indicated he could even lower that amount. The Chief’s report indicated that the items that would be stored would total 1320 pounds. The balance of the equipment would not exceed the total cargo weight of 1980 lbs. The trailer is a single axle, and brakes would be an option. The Chief also indicated that this equipment would probably be used 50-60 times a year. The trustees stated that they would like the trailer to have brakes. The Chief indicated that the purchase would be split between the Chief and President’s budget.

The trailer would be hauled behind the mini-rescue truck or the brush truck. The Board of Trustees asked the Chief to obtain the necessary quotes required by the Village’s Procurement Policy.

Robert Beck membership into the HFD required a physical by the department's physician, Dr. Nizol. **The Dr. completed his physical authorizing him suitable as a firefighter. At last month's meeting, he was approved contingent upon the outcome of his physical.**

Reduction in Village Taxes for firefighters – **Chief Ryan presented the Board with a copy of the Assembly's Bill Text – A04717. The intent of this bill is to allow a 10% real property tax exemption for volunteer firefighters and ambulance workers. It would allow the governing bodies of a city, town, village, county and school districts after a public hearing the chance to adopt a local law or resolution to provide this for the members of the Homer Fire Department that own a house and live in such home in the Village. Purpose of this bill is to assist departments with retention of its members.**

Formulas used by other departments are: the member has to be a member of at least 5 years and own and live in the house that resides in the village, town etc. Also, firefighters with 20 years or more of service to their fire department, a lifetime exemption has been given on the tax break.

The Board didn't take any action on this during this meeting.

Emergency Preparedness Plan – **The Chief indicated that he had reviewed the material that the Mayor had given him and stated that the Fire Station would be the central meeting place. The Mayor, Fire Chief, and other department heads would be contacted to discuss updating the Village's plan.**

CODES report was approved as submitted, Motion **Michael Berry, 2nd. Genevieve Suits – all aye.**

Violation letter sent to Nicholas Barbarito, 112 River St., Cortland for property located at 114 S. Main Street, Homer. **The letter indicated that the installation of the wood stove in the rear of the house is not in conformance with the NYS Fire Code. It stated that it shouldn't be used as it presents a fire hazard. This matter was turned over to the Board of Trustees. The Board moved to authorize the attorney to take legal action, Motion Michael Berry, 2nd. Joanne Sweeney – all aye. Attorney Perfetti stated that he would file against the property owner and occupant to seek a preliminary injunction. The attorney requested that the code officer be notified to render all his notes on this matter to him.**

Violations of Czimmer and Lewis were put on hold until Local Law #2-2005 comes into effect. **(December 2005)**

Public Hearing on proposed Local Law #4- Site Plans was scheduled for December 6th. @ 5:30 p.m.

Anna McConnell violation of tall grass – **Attorney Perfetti sent a letter outlining the cost of \$600 should the Village have to take action to correct the problem. Supt. Galeotti estimates it would take all day for his men to do the work. Attorney Perfetti stated he hadn't received any response from Mrs. McConnell.**

DOG report was received as submitted, Motion **Joanne Sweeney, 2nd. Roy Crandall – all aye.**

Animal cruelty complaints - **Paul Burhans reported they are becoming overwhelmed with these complaints. The SPCA is no longer investigating cruelty complaints because it isn't in their budget. In order for to write tickets under article 26, each town needs to have their dog warden sworn in as a peace officer. A training seminar is being held in late November for the specialized peace officer training course geared toward animal cruelty investigations.**

The Board of Trustees indicated that they would need more information. One of their concerns would be how it would affect the budget. The Board suggested that this be discussed during budget meetings.

POLICE report was received as submitted, Motion **Joanne Sweeney, 2nd. Roy Crandall – all aye.**

Handicap Railing at Police Station – The handicap railing has not been installed at the Police Station. Trustee Genevieve Suits will check into this matter.

Lawsuit against the County re: officer leaving the Village employment prior to full filling his obligation for training has been placed on hold.

Mayor McDermott also advised the Board members that the county is changing their computer system. This will cost the village \$8500 for each vehicle. The Village wasn't advised of this change prior to the county's decision to make this change.

RECREATION report was received as submitted, Motion **Roy Crandall, 2nd**. Genevieve Suits – all aye.

Ice Skating Rink – **Director Jeff Lewis indicated that they could return to freezing the skating area on the Village Green the way they used to prior to the formed rink. The advantage to this is that the Streets/Parks Department could remove the snow with their blue plow. The reason for changing the application of water was the Village was accused of wasting water by not containing it in an area to freeze. Director Lewis stated he could do the application of water during the daytime but wasn't able to come over every night to apply a layer of water. During discussion, it was mentioned that possibly the Water/Sewer Department could send over personnel during the day. The ideal time to apply the water would be during the evening hours when the temperatures are usually the lowest.**

After a short discussion, the Mayor indicated that he would set up a meeting to discuss the possibility of getting volunteers. Trustee Sweeney suggested contacting individuals from the Fire Department, American Legion and the Elks Club.

STREETS/PARKS & MEO reports were received as submitted, Motion **Genevieve Suits, 2nd**. Joanne Sweeney – all aye.

The Mayor stated that leaf pickup would continue until all the leaves are off the trees.

WATER/SEWER report was received as submitted, Motion **Genevieve Suits, 2nd**. Joanne Sweeney.

New Water Tank – **It was reported that Natgun (construction company who constructed the tank) had returned and did the second application of paint in hopes to take care of the surface cracks. The cracks still remain. No word has been received from Tim Buhl, engineer.**

COMMUNITY DEVELOPMENT report.

C.D.B.G. loan report was submitted to the Board for their review. **It was noted that James Nickelson has paid his loan in full and needs a Discharge of Mortgage from Attorney Perfetti. No other action was required at this time.**

Grant for Seniors 65 and older – **Clerk advised the Board that Thoma Development Consultants had informed her that there were 48 people on the aged exempt rolls for the Village. This was obtained from the assessor's office. \$400,000 rehab grants are available. This would do approximately 17-20 structures. Thoma would first do a study to see if there was any interest amongst the seniors. Should there not be any interest, they would prorate the amount for the hours spent on this portion of the application and not proceed any further. The cost to write this grant would be \$4500, less 5%, plus up to \$500 charge for reimbursables. Maximum cost would be \$4775 less the \$100 a month the Village pays Thoma for grant writing. Thoma indicated that these charges wouldn't be billed until next fiscal year. The cost for writing the grant would be billable whether the Village was successful or not. The Board was polled and**

the decision was not to apply for this grant at this time. Fuel expenses for the upcoming year is a great concern of the board members and they are unwilling to expend any additional moneys at this time.

Recycling Changes - The Mayor informed the Board that commencing December 5, 2005, recycling collection would change in the Village of Homer. Glass would be separated from the plastic and tin. Paper/cardboard would continue to be picked up on a weekly basis. Beginning December 5 & 6, only glass and paper/cardboard would be collected. The following week, tin, plastic, paper/cardboard would be collected. Alternating weeks would continue throughout the year. Residents will be notified through the Village Newsletter, WXHC 101.5 FM and Cortland Standard.

The reason for this change is to allow the trash hauler to use Cortland County's Recycling Center. Currently the Recycling Center can't take mixed recyclables. Therefore the current hauler is forced to take the items to Tompkins County. This has placed an extra burden for the hauler and expense with the rising cost of fuel.

Employee Handbook – Resolution by **Genevieve Suits, 2nd. Roy Crandall** – all aye to accept the Employee Handbook with a Disclaimer to be added by Attorney Perfetti.

Worker's Compensation for 2006 has been reduced by 5.7888%.

Budget Meetings for salaries will be conducted Monday, November 21, 2005 @ 5:00 p.m.

Departmental Budget meetings will be scheduled Monday, November 28, and Tuesday, November 29 between the hours of 9:30 a.m. – 12:00 p.m. @ 30 minute intervals.

Village Bandstand – **Supt. Galeotti advised the Board that the Bandstand was in desperate need of repair. The Board requested that Supt. Galeotti contact engineer Ken Teter for his recommendations. Mr. Teter responded with his update assessing the condition of the bandstand structure.**

Mark Withiam, structural engineer from Aurora Engineering accompanied Mr. Teter during his site visits. It was noted that the wooden columns that support the roof are hallow. New metal supports within the wooden columns are recommended. Roof drainage control should be addressed. Re-mortar joints and complete repointing of the upper area is recommended. Direct runoff from the area where the steps are to improve the safety. Resurface the concrete floor. Lastly, electrical improvements should be made.

ATTORNEY:

Attorney Perfetti indicated that he hadn't received any response from Mrs. Horner for the letter sent to her regarding the unpaid bill for replacing the sign on the corner of S. West Street and Cayuga Street. Motion Michael McDermott, 2nd. Genevieve Suits – all aye to have the attorney pursue collection in small claims court if the bill remains unpaid.

The following bills were approved for payment, Motion **Michael Berry, 2nd. Joanne Sweeney** – all aye.

General Fund	Vouchers #689 - #785	\$207,707.57
Water Fund	Voucher #259 - #294	\$ 11,005.59
Sewer Fund	Voucher #258 - #294	\$ 66,401.83
Capital Proj. Fund	-----	-----
Comm.Dev.Block Grant	Check #1406 - #1407	\$ 1,978.00

7:55 p.m. Motion to adjourn, **Michael Berry, 2nd. Genevieve Suits – all aye.**

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

**HOMER, NY
December 6, 2005**

5:30 p.m. Public Hearing for proposed local law #4-2005 to amend regulatory administration and enforcement authority of the Site Plan review ordinance was called to order by Mayor McDermott. Pledge of Allegiance followed.

PRESENT: Michael McDermott, Mayor; Trustees – Genevieve Suits, Michael Berry, Roy Crandall, Joanne Sweeney; Jo Anne Williams Clerk-Treasurer; Bernie Thoma – Thoma Development Consultants; Adam Samrov – Cortland Standard reporter; Jim Knobel, David Yaman, Beverly Berry – Deputy Clerk-Treasurer, Eric Mulvihill – 101.5 F.M. – WXHC news director; (6:15 p.m.) Gordon Wheelock.

Mayor McDermott read the *attached legal notice*. He then asked those present for public comments.

No comments were made. Mayor McDermott closed the Public Hearing.

Regular Meeting of the Board of Trustees was called to order. Mayor McDermott announced that the village's attorney Patrick Perfetti was called to active military duty. The Mayor extended his best wishes to him and his family. During his absence Mayor McDermott appointed David Perfetti of Perfetti Law Firm to act as village attorney. The Board of Trustees unanimously approved this appointment.

MINUTES - 10/4, 10/4, 10/11, 10/11, 11/1/05 were received as submitted, Motion Michael Berry, 2nd. Roy Crandall – all aye.

Bernie Thoma representing Thoma Development Consultants and David Yaman of David Yaman Realty Services addressed the Board of Trustees regarding a Business Loan for Michael Boyland. Mr. Boyland recently purchased a company in Rochester, NY. Mr. Yaman has been working with Mr. Boyland on a tentative lease agreement for his company. He is requesting a \$10,000 loan from the Village and a \$20,000 loan from the B.D.C./I.D.A. Reports were sent to the Mayor and trustees providing information about his company, which he has owned for 1 ½ years. The information provided indicated that the last couple months he has shown a profit. He has 11 employees working for him. Two or three would be moving down to this area with him. Thoma has completed a credit check on him, which was okay. He appears to be doing well, but hasn't got a lot of security against this loan. He's requesting a six-year loan, with the first year being interest only. The County has informally approved his request. He would not be eligible for the benefits of the Empire Zone. Interest rate would be 50% of prime should the village approve this request and would change annually.

Trustee Sweeney inquired what was the criteria for this type of loan. Mr. Thoma explained that H.U.D. sets the criteria for a Business Loan. Basically it needs to create jobs for the area.

After discussing this issue, the Board stated that they would like to see more collateral against this loan. The information indicates that he has a lot of equipment, but would like to know more about his other assets.

It was noted that Mr. Boyland would like to move in by February.

Motion Michael Berry, 2nd. Genevieve Suits – all aye to approve the request for Michael Boyland's Business Loan for \$10,000 contingent upon satisfactory collateral being presented by the applicant and the

collateral is approved by the Board of Trustees. Mr. Thoma will get back to the applicant with the Board's decision.

TREASURER'S report for period ending October 31, 2005 was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits, - all aye.

The Findings and Determinations for Bingo and Games of Chance for the Elks Club were approved by Chief Mack and authorization was given by the Board for the Mayor to sign, Motion Roy Crandall, 2nd. Michael Berry – all aye.

The Findings and Determinations for Games of Chance for the American Legion was approved by Chief Mack and authorization was given deputy mayor, Genevieve Suits to sign since it was a conflict of interest for the mayor, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Budget Workshops were scheduled for December 20 & 22, 2005 @ 4:45 p.m. The village's website administrator Sue Reynolds from The Cortland Connection, will be present to take the Board's picture. This will update our website.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CEMETERY – Mayor McDermott noted Glenwood Cemetery was closed for the season. **Motion** Genevieve Suits, 2nd. Roy Crandall – all aye **to increase weekday burials to \$375 from \$350; cremation burials to \$175 from \$150; permanent maintenance fees to \$75 from \$50; beveled foundations for veteran's granite markers to \$400. Effective date of increases is March 1, 2006.**

CODES – report was received as submitted, **Motion** Genevieve Suits, 2nd. Joanne Sweeney – all aye.

The following violators were updated: **Nicholas Barbarito, 114 S. Main Street** is still in violation of installation of a wood stove in the rear of the house that isn't in conformance with the NYS Fire Code. Code Officer Bruce Weber has pictures indicating the stove remains in use. Attorney Perfetti was authorized to write a letter.

Czimmer, 32 Cortland Street and **Randy Lewis, 7 Franklin Street** both remain in violation of the open storage of junk vehicles. Code Officer Weber will check both of these to confirm they are still in violation. If the violations still exist, Attorney Perfetti will issue appearance tickets.

Anna McConnell, 19 Warren Street – backyard has fallen trees, tall grass and is a haven for small animals causing a nuisance for the neighbors. This issue will be addressed in the spring.

George Dugan signed an agreement with the village stating the municipal parking lot would not be used to park his vehicles. They would be parked in an area provided on his property. Attorney Perfetti will send a letter by December 9th reminding them of the agreement and any vehicles parked in the municipal lot after December 23rd, the Village would have them towed at the owner's expense.

James Harder, 215 S. Main Street is in violation of open storage of some 30 vehicles, and storage of tires and car parts on his property. Mayor McDermott will speak with Code Officer Weber to be updated on this situation.

Gene Craig, S. West Street – Mr. Craig is meeting with the Planning Board 12/12/05.

DOG report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Dog warden, Paul Burhans informed the Board the cost of becoming a peace officer is between \$55-60. He and Lindsey Riehlman will be attending classes to become one. The cost will be divided between 10 municipalities. **Motion** Genevieve Suits, 2nd. Michael Berry – all aye **authorizing the dog warden and his assistant, Lindsay Riehlman to become peace officers.**

POLICE – report received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Railing for handicap ramp has been installed.

Gunlocks are available through the Homer Police Department. Chief Mack didn't want an incident to occur in the village like the one in Skaneateles where boys got their father's gun and an accidental shooting occurred. Charges were brought against the father for endangerment of a child because there wasn't a gunlock on his gun.

Update on collection of training cost from the county for Josh Parente – Attorney John Bardsley's secretary called and said he was still waiting for a response from Scott Schrader, County Administrator and Scott Steve, Chairman of the Legislature.

RECREATION - no report due to director's absence from an injury.

Mayor McDermott thanked Deputy Clerk-Treasurer Bev Berry for all her assistance with the Christmas on the Green celebration. The Recreation Director usually organized this activity. He was involved in an automobile accident that caused injuries that required hospitalization and surgeries.

Ice rink – Mayor McDermott explained that flooding of the Village Green would go back to the original way it was done. The DPW has agreed to plow with the tractor. The Water Department and Fire Department will assist with flooding. It was further noted that the Village of Homer contributes to the Holiday on Ice Program at SUNY Cortland PER Center during the Christmas break. 24 hours of skating time is reserved for this program.

Absence of Director – The Mayor suggested the two Recreation Commissioners meet with the individual who will be hired to assist the department while Director Jeff Lewis is recuperating.

The message on the answering machine has been changed by Bev Berry, directing inquiries to the Clerk's Office.

Lauren Rosato has agreed to assist with office hours at the Recreation Department while she is home on college break.

STREETS/PARKS & MEO reports were received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Bandstand repair – The Mayor indicated that he hadn't received any estimates for the repair.

WATER/SEWER report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

FIRE – president's report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Anna M. Moore, 7 Ferndale Lane, Homer was accepted into the Tioghnoga Hose Company No. 2 (physical papers attached) Motion Joanne Sweeney, 2nd. Michael Berry – all aye.

Two proposals had been received from the GlassSmith for 1) window replacement for the Fire Station, dated 6/6/05 - \$8,350; 2) door replacement, dated 12/5/05 for \$4,533 for the Fire Station. **Motion by Genevieve Suits, 2nd. Michael Berry – all aye to accept GlassSmith’s proposal of \$8,350 for replacement windows. Motion Roy Crandall, 2nd. Joanne Sweeney – all aye to accept GlassSmith’s proposal for doors, \$4,533.**

Boiler @ Fire Station – The starting bar is still on order. They were informed they might be Friday to go over all the boilers.

Reduced assessment for firemen: Chief Ryan presented to the Board legislation that would allow reduction in assessment for fire fighters. The Board was asked to review the information and it would be discussed at a later date.

Board of Trustees expressed their sympathy over the death of **“Bud” Quinlan**. He had been a former fire chief for the City of Cortland for many years.

Vice President Gordon Wheelock stated that the lower panel on the wash bay overhead door needed replacing. The Board requested that quotes be presented to the Board. Mr. Wheelock also asked that the unexpended balance in the fire department’s budget be put toward the new tanker.

FIRE CHIEF’S report was received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Mayor McDermott reminded the Board that the new recycling changes went into effect commencing December 5, 2005. The first week of collection was glass only with paper and cardboard. The next week would be tin and plastic along with paper and cardboard. This schedule will continue to alternate. **Recyclables are now being taken to the Cortland County Recycling Center.**

2 + 4 Sr. Housing Project Update – The drainage issue was solved. Planning Board member Harry Bellardini requested that he’d like to see it look more historic, since it abuts the historic district. The long SEQR form needs to be reviewed by the Planning Board. The project director, Barb Lamphere stated they needed a shovel in the ground by February or the Feds would take the money away from 2 + 4 Sr. Housing. The Mayor is scheduled to meet with Barb Lamphere, Bruce Weber, and attorney David Perfetti Thursday.

7:25 p.m. Motion Michael Berry, 2nd. Joanne Sweeney – all aye to enter into Executive Session to discuss settlement negotiations with opposing party.

7:40 p.m. Motion Genevieve Suits, 2nd. Roy Crandall – all aye to re-enter into Regular Session.

Mayor McDermott advised the Board of Trustees that there was a 10% increase in the premium for health insurance.

Kathy Beardsley, Main Street Antiques and Collectables invited the Board to do a Historic Homer Main Street walk on Saturday 12/10, @ 2:00 p.m.

C.D.B.G Delinquent Loan report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye to adopt Local Law #4-2005 as presented.

Motion Michael Berry, 2nd. Roy Crandall – all aye to pay the following bills:

General Fund	Vouchers #786 - #874	\$229,317.33
Water Fund	Vouchers #295 - #332	\$ 19,539.99

Sewer Fund	Vouchers #295 - #331	\$ 18,628.80
Capital Projects Fund	Check #577 - #580	\$ 1,609.74
Comm.Dev.Block Grant	Check #1408	\$ 28.00

8:00 p.m. Meeting adjourned.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
January 3, 2006

5:00 p.m. Mayor Michael McDermott called regular Meeting of the Board of Trustees to order. Pledge of Allegiance followed.

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Michael Berry, Roy Crandall; Jo Anne Williams, Clerk-Treasurer; David Perfetti, Attorney; Eric Mulvihill – news director for WXHC 101.5 FM; Adam Samrov – reporter for the Cortland Standard; Police Chief Dan Mack; Jim Lawton, recreation director assistant; residents – Dorothy Eichenauer, Phil and Carol Leet.

Mayor McDermott introduced **Dorothy Eichenauer** to **speak** to the Board regarding **unleashed dogs**. Mrs. Eichenauer explained to the Board that she and her dog had been attacked five times by unleashed dogs, twice by the same dog. Each time it was a different dog, with the exception that attacked twice. Once her dog had to be taken to the veterinarian. She inquired if the Village assessed fines for unleashed dogs, and if so what were they.

Dog Warden, Paul Burhans explained that all cases that went to the judge had been dismissed. Citations had been issued to the dog owners and were scheduled to appear before the judge. He expressed he was hopeful that the new judge would handle the dog cases more efficiently.

Mrs. Eichenauer asked if something could be published in the paper. The Mayor stated an official notice would go in the paper.

Carol Leet asked the Mayor to speak. She supported Mrs. Eichenauer's concerns as she had experienced the same problems while walking her dog. She asked the Mayor what procedure should be followed if this happens again. He instructed her to call the Police Department and they would contact Paul Burhans, dog warden for the Village. Mr. Burhans explained it wasn't the dog's fault as much as it was their owners.

MINUTES 12/6/05 were not available for acceptance.

TREASURER'S report – no financial reports were available as the Clerk-Treasurer was working on the budget for 2006/07.

The following Public Hearings were scheduled to hear comments on the assessment for Phase I, II, and III sewer properties on January 11, 2006 @ 7:00 p.m. in the Board Room of the Town Hall Building.

Public Hearing for Proposed Budget for 2006/07 was scheduled for January 11, 2006 in the Board Room of the Town Hall Building at 7:00 p.m. following the above scheduled hearings.

A Special Meeting would be held upon completion of the hearings January 11, 2006, to allow for the Board to vote on each issue.

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

CODES – report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Update on Code violations:

Dugan's have removed their vehicle from the municipal parking lot.

Lewis & Czimmer – storage of junk vehicles. Both properties remain in violation. These violations have been turned over to the Village Attorney for action.

Harder – Code Officer Weber indicated that Mr. Harder was making an effort to remove vehicles.

Gene Craig – The Planning Board issued terms for continued operation and Mr. Craig agreed to the terms.

Barbarito – no further information has been received on this violation.

DOG monthly and year-end reports were received as submitted, Motion Roy Crandall, 2nd. Joanne Sweeney – all aye. The trustees inquired how many dog summons had been served by the Village Police Department. The Board agreed to have the Police Department deliver these summons for the dog warden for a \$10.25 charge to the Town of Homer for each summons served. Clerk Williams will obtain this information from the Chief and bill the Town of Homer.

POLICE – report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

Re-imbusement of training costs for Josh Parente – It appears that the County is waiting for an appointment of a county attorney before settling this issue with the village. After the appointment, the village will pursue the settlement further.

RECREATION – report was received as submitted, Motion Joanne Sweeney, 2nd. Michael Berry – all aye.

Methodist Church representative called the Mayor and would like to do Community Service for the Village. Tuesday, January 17th, children will help cleanup around the Village Green area.

Mayor McDermott thanked Deputy Clerk Bev Berry again for all her work she did with Christmas on the Green celebration.

Jim Lawton was introduced to the Board of Trustees. He will provide office coverage at the Recreation Office between the hours of 10:00 a.m. – 2:00 p.m. Mr. Lawton will also be kicking off the volleyball season.

Trustee Michael Berry suggested that all the trustees receive a copy of any brochure that goes out on any program or event involving the village. This way the trustees are kept aware of events/programs and can be more helpful to their constituents.

The Board of Trustees asked that a **thank you letter be sent to Don Barber for donating the Christmas trees on the Village Green.** The Mayor publicly acknowledged him during the celebration on the Green. The Board also suggested in the future all volunteers be recognized by a letter for their services.

STREETS/PARKS & MEO reports were received as submitted, Motion Roy Crandall, 2nd. Genevieve Suits – all aye.

Informational Meeting, January 18, 2006 @ 7:00 p.m. will be held in the Sr. Center of the Town Hall Building. A representative from National Grid will be present to discuss their tree-pruning program. A sign-up

sheet will be made available for residents to meet at their properties with National Grid reps to discuss specific situations.

Security camera system – Mayor McDermott advised the Board of Trustees that Supt. Galeotti noted this system proposed in the 2006/07 budget would be for Durkee Park as well as the compost site on N. Fulton Street.

WATER/SEWER report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

FIRE report was received as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye.

COMMUNITY DEVELOPMENT:

Business Loan request – No word has been received from Thoma Development Consultants regarding Mike Boyland’s business loan request.

Delinquent Loan report was accepted as submitted, Motion Joanne Sweeney, 2nd. Roy Crandall – all aye. Report indicated that no payment had been received from Linani’s. Mayor to contact Mr. Lewis and remind him what he had told the Board last month. (Please note: Since the meeting, two payments have been received.)

2 + 4 Sr. Housing – A lot of issues have been resolved. Mayor wants to make sure he’s made it clear, that any problems that might occur in the future because of the development of this project will be the developer’s problem **NOT** the Village’s.

Residents against the project have made it known of their concerns regarding drainage and flooding.

Trustee Crandall’s opinion is the water in the area has to do with the water table in the Village.

NEW BUSINESS:

NYCOM’s Winter Legislative Session is scheduled for February 26-28th.

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to increase the cost for replacement of a water meter base to \$20; new water meter to \$90. These are actual costs for replacement.**

The following bills were approved for payment, Motion Michael Berry, 2nd. Genevieve Suits – all aye:

General Fund	Vouchers #875 - #957	\$210,004.08
Water Fund	Vouchers #333 - #358	\$ 60,089.95
Sewer Fund	Vouchers #333 - #359	\$ 14,797.35
Capital Projects Fund	Check #585	\$ 85.50
Comm.Dev.Fund	-----	-----

Motion Michael Berry, 2nd. Genevieve Suits – all aye **to hold a Public Hearing, February 7, 2006 to increase sewer rates from flat rate fee of \$47.50 for the first 25,000 gallons of water used and \$1.00/1000 gallons over 25,000 to \$52.00 flat rate for the first 15,000 gallons of water used, and \$1.25/1000 gallons over 15,000.** Reason for the increase is that the Village’s percentage sent to the City of Cortland has increased with the industries closing in the City. The Village’s O & M has continued to increase and the rates haven’t changed since April of 1993.

7:00 p.m. meeting adjourned.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer

HOMER, NY
January 11, 2006

7:00 p.m. Public Hearings for Phase I, II, III and Proposed Budget for 2006/07 called to order by Mayor McDermott. Pledge of Allegiance followed. (*legal notices attached*)

PRESENT: Mayor Michael McDermott; Trustees – Genevieve Suits, Joanne Sweeney, Roy Crandall, Michael Berry; Jo Anne Williams – Clerk/Treasurer; Adam Samrov – reporter from the Cortland Standard.

Mayor McDermott read the *attached* legal notice for Phase I Sewer for the benefited streets listed. The assessment will be \$233.08 for each benefited parcel. Mayor asked if anyone present had comments.

No comments. Hearing closed.

Motion Genevieve Suits, 2nd. Michael Berry – all aye. **approving the assessment of \$233.08 for each benefited parcel in Phase I.**

Mayor McDermott read the *attached* legal notice for Phase II Sewer for the benefited streets listed. The assessment will be \$244.03 for each benefited parcel. Mayor asked for public comments.

No comments. Hearing closed.

Motion Roy Crandall, 2nd. Joanne Sweeney – all aye **approving the assessment of \$244.08 for each benefited parcel in Phase II.**

Mayor McDermott read the *attached* legal notice for Phase III Sewer for the benefited addresses listed. The assessment will be \$161.53 for each benefited parcel. Mayor asked for public comments.

No comments. Hearing closed.

Motion Michael Berry, 2nd. Genevieve Suits – all aye **approving the assessment of \$161.53 for each benefited address in Phase III.**

Public Hearing was called to order by Mayor McDermott for the Proposed Budget for fiscal year 2006/07. Mayor read the *attached* legal notice. **Proposed tax rate for the Village of Homer is \$7.7976/1000. The total budget for General, Water and Sewer is \$3,004,893.00. The tax levy for the General Fund is \$937,716 up from \$853,901 for 2005/06. \$255,290 fund balance was used to lower the tax rate. Increases for the budget include: 40% increase for fuel and heating costs, 10% increase in health insurance premiums, 12% increase in general and fire insurance, 3% estimated increase for employee raises. The following reserves were increased the following: Fire Truck Reserve - \$10,000, Machinery Reserve - \$12,000, Police Car Reserve - \$12,500, Recreation Reserve - \$10,000, Water Machinery Reserve - \$20,000, Water System Reserve - \$15,000. Salaries for the Mayor and Trustees remained the same.** Mayor McDermott asked for public comment. No one was present to offer comments. Hearing closed.

Mayor thanked the Clerk-Treasurer Jo Anne Williams and Deputy Clerk-Treasurer Bev Berry for all their hard work supplying the figures needed for the budget process. He continued by thanking the Board for all their hard work on the proposed budget.

Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye **to adopt the proposed budget as presented, establishing a proposed tax rate of \$7.7976/1000 taxable assessment.**

Mayor reminded the Board of the meeting with National Grid January 18, 2006 @ 7:00 p.m. in the Sr. Center. He also stated 2 + 4 Sr. Housing representative would be present at the February meeting to address the Board.

7:35 p.m. Public Hearings and Special Meeting was adjourned.

**Michael McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer**

**HOMER, NY
FEBRUARY 7, 2006**

5:30 p.m. Mayor led those present in the Pledge of Allegiance.

PRESENT: Michael McDermott, Mayor; Trustees – Genevieve Suits, Michael Berry, Roy Crandall, Joanne Sweeney; David Perfetti, Attorney; Patrick Perfetti, Attorney; Dan Mack – Police Chief; John Ryan, Jr. – Fire Chief; Paul Burhans – Dog Warden; Mahlon Irish, Jr. – HFD President; Eric Mulvihill – WXHC 101.5 FM news director; Adam Samrov – Cortland Standard reporter; Beverly Berry – Deputy Clerk-Treasurer; Jo Anne Williams – Village Clerk-Treasurer. See *attached* list for others present.

Public Hearing on *proposed sewer rate increase* was called to order. Proposed rate would increase the rate from \$47.50/flat rate for the first 25,000 gallons of water used and anything above 25,000 gallons at \$1.00/1000 gallons of water used to \$52.00 flat fee for the first 15,000 gallons of water used and \$1.25/1000 of water used.

Mayor McDermott explained reasons for increase in sewer rates. It was noted that with industrial uses decreasing in the City of Cortland the percentage of the Village of Homer's use has increased. This would increase the amount billed to the Village. The sewage treatment plant is aging and along with that comes repairs and updates.

Mayor McDermott asked if anyone present would like to comment on the proposed legislation.

No comments.

5:30 p.m. Public Hearing was closed, Motion Michael Berry, 2nd. Genevieve Suits – all aye.

Regular Session of the Village Board of Trustees followed.

Mayor McDermott introduced **Barbara Lamphere from 2 + 4 Sr. Housing.**

Ms. Lamphere distributed materials to the Board and the Mayor regarding the proposed PILOT program. Ms. Lamphere stated the purpose of this project was to provide affordable housing for the seniors. Rural Development is providing financing in the amount of \$571,724. This amount represents federal tax dollars. Interest rate is 1% for 30 years. NYS Housing Trust Fund is providing \$478,928 in financing. These are state tax dollars coming back to the Village of Homer. This is also loaned at 1% for 30 years. \$2,573,198 represents private equity that has been raised and will receive \$12,441 per year return. This represents .4% return on the investment. Total project cost is \$3,623,850. Tenants have to spend 30% of their income for rent and utilities. The State and Federal governments look for approval of a PILOT Agreement to help control costs to assure continued affordability and preservation of the subsidy for as long as possible.

The proposed PILOT is for \$9600.00. Estimated land tax would total \$1149.57. A Special Assessment for the water tank would be estimated at \$481.00 for the 24 proposed units. The sample provided by 2 + 4 Sr. Housing is based upon the 2005 tax rates for the village, town and county and school. The total amount that would be paid out to the taxing municipalities would be \$11,230.57. Maximum term of PILOT requested is 30 years, which is the term of the mortgage. The agreement would include a 10% escalator clause every 5 years.

Because Federal money is being used for this project, village residents can't be prioritized.

Trustee Berry **requested that this agreement and the resolution requested that would accept them as a re-development company be tabled until the trustees could digest the materials presented to them by Ms. Lamphere.** This request was unanimously approved.

Trustee Suits expressed her concern of the profit that would be received through a PILOT agreement. If a PILOT agreement would be rejected, would the taxes eat up the subsidy?

Attorney Perfetti suggested that since there was possible litigation against this project that he suggested holding off on passing the resolution requested.

Mayor McDermott accepted public comments only regarding the PILOT agreement.

Janet Steck – requested that the board hold a Public Hearing on this issue after the Board had a chance to review the materials submitted by Ms. Lamphere.

Mayor McDermott stated a hearing would be held.

Laurie Schlenker - Inquired, who is the Homer Housing Authority Co. L.P.?

Ms. Lamphere explained that it is a re-development company that is formed for the purpose to acquire real property located in the Village of Homer to construct, own, maintain, operate, sell and convey a 24 unit low income elderly project pursuant to the terms and provisions of Article 5 of the Private Housing Finance Law.

Laurie Schlenker inquired what were the income qualifications? Response was tenants have to spend 30% of their income for rent and utilities. Examples were given.

She also inquired what would the assessment be for this development? The response was the amount that was on the building permit.

Janet Steck – stated that the usual practice for a PILOT agreement included jobs to be created as well.

Pat Pollak – asked what the resolution 2 + 4 Sr. Housing was requesting to be passed. The response was a resolution that would create a redevelopment company.

Barbara Lamphere – 2 + 4 Sr. Housing advertised for bidders on all components of the construction for this project.

PILOT is under Article 5 of the Housing Law. Maintenance and management will be hired for the job. She also stated that no PILOT agreement wouldn't necessarily stop the project, but would eat up the equity.

Discussions on the PILOT agreement and request to pass a resolution creating a redevelopment company were concluded.

Mayor McDermott introduced **Ann Hotchkin from Thoma Development Consultants**. Ann Hotchkin explained to the Board that the Village of Homer was one of Thoma's oldest and most valued customers. She further stated that 80% of the median income for Cortland County sets limits for income levels on grants. History on grants and updates were distributed to each of the trustees. The report indicated all the past grants that were awarded the Village of Homer with the assistance of Thoma Development Consultants. She also noted the change to their new fee schedule, and noted that the Village is currently paying a retainer fee of \$100/mo. to be applied to future grant writing. Mayor McDermott thanked Ann for attending the meeting and updating the new trustees with the village's past history of their grants. Trustee Michael Berry suggested that they be placed on another agenda later to discuss future applications.

Elaine Olson representing Johann VanPatten addressed the Board of Trustees. She explained to the Board that the original plan for Whispering Winds Development had been changed from 40 units to 24. These would be ranch style, single story duplex units. She is looking to change the zoning from R-1 to PDDR.

It was noted that the Bedford Street residents are still circulating petitions against the project.

Mayor McDermott expressed his concern on the placement of the retention pond. Elaine Olson stated the units would have basements.

Harry Calale – stated that the Planning Board had requested that sidewalks be constructed. He noted that these sidewalks would go nowhere. He further noted, there has never been a requirement for sidewalks in developments located on Bedford, Burgett, Tobin, and Braeside etc. If developers are required, then everyone else will want the Village to put them in their developments. He sees no sense requiring sidewalks. He further stated the water and sewer services were close to the areas to be developed and they would only be an extension of what is already there. He suggested that the Village be responsible for this. Laterals would be the responsibility of the owner. The road would be built to Village specs. He also indicated that there wasn't any plan to construct the entire road until such time when other duplexes would be built. The two units closest to Bedford would be the first units built.

Elaine Olson indicated that they would like to place a sign on the Creal Rd. indicating the development's location, but it was noted that there wouldn't be any road accessing the development.

It was noted that the fire chief suggested a siren or horn activated gate at the end of Bedford Street.

Because of the confusion between what was presented to the Planning Board and what was proposed to the Village Board, a **Motion** was made by Trustee Berry, 2nd. Genevieve Suits – all aye **to table the preliminary development plan being sent to the County Planning Board until the Board receives a stamped plan by the Engineer and an explanation for the location of the retention pond.**

Steve Lewis, resident on the Creal Rd., asked the Board to review the minutes of the Planning Board. (*These had not been made available to the Board prior to this meeting.*)

7:25 p.m. Executive Session requested, Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to review the statute of the application with the Code of Ordinances.**

7:30 p.m. Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to return to regular session.**

Elaine Olson indicated that she had told Russ Darr, Planning Board Chair that this would be a three-phase project.

Motion Trustee Berry, 2nd. Joanne Sweeney – all aye, **suggested sending the application back to the Planning Board with a comprehensive phased time development plan and check on the water retention pond and rules of the housing association.**

MINUTES 12/6/05, 1/3/06, and 1/11/06 were received as submitted, **Motion** Michael Berry, 2nd. Roy Crandall – all aye.

TREASURER’S report – **Motion** Michael Berry, 2nd. Joanne Sweeney – all aye **to receive the Details of Revenues and Details of Expenditures as submitted.**

ACCEPTANCE FOR FILING OF WRITTEN REPORTS:

FIRE CHIEF’S report was received as submitted, **Motion** Roy Crandall, 2nd. Genevieve Suits – all aye.

Motion Genevieve Suits, 2nd. Roy Crandall – all aye **to accept membership of Jonathon E. Tinker into the Homer Hook & Ladder Company.** (*Physical papers were attached*)

Chief Ryan noted that 7:00 p.m. Wednesday, February 8, 2006 there would be a three-hour class at the Fire Station sponsored by the National Incident Management System. He suggested that it would be beneficial for the superintendents from the Water/Sewer, Streets/Parks and Police Chief to attend. Classes will be held at other times throughout the county.

FIRE president’s report received as submitted, **Motion** Roy Crandall, 2nd. Genevieve Suits – all aye.

The president’s report indicated that the interior woodwork installed needs to be painted as it was raw wood now and also three windows were excluded from the quote from the GlassSmith. Also, the two south doors had lock cylinders that didn’t match the rest of the station.

The Board of Trustees stated that President Irish should receive two quotes for trim, and suggested contacting Wade Sprouse and Schlenker.

The window estimate received from the GlassSmith was given to President Irish for him to review and verify that it would complete the windows for the Fire Station. He should contact the clerk’s office once this is done so the order can be placed.

Fire Inspection for the Community Building was in non-compliance. Emergency lighting was not operational and fire extinguishers weren’t checked and marked. Vice-President Gordon Wheelock indicated that both these issues had been corrected and asked that Derrick Ramo, fire inspector be contacted.

Fire Chief John Ryan, Jr. suggested that sprinklered systems be required for multi-unit buildings.

CODES – report was received as submitted, **Motion** Genevieve Suits, 2nd. Roy Crandall – all aye.

Code Violators were reviewed. **Czimmer** – was fined by the court and subject to daily fines. **Lewis** – had removed the vehicle in violation. **Harder** – is still in the process of removing vehicles.

DOG report was received as submitted, **Motion** Joanne Sweeney, 2nd. Roy Crandall – all aye.

POLICE – report was received as submitted, **Motion** Roy Crandall, 2nd. Genevieve Suits – all aye.

Josh Parente update – Attorney David Perfetti was advised by County Attorney Richard C. Van Donsel that he believed the settlement was based upon an incorrect application of the law. **Motion** Michael Berry, 2nd.

Joanne Sweeney – all aye. **To serve papers against the County to collect John Parente’s reimbursement for training costs.**

It was further noted that Attorney David Perfetti collected for damages done to sign at corners of Cayuga Street and Rte. 281 from Sonya Horner’s insurance company.

RECREATION – report was received as submitted, Motion Roy Crandall, 2nd. Michael Berry – all aye.

Board members were reminded that Winterfest was February 10 & 11, 2006.

The Recreation report indicated that the walking program at the Jr. High/Intermediate School was a great success.

STREETS/PARKS & MEO report was received as submitted, Motion Roy Crandall, 2nd. Joanne Sweeney – all aye.

Bandstand repairs – The Clerk was asked to seek a proposal from engineer, Ken Teter to bring the bandstand into stable condition, with the intentions that the Village would be making repairs in a phase type program. The first phase would be to stabilize the columns and roof.

WATER/SEWER – report was received as submitted, Motion Genevieve Suits, 2nd. Joanne Sweeney – all aye.

Trustee Suits asked that the Clerk contact Supt. Barber to check on the Barbis’ leak located at Clinton St. Ext. and report to her what was promised to do with the driveway in the spring. *(Clerk checked with Supt. Barber and he stated the area disturbed by the repair would be top soiled and reseeded. A patch would be made in the driveway with intermediate binder.)*

Flood Map modernization program for Cortland County is planned to update the Village’s Flood Insurance Rate Maps (FIRMSs). The Mayor received correspondence from the NYS DEC, Division of Water. It outlined the Town’s flood mapping priorities in order of priority and requested that the Mayor sign and return, indicating it to be correct. This correspondence was reviewed by the Mayor and Supt. Lawrence Barber, signed and returned.

Motion Michael Berry, 2nd. Genevieve Suits – all aye to accept the proposed sewer rates as follows: \$52.00 for first 15,000/gal. of water used and an additional \$1.25 for each 1000/gal. of use above 15,000. These rates would become effective with the 4/1/06 water/sewer billing.

COMMUNITY DEVELOPMENT loan payment report was received as submitted, Motion Genevieve Suits, 2nd. Michael Berry – all aye.

Board of Trustees requested that they meet individually with the department heads to review the Village Handbook. The dates were set for February 27 & 28. Meetings to commence at 5:00 p.m. and to allow 30 minutes for each department. Clerk-treasurer to schedule these and advise the Board of the meeting times.

NEW BUSINESS:

Mayor McDermott requested that the Board authorize either the mayor or deputy mayor the authorization to close the Village Clerk’s Office due to weather or related emergencies. No conclusion was made and will be revisited at the next board meeting.

ATTORNEY:

Attorney David Perfetti stated that Terry Price, Maribeth McEwan, Victory Siegle and Jaffrey Harris had served papers against the Village of Homer Planning Board, Homer Housing Co. LLP, Andrew Hoffman, Mary Hoffman and Gary Lawrence.

It stated that the Planning Board failed to comply with the State Environmental Quality Review Law (SEQRA). It stated that the Board treated the Project as an unlisted action and upon information, granted a negative declaration. It stated that it was a Type 1 action because it is “substantially contiguous to [an] historic building, structure, facility, site or district.... that is listed on the National Register of Historic Places...or that is listed on the State Register of Historic Places.”

Attorney Perfetti will be meeting with Alaine Espenscheid, attorney for 2 + 4 Sr. Housing.

Motion Michael Berry, 2nd. Roy Crandall – all aye to pay the following bills:

General Fund	Vouchers #958 - #1063	\$147,812.65
Water Fund	Vouchers #360 - #398	\$ 63,489.39
Sewer Fund	Vouchers #360 - #398	\$ 78,333.72
Capital Projects Fund	Check #586	
Comm.Block Grant Fund	Check #1409 - #1415	\$ 2,911.18

8:45 p.m. Meeting was adjourned, Motion Michael Berry, 2nd. Joanne Sweeney – all aye.

Michael H. McDermott, Mayor
Jo Anne B. Williams, Clerk-Treasurer