

**Village of Homer Board of Trustees Meeting  
December 6, 2016  
6:00 p.m.**

**Public Hearing No. 1**

A Public Hearing was held by the Village of Homer Board of Trustees at the Community Building, 45 South Main St., Homer, New York with Mayor Suits presiding, for the purpose of appropriating money from the Special Reserves Fire Repair fund to the Fire Department Contractual fund to pay for repairs made to a fire truck.

Members present:	Mayor, Genevieve A. Suits Trustee, Patrick Clune Trustee, Edward Finkbeiner Trustee, Kevin Slack Trustee, Eugene Smith.
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Also present were: Village Clerk-Treasurer, Kristin Rocco-Petrella; Village Attorney, Francis Casullo; CEO, Craig Umbehauer; Fire Chief, Robert Johnson; Fire Department President, Tim Maxson; Greg Royer representing Smart Watt Energy; Mahlon Irish Jr.; Dave Barber; Adam Burhans; Thomas Cornell; Cody Johnson; Michael Balthazar; Nancy and Sandy Samson; Bruce Adams; Paul Gower; Charles Bernheim.; Harry Gardner; Lynda Craft; Harry and Mary Alice Bellardini; George Seibel; Jennifer Clune; News Reporters: Nick from the *Cortland Standard*; Brad Smith from WXHC; and Don Ferris from *The Homer News*.

Mayor Suits called the Public Hearing to order and requested the Clerk-Treasurer read the legal notice aloud.

Mayor Suits offered privilege of the floor to those in attendance.

No requests were made.

The Public Hearing was closed at 6:06 p.m.

**Village of Homer Board of Trustees Meeting**

**December 6, 2016**

**6:05 p.m.**

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

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

Also present were: Village Clerk-Treasurer, Kristin Rocco-Petrella; Village Attorney, Francis Casullo; CEO, Craig Umbehauer; Fire Chief, Robert Johnson; Fire Department President, Tim Maxson; Greg Royer representing Smart Watt Energy; Mahlon Irish Jr.; Dave Barber; Adam Burhans; Thomas Cornell; Cody Johnson; Michael Balthazar; Nancy and Sandy Samson; Bruce Adams; Paul Gower; Charles Bernheim.; Harry Gardner; Lynda Craft; Harry and Mary Alice Bellardini; George Seibel; Jennifer Clune; News Reporters: Nick from the *Cortland Standard*; Brad Smith from WXHC; and Don Ferris from *The Homer News*.

Mayor Suits called the meeting to order.

There were no minutes for approval. Trustee Clune commented that it has been a busy month in the Village Clerk’s office and that minutes were forthcoming.

On **motion** by Trustee Clune, the Board hereby approves a budget modification to increase expense account A3410.401 Fire Department Contractual by transferring \$2,640.50 from A2680 Insurance Recoveries, due to insurance recoveries received in November 2016 – **all ayes**.

**Motion** by Trustee Clune to pay the following bills for the month of December 2016 – **all ayes**

<b>General Fund (A)</b>	<b>Vouchers 777-869</b>	<b>\$</b>	<b>177,290.03</b>
<b>Water Fund (F)</b>	<b>Vouchers 241-272</b>	<b>\$</b>	<b>24,429.85</b>
<b>Sewer Fund (G)</b>	<b>Vouchers 241-272</b>	<b>\$</b>	<b>197,055.65</b>
<b>Capital Projects Fund (H)</b>	-----		-----
<b>Comm. Dev. Fund (CD)</b>	-----		-----

Mayor Suits offered privilege of the floor to Village resident Bruce Adams.

Bruce Adams thanked Mayor Suits for the opportunity to speak as he had another commitment to attend this evening. Mr. Adams spoke about the Village Hall issue, indicating that he attended the December 1<sup>st</sup> informational meeting held by the Building Committee. Prior to the meeting he was in favor of the Village offices moving back into the Homer Town Hall and has since changed his mind due to many factors. He mentioned the receipt of the \$150,000 grant from the State, the savings the Village has in Reserves to make the move, the inadequate storage facilities presently being used, cost savings, and the historical value of the former railroad depot. He also noted that he spoke with the staff at the Village Office and observed the present working environment, which he stated was inadequate.

**ACCEPTANCE FOR FILING OF WRITTEN REPORTS:**

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

Trustee Finkbeiner suggested the fees for the Cemetery be raised. Mayor Suits explained that the Cemetery Committee reviews the fees annually and makes recommendations. The current fees, other than what was on the agenda to be raised or added, were in line with what is charged in surrounding cemeteries.

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

Trustee Finkbeiner questioned the status of the code violation at 32 Cortland Street. CEO Umbehauer explained that the matter was before the court.

**DOGS** – No report was received.

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

Trustee Clune mentioned that the Streets Department was no longer picking up leaves and requested that residents stop raking them into the street as it would cause issues with storm drains. The compost site was closed, however Sup't. Harter would allow drop-offs during business hours. Mayor Suits announced that the Village recently hired two new full-time employees to work with the Streets and Water/Sewer Departments – Nick Casterline and Jonathan Morrison.

**FIRE INSPECTOR** – No report was received.

**FIRE CHIEF** – Report was received as submitted. **Motion** to accept by Trustee Smith- **all ayes.** Trustee Clune commended the Fire Department for awarding an Honorary Membership Certificate of the Homer Fire Department to Mason Scott Kirby.

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

On behalf of Chief Pitman, Trustee Clune invited residents to attend “Coffee with the Chief” at Sinfully Sweet on Saturday, December 10, 2016 from 8:00-10:00 a.m.

**RECREATION** – Report was received as submitted. **Motion** to accept by Trustee Finkbeiner – **all ayes.**

Mayor Suits thanked Hospice and Homer Schools for conducting another successful Christmas lighting on the Village Green. She also thanked the previous Director of Hospice who recently retired. Mayor Suits also announced that the Village has a new part-time Recreation Director, Mike Talarico.

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

Trustee Clune questioned how much salt was purchased for the year for plowing. Mayor Suits would check in with Sup't. Barber, noting that salt is typically purchased almost a year in advance.

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

Mayor Suits offered privilege of the floor to Fire Chief Johnson.

Chief Johnson presented the Board with information regarding the training requirements for the various levels of firefighters in the Homer Fire Department, as well as a summary of a NIOSH firefighter fatality investigation. During the investigation NIOSH found many procedures that had not been followed, and standards that were broken. Chief Johnson stressed the importance of training, proper equipment, and requested the Board read through the information he provided.

Mahlon Irish, Jr., past Chief of the Fire Department, discussed the importance of proper turnout gear and requested the Board continue to add money in the budget each year to provide for 10 sets of gear for the members. He mentioned that firefighters are 2-1/2 times more likely than others to get cancer. He discussed the importance of proper gear and exposure areas. He encouraged the trustees, for the safety of the firefighters, to continue to invest and support the purchase of the gear.

Mayor Suits offered privilege of the floor to George Seibel.

George Seibel, owner of Dasher's Pub in the Village requested the Board waive the open container law to allow for his 10-person bicycle to transport people with alcohol back and forth from his restaurant with to the Center for the Arts when events are occurring at the Center. At this point, Mr. Seibel had yet to obtain approval from the NYS Liquor Authority but was seeking permission from the Village waiving the open container law should the liquor authority grant the license to him.

Although he had not looked into the liability issues, Attorney Casullo stated that the Board could waive the open container law subject to approval from the Liquor Authority. Discussion continued amongst the Board about the safety of the bicycle, the route it would take, and the frequency of the bicycle being utilized. Mr. Seibel stated that weather permitting the bicycle could be used all year long. Shows at the Center for the Arts typically run from 6:00 p.m. until 11:00 p.m.

Chief Pitman questioned the safety of the bicycle and the lighting on it. Mr. Seibel explained that the top speed of the bicycle was 5 mph and that it had taillights and LED headlights. What Mr. Seibel was proposing was legal in Albany and Buffalo and that it would be an added attraction for the Village of Homer. The Board did not have a problem with the concept but was concerned with the traffic pattern of the bicycle. Specific details had yet to be decided. Mr. Seibel indicated that Village approval was required regarding the open container law before he made application to the NYS Liquor Authority.

*APPROVE REQUEST SUBMITTED BY GEORGE SEIBEL TO WAIVE THE VILLAGE OF HOMER'S OPEN CONTAINER LAW TO ALLOW FOR ALCOHOLIC BEVERAGES ON THE 10-PERSON BICYCLE OPERATED BY AND FROM DASHER'S PUB TO THE CENTER FOR THE ARTS SUBJECT TO CONDITIONS*

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*Motion by Trustee Finkbeiner*

*VOTES: ALL AYES ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby approve the request submitted by George Seibel to waive the Village of Homer's open container law to allow for alcoholic beverages (beer, wine, liquor) on the 10-person bicycle operated by Dasher's Pub to the Center for the Arts, and it is further

RESOLVED, the approval is subject to Attorney Casullo's review regarding liability as well as approval by the NYS Liquor Authority of the entire process.

#### **OLD BUSINESS:**

*AMEND 2016/2017 BUDGET AND AUTHORIZE THE APPROPRIATION OF \$19,671.88 FROM THE SPECIAL RESERVES – FIRE REPAIR FUND TO THE FIRE DEPARTMENT CONTRACTUAL FUND*

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*Motion by Trustee Smith*

*VOTES: ALL AYES ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby amend the 2016/2017 Budget and authorizes the appropriation of \$19,671.88 from the Special Reserves – Fire Repair fund (A232) to the Fire Department Contractual fund (A3410.401) to pay for repairs made to Fire Truck #521 in May 2016.

#### **Building Committee Update:**

Trustee Smith gave an update regarding the December 1, 2016 Informational Meeting conducted by the Building Committee with regard to the future of the Village Office. The next Committee Meeting would be held December 19, 2016 at 6:00 p.m. at the Village Office. Trustee Smith mentioned that Senator Seward awarded the Village of Homer a \$150,000 grant today towards the relocation of the Village Offices to the Lackawanna Railroad Station on James Street, or another favorable building.

Trustee Finkbeiner read from a prepared statement regarding. He stated the present Building Committee presented their position on Thursday night and felt their position was an "emotional rent versus buy argument" and was biased. The Building Committee and previous Trustees had 6+ years to figure out where the Village offices should be. The former Trustees set aside \$272,000 years ago for the project. Trustee Finkbeiner stated that a "rational review of the evidence to date supports a move back to the Town Hall" and made the following motion.

*REQUEST TRUSTEES VOTE ON RELOCATING THE VILLAGE OFFICES BACK TO THE TOWN OF HOMER TOWN HALL AND STOP ALL FURTHER EFFORTS TO LOOK AT ALTERNATE LOCATIONS*

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*Motion by Trustee Finkbeiner*

<i>VOTES:</i>	<i>Mayor Suits</i>	<i>Nay</i>
	<i>Trustee Smith</i>	<i>Nay</i>
	<i>Trustee Clune</i>	<i>Nay</i>
	<i>Trustee Finkbeiner</i>	<i>Aye</i>
	<i>Trustee Slack</i>	<i>Aye</i>

*MOTION FAILED*

Trustee Clune indicated that he voted Nay because it would be a disservice to the Building Committee that was charged with compiling the information. Trustee Clune questioned Trustee Smith as to when the Building Committee could present a report to the Trustees. Trustee Smith expected that that Building Committee should be able to present their findings at the January 3, 2017 meeting. After the Trustees read the report, and it is made available to the public, the Board should have the information necessary to vote on the matter. Trustee Clune agreed with Trustee Finkbeiner that the matter has been ongoing, however it would be a disservice to the Building Committee for the Board to vote on the matter prior to the Committee's findings being issued.

Village resident, Harry Bellardini voiced his concerns regarding the matter and suggested that the Village was delaying a decision on the matter. Mayor Suits recalled that the Building Committee indicated they were not yet done with their findings at the Informational Meeting.

#### **NEW BUSINESS:**

Mayor Suits offered privilege of the floor to Greg Royer from Smart Watt Energy to discuss a proposal for LED street lighting for the Village and Town of Homer.

Greg Royer presented the Board with information regarding Smart Watt Energy and the LED Street Lighting program, in which they help municipalities become more energy efficient. He explained that he met with Mayor Suits and Homer Town Board Member Kevin Williams regarding the Village and the Town working together on a possible LED street lighting project. The Town does not have enough streetlights to accomplish such a project on its own but would be able to piggyback on the Village if there was interest in the program.

Mr. Royer explained that National Grid offers an upgrade program for the Village to buy streetlights back from the utility company and to cut maintenance charges, which can be 60-80% of the bill; the remaining 40-20% of the bill is the utility usage. Legislation was recently enacted allowing for project repayment. He referred to the handout he provided to the Board regarding a recent project in the Town of Chittenango, and explained the incentives for purchasing the streetlights.

Mr. Royer explained that the project is financed through a tax-free municipal lease. There is a 10-year warranty and a useful life of 20 years; the project would have paid for itself four times over. Smart Watt Energy was provided with the Village's outdoor lighting bills and would generate a no-cost preliminary feasibility assessment for the Village.

Trustee Finkbeiner questioned whether the LED street lights would have effects on birds or viewing the stars. Mr. Royer explained that the LED lights are "dark sky compliant" and are designed to shine where they want light to go. With the decorative lights, reflectors could be installed to block the light from shining into houses.

Mayor Suits posed the question as to whether there would be an effect on the Village's Special Franchise Assessments, and whether the Village would lose funds if the poles were owned by the Village or any part of the light fixtures. Mr. Royer was not aware but would follow up with Mayor Suits in the next week.

*ACKNOWLEDGE AUTHORIZATION TO USE PROPERTY OWNED BY  
FRANCIS AND CHERYL RITER FOR THE 2017 HOMER WINTERFEST  
ANNUAL FIREWORKS DISPLAY*

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*Motion by Trustee Finkbeiner  
VOTES: ALL AYES ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby acknowledge the authorization to use property owned by Francis and Cheryl Riter located on Carroway Hill Road for Homer's 2017 Winterfest annual fireworks display to be held January 27, 2017 (rain date January 28, 2017), and be it further

*RESOLVED*, the Mayor shall cause a Certificate of Insurance to be provided naming the Ritters as an additionally insured party as well as a letter indicating that the Village of Homer shall hold the Ritters harmless as it relates to the event.

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*AMEND GLENWOOD CEMETERY FEE SCHEDULE*

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*Motion by Trustee Clune*

*VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby amend the Glenwood Cemetery Fee Schedule providing for the addition of a “tent and chair rental fee” in the amount of \$75.00, and an increase of the “raised beveled for bronze marker” from \$100.00 to \$125.00, to be effective December 6, 2016.

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*APPROVE GAMES OF CHANCE – BELL JAR LICENSES FOR THE HOMER LODGE BPO INC. AND AMERICAN LEGION POST 465*

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*Motion by Trustee Slack*

*VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby approve the License to Conduct Games of Chance (Bell Jar) for the year 2017 for the Homer Lodge 2506 BPOE Inc., located at 84 Cortland Street, Homer, New York and for the American Legion Post 465, located at 63 South Main Street, Homer, New York.

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*APPROVE APPLICATIONS FOR MEMBERSHIP TO THE HOMER FIRE DEPARTMENT FOR PAUL J. LEFEVER AND JOHN L. CHIERCHIO*

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*Motion by Trustee Slack*

*VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby approve the applications for membership to the Homer Fire Department for Paul J. LeFever, 2060 E. River Road, Cortland, New York and John L. Chierchio, 4521 Locust Ave., Homer, New York.

There was discussion regarding the National Grid Small Business Program and the proposals submitted by Smart Watt Energy to replace interior and exterior lighting with LED lights for the Village DPW (exterior), Newton Water Works, Fire Department and the Village Clerk’s Office. Smart Watt Energy completed a review of the four buildings and projected a significant cost savings to the Village over a 10-year period for upgrading to LED lighting. The program and incentives offered by National Grid for participating in the program would be changing by the end of 2016; a decision was required by month end.

Fire Department President, Tim Maxson questioned whether motion lights/sensors would be a preferred option and whether they would offer better savings. Since the representative from the Small Business Program was not in attendance, Attorney Casullo suggested that the Board could approve the participation in the program with the possibility of an amendment to the agreement for motion lights. Discussion continued amongst the Board. Trustee Slack requested the Board get more information and make a decision at a later date. He suggested the Board look into using a private contractor whom he knew to complete the work. Trustee Slack would reach out to his contact and report back. The Board agreed to delay the decision, noting that one must be made by the end of the month to participate in National Grid’s incentive program. The Board would discuss the program again, perhaps at the next budget workshop.

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*SCHEDULE BUDGET WORKSHOP AND SPECIAL MEETING DATES WITH REGARD TO THE 2017/2018 BUDGET*

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*Motion by Trustee Smith*

*VOTES: ALL AYES    ADOPTED*

*BE IT RESOLVED*, the Board of Trustees does hereby schedule the following meeting dates with regard to the 2017/2018 Budget for the Village of Homer:

December 13, 2016, 4:00 p.m. – Budget Workshop at the Community Building

December 20, 2016 – Mayor to furnish a copy of the Tentative Budget to the Board of Trustees and to file the Tentative Budget with the Village Clerk

December 29, 2016, 10:00 a.m. - Special Meeting at the Village Office for the purpose of the Clerk-Treasurer to present the 2017/2018 Tentative Budget to the Board of Trustees

January 3, 2016, 6:00 p.m. – Public Hearing at the Community Building regarding the 2017/2018 Tentative Budget

January 24, 2016, 4:00 p.m. – Special Meeting at the Village Office for the purpose of adopting the 2017/2018 Budget.

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

Trustee Finkbeiner apprised the Board he met with Fingerlakes Technology Group today with regard to the installation of fiber optic cable, telephone/internet. Fingerlakes Technology Group would issue a Letter of Agreement for the Mayor to sign authorizing them to audit the Village's phone and internet bills. Trustee Finkbeiner explained some of the details of the program and suggested that if the Village installs fiber optics, the Village could then look into installing cameras. The Letter of Agreement was forthcoming.

Trustee Clune suggested that with Winterfest approaching, and in the absence of a Village Historian, the Village should make arrangements for the History Center to be open during that time period. The Board agreed.

No further comments or discussion were heard.

On **motion** by Trustee Smith, the Board adjourned the Regular Meeting at 7:30 p.m. – **all ayes.**

Respectfully submitted,

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