

The regular meeting of the Town Board of the Town of Homer held on Wednesday, July 9, 2019, in the Town Hall board room was called to order by Supervisor Frederick J. Forbes, Sr., at 6:30 p.m.

PRESENT

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

OTHERS PRESENT

Jeremy Boylan, sales representative, Bailey Place Insurance  
Carl Snyder, broker/owner, New York Land Quest  
Martin Sweeney, Town & Village Historian  
Patrick Clune, Trustee, Village of Homer  
Kelly Preston, County Legislator  
Donald Ferris, reporter, The Homer News

PLEDGE OF ALLEGIANCE

MINUTES

**The minutes of the June 5<sup>th</sup> regular meeting were approved as presented,** on motion by Councilman Park, seconded by Councilman Jones and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board:

1. The Town Clerk's report of all receipts & disbursements for June.
2. The Code Enforcement Officer's report of all building permits issued in June.
3. The Dog Control Officer's report of all activities for June.
4. The Supervisor's report of all receipts & disbursements for the month of May.

ANNUAL REPORTS

Presented for audit by the Board:

1. The Tax Collector's report of all 2019 taxes returned to the County for collection as of June 1<sup>st</sup>, 2019, which total \$330,866.03.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Park, seconded by Councilman Jones and carried unanimously: **RESOLVED: that General Fund vouchers #141 through #172 totaling \$21,981.86 are approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway Fund vouchers #115 through #134 totaling \$111,974.87 are approved for payment.**

Trust & Agency bill was approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Trust & Agency Account voucher #26 totaling \$1,100.00 for an historical marker, "Education in Homer", paid for by a grant from the Pomeroy Foundation is approved for payment.**

## ZONING CHANGE REQUEST

Carl Snyder from New York Land Quest, Dryden, said that he represents Jack Daugherty who resides in Texas and is the owner of two adjacent parcels of land between Frederick Ave. and the Route 81 overpass, one of which is currently zoned light industrial. Daugherty is asking the Town Board to rezone the parcel to residential, recreation or agricultural to make it more marketable. Potential buyers are unable to get bank loans due to the current zoning, according to Mr. Snyder.

Attorney Snyder said that changing the zoning would require the Town Board to adopt a Local Law, following a public hearing and an environmental analysis. Attorney Snyder did not think that spot zoning would be an issue since the property is adjacent to an agricultural district. He noted that the Town does not have a recreation zoning district and would be unlikely to create one.

Councilman Park voiced concern over the property being used for residential purposes since it is across the road from his business which is zoned light industrial.

Attorney Snyder recommended that the property owner provide more information as soon as possible in order for the Town Board to consider Carl Snyder's request: setbacks from property lines, the use of the property, compliance with Health Department regulations for well & septic systems, proposed location of any structures, and floodplain elevation issues. The overall process of getting the property re-zoned would take at least 90 days.

Carl Snyder thanked the Board for their time and consideration.

## WORKERS' COMPENSATION INSURANCE

Jeremy Boylan from Bailey Place Insurance Company presented two proposals for workers' compensation insurance for the Town Board to consider. Currently the Town participates in the Cortland County Self-Insurance Plan which had covered every municipality in the County until the Village of Homer withdrew recently. Boylan offered quotes from PERMA (Public Employer Risk Management Association, Inc.) and Comp Alliance (New York State Municipal Workers' Compensation Alliance), of which Comp Alliance was comparable and PERMA was less than the Town currently pays, and explained the differences between the two companies. Boylan said that both plans are endorsed by various municipal organizations. He said that he has had more experience with Comp Alliance.

Board members asked many questions about the differences between the two plans and how they differ from the current County-run plan. Boylan explained that if the Town decides to go with either plan, they would need to pass a resolution and send it to the County by the end of this month. The Board scheduled a special meeting for Tuesday, July 23<sup>rd</sup>, at 6:30 p.m. to discuss the matter further. They thanked Boylan for providing the quotes and answering their many questions.

## TOWN HALL RENOVATIONS

Carpenter paintings - Town & Village Historian Martin Sweeney was present to ask for the Board's approval to hang two paintings by Homer native Francis B. Carpenter on either side of the stage opening, recently revealed as part of the renovation project. Previously a wall built in the 1970's concealed the entire proscenium from public view. The Town currently owns one of the paintings, a portrait of Augusta Prentiss who would soon become Mrs. Carpenter. The second painting, a portrait of Watts Barber, son of well-known Homer store owner Jedidiah Barber, is owned by the Landmark Society and Sweeney is hoping to get their permission to hang it in the Town Hall. Both portraits were painted in the 1850's.

Sweeney also stated that as Historian he is very pleased with the renovation and noted the compromise reached to protect some of the early graffiti on the walls just inside the stage.

There was discussion about Fine Arts liability insurance coverage, which Jeremy Boylan said that the Town does have, and hanging the artwork, which Sweeney said would be done by Dave Quinlan. Village Trustee Clune said that the Village was very much on board with hanging the Carpenter portraits.

On motion by Councilman Williams, seconded by Councilman Jones and carried unanimously: **RESOLVED: that the Town Board gives their permission for two paintings by Francis B. Carpenter to be hung in the Town Hall, one on either side of the former stage opening, as recommended by Town Historian Martin Sweeney.**

Signage – On motion by Councilman Williams, seconded by Councilman Park and carried unanimously: **RESOLVED: that Councilman Warren, Town Clerk Jebbett and Village Trustee Clune form a committee to make decisions about signage for the Town Hall building and newly renovated Town, Village and Assessor office spaces.**

Storage trailer – Supervisor Forbes said that he would like to empty out the rented storage trailer by the end of the month and have it removed from behind the Town Hall.

On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Town Historian Martin Sweeney be consulted about the historical items remaining in the storage trailer, and that if he sees fit, some of the items may be donated to the CNY Living History Center.**

Change order – On motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that change order #1 for the Town Hall Renovation HVAC contract with K & B Plumbing and Heating is approved for relocating the air conditioning ductwork in the balcony in the amount of \$800.00.**

Councilman Warren explained the reasons for the change order - that the architect's plans for the ductwork were not detailed and that when drawn, the idea of making over the balcony into usable space was in its beginning stages.

Town Clerk's office – Supervisor Forbes reported that an employee of W. L. Kline Construction is installing the counter and counter-top in the clerk's office. Forbes also discussed blinds for the offices and the replacement of the area rug in the Code Enforcement Officers' office.

#### ATTORNEY FOR THE TOWN

Attorney Snyder reminded Board members about a meeting scheduled for Thursday, July 11<sup>th</sup>, at 10:30 a.m. in the board room with representatives from NYSERDA led by Kendra Kostek. The State is promoting the development of solar energy, so they will be discussing PILOT plans, zoning and related issues. Village Trustee Pat Clune agreed to arrange to have the meeting videotaped so that it could be reviewed by others unable to attend.

#### COUNTY LEGISLATOR

Legislator Kelly Preston reported on activities at the County Legislature over the past month, and reviewed Chair Kevin Whitney's "State of the County" message. She reminded Board members that the IRT team from the military will be returning to Cortland from July 11<sup>th</sup> to July 20<sup>th</sup>. They will again be providing dental, medical, optometry, and veterinary services free-of-charge. The Cortland Airport will be holding their annual AirFest on Saturday, July 20<sup>th</sup>. She also spoke about some progress being made by the legislature in moving towards decisions on the jail, the hiring of a County Administrator, and improving the financial record-keeping of the County.

The meeting was adjourned at 9:15 p.m.

Anita W. Jebbett  
Town Clerk