

The regular meeting of the Town Board of the Town of Homer held on Wednesday, July 8, 2020, in the Town Hall Senior Center was called to order by Supervisor Frederick J. Forbes, Sr., at 6:30 p.m. Social distancing was observed due to the on-going COVID-19 pandemic.

#### PRESENT

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

#### OTHERS PRESENT

John R. Daniels, Code Enforcement Officer  
Patrick Clune, Village of Homer Trustee  
Kevin Fitch, Cortland County Legislator

#### PLEDGE OF ALLEGIANCE

#### MINUTES

**The minutes of the June 3rd regular meeting were approved as presented,** on motion by Councilmember Park, seconded by Councilmember Jones and carried unanimously.

#### MONTHLY REPORTS

Presented for audit by the Board:

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

#### ANNUAL REPORTS

Presented for audit by the Board:

1. The list of uncollected taxes returned to the County Treasurer's Office as of June 1<sup>st</sup> totaling \$344,491.15 and consisting of 97 parcels – 37 in the Village and 60 in the Town.

#### BILLS TO BE PAID

General Fund bills were approved as audited on motion by Councilmember Warren, seconded by Councilmember Park and carried unanimously: **RESOLVED: that General Fund vouchers #111 through #132 totaling \$18,516.64 are approved for payment.**

Highway Fund bills were approved as audited on motion by Councilmember Park, seconded by Councilmember Warren and carried unanimously: **RESOLVED: that Highway Fund vouchers #91 through #109 totaling \$62,165.18 are approved for payment.**

#### REGULAR BUSINESS

Zoning violations – Code Officer Daniels was present to discuss several situations which involve potential zoning violations. The first was property owned by Larry Rowley located just north of the Village line on Route 11. Daniels reported that several RV's are parked on the property along with storage trailers and excessive trash and debris. There was much discussion, with Councilmember Williams questioning whether there really was a code violation. Daniels said the property has been a source of concern for many years because it is in the floodway, which severely limits any development

or construction on the property. Attorney Snyder said that he will look further into the zoning law and NYS Building Code as it relates to this property to determine any violations. He offered to compose a letter, with input from Code Officer Daniels, to the property owner with a copy to the tenant. However, it was agreed that Councilmembers Williams and Jones would speak with the tenants of the property prior to any stronger action being taken.

Secondly, there was discussion about the Elizabeth Metzger property, also located on Route 11, which is for sale as a multiple unit apartment building. Code Officer Daniels said that it currently has 5 apartments, none of which were ever permitted. He had inspected the building upon invitation by one of the tenants, and found several code violations. Daniels had sent Metzger a letter notifying her of the violations and has since had several conversations with her. Attorney Snyder suggested that Daniels continue to pursue the violations, notify any current tenants that there are problems, and keep the County Health Department advised since one of the violations involves the likelihood of an inadequate septic system. Councilmember Williams suggested that Daniels also send a follow-up letter to the property owner.

The third matter discussed involves the Tyrrell property on Rice Hill Road. Code Officer Daniels said that he has spoken with the property owners numerous times regarding their use of the old dairy barn for social events. He said that to bring the barn up to meet the current NYS Building Code would require a large financial investment that the owners are unwilling to make. Attorney Snyder and Daniels will be reviewing the matter.

Board room – Supervisor Forbes discussed the naming of the Town Hall board room after a prominent Homer resident. The matter will also be discussed by the Village Board before any decision is made.

Homer Solar Energy Center – Supervisor Forbes reported on a meeting of representatives from the Towns of Cortlandville, Homer and Solon regarding the large solar energy project proposed to be constructed at the intersection of the three towns. Besides Forbes, Councilmember Park and Attorney Snyder were also in attendance. All the participants agreed to propose that the Cortland County IDA offer to enter into a PILOT plan with the developer, EDF, at \$7,500 per kilowatt, rather than the \$2,500 per kilowatt EDF has offered. Supervisor Forbes said that he would like to see a rate be established for the entire Central New York area that would apply to any solar developer creating a unified front.

Forbes also reported that the towns have been awarded the \$31,500 in “intervenor funding” under Article 10 with part of the funding going to Barton & Loguidice for an engineering review of the project and part to cover work by Attorney Pat Snyder as the legal representative for the three towns.

Councilmember Warren shared Victor Siegle’s suggestion that the towns should “opt-out” of any agreement, thereby allowing full taxation based on the solar site’s assessed value. Supervisor Forbes said that while he respects Siegle’s opinion and concern, it would not be practical to do so since the towns could then expect an assessment lawsuit each year that they would have to defend.

Attorney Snyder said that currently the State’s Article 10 process can supersede any local zoning or decisions to “opt-out”, because the State views the development of solar energy sites to be in the public interest.

Court office copier – Supervisor Forbes said that the Court office has received a new Toshiba copier, the cost of which is mostly covered by a grant from the NYS Office of Court Administration. He offered the old Toshiba copier to the Assessor’s office which they were only too happy to accept.

Liability insurance renewal – Forbes said that he and Town Clerk Jebbett would be meeting with Jeremy Boylan from the Bailey-Place Agency on Thursday to discuss the upcoming policy renewal. Boylan will also be speaking with Highway Superintendent John Phelps about coverage of all the Town’s trucks and equipment.

Forbes and Councilmember Williams will be meeting with a representative from Haylor, Freyer & Coon to discuss health insurance coverage on July 22<sup>nd</sup>.

Town Office re-opening – Clerk Jebbett reported that the Town Clerk’s Office as well as the Village Office re-opened to the public on July 6<sup>th</sup>. They have purchased Plexiglas sneeze guards for the counters and marked the floors according to social distancing guidelines. A couple of the guards were received in broken condition and the company should be replacing them this week. Masks and hand sanitizer are available near the front entrance.

The NYS DEC has a new hunting/fishing licensing system as of July 1<sup>st</sup> by recreational software developers, Kalkomey Enterprises out of Dallas, Texas. Although the Town Office originally had problems connecting the printer, the system, which allows for more functionality and more security, is now up and running.

Local Waterfront Revitalization Program – Village Trustee Patrick Clune said that the Village would like the Town to participate in this program which involves anything that touches the water, which in this case is the Tioughnioga River. Supervisor Forbes agreed to speak with Village Trustee Ed Finkbeiner or Mayor McCabe for more information prior to the August meeting.

#### ATTORNEY FOR THE TOWN

Attorney Snyder reported that the Town has been notified of a class-action lawsuit against Purdue Pharma, manufacturers of opioids. Snyder said that he was not aware of any reason why the Town should be part of the lawsuit.

#### CORTLAND COUNTY LEGISLATOR

County Legislator Kevin Fitch reported that unfortunately the County's Senior Centers, including the one in Homer, would not be re-opening in 2020 due to the COVID-19 outbreak. Because of this the County will be laying off nine employees. Fitch reviewed other concerns at the County level relating to the pandemic including financial worries. He promised to keep the Town Board up to date on County matters.

Councilmember Jones, on behalf of his wife, County Legislator Linda Jones, thanked Councilmember Mike Park for his generous donation of fireplace inserts for all the fire pits at Dwyer Park.

The meeting was adjourned at 8:25 p.m.

Anita W Jebbett  
Town Clerk