

The regular meeting of the Town Board of the Town of Homer held on Wednesday, November 4, 2020, in the Town Hall Senior Center was called to order by Supervisor Frederick J. Forbes, Sr., at 6:35 p.m. Social distancing was observed due to the on-going COVID-19 pandemic.

PRESENT

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

OTHERS PRESENT

Patrick Clune, Trustee, Village of Homer  
Kelly Preston, Cortland County Legislator  
Shenandoah Briere, reporter, Cortland Standard  
Donald Ferris, reporter, The Homer News

PLEDGE OF ALLEGIANCE

MINUTES

**The minutes of the October 7<sup>th</sup> regular meeting were approved as presented, on motion by Councilmember Park, seconded by Councilmember Williams and carried unanimously.**

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's report of all receipts and disbursements for October.
2. The Code Enforcement Officer's report of all building permits issued for October.
3. The Supervisor's report of all receipts and disbursements for October.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilmember Williams, seconded by Councilmember Jones and carried unanimously: **RESOLVED: that General Fund vouchers #189 through #204 totaling \$8,817.48 are approved for payment.**

Highway bills were approved as audited on motion by Councilmember Jones, seconded by Councilmember Park and carried unanimously: **RESOLVED: that Highway Fund vouchers #153 through #173 totaling \$101,222.30 are approved for payment.**

PRELIMINARY BUDGET FOR 2021

Supervisor Forbes reviewed the minor changes he had made to the preliminary budget since the October meeting. He noted that he had increased the budget for an increase in NYS Retirement, and decreased the budget for a decrease in the amount to be due for Worker's Compensation in 2021. Forbes also reported that the Fire Commissioners have voted to approve the increase in the Town Fire District budget from \$.62/thousand in 2020 to \$.80/thousand in 2021. The increase was requested by the Village of Homer which operates the fire department.

On motion by Councilmember Park, seconded by Councilmember Jones and carried unanimously:  
**RESOLVED: that the preliminary Town budget as updated by Supervisor Forbes is adopted as the final Town budget for 2021, with the tax rate for the Village to be \$1.31 per thousand, and the tax rate for the Town to be \$1.31 per thousand plus the Fire District tax rate of \$.80 per thousand for a total Town tax rate of \$2.11 per thousand.**

Town Board members thanked Supervisor Forbes for all his hard work to keep the tax rate the same for the past several years.

#### SEASONAL ROADS DESIGNATION

On motion by Councilmember Warren, seconded by Councilmember Williams and carried unanimously:  
**RESOLVED: that Town of Homer Highway Superintendent John R. Phelps has designated certain Town highways and portions of Town highways as seasonal limited use highways and is hereby authorized by the Homer Town Board to temporarily discontinue snow and ice removal and maintenance on those Town highways and portions thereof from December 1<sup>st</sup>, 2020, to April 1<sup>st</sup>, 2021 as follows:**

<b>Foster Road</b>	<b>.50 miles</b>
<b>Burhans Road</b>	<b>.50 miles</b>
<b>Wolf Road</b>	<b>.25 miles</b>
<b>Grange Road</b>	<b>.75 mile from Rice Road to Brake Hill Road</b>
<b>Brake Hill Road</b>	<b>.50 miles</b>
<b>Rice Road</b>	<b>.50 miles</b>
<b>Carroway Hill Rd</b>	<b>.25 miles</b>
<b>McDonald Road</b>	<b>.25 miles</b>
<b>Sessions Hill Rd</b>	<b>2.50 miles</b>
<b>Vern King Road</b>	<b>1.25 miles from house #5937 to Sessions Hill Road</b>
<b>Maxson Road</b>	<b>1.70 miles from Sessions Hill</b>
<b>Forbes Road</b>	<b>.87 miles</b>
<b>Chapman Road</b>	<b>.75 miles</b>
<b>Searls Road</b>	<b>.50 miles</b>
<b>Dillon Road</b>	<b>.25 miles</b>

#### REGULAR BUSINESS

Security camera proposal – Councilmember Williams said that he and Village Trustee Clune have been reviewing a recent proposal for security cameras for the Town Hall. Williams asked the Town Board for guidance as to what their goals are for installing security cameras.

Supervisor Forbes suggested that cameras be placed at each entrance to the building. Councilmember Jones said that it is his understanding that if people are in a public space, there is no expectation of privacy. Attorney Snyder agreed with Jones that it is legal to have cameras for security purposes in public areas and said that it has become very common.

Williams said that there are many different options for security camera systems, such as how long the photos are maintained, who would have access, and what types of devices could be used. Trustee Clune said that he would consult with the Mayor to fine-tune what the Village is looking to accomplish. Councilmember Williams said that he would continue to work with the Village although they may consider two independent security systems.

Town Hall lantern repair – Supervisor Forbes said that he had suspected a leak in the Town Hall dome last year but due to the dry summer it had taken time to investigate. A crew from Homer Iron Works then found that the leak was the result of major issues with the lantern that sits on top of the dome. Although it had been repaired in 2004 there was major rotting of the wood at the base of the lantern, which was tilting to one side, and at the top of the dome. Because of the precarious position of the lantern and the time of year, Supervisor Forbes said that he then called all Board members and they all agreed that it was necessary to go ahead and remove the lantern. Homer Iron Works has since repaired the base of the lantern with aluminum, the dome has been weather-proofed with a rubber roof which is no longer flat, and today, the lantern was re-installed at the top of the dome. Forbes and the other members of the Town Board said that they could not thank Homer Iron Works and Mike Park enough for the efficiency, timeliness and quality of the work.

New Records Disposition schedule – Town Clerk Jebbett explained that the New York State Archives has published a new Records Retention and Disposition Schedule to replace the 2003 version of the schedule, and that each municipality must adopt the new revised and consolidated schedule which now applies to all local governments and school districts.

On motion by Councilmember Williams, seconded by Councilmember Jones and carried unanimously: **RESOLVED: that the Town Board of the Town of Homer hereby adopts the *Retention and Disposition Schedule for New York Local Government Records (LGS-1)* issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records for use by all officers in legally disposing of valueless records listed therein.**

**FURTHER RESOLVED, that in accordance with Article 57-A:**

- a. Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;**
- b. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.**

Bridge Committee - Supervisor Forbes reported that the Committee – Councilmembers Park and Williams, Highway Superintendent John Phelps, and himself – met to discuss the possibilities of repairing or replacing the Wall Street Bridge. Attorney Snyder had provided information ruling out a road on the east side of the river. Various options were discussed including re-furbishing the bridge, removing and installing a new bridge, or removing and replacing with the existing bridge on East River Crossing which is scheduled to be replaced by the County in 2023. Forbes said that it was the consensus of the Committee to re-apply for the BRIDGE-NY grant for a new bridge whenever funds become available. He said that the engineering firm that submitted the first grant application has agreed to re-submit at no extra cost to the Town.

Website update – Councilmember Williams reported that he and Town Clerk Jebbett have reviewed the current Town website and discussed updating and improving it. All suggestions have been forwarded to Good News Computing which was asked to complete the update by December 1<sup>st</sup>.

Phone/internet improvements – Councilmember Williams said that while the Town’s current internet service provided by Time-Warner is sufficient, he is looking into the possibility of sharing the phone/internet system with the Village who recently switched to Verizon. Supervisor Forbes suggested that the Town and Village merge into a single phone system. Williams made no recommendations at this time.

Court audit for 2019 – On motion by Councilmember Jones, seconded by Councilmember Williams and carried unanimously: **WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that Town boards provide an annual audit of the Town Justice Court’s records and dockets; and WHEREAS, Town Board members Williams and Jones performed such an audit of the 2019 Town of Homer court records on October 14<sup>th</sup>, 2020, using a checklist and documentation provided by the New York State Comptroller’s Office; and**

**WHEREAS, Board members Williams and Jones found all records to be clear, concise and accurate; that all reports and disbursements were made on a timely basis; that the checkbooks were reconciled on a timely basis; and that cooperation by the Town Justice and Court Clerk was found to be excellent;**

**IT IS HEREBY RESOLVED that the Town Board accepts and will file the 2019 audit with the Town Clerk and will forward copies of the audit to the New York State Unified Court System along with a copy of this resolution accepting the audit.**

**During the audit the following was noted:**

- 1. A request for audit documents to be viewed and information requested was delivered on October 6<sup>th</sup>, 2020.**
- 2. Audit sampling included the months of January, July, October and December, 2019. The sampling included verification of deposits in both the justice account and the bail account, and verification of timely banking procedures and monthly reporting documents.**
- 3. Open cases were within normal range.**
- 4. Closed cases were sampled for time to completion and found to have been completed in a timely manner.**

## TOWN HISTORIAN

Supervisor Forbes said that Town Historian Martin Sweeney has submitted an interesting report despite the coronavirus pandemic which has keep him mostly at home.

On motion by Supervisor Forbes, seconded by Councilmember Williams and carried unanimously:

**RESOLVED: that the Town Board accepts the Town Historian's excellent report for November 2019 through October 2020, and thanked him for the fine work he has done over the past year despite the coronavirus.**

## ATTORNEY FOR THE TOWN

Attorney Snyder said that a motion to dismiss the Speedway assessment lawsuit is set to be heard by way of a virtual court appearance on December 10<sup>th</sup>. According to Assessor Fitts, Speedway has not provided much more evidence for grieving their assessment than it had in the previous year.

Snyder has not heard recently from EDF Renewables which is planning to build a large solar installation in the Towns of Cortlandville, Homer and Solon. Snyder would like to set up a meeting in the next month or so with the Town Supervisors to discuss the procedures going forward with the EDF project.

He said that it is possible that the project may be sped up considerably should the State allow EDF to opt out of the Article 10 process and into the new Executive Law section 94-c.

Attorney Snyder also said that he is looking to get in touch with the Virgil Town Supervisor to finalize the Homer-Virgil-City of Cortland assessment agreement.

## COUNTY LEGISLATOR

County Legislator Kelly Preston attended the meeting to update the Town Board on the activities and decisions of the County Legislature over the past couple of months. She apologized for the lack of a legislator at the Town's October meeting which was the result of mixed communications.

Legislator Preston reviewed the 2021 tentative County budget and handed out copies of the budget message written by County Administrator Rob Corpora. She said that Cortland County has rebounded from the coronavirus shutdown according to the September sales tax figures and in comparison to other counties did fairly well. The virus has been the main factor in budgeting and caused them to offer a major retirement incentive which resulted in 11 positions being abolished for at least one year. She noted that the County's positive numbers have been increasing since August and the County has had its first fatality.

The improvements to Dwyer Park have received many accolades and the Cortland Repertory Theater used the Park for a virus-safe drive-thru Halloween event, "Ghosts in the Park" that was very well attended.

There was some discussion about landfill tipping fees which once again have come under discussion by the Legislature.

Legislator Preston noted the renovated entry to the County Office Building which was done in-house resulting in a big savings for the taxpayers.

Councilmember Jones noted that because of the poor job done a couple years earlier, the County is currently re-surfacing East River Road. He also reported on some neighbors' complaints regarding a solar project in the area.

The meeting was adjourned at 7:35 p.m.

Anita W. Jebbett  
Town Clerk