

The regular meeting of the Town Board of the Town of Homer held on Wednesday, February 3, 2021, 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  
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, Village of Homer Trustee  
Kevin Fitch, Cortland County Legislator  
Amy Olney, Executive Director, New York Agricultural Land Trust  
Michael McMahon, owner, E-Z Acres dairy farm

PLEDGE OF ALLEGIANCE

MINUTES

**The minutes of the January 6<sup>th</sup> organizational 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 were:

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

BILLS TO BE PAID

General bills were approved as audited on motion by Councilmember Warren, seconded by Councilmember Jones and carried unanimously: **RESOLVED: that General Fund vouchers #1 through #26 totaling \$11,876.28 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 #1 through #17 totaling \$44,627.01 are approved for payment.**

MCMAHON LAND TRUST APPLICATION

Michael McMahon, owner of E-Z Acres, LLC, and Homer Scott Realty, LLC, said that he was looking to purchase the development rights to approximately 1100 acres of farmland that they own in the Skaneateles Lake watershed and Homer/Preble aquifer, 254 acres of which are located in the Town of Homer. He explained that they are doing so in part for the environmental aspects of protecting the watershed and aquifer from future development, and as an opportunity for them to receive funds on which to retire and get their junior partners set up to take over.

Amy Olney of the New York Agricultural Land Trust said that she is working with the McMahon family to prepare an application to the New York State Department of Agriculture & Markets Farmland Protection Implementation Grant. She said that this would reduce any future residential and/or commercial development of the land which could potentially damage the aquifer. As part of the application the farm is required to have a letter of support from the Town.

In response to several questions from Board members and County Legislator Fitch, Executive Director Olney said that since public funds will be used to establish the land trust, future heirs may only make small changes to the farmland protected with State approval. She said that the purpose of the trust is to preserve land for agriculture. NYS law limits any commercial solar development to 2 percent of the protected farmland and makes it subject to site plan review by the State. She said that there is generally not enough land for a commercial solar project. She explained that the protected land is not removed from the tax roll. Olney said that the process of obtaining a grant is a lengthy one, generally taking up to two years. Once the grant is obtained it is monitored by the State and toured once a year to make sure that the land complies with the original agreement.

On motion by Councilmember Warren, seconded by Councilmember Park and carried unanimously:  
**RESOLVED: that the Town Board fully supports the McMahon E-Z Acres, LLC, and Homer Scott Realty, LLC, efforts to apply for a NYS Department of Agriculture & Markets' Farmland Protection Grant for approximately 254 acres of farmland located in the Town of Homer.**

#### REGULAR BUSINESS

Cipriani Energy Group – Supervisor Forbes reported that the Cipriani Energy Group has withdrawn its application for a solar energy project at the intersection of Wolf and Sweeney Roads. The property is currently zoned residential and the proposal received much opposition from neighboring residents at a December Zoning Board of Appeals public hearing on a proposed use variance for the project.

Homer Solar Energy Center – EDF – Supervisor Forbes and Attorney Snyder explained that although the EDF solar project started under the State's Article 10 process, it recently elected to transfer the project from Article 10 to the new Section 94-c review process to expedite its approval. Under Article 10 the Towns involved – Homer, Solon & Cortlandville – were awarded \$31,500 to defray certain costs and retain the law firm of Patrick M. Snyder, Esq., and the engineering firm of Barton & Loguidice. Homer Solar Energy Center has agreed to reimburse the Towns up to the amount of Article 10 funds that remain, which is \$29,960, which will be in an escrow account held by the Town of Cortlandville.

On motion by Councilmember Park, seconded by Councilmember Warren and carried unanimously:  
**RESOLVED: that Supervisor Frederick J. Forbes, Sr., is authorized to sign the escrow agreement for the payment of municipal consultant and legal fees between Homer Solar Energy Center and the Towns of Homer, Solon and Cortlandville.**

Attorney Snyder noted that the new review process will put EDF on a much faster track and that they may have their application ready in June or July of this year.

Harassment Training for employees – Supervisor Forbes said that he is working with the Village on providing the mandatory annual training for employees of both the Town and Village.

Budget modifications – Clerk Jebbett and Supervisor Forbes reviewed the proposed budget modifications as of the end of the 2020 fiscal year.

On motion by Councilmember Jones, seconded by Councilmember Williams and carried unanimously:  
**RESOLVED: that the year-end modifications of the 2020 Town budget are approved as presented (attached).**

Tax collection – Clerk Jebbett noted that due to COVID, many more taxes were received in the mail or paid online. She said that although she did not have the final numbers yet since they were still processing tax payments received in January, payments seemed to be on track with last year at around 78% received by the end of the month.

FIOS/Cameras – Councilmember Williams said that he hoped to report on a proposal for security cameras at the Town Hall and on changing the Town's internet service over to the Village's FIOS at the March meeting.

Bill Pay – Supervisor Forbes reported that bills will now be paid through First National Bank of Dryden’s Bill Pay system. There was discussion on the best way for Board members to audit the payments each month.

#### ATTORNEY FOR THE TOWN

Attorney Snyder said that it had been a quiet month with work mainly on the EDF solar project and transferring a court case from Homer court to another due to a conflict of interest.

#### COUNTY LEGISLATOR

Kevin Fitch reported on the activities at the County Legislature over the past month. He also said that it had been a quiet month and had no updates about Coronavirus vaccinations. He reported that EDF had made a presentation to the County on its proposed Homer Solar Energy Center, and that the County Agriculture and Farmland Protection Board had approved the McMahon proposal. The Town Board members thanked him for attending.

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

Anita W Jebbett  
Town Clerk