

The regular meeting of the Town Board of the Town of Homer held on Wednesday, April 7, 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

Kevin Conlon, reporter, Cortland Standard

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the March 3rd regular meeting and the March 30th special meeting were approved as presented, on motion by Councilmember Williams, seconded by Councilmember Jones and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board:

1. The Town Clerk's report of all receipts and disbursements for March.
2. The Code Enforcement Officer's report of all building permits issued for March.
3. The Dog Control Officer's report of all activities for February & March.
4. The Supervisor's reports of all financial activities through February. Forbes noted that these reports are now provided by the accounting firm of Cahill & Knobel and that he would email them to Board members when received.

ANNUAL REPORTS

Presented for audit by the Board:

1. The 2020 Annual Update Document (AUD) or Annual Financial Report, which was filed with the NYS Comptroller's Office.

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 #54 through #75 totaling \$12,810.40 are approved for payment.**

Highway bills were approved as audited on motion by Councilmember Williams, seconded by Councilmember Park and carried unanimously: **RESOLVED: that Highway Fund vouchers #35 through #57 totaling \$30,354.23 are approved for payment.**

NEW BUSINESS

Local law regarding chickens - On motion by Supervisor Forbes, seconded by Councilmember Park and carried, Forbes, Park and Warren voting in the affirmative, and Jones and Williams opposed: RESOLVED: that the Town Board accepts the Proposed Local Law No. 1 of 2021 as follows:

A local law to amend the zoning law to allow the raising of chickens in the Residence District without any town permits provided that certain conditions are met

Section 1: Zoning Law Section 503 is amended by adding the following:

For purposes of this section, the raising of chickens in the Residence District is considered to be a use that is customarily incidental to residential use and it does not require any approvals provided that the following conditions are met:

1. All chickens are confined and not allowed to roam free
2. There are no roosters
3. The chickens and eggs are for on premises consumption only and not for commercial sale
4. The building or fenced area containing the chickens is at least 15 feet from any adjacent residential properties

Section 2: This local law shall take effect immediately upon being filed by the Secretary of State

Supervisor Forbes explained that for him this proposed local law was a compromise designed to allow residents living in areas zoned Residence Districts to have chickens by right and not to have to ask the Town Planning Board for a special permit. Councilmember Williams explained that he was concerned that the proposed law may have too many restrictions on the ownership of chickens and suggested that he would need more time to consider it and speak with Town residents about it.

There was much discussion about various factors such as the noise that roosters make compared to other sources of noise in a neighborhood, whether to change the proposal to allow residences with greater acreage more leeway on having chickens, etc. The Board agreed that the proposal needs more consideration prior to submitting it for a public hearing.

On motion by Supervisor Forbes, seconded by Councilmember Jones and carried unanimously: RESOLVED: **that the previous resolution accepting the current version of the proposed Local Law #1 of 2021 is hereby rescinded, and no action will be taken at this time.**

Use of Assessor's Office – Supervisor Forbes said Assessor Clerk Caitlyn Brown has asked to use the current office space for her work as the new Assessor for the Town of Cincinnatus. Long-time Assessor Fran Butler who has an office in Marathon is planning to retire and Caitlyn is expecting to be appointed in her place.

On motion by Councilmember Warren, seconded by Councilmember Williams and carried unanimously: RESOLVED: **that the Town Board agrees that the Homer Assessor's Office may also be used for the Town of Cincinnatus Assessor, and that Cincinnatus be asked to pay the Town of Homer the same fee as they are currently paying the Town of Marathon for use of the office space.**

Zoom meeting regarding solar project – Town Board members were informed of a Zoom meeting scheduled for next week regarding the status of the large solar project, the Homer Energy Center.

Annual Firemen's Installation Dinner – Councilmember Williams offered to attend the annual event to be held at the Homer Elks Club on Friday, April 23rd, as the Town's representative.

Records Disposition – On motion by Councilmember Warren, seconded by Councilmember Williams and carried unanimously: **RESOLVED: that the Town Clerk as Records Management Officer is authorized to properly dispose of Town records in accordance with the *Retention and Disposition Schedule for New York Local Government Records (LGS-1)* issued by the New York State Archives, as listed (attached).**

Adopting fees for variance applications – Attorney Snyder suggested that the Town charge a fee for an application to the Zoning Board of Appeals for a variance. The Planning Board fees for a site plan review and a subdivision application help to cover some of the costs of holding a meeting, while the Zoning Board currently charges no fees. There was much discussion as Attorney Snyder explained the two types of variances, area and use, and said that a use variance often is much more involved than an area variance. Councilmember Williams voiced opposition to adding any new fees.

On motion by Supervisor Forbes, seconded by Councilmember Warren and carried, with Forbes, Warren, Park and Jones voting in the affirmative and Williams opposed: **RESOLVED: that the following fees shall apply to applications to the Zoning Board of Appeals: \$50 for an area variance, and \$100 for a use variance.**

Town Clerk/Deputy Clerk positions – Supervisor Forbes said that he is still looking at candidates to fulfill the position of Town Clerk and Deputy Clerk.

FIOS/Security Cameras – Councilmember Williams said that a glitch prevented the Town from tying into the Village's FIOS internet last month, and the security cameras are more complicated than he first thought, but that both projects are moving forward.

Town Hall Parking Lot – Supervisor Forbes said that he was considering having the Town adopt some rules regarding the use of the Town's parking lot. He said his main concern is with plowing snow during the winter months if local residents are parking there overnight. Board members were asked to consider the matter and Forbes said that he would bring up again in May.

Federal stimulus funds – Forbes said that he would be speaking with Supervisor Tom Williams from the Town of Cortlandville about what will qualify for the funds and how and when to apply for them. Councilmember Park said that he and Councilmember Warren would be checking out the condition of the roof of the Town Hall using a lift as soon as possible. He noted that if the Board wants to utilize the balcony, in order to make it accessible, a wheelchair lift could be installed for a cost he estimates at around \$25,000 to \$30,000.

The meeting was adjourned at 7:45 p.m.

Anita W Jebbett
Town Clerk