

Regular Meeting
July 7, 2021

The regular meeting of the Town Board of the Town of Homer held on Wednesday, July 7, 2021, in the Town Hall Senior Center was called to order by Supervisor Frederick J. Forbes, Sr., at 6:55 p.m.

Social distancing was observed due to the on-going COVID-19 pandemic.

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
Heather M. Hill, Town Clerk

OTHERS PRESENT

Brooke L. Poli
John & Maxine Seamans, Village residents
DeeDee Dillingham, Cortlandville resident
Kevin Smith, Reporter, Cortland Voice
Victor Siegle, Homer Village resident
Linda Jones, County Legislator
Patrick Clune, Trustee, Village of Homer
Gary Lawrence & Don Fisher, Little York Lake Preservation Society
Donald Ferris, reporter, The Homer News
John Phelps, Highway Superintendent
Kevin Conlon, reporter, Cortland Standard

MINUTES

The minutes of the June 2nd regular meeting & the June 22nd special meeting were approved as presented, on motion by Supervisor Forbes, seconded by Councilmember Parks and carried unanimously.

MONTHLY REPORTS

Presented for audit by the board were:

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

BILLS TO BE PAID

General bills were approved as audited on motion of councilmember Williams, seconded by councilmember Jones and carried unanimously: **RESOLVED: THAT** General Fund vouchers #119 through #140 totaling 16, 589.43 are approved for payment.

Highway bills were approved as audited on motion by councilmember Warren, seconded by councilmember Park and carried unanimously: **RESOLVED:** that Highway Fund vouchers #87 through #106 totaling \$138, 787.10 are approved for payment.

OLD BUSINESS

Little York Lake Preservation Society – Gary Lawrence & Don Fisher were present on behalf of the Little York Lake Preservation Society. Don Fisher reiterated their proposal to create a special assessment district around Little York Lake which lies in both the Towns of Homer and Preble. The majority of Little York Lake property owners signed the society's petition. The society briefed the Town of Preble who passed the resolution. The society will be briefing the Highway Committee as well to make the Little York Lake a sustainable place.

A copy of the proposal was given to Attorney Snyder. Supervisor Forbes read the (attached) resolution expressing support for creating a county lake protection and rehabilitation district. Councilmember Williams asked the board for a motion.

On motion by councilmember Park, councilmember Warren seconded and carried unanimously. **RESOLVED: That the Town Board supports the Little York Lake Preservation Society and the property owners in creating a County Lake Protection and Rehabilitation District.**

Gary Lawrence and Don Fisher requested a copy of the July 7th, 2021 board Meeting minutes to send to the society.

LOCAL LAW #1 – CLERK AND DEPUTY CLERK RESIDENCY- On motion by Supervisor Forbes, seconded by councilmember Park and carried unanimously. **RESOLVED: to adopt proposed local law #1 establishing the residency requirements for the appointed offices of Town Clerk and Deputy Clerk for the Town of Homer.**

LOCAL LAW #2 – CHICKEN IN RESIDENCE DISTRICT - On motion by councilmember Warren, seconded by Williams and carried unanimously. **RESOLVED: to adopt proposed local law #2 amending the zoning law to allow the raising of chickens in the Residence District without any town permits provided that certain conditions are met.**

NEW DEPUTY CLERK - Supervisor Forbes asked the board to make a motion to appoint Brooke Poli as Town of Homer Deputy Clerk.

On motion by councilmember Williams, seconded by councilmember Jones and carried unanimously. **RESOLVED: that Brooke L. Poli is hereby appointed as the Town Deputy Clerk for the Town of Homer, to replace Karen J. Buckley who has retired.**

On motion by Supervisor Forbes, seconded by councilmember Williams and carried unanimously. **RESOLVED: that the town board accepts with regret the resignation of Anita W. Jebbett and Karen J. Buckley as clerk and deputy clerk as of June 30th, 2021.**

Town Hall Roof & Furnace – Councilmember Warren stated that he does not have any new information on the furnace or roof. He will contact M.A.B. roofing and follow up.

Soil & Water Conservation District Signs – There was a further discussion on the request from Amanda Barber to both the Town and Village to contribute to replacement of highway signs noting that certain areas are in the aquifer. Amanda emailed Supervisor Forbes breaking down the price of \$219 per sign with a grand total of \$985.50 for both the Town and the Village. After much discussion about the price, longevity, placement, purpose and size of the signs, Patrick Clune, Trustee, Village of Homer, mentioned that the Village would be discussing this at their board meeting on Wednesday July 14, 2021. A decision on the signs was tabled until the August meeting as suggested by Councilmember Park.

SOLAR ENERGY FACILITIES PROJECT (EDF) -Resident Victor Siegle thanked the Town Board and employees for their patience, diligence and service. Victor initiated his presentation with stating that the EDF project has so many flaws that it should not be built in Cortland County today but, because it cannot be stopped, we should certainly charge full property tax rates. Due to the lack of transparency and lack of public discussion, some previous solar projects in Cortland County may have earned up to 400% of the profit percentage recommended by New York State Energy Research and Development Authority (NYSERDA). EDF's profit is essentially guaranteed. EDF has requested a property tax abatement of almost

94% below to full assessed value based upon construction costs. EDF chose Cortland County because of our rare combination of readily available land located near a transmission line to downstate New York. Councilmember Williams made question as to what the terms of opting out and time line consisted of. Victor suggested to talk with a lawyer before building as 94C takes all Town rights away. Article 10 for the past year has been silent. Victor noted that he was unable to find a deadline to opt out but believed there was still time to do so. Attorney Snyder said he would have to look into section 487.

Wall Street Bridge – Supervisor Forbes informed us that New York State had a bridge inspection on the Wall Street Bridge. The report from New York State Non-Structural Condition Observation (NSCO) stated that the concrete was bad. Supervisor Forbes and the board were surprised that an inspection was done and red flagged to a bridge that has been closed for over three years.

NEW BUSINESS

Audit and Certifying Town Clerk and Tax Collector Checkbooks - Small discussions on who will be auditing and certifying the town clerk and tax collector checkbooks. Supervisor Forbes said that an audit should take place after any change of personnel. Cahill and Knobel, LLC will be handling this audit as they do not have excess to the town clerk's records. On motion by Supervisor Forbes, seconded by councilmember Williams and carried unanimously. **RESOLVED: that the town board accepts the auditing and certifying of the town clerk and tax collector check books.**

Retired Nurses Association- Supervisor Forbes was approached by Delores Taylor from the retired nurses Association to use the Senior Center for their monthly meetings. Forbes attended a meeting with the nurses which he noted was all new for him. Attorney Snyder said there were no objections. Councilmember Warren made mention to make sure there was a schedule of the senior center occupancy so no events overlapped. Schedule/calendar is taken care of by the clerk and deputy in the town hall office.

On motion by Councilmember Warren, seconded by councilmember Jones and carried unanimously. **RESOLVED: The Retired Nurses Association will be meeting in the senior center of the town hall monthly.**

AMERICAN RESCUE PLAN ACT (ARPA)/STIMULUS 2021 – Supervisor Forbes opened decision to accept or decline the ARPA Stimulus money from New York State. An acceptance or decline needs to be in before Friday July 9th, 2021. There was much discussion about where/how the Town can implement the money. Supervisor Forbes, the clerk and deputy clerk will work side by side with keeping records of how the money is used for the next 5 years bringing us to 2026.

On motion by Supervisor Forbes, seconded by councilmember Park and carried unanimously. **RESOLVED: to move forward with the ARPA application process to receive payment of \$317,574 of which half will be paid in the summer of 2021 and the other half in the summer of 2022.**

PROPOSED LOCAL LAW MARIJUANA OPT OUT – A proposed local law initiated by Supervisor Forbes would have the Town of Homer opt out of allowing marijuana retail sales and on-site consumption anywhere outside of the village. Supervisor Forbes stated that he is opposed to such sales but that he would like the public to be able to decide whether to allow such establishments. After much discussion it was agreed that the town would opt out by adopting a local law, but that the local law would be placed on the ballot for the general election in November. If the voters approve the local law, it will go into effect after that. There will be a public hearing on the local law to opt out at the August 4th meeting. In the meantime, the ballot question will be submitted to the board of elections.

A motion was made by councilmember Park to proceed with a public hearing on the proposed Local Law #3 opting out, seconded by Councilmember Jones and carried unanimously.

HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps updated the town board on his department's activities over the past months. He said that all salt ordered for the winter season is now stock piled. His crew took vacation time after black top job was completed in May. Phelps requested to replace the box on truck #11 and order another truck to replace number #15. Councilmember Park motioned to approve \$46,098 for new box, sander and installation of truck number #11. Phelps wants to preorder this now, as there is a shortage on material and may take up to a year to receive. In April Phelps was quoted 226,000 by Henderson Equipment, and as of June the truck total at the state bid is \$241,126.

On motion by councilmember Park, seconded by Williams and carried unanimously.

RESOLVED: that the town of Homer approves and authorizes the Highway Superintendent to purchase a new box for truck #11 and purchase a new truck to replace truck #15.

COUNTY LEGISLATOR

County Legislator Linda Jones attended the meeting to update the Town Board on the activities and decisions of the County Legislator over the past couple of months. She informed the Board that as of July 12th the county office building is to reopen with a new entrance and exit. There have been 4 new department heads added. Moving city court to court house with a new weapons policy brought back several times with amendments. The county spent \$9,000 to rearrange the chambers. Purchased old Brewers building on Port Watson Street for mental Health Department. Dwyer Park replacement of 12 out of 21 fireplaces completed. Councilmember Park from Homer Iron Works donated five fireplaces. Fireworks went over well this year. Had 6 to 7 live bands, food vendors from 2pm to 8pm, most vendors sold out before fireworks commenced. Cortland Repertoire Theater (CRT) also attended as a food vendor. Center for the Arts had a beer garden that was super successful. Wake pool was not open last year due to under staffing. Pool will re-open this year Wednesday to Sunday 10Am to 6PM. The county accepted 1,843,420 for airport rehabilitation. The Board thanked her for her report.

The meeting was adjourned at 8:16 PM.

Heather M. Hill

Town Clerk