

The regular meeting of the Town Board of the Town of Homer held in the board room of the Town Hall building on Wednesday, March 8, 2017, was called to order by Deputy Supervisor Michael R. Park at 6:30 p.m.

PRESENT

Michael R. Park, Deputy Supervisor
Larry R. Jones, Councilman
Barry E. Warren, Councilman
Kevin M. Williams, Councilman
Patrick M. Snyder, Attorney for the Town
Anita W. Jebbett, Town Clerk

ABSENT

Frederick J. Forbes, Sr., Supervisor, due to illness

OTHERS PRESENT

Kevin McMahon, Deputy Code Enforcement Officer
Michael McMahon, Planning Board member
Donald Ferris, reporter, The Homer News
Nick Graziano, reporter, Cortland Standard

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the February 8th regular meeting were approved as presented, on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously.

MONTHLY REPORTS

Presented for audit by the Board were:

1. The Town Clerk's monthly report of all receipts and disbursements for February.
2. The Supervisor's monthly report of all receipts and disbursements for December, 2016, and January and February, 2017.
3. The Dog Control Officer's report of all activities for February.
4. The Code Enforcement Officer's report of all building permits issued for February.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Jones, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General Fund vouchers #35 through #52 totaling \$28,770.70 be approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Highway Fund vouchers #25 through #43 totaling \$21,565.98 be approved for payment.**

NEW BUSINESS

Deputy Supervisor Park reported that Supervisor Forbes was improving and would hopefully be attending the next meeting scheduled for April 5th. He told those present that he would be taping the meeting for Supervisor Forbes.

Solar energy law – Mike McMahon of the Town Planning Board reviewed the proposed local law regarding solar energy systems developed by the Planning Board for the Town Board's approval and

adoption. He said that he had read over laws from several area towns before adapting the law from the Town of Geneva to fit with what Homer would like.

The proposed law defines “major” and “minor” solar energy systems and establishes different regulations for each. Minor systems are permitted in all zoning districts in the Town, with the requirement of a building permit. For major systems, site plan review by the Planning Board is required, as well as a building permit. Major systems are not permitted in the Residential or Lakeside zoning districts in the Town, or in several other areas, including on land classified as prime farmland. Mike McMahon said that this regulation is unique to the Homer law in order to protect prime farmland in the Town. He explained many aspects of the law in response to questions by the Board.

Kevin McMahon, Deputy Code Officer, was present to review the proposed law. In response to a question from Attorney Snyder about concerns about access and potential dangers of roof-mounted solar panels in the event of a house fire, he said that new building codes now limit how much of a homeowner’s roof can be covered by solar panels, and newer solar panels use DC current which is safer than AC. He also informed the Board that it is the responsibility of the solar energy company to certify that the weight of roof-mounted solar panels will not impact the structural integrity of the home.

There was much discussion about the inclusion of regulations for the decommissioning of major systems and giving the Town Board the authority to request a bond for a major solar project. Code Officer McMahon was pleased that the Planning Board had included those items in the proposed law. However, he was concerned that mowing and the general maintenance of a solar energy farm was not included.

Attorney Snyder said that those issues can be addressed during a site plan review. Snyder reminded the Board that with site plan review, as long as all the criteria are met, the project must be approved. He said that any bigger projects would be also subject to SEQRA.

Kevin McMahon suggested that having a minimum setback of 100’ was too restrictive, and Mike McMahon agreed that 50’ would be acceptable.

On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the local law on Solar Energy Systems as recommended by the Town Planning Board be advertised for a public hearing to be held at 6:30 p.m. on Wednesday, April 5th, in the Town Hall board room, with the only change being a reduction in the minimum setback from property lines for a major system or solar farm from 100’ to 50’.**

The Town Board thanked Mike McMahon for all his work on the proposed law, and Kevin McMahon for his input.

Extension of tax collection period – On motion by Councilman Williams, seconded by Councilman Warren and carried unanimously: **RESOLVED: the Town Board requests that the County Treasurer’s Office grant an extension of time until June 1st, 2017, for the collection of Town & County taxes by the Homer Town Tax Collector.**

Housing Grant update – Attorney Snyder said that the Request for Proposals (RFP) for the administration of the Community Development Housing Rehabilitation Grant has been advertised in several places, including the Cortland Standard and the Post Standard (Syracuse), and on the MBE/WBE website. The proposals are due by noon on Friday, March 31st, and should be reviewed in time for the April 5th Town Board meeting.

Town Hall Committee update – Councilman Warren reported that he and Councilman Park had met with Mayor Genevieve Suits and Village Trustee Kevin Slack about the possibility of the Village moving their offices back into the Town Hall. He reminded them about the Town’s offer of \$600/month rent and \$15,000 towards renovations, and suggested that one possibility is that the Village utilize the south side of the building including the board room space. Mayor Suits had said that she would like the Village’s Building Committee to review the amount of space available and make a recommendation to the Village Board.

Deputy Supervisor Park said that the Town is willing to accommodate the Village, but if they do not choose to return to the Town Hall, the Town will not have any bad feelings towards the Village. He emphasized that the Town just wants to continue to have a good working relationship with the Village.

Bridge replacement update – Deputy Supervisor Park said that he had also discussed the condition of the lenticular-truss bridges in the Village with Mayor Suits and Trustee Slack. Although they had originally insisted that the Wall Street Bridge be replaced, the loss of a building on the corner of Pine Street has made them reconsider replacing that bridge. Park said that it makes more sense because of all the obstacles at the Wall Street Bridge, including a Village pumping station and a National Grid electric utility structure. Park suggested having a joint meeting of the Village and Town to hash out an agreement about replacing one bridge and renovating the other as a pedestrian bridge.

Parliamentary Procedure – Councilman Jones handed out information on parliamentary procedure that he had received at a recent meeting for the Board to review.

ATTORNEY FOR THE TOWN

Attorney Snyder said that only one junk zoning case remains and that the residents involved have requested more time to comply. The court case has been adjourned until April. Snyder said that he would be submitting the draft solar law to County Planning for GML review.

TOWN CLERK

Town Clerk Jebbett reported that again this year Time-Warner has not paid their Town & County taxes in full. Although this has taken place each year for a few years, because the County Treasurer's Office collects the utilities and special franchises, the Town was unaware of the shortage until last year when the Town had to pay the County for the shortfall. Jebbett pointed out that the Town's franchise agreement with Time-Warner, not updated since the 1990's, specifically prohibits them from deducting franchise fees from their taxes. Attorney Snyder will look into this matter and address it at the April meeting.

The meeting was adjourned at 8:00 p.m.

Anita W. Jebbett
Town Clerk