

The regular meeting of the Town Board of the Town of Homer held in the Senior Center in the basement of the Town Hall building on Wednesday, October 3, 2018, was called to order by Supervisor Frederick J. Forbes, Sr., at 6:30 p.m.

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
John R. Phelps, Highway Superintendent
Anita W. Jebbett, Town Clerk

OTHERS PRESENT

Patrick Clune, Trustee, Village of Homer

PLEDGE OF ALLEGIANCE

MINUTES

The minutes of the September 5th regular meeting were approved as presented, on motion by Councilman Park, seconded by Councilman 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 September.
2. The Supervisor's report of all receipts and disbursements for August.
3. The Code Enforcement Officer's report of all building permits issued in September.
4. The Dog Control Officer's report of all activities for the month of September.
5. The Status of Funds report for the Community Development Grant as of September 26th.

BILLS TO BE PAID

General bills were approved as audited on motion by Councilman Park, seconded by Councilman Williams and carried unanimously: **RESOLVED: that General Fund vouchers #194 through #216 totaling \$20,630.57 are approved for payment.**

Highway bills were approved as audited on motion by Councilman Warren, seconded by Councilman Park and carried unanimously: **RESOLVED: that Highway Fund vouchers #161 through #181 totaling \$27,461.02 are approved for payment.**

Community Development bills were approved as audited on motion by Councilman Warren, seconded by Councilman Williams and carried unanimously: **RESOLVED: that Community Development Fund vouchers #44 through #46 totaling \$26,300.00 are approved for payment.**

NEW BUSINESS

New grant applicants – On motion by Councilman Warren, seconded by Councilman Park and carried unanimously: **RESOLVED: that Supervisor Forbes is authorized to sign his approval of two more applicants for the Community Development Block Grant – Nancy Winnie, 2643 Route 13, for \$25,509.00, and Melissa Root, 1493 Frederick Ave, for \$28,650.00.**

These two projects are expected to use up the remaining grant funds.

Budget adjustment – On motion by Supervisor Forbes, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the estimated revenue account for the NYS CHIPS aid (DB3501) and the appropriation account for CHIPS program expenditures (DB5112.2) each be increased by \$46,188.01, to reflect the amount of aid actually received, \$221,188.01.**

Status of Town Hall Renovation Project – Supervisor Forbes reported that the work on the project began on Monday, September 10th, and is progressing very well on the Assessor's Office portion which will be located on the stage. He said that the architect will be meeting with the contractors on Thursday, October 4th.

On motion by Councilman Williams, seconded by Councilman Park and carried unanimously: **RESOLVED: that Supervisor Forbes is authorized to sign a change order to allow Beard Electric to install internet & telephone in the newly-created office space on the stage at a cost for time & materials not to exceed \$3,975 and subject to review by Architect Randy Crawford.**

2019 Tentative Town Budget – Supervisor Forbes reviewed the tentative budget for 2019, including a 2% wage increase for all employees, except those of the Highway Department whose wages will be determined at a future meeting. Forbes noted the savings made by switching banks, thereby eliminating service charges, and the interest to be earned by investing reserve funds with the help of the new bank, First National Bank of Dryden. Forbes said that the interest will fund any wage increases. He said that for 2019 the tax rate will be increased slightly, but not over the 2% tax cap imposed by the State.

Forbes discussed the Fire Tax rate with Village Trustee Patrick Clune, stating that he is still waiting for the Homer Fire District to work with the Homer Fire Department on a new contract. For the purpose of the tentative budget, Forbes said that he increased the fire tax up to the 2% tax cap. He said that if a contract is not signed, the amount to be raised would revert to the 2018 contract amount.

Trustee Clune noted that the Village is looking at negotiating a 2- or 3- year contract and that it may exceed the tax cap in the future, due to the need to update equipment, pay workers' compensation insurance, and fund cancer screenings mandated by a new law.

There was also discussion about the Assessor's contract which will expire at the end of September next year, and funding for the Phillips Free Library. Supervisor Forbes distributed copies of the tax exemptions that apply to the Town and Village. The Board members thanked Supervisor Forbes for all his hard work on the budget.

On motion by Councilman Park, seconded by Councilman Williams and carried unanimously: **RESOLVED: that the tentative budget proposed by Supervisor Forbes is hereby adopted as the 2019 preliminary budget for the Town of Homer, with a proposed tax rate of \$1.33/thousand for the Village, and \$1.33/thousand plus a fire district tax of \$.44/thousand for a total Town rate of \$1.77/thousand.**

PILOT plan for Solar Farm – There was discussion about the solar farm being constructed by Renovus on the west side of Route 11 just north of the Route 81 overpass, approved by the Town Planning Board. Attorney Snyder explained that the Cortland County Legislature had recently passed a local law establishing a PILOT (or Payment In Lieu of Taxes) plan for commercial solar farms built in Cortland County, and that if municipalities wish to participate, they would need to pass a resolution adopting the County's Local Law.

On motion by Councilman Park, seconded by Councilman Williams and carried unanimously: **RESOLVED: WHEREAS, the Cortland County Legislature has adopted County Local Law #1 of 2018, which law establishes a Payment in Lieu of Tax (PILOT) Agreement program for commercial solar energy projects, and**

WHEREAS the County has advised the Town of Homer and other municipalities that in order to partner with the County a town must pass a resolution adopting the county law, and

WHEREAS the Homer Town Board wishes to participate in the PILOT program with the County, NOW, IT IS HEREBY RESOLVED that the Town of Homer approves and adopts the County Local Law #1 of 2018 and will participate in the PILOT program for commercial solar projects located within the Town of Homer.

OLD BUSINESS

Land annexation – On motion by Councilman Jones, seconded by Councilman Warren and carried unanimously: **RESOLVED: that the Town hereby accepts property currently owned by the Donald Ripley Trust, consisting of 1.6 acres, tax map parcel #66.83-01-45.000, annexed from the Village to the Town, to be combined by a new purchaser with property located in the Town of Homer on Carroway Hill Road, also owned by the Donald Ripley Trust, tax map parcel #77.00-04-02.000.**

Postage meter refill – On motion by Councilman Williams, seconded by Councilman Jones and carried unanimously, **the Town Clerk was authorized to add \$1,200 to the Town’s postage meter.**

Power line expansion – There was much discussion about the controversial proposed expansion of high voltage power lines by NYSEG through portions of East Homer. Supervisor Forbes and County Planner Dan Dineen participated in a conference call at the request of former County Legislator Kathie Arnold with an out-of-state organization (CELDf) that proposed to help them to oppose the expansion. Some towns had already signed agreements with this group. Attorney Pat Snyder advised the Town against involvement with this opposition group because they do not have any New York State licensed attorneys and because the lead attorney for the group had been sanctioned (fined) \$52,000 for pursuing frivolous litigation in a federal court in Pennsylvania. Supervisor Forbes said that at this point there is even a question if NYSEG will proceed with the project.

Balcony area renovations – There was discussion about the plans to turn the balcony area into useable space. Supervisor Forbes has received quotes for the removal of asbestos in the old movie projection booth. Councilman Warren said that he does not think the Town would gain much space by the removal of the projection booth. Councilman Park said that although the Town would probably not recoup their costs, it would be a benefit to the Town to remove the asbestos from the building, and that the cost to do so is only going up.

On motion by Councilman Park, seconded by Councilman Jones, and carried, Park, Jones and Williams voting in the affirmative and Warren opposed: **RESOLVED: that Summit Environmental is hired to abate the asbestos in the projection booth, and Arctic Enterprises, Inc. is hired to provide air monitoring for the removal at a total cost not to exceed \$10,500.**

Sidewalk repairs – There was discussion about repairing a portion of the sidewalk in front of the Town Hall – widening it to allow for winter maintenance with a tractor, and raising it for better drainage. Councilman Warren said that he would try to get two quotes for the proposed repairs.

HIGHWAY SUPERINTENDENT

Highway Superintendent Phelps updated the Town Board on his department’s activities over the past month. He reported that his crew has replaced a 60-year old culvert pipe on Parks Road with a much larger pipe, and will be adding a guiderail as well. The Hights Gulf Road Bridge is now closed and the bridge is undergoing repairs by Pro-Con Contracting. Phelps said that he expects the project to be completed within a few weeks.

Councilman Parks said that Phelps and his crew had a very productive year – many Town roads have been fixed, culvert pipes replaced, and now the Hights Gulf Road Bridge is being repaired. He also noted the fiscal diligence of the past and current Town Boards resulting in projects like the Hights Gulf Road Bridge and the Town Hall office renovations being done without bonding.

ATTORNEY FOR THE TOWN

Attorney Snyder reported on the activities of the Town Planning Board over the past month. They have approved a special use permit for a solar farm to be located on Route 11, and approved a site plan for Jason Kristof to have a home occupation of brewing beer at his property at 722 Route 90 with no on-site sales.

The Planning Board is still working on proposed changes to the Zoning Law that would allow for farm breweries/distilleries/wineries in certain districts with a special permit. They will be making recommendations to the Town Board on that topic and chickens in a residential district, as well as “wedding barns”, in a couple of months.

The meeting was adjourned at 9:00 p.m.

Anita W. Jebbett
Town Clerk