

Regular Meeting
May 4, 2022

The regular meeting of the Town Board of the Town of Homer held on Wednesday, May 4, 2022, in the Town Hall Senior Center was called to order by Supervisor Frederick J. Forbes Sr., at 6:30 p.m.

PRESENT

Frederick J. Forbes, Sr., Supervisor
Michael R. Park, Deputy Supervisor
Larry Jones, Councilmember
Barry E. Warren, Councilmember
Kevin M. Williams, Councilmember
Patrick M. Snyder, Attorney for the Town
Heather M. Hill, Town Clerk

OTHERS PRESENT

Tim Malchak, Town of Homer Resident
Patrick Clune, Trustee Village of Homer
Mary Dafoe, Town of Homer Resident
Gary Lawrence, Town of Homer Resident
Kelly Preston, Legislator

PLEDGE

MINUTES

Supervisor Forbes informed the Board that after the April 6, 2022, meeting voucher #38 was written incorrectly out of the Highway Fund in the amount of \$195.50, the corrected amount is \$1957.50.

On motion by Deputy Supervisor Park, seconded by Councilmember Jones and carried unanimously:
RESOLVED: The minutes of the April 6, 2022, meeting was approved as corrected/presented.

MONTHLY REPORTS

Presented for audit by the board were:

1. The Town Clerk's report of all receipts and disbursements for April 2022.
2. The Supervisor's reports of all financial activities through March & April 2022.

BILLS TO BE PAID

General bills were approved as audited by Councilmember Warren, motioned by Councilmember Warren, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: that General Fund vouchers #71 through #91 totaling \$13,994.05 are approved for payment.**

Highway bills were approved as audited by Councilmember Jones, motioned by Councilmember Jones, seconded by Councilmember Warren, and carried unanimously: **RESOLVED: that Highway Fund vouchers #55 through #74 totaling \$147,117.77 are approved for payment.**

SEASONAL BOAT PARKING IN TOWN HALL LOT

Supervisor Forbes informed the Board that last year they allowed a tenant in the apartments out back of the Town Hall to park his boat in the lot. Mr. Forbes mentioned that there were a few complaints last year and the tenant did call and always complied when Mr. Forbes asked him to move the boat. Councilmember Warren asked what the complaints were last year. Mr. Forbes stated that the elderly couple asked them to move the location of the boat as it was blocking their view. The Town Board agreed to allow the parking of the boat for one more year in the Town Hall parking lot. The one stipulation would be if any complaints arose, the boat would need to be moved.

APPOINTMENT OF PAUL SWEENEY AS BRIDGE COMMITTEE CHAIRMAN

On motion by Supervisor Frederick J. Forbes Sr., seconded by Councilmember Williams and carried unanimously: **RESOLVED: To approve Paul Sweeney as Chairman of the Bridge Committee.**

QUOTE FROM LABELLA

Supervisor Forbes told the Board that no quote from Labella has been received at this time.

SIGNS ALONG INTERSTATE 81 UPDATE

Supervisor Forbes noted that Emmanuel Pothos, the proponent for the billboards is out of town and was unable to attend the Town of Homer Board meeting.

FUTURE OF SENIOR CENTER UPDATE

Supervisor Forbes met with Crawford and Sterns and Homer Police Chief Pittman on Thursday to go over and review the plans for downstairs. The main concern is to construct a combined entrance for both the Court and Police Department. Supervisor Forbes is in hopes to receive a written plan from Randy Crawford within the next few weeks.

BUDGET ADJUSTMENTS

Supervisor Forbes read the Budget Modifications of 2021; all Board members received a copy of the report. The budget adjustments are as follows:

**TOWN OF HOMER
BUDGET MODIFICATIONS
FOR THE YEAR 2021**

CODE	GENERAL FUND TOWNWIDE DESCRIPTION	BUDGET INCREASE	BUDGET DECREASE
A1110.1	TOWN JUSTICES PERSONAL		\$ 2,000.00
A1110.4	TOWN JUSTICE CONTRACTUAL		\$ 6,000.00
A1220.4	SUPERVISOR - CONTRACTUAL	\$ 12,000.00	
A1355.1	ASSESSOR PERSONAL		\$ 20,000.00
A1355.4	ASSESSOR CONTRACTUAL		\$ 3,000.00
A1410.1	TOWN CLERK PERSONAL	\$ 2,000.00	
A1410.4	TOWN CLERK CONTRACTUAL	\$ 3,000.00	
A5132.4	GARAGE CONTRACTUAL		\$ 4,000.00
A9010.8	STATE RETIREMENT	\$ 1,000.00	
A9050.8	UNEMPLOYMENT INSURANCE	\$ 2,000.00	
A9060.8	HOSPITAL MEDICAL INSURANCE	\$ 15,000.00	\$ -
	TOTALS	<u>\$ 35,000.00</u>	<u>\$ 35,000.00</u>
 GENERAL FUND OUTSIDE VILLAGE			
B3620.4	CODE ENFORCEMENT - CONTRACTUAL		\$ 1,500.00
B5182.4	STREET LIGHTING	\$ 1,100.00	
B8010.4	ZONING ATTORNEY	\$ 100.00	
B8020.4	PLANNING CONTRACTUAL	\$ 300.00	\$ -
	TOTALA	<u>\$ 1,500.00</u>	<u>\$ 1,500.00</u>
 HIGHWAY FUND - OUTSIDE VILLAGE			
DB5110.1	GENERAL REPAIRS - EQUIPMENT		\$ 33,200.00
DB5110.4	GENERAL REPAIRS - CONTRACTUAL	\$ 30,000.00	
DB5112.2	PERMANENT IMPROVEMENTS (CHIPS)	\$ 77,000.00	
DB9010.8	STATE RETIREMENT	\$ 1,100.00	
DB9040.4	WORKERS COMP	\$ 100.00	
DB9050.8	UNEMPLOYMENT INSURANCE	\$ 2,000.00	
DB3501	CONSOLIDATED HIGHWAY AID (CHIPS)	\$ -	\$ 77,000.00
	TOTALS	<u>\$ 110,200.00</u>	<u>\$ 110,200.00</u>

On motion by Supervisor Frederick J. Forbes Sr., seconded by Deputy Supervisor Park and carried unanimously: **RESOLVED: To accept the adjustments made to the 2021 Town of Homer budget and have Cahill & Knobel file the AUD with the State of New York.**

FIRE DEPARTMENT ANNUAL DINNER UPDATE

Councilmember Williams represented the Town of Homer installation dinner for the Fire Department. He stated that it was a full benefit this year. Everyone had a good time, and he would attend next year.

REVIEW CORTLANDVILLE ZONING/SOLAR LAW

Supervisor Forbes told the Board that Cortlandville amended their Zoning/Solar Law. He wanted to make the Board aware of the detailed work Cortlandville had completed. He also asked the Board to review Cortlandville's updates to see if the Town of Homer should implement any to our law. Once the Town Board has reviewed the changes, Mr. Forbes would like the Planning Board to also discuss the updates to see if they have any recommendations.

TOWN OF HOMER CLERK HOURS UPDATE

Supervisor Forbes updated the Board on the clerk hours. In the fall the hours were increased for-training purposes. The hours for the clerks were raised in January due to the collection of taxes and averaged 41.50 hours a week. From February to present, the average per week is currently 31 hours.

HISTORIC MARKER AT 29 CAYUGA STREET IN HOMER

Supervisor Forbes informed the Board that on Tuesday, May 17th at 1PM there will be a Historic Marker installed in front of Arnold's Florist. The installation of the Historical Marker was approved by the William G. Pomeroy Foundation. Mr. Forbes will attend the event to represent the Town of Homer.

MEMORIAL DAY PARADE REMINDER

Supervisor Forbes gave a reminder to the Town Board of the upcoming Memorial Day parade. The Board plans to meet at 8:30 AM at the Town Hall to line up for the parade.

PREPARED BILLS & BUDGET PLAN

Supervisor Forbes asked for Board approval to pay a month ahead on the utility bills or possibly getting onto a budget plan. In the past, the utility bills were paid upon receipt. The clerks have been waiting to pay the bills together at the end of the month, but the utility companies have been sending late notices. After much discussion, the Board agreed to keep the utility payments the same and pay upon receipt.

OUTDOOR LIGHTING SHADES

Supervisor Forbes stated that Bob Beard, from Beard Electric, had previously adjusted and worked on the lights on the outside of the Town Hall. The Town Hall lights are continuing to bother a few neighbors. Patrick Clune gave Mr. Forbes a shades lighting guide form for reference to possibly consider purchasing from. Mr. Forbes intends to ask Bob Beard to install the shades when Beard Electric is here for the installing of the Town Hall cameras.

On motion by Supervisor Frederick J. Forbes Sr., seconded by councilmember Jones and carried unanimously: **RESOLVED: Approved the purchase and installation of the lighting shades onto the Town Hall.**

HIGHWAY SUPERINTENDENT

Supervisor Forbes gave the Board an update for the Town Highway Superintendent John Phelps. John is hoping by the end of next week to purchase the material needed for the Highway Department. The money that Superintendent plans to spend are as follows: \$195,000 of the C.H.I.P.S. money, also \$29,000 of the C.H.I.P.S. money carried over from last year, 2021 and \$49,000 from the State for winter storms, totaling

almost a quarter million dollars. Mr. Forbes mentioned that this is good to have all the money spent due to the continuing rising prices such as oil etcetera. Truck #45 continues to have problems; John has made mention that it maybe worthwhile to purchase a used truck, as the transmission continues to get worse, even after having it serviced multiple times. Mr. Forbes stated that there is still a \$60,000 credit in the capital account for the Highway Department carried over from the 2021 year.

LEGISLATOR

Legislator Kelly Preston gave the Town Board a handout that the county released to the press regarding a methane capturing system. The system was authorized with a big price tag of 1.7 to 1.8 million dollars by the Highway Committee. Although expensive, there are grants available to gain back 50% of the implementations of methane credits. Ms. Preston also gave the Board a handout from the Health Department with the most recent COVID-19 Guidelines, stating if you test positive, the new time frame of quarantine is 5 days on an honor system. The Re-Districting Commission is in the process of updating the district map, mandatory by New York State Law. She discussed the various districts and how they are divided, including the number of legislator's needed is based on 5% of the population. This will be brought to a Public Hearing on Thursday May 19th at 6 P.M. Kelly Preston currently represents District 10.

ATTORNEY FOR THE TOWN

Patrick M. Snyder, Attorney for the Town informed the Board that he is still working on the EDF Solar project. The Town of Homer Local Law #3 of 2022, "Wedding Barn" has been filed. Planning Board and Zoning Board of Appeals have been a little busier than usual. Mr. Snyder explained that he brought the plans of the digital billboards to the Planning Board, but they did not have anything to add at this point.

OTHER

Mr. Forbes commented that he was dismayed that there was no press here this evening. There have been two articles in the newspaper on billboards. The first article released by the newspaper the reporter was not present at the meeting. In Mr. Forbes opinion, "At best, the report may have been done with good intentions, but it is hard to write a fair article if you are not sitting in the room and taking in all that is going on." Councilmember Jones informed the Board that since the article, he has received several phone calls with concerns and oppositions to the billboards. Councilmember Jones stated that 100% of the conversations he had, residents had objections against the amending of the Zoning Law and objections to the installations of billboards in the Town. Jones had four comments made to him concerning the business relationship between Councilmember Barry Warren and Michael Niswender. Councilmember Warren addressed the Board that, "There is no monetary benefit to me if something were to happen on Michael Niswender's land. We are partners in real estate but nothing that has to do with the location in Little York. If there was ever a conflict with my vote, because of my friendship, I would recuse myself." Mr. Forbes stated that all four locations being considered are in Industrial Zones.

As there were no further business the meeting was adjourned at 7:32 p.m.

Heather M. Hill
Town Clerk