

The regular meeting of the Town of Homer Board held on Wednesday, September 7, 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  
Barry E. Warren, Councilmember  
Kevin M. Williams, Councilmember  
Patrick M. Snyder, Attorney for the Town  
Heather M. Hill, Town Clerk  
Brooke L. Poli, Deputy Clerk

OTHERS PRESENT

Tim Malchak, Town of Homer Resident  
Richard Watrous, Visitor  
Patrick Clune, Homer Village Trustee  
Donald Ferris, The Homer News  
Tim Bennet, Cortland Voice  
Linda Jones, Cortland County Legislator

PLEDGE

MINUTES

On motion by Deputy Supervisor Park, seconded by Councilmember Jones and carried unanimously: **RESOLVED: The minutes of the August 3rd, 2022, meeting, were approved as presented.**

MONTHLY REPORTS

Presented for audit by the Town Board were:

1. The Town Clerk's report of all receipts and disbursements for August 2022.
2. The Code Enforcement Officer's report of all building permits issued for August 2022.
3. The Supervisor's reports of all financial activities through August 2022.

BILLS TO BE PAID

General bills were approved as audited by Councilmember Jones, motioned by Councilmember Jones, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: That General Fund vouchers #158 through #188 totaling \$52,903.88 are approved for payment.**

Highway bills were approved as audited by Councilmember Warren, motioned by Councilmember Warren, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: That Highway Fund vouchers #121 through #138 totaling \$62,825.62 are approved for payment.**

TOWN HALL SERVER

Supervisor Frederick J. Forbes Sr. informed the Board that the Town Clerks would like to consider changing the tax collection software program from Williamson Law to the free Cortland

County tax software program Allen Tunnel Corp (ATC) in which all Cortland County, but three towns utilize. The ATC software requires server connection in which the Town does not currently have. The clerk's reached out to Plan First technologies and obtained a quote for purchase and installation of a server which was submitted to the Board. After much discussion Supervisor Forbes requested that Deputy Supervisor Park and Councilmember Williams schedule a meeting and discuss the possible options available.

#### TOWN HALL DROP BOX UPDATE

Supervisor Forbes informed the Board that after discussing with the town clerks and village trustees that it would not be in the best interest to pursue installing a drop box at the Town Hall.

#### TOWN HALL DEFIBRILLATORS UPDATE

Town Clerk Heather Hill informed the Board that the defibrillator came from Chuck Miller, the Superintendent of Buildings and Grounds at Cortland County, and the county replaced the batteries and pads at no cost. Superintendent Miller stated that the Office of the Aging was responsible for the installation of the defibrillator at the Town Hall and any future changes that need to be made are the responsibility of the Office of the Aging.

#### BUDGET/ 2% TAX CAP/ DISCUSSION

Supervisor Forbes informed the Town Board that he is in the process of working on the 2023 budget. He stated that this is one of the toughest budgets he has worked on during his time as supervisor due to the rising tax rate and inflation. He also stated that he received an email from the New York State Comptrollers that the tax cap has raised to 2%. He requested to have input from each Town Board member on wages.

#### POLICE DEPARTMENT LAYOUT/ SENIOR CENTER UPDATE

Supervisor Forbes stated that he talked with architect Randy Crawford and Chief Pitman about the possibly lay out and plans of having the police department in the Town Hall basement. He distributed a draft map that Mr. Crawford composed for the Board to review. He informed the Board that to move forward with finalizing the plans, they needed to give architect Crawford permission to make his final measurements to complete a finalized draft the Town Board could review.

On motion by Supervisor Frederick J. Forbes, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: Randy Crawford can move forward to bring in measuring equipment to compose a finalized map for the Town Board can review.**

#### ADAM BROWN PAY RATE UPDATE

Supervisor Forbes stated that Deputy Code Officer Adam Brown is not currently on payroll and is paid out of pocket from Code Officer Kevin McMahon. Supervisor also stated if the Town Board preferred, he could add a line to the budget to reimburse Deputy Brown. Deputy Supervisor Park voiced a concern regarding who would be responsible if Deputy Brown was injured while working and if he was covered under workman's compensation. Supervisor Forbes agreed to follow up with Baily's Insurance.

#### TOWN CLERK'S POSTAGE MACHINE – ADD TO PREPAYS

Supervisor Forbes requested that the Town Clerk's postage machine be added to the monthly prepaid bills. On motion by Supervisor Frederick J. Forbes, seconded by Councilmember Warren, and carried unanimously: **RESOLVED: That funds can be added to the Town Clerk's postage machine when needed and paid in the monthly prepaid bills.**

#### APPOINT ZONING BOARD OF APPEALS MEMBER

Supervisor Forbes brought forth the name of Caleb Leach to serve on the Zoning Board of Appeals to take the place of Joseph Gilbert.

On motion by Supervisor Frederick J. Forbes, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: To appoint Caleb Leach as a member of the Zoning Board of Appeals.**

#### VILLAGE RENT – LEASE

Supervisor Forbes stated that the village rent lease was up for review and the Town Board needs to decide if there should be an increase due to the cost of living. The agreement with the town and village has a ten-year contract and has just finished the first five years. The agreement also states the rent during the second five years will be increased yearly based on the increase in the cost of living, if any. He informed the Board that the village plows the parking lot, pays the Town Hall water bill, and pays for the internet services. After much discussion, the Town Board decided to update the lease with the village's monthly contributions and decide at next month's Town Board meeting.

#### REPLACE TOWN HALL CARPET & COURT BATHROOM FLOOR

Supervisor Forbes made the Town Board aware that the carpet in the front entrance of the Town Hall should be replaced and the linoleum in the Town Court bathroom needs to be replaced as well. Councilmember Warren agreed to reach out and obtain three written proposals for the Town Board to review.

#### HIGHWAY SUPERINTENDENT

Not present.

#### ATTORNEY FOR THE TOWN

Attorney Snyder updated the board that issue on Marion Drive concerning the unlicensed, loose dog has been resolved.

#### EDF SOLAR PROJECT UPDATE

Attorney Snyder informed the Town Board that he has spent quite some time reviewing the solar project materials. The latest issues had to do with a stipulation that was proposed by EDF's attorneys. The stipulation would avoid the need for any adjudicatory hearing concerning the Town of Homer zoning law and how decommissioning would be dealt with in the future. Mr. Snyder revised the proposed stipulation so that it gives the Town final approval over the amount and form of reclamation security, subject to review and approval of the siting commission if there is a dispute that cannot be worked out. The EDF attorneys have indicated they are willing to accept those terms.

Provided that both parties approve the stipulation, the administrative law judge has indicated that he would like to see the stipulation within the next week or so. Attorney Snyder sees no reason not to approve this, the action is not subject to SEQR and the entire EDF project is covered by the State Siting Law. Executive Law Section 94 C supersedes SEQR, and any other local government permits necessary to construct the project. Attorney Snyder recommended that the town board approve this stipulation. On motion by Supervisor Frederick J. Forbes, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: The town board approves the stipulation between the town and EDF and authorizes the town supervisor to sign it.**

## LEGISLATOR

Legislator Linda Jones updated the Town Board that September is designated as suicide awareness month and that Cortland County has been deemed with the second highest suicide rate in Central New York.

The courthouse stairs are on the docket to be replaced this year, but the county is questioning if the stairs can be restored. The Leachate Pipeline landfill to McGraw to wastewater is currently in the design phase and the county has applied for four grants. They plan on completing the clean up by 2024 to help save a half a million dollars.

The legislator also informed the Town Board that they approved to provide service therapy and emotional support animals to some departments for county workers. They voted to keep smoke shack although their policy is no smoking on county owned property including Dwyer Park.

Only 34 properties went up for tax auction this year, which is very low for this year.

NYS Law 501 requires new professional medical care requirements for jail inmates. The county now must hire jail physician, registered nurse services, and physician's assistant. In total, this will cost the county \$130,000 plus per year.

Legislator Jones also informed the Town Board that the county has applied for a playground grant for a park and is meeting with a playground company representative to discuss the lay out of the playground. She also stated there is a fifty-fifty cost match between the grant and the county. She also stated there was a rock hunt project that was started this year at Easter. Instead of an Easter egg hunt, a total of 500 rocks were painted with Easter themed paintings by various artists. It was very a successful event and they decided to continue with having painted rocks around for those interested. It is part of a movement encouraging the spreading of kindness across the country and if you find a rock you can keep it, hide it again in another location, or pass it along to someone.

The Cortland County Realtor's Association decided their community day would be at Dwyer Park and will be doing a cleanup and donating a red maple tree.

## OTHER

### TOWN HALL SECURITY CAMERA UPDATE

Councilmember Williams informed the Town Board that he spoke with Honorable Judge Kruman concerning whether there needed to be additional cameras installed outside the court window. Councilmember Williams stated that Honorable Judge Kruman said it was up to the Town Board's discretion, but he was fine with where the current cameras were installed.

### ESTABLISHING A TOWN OF HOMER HIGHWAY DEPARTMENT MAILBOX POLICY

Councilmember Williams stated that after discussing with Superintendent Phelps, he was of the opinion the Town Board did not need to establish a Town of Homer Highway Department Mailbox Policy. Councilmember Williams said that Highway Superintendent Phelps and he agreed that if the Town of Homer Highway Department does any damage to town residents' mailboxes, the Highway Department will handle it in house.

As there was no further business, the meeting adjourned at 7:47 p.m.

Heather M. Hill  
Town Clerk