

The regular meeting of the Town of Homer Board held on Wednesday, October 5, 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
Patrick Clune, Homer Village Trustee
Donald Ferris, The Homer News
Gary Lawrence, Town of Homer Resident
Ward Dukelow, Town of Homer Resident
Jack Eves, WXHC101 Radio Station
Duane Reynolds, West Hill Cemetery
Emmanuel Pothos, Cortlandville Resident
Sylvia Hammond, Village of Homer Resident
Jon Conlon, Cortland Standard

PLEDGE

MINUTES

On motion by Deputy Supervisor Park, seconded by Councilmember Jones and carried unanimously: **RESOLVED: The minutes of the September 7, 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 September 2022.
2. The Code Enforcement Officer's report of all building permits issued for September 2022.
3. The Supervisor's reports of all financial activities through September 2022.

BILLS TO BE PAID

General bills were approved as audited by Councilmember Warren, motioned by Councilmember Warren, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: That General Fund vouchers #189 through #207 totaling \$12,624.53 are approved for payment.**

Highway bills were approved as audited by Deputy Supervisor Park, motioned by Deputy Supervisor Park, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: That Highway Fund vouchers #139 through #154 totaling \$21,921.70 are approved for payment.**

DUANE REYNOLDS HOMER WEST HILL CEMETARY ANNUAL REPORT

Secretary/Treasurer Duane Reynolds from West Hill Cemetery Association distributed his annual report he submitted to the state to the Town Board for their review. He also handed out a copy of the Homer West Hill Cemetery map and suggested the Homer Historian, Martin Sweeney, might be interested in receiving a copy. The Town Board thanked Mr. Reynolds for coming and giving his annual update. Supervisor Forbes suggested that Mr. Reynolds might consider investing in Treasury Bills (T-Bills) which are currently paying 3.5 percent on all investments made. Mr. Reynolds thanked Supervisor Forbes for the suggestions and thanked the Town Board for their time.

On motioned by Deputy Supervisor Park, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: that the Town of Homer receive and accept Homer West Hill Cemetery's 2022 Annual report that will be filed in the Clerk's office.**

SOIL & WATER NOMINATION FOR ADVISORY COMMITTEE

Supervisor Forbes informed the Town Board that Amanda Barber from SWCD, who is overseeing the spending moneys from the special tax district on Little York Lake, would like a representative from the Town of Homer and the Town of Preble in a nonvoting advisory capacity to the board. Supervisor Forbes suggested the town nominate Gary Lawrence since he has dedicated so much time to this. Supervisor Forbes stated there is no better representative that could serve the district better than Mr. Lawrence.

On motioned by Supervisor Forbes, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: to nominate Gary Lawrence as the Town of Homer's representative for the Little York Lake special tax district advisory committee.**

POLICE DEPARTMENT LAYOUT/ SENIOR CENTER UPDATE

Supervisor Forbes presented the two options Randy Crawford compiled for the tentative lay out for the Town Hall basement remodel. The following are the two options for professional services for the Town Board to consider from Randy Crawford:

Option A: Located in Lower Level of Municipal Building

- Coordinate and phone call with Supervisor and Chief to review most recent use program.
- Site visit to measure rest of lower level more accurately then draw most recent use design in CAD on updated base plans. Send to Supervisor and Chief then review together by phone.
- Revise plans based on phone discussions and provide to Supervisor and Chief.
- Follow-up services and applicable fees to be determined.

I've estimated this at 10 hours of my time, 8 hours for a draftsman, and mileage for one round trip = \$1,790

Option B: Located in New Addition East of Existing Building

- Review accurate property survey provided by Town
- Reconsider spaces needed and circulation concepts with Supervisor and Chief by phone.
- R. Crawford and staff architect to develop preliminary design plans for one-story addition at rear of existing building to house Police facilities.
- Submit to Supervisor and Chief then review by phone or zoom.
- Revise initial plan as needed, add schematic revised site plan, and develop schematic elevation drawing of addition then submit to Supervisor and Chief and review by phone.
- Make final modifications to drawings and provide to Supervisor and Chief.
- Follow-up services and applicable fees to be determined.

I've estimated this at 10 hours for my time and 21 hours for an architect (Jon Carnes) with no site visits at \$4,130.

On motion by Deputy Supervisor Park, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: to move forward with Option A: Located in Lower Level of Municipal Building.**

BILLBOARDS

Emmanuel Pothos presented to the Town Board the SEQER Long Environmental Assessment Form for all four properties that are being considered for the billboard placements and provided photos of examples of already existing billboards. Emmanuel stated that he would email PDF copies of the photos and their locations to the clerk's office to distribute to the Town Board.

Supervisor Forbes asked Mr. Pothos to clarify whether he had stated the sites were industrial sites or business sites. Mr. Pothos remarked that of the four sites being considered, two are in the industrial zone and two are in the business zone. Mr. Pothos stated that billboards can be constructed on industrial or business sites. Supervisor Forbes requested for Attorney Snyder to review the SEQER form and let the Town Board know his thoughts.

Supervisor Forbes informed Mr. Pothos that his proposal may require a Board of Ethics review and thanked him for coming.

TOWN HALL SERVER UPDATE

Councilmember Williams stated that Deputy Supervisor Park has contacted his business server provider and will be meeting with him in the next week or so. Councilmember Williams stated he plans to call to Mr. Hess at the Cortland County Office Building and set up a meeting.

SATURDAY CLERK HOURS UPDATE

Town Clerk Hill updated the Town Board on the clerk's Saturday office hours. Clerk Hill stated that currently of the nine Saturdays the office has been open, she has sold fifteen DEC licenses, issued two handicap accessible permits, and one wedding application correction. Supervisor Forbes stated it was not what he had hoped for, but Clerk Hill has been doing an excellent job coming in every Saturday. Hill stated she had four more Saturdays remaining.

VILLAGE RENT – LEASE

Supervisor Forbes stated that Village Treasurer Tanya Digennaro composed a list of the figures the village contributes to for the Town Hall and Town Highway Garage. The following are village's contributions from Digennaro: the town hall's internet- \$3,491.92(yearly), water bill- \$560.00 (yearly), Highway Garage water bill- \$119.00(yearly), Garbage and recyclables- \$440.00, Code Officer's computer software- Village pays two-thirds (Town pays one-third), break room plates and napkins, the Village plows and salts the Town Hall parking lot, shared plowing of streets, milling the roads, and piling up the grindings. Supervisor Forbes stated with all the village contributes to the town, he recommends keeping the village rent lease as is.

On motion by Supervisor Forbes, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: to authorize Supervisor Forbes to sign the revised village lease agreement and village rent lease would remain at \$600.00 a month.**

HIGHWAY GARAGE GENERATOR BIDS

Supervisor Forbes stated that the Town Clerk's office sent out four requests for bids and Deputy Supervisor Park sent four additional requests. The town of Homer received two bids for the generator at the highway garage. Supervisor opened the two bids from Beard Electric and Tim's Consulting & Troubleshooting.

Bid #1 from Beard Electric:

Included in this proposal: Material and labor for 1- 22KW Generac model #7043 with service rated transfer switch. Contractor will install 1 -22 KW Generac generator on premade concrete pad on front of 9 Prospect St. highway building. 1 – new service entrance transfer switch will be installed in main service utility room. Main service will be shut down and rewired to meet code.

1" Gas piping will be installed approximately 18' left of gas meter to generator location. Price includes Oil filter heater, concrete pad. **Total Material and Labor: \$13,745.00/No sales tax.**

Bid #2 from Tim's Consulting & Troubleshooting

Included in this proposal: install new Generac 7209 air cooled standby generator with: cold weather kits, factory concrete base kit, base wrap 200 amp rated automatic transfer switch, cabling, first years' service, manuals, gas piping (by JMS- \$1,509.78), inspection fees and labor. Village will provide compactable material under generator base. Electrical portion of bid- \$11,025.00. **Total for installation \$12,534.78.**

Supervisor Forbes verbally compared the two bids and discussed the differences with the Town Board members. Attorney Snyder stated that the Town Board needs to keep in mind that if the lowest bid meets the specifications that were in the notice to bidders, you are bound to accept that bid. Attorney Snyder recommended to have a committee of two Town Board members to review the bids and give their recommendation on whether the specs are met.

After much discussion, Supervisor Forbes recommended Deputy Supervisor Park and Councilmember Warren meet to verify and review the specs of each bid.

On motion by Supervisor Forbes, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: that Deputy Supervisor Park and Councilmember Warren meet to discuss and review the specs on the two bids submitted for a generator for the Town of Homer's Highway Garage and determine which bid to accept.**

2023 MUNICIPAL COOPERATIVE AGREEMENT

On motion by Councilmember Williams, seconded by Councilmember Warren, and carried unanimously: **RESOLVED: approval for Supervisor Forbes to sign the 2023 Greater Tompkins County Municipal Health Insurance Consortium Cooperative Annual Agreement.**

2023 PRELIMINARY TOWN OF HOMER BUDGET

As Budget Officer, Supervisor Forbes informed the Town Board that this was his nineteenth budget he has composed for the Town of Homer. He reviewed the tentative 2023 budget and stated he put a 2% raise for town historian and dog control officer, a predetermined raise of \$.70 for the Assessor Clerks, a slight raise for the Code Officer, and added \$500 for deputy code officer and he also added to payroll next year.

Forbes included a 2% raise for highway employees. Last year he stated they received at \$3.00 raise. Forbes asked that because CDL drivers are in such high demand, that the town board evaluate and get back to him on whether there should be more funding in the highway account.

Fire District tax rate going down a penny to town residents outside the village because of \$350,000,000 more in assessed value. Forbes compared the fire contract to the original contract to check his figures and it was the same amount for past three years. The net change to total town tax rate is one penny.

Forbes noted adjustments that he made to the budget. For example, in the DA account, Forbes put \$150,000 reserves for bridges and in the DB account, he stated he added \$100,000 in equipment, since the truck that Highway Superintendent Phelps purchased in July of 2021 has not yet arrived.

Supervisor Forbes stated he budgeted \$72,000 for State Retirement and the bill comes in December of this year in the amount of \$48,259. Supervisor Forbes informed the board that the employee pays for the first five years, and then it becomes the towns responsibility in full.

On motion by Councilmember Park, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: that the preliminary budget proposed by Supervisor Forbes is**

hereby adopted as the 2023 preliminary budget for the Town of Homer, with a proposed tax rate of \$1.34/thousand for the Village, and a fire district tax of \$0.99/thousand, for a total Town rate of \$2.33/thousand.

HIGHWAY SUPERINTENDENT

Not present.

ATTORNEY FOR THE TOWN

Attorney Snyder stated that the EDF staff and ORES (Office of Renewable Energy) had no issues and approved the project, and no adjudicatory hearing was needed. He also stated the Town of Solon's attorney has appealed that decision and is going to a higher level of bureaucracy and will see if the lower-level decision will stand.

Attorney Snyder informed the board that he was contacted by the lawyers for Eastern Gas Transmission Company who have been working on a compressor and an odorizer station on Creech Road. Mr. Snyder also stated the state required a DEC storm water permit. One of the criteria of the permit is to have access to maintain the station stormwater treatment practices in case the company does not follow through with what they stated they would do.

Attorney Snyder reviewed the draft agreement and proposed changes to the agreement that make it clear that it is the company's obligation to maintain the system and not the town's responsibility. Snyder made it clear that the town had no obligations, and it is the gas companies' responsibility. Mr. Snyder is waiting to hear back from the company as to whether they accept his proposed changes. He also informed Mr. Forbes that once the permit is finalized, his signature would be required to make it official.

On motion by Councilmember Warren, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: That the town board authorizes the supervisor to sign the agreement with Eastern Gas Transmission Company provided that the town council is satisfied that it does not bind the town to any particular course of action.**

LEGISLATOR

Not present.

OTHER

REPLACE TOWN HALL CARPET & COURT BATHROOM FLOOR

Councilmember Warren updated the Town Board that he would follow up with the Binghamton store to see if they were still interested in submitting a quote for the installation of carpet in the front of the Town Hall entrance.

UPDATE BOARD OF ETHICS POLICY

Supervisor Forbes stated that the Code of Ethics is outdated, and it has been a long time since members were appointed to the Board of Ethics. He suggested that the town board members bring forward three to five names of persons to be appointed. Attorney Snyder asked if the board would like him to review the existing policy and make recommendations for a revised code of ethics. Supervisor Forbes said he thought that would be a good idea and he hoped it could be brought forward by the time of the next meeting in November.

As there was no further business, the meeting adjourned at 7:48 p.m.

Heather M. Hill
Town Clerk

