

The regular meeting of the Town of Homer Board held on Wednesday, December 7, 2022, in the Town Hall board room, 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
Brooke L. Poli, Deputy Clerk

OTHERS PRESENT

Tim Malchak, Town of Homer Resident
Patrick Clune, Homer Village Trustee
Donald Ferris, The Homer News
Kevin Fitch, Cortland County Legislator
Amy Bertini, Redistricting Advisory Committee

PLEDGE

MINUTES

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

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 #229 through #256 totaling \$39,092.79 are approved for payment.**

Highway bills were approved as audited by Councilmember Jones, motioned by Councilmember Jones, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: That Highway Fund vouchers #176 through #201 totaling \$106,244.39 are approved for payment.**

NATIONAL GRID/ELECTRIC SUPPLIER

Supervisor Forbes informed the town board that the Town of Homer previously had a contract with Ambit Energy to reduce the electric rate. Ambit has discontinued their service to New York state due to state regulations. Supervisor Forbes requested any recommendations or suggestions from the town board so they could select a new supplier.

POSTAGE MACHINE FUNDS

Supervisor Forbes informed the town board that the Town Clerk's office needed to have \$1,000.00 added to the postage machine for the upcoming tax season.

On motion Councilmember Warren, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: That \$1,000.00 be added to the Town Clerk's postage machine in preparation for the upcoming tax season.**

BRIDGE COMMITTEE UPDATE

Supervisor Forbes stated the bridge committee held a meeting and had twelve bids of interested parties submitted for the project. The committee selected HUNT as the engineer and company for the project. Forbes also informed the board they are making extremely great progress and Paul Sweeney is doing an outstanding job.

Deputy Supervisor Park informed the board that Russ Darr stated that the three bridges are in the only national historic bridge district in the nation. Supervisor Forbes thanked HUNT and the bridge committee for all their hard work they are doing to make this bridge project a success.

UPDATE ON TOWN HALL CARPET & COURT BATHROOM FLOOR

Councilmember Warren stated that he spoke with the contact from The Flooring Source who is interested in submitting a quote for the installation of new carpet for the front entrance. Warren stated that the interested company was having difficulty matching the existing carpet in the hallway of the town hall but was still interested in submitting a quote. Councilmember Warren stated he would follow up and get back to the board with an update by the next board meeting.

PLANNING/ZONING BOARD MEMBER PAYMENT END OF YEAR MEETING

Supervisor Forbes stated that the zoning and planning board will hold a meeting December 28, 2022. Forbes said that since there are meetings scheduled for the end of December, the town would not be able to send payment to each planning/zoning board member until the attendance is taken from both meetings. The earliest the town could send payment would be December 29th.

The town clerks could then distribute payment to planning and zoning board members once the attendance sheet is submitted and then be added to Abstract #12 under prepays.

RECONCILE BILL PAY

Supervisor Forbes stated that the general fund needs to be reduced by \$357.26 due to a few duplicate payments made through bill pay in which the payments were never cleared or processed. In order to balance the Bill Pay account, the transfer of \$357.26 would need to be subtracted off of the total general bill transfer of Abstract #11 from the December 8, 2022 meeting.

On motion Councilmember Williams, seconded by Councilmember Warren, and carried unanimously: **RESOLVED: That the General Funds from Abstract #11 on December 8, 2022, would be reduced by \$357.26 in the transfer to reconcile the Bill Pay account.**

TOWN HALL SERVER UPDATE/TAX PROGRAM

Supervisor Forbes stated that the Town Clerk's office had to decide last week on what tax program they would be utilizing in the 2023 tax season. They decided to go with the county's ATC tax program. After much discussion, Councilmember Williams stated he would contact the county to see when the new tax program could be installed in the clerk's office. Deputy Supervisor Park said if a special board meeting needs to be held to approve the installation of a server, to let the board know.

RANDY CRAWFORD'S PLAN UPDATE

Supervisor Forbes discussed the updated plan from Crawford and Stearns remodeling of the town hall basement and requested the town board's feedback on any ideas they might contribute. Forbes stated that he was concerned about the safety of the town halls storage against water and fire damage.

Forbes stated that although this has taken longer than expected, he would rather complete the project correctly the first time. Deputy Supervisor Park suggested that the town board members do a visual walk through of the town hall after the meeting to discuss their ideas, and the town board agreed to do so.

ANNEXATION OF PROPERTIES IN VILLAGE

Supervisor Forbes stated the village clerk made him aware that there are three properties on Wolfe Road that are presently in the Village of Homer. Since the village is not providing services to those three properties, they are seeking to see if the town is interested in annexing the properties to the town.

Village Trustee Pat Clune wanted to clarify that the property owners have to go through the process of petitioning between the village and the town. The village approves this change and needs to know if the town is willing to accept these properties. Attorney Snyder stated that these properties are already in the town and would not need an annexation. Snyder also said in his understanding this a boundary change, and the town would then have to do a resolution after the property owners complete their petition.

ETHICS LAW & ETHICS BOARD MEMBERS

Supervisor Forbes stated he would like to move forward with a public hearing for the ethics law that was distributed last month, to be held at the next January 4, 2023, town board meeting.

Councilmember Williams stated that he is concerned that this is not the right time to update the ethics law. Forbes stated that the reason he has brought this forward was the law, in its present form, was adopted fifty-two years ago. Forbes would like the board to bring forth recommendations for new members for an ethics board.

After much discussion, Attorney Snyder clarified the draft local law must be on the board members desk seven days before its adopted. There must be a public hearing. If a public hearing is held in January, you could make changes and vote in February.

On motion by Supervisor Forbes, seconded by Deputy Supervisor Park, Barry Warren Aye, Larry Jones aye and Kevin Williams nay and carried: **RESOLVED: to hold a public hearing on the draft ethics local law at the January 4, 2023, town board meeting.**

MARTIN SWEENEY/CARD & DONATION

Supervisor Forbes stated that the town clerk's office over the years has had a donation fund that the board and employees can donate to, that can be used for unfortunate occasions that arise. The town board decided to donate to the Mercy House of Southern Tier in honor of Mrs. Carla Sweeney, Historian Martin Sweeney's late, beloved wife.

REAPPOINT STUART YOUNG – BOARD OF ASSESSMENT REVIEW

Supervisor Forbes stated that Stuart Young needed to be reappointed as a member for the Board of Assessment Review.

On motion Deputy Supervisor Park, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: To reappoint Stuart Young as a member for the Board of Assessment Review.**

EMPLOYEES TO BE ADDED TO PAYROLL

Supervisor Forbes informed the town board that as of January 1, 2023, Martin Sweeney, the town historian, and Adam Brown, the deputy code officer, will be added to Town of Homer payroll. Previously, Historian Sweeney has been receiving a 1099 and is currently on the village payroll.

UPDATE TOWN CLERK'S HOURS/SALARY

Supervisor Forbes informed the board that starting January 1, 2023, the clerks in the Town Clerk's office will change their hourly pay to salary.

On motion Supervisor Forbes, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: To change town clerk hours and remuneration on January 1, 2023, from hourly wage to salary of \$35,00.00 based on a 35- hour week plus the value of a single health insurance policy. For a clerk that does not need insurance, they shall be compensated at 60% of policy value in accordance with town policy. This shall be reviewed annually and changed as necessary by the board.**

NEW HIGHWAY GARAGE TRUCK

Supervisor Forbes stated that Superintendent Phelps informed him that the new highway truck is going to be here sooner than expected. Forbes stated that the town might consider making a partial payment in December and finish paying for the truck in 2023.

HIGHWAY SUPERINTENDENT

Not present.

ATTORNEY FOR THE TOWN

Nothing further.

LEGISLATOR

Legislator Kevin Fitch informed the town board that the county had three interviews for a planning director position and is in high hopes that the position will be filled. Fitch stated the county has received a 2.9 million grant to update the mental health building. The county has allocated 2 million from their ARP fund towards a renovation for the mental health building if the budget is approved. Anna Kelles has secured funding for updates for the county courthouse and waiting for various approvals.

Fitch stated that they received a \$100,000.00 grant to assist them in updating their 1970 comprehensive plan. Fitch updated the board on the Cortland County Landfill and sent a blanket letter to all the haulers and employees stating there is zero tolerance on workplace violence. They have installed video cameras and audio for the haulers and the county. They met with the employees and plan on meeting with the haulers to discuss the changes they want to see happen.

OTHER

Supervisor Forbes stated that the IDA has rescinded its resolution to abide by the wishes of the towns and county when it comes to establishing PILOT agreements with solar companies. Forbes posed the question to Attorney Snyder that because the Town of Homer and the Town of Solon have adopted local laws opting out of the state law which gives tax exemptions to solar companies, does that effect the ability of the IDA to have full control over the negotiations? The IDA wishes to reduce the amount which the companies would pay in lieu of paying property

taxes. Attorney Snyder stated that the local law opting out does not affect the IDA's ability to enter into PILOT agreements. The state law creating the IDA gives the power to supersede anything to do with local taxation that is imposed by the towns or county. Snyder stated that as of now, in his opinion, the local law opting out should remain in place. Forbes said that his goal has always been to get the town a fair tax rate.

As there was no further business, the meeting adjourned at 7:51 p.m.

Heather M. Hill
Town Clerk