

Regular Meeting
June 7, 2023

The regular meeting of the Town of Homer Board held on Wednesday, June 7, 2023, in the Town Hall Board Room, was called to order by Supervisor Forbes 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
Heather M. Hill, Town Clerk
Brooke L. Poli, Deputy Clerk

OTHERS PRESENT

Linda Jones, Cortland County Legislature
Patrick Clune, Trustee Village of Homer
Margaret Mellott, Cortland Standard
Emmanuel Pothos, Cortlandville Resident
Melanie Vilardi,, Deputy County Administrator
Tim Malchak, Homer Resident
Caleb Leach, Homer Resident
Sarah Head, Homer Resident
Luke Kline, Town of Scott Resident

ABSENT

Patrick M. Snyder, Attorney for the Town
John Phelps, Highway Superintendent

PLEDGE

MINUTES

On motion by Deputy Supervisor Park, seconded by Councilman Jones, and carried unanimously: **RESOLVED: The minutes of the May 3rd, 2023, 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 May 2023.
2. The Supervisor's reports of all financial activities for April 2023.
3. The Code Enforcement Officer's report on all building permits issued for May 2023.
4. The Dog Control Officer's report on all activities for April and May 2023.

On motion by Councilman Williams, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: The Supervisor and Dog Control Officer's monthly report for April, and the Town Clerk, Code Enforcement Officer, and Dog Control Officer's monthly reports for May of 2023, and have been received, accepted, and filed as presented.**

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 #383 through #411 totaling \$18,116.20 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 #285 through #300 totaling \$207,177.01 are approved for payment.**

TOWN & COUNTY TAX COLLECTION UPDATE

Town Clerk Hill informed the Town Board stated they had collected 95.45 percent of total taxes this year and of the 2,944 parcels, only 92 are left unpaid. She also stated that the clerk's office will settle with the county on Friday.

Forbes added that of the \$5,839,713.00 collected, \$225,000 was kept for Town's General budget, and \$239,000.00 was kept in the Town's Highway budget, totaling 464,000.00 which the town keeps. The remaining funds the town turns over to the fire department and the county. On average the town keeps 7.3 cents on the dollar.

LUKE KLINE – TOWN HALL BASEMENT

Supervisor Forbes reviewed with the Town Board various parts of the submitted estimate that could be adjusted to help lower the cost of the overall Town Hall basement renovations.

Supervisor Forbes then offered privilege of the floor to Luke Kline to help inform the Town Board on his composed estimate.

Luke Kline reviewed his recommendations and estimate with the Town Board. He stated the material cost could change with pricing and recommended the town allow extra funds for problems that arise. Kline stated the electrical and plumbing installation would be the most expensive part of the renovations and recommended winter to be the ideal time to go out for a bid, which would allow for the best price.

ASBESTOS

Supervisor Forbes stated he would like the Town Board's feedback on how they would like to proceed with testing the Town Hall basement for asbestos. Forbes said previous asbestos testing had been completed in the Town Court, the Town Hall windows, and the house next door before it was torn down.

After some discussion, the Town Board decided to see if there were any previous asbestos testing completed on the Town Hall basement before moving forward.

NYSLRS STANDARD WORKDAY

Town Clerk Hill stated there needed to be a correction on the standard workday resolution form for the Town Clerk and Deputy Clerk through the New York State Local Retirement System. The standard workday was initially submitted as a seven-hour standard workday and should be revised to an eight-hour standard workday, as both clerks started working full time in 2023.

On motion by Councilman Williams, seconded by Councilmember Jones and carried unanimously: **RESOLVED: To make the correction on the standard workday resolution form for the Town Clerk and Deputy Clerk from a seven-hour standard workday to an eight-hour standard workday through New York State Local Retirement System.**

CAR CHARGING STATIONS AT TOWN HALL

Supervisor Forbes said he contacted Beard Electric to see if they had reviewed the estimate for the car charging stations the Village is proposing. Beard Electric informed Forbes they had not reviewed the proposal and would review it and get back to him tomorrow.

The Town Board asked Trustee Clune various questions like how often the car charging stations located in the Village are utilized and what model of cars can charge at the stations.

Trustee Clune said he would research the various posed questions and get back to the Town Board with the requested information.

TOWN HALL BALCONY UPDATE

Supervisor Forbes stated the Town Hall Balcony stairs on both sides and floor have been completed and are waiting for the hand railings for the stairs to be completed and installed. Supervisor Forbes stated the balcony is now up to code.

MEMORANDUM OF AGREEMENT – CORTLAND COUNTY HEALTH DEPARTMENT

Attorney Snyder looked over the Cortland County Health Department agreement for the operation of a closed point of distribution (POD) clinic(s) under the joint management of CCHD and the AGENCY during public health emergencies. After reviewing the agreement, Attorney Snyder had concerns and placed certain obligations on the town and recommended parts of the agreement should be discussed with our insurance provider.

On motion by Deputy Supervisor Park, seconded by Councilman Williams, and carried unanimously: **RESOLVED: To not accept the Cortland County Health Department proposed agreement for the operation of a closed point of distribution (POD) clinic(s) under the joint management of CCHD and the AGENCY during public health emergencies.**

REQUEST TOWN HALL PARKING

The Village has requested to utilize the Town Hall parking lot for overflow parking during the Brockway, Holiday in Homer, and Magic on Main. The Village normally utilizes the school parking lot, but parking is not available at schools because of construction.

On motion by Councilman Williams, seconded by Councilmember Warren, and carried unanimously: **RESOLVED: To approve the Village to utilize the Town Hall parking lot for events including Brockway, Holiday in Homer, Magic on Main, for the year 2023.**

STREET LIGHT SESSIONS HILL/ROUTE 11

Supervisor Forbes stated that a few months ago the Town of Homer had approved the conversion of LED lights with three different wattages and National Grid is done with the project.

Since the conversion, a resident has called with concerns that the light shines right into their house and Bradley Smith with National Grid put a work order in to install reflectors to mitigate the problem.

CODE OF ETHICS LAW

Supervisor Forbes stated that the Code of Ethics Law Attorney Snyder brought forward has been on the Town of Homer's website for a few months now, is ready to be voted on and filed with

the state. Forbes stated it would update the 53-year-old language in the law and Councilman Williams stated he felt the current law was satisfactory.

On Motion by Supervisor Forbes, seconded by Deputy Supervisor Park for more discussion: Forbes- Aye, Warren- Aye, Jones- Nay, Williams- Nay, Park- Nay. To approve Attorney Snyder's revisions to the Code of Ethics Law for the Town of Homer.

ENCUMBER ARPA FUNDS

Supervisor Forbes stated he would like to encumber the ARPA funds for use to obtain a bid on the basement renovations. Forbes said the Town of Homer would have to encumber the funds for public safety reasons and to date, the town has not spent any of the funds.

Supervisor Forbes informed the board that Congress is working on a law where they take back the money that is unspent and wants the Town Board to be responsible. He would like the Town Board to consider encumbering the funds so the funds would be able to be used toward the renovations for the Town Hall basement.

Supervisor Forbes also stated that Mayor Hal McCabe is working towards receiving a \$200,000.00 grant through Senator Webb and indicated he would commit \$100,000.00 from DRI towards the project.

On motion by Deputy Supervisor Park, seconded by Councilman Williams, and carried unanimously: **RESOLVED: To encumber the ARPA funds to be used for public safety reasons for the Town Hall renovations.**

CRAWFORD & STEARNS- CONTRACT/BLUEPRINT

Deputy Supervisor Park reviewed Crawford & Stearn's proposal with the Town Board which included the following:

Crawford & Stearns Fees

Design Development - \$4,000

Construction Documents (Including Bid Materials) - \$20,000

Bid & Contract Phase - \$6,000

Construction Phase - \$20,000

Total: \$50,000

Tidel Associates (Engineers) Fees

Design Development - \$4,000

Construction Documents (Including Bid Materials) - \$16,000

Bid & Contract Phase - \$1,000

Construction Phase - \$6,000

Total: \$27,000

Total Fees Through Bid Period should Town decide not to proceed: \$51,000

Additional Fees through completion of construction: \$26,000

Total Fees: \$77,000

On motion by Deputy Supervisor Park, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: To have Crawford and Stearns prepare a proposed contract for architectural and engineering services that the Town Board can review.**

SENIOR EQUIPMENT BASEMENT

Supervisor Forbes met with the Senior group to review the proposed plans for the Town Hall basement and discuss the senior's equipment and supplies. Supervisor Forbes informed the seniors the proposed plans for the basement are not finalized yet.

The seniors appreciated and thanked Supervisor Forbes for taking the time to explain where the proposed plans were at. They discussed the various appliances, kitchen cupboards, appliances, and additional items located in the Town Hall basement and the plans for them. Supervisor Forbes stated he would reach out to the Office of the Aging and the Town Board could then develop a plan and then have board action.

TOWN HALL SERVER

Supervisor Forbes stated the Town Board has discussed the proposed server for the Town Clerk's office a few times and requested the Town Board's suggestions on how to move forward.

After much discussion, it was decided that Councilmember Williams and Deputy Supervisor Park would meet with Jack Hess from Cortland County and have a proposal ready for next month's meeting.

HIGHWAY SUPERINTENDENT

Absent.

Deputy Supervisor Park stated he talked with Superintendent Phelps earlier and wanted to update the Town Board on what they discussed. The new dump truck box is finally in, and Superintendent Phelps is going to inspect the truck. The box should be mounted, and the truck completed and ready.

The new pickup truck is also in, and the plow is being installed and will be available soon.

Deputy Supervisor Park reviewed the status of the yellow flag on Pine Street Bridge. Deputy Supervisor Park stated he contacted Barton & Loguidice and they are going to compose a letter to the state and Park requested a copy of the letter is sent to Supervisor Forbes.

COURT AUDIT

Supervisor Forbes stated that he has approached a potential candidate to audit the Town Court books and will let the Town Board know if the candidate is interested.

TOWN ATTORNEY

Absent.

LEGISLATOR

Legislator Linda Jones said that the Cortland County Senior Center is now open five days a week and she also stated the county's ARPA funds have been encumbered. The county/city received funding for a Microenterprise Assistance Program to assist small businesses with certain criteria up to \$35,000.00.

The Highway Committee in previous years have paved 11 miles per year and are now able to pave 20 miles per year, which is a significant increase.

The city with their new contract for trash collection is no longer collecting glass. Residents can take their glass on their own to the Cortland County Recycling Center which would then go directly to the county.

The county is currently bringing in 7,600 tons of contaminated soil from Ithaca and the soil is not hazardous and DEC approved.

Barton & Loguidice informed the county they only have thirteen years remaining on their landfill, which raises concerns and will have extremely high closure costs. The county legislators are discussing the options and what the next step should be. Legislator Jones also stated the November elections are coming up.

OTHER

Town Hall Fire Inspection- Councilmember Warren stated he contacted Beard Electric regarding the updates that need to be completed in the Town Hall from the fire inspection. He stated Beard Electric will be starting those updates soon.

Parks Road Complaint- Councilmember Jones stated he had received a complaint concerning Parks Road. After much discussion, the Town Board decided to consult the code officer on how to proceed with the complaint.

Planning Board Discussion- Councilmember Jones asked if the town board was notified that the Planning Board voted on the billboards at their last meeting. Supervisor Forbes clarified he had only received a phone call from Attorney Snyder stating there was no legal vote taken and a phone poll was conducted with no quorum and no discussion.

Councilmember Jones stated he believed the Planning Board will be conducting a vote at the next Planning Board meeting on June 26th.

Supervisor Forbes stated he met with the Planning Board at their last meeting on May 24th to discuss what has taken place over the last fifteen months concerning billboards. Only three Planning Board members were present at their board meeting, and they could not vote on anything on their agenda.

Chairman McMahon asked Supervisor Forbes to send everything on his list to the Planning Board members for them to review. Deputy Supervisor Park suggested we review what the Town Board asked the Planning Board to do concerning the billboards and believes they asked them to review the Comprehensive Plan and give their recommendations.

Charging Station Update- Trustee Clune updated the Town Board on how often the Village charging stations are utilized. He stated from January 1st to May 7th of 2023, there were 258 charging sessions by 63 unique drivers, the total charge duration was 51,654.9 minutes, the total connecting time was 63,865 minutes, and the energy provided was 4,582 kilowatts.

Resident Concern- A Homer resident, Tim Malchalk, asked if the Town Board had a deadline for billboards. Supervisor Forbes stated there is no date set but expects to hear from the Planning Board in the next couple of months which would allow them to do due diligence in reviewing the information and completing their research.

Malchalk also inquired to see if the town or village could bring the carnival back to the Homer Firemen Field Days. Supervisor Forbes stated he would have to have a conversation with the village and Trustee Clune said he would also look into this.

As there was no further business, the meeting was adjourned at 8:14 p.m.

Brooke L. Poli
Deputy Town Clerk