

The regular meeting of the Town of Homer Board held on Wednesday, October 4, 2023, in the Senior Center, 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
Patrick M. Snyder, Attorney for the Town
Heather M. Hill, Town Clerk
Brooke L. Poli, Deputy Clerk

OTHERS PRESENT

Patrick Clune, Trustee Village of Homer
Margaret Mellott, Cortland Standard
Sarah Head, Homer Resident
Caleb Leach, Homer Resident
Ward Dukelow, Homer Resident
Sylvia Hammond, Homer Resident
Tim Malchak, Homer Resident
Emmanuel Pothos, Cortlandville Resident
Don Ferris, Homer Resident
Duane Reynolds, Homer West Hill Cemetery
Jack Eves, X101 News

ABSENT

John R. Phelps, Highway Superintendent

PLEDGE

MINUTES

On motion by Deputy Supervisor Park, seconded by Councilman Jones, and carried unanimously: **RESOLVED: The Regular Meeting minutes of the September 6, 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 September 2023.
2. The Supervisor's reports of all financial activities for August 2023.
3. The Code Enforcement Officer's report on all building permits issued for September 2023.
4. The Dog Control Officer's report for August 2023.

On motion by Councilman Williams, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: The Supervisor's monthly report for August, the Town Clerk's monthly report for September, and the Code Enforcement Officer's Monthly report for September, and the Dog Control Officer's report for August are received, accepted, and filed.**

BILLS TO BE PAID

General bills were approved as audited by Councilmember Williams motioned by Councilmember Williams, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: That General Fund vouchers #480 through #499 totaling \$35,670.41 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 #351 through #366 totaling \$71,239.68 are approved for payment.**

COURT AUDIT REPORT FROM 2022

Supervisor Forbes stated the first order of business is to formally review and accept the court audit and then send a letter of acceptance to the state.

On motion by Councilman Williams, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: To accept and file the 2022 Town Justice Court Audit completed by Andrea Herzog and notify the Town Justice Court of the recommendations.**

SEASONAL ROAD DESIGNATION

On motion by Deputy Supervisor Park, seconded by Councilmember Williams and carried unanimously: **RESOLVED: Listed in the Cortland Standard:**

Highway Superintendent John R. Phelps has designated certain portions of Town highways as seasonal limited use highways and is hereby authorized by the Homer Town Board to temporarily discontinue snow and ice removal and maintenance on those Town highways from December 1st, 2023, to April 1st, 2024, as follows:

Foster Road	.50 miles
Burhans Road	.50 miles
Wolf Road	.25 miles
Grange Road	.75 mile from Rice Road to Brake Hill Road
Brake Hill Road	.50 miles
Rice Road	.50 miles
Carroway Hill Rd	.25 miles
McDonald Road	.25 miles
Sessions Hill Rd	2.50 miles
Vern King Road	1.25 miles from house #5937 to Sessions Hill Road
Maxson Road	1.70 miles from Sessions Hill
Forbes Road	.87 miles
Chapman Road	.75 miles
Searls Road	.50 miles
Dillon Road	.25 miles

CIVIL SERVICE POSTION

Supervisor Forbes contacted the Cortland County Personnel/Civil Service Department to inquire about creating a position for temporary/seasonal motor equipment operators. The town is seeking operators with a CDL license with at least two years' experience and to advertise for summer and winter positions. Supervisor Forbes stated this is designed to fill a temporary need and not to supplement a full-time position and would require a motion by the town board to create such a position.

On motion by Councilmember Williams, seconded by Deputy Supervisor Park, and carried unanimously: **RESOLVED: To create a part time position for temporary/seasonal motor equipment operators for the Town of Homer Highway Garage with the experience requirements for the position and duties listed in the Cortland County Personnel/Civil Service Department.**

CLEANING SERVICE QUOTES

Supervisor Forbes made the Town Board aware that the Town Clerk's office has obtained four cleaning quotes for the Town Hall. He stated it is time to assess the submitted quotes and renew a yearly contract.

Supervisor Forbes stated the town has no current cleaning contract because it has been too long since they renewed any such contract. Currently it is a month-to-month service. In previous years, the town had an annual contract they renewed each year. Supervisor Forbes stated he would review the bids and do some more research before submitting submitted quotes for the Town Board to review.

2024 GTCMHIC RESOLUTION FOR HEALTH CONSORTIUM

On motion by Councilmember Williams seconded by Deputy Supervisor Park and carried unanimously: **RESOLVED: To approve Supervisor Forbes to sign the 2023 Greater Tompkins County Municipal Health Insurance Consortium Cooperative Annual Agreement.**

POSTAGE MACHINE FUNDS ADDED

On motion by Councilmember Warren, seconded by Councilman Jones, and carried unanimously: **RESOLVED: To add \$1,000.00 to the postage machine in the Town Clerk's office.**

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS ACCOUNT

Supervisor Forbes informed the Town Board that a Mortgage Discharge letter for Constance Bosworth, through the Community Development Block Grant Program (CDBG) will need to be approved, signed, and sent before next month's meeting.

On motion by Councilmember Williams, seconded by Councilman Jones, and carried unanimously: **RESOLVED: To authorize the Supervisor to sign the CDGB Discharge of Mortgage Release letter on November 2, 2023, and send signed letter to Constance Bosworth on 5335 East Homer Crossing Road.**

ROAD AGREEMENT- CORTLANDVILLE

Town Attorney John DeVecchio from Cortlandville requested an official written agreement between the Town of Homer and the Town of Cortlandville be signed and filed. Attorney Snyder reviewed the agreement and did not have any objections to it.

On motion by Councilmember Jones, seconded by Councilman Warren, and carried unanimously: **RESOLVED: To authorize Supervisor Forbes to sign the Mutual Road Maintenance Agreement between the Town of Cortlandville and the Town of Homer and to accept the agreement.**

VILLAGE RECREATION CONTRACT

On motion by Deputy Supervisor Park, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: To authorize the Town Supervisor to sign the 2024 Village Recreation Contract in the amount of \$35,986.00.**

PREBLE SIGN

Supervisor Forbes was notified by the state that they cannot add the Town of Homer to the Preble sign on Interstate 81.

SENIOR CENTER WALL

As the Town of Homer moves forward with the process of going out to bid, John Carnes, Senior Associate and Project Architect with Crawford and Stearns, recommended making some minor adjustments. The changes to the proposed basement plans would utilize the available space more productively. The adjustment of moving a wall four feet would assist with providing storage for Village and town court records. Additionally, there are the two vaults with records that would need to find new storage space as well.

Currently, the Village and the town court share a storage room downstairs. The town board discussed several options of where they could relocate the storage, and Deputy Supervisor Park suggested utilizing the balcony as a temporary space to store permanent records. The Town of Homer would need a motion to approve the suggestions the architect recommended, contingent on the Village approval.

Supervisor Forbes proposed the town give authority to the architects when minor adjustments are recommended that would benefit the town hall for the seniors and the police department.

On motion by Supervisor Forbes, seconded by Councilman Jones, and carried unanimously: **RESOLVED: To proceed with the recommended changes to the plans, subject to agreement with the Village.**

SPECIAL MEETING DATE

Supervisor Forbes stated the town board needed to finalize a date to hold a special meeting to discuss billboards further. Councilmember Williams stated he needed more time and would like to meet at the next scheduled town board meeting, November 8, 2023.

Supervisor Forbes informed the board that Historian Martin Sweeney will give his annual report at the November meeting and the other item to finalize is the preliminary budget. Deputy Supervisor Park suggested starting next month's meeting at 6:00 p.m. instead of 6:30 p.m. to allow for additional time. The town board agreed to have the November 8, 2023, town board meeting to start at 6:00 p.m.

2024 TOWN BOARD MEETING CHANGE

Deputy Supervisor Park posed the idea of changing the Homer Town Board meetings from the first Wednesday of the month to the second Wednesday of the month starting in January of 2024, which would assist with payments of the monthly bills.

On motion by Deputy Supervisor Park, seconded by Councilman Williams, and carried unanimously: **RESOLVED: Starting in 2024 the Homer Town Board meetings will be held on the second Wednesday of each month instead of the first Wednesday of each month.**

2024 PRELIMINARY BUDGET

Supervisor Forbes stated this was the twentieth and final budget he has completed for the Town of Homer. Forbes stated what he incorporated into his budget is a zero-tax increase and the tax rate will remain at \$1.34. A few of the dollars come from an approximately three-million-dollar increase of the assessed value. The sales tax has been rising over the past few years. He also stated the budget shows the fire tax rate going down from last year from .99 to .98, and the contract was written between the Village and the fire commissioners was locked into a \$213,000.00 per year.

The tax rate for residents outside the Village will be \$2.32 and the tax rate for the Village will be \$1.34. Forbes stated that despite the \$15,000.00 increase in the projected state retirement for next year, he and the town board have tried to keep the tax rate down.

Supervisor Forbes informed the board that he has been able to save and set aside funds and feels very comfortable with this budget. If the town board has any feedback or needs to incorporate any adjustments after reviewing the preliminary budget, those can be applied at the next meeting. Forbes reminded the town board that tonight's meeting is to vote on the preliminary budget.

After some more discussion, the town board came to agreement. The Homer Town Board commended Supervisor Forbes for his diligent work with the budget and managing the town's finances and let Supervisor Forbes know how much they appreciated his efforts. Deputy Supervisor Park said this town has been well run due to Supervisor Forbes' diligence. He also said not many towns can invest nearly a half of a million dollars' worth of equipment and still have funds in reserve and still be financially sound.

On motion by Deputy Supervisor Park, seconded by Councilman Williams, and carried unanimously: **RESOLVED: To accept the 2024 Preliminary Budget as printed.**

Amendment to above motion: On motion by Councilmember Williams, seconded by Councilmember Jones, and carried unanimously: **RESOLVED: To accept the 2024 Preliminary Budget and to note that in the Office of the New York State Comptroller's Fiscal Stress Report the Town of Homer was given no designation.**

HIGHWAY SUPERINTENDENT

(Absent)

Deputy Supervisor Park updated the Town Board that the highway garage has the winter mix almost completed and some of the highway employees have taken vacation time. One of the gray trucks was sent to auction but was not auctioned at the price anticipated and Superintendent Phelps decided to keep it for winter use. They are preparing the trucks for winter by getting the plows installed and inspections completed.

ATTORNEY FOR THE TOWN

Attorney Snyder talked about the proposed New Leaf Solar Energy Project on Brake Hill Road. He received and reviewed the application from the company and responded with the requirements still needed in order to be able to contact other involved agencies and start the lead agency designation process. The Town Planning Board will need to issue a conditional permit for this project. It also appears that the developers will need a permit from the Town Board for disturbance to the road. They may also need an area variance from the Town of Homer Zoning Board of Appeals. This is important because under the State Environmental Quality Review Act (SEQR), we will have to establish a lead agency to carry out the environmental review of this project.

Snyder stated he would also have to contact all the other agencies involved with this project. Theoretically, the IDA should be part of the jurisdiction over this project if it will be entering in to a PILOT agreement. He stated he is trying to establish a lead agency and complete it within thirty days of having all the necessary information.

This presents the question of who the Town Board would like to be the lead agency of this process. The agency should be selected within thirty days of the complete application, which the town does not have yet. According to the company, they are going to submit the rest of the application in the next few days.

Snyder stated what is involved is a five-megawatt project that will disturb about twenty-five acres with solar panels and a few more acres and additional roads. It will be visible to several homes and appears it is raising concerns from the residents and neighbors.

The lead agency is responsible for deciding whether the impact is significant and is required to obtain an Environmental Impact Statement and go through all the required procedures. Attorney Snyder stated the process is extensive. Typically, when Snyder reaches out the state agencies do not want to be designated as lead agency and would prefer to leave that work to the local governments.

Snyder said the SEQR regulations state that no agency can approve this until the SEQR process is completed and this is why the town needs to establish a lead agency and will then be able to

decide if an impact statement is required. If so, the EIS would have to follow the regulations and so forth. Attorney Snyder recommended the Town Board review the application received thus far to assist in making further decisions of how to proceed.

Attorney Snyder stated the event center on Rice Road reportedly continues to host events despite the Code Officer's numerous violation notices. The disregard of the notices and the lack of not bringing the event center up to code, Snyder stated it may need to proceed with legal action.

Attorney Snyder said he is working on compiling an annotated version of all the town's zoning laws, including the amendments, which are currently in a handwritten draft, and his assistant is working on finalizing the draft.

OTHER

Homer West Hill Cemetery- Duane Reynolds from West Hill Cemetery Association reviewed and submitted to the Homer Town Board a 2022-2023 Fiscal Year Treasurer's report for the cemetery.

On motion by Deputy Supervisor Park, seconded by Councilmember Williams, and carried unanimously: **RESOLVED: To accept and file the Homer West Hill Cemetery Association 2022-2023 Fiscal Year Treasurer's Report.**

Historian Report- Supervisor Forbes stated that Historian Martin Sweeney will be giving his yearly report at the next Town Board meeting.

Zoning Board members- Supervisor Forbes stated the town will need to replace two Zoning Board members. One member is needed currently, and one member will be needed at the first of the year. Supervisor Forbes also stated he was approached by the Village Clerk to discuss the idea of combining the Village and Town Planning and Zoning Board of Appeals committees. He wanted to make the Town Board aware, and these are only ideas that are being discussed.

As there was no further business, the meeting was adjourned at 7:37 p.m.

Brooke L. Poli
Deputy Town Clerk