

The Regular Meeting of the Homer Town Board was held at the Town Hall located in the Village of Homer, on Wednesday, June 12, 2024, in the town board room, with Supervisor Park presiding.

Members Present:

Supervisor, Michael R. Park,
Deputy Supervisor, Barry E. Warren
Councilmember, Sarah E. Head
Councilmember, Caleb J. Leach
Councilmember, Kevin M. Williams

Others Present: Town Attorney, Daniel J. Ellis II; Town Clerk, Heather M. Hill; Deputy Town Clerk, Brooke L. Poli; Village Trustee, Patrick Clune; Residents: Tim Malchak; Emmanuel Pothos; Gary Lawrence; Boyd Chapman; Deb Chapman; Kimberly Allen; Timothy Robideau; Michael Broughton; Renee Neiderman; Ashley Neiderman-Bonanno; Liz Arnold; Victoria Wilde; Catherin Wilde; Caoimne Dudgeo; Victor & Ann Siegle; Miles Dudgeon; Reed Cleland; Don Ferris; Pierre Beaudry; Amy Bertini; Helen Haldane; Cheryl Barredo; Karen Dillo; Michael Dillon; Margaret Mellot, staff reporter for Cortland Standard.

Supervisor Park called the Regular Meeting to order and opened with the Pledge of Allegiance.

MONTHLY MEETING MINUTES

Deputy Supervisor Warren made a motion, seconded by Councilmember Head, to approve the Draft Town Board Minutes of May 15, 2024. All voting aye, the motion was carried.

MONTHLY BILL PAY

General bills were approved as audited by Councilmember Leach, motioned by Councilmember Leach to approve the general fund vouchers for payment, seconded by Councilmember Williams; All voting aye, the motion was carried: **RESOLVED: That General Fund vouchers #100 through #131 totaling \$17,842.29 are approved for payment.**

Highway bills were approved as audited by Deputy Supervisor Warren, motioned by Deputy Supervisor Warren, to approve the highway fund vouchers for payment, seconded by Councilmember Leach; All voting aye, the motion was carried: **RESOLVED: That Highway Fund vouchers #63 through #78 totaling \$104,049.35 are approved for payment.**

WRITTEN DEPARTMENT REPORTS

Councilmember Leach made a motion, seconded by Deputy Supervisor Warren, to receive and file the following monthly reports as presented:

1. Town Supervisor - May 2024
2. The Code Enforcement Officer- May 2024

3. The Dog Control Officer- April and May 2024
All voting aye, the motion was carried.

PRIVILEGE OF THE FLOOR

Supervisor Park offered privilege of the floor to anyone would like to speak or have any questions for the town board. Town resident, Tim Malchak, raised concerns for road safety on McDonnell Road and requested the town board revisit the county recommendations for ATV law. Supervisor Park said he would research if the town could place a caution and or a single lane road sign up and discuss it further at next month's meeting.

AGENDA ITEMS

Village Trustee Clune stated the Village is waiting for the individual state agencies responsible for the DRI funding to contact the owners concerning the proposed projects.

Councilmember Leach reported the highway department's road work is progressing well, with tasks nearing completion. There was discussion on the status of the new truck and are waiting for price and availability details for the 10-wheeler dump truck. Supervisor Park commended the highway department for being ahead of schedule and for their diligence.

Town Clerk Hill reported the clerk's office settled with Cortland County Finance office for another successful 2024 tax season. She also reported changing the town board meetings to the second Wednesday of the month has been beneficial. Supervisor Park added they are still finalizing a job description for a third part time clerk.

RESOLUTION #6 TO ACCEPT AND FILE THE AUDIT WITH THE TOWN CLERK AND FORWARD COPIES OF THE 2023 FISCAL YEAR AUDIT TO NYS UNIFIED COURT SYSTEM ALONG WITH A COPY OF THE ADOPTED MOTION ACCEPTING THE AUDIT.

Motion by Councilmember Williams

Seconded by Councilmember Leach

VOTES: AYE- Park, Warren, Williams, Leach, Head; NAY- 0

WHEREAS, Section 2019-a of the uniform Justice Court Act requires that town boards provide an annual audit of the town justice court's records and dockets; and

WHEREAS, Town Board members Williams and Leach performed such an audit of the 2023 Town of Homer court records on May 13th, 2024, using a checklist and documentation provided by the New York State Comptroller's Office; and

WHEREAS, Board members Williams and Leach found all records to be clear, concise, and accurate; that all reports and disbursements were made on a timely basis, that the checkbooks were reconciled on a timely basis, and that cooperation by the Court Clerks was found to be excellent; During the audit the following was noted:

- 1) **Audit sampling included four random months chosen during the 2023 calendar year.**
- 2) **Sampling including verification of deposits, in the Justice account and bail account, cash receipts tie into deposits Justice account and bail account.
Verification of timely banking procedures and timely monthly of reporting documents.**
- 3) **Open caseloads are within a normal range.**
- 4) **Closed Caseloads are significantly higher and out of normal range. During the Management interview with the Court Clerk, it was noted that after a case has been adjudicated and a fine assessed, the local courts do not have the authority to enforce collection prior to disposition, thereby leaving outstanding fine balances on cases that have been completed. The NYS Unified Court Computer system shows these cases as open until the fine is paid.**
- 5) **Bank reconciliations frequently reconciled online prior to receiving monthly mailed statements.**
- 6) **Bail account reconciliation accounts are dormant with no activity because of the NYS no Bail Law.**

NOW THEREFORE BE IT RESOLVED that the Town Board has completed the annual audit of the justice court records and docket and the audit is accepted and filed with the Town Clerk and a copy will be forwarded to the NYS Court System along with a copy of the resolution to accept the audit.

Supervisor Park stated they are waiting to hear from Bridge New York for the applied funding for Pine Street Bridge before they can take any further action.

Supervisor Park discussed Ayers Road Bridge and the need to consider making a formal motion to hire Hunt Engineering for a plan of action. There was further discussion that the proposal was under the town's Procurement Policy and would need to obtain a certificate of liability once the construction begins.

Supervisor Park made a motion to approve the proposal from Hunt engineers, seconded by Councilmember Head; All voting aye, the motion was carried: **RESOLVED: To approve and accept HUNT Engineer's submitted proposal for engineering services plan of action for our scour of our critical bridge on Ayers Road.**

Supervisor Park met with Kevin McMahon, the code enforcement officer, and flood manager to discuss floodplain issues in the town. There was discussion on why certain areas in the town and village are in a floodplain zone and the possibility of changing designation. Supervisor Park posed questions regarding the floodplain status and there was also discussion about the floodplain designation affecting property insurance premiums. The possibility of changing the designation was explored, but it was noted that changes are only reviewed every 10 to 20 years.

The potential for hiring engineers and hydrologists to address the issue was mentioned but deemed unlikely. The idea of partnering with the village to share clerical services for filing paperwork was discussed. Reclassifying floodplain areas could potentially help achieve better insurance premium reductions for residents.

The use of satellite technology to monitor unauthorized structures was mentioned and a shed was identified without a building permit, highlighting the precision of satellite monitoring. Any further information will be distributed if it becomes available.

The renovations to the town hall entrance are progressing well and are attempting to patch a hole at the top of the pillar. They are expected to be completed by the end of the week, weather permitting.

Councilmember Leach stated they received one landscaping bid from Phillips Landscaping and based on his expertise, it was a competitive price. Leach stated they contacted other businesses for additional proposals, but no other proposals were submitted.

The submitted proposal was for one year and the town board decided to contact Phillips Landscaping to resubmit a revised proposal for four months instead of the year since it was so late in the season. This would fall under the town's Procurement Policy and the town board agreed to contact Phillips Landscaping to resubmit a revision of his proposal. Next year, they would assess the year's proposal from Phillips Landscaping.

Attorney Dan Ellis stated he talked to Code Enforcement Officer Kevin McMahon and raised concerns with unsafe structures and unsafe buildings. A draft law will be composed and presented to the town board next month for review.

Supervisor Park said the Memorial Day parade was well-attended and appreciated by the community. Three town board members attended the parade, along with a county legislator, escorted by Don Ferris.

The need for electronic time clocks for accurate payroll and record-keeping was discussed. This would streamline the process and ensure timely submission of timesheets and would like a decision made by the end of the year. The town board agreed to research and collect information collectively by the end of the year.

The proposal to provide a town-supplied cell phone for the Highway Superintendent was discussed. This would ensure continuity of contact information when the current superintendent retires.

Review of the revised personnel policy, including work hours, meal breaks, payroll, holidays, and requirements for commercial driver's licenses. Attorney Ellis started with the existing personnel policy, made minor changes, and added compliance sections to make it more current. Supervisor Park asked the town board to review and submit any suggested changes to the town attorney for next month's meeting.

A resident posed a question concerning the recording of the town board meetings and if they could be available. There was discussion on the legal requirements for making them available and the exact process for releasing recordings is still being researched.

As there was no further business, the meeting adjourned at 7:10 p.m.

Respectfully Submitted,
Brooke L. Poli
Deputy Town Clerk