

The Regular Meeting of the Homer Town Board was held at the Town Hall located in the Village of Homer, on Wednesday April 9, 2025, in the town boardroom, 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 Clerk, Heather M. Hill; Deputy Town Clerk, Brooke L. Poli; Highway Superintendent, Kyle Bean; Attorney to the Town, Dan Ellis; Code Enforcement Officer, Kevin McMahon; Greg Leach; Tim Malchak; Don Ferris; Michael Broughton; Mike Batzer; and Katie Sullivan.

Supervisor Park called the meeting to order and opened with the pledge of allegiance.

MONTHLY MEETING MINUTES

Councilmember Head made a motion, seconded by Councilmember Leach, to approve the Draft Regular Town Board Meeting Minutes of March 12, 2025. All voting aye, the motion carried. **RESOLVED: to approve the Draft Regular Town Board Meeting minutes of March 12, 2025.**

Councilmember Leach made a motion, seconded by Deputy Supervisor Warren, to approve the Draft Special Meeting Minutes of March 12, 2025. All voting aye, the motion carried. **RESOLVED: to approve the Draft Regular Town Board Meeting minutes of March 12, 2025.**

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 Head; All voting aye, the motion carried. **RESOLVED: That General Fund, abstract #4, vouchers #75 through #98 totaling \$13,588.32 are approved for payment.**

Highway bills were approved as audited by Councilmember Williams, motioned by Councilmember Williams, to approve the highway fund vouchers for payment, seconded by Deputy Supervisor Warren; All voting aye, the motion carried: **RESOLVED: that Highway Fund, abstract #4, vouchers #40 through #56, minus voucher #43 in the amount of \$2,840.15 for a separate vote, all totaling \$16,401.15 are approved for payment.**

Highway voucher #43 was approved as audited by Councilmember Williams, motioned by Councilmember Williams, to approve voucher #43 for payment, seconded by Councilmember Leach; Aye votes: Williams, Leach, Head, and Warren; Recused: Park, the motion carried. **RESOLVED: that Highway Fund, abstract #4, voucher #43, is approved for payment to Homer Iron Works in the amount of \$2,840.35, as three companies were contacted to comply with the state audit. These included the following: Tracey Road, which was six months out for scheduling, Becks Equipment, which was unable to complete the work, and Cortland Chrysler Dodge Jeep Inc., who submitted quote in the amount of \$5,865.00.**

WRITTEN DEPARTMENT REPORTS

Councilmember Leach made a motion, seconded by Councilmember Head, to receive and file the following March monthly reports as presented:

1. The Code Enforcement Officer- March 2025
2. Town Clerk- March 2025
3. Fire Chief- March 2025
4. Supervisor- March 2025
5. Dog Control Officer- March 2025
6. Highway Superintendent- March 2025

All voting aye, the motion carried.

PRIVILEGE OF THE FLOOR

A resident posed concerns that the one-year expiration for a use or area variance seemed too short and recommended a longer expiration for the variance. Another resident inquired if the town would consider changing the mixture the town highway applies to the roads.

Superintendent Bean stated they are planning to change the percentage of mixture for the upcoming year. The highway department had to lay a heavier layer of salt and sand because of the hard winter.

Legislator Fitch said the county received a grant for the heating and cooling system at the courthouse and are also replacing the courthouse steps. The county clerk's office is moving to the first floor where the old DMV was located, which is a requirement by the state. The state is providing more judges for the county which requires more court rooms. The county plans to merge the building highway and grounds and are also having issues with the paid ambulance services and working to resolve the problem.

Legislator Fitch also updated the town board that they are completing a study on the landfill and what the future holds. He also stated the budget season is starting and they received major funding for a new building at the airport.

Katie Sullivan, a candidate for the Homer Town Justice, introduced herself to the town board and attended tonight's meeting to learn more about local government.

AGENDA ITEMS

Highway Superintendent Bean updated the highway department has been trimming trees on the roadside this month, rented road sweepers and opened seasonal roads, and completed various spring cleanup projects.

Other items the highway department completed were the following: cleaning under the guard rails, installed culvert pipe on Hatfield Road, widened the driveway on Maxon Road, and rented a lift for tree work on Rice Road.

Councilmember Williams made a motion, seconded by Councilmember Leach, to receive and file Superintendent Kyle Bean's monthly report. All voting aye, the motion carried.

RESOLVED: to accept and file Superintendent Kyle Bean's monthly report.

Supervisor Park discussed the Snow and Ice Agreement with county and stated after discussing with Superintendent Bean, they would not be renewing the upcoming contract. Supervisor Park will compose a letter and send it to the county.

Attorney Ellis introduced a new credit card policy, prohibiting personal expenses and requiring monthly credit card payments to prepaids, with a \$1,000 limit. Attorney Ellis read the policy for the town board.

Deputy Supervisor Warren made a motion, seconded by Councilmember Leach, to approve the Town of Homer Credit Card Policy for the credit card used by the highway superintendent, and to add the credit card monthly payments to prepaids. All voting aye, the motion carried. **RESOLVED: to accept and approve the Town of Homer Policy on Credit Card Use by the Highway Superintendent and to add the credit card monthly payments to prepaids.**

The town board discussed the \$15,000 energy grant the town received from NYSEDA and planned to utilize the grant to replace the overhead doors at the highway garage. The total cost for the highway overhead doors is \$26,198.00. There were three bids, and Overhead Door was the lowest bid. After the \$15,000 grant is applied, the total cost to the town would be \$11,198.00.

Supervisor Park made a motion, seconded by Councilmember Head, to approve \$11,198.00 for the town share to replace the highway garage doors, and up to \$8,400.00 for

overhead door modifications to accept 14-foot doors. All voting aye, the motion carried.

RESOLVED: to approve \$11,198.00 for the town share to replace the highway garage doors, and up to \$8,400.00 for overhead door modifications to accept 14-foot doors.

Supervisor Park stated the highway garage also needs to replace the concrete floor, ceiling and insulation, and sidewall and insulation. He reviewed the specs and discussed going out for sealed bids for an approximate total cost of \$182,000 to \$200,000.

Councilmember Head made a motion, seconded by Councilmember Leach, to run a bid notice for sealed bids for concrete floors, ceiling and insulation, and sidewall and insulation for the highway garage. All voting aye, the motion carried. **RESOLVED: to run a bid notice for sealed bids for concrete floors, ceiling and insulation, and sidewall and insulation for the highway garage.**

A new John Deere tractor and Diamond mower were discussed for the highway department, with a total combined cost of \$69,464.61, after a \$50,000 trade in for the current tractor. The purchase includes warranties.

Councilmember Leach made a motion, seconded by Deputy Supervisor Warren, to approve the purchase of a John Deere tractor and Diamond mower for the highway department, with a total cost of \$69,464.61 All voting aye, the motion carried. **RESOLVED: to approve the purchase of a John Deere tractor and Diamond mower for the highway department, with a total cost of \$69,464.61, and to authorize the supervisor to sign the paperwork.**

Supervisor Park discussed other future goals for purchases at the highway department and the newly hired employee.

Town Clerk Hill said there was three more weeks for tax collection before the payment plan is completed and set up an appointment with the county to settle for taxes on June 12th. Deputy Kotas has made progress on reorganizing and refiling boxes from the attic and has been reviewing the retention schedule for record keeping in the Town Clerk's office.

There was discussion on New York State's new requirements for municipalities to have a .gov website by June of 2025. He stated he would like to make these adjustments and the necessary changes as a priority.

The town board reviewed the below shared service inter-municipal agreement with the village for the purchase of a new fire truck.

INTERMUNICIPAL AGREEMENT
TOWN OF HOMER AND VILLAGE OF HOMER
2025 VILLAGE FIRE TRUCK PURCHASE ASSISTANCE

This **Intermunicipal Agreement** ("Agreement") is made and entered into as of the date first listed below, by and between the **Town of Homer**, a municipal corporation organized and existing under the laws of the State of New York, with its principal office at 31 North Main Street, Homer, NY (hereinafter referred to as the "Town"), and the **Village of Homer**, a municipal corporation organized and existing under the laws of the State of New York, with its principal office at 31 North Main Street, Homer, NY (hereinafter referred to as the "Village").

WHEREAS, the Village provides fire protection services to the Town pursuant to a contract with the Town of Homer Fire District; and

WHEREAS, the Village is in the process of purchasing a new four-wheel-drive fire truck, which will enhance its ability to provide fire protection services, particularly in rural areas of the Town; and

WHEREAS, the Town wishes to contribute a one-time payment of **Ten Thousand Dollars (\$10,000)** to assist the Village with the purchase of the fire truck and the Village wishes to accept said funds; and

WHEREAS, both parties recognize the mutual benefit of ensuring effective fire protection services within the Town and Village;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Town and Village agree as follows:

1. **One-Time Payment**

The Town agrees to provide a one-time payment of **Ten Thousand Dollars (\$10,000)** to the Village to assist with the purchase of a new four-wheel-drive fire truck. Payment shall be made upon delivery of the truck to the Village or at an earlier date that is mutually agreed upon by the Town and Village.

2. **Use of Funds**

The Village agrees to accept the funds provided under this Agreement and further agrees that said funds shall be used exclusively toward the purchase of the new fire truck.

3. **Ownership and Responsibilities**

The Village shall retain full ownership of the fire truck and shall be solely responsible for all costs associated with its operation, maintenance, insurance, and repairs.

4. **Improved Rural Fire Protection**

The parties acknowledge that the four-wheel-drive capability of the fire truck will enhance the Village's ability to provide fire protection services, particularly in rural and difficult-to-access areas of the Town and the Village will utilize the truck for that purpose.

5. **No Further Obligations**

This Agreement constitutes the full extent of the Town's financial commitment to the Village regarding the fire truck. The Town shall have no ongoing financial obligations for the operation, maintenance, or replacement of the fire truck.

6. **Indemnification**

The Village shall indemnify, defend, and hold harmless the Town, its officers, employees, and agents from any and all claims, liabilities, damages, or expenses arising out of the purchase, ownership, operation, or use of the fire truck.

7. **Effective Date and Term**

This Agreement shall become effective upon execution by both parties and shall remain in effect until the obligations set forth herein have been satisfied.

8. **Amendments**

No modification or amendment to this Agreement shall be valid unless in writing and signed by authorized representatives of both parties.

9. **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

10. **Severability**

If any provision of this Agreement is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written below.

Councilmember Head made a motion, seconded by Councilmember Leach, to approve and accept the Intermunicipal Agreement between the Village and the Town of Homer for assistance with the purchase of a Village Fire Truck. All voting aye, the motion carried.

RESOLVED: to approve and accept the Intermunicipal Agreement between the Village and the Town of Homer for assistance with the purchase of a Village Fire Truck.

There was discussion on the upcoming Firemen's Installation dinner on April 18th at the Homer Elk's Club and the supervisor encouraged the town board members to attend and to rsvp.

There was discussion on the delays in receiving drawings and project manuals for the renovations for the Homer Town Hall basement.

Councilmember Williams stated he and Councilmember Leach will complete the court audit in April.

The town discussed a proposed local law to amend the zoning law of the Town of Homer with regards to the expiration of variances. They discussed the duration of variances, and extending from one year to three years. Code Enforcement Officer McMahon recommended one year to two years was sufficient and Attorney Ellis agreed. After much discussion, a decision to move forward to a public hearing and to extend the expiration to three years.

On motion by Supervisor Park, seconded by Deputy Supervisor Warren, to refer to County Planning for GML review, the draft local law #1 of 2025 containing a three-year expiration limit on newly granted variances and to call a public hearing at 6:30 p.m. on May 14, 2025. All voting aye, the motion carried. **RESOLVED: to refer to County Planning for GML review, the draft local law #1 of 2025 containing a three-year expiration limit on newly granted variances and to call a public hearing at 6:30 p.m. on May 14, 2025.**

Code Enforcement Officer McMahon reviewed the Town of Homer proposed permit fee schedule for planning and zoning board. He stated that the three other municipalities he works for utilize the same permit fee schedule. The permit fees are significantly different and recommends reviewing and considering adopting the proposed permit changes, which would benefit the town.

On motion by Councilmember Head, seconded by Councilmember Leach, to approve and accept the proposed permit fee schedule for the Town of Homer. Votes, Aye: Park, Leach, Warren, Head; Nay: Williams; the motion carried. **RESOLVED: to approve and accept the proposed permit fee schedule for the Town of Homer.**

Supervisor Park held a meeting with the county supervisors and mayors to discuss the distribution of sales tax revenue, proposing a 50-50 split based on population and property value.

There was also discussion on financial challenges faced by municipalities, including the need for shared services and the impact of state and county tax policies.

Attorney Ellis had no updates for the town board.

As there was no further business, the meeting adjourned at 8:26 p.m.

Respectfully Submitted,

Brooke L. Poli
Deputy Town Clerk