

The Regular Meeting of the Homer Town Board was held at the Town Hall located in the Village of Homer, on Wednesday June 11, 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; Village Mayor, Patrick Clune; Code Enforcement Officer, Kevin McMahon Attendees: Tim Malchak, Michael Broughton, Reed Cleland, Megan Hayden, Matt and Julie Newman, Dave Solin, Bridget Cox; Karen Dudgeon; and Lily Byrne.

Supervisor Park called the public hearing to order at 6:30 p.m. and opened with the pledge of allegiance.

Attorney Ellis read the proposed Local Law to amend the zoning law with regards to the expiration of use and area variances that go unacted on. A few inquiries were made concerning the Local Law and addressed. As there was no further comments, Supervisor Park closed the public hearing at 6:32 p.m.

MONTHLY MEETING MINUTES

Councilmember Head made a motion, seconded by Councilmember Leach, to approve the Draft Regular Town Board Meeting Minutes of May 14, 2025. All voting aye, the motion carried. **RESOLVED: to approve the Draft Regular Town Board Meeting minutes of May 14, 2025.**

Deputy Supervisor Warren made a motion, seconded by Councilmember Leach, to approve the Draft Special Meeting Minutes of May 21, 2025. All voting aye, the motion carried. **RESOLVED: approve the Draft Special Meeting minutes of May 21, 2025.**

MONTHLY BILL PAY

General bills were approved as audited by Councilmember Williams, motioned by Councilmember Williams, to approve the general fund vouchers for payment, seconded by Deputy Supervisor Warren; All voting aye, the motion carried. **RESOLVED: That General Fund, abstract #6, vouchers #129 through #165 totaling \$84,387.46 are approved for payment.**

Highway bills were approved as audited by Councilmember Leach, motioned by Councilmember Leach, to approve the highway fund vouchers for payment, seconded by Councilmember Head; All voting aye, the motion carried: **RESOLVED: that Highway Fund, abstract #6, vouchers #71 through #84 all totaling \$134,451.58 are approved for payment.**

WRITTEN DEPARTMENT REPORTS

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

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

All voting aye, the motion carried.

PRIVILEGE OF THE FLOOR

A resident posed a question on where the town board plans to hold the larger meetings after the renovations. Supervisor Park stated the town could potentially utilize the Village Community building, the Center for the Arts, or school for larger groups, but the town has plans to have a community room after the downstairs renovations are completed.

Legislator Linda Jones stated the county was still searching for a county administrator and deputy and the proposed sales tax agreement for the county, towns, and cities was pulled. The highway buildings and grounds in the county were combined into public works. At the end of this year, the county is terminating their lease agreement with the City of Cortland to use the gymnasium, due to security issues.

The county received a \$1,266,796.00 Next Generation 911 grant from Homeland Security Services which can be utilized until 2030 for the 911 emergency response and stated the dome will soon be repainted.

Legislator Jones informed the board there were ongoing issues with the ambulance services and fly car solutions were considered, but cost and coverage concerns remain.

Legislator Reed Cleland stated broad band fiber optic cable will be available by the end of the year and will cost the county 3.3 million.

AGENDA ITEMS

Attorney Ellis discussed the local law from the public hearing and the expiration of variances proposed by the town board for 36 months instead of the proposed 12 months. He also informed the town board they were in receipt of the county letter of approval with no conditions.

There was a Proposed Resolution to adopt the law and a Short Form SEQR Part II was completed by the board. Attorney Ellis read SEQR Part II and Supervisor Park declared all answers negative, and the town board agreed on each SEQR item.

Deputy Supervisor Warren made a motion, seconded by Councilmember Williams, to declare a negative declaration for the SEQR Part II. All voting aye, the motion carried.

RESOLVED: to declare a negative declaration for SEQR Part II.

RESOLUTION #3 A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HOMER TO ADOPT PROPOSED LOCAL LAW #1 OF 2025 ENTITLED A LOCAL LAW TO AMEND THE ZONING LAW OF THE TOWN OF HOMER WITH REGARDS TO THE EXPIRATION OF VARIANCES.

Motion by Councilmember Williams

Seconded by Councilmember Leach

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

WHEREAS, the Town Board of the Town of Homer has authorized the Attorney for the Town to draft a local law to cause the expiration of use and area variances which go unacted on by a property owner or developer after issuance by the Town of Homer Zoning Board of Appeals; and

WHEREAS, the proposed local law was prepared by the Attorney and presented to the Town Board; and

WHEREAS, the Town of Homer, after careful study and consideration of the proposed local law, and after taking consideration of public comments, including a public hearing held on May 14, 2025, and following a GML review from Cortland County Planning, has considered the local law for adoption; and

WHEREAS, the Town of Homer has undertaken an environmental review of the adoption of said local law and has made a determination of significance [unlisted action and negative declaration] required under the State Environmental Quality Review Act; and

WHEREAS, the Town Board of the Town of Homer has considered the local law's impact on the residents of the Town of Homer and determined that it is in the best interest of the residents to adopt a local law for the expiration of variances in the Town of Homer, particularly when a variance is not acted on within three years from the date of issuance.

NOW THEREFORE BE IT RESOLVED that Local Law #1 of 2025 entitled A LOCAL LAW TO AMEND THE ZONING LAW OF THE TOWN OF HOMER WITH REGARDS TO THE EXPIRATION OF VARIANCES is hereby adopted.

Highway Superintendent Kyle Bean reviewed his monthly report with the town board stating this month the highway garage has been working on the equipment and roads, vegetation management, and tree work. The highway laid oil and stone on 4.2 miles of roads, and there was discussion on seasonal road maintenance and future development concerns.

While the highway department awaits the new mower they have on order, Superintendent Bean rented the same mower for comparison. What normally took the highway department four months to complete now will take them four days, which will benefit the town in the future.

The highway garage will advertise for an open position for a motor vehicle operator, as there is a need to have five full-time employees.

Councilmember Head made a motion, seconded by Councilmember Leach, to approve the highway superintendent to hire an additional motor vehicle operator for the highway garage. All voting aye, the motion carried. **RESOLVED: to approve the highway superintendent to hire a motor vehicle operator for the highway garage.**

There was discussion on declaring surplus for the town including three overhead doors, a gradall, a black top paver, a tractor snowblower, and a flail mower. Councilmember Williams requested two motions. There was also discussion on the 91-pothole patcher which is owned jointly by Truxton, Cuyler, and the Town of Homer. It was indicated that the Town of Homer no longer uses the patcher and that it should be declared surplus by the Town of Homer.

Councilmember Williams made a motion, seconded by Deputy Supervisor Warren, to declare the three overhead doors, a gradall, a black top paver, and tractor snowblower as surplus and send to auction. All voting aye, the motion carried. **RESOLVED: to declare three overhead doors, a gradall, a black top paver, and tractor snowblower as surplus and send to auction.**

Councilmember Williams made a motion, seconded by Councilmember Head, to declare the flail mower as scrap and not to send it to auction. All voting aye, the motion carried. **RESOLVED: to declare the flail mower as scrap and not to send it to auction.**

Councilmember Williams made a motion, seconded by Councilmember Leach, to declare the 91-pothole patcher, owned by Truxton, Cuyler, and the Town of Homer, as surplus, and to turn the machine over to the Town of Cuyler as the remaining owner. All voting aye, the motion carried. **RESOLVED: to declare the 91-pothole patcher, owned by Truxton, Cuyler, and the Town of Homer, as surplus, and to give ownership to Cuyler.**

Half of the concrete floor at the highway garage was poured and will be completed soon. The roof at the highway department is leaking and needs repaired. Supervisor Park reached out to three companies and only received an estimate from Rawson Renovations in the amount of \$10,600.00.

Councilmember Leach made a motion, seconded by Councilmember Head, to approve and accept Rawson Renovations' estimate in the amount of \$10,600.00. All voting aye, the motion carried. **RESOLVED: to approve and accept Rawson Renovations' estimate in the amount of \$10,600.00 to repair the roof at the highway department.**

Discussion occurred concerning residents' plans to build a new house on the seasonal portion of Vern King Road. The town agreed to maintain the road and clear vegetation, but would require a turnaround from the residents, which would assist the town in maintaining the

road. There was further discussion on the need to review other towns' regulations and form a team for recommendations.

Code Enforcement Kevin McMahon wanted to verify the road was wide enough for two vehicles and posed his concerns. Fire code requires roads to be wide enough for two EMS vehicles to bypass if over five hundred feet and the need for accessibility during construction.

Supervisor distributed a copy of the Town of Candor's seasonal use roads law for the town board to review and consider for the Town of Homer, as the town does not have a law. This would assist and help safeguard the town for future developments.

The town board reviewed and discussed the minor updates made to the Personnel Policy.

Councilmember Head made the motion, seconded by Councilmember Williams, to approve and accept the updates made to the Personnel Policy. All voting aye, the motion carried. **RESOLVED: to approve and accept the updates made to the Personnel Policy.**

A joint public hearing was scheduled for July 9th for the annexation on Wolf Road. All property owners signed the notarized petition for annexation. The town assessor would need to certify ownership status and assessment values. Mayor Clune indicated that his board had already approved the annexation of the three properties into the Town but that he would ask his board to attend the joint public hearing.

Town Clerk Hill updated the clerk's office tax season collected 94.89 % of taxes this year and settle with the County Finance Department June 12th. The town's website is being revamped, as New York State mandates government-approved websites.

Supervisor Park suggested getting information to the public and residents more efficiently by running a monthly ad through the Homer News. The total cost for a half page ad is \$200 for one issue a month, giving a total of \$2,400.00 for the year. He also would like to expand communication in other ways, including the website and possibly Facebook page.

Deputy Supervisor Warren made a motion, seconded by Councilmember Leach, to approve spending \$2,400.00 for one year, to run a monthly ad in the Homer News to enhance communication with the town residents. All voting aye, the motion carried. **RESOLVED: to approve spending \$2,400.00 for one year, to run a monthly ad in the Homer News to enhance communication with the town residents.**

Supervisor Park reviewed all submitted bids for the renovations for the lower level of the town hall. The low bids were as follows: General Contractor- Diamond & Thiel Construction in the amount of \$458,000.00; Electrical- Beard Electric in the amount of \$158,236.59; Plumbing- DMF Mechanical Services in the amount of \$197,309.00; and HVAC- AFT Mechanical in the amount of \$315,000.00. The total cost of the low bids is \$1,128,545.59, plus a 15 % contingency for \$169,281.84 which is a total of \$1,297,827.43. Supervisor Park recommended approving \$1,300,000.00 total for the project. The contractors should be able to start by the end of July and beginning of September.

RESOLUTION #4 A RESOLUTION AUTHORIZING CONTRACTS WITH THE LOWEST RESPONSIBLE BIDDERS IN EACH CONSTRUCTION CATEGORY FOR THE HOMER TOWN HALL LOWER-LEVEL RENOVATIONS AND APPROVING A CONTINGENCY AMOUNT

Motion by Councilmember Williams
Seconded by Councilmember Head
VOTES: AYE- Park, Warren, Williams, Leach, Head; NAY- 0

A RESOLUTION AUTHORIZING CONTRACTS WITH THE LOWEST RESPONSIBLE BIDDERS IN EACH CONSTRUCTION CATEGORY FOR THE HOMER TOWN HALL LOWER-LEVEL RENOVATIONS AND APPROVING A CONTINGENCY AMOUNT

WHEREAS, the Town of Homer solicited bids for construction work related to the Homer Town Hall Lower-Level Renovations, including General Construction, Electrical, Plumbing, and HVAC services; and

WHEREAS, sealed bids were received and reviewed, and the following were determined to be the lowest responsible bidders in each respective category:

- **General Construction:** Diamond & Thiel Construction Co., Inc. – \$458,000.00
- **Electrical Work:** Beard Electric, LLC – \$158,236.59
- **Plumbing Work:** DMF Mechanical Services, Inc. – \$197,309.00
- **HVAC Work:** AFT Mechanical LLC – \$315,000.00

WHEREAS, the total of the lowest responsible bids amounts to **\$1,128,545.59**; and

WHEREAS, a contingency amount of **15%**, totaling **\$169,281.84**, is recommended to cover unforeseen conditions and necessary change orders during construction; and

WHEREAS, the total project budget, including contingency, is **\$1,297,827.43**, and the Town Board desire to approve an overall project budget not to exceed **\$1,300,000.00**;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Homer hereby awards the contracts for the Homer Town Hall Lower-Level Renovations as follows:

- Diamond & Thiel Construction Co., Inc. – \$458,000.00
- Beard Electric, LLC – \$158,236.59
- DMF Mechanical Services, Inc. – \$197,309.00
- AFT Mechanical LLC – \$315,000.00

BE IT FURTHER RESOLVED, that the Town Board authorizes a contingency amount of 15% to be used for unforeseen conditions, for a project budget not to exceed **\$1,300,000.00**, said use of contingency is subject to the prior written approval of the Town Supervisor;

BE IT FURTHER RESOLVED, that the Town Board acknowledges that the renovation project is a TYPE II action pursuant to State Environmental Quality Review regulations;

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the necessary contracts and any related documents on behalf of the Town.

The sales tax agreement negotiations involving the county, towns and villages were discussed. The City of Cortland filed to preempt the sales tax split, seeking 1% plus 3% share. The current agreement remains for another year due to budget deadlines and future meetings planned to finalize distribution.

Supervisor Park wants to develop a five-year plan on future goals for the Town of Homer and form a committee and discuss ideas at the next town board meeting.

Attorney Ellis reviewed the highway use and maintenance agreement from the solar company for 30 MW for the Town of Homer with the solar project, which includes three municipalities. The agreement is lengthy and under current review. He also stated the town board should consider making the Cortland Standard its official newspaper. Currently, the town is posting legal advertising in the Cortland Standard and the Post Standard.

As there was no further business, the meeting adjourned at 7:55 p.m.

Respectfully Submitted,

Brooke L. Poli