

Darren "Hal" McCabe
Mayor
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Village Office
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Phone: 607-749-3322
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Village Police: 607-749-2022
Newton Water Works: 607-749-2511
Glenwood Cemetery: 607-749-3517
Streets and Parks: 607-749-3813
Recreation: 607-749-2161
Codes: 607-745-3177
Homer Fire Department: 607-749-3121

**VILLAGE OF HOMER
PUBLIC HEARING
October 22, 2024**

PUBLIC HEARING #1:

Local Law No. 1 of the year 2024

A Local Law establishing a six-month moratorium regarding programmable digital signs.

Be it enacted by the Village Board of the Village of Homer as follows:

SECTION 1. TITLE

Establishing a six-month moratorium on the submission and processing of applications for permits, variances or land use approvals for programmable digital signs.

SECTION 2. PURPOSE

Pursuant to the statutory powers vested in the Village Board of the Village of Homer to regulate and control land use and to protect the health safety and welfare of its residents, the Village Board hereby declares a six-month moratorium on the submission and/or land use approvals for programmable digital signs. The Village Board is considering possible amendments to the Code of the Village of Homer pertaining to programmable digital and similar signs. The Village Board finds that this moratorium will allow for a careful study of this issue, consideration of the concerns of residents and businesses, drafting proposed amendments in final form, holding a public hearing and any proposed amendments and lawfully adopting and filing the amendments.

SECTION 3. AUTHORITY

This moratorium is enacted by the Village Board pursuant to its authority under New York Constitution Article IX and New York State Municipal Home Rule Law Section 10.

SECTION 4. ENACTMENT OF SIX-MONTH MORATORIUM

For a period of six (6) months following the effective date of this Local Law, except as may be provided in Section 6 below, the following moratorium is enacted:

- A. No new applications for permits, variances and/or land use approvals for a programmable sign shall be accepted by the Village Board, Planning Board, Zoning Board of Appeals or Code Enforcement Officer of the Village of Homer; and
- B. No submitted application for permits, variances and/or land use approvals for a programmable sign shall be accepted or processed by the Village Board, Planning Board, Zoning Board of Appeals or Code Enforcement Officer of the Village of Homer.

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SECTION 5. TERM

The moratorium imposed by the Local Law shall be effective six (6) months from the effective date of this Local Law. This Moratorium may be extended by one (1) additional period of up to three (3) months by resolution of the Village Board upon a finding of the necessity of such extension.

SECTION 6. EXCEPTION DUE TO EXTRAORDINARY HARDSHIP

The Village Board may authorize exceptions to the moratorium imposed by this Local Law upon finding that postponing consideration of an application for a programmable digital sign would impose extraordinary hardship. An application for an exception shall be considered as follows:

- A. Submission of ten (10) copies of an application containing the applicant's arguments, including facts and evidence in support of the alleged extraordinary hardship, a copy of the application for the proposed programmable digital sign, and such other information and documentation deemed necessary by the Village Board to consider the application.
- B. The payment of a filing fee with the application.
- C. A public hearing on the extraordinary hardship application shall be held by the Village Board no later than 45 days after submission of a complete application and filing fee.
- D. In reviewing the application, the Village may consider the following criteria:
 - a. The extent to which the proposed application for a programmable digital sign would adversely impact the character of the surrounding neighborhood or be detrimental to public health and safety.
 - b. Whether the moratorium will expose an applicant or property owner to substantial monetary liability to a third person or would leave the applicant or property owner unable to use a reasonable alternative.
 - c. Mere delay in the consideration of application for a programmable digital sign is insufficient to constitute an extraordinary hardship.
- E. Upon concluding the public hearing, and after consideration of the application and evidence submitted, the Village Board shall, in its sole discretion, approve, deny or approve in part and deny in part, the application.

SECTION 7. SUPERSEDING OF NEW YORK STATE VILLAGE LAW

To the extent that any provision of this Local Law is in conflict or inconsistent with the provisions of NYS Village Law, this Local Law supersedes, amends, and takes precedence over NYS Village Law pursuant to the Village's municipal home rule powers under NYS Municipal Home Rule Law §10(1)(ii)(d)(3), 10(1)(ii)(a)(14), and 22.

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SECTION 8. EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation or parts thereof, including any deadlines for making decisions, interpretations or determinations, is in conflict with the provisions of this local law, this Local Law shall control, and such other laws are hereby superseded.

SECTION 9. SEVERABILITY

Any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to such clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and the remaining provisions shall remain in full force and effect.

SECTION 10. SEQRA

This local law constitutes a Type II Action under the State Environmental Quality Review Act inasmuch as it constitutes the adoption of a moratorium on land development or construction. As such this project is not subject to review under the State Environmental Quality Act.

SECTION 11. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the NYS Secretary of State.

PUBLIC HEARING #2:

Local Law No. 2 of the year 2024

A Local Law establishing a Stop Intersection at the intersection of Sunset Avenue and Hooker Avenue in the Village of Homer.

Be it enacted by the Village Board of the Village of Homer as follows:

SECTION 1. TITLE

Establishing a Stop Intersection at the intersection of Sunset Avenue and Hooker Avenue in the Village of Homer.

SECTION 2. STATUTORY AUTHORITY

This local law is being enacted by the Board of Trustees of the Village of Homer pursuant to its authority to adopt laws under the New York Constitution, the New York State Municipal Home Rule Law and the New York State Village Law.

SECTION 3. PURPOSE AND INTENT

The purpose and intent of this Local Law is to create a new "Stop Intersection" pursuant to Chapter 210-11 of the Code of the Village of Homer, New York, and to be added to Section 210-41 Schedule VIII: Stop Intersections. The new Stop Intersection is as follows:

Stop signs will be placed on Hooker Avenue at its intersection with Sunset Avenue travelling both in the north and south directions.

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SECTION 4. ENACTMENT OF STOP INTERSECTION

This Local Law will add to Section 210-41 of the Code of the Village of Homer, New York a Stop Intersection as follows:

Direction of:

Stop Sign on	Travel	At Intersection of
Hooker Avenue	North	Sunset Avenue
Hooker Avenue	South	Sunset Avenue

SECTION 5. SUPERSEDING OF NEW YORK STATE VILLAGE LAW

To the extent that any provision of this Local Law is in conflict or inconsistent with the provisions of New York State Village Law, this Local Law supersedes, amends, and takes precedence over New York State Village Law pursuant to the Village's municipal home rule powers under New York State Municipal Home Rule Law §10(1)(ii)(d)(3), 10(1)(ii)(a)(14), and 22.

SECTION 6. EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation or parts thereof, is in conflict with the provisions of this Local Law, this Local Law shall control, and such other laws, ordinance, rule or regulation are hereby superseded.

SECTION 7. SEVERABILITY

Any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to such clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and the remaining provisions shall remain in full force and effect.

SECTION 8. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the New York State Secretary of State.

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**VILLAGE OF HOMER
MEETING AGENDA
October 22, 2024**

1. **Regular Meeting of the Board of Trustees called to order by Mayor McCabe**
2. **Approve Minutes – 10/08/2024**
3. **Authorize Payment of Bills:**
 - **A Fund – Vouchers** # 1235 - 1300 \$78,057.37
 - **F&G Fund – Vouchers** # 394 - 414 \$70,970.05
 - **TA Fund - Vouchers**
4. **Privilege of the Floor**
5. **Old Business**
 - A. Grants Update
6. **New Business**
 - A. Approve Two HFD Applications
 - B. Approve Two Dell Laptops Quote for HFD
 - C. Approve VFA HFD Grant Application
 - D. Approve Village Office Copier Quote
 - E. Approve One Resolution:

***RESOLUTION DECLARING THREE PARCELS OF REAL PROPERTY OWNED BY THE
VILLAGE OF HOMER AS MUNICIPAL PARKLAND***

WHEREAS, that Village of Homer (Village) applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Title 9 of the Environmental Protection Act of 1993, for the purpose of funding the Route 11 Corridor Acquisition of Real Property Grant (Grant); and

WHEREAS, said Real Property consists of Tax Parcels: Parcel 1- 76.57-01-03.00, Parcel 2- 76.57-01-04.00 and Parcel 3-76.57-01-06.00/76.15-01.29.00; and

WHEREAS, OPRHP, as a condition for Grant reimbursement, requests that said Real Property be designated Municipal Parkland per Cortland County Tax Rolls; and

WHEREAS, the Village will, upon notice that OPRHP has satisfied all reimbursement requests that has been or will be submitted per the Master Contract, within thirty days designate Tax Parcels: Parcel 1- 76.57-01-03.00, Parcel 2- 76.57-01-04.00 and Parcel 3-76.57-01-06.00/ 76.15-01.29.00 as Municipal Parkland per Cortland County Tax Rolls; and

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Homer will hereby designate, within thirty days, Municipal Parkland per Cortland County Tax Rolls, Real Property consisting of Tax Parcels: Parcel 1- 76.57-01-03.00, Parcel 2- 76.57-01-04.00 and Parcel 3-76.57-01-06.00/76.15-01.29.00, upon notice and satisfaction of all Village Grant reimbursements; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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- 7. Comments by Attorney**
- 8. Comments by Board Members**
- 9. Executive Session – Per NYS Public Officers Law, Article 7 §105**
- 10. Adjournment**