

Total \$95,980.72

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 123-2025: Approval of Budget Amendments

Motion by: Yanni

Seconded by: Mauro

RESOLVED, that the Hornellsville Town Board hereby accepts the following budget amendments as presented in the Bookkeeper’s Report dated October 2025, and directs that they be entered into the official financial records of the Town.

From		To		Amount
A3021	Justice Grant – JCAP	A1620.2	Building – Equipment	\$7,113.14
A4089	ARPA	A1440.4	Engineer – Contractual	\$20,000.00
A599	Fund Balance	A1650.41	Communications – Public Ads	\$93.21
A599	Fund Balance	A5132.4	Garage – Contractual	\$176.44
DB599	Fund Balance	DB5110.1	General Repair – Contractual	\$3,040.49
DB599	Fund Balance	DB9030.8	Social Security	\$63.79
H2-599	Fund Balance	H2-1620.4	Operation of Plant	\$4,955.36
H2-599	Fund Balance	H2-1989.2	Other General Gov’t Support	\$52,110.00
SL1-599	Fund Balance	SL1-5182.4	Street Lighting – Contractual	\$447.80
SS1-599	Fund Balance	SS1-8810.4	Administration – Contractual	\$14,601.02
SW2-599	Fund Balance	SW2-8310.4	Administration – Contractual	\$53.20
SW2-599	Fund Balance	SW2-8340.4	Transmission – Contractual	\$541.00

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 124-2025: Approval of the Supervisor’s Report

Motion by: Yanni

Seconded by: Mauro

WHEREAS, Supervisor Broughton presented the monthly report on the Town’s finances for the month of September 2025. The submitted report stated that the balance as of 08/31/25 was \$2,289,434.80. The town had an increase of \$402,029.34 and a decrease of \$646,393.69 leaving a balance as of 09/30/25 of \$2,045,070.45.

RESOLVED, that the Hornellsville Town Board hereby accepts the Supervisor’s Report for September 2025 as submitted.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 125-2025: Scheduling a Budget Workshop

Motion by: Oakes

Seconded by: Mauro

WHEREAS, the Hornellsville Town Board is preparing the preliminary budget for the 2026 fiscal year and deems it necessary to hold a public budget workshop to review financial matters and departmental requests; and be it

RESOLVED, that the Town Board will hold a Budget Workshop on November 13, 2025 at 5 p.m. at the Town Hall, 4 Park Ave, Arkport, NY; and be it

FURTHER RESOLVED, that the Town Clerk is directed to post notice of the workshop on the Town’s official website and bulletin board and take any additional steps necessary to notify the public in accordance with the Open Meetings Law.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 126-2025: Scheduling a Public Hearing for 2026 Final Budget

Motion by: Giglio Seconded by: Mauro

WHEREAS, the Town Supervisor and Bookkeeper have prepared a preliminary budget for the fiscal year 2026 that was submitted to the Town Board and the Town Clerk; and

WHEREAS, the Town Board, pursuant to Town Law §108, must hold a public hearing on or before the Thursday immediately following the general election, and a notice of such public hearing must be published at least once in the Town’s official newspaper at least five days prior to the hearing;

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board will conduct a Public Hearing on November 13, 2025 at 6:00 p.m. at the Town Hall located at 4 Park Avenue, Arkport, NY 14807, at which time the preliminary budget shall be made available for inspection by interested persons; and be it

FURTHER RESOLVED, that the Town Clerk is directed to give notice of such hearing by the publication thereof in the Town’s official designated newspaper; and be it

FURTHER RESOLVED, that the Town Clerk shall publish the proposed salaries of the Town Board members, Supervisor, Town Clerk, Town Superintendent of Highways and Town Justices as follows:

TOWN BOARD (4 @ \$6,582.48)	\$26,329.89
SUPERVISOR	\$19,165.21
TOWN CLERK	\$52,109.76
HIGHWAY SUPERINTENDENT	\$87,502.62
TOWN JUSTICE	\$14,191.34
TOWN JUSTICE	\$11,991.26

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 127-2025: Schedule Public Hearing for Local Law 3-2025 and 4-2025

Motion by: _____ Seconded by: _____

WHEREAS, Local Law 3-2025 To Override the Tax Levy Limit for Fiscal Year 2026, Local Law 4-2025 Solar Energy Systems, and Local Law 5-2025 Providing for the Licensing and Control of Dogs within the Town of Hornellsville were introduced during a regular meeting of the Town Board on October 14, 2025; and be it

RESOLVED, that the Hornellsville Town Board will conduct a Public Hearing on November 13, 2025 at 6:00 p.m. at the Town Hall located at 4 Park Avenue, Arkport, NY 14807; and be it

FURTHER RESOLVED, that the Town Clerk is directed to give notice of such hearing by the publication thereof in the Town’s official designated newspaper.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni

Nays 0

Resolution 128-2025: Authorizing the Supervisor to Execute a Professional Services Agreement with LaBella Associates, D.P.C. for “Hornell Intermunicipal Sewer Evaluation – Next Steps”

Motion by: Yanni

Seconded by: Giglio

WHEREAS, the Town Board has reviewed the Professional Services Agreement between LaBella Associates, D.P.C. (“LaBella”) and the Town of Hornellsville (“Client”) for services related to the project entitled “Hornell Intermunicipal Sewer Evaluation – Next Steps,” together with LaBella’s proposal dated June 23, 2025, attached as Exhibit A to the agreement; and the agreement provides that the Town will compensate LaBella for one-fifth (20.00%) of the professional services in the proposal, for a Town share of twenty-one thousand five hundred eighty dollars (\$21,580), invoiced monthly and payable within thirty (30) days; and further sets forth the scope linkage to Exhibit A and term of service; and establishes specified insurance and indemnification provisions, including naming the Town as additional insured on a primary and non-contributory basis; and be it

RESOLVED, that the Town Board approves the Professional Services Agreement between the Town of Hornellsville and LaBella Associates, D.P.C., for services related to the “Hornell Intermunicipal Sewer Evaluation – Next Steps” project, as presented to the Board (Town share 20% of the professional services, not to exceed \$21,580); and be it

FURTHER RESOLVED, that the Town Supervisor is authorized and directed, pursuant to Town Law §§ 64(6) and 29, to execute said Agreement and any related documents, and to take all actions necessary to carry out this authorization; and be it

FURTHER RESOLVED, that the Bookkeeper is authorized to process payments in accordance with the Agreement from the appropriate fund(s).

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 129-2025: Order and Determination Regarding the Annexation of Territory from the Town of Canisteo to the Town of Hornellsville

Motion by: Yanni

Seconded by: Oakes

WHEREAS, on August 11, 2025, and August 12, 2025, the Town Boards of the Town of Canisteo and the Town of Hornellsville respectively, adopted a joint resolution proposing the annexation of approximately 42.30± acres of territory as set forth on **Exhibit A** hereto (the “Project”), from the Town of Canisteo to the Town of Hornellsville pursuant to General Municipal Law, Section 703-a; and

WHEREAS, in accordance with General Municipal Law, Section 705, a joint public hearing was held by the Town Boards of the Town of Canisteo and the Town of Hornellsville on September 8, 2025, upon due notice having been given as required under General Municipal Law, Section 704, at which time testimony and evidence concerning the proposed annexation and whether such annexation is or is not in the overall public-interest was received and recorded in written minutes subsequently provided to each of the Town Boards; and

WHEREAS, in compliance with Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”), the Town Board of the Town of Hornellsville has undertaken a coordinated environmental review by notifying interested and involved agencies of its intent to act as lead agency for the Project; determining that such action is an Unlisted action; completing a Short Environmental Assessment Form for the Project; and having received no objection upon the expiration of the thirty (30) day response time, adopting a Resolution designating itself Lead Agency and issuing a Negative Declaration as to the Project; and

WHEREAS, the Town Board of the Town of Hornellsville (the “Town Board”) has discussed and reviewed documents regarding the issue of whether it is in the overall public interest to approve the annexation, such review having included consideration of public input at the public hearing and any written submissions received from involved agencies, other local governing bodies, and the public.

NOW, THEREFORE BE IT RESOLVED, THAT:

Section 1 Pursuant to General Municipal Law, Section 711, the Town Board hereby finds the joint resolution initiating annexation to be in compliance with the requirements of General Municipal Law, Section 703-a, in that: the territory proposed to be annexed is not entirely uninhabited or in an agricultural district, but rather a majority of the territory includes inhabited residential parcels; previous to adoption of the joint resolution the Town of Canisteo and the Town of Hornellsville mutually agreed to study the annexation; and the joint resolution was thereafter adopted by the Town Boards of the Town of Canisteo and the Town of Hornellsville pursuant to the provisions of Section 703-a.

Section 2 Further pursuant to General Municipal Law, Section 711, the Town Board hereby undertakes to make a determination as to whether the proposed annexation is or is not in the overall public interest. The following factors and findings, among others, being considered:

- a. The effects upon the territory proposed to be annexed. The territory proposed for annexation is comprised of seventeen (17) parcels, totaling approximately 42.30 acres in size, with a total taxable assessed value of \$826,960, based upon the 2025 Final Assessment Roll for the Town of Canisteo. The annexation territory is adjacent to the southern border of the Town of Hornellsville and extends to the northwestern border of the Village of Canisteo. This territory includes inhabited parcels that are currently split between the Town of Hornellsville and the Town of Canisteo. The proposed annexation would resolve this split and, if approved, will result in only one large uninhabited parcel being split between the two municipalities. An existing natural division of this parcel created by State Route 36 would be utilized as a new border between the two towns.

Municipal water supply: This “friendly” annexation was initiated and proposed after both Town Boards agreed to mutually study annexation upon learning that the Village of Canisteo cannot continue to provide municipal water service to out-of-district users, and that a new water district must be established in order to continue municipal water service within the proposed annexation territory. In addition, the current infrastructure supplying water service is drastically undersized, outdated, and in need of replacement. It would place an enormous burden on the seventeen (17) parcels within the annexation territory if they were to be solely responsible to fund the cost of establishing a new water district. The Town of Hornellsville has prudently undertaken a preliminary examination which considered the possible creation of a new water district that would incorporate the proposed annexation territory and, although numerous factors remain unknown and there are many decisions yet to be made, has found this action to be feasible in the event the proposed annexation is approved. If approved, The Town of Hornellsville Town Board intends to work with those owning property and/or residing within the annexation territory and surrounding neighborhood to further pursue this objective, including the pursuit of grant funds and/or a long-term low-interest debt service to fund the project.

Town provided services: Being that the annexation territory exists currently within a town, and is proposed to be annexed into an adjacent town, there will be no significant changes to the type or cost of services residents within the proposed annexation territory are provided. These services include dog licensing and dog control, snow and ice control, road maintenance, zoning and code enforcement, and administration of the STAR program and other property tax exemptions, among others. Residents within the proposed annexation territory will experience

merely a change in the source of services, which will continue to be provided in an economical, efficient, and effective manner.

Emergency services: Similarly, the territory proposed to be annexed will experience a change only in the source of certain emergency services provided. The Town of Canisteo currently contracts with the Village of Canisteo to provide fire protection and ambulance services. The Town of Hornellsville provides the same services through a contract with the City of Hornell Fire Department and EMS. The Steuben County Sheriff's Office currently provides police services throughout the territory and surrounding area. There will be no change to police services if the annexation is approved.

Education: If approved, there will be no change to the educational services provided in the territory proposed to be annexed. These parcels currently lie within the Canisteo-Greenwood Central School District and would continue to be served by this district if the annexation is approved.

- b. The effects upon the local government to which the territory is proposed to be annexed. The Town of Hornellsville will experience only slight effects from the addition of seventeen (17) parcels to the current total of 2,409 parcels. A majority of these effects are likely to go unnoticed by those currently residing within the Town of Hornellsville.

Municipal water supply: The Town of Hornellsville currently operates several water districts and has preliminarily considered establishing a new water district in the Belle Haven neighborhood, adjacent to the proposed annexation territory. If approved, the annexation territory would be incorporated into a new proposed water district at the beginning stages of planning and engineering. This would save the cost of making changes further along into the planning stages. Additionally, this would increase the total number of parcels contributing to future costs for installation, operation, and maintenance of the potential new water district, which would reduce overall costs per parcel. The Town of Hornellsville already possesses the staff, knowledge, and resources necessary to pursue this objective.

Town provided services: The Town of Hornellsville currently provides numerous services to its residents and these services would not be impacted by the proposed annexation. As neighboring communities, the Town of Hornellsville and the Town of Canisteo communicate regularly and openly. As a result, records such as dog licenses, assessment data, and planning and zoning files would be easily exchanged if the proposed annexation is approved. The annexation territory includes approximately 1.34 centerline miles of roadway, of which only 0.6 miles is classified as a town road (Dineen Road), with the remaining 0.74 miles encompassing State Route 36. The Town of Hornellsville currently provides road maintenance and snow and ice control for Dineen Road and often assists the Town of Canisteo with snow and ice control over the small portion of this road situated between the Hornellsville border and State Route 36. If annexation is approved, the Town of Hornellsville would be appropriately compensated for this currently gratuitous service. Further, it is in fact more efficient for crews from the Town of Hornellsville Highway Department to simply continue along Dineen Road to the State Route 36 intersection than for Town of Canisteo snowplow operators to cover this 0.6 mile portion of Dineen Road, as doing so requires them to travel off of their maintenance route. Additionally, the current town border is clearly visible across Dineen Road since the town Highway Superintendents operate different road maintenance schedules. If approved, annexation would incorporate the entirety of Dineen Road into one municipality therefore future road maintenance would be uniform, thus removing this visible distinction.

Emergency services: The Town of Hornellsville currently provides fire protection and ambulance services in this area through a contract with the City of Hornell Fire Department and EMS. If approved, the Town of Hornellsville will incorporate the proposed annexation territory into this fire protection district. The cost to extend coverage to just seventeen (17) additional parcels will be minimal, and each of these parcels will fairly contribute to this cost through an annual tax levy, therefore there will be no significant additional burden on parcels in the existing fire protection district. In addition, the City of Hornell Fire Department and EMS employees already provide mutual aid to this area, therefore this service will not be unfamiliar to residents, or inconsistent with the services currently in place.

c. The effects upon the remaining area of the local government in which the territory is situated. The Town of Canisteo would experience only slight effects from the removal of seventeen (17) parcels out of the current total of 2,060 parcels. A majority of these effects are likely to go unnoticed by those currently residing within the Town of Canisteo considering that the proposed annexation territory contains only 0.506% of the total taxable assessed value for the Town of Canisteo according to its 2025 Final Assessment Roll.

Municipal water supply: The Town of Canisteo is aware that the Village of Canisteo is experiencing difficulty in providing municipal water supply to out-of-district users located within the town, however, it also recognizes the complexity of undertaking a project which would require intermunicipal agreements between three separate municipalities. Further, because of the location of the proposed annexation territory, it would not be feasible for the Town of Canisteo to create a water district as there is limited surrounding area within the town's boundaries that could be incorporated into the district. A water district of such small size would result in unreasonably high costs for the limited number of parcels contained within it. For these reasons, the Town of Canisteo does not believe it would be economical, efficient, or in the overall public interest to pursue this objective and instead supports the proposal for this territory to be incorporated into a larger water district under the Town of Hornellsville's direction.

Town provided services: The Town of Canisteo would not experience any changes in the type or quality of services provided if the proposed annexation is approved. As neighboring communities, the Town of Canisteo and the Town of Hornellsville communicate regularly and openly, therefore records such as dog licenses, assessment data, and planning and zoning files would be easily exchanged if the proposed annexation is approved. The proposed annexation territory includes 0.6 centerline miles of Dineen Road currently within the jurisdiction of the Town of Canisteo. This portion of Dineen Road is isolated from all other town roads, therefore Canisteo Highway Department operators must either travel into the Village of Canisteo, then over State Route 36, or into the Town of Hornellsville via Magee Road, in order to access this section of roadway. If approved, the proposed annexation would eliminate the need for Town of Canisteo operators to make this inefficient journey, saving remaining taxpayers the costs of both time and fuel.

Emergency services: The Town of Canisteo currently provides fire protection and ambulance services in this area through a contract with the Village of Canisteo Fire Department and EMS. Like many volunteer fire and ambulance companies across the United States, the Village of Canisteo has been experiencing a shortage of trained emergency response volunteers. Volunteer shortages lead to increased response times, as well as the need for increased mutual aid. If approved, the proposed annexation would reduce the coverage area for fire protection in the Town of Canisteo, thereby reducing the burden on the Village of Canisteo's volunteer emergency service organizations. Each parcel contributes to the cost of fire protection through an annual tax levy, therefore a reduction in the coverage area would not additionally burden

the remaining parcels. In addition, mutual aid in this general area is typically provided by the Fire Department and EMS employees of the City of Hornell, which would not change if the proposed annexation is approved.

- d. The effects upon the school district situated wholly or partly in such territory.

School District: If approved, the proposed annexation would have no effect on the school district. The annexation territory and all surrounding areas are within the Canisteo-Greenwood Central School District. This will not change if the annexation is approved.

Section 3 Based on the foregoing factors and findings, the Town Board of the Town of Hornellsville hereby determines that the proposed annexation from the Town of Canisteo to the Town of Hornellsville is in the overall public interest.

Section 4 The Town Board hereby directs that a certified copy hereof, subsequent to signature thereon by members of the Town Board present at the meeting at which this Order and Determination Resolution was adopted, shall be filed in the offices of the clerks of the two affected local governments, together with copies of the adopted joint resolution, the Public Notice, the written objections received, if any, and the testimony and minutes of the Public Hearing proceedings.

Section 5 Within ninety (90) days after the filing of this order determining that the proposed annexation is in the overall public interest, the Town Board of the Town of Canisteo shall call a special election in accordance with the provisions of Section 713 of the General Municipal Law, to allow the qualified voters residing wholly or partly within such territory to determine whether the proposed annexation should or should not be approved.

Section 6 In the event of approval by special election, and except for the ownership of any real and personal property, or rights therein, acquired for special or improvement districts within such territory, all rights in real and personal property of the Town of Canisteo in the annexation territory shall become the property of the Town of Hornellsville in accordance with Section 707 of the General Municipal Law.

Section 7 In the event of approval by special election, and in the event there is any existing municipal debt on the part of the Town of Canisteo applicable to the territory proposed to be annexed, such debt shall be apportioned for such territory and shall be a charge upon and be paid by the Town of Hornellsville pursuant to the provisions of Section 708 of the General Municipal Law.

Section 8 In the event of approval by special election, the disposition of any taxes and other charges against the parcels contained within the annexation territory shall be apportioned pursuant to Section 710 of the General Municipal Law.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 130-2025: Requesting Clarification and Prorated Retainer Agreement from Mullen Associates PLLC

Motion by: Yanni

Seconded by: Oakes

WHEREAS, the Town Board has reviewed the proposed retainer agreement with Mullen Associates PLLC, dated October 9, 2025; and

WHEREAS, questions have been raised regarding certain provisions of the agreement, and clarification has been requested by the Town Clerk, as well as a revision providing for prorated services for the remainder of the 2025 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to contact Mullen Associates PLLC to obtain clarification on the agreement and to request a revised version prorated for the remainder of 2025, for review and possible approval at the next regular meeting of the Town Board.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Resolution 131-2025: Requesting County Endorsement for a Speed Study on County Route 66

Motion by: Giglio

Seconded by: Mauro

WHEREAS, by Resolution No. 20-2020 the Town Board previously requested review of the posted speed on a portion of County Route 66; and

WHEREAS, the Town Board has again received a letter from residents along County Route 66 expressing concerns about traffic safety, including limited sight distance due to natural obstructions, increased traffic volumes, and risk of injury at the current posted speed; and

WHEREAS, pursuant to § 1622 of the New York State Vehicle and Traffic Law, the New York State Department of Transportation may establish or modify speed limits on county roads in towns upon joint request of the Town Board and the County Superintendent of Highways; and

WHEREAS, by Local Law No. 5 of 1987, the County of Steuben established a Department of Public Works and granted the Commissioner of Public Works all powers and duties conferred or imposed by law upon the County Superintendent of Highways;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hornellsville hereby respectfully requests that the Commissioner of Public Works for the County of Steuben, consider endorsing a request to the New York State Department of Transportation for a speed study on County Route 66 within the Town; and

BE IT FURTHER RESOLVED, that the Town Clerk shall transmit a certified copy of this Resolution, to Eric Rose, Commissioner of Public Works, County of Steuben, for review and consideration.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

An agreement received from the New York State Department of Transportation for the maintenance of certain intersections and a section of a multi-use path within the Town was presented to the Town Board as requested by the Department. Following review and discussion, no motion to approve the agreement was made, and no further action was taken.

Adjournment:

With no further business, on a motion made by Yanni, seconded by Oakes, the meeting was adjourned at 7:25 p.m.

Ayes 5 Broughton, Giglio, Mauro, Oakes, Yanni
Nays 0

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk

October 28, 2025