

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, January 10, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman – via Phone
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:03 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

ORGANIZATIONAL

The Town named Community Bank and Five Star Bank the official depositories, The Spectator/Tribune the official Newspaper with the same information being available on the Town website, set mileage at \$.625 per mile, authorized Deputy Supervisor James Giglio to sign checks in the absence of Dan Broughton, set the meeting date and time to be the second Tuesday of the month with prevailing time of 7:00 pm, authorized Town Officials to attend schools/conferences with expenses/mileage paid by the Town with prior board approval, and authorized Jason Emo to spend up to \$5,000.00 without prior board approval.

Motion was made by Oakes, seconded by Mauro to accept report as read by Broughton.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

MINUTES

Motion was made by Mauro, seconded by Giglio to accept the Meeting Minutes of November 9, 2022 and December 13, 2022 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Yanni that bills contained on Abstract #1 have been reviewed by the Town Board and are authorized for payment in the amount of \$263,684.75.

General Fund A - \$165,118.74
General Fund B - \$950.00
Highway Fund DA - \$16,626.01
Highway Fund DB - \$15,990.00
Sewer District #1 - \$43,000
Water District #1 - \$22,000

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Giglio to accept report with total disbursements by the Clerk for the month of January in the amount of \$865.00.

Paid to the Supervisor for General Fund - \$142.81
Paid to the Supervisor for Part Town Fund - \$602.00
Paid to NYS DEC for Decals - \$99.19
Paid to NYS Animal Population Control Fund - \$21.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Giglio, seconded by Oakes to accept report read by Mauro with the activities and mileage (216 mi) for the month of December, 2022 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Oakes with activities from the Highway Department for the month of December, 2022.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Mauro, seconded by Giglio to accept the report dated January 10, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Mauro to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 11/30/2022 was \$1,832,398.14. The town had an increase of \$332,118.20 and a decrease of \$231,271.48 leaving a balance as of 12/31/2022 of \$1,933,244.86.

Roll Call: Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION #1-2023

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT

Whereas Debra Castle-Harvey, Bookkeeper, needs approval to record budget modifications for the below funds;

Whereas approval is needed for Code A1620.41 for Buildings – Contractual in the amount of \$186.44; for Code A5132.4 for Garage – Contractual in the amount of \$61.40; for Code A5132.41 Garage – Contractual in the amount of \$394.42; for Code A5182.4 Street Lighting – Contractual in the amount of \$47.40; for Code A7550.4 for Celebrations – Contractual in the amount of \$108.98; and for Code A1440.4 for Engineer – Contractual in the amount of \$2825.00 from Account A599 Appropriated Fund Balance;

Whereas, approval is needed for Code DA5130.2 for Machinery – Equipment in the amount of \$24,795.00 from Accounts DA2665 Sale of Equipment in the amount of \$15, 948.93, and DA599 Appropriated Fund Balance in the amount of \$8,846.07;

Whereas approval is needed for Code DA5130.1 for Snow Removal – Personnel in the amount of \$36,824.00; for Code DA5142.11 for Snow Removal – Overtime in the amount of \$7,346.54;

for Code DA5142.4 for Snow Removal – Contractual in the amount of \$3,342.59; for Code DA5142.42 for Snow Removal – Gas & Diesel in the amount of \$5,767.80; and for Code DA9030.8 for Social Security in the amount of \$2,591.14 from Account DA599 Appropriated Fund Balance; and

Whereas approval is needed for Code DB5110.4 for General Repairs – Contractual in the amount of \$2,816.53 from Account DA2665 Sale of Equipment; now, therefore, be it

Resolved, that the Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion Made by: Robert Mauro

Motion Seconded by: Trisha Yanni

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

EXECUTIVE SESSION

A motion was made at 7:58 p.m. by Yanni, seconded by Oakes to adjourn regular session and reconvene in executive session pursuant to public officers' Law Article 7 §105.1.F. (*The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.*) to discuss the appointment of a particular person.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

No action was taken during executive session.

A motion was made at 8:21 p.m. by Giglio, seconded by Mauro to adjourn executive session and reconvene in regular session.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Mauro, the meeting was adjourned at 8:22 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
February 13, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, February 14, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Trisha Yanni, Councilman
Absent: Robert Mauro, Councilman
David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:05 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Giglio, seconded by Yanni to accept the Meeting Minutes of January 10, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Yanni, seconded by Giglio that bills contained on Abstract #2 have been reviewed by the Town Board and are authorized for payment in the amount of \$79,369.81.

General Fund A - \$57,459.88
General Fund B - \$188.64
Highway Fund DA - \$21,575.49
Water District #4 - \$145.80

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Yanni, seconded by Giglio to accept report with total disbursements by the Clerk for the month of January in the amount of \$1,02200.

Paid to the Supervisor for General Fund - \$219.00
Paid to the Supervisor for Part Town Fund - \$770.00
Paid to NYS Animal Population Control Fund - \$33.00

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Giglio, seconded by Yanni to accept reports read by Yanni. For December, Justice Scavo collected \$1,710.00 and Justice Werner collected \$1,515.00 with distribution to the Town being \$449.00.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Giglio, seconded by Yanni to accept report read by Yanni with the activities and mileage (288 mi) for the month of January 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Yanni, seconded by Giglio to accept report read by Giglio with activities from the Highway Department for the month of January 2023.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Yanni, seconded by Giglio to accept the report dated February 13, 2023 as provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Yanni, seconded by Giglio to accept the report dated February 14, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Giglio, seconded by Yanni to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 12/31/2022 was \$1,933,094.86. The town had an increase of \$85,363.38 and a decrease of \$437,006.85 leaving a balance as of 1/31/2023 of \$1,581,451.39.

Roll Call: Giglio, and Yanni; all ayes. Not Carried. Report will be tabled until next month.

RESOLUTIONS

RESOLUTION 2-2023

A RESOLUTION APPROVING THE APPOINTMENT OF SHANNON SMITH AS DEPUTY CLERK/COLLECTOR

Whereas Lisa Cuddeback submitted her resignation as Deputy Clerk/Collector effective January 5, 2023 creating a vacancy; now, therefore, be it

Resolved, that the Town of Hornellsville hereby confirms the appointment of Shannon Smith as Deputy Clerk/Collector.

Motion Made by: James Giglio

Motion Seconded by: Trisha Yanni

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

RESOLUTION 3-2023

A RESOLUTION APPROVING THE APPOINTMENT OF SANDRA HILLMAN TO THE ZONING BOARD OF THE APPEALS TO FILL A VACANCY

Whereas there exists a vacancy on the Zoning Board of Appeals by virtue of the resignation of Wendy Jordan effective September 6, 2022 and;

Whereas Wendy Jordan was appointed to a five (5) year term which was set expire December 31, 2026; now, therefore, be it

Resolved, that the Town of Hornellsville hereby confirms the appointment of Sandra Hillman as Zoning Board of Appeals member to fulfill the remainder of Wendy Jordan's term.

Motion Made by: Trisha Yanni

Motion Seconded by: James Giglio

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Giglio, the meeting was adjourned at 7:42 p.m.

Roll Call: Broughton, Giglio, and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
March 13, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, March 14, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
David Oakes, Councilman
Robert Mauro, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent – arrived 7:19
Shannon Smith, Deputy Town Clerk
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:04 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Mauro, seconded by Oakes to accept the Meeting Minutes of February 14, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Yanni that bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the amount of \$236,064.55.

General Fund A - \$25,128.28
General Fund B - \$205.67
Highway Fund DA - \$210,730.60

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Yanni, seconded by Giglio to accept report with total disbursements by the Clerk for the month of February in the amount of \$843.00.

Paid to the Supervisor for General Fund - \$252.00
Paid to the Supervisor for Part Town Fund - \$564.00
Paid to NYS Animal Population Control Fund - \$27.00

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Giglio, seconded by Mauro to accept reports read by Yanni. For November, Justice Scavo collected \$3,909.00 and Justice Werner collected \$1,363.00 with distribution to the Town being \$1,281.00. For January, Justice Scavo collected \$1795.00 and Justice Werner collected \$1160.00 with distribution to the Town being \$498.00. For February, Justice Scavo collected \$1,235.00 and Justice Werner collected \$1,153.00 with distribution to the Town being \$701.00.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Giglio, seconded by Oakes to accept report read by Mauro with the activities and mileage (314 mi) for the month of February 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

BUILDINGS AND INSURANCE

Motion was made by Yanni, seconded by Oakes to accept the report provided by LaFrance that Sexual Harassment and Discrimination Training is required to be taken yearly by all Town Officials and employees. LaFrance will get the info for everyone who has not already taken it.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of February 2023. Emo discussed his concern with a private bus company stopping on the Town right-of-way in front of Michael John's on Seneca Road. This location is not a safe place to load and unload passengers. The Town has received several complaints from taxpayers regarding this issue. Yanni will contact the bus company and see if we can reach an agreement regarding this.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Mauro, seconded by Giglio to accept the report dated March 13, 2023 as provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Yanni, seconded by Oakes to accept the report dated March 14, 2023 as provided by Debra Castle-Harvey. Castle-Harvey provided information regarding interest on funds through NYCLASS.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Giglio to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 12/31/2022 was \$1,933,094.86. The town had an increase of \$85,363.38 and a decrease of \$437,006.85 leaving a balance as of 1/31/2023 of \$1,581,451.39. The balance as of 1/31/2023 was \$1,581,451.39. The town had an increase of \$1,618,956.21 and a decrease of \$236,764.38 leaving a balance as of 2/28/2023 of \$2,963,643.22.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

OTHER BUSINESS

The Board discussed work to be done by the City of Hornell for the Madison Ave water project. The estimated cost of the project is \$23,100. Motion was made by Mauro, seconded by Oakes to allow the City to perform the necessary work based on the provided estimate.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Mauro, the meeting was adjourned at 8:23 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
April 11, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, April 11, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
David Oakes, Councilman
Robert Mauro, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Robert Mooney, Code Enforcer
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:02 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Mauro, seconded by Yanni to accept the Meeting Minutes of March 14, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Mauro that bills contained on Abstract #4 have been reviewed by the Town Board and are authorized for payment in the amount of \$94,526.22.

General Fund A - \$39,843.88
General Fund B - \$3,982.84
Highway Fund DA - \$21,373.91
Highway Fund DB - \$3,350.00
Water District #1 - \$25,937.79
Water District #2 - \$70.55

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Oakes to accept report with total disbursements by the Clerk for the month of February in the amount of \$2,332.00.

Paid to the Supervisor for General Fund - \$371.52
Paid to the Supervisor for Part Town Fund - \$1,815.00
Paid to NYS DEC for Decals - \$94.48
Paid to NYS Animal Population Control Fund - \$51.00

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Yanni, seconded by Giglio to accept report read by Mauro with the activities and mileage (328 mi) for the month of March 2023 by the Codes Officer.

Mooney reported that there is a new section of building code that the Town will need to adopt via Local Law.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of March 2023.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Giglio, seconded by Oakes to accept the report dated April 11, 2023 as provided by North Hornell Fire Chief Mike Robbins and the report from South Hornell Fire Chief dated April 2023.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Yanni to accept the report dated April 11, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Giglio to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 2/28/2023 was \$2,963,643.22. The town had an increase of \$76,647.15 and a decrease of \$338,955.04 leaving a balance as of 3/31/2023 of \$2,701,335.33.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 4-2023

A RESOLUTION APPROVING THE APPOINTMENT OF SHANNON SMITH AS DEPUTY REGISTRAR

Whereas Lisa Cuddeback submitted her resignation effective January 5, 2023 creating a vacancy;
now, therefore, be it

Resolved, that the Town of Hornellsville hereby confirms the appointment of Shannon Smith as
Deputy Registrar.

Motion Made by: Trisha Yanni

Motion Seconded by: James Giglio

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTION 5-2023

A RESOLUTION APPROVING MUNICIPAL COOPERATION WITH NYCLASS

Whereas New York General Municipal Law, Article 5-G, Section 119-o empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter

into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

Whereas the Town of Hornellsville wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

Whereas the Town of Hornellsville wishes to satisfy the safety and liquidity needs of their funds; now, therefore, be it

Resolved, Dan Broughton, Supervisor of the Town of Hornellsville is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement and Restated as of March 28, 2019.

Motion Made by: David Oakes

Motion Seconded by: Robert Mauro

RESOLUTION 6-2023

A RESOLUTION REGARDING STOPPING, STANDING OR PARKING ON TOWN RIGHT-OF-WAY

Whereas the Town of Hornellsville has fifty-three (53) miles of roads and bridges that are repaired and maintained by the Highway Crew;

Whereas the stopping, standing, or parking on the Town right-of-way can be a safety hazard; now, therefore, be it

Resolved, by the Hornellsville Town Board that no person shall stop, stand, or park any vehicle on the Town right-of-way except in an emergency or in a designated bus zone.

Motion Made by: David Oakes

Motion Seconded by: Robert Mauro

RESOLUTION 7-2023

A RESOLUTION TO APPROVE BUDGET MODIFICATIONS

Whereas Debra Castle-Harvey, Bookkeeper, needs approval to record budget modifications for the below funds; now, therefore, be it

Resolved, that the Town of Hornellsville hereby approves the following budget modification:

From	To	
SW1-599 Fund Balance	SW1-8340.4 Transmission & Dist.	\$25,937.75

Motion Made by: Trisha Yanni

Motion Seconded by: Robert Mauro

OTHER BUSINESS

Discussion was had regarding the justice books. They will be reviewed by Yanni and Broughton, and then they will be presented to the board. The Town will be appointing a new attorney. Broughton will be calling a few local attorneys to get details regarding the cost to the Town.

No action was taken.

CORRESPONDENCE

The Board received correspondence from Wayne Jefferds requesting mileage reimbursement for taking water samples to Wayland for testing. Samples are taken quarterly. Motion was made by Yanni, seconded by Mauro to allow mileage reimbursement.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Yanni, the meeting was adjourned at 7:55 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
May 8, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, May 9, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Absent: Robert Mauro, Councilman
Recording Secretary: Shannon Smith, Deputy Town Clerk
Others Present: Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:03 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Oakes, seconded by Yanni to accept the Meeting Minutes of April 11, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Yanni that bills contained on Abstract #5 have been reviewed by the Town Board and are authorized for payment in the amount of \$36,250.22.

General Fund A - \$10,434.63
General Fund B - \$419.38
Highway Fund DA - \$10,729.06
Highway Fund DB - \$8,438.98
Water District #1 - \$6,130.97
Water District #4 - \$97.20

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Yanni, seconded by Giglio to accept report with total disbursements by the Clerk for the month of April in the amount of \$1,492.00.

Paid to the Supervisor for General Fund - \$345.89
Paid to the Supervisor for Part Town Fund - \$50.00
Paid to NYS DEC for Decals - \$1059.11
Paid to NYS Animal Population Control Fund - \$37.00

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Giglio, seconded by Yanni to accept report read by Oakes with the activities and mileage (455 mi) for the month of April 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Yanni, seconded by Oakes to accept report read by Oakes with activities from the Highway Department for the month of April 2023.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Giglio, seconded by Oakes to accept the report dated June 12, 2023 as provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Yanni to accept the report as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Yanni to accept the report read by Broughton. Supervisors report submitted stated that the balance as of 3/31/2023 was \$2,701,360.33. The town had an increase of \$81,106.75 and a decrease of \$422,724.08 leaving a balance as of 4/30/2023 of \$2,359,743.00.

Roll Call: Giglio, Oakes, and Yanni; all ayes. Carried.

OTHER BUSINESS

Discussion was had regarding the issue in South Hornell at the Cansdale residence. They have blocked and diverted the flow of water causing basement flooding for other residences.

The board briefly discussed a new Town attorney. They are close to selecting and making that appointment.

Oakes noted that we received the survey of the Town Hall property. Discussion centered on renovating the current Town Hall.

No action was taken.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Giglio, the meeting was adjourned at 7:36 p.m.

Roll Call: Broughton, Giglio, Oakes, and Yanni; all ayes. Carried.

Respectfully Submitted,

Transcribed by: Jessica L. LaFrance
Town Clerk
June 13, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, June 13, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Absent: Trisha Yanni, Councilman
Recording Secretary: Shannon Smith, Deputy Town Clerk
Others Present: Jason Emo, Highway Superintendent

CALL TO ORDER

The Meeting was called to order at 7:10 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Oakes, seconded by Giglio to accept the Regular Minutes of May 9, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Oakes that bills contained on Abstract #6 have been reviewed by the Town Board and are authorized for payment in the amount of \$43,787.23.

General Fund A - \$16,912.78
General Fund B - \$233.83
Highway Fund DA - \$17,461.73
Highway Fund DB - \$9,178.89

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Giglio to accept report with total disbursements by the Clerk for the month of May in the amount of \$6,242.00.

Paid to the Supervisor for General Fund - \$435.16
Paid to the Supervisor for Part Town Fund - \$5,506.00
Paid to NYS DEC for Decals - \$242.84
Paid to NYS Animal Population Control Fund - \$58.00

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

JUSTICE REPORT

Motion was made by Mauro, seconded by Oakes to accept reports read by Giglio. For April 2023, Justice Scavo collected \$2,058.00 and Justice Werner collected \$2,165.00 with distribution to the Town being \$796.00.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Mauro with the activities and mileage (357 mi) for the month of May, 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Oakes with activities from the Highway Department for the month of May.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Oakes, seconded by Giglio to accept the report dated June 12, 2023 as provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Mauro to accept the report dated June 13, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Giglio to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 4/30/2023 was \$2,359,743.00. The town had an increase of \$289,586.93 and a decrease of \$167,713.73 leaving a balance as of 5/31/2023 of \$2,481,616.20.

Roll Call: Giglio, Mauro, and Oakes; all ayes. Carried.

OTHER BUSINESS

Arkport Summerfest Committee Chairman, Bill Robinson, attended the meeting to update the Board on this year's Summerfest Weekend which will be held July 7th, 8th, and 9th. The Arkport Summerfest Committee thanked the Town of Hornellsville for their previous support and asked for support in helping make the 2023 Arkport Summerfest a continued success.

Joan Merry is unable to serve as the attorney for the Town of Hornellsville due to a conflict of interest. Jennifer Donlan has offered her services temporarily.

ADJOURNMENT

With no further business, on a motion made by Oakes, seconded by Mauro, the meeting was adjourned at 7:33 p.m.

Roll Call: Broughton, Giglio, Mauro, and Oakes; all ayes. Carried.

Respectfully Submitted,

Shannon Smith
Deputy Town Clerk
July 11, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, July 11, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Shannon Smith, Deputy Town Clerk
Debra Castle-Harvey, Bookkeeper – arrived 7:05

CALL TO ORDER

The Meeting was called to order at 7:00 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Mauro, seconded by Oakes to accept the Regular Minutes of June 13, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Yanni that bills contained on Abstract #7 have been reviewed by the Town Board and are authorized for payment in the amount of \$275,746.50.

General Fund A - \$12,147.20
General Fund B - \$188.64
Highway Fund DA - \$64,430.71
Highway Fund DB - \$198,909.40

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Mauro to accept report with total disbursements by the Clerk for the month of June in the amount of \$1,791.00.

Paid to the Supervisor for General Fund - \$587.35
Paid to the Supervisor for Part Town Fund - \$877.00
Paid to NYS DEC for Decals - \$245.65
Paid to NYS Animal Population Control Fund - \$81.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Giglio, seconded by Mauro to accept reports read by Yanni. For May 2023, Justice Scavo collected \$3,815.00 and Justice Werner collected \$924.00 with distribution to the Town being \$796.00. For June 2023, Justice Scavo collected \$3,835.00 and Justice Werner collected \$287.50 with distribution to the Town being \$1,143.00.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Yanni, seconded by Oakes to accept report read by Mauro with the activities and mileage (288 mi) for the month of June, 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of June.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Yanni, seconded by Giglio to accept the report dated July 10, 2023 as provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Mauro to accept the report dated July 11, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Broughton. Supervisors report submitted stated that the balance as of 5/31/2023 was \$2,481,616.20. The town had an increase of \$157,007.27 and a decrease of \$149,014.79 leaving a balance as of 06/30/2023 of \$2,489,608.68.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 8-2023

A RESOLUTION URGING NEW YORK STATE LEGISLATURE AND GOVERNOR KATHY HOCHEL TO DRAFT AND ENACT LEGISLATION REGARDING A VOTER'S IDENTIFICATION PROCESS

Whereas this country was founded on the principles of democracy and our forefathers fought for our right to elect our representation; and

Whereas the majority of the states in the U.S. require a voter's identification to increase the public's confidence and ensure a fair election process; and

Whereas the Board of Elections may not get notification of a voter registering in another location or of a death of a registered voter; and

Whereas in an economy where the Board of Elections may not have sufficient funding or staffing to purge voter rolls of individuals who no longer live in each election district or county, as required; and

Whereas in a day and age where the ability to work does not necessarily need to be where you live, this allows for more individuals to be transient in nature and the addition of voter's identification will assist in keeping all voter rolls current; and

Whereas in the State of New York the requirement is to compare the signature on file, this does not necessarily help maintain current voter registration, as name and address changes are not necessarily communicated in the current process, also this would assist in the purging of the roles of individuals who are no longer active voters in that county; now, therefore,

The Town Board hereby requests the New York State Legislature and Governor Kathy Hochul to draft and enact legislation to allow for a voter's identification process to assist with maintaining voter's registration rolls; and be it

Resolved, the Town Clerk is hereby directed to forward certified copies of this resolution to Governor Hochel, Andrea Stewart-Cousins, President Pro Tempore and Majority Leader, Carl E. Heastie, Speaker of the Assembly and the Hornellsville Delegation to the New York State Legislature: Assemblyman Philip A. Palmesano and Senator Thomas F. O'Mara.

Motion Made by: James Giglio

Motion Seconded by: Robert Mauro

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

OTHER BUSINESS

Court Clerk Madeleine Seaman requested permission to attend the 2023 NYSAMCC Annual Conference at a cost of \$995.00. Castle-Harvey and Broughton will cut a check. Motion was made by Yanni, seconded by Oakes.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

The Board discussed vacancies on several of our boards. LaFrance will provide the Board with the list of current terms of office and appointments. No action was taken.

There was discussion regarding residents that are in a water/sewer district, but are unable to take advantage of the service. LaFrance will draft a resolution for the next meeting. No action was taken.

The Town is still in need of an attorney. Yanni will reach out to Pulos for representation as Rosell is currently representing the City of Hornell. No action was taken.

Broughton requested a copy of the contract with the City regarding the outparcel agreement on the Walmart Plaza. LaFrance will provide. No action was taken.

Oakes conveyed that there is approximately an 8' x 118' area of unknown owner at the southern end of the Town property at 4 Park Ave that can be seen on the May 8, 2023 survey provided by Stephen Hubertus. Hubertus recommended a boundary line agreement between the Town, Village of Arkport and CBNA. The Village requests an easement for the Fire Department in exchange. Hubertus would draft. Motion was made by Mauro, seconded by Giglio to continue negotiation.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

LaFrance requested permission to contact Ed Flaitz to have our virus protection software renewed. Motion was made by Yanni, seconded by Mauro.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Oakes, the meeting was adjourned at 7:56 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
August 1, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, August 8, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:03 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Mauro, seconded by Oakes to accept the Regular Minutes of July 11, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Yanni that bills contained on Abstract #8 have been reviewed by the Town Board and are authorized for payment in the amount of \$55,024.47.

General Fund A - \$12,823.61
General Fund B - \$176.26
Highway Fund DA - \$29,908.85
Highway Fund DB - \$11,973.95
Water District Fund SW4 - \$145.80

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Mauro to accept report with total disbursements by the Clerk for the month of July in the amount of \$2,089.00.

Paid to the Supervisor for General Fund - \$628.74
Paid to the Supervisor for Part Town Fund - \$1,144.00
Paid to NYS DEC for Decals - \$226.76
Paid to NYS Animal Population Control Fund - \$67.00
Paid to NYS Health Dept. for Marriage Licenses - \$22.50

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Mauro with the activities and mileage (263 mi) for the month of July, 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of July.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Yanni, seconded by Giglio to accept the report dated August 14, 2023 as provided by North Hornell Fire Chief, Mike Robbins and report dated August 2023 as provided by South Hornell Fire Chief, Matt Donovan.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Yanni, seconded by Mauro to accept the report dated August 8, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Giglio, seconded by Yanni to accept report read by Broughton. Supervisors report submitted stated that the balance as of 6/30/2023 was \$2,489,608.68. The town had an increase of \$52,816.00 and a decrease of \$364,041.39 leaving a balance as of 07/31/2023 of \$2,178,383.29.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 9-2023

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT

Whereas Debra Castle-Harvey, Bookkeeper, needs approval to record budget modifications for the below funds;

Whereas approval is needed for Code B3620.4 for Safety Inspection – Contractual in the amount of \$41.26 from Account B599 Appropriated Fund Balance; now, therefore, be it

Resolved, that the Hornellsville Town Board, does hereby approve the recording of the above budget modification.

Motion Made by: David Oakes

Motion Seconded by: Robert Mauro

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

OTHER BUSINESS

LaFrance provided the Board with the list of current terms of office and appointments. It was noted that we are one member short for planning, one for ZBA and two for the BAR. The Board requested that she reach out to members of the ZBA, Planning Board and BAR for names of interested parties. No action was taken.

The board discussed the need for new exterior doors. Giglio will get estimates and LaFrance will supply the specs for the back door. No action was taken.

The board received quotes for attorney services from Pulos and Rosell, Mullen & Associates, and Elizabeth Oklevitvh. After review and discussion of the retainer agreements motion was made by Yanni, seconded by Oakes to accept the proposal from Rosell. Broughton will sign and return the agreement. Yanni will request Rosell be present at our next meeting. LaFrance will request Mooney be present as well.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

The Board discussed the need for security cameras and fire detection system. LaFrance will research options. Emo would be interested in something like that for the Highway Department. No action was taken.

The board requested information from LaBella for grant writing services. LaFrance will contact them. No action was taken.

The board received correspondence from James Panetta regarding Air bnb's. LaFrance will request clarification from the County on their views. Rosell will be consulted.

The board discussed coding issues regarding the Econo Lodge. LaFrance will provide a copy of the City of Hornell's Nuisance Law for the board to review.

The board discussed the issue with the water districts regarding residents that were put in a district, but do not have the option to connect. LaFrance provided documentation from Town Law §202-C - Dissolution and diminishing area of certain districts. Rosell will be consulted.

There was discussion regarding providing an easement for the fire dept. No action was taken.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Mauro, the meeting was adjourned at 8:34 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
September 6, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, September 12, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper
Shannon Smith, Deputy Town Clerk
Robert Mooney, Codes
Tim Rosell, Attorney

CALL TO ORDER

The Meeting was called to order at 7:02 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Giglio, seconded by Mauro to accept the Regular Minutes of August 8, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Oakes, seconded by Yanni that bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment in the amount of \$72,603.08.

General Fund A - \$12,823.61
General Fund B - \$260.25
Highway Fund DA - \$29,908.85
Highway Fund DB - \$11,973.95
Water District Fund SW4 - \$145.80

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Mauro to accept report with total disbursements by the Clerk for the month of August in the amount of \$3,126.00.

Paid to the Supervisor for General Fund - \$340.18
Paid to the Supervisor for Part Town Fund - \$619.00
Paid to NYS DEC for Decals - \$2,129.82
Paid to NYS Animal Population Control Fund - \$37.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Mauro, seconded by Oakes to accept report read by Yanni. For July 2023, Justice Scavo collected \$5,083.00 and Justice Werner collected \$1,850.00 with distribution to the Town being \$1,446.00.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Yanni, seconded by Oakes to accept report read by Mauro with the activities and mileage (321 mi) for the month of August, 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Oakes with activities from the Highway Department for the month of July.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Oakes, seconded by Giglio to accept the report dated September 11, 2023 as provided by North Hornell Fire Chief, Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Yanni, seconded by Mauro to accept the report dated September 12, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Broughton. Supervisors report submitted stated that the balance as of 7/31/2023 was \$2,178,383.29. The town had an increase of \$57,815.29 and a decrease of \$156,281.44 leaving a balance as of 08/31/2023 of \$2,079,917.20.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 10-2023

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT

Whereas Debra Castle-Harvey, Bookkeeper, needs approval to record budget modifications for the below funds;

Whereas approval is needed for Code B3620.4 for Safety Inspection – Contractual in the amount of \$210.25 from Account B599 Appropriated Fund Balance

Whereas approval is needed for Code DA5130.4 for Bridges – Contractual in the amount of \$1,731.81 from Account DA599 Appropriated Fund Balance; now, therefore, be it

Resolved, that the Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion Made by: Robert Mauro
Motion Seconded by: James Giglio

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

OTHER BUSINESS

Motion was made by Yanni, seconded by Mauro to hold a budget workshop Tuesday, October 10, 2023 at 6 :00 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Giglio provided an estimate for the replacement of the front and rear doors at 4 Park Avenue. They have been in need of replacement for some time. Estimate from Universal Builders for \$10,783.00 will include labor and materials. Front doors will be steal framed and half glass. The top glass at the front of the building will be removed and infilled with a new insulated metal panel. Side door will be removed and replaced in kind with new steal entry door. All doors will have panic bar opener and closure system. Motion was made by Oakes, seconded by Yanni to proceed with the purchase from Universal Builders.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

The board discussed Town Law §202-C regarding the dimishing of a water district. Rosell reported that an act of legislation is needed to accomplish this. Broughton will call Legislator Brian Schu to discuss further. No action was taken.

The board discussed the formation of water district 5 in Bellhaven. Motion was made by Yanni, seconded by Giglio to meet with the Town of Canisteo and the Village of Canisteo to move forward on this project.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Broughton provided a proposal from the City of Hornell regarding the water/sewer contract. The city proposed. No action was taken.

Broughton will reach out to HAHS to set up a meeting to discuss the new 2024 contract. Sandra Rapp has indicated that there have been changes to the Agriculture and Markets Law which will affect the contract.

Yanni provided a proposed contract for South Hornel Fire contract. South Hornell has requested a 3-year contract with a 3% increase each year. They also requested to obtain their current building from the town.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Oakes, the meeting was adjourned at 8:30 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
October 1, 2023

Town Board Budget Workshop
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, October 10, 2023 6:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 6:01 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

PURPOSE

The purpose of this Special Meeting was to have a Budget Workshop to discuss and make revisions to the 2023 tentative budget.

TENTATIVE BUDGET

The Board was presented with a tentative budget prepared by Castle-Harvey and Broughton. The board discussed the financial impact of the water/sewer contract on the taxpayers and the fund balance as well as the fire contract with North and South Hornell. It was also brought to the attention of the board that the salaries for elected and appointed officials have not been re-evaluated in many years. Duties and requirements have changed and/or added and the hours it takes to fulfill these duties have increased significantly in many cases.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Oakes, the meeting was adjourned at 7:45 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
November 13, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, October 10, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 7:48 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Oakes, seconded by Yanni to accept the Regular Minutes of September 12, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Oakes that bills contained on Abstract #10 have been reviewed by the Town Board and are authorized for payment in the amount of 120,715.45.

General Fund A - \$7,591.22
General Fund B - \$174.23
Highway Fund DA - \$60,723.66
Highway Fund DB - \$51,503.74
Water District Fund SW2 - \$237.60

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Yanni, seconded by Mauro to accept report with total disbursements by the Clerk for the month of September in the amount of \$3,008.00.

Paid to the Supervisor for General Fund - \$304.33
Paid to the Supervisor for Part Town Fund - \$1,348.00
Paid to NYS DEC for Decals - \$1,324.67
Paid to NYS Animal Population Control Fund - \$31.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Yanni. For August 2023, Justice Scavo collected \$2877.00 and Justice Werner collected \$3795.00 with distribution to the Town being \$2,026.00.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Mauro with the activities and mileage (266 mi) for the month of September, 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of September.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Yanni, seconded by Giglio to accept the report dated October 10, 2023 as provided by North Hornell Fire Chief, Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Broughton. Supervisors report submitted stated that the balance as of 8/31/2023 was \$2,079,917.20. The town had an increase of \$351,363.97 and a decrease of \$176,390.98 leaving a balance as of 09/31/2023 of \$2,254,890.19.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 11-2023

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT

Whereas Debra Castle-Harvey, Bookkeeper, needs approval to record budget modifications for the below funds;

Whereas approval is needed for Code B3620.4 for Safety Inspection – Contractual in the amount of \$174.23 from Account B599 Appropriated Fund Balance;

Whereas approval is needed for Code DA5130.2 Machinery – Equipment in the amount of \$38,870.58 from Account DA599 Appropriated Fund Balance; and

Whereas approval is needed for Code DB5112.2 for Improvements – Equipment in the amount of \$19,185.88 from Account DB3501 Consolidated Highway; now, therefore, be it

Resolved, that the Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion Made by: Trisha Yanni

Motion Seconded by: Robert Mauro

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

OTHER BUSINESS

Motion was made by Yanni, seconded by Mauro to hold a budget workshop Tuesday, November 14, 2023 at 6:00 p.m with a Public Hearing to adopt the 2024 budget to follow.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Giglio reported that the new doors for the Town building were in and they should be coming to install within the next two weeks. No action was taken.

Emo reported that two freightliners have been sold and will be delivered to the purchaser when our new trucks have been delivered to us. The estimated date of delivery is December.

Giglio requested an update on a grant writer. LaFrance reported that she has not received a response from LaBella. She will reach out to Jay Grasso at G&G. No action was taken.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Mauro, the meeting was adjourned at 8:12 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
November 13, 2023

Town Board Budget Workshop
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 14, 2023 6:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent – Arrived 6:30 PM
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Meeting was called to order at 6:00 p.m. by Dan Broughton, Supervisor.

PURPOSE

The purpose of this Special Meeting was to have a Budget Workshop to discuss and make revisions to the 2023 preliminary budget.

PRELIMINARY BUDGET

The Board was presented with a preliminary budget prepared by Castle-Harvey and Broughton. The board discussed the fire contract with North and South Hornell. The board also continued the discussion on salaries for elected and appointed officials.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Mauro, the meeting was adjourned at 6:49 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
November 15, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 14, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper
Shannon Smith, Deputy Clerk

CALL TO ORDER

The Meeting was called to order at 7:02 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Giglio, seconded by Yanni to accept the Regular Minutes and Budget Workshop Minutes of October 10, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Oakes that bills contained on Abstract #11 have been reviewed by the Town Board and are authorized for payment in the amount of \$147,536.23.

General Fund A - \$33,805.02
Highway Fund DA - \$41,442.10
Highway Fund DB - \$61,073.51
Capital Projects H2 - \$10,783.00
Water District Fund SW2 - \$70.80
Water District Fund SW4 - \$361.80

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Giglio to accept report with total disbursements by the Clerk for the month of September in the amount of \$405.00.

Paid to the Supervisor for General Fund - \$239.00
Paid to the Supervisor for Part Town Fund - \$90.00
Paid to NYS DEC for Decals - \$31.00
Paid to NYS Animal Population Control Fund - \$45.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BUILDINGS AND INSURANCE

Broughton discussed the renewal for the towns insurance policy through The Ryan Agency. The estimated cost of the policy is \$30,000. Steve Peck will schedule a time to present the 2024 changes to the board. No action was taken.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Oakes with activities from the Highway Department for the month of October.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

ECONOMIC DEVELOPMENT

Giglio reported that Harbor Freight is working on the old Valu building and Pizza Hut is still looking to open a location on the corner of Seneca and County Route 70A. No action was taken.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Yanni, seconded by Giglio to accept the report dated November 13, 2023 as provided by North Hornell Fire Chief, Mike Robbins and report dated October 2023 as provided by South Hornell Fire Chief, Matt Donovan.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Broughton. Supervisors report submitted stated that the balance as of 9/30/2023 was \$2,254,890.19. The town had an increase of \$278,112.28 and a decrease of \$235834.50 leaving a balance as of 10/31/2023 of \$2,297,167.97.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 12-2023

A RESOLUTION AUTHORIZING THE OFFICIAL DEPOSITORY TO HONOR AND PAY ANY AND ALL DRAFTS, CHECKS OR ORDERS DRAWN AND COUNTERSIGNED BY THE PROPER OFFICIALS

Whereas proper action has heretofore been taken by the Town of Hornellsville, County of Steuben, State of New York, naming Community Bank the official depository of the Town of Hornellsville;

Whereas under Town Law §30 (9), the town board may by resolution require the countersignature of the Town Clerk on all checks that require the signature of the town supervisor;

Whereas under Town Law §30 (10a), the deputy town clerk shall possess the powers and perform the duties of the town clerk during the absence or inability to act of the town clerk; and

Whereas under Town Law §42, the deputy supervisor shall be vested with all of the powers and may perform all of the duties of the supervisor during the absence or inability to act of the supervisor; now, therefore, be it

Resolved, by the Hornellsville Town Board that all drafts, checks or orders shall be drawn only upon proper authorization of the Town of Hornellsville, for the payment of invoices, debts and obligations of the Town of Hornellsville, incurred and presented for payment, be drawn and signed by Dan Broughton, Supervisor, and countersigned by Jessica LaFrance, Town Clerk. In the absence of Dan Broughton, Supervisor, all checks, drafts or orders drawn against the

accounts of the Town of Hornellsville, be drawn and signed by James Giglio, Deputy Supervisor, and countersigned by Jessica LaFrance, Town Clerk, or in the absence of Jessica LaFrance, Town Clerk, all checks, drafts or orders drawn against the Town of Hornellsville shall be countersigned by Shannon Smith, Deputy Town Clerk;

Further resolved, that for the purpose of payroll, checks may be honored by the official depository of the Town of Hornellsville when said check bears the original signature of Dan Broughton, Supervisor. The countersignature of the town clerk or deputy town clerk will not be required. In the absence of Dan Broughton, Supervisor, said payroll checks must bear the original signature of James Giglio, Deputy Supervisor. The countersignature of the town clerk or deputy town clerk will not be required;

Further resolved, that Community Bank, official depository of the Town of Hornellsville, is hereby authorized to honor and pay all drafts, checks, or orders of the Town, properly drawn and countersigned as aforesaid, and for it doing so, this Resolution shall be sufficient warrant; and

Further resolved, that a certified copy of this Resolution, duly executed, be delivered to the proper officers of Community Bank, as evidence of the Bank's authority to act in accordance therewith.

Motion Made by: Robert Mauro
Motion Seconded by: James Giglio

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTION 13-2023

A RESOLUTION APPROVING THE APPOINTMENT OF JOSEPH BAILEY ZBA CHAIR

Whereas Wendy Jordan submitted her resignation effective September 6, 2022 creating a vacancy;

Whereas pursuant to Town Law §267(2), the Hornellsville Town Board, has the authority to designate the chairperson thereof; and

Whereas Joseph Bailey, currently serving as a member thereof with a term to expire December 31, 2027; now, therefore, be it

Resolved, that the Hornellsville Town Board does hereby appoint Joseph Bailey, Chairperson to the Zoning Board of Appeals until December 31, 2027.

Motion Made by: Robert Mauro
Motion Seconded by: Trisha Yanni

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTION 14-2023

A RESOLUTION APPROVING THE APPOINTMENT OF LARRY JONES PLANNING BOARD CHAIR

Whereas the term of office for Joseph Dick, Planning Board Chair expired January 9, 2023 creating a vacancy;

Whereas pursuant to Town Law §271(1), the Hornellsville Town Board, has the authority to designate the chairperson thereof; and

Whereas Larry Jones, currently serving as a member thereof with a term to expire December 31, 2025; now therefore, be it

Resolved, that the Hornellsville Town Board does hereby appoint Larry Jones, Chairperson to the Planning Board until December 31, 2025.

Motion Made by: Robert Mauro

Motion Seconded by: David Oakes

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTION 15-2023

A RESOLUTION AUTHORIZING THE RE-LEVY OF UNPAID WATER BILLS ON 2024 TOWN AND COUNTY TAX BILLS

Whereas in accordance with Town Law §198, the Town of Hornellsville has opted to enforce the re-levy of unpaid accounts for water;

Whereas the Steuben County Legislature shall levy the sum of \$716.86 against the applicable properties as provided by the Village of Almond on the 2024 Town and County tax bills;

Whereas the Steuben County Legislature shall levy the sum of \$24,119.64 against the applicable properties as provided by the City of Hornell on the 2024 Town and County tax bills; now, therefore, be it

Resolved, that the Town of Hornellsville Town Board, does hereby approve the re-levy in such sums as indicated above.

Motion Made by: David Oakes

Motion Seconded by: Robert Mauro

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTION 16-2023

A RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH COMMUNITY BANK N.A. FOR THE USE OF REMOTE DEPOSIT CAPTURE (RDC) SERVICES FOR ACCOUNTS

Whereas proper action has heretofore been taken by the Town of Hornellsville, County of Steuben, State of New York, naming Community Bank the official depository of the Town of Hornellsville;

Whereas the Town is desirous to use said services for the purposes of depositing funds remotely for the Town Clerk account, Licensing account and Tax Collection account;

Whereas the purchase of one (1) RDC machine by the Town will be required to scan and deposit funds; and

Whereas Community Bank will reimburse the Town for said RDC machine in full, now, therefore, be it

Resolved, that the Hornellsville Town Board, does hereby authorize the Supervisor to execute an agreement to utilize remote deposit capture services provided by Community Bank; and

Further Resolved, that the Hornellsville Town Board does hereby authorize the purchase of one (1) RDC machine to be reimbursed in full by Community Bank.

Motion Made by: Trisha Yanni
Motion Seconded by: Robert Mauro

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

RESOLUTION 17-2023

A RESOLUTION AUTHORIZING THE SIGNING OF THE CERTIFICATE OF ABANDONMENT OF A PORTION OF OLD STATE HIGHWAY 906

I, the undersigned, Town Superintendent of Highways of the Town of Hornellsville, Steuben County, State of New York, hereby certify that the Hornellsville old State Highway 906 has not been opened or worked for the past six (6) years. It has been abandoned by the public, and is no longer used as a public highway.

That piece of parcel of property located in the Town of Hornellsville, County of Steuben, State of New York, bounded and described as follows:

Parcel number 136.00-02-059.000 generally running from just south of the intersection of Seneca Road and County Route 70A, parallel to County Route 70A in an easternly direction aside Big Creek River, rejoining County Route 70A through parcel number 136.00-02-050.000.

Also, we the undersigned members of the Town Board, constituting the whole or majority thereof, do hereby consent to the making and filing of this Certificate, and do hereby sign the same.

Therefore, pursuant to section 205 of the Highway Law, the highway is declared to be, and hereby is, discontinued and abandoned.

Motion Made by: Trisha Yanni
Motion Seconded by: James Giglio

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

OTHER BUSINESS

The contract presented by HAHS was reviewed and tabled until questions can be answered regarding the changes. No action was taken.

Emo discussed the issue with cars being parked on the side of the road during winter. These vehicles make it difficult to plow the road. There are no parking signs present, but they are being ignored. The board discussed the possibility of issuing warnings for those that are in violation. No action was taken.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Giglio, the meeting was adjourned at 7:43 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
December 11, 2023

Town Board Public Hearing
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 14, 2023 6:50 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Public Hearing was called to order at 6:50 p.m. by Dan Broughton, Supervisor.

PURPOSE

The purpose of this hearing to allow the public an opportunity to express their views and make inquiry regarding budgetary matters before the final adoption of the budget.

PUBLIC – None present

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Giglio, the meeting was adjourned at 7:01 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
November 15, 2023

Town Board Public Hearing
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Monday, November 20, 2023 5:00 PM

Present: Dan Broughton, Supervisor
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Shannon Smith, Deputy Clerk
Others Present: Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Public Hearing was called to order at 5:27 p.m. by Dan Broughton, Supervisor.

PURPOSE

The purpose of this hearing was to allow the public an opportunity to express their views and make inquiry regarding Local Law #2-2023 – Override the Tax Levy Limit for Fiscal Year 2024.

PUBLIC – None present

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Oakes, the meeting was adjourned at 5:28 p.m.

Roll Call: Broughton, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Shannon Smith
Town Clerk
December 12, 2023

Town Board Special Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Monday, November 20, 2023 5:30 PM

Present: Dan Broughton, Supervisor
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Shannon Smith, Deputy Clerk
Others Present: Debra Castle-Harvey, Bookkeeper

CALL TO ORDER

The Special Meeting was called to order at 5:29 p.m. by Dan Broughton, Supervisor.

BUSINESS

The purpose of this Special Meeting is to discuss overriding the tax levy limit for fiscal year 2024 via Local Law #2-2023 and to adopt the Budget for 2024. No public was present at the Public Hearing.

LOCAL LAW

Local Law 2-2023
Override the Tax Levy Limit for Fiscal Year 2024

SECTION 1. Authority.

This Local Law is enacted pursuant to subdivision 5 of N.Y. General Municipal Law §3-c (the “Property Tax Cap Law”), which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

SECTION 2. Purpose.

The purpose of this local law is to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town of Hornellsville pursuant to the Property Tax Cap Law, and to allow the Town to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by the Property Tax Cap Law. Such override is necessary and in the best interests of the Town.

SECTION 3. Tax Levy Limit Override.

The Town of Hornellsville Town Board is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2024, and to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

SECTION 4. Severability.

If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately upon its filing with the Secretary of State as provided in §27 of the N.Y. Municipal Home Rule.

Motion was made by Mauro, seconded by Oakes to adopt Local Law 2-2023.

Roll Call: Broughton, Mauro, Oakes and Yanni; all ayes. Carried.

BUDGET

Motion was mad by Oakes, seconded by Mauro to approve the budget for fiscal year 2024.

Roll Call: Broughton, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC – None present

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Oakes, the meeting was adjourned at 5:30 p.m.

Roll Call: Broughton, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Shannon Smith
Town Clerk
December 12, 2023

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 12, 2023 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper
Shannon Smith, Deputy Clerk

CALL TO ORDER

The Meeting was called to order at 7:01 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Oakes, seconded by Mauro to accept the Budget Workshop Minutes, Public Hearing Minutes and Regular Minutes of November 14, 2023 and the Public Hearing Minutes and Special Meeting Minutes of November 20, 2023 as submitted by the Town Clerk.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Oakes that bills contained on Abstract #12 have been reviewed by the Town Board and are authorized for payment in the amount of \$65,724.68.

General Fund A - \$16,871.49
General Fund B - \$411.34
Highway Fund DA - \$21,461.08
Highway Fund DB - \$26,100.00
Street Lighting Fund SL1 - \$842.97
Water District Fund SW2 - \$37.80

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Giglio to accept report with total disbursements by the Clerk for the month of November in the amount of \$405.00.

Paid to the Supervisor for General Fund - \$130.33
Paid to the Supervisor for Part Town Fund - \$3,356.00
Paid to NYS DEC for Decals - \$1,169.67
Paid to NYS Animal Population Control Fund - \$15.00

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

JUSTICE REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Yanni. For October 2023, Justice Scavo collected \$3,630.00 and Justice Werner collected \$1,745.00 with distribution to the Town being \$2,026.00.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Mauro with the activities and mileage (424 mi) for the month of October 2023 and activities and mileage (204 mi) for the month of November 2023 by the Codes Officer.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BUILDINGS AND INSURANCE

Motion was made by Yanni, seconded by Mauro to accept the proposal by Steve Peck for the renewal of the towns insurance policy through The Ryan Agency. The cost of the policy is \$34,564.80.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of November.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

PUBLIC SAFETY/FIRE DEPT

Motion was made by Giglio, seconded by Oakes to accept the report dated December 11, 2023 as provided by North Hornell Fire Chief, Mike Robbins.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Yanni to accept the report dated December 12, 2023 as provided by Debra Castle-Harvey.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

SUPERVISOR REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Broughton. Supervisors report submitted stated that the balance as of 10/31/2023 was \$2,297,167.97. The town had an increase of \$2,092,086.71 and a decrease of \$1,971,718.02 leaving a balance as of 11/30/2023 of \$2,417,536.66.

Roll Call: Giglio, Mauro, Oakes, and Yanni; all ayes. Carried.

RESOLUTIONS

RESOLUTION 18-2023

A RESOLUTION FOR THE AUDIT OF THE NEW YORK STATE 2022 GENERAL ELECTION

Whereas it is a recognized civil right in the United States for every citizen to have free and fair elections. “And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” (Reynolds v. Sims, 377 U.S. 533 (1964));

Whereas it is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free of distortion or manipulation;

Whereas our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through the operational integrity of our elections, as defined by those laws governing the following five processes:

1. Rigorous Verification of Voter Identity.
2. Proven Ballot Security and Intact Chain of Custody.
3. Voting Systems Certified to be Secure from Operational, Physical and Cyber Threats.
4. Meets All FISMA and State Operational and Risk Assessment Requirements.
5. Meets Auditability and Traceability Requirements and Operational Policy.

Whereas an open-source audit of the New York State 2020 General Election conducted by New York Citizens Audit has uncovered evidence of massive inaccuracies that violate both Federal and State Laws, including:

- 2,427,827 NYS Voter ID numbers attached to 1,170,790 registrants.
- 740,396 ineligible votes cast Statewide.
- 338, 356 more votes cast than voters who voted.
- 987,490 voters who registered on January 1st from 1900 to 2021.
- 1.9MM registrations in the state voter rolls missing from the county rolls.
- 625,359 more registrations than voting-age citizens in six countries alone.
- 195,271 votes cast in New York City that went missing in the NYS Voter database.
- 1,000,000+ felony violations of New York State Election Law.
- 95 State and Federal legislative races impacted by 740,396 ineligible votes.
- Abandoned ballots and ballot payment schemes.
- Certification as defined by laws was provably fraudulent and illegal.

Whereas these findings trample accuracy requirements of voting systems for a Federal Election, wherein the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions. For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by voter for each ballot position without error;

Whereas it must be factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio (United States v. Throckmorton, 98 U.S. 61 (1878));

Whereas State and Federal Officials have met the efforts of New York Citizens Audit to seek redress for these egregious violations with indifference and inaction, including the Attorney General, Secretary of State, State Board of Elections, Inspector General, Federal Bureau of Investigations, State Leadership of Democrat and Republican parties, County Election Officials, Sheriffs, District Attorneys, and others;

Whereas none of these violations were addressed prior to administration and certification of the 2022 General Election, and there prevails a spirit of extreme contention and zero trust between people of differing political ideologies across New York, which is destructive to our families, our way of life, and the fabric of these United States and;

Therefore, we call upon our Representatives including Town Board Members, County Legislators, State Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, and Judges to provide relief to the people, and the assurance of domestic tranquility, through the fulfillment of each of the following firm requests:

1. A complete end-to-end audit of the New York State 2022 General Election, for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.
2. The enactment of legislation defining a mutually agreed upon process by which an end-end audit would be triggered in any future elections.
3. The enactment of legislation defining a mutually agreed upon accuracy rate for the NYS Voter and County voter roll databases.
4. The enactment of legislation allowing for anonymous vote verification and tracking by the voter (open-source, royalty-free patent pending), including automatic mechanisms to report and remedy errors during the canvas period following an election, regardless of ballot entry source.
5. Criminalize election misconduct explicitly with regard to State election law, and increase penalties to reflect the societal and generational harms inflicted by these crimes.

Be it Resolved that Hornellsville, NY stands in support with the concerns and remedies presented here. We implore the Steuben County Legislature, NYS Legislature, Federal Legislators, Law Enforcement, Federal and State Prosecutors, Judges, and both State and County Boards of Elections to cooperate and fulfill these firm requests of the people.

Motion Made by: James Giglio

Motion Seconded by: Trisha Gianni

Roll Call: Broughton, Giglio, Mauro, Oakes and Gianni; all ayes. Carried.

OTHER BUSINESS

Motion was made by Oakes, seconded by Mauro to allow Deputy Clerk, Shannon Smith and Town Clerk, Jessica LaFrance to attend the Association of Town's training school January 10, 11 and 12 at a cost of \$200.00 per attendee.

Roll Call: Broughton, Giglio, Mauro, Oakes, and Gianni; all ayes. Carried.

Correspondence was received from Steuben County Public Health regarding the Rabies Clinic held on September 30, 2023 at the Highway Department. Use of the facility allowed for 107 dogs and 28 cats to be vaccinated for rabies. No action was taken.

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Gianni, the meeting was adjourned at 8:06 p.m.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; all ayes. Carried.

Respectfully Submitted,

Jessica LaFrance
Town Clerk
January 8, 2024