

Total \$206,622.04

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

Resolution 110-2025: 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 September 2025, and directs that they be entered into the official financial records of the Town.

From		To		Amount
A3021	Justice Grant – JCAP	A1110.21	Justices – Equipment – JCAP	\$1,710.03
A599	Fund Balance	A1650.4	Communication – Internet	\$403.67
A599	Fund Balance	A5132.4	Garage – Contractual	\$135.00
A599	Fund Balance	A9089.8	Other Employee Benefits	\$350.00
B599	Fund Balance	B9901.9	Interfund Transfer	\$199.99
DA599	Fund Balance	DA5142.11	Snow Removal – Overtime	\$379.02
DA599	Fund Balance	DA9010.8	State Retirement	\$.06
DB599	Fund Balance	DB5130.2	Machinery – Equipment	\$60,873.77
DB599	Fund Balance	DB5130.4	Machinery – Contractual	\$1,125.81

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

Resolution 111-2025: Approval of the Supervisor’s Report

Motion by: Giglio

Seconded by: Mauro

WHEREAS, Supervisor Broughton presented the monthly report on the Town’s finances for the month of August 2025. The submitted report stated that the balance as of 07/31/25 was \$3,310,914.98. The town had an increase of \$490,626.49 and a decrease of \$512,106.67 leaving a balance as of 08/31/25 of \$2,289,434.80.

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

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

Resolution 112-2025: Reappointing Katherine Gabriel as Assessor

Motion by: Mauro

Seconded by: Oakes

WHEREAS, pursuant to Real Property Tax Law §310, the Town Board is authorized to appoint a Sole Assessor for a six-year term commencing on October 1; and

WHEREAS, the next statutory assessor term begins October 1, 2025 and ends September 30, 2031, and Katherine Gabriel is duly qualified to serve as Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board hereby reappoints Katherine Gabriel as Assessor for a six-year term commencing October 1, 2025 and ending September 30, 2031; and be it

FURTHER RESOLVED, that the Town Clerk shall administer (or arrange for) the oath of office and file/record all required appointments and oaths, and the Supervisor and Clerk are authorized to execute any documents necessary to effectuate this appointment, subject to applicable civil service requirements.

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

Resolution 113-2025: Authorizing the Supervisor to Execute the Intermunicipal Agreement for the 2025 Sewer Project

Motion by: Yanni

Seconded by: Mauro

WHEREAS, the Town of Hornellsville, the City of Hornell, and the Village of North Hornell desire to collectively undertake a sewer improvement project consisting of the replacement, upgrading, and general overhaul of sewer lines, pump stations, and related infrastructure, with an estimated total project cost of \$16,782,000, subject to adjustment upon final design and bidding; and

WHEREAS, the intermunicipal agreement allocates financial responsibility among the municipalities in the following proportions, applied to project costs after deducting any grants actually received: City 15.31%, Village 20.87%, and Town 63.82%; and

WHEREAS, upon completion of final design and bidding, the percentages may be adjusted, and each municipality remains responsible for its pro rata share as set forth in the agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board hereby approves the Intermunicipal Agreement for the 2025 Sewer Project, in the form presented to the Board; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute said Agreement on behalf of the Town, and to take any additional actions necessary to carry out the terms of the Agreement.

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

Resolution 114-2025: Authorizing the Supervisor to Execute the Canisteo Wind Energy Road Use Agreement

Motion by: Yanni

Seconded by: Mauro

WHEREAS, Canisteo Wind Energy LLC is undertaking the construction of a 115-kilovolt overhead transmission facility and associated substation authorized by the New York State Public Service Commission, and such project will require the use of certain Town roads for transport of materials and equipment; and

WHEREAS, the Town of Hornellsville and Canisteo Wind Energy LLC have negotiated a Road Use Agreement which provides for inspection, reinforcement, bonding, repair, and restoration of Town roads and appurtenant structures, and sets forth the rights and responsibilities of the parties; and

WHEREAS, the Town Board finds it in the best interest of the Town to approve said Agreement to protect Town infrastructure and ensure proper restoration of Town roads;

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board hereby approves the Road Use Agreement between the Town of Hornellsville and Canisteo Wind Energy LLC, and authorizes the Town Supervisor to execute said Agreement on behalf of the Town.

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

Resolution 115-2025: Authorizing the Issuance of \$10,710,000 Bonds of the Town of Hornellsville, Steuben County, New York, to Pay the Cost of the Increase and Improvement of the Facilities of Sewer District No. 1, in the Town of Hornellsville, Steuben County, New York

Motion by: Yanni

Seconded by: Mauro

WHEREAS, pursuant to the provisions to be had and taken in accordance with the provisions of Section 202-b of the Town Law, the Town Board expects to authorize the increase and improvement of the facilities of Sewer District No. 1, in the Town of Hornellsville, Steuben County, New York, at a maximum estimated cost of \$10,710,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

RESOLVED, by the Town Board of the Town of Hornellsville, Steuben County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Sewer District No. 1, in the Town of Hornellsville, Steuben County, New York, being replacement of pump stations and reconstruction of trunk line sewer pipes, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$10,710,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$10,710,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of not to exceed the \$10,710,000 bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such specific object or purpose or the Town Board shall appropriate other monies of the Town therefor, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar-for-dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Hornellsville, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Sewer District No. 1 as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be

a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies were, are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law; provided, however, that no bond anticipation note or bonds shall be issued pursuant to this bond resolution prior to the completion of the proceedings for the increase and improvement of the facilities of Sewer District No. 1 in said Town and the subsequent ratification and confirmation by re-adoption thereafter by the Town Board.

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on September 9, 2025, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Hornellsville, Steuben County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: September 9, 2025

_____/s/ Jessica LaFrance

Town Clerk

BOND RESOLUTION DATED SEPTEMBER 9, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,710,000 BONDS OF THE TOWN OF HORNELLSVILLE, STEUBEN COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF SEWER DISTRICT NO. 1, IN THE TOWN OF HORNELLSVILLE, STEUBEN COUNTY, NEW YORK.

- Specific object or purpose:** Replacement of pump stations and reconstruction of trunk line sewer pipes
- Period of probable usefulness:** 40 years
- Maximum estimated cost:** \$10,710,000, to be reduced by any grants-in-aid received.
- Amount of obligations to be issued:** Not to exceed \$10,710,000 bonds
- SEQRA status:** Type I Action. Negative Declaration. SEQRA compliance materials on file in the office of the Town Clerk where they may be inspected during regular office hours by appointment.

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

Resolution 116-2025: Authorization to Submit NYS Water Infrastructure Improvement Grant/Intermunicipal Grant

Motion by: Yanni

Seconded by: Oakes

WHEREAS, the City of Hornell, Town of Hornellsville, and Village of North Hornell propose improvements to municipal owned and operated sewer conveyance system to include improvement of replacement of three pump stations and replacement of aging trunk line piping within the Town; replacement of one pump station and lining of trunk main piping within the Village; and repair of four existing wet wells and replacement of aging pumping equipment within the City, and

WHEREAS, the sanitary collections system collects and conveys sanitary flow to a Water Pollution Control Plant owned and operated by the City, and

WHEREAS, NYS Environmental Facilities Corporation is offering grants for clean and drinking water projects during the 2025-2026 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality; and

WHEREAS, the City of Hornell, acting as lead applicant, is seeking funding through the NYS Water Infrastructure Improvement (WIIA) Grant and Intermunicipal Grant Program (IMG);

WHEREAS, NYS Environmental Facilities Corporation requires a resolution authorizing the undertaking of the project and the total funding appropriated for the project. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT RESOLVED, that the Town authorizes the undertaking of the project and the estimated project cost is \$16,782,000 with the following allocation based on location of improvement: Town of Hornellsville \$10,710,000; Village of North Hornell \$3,502,000; City of Hornell \$2,570,000; and it is

FURTHER RESOLVED, that an Intermunicipal Agreement has been adopted defining cost sharing and the Town of Hornellsville will meet the financial obligations necessary to fully and satisfactorily complete the Town’s allocation of the project through Environmental Facilities Short Term and Long Term Financing; and it is

FURTHER RESOLVED, that the Town of Hornell authorizes and empowers Supervisor Dan Broughton to sign and submit an EFC Financing Application and sign the funding agreement for the Town’s allocation with Environmental Facilities Corporation and any associated documents; and it is

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

Resolution 117-2025: Scheduling a Budget Workshop

Motion by: Oakes

Seconded by: Yanni

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 October 14, 2025 at 5:00 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

Adjournment:

With no further business, on a motion made by Mauro, seconded by Yanni, the meeting was adjourned at 6:45 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
September 16, 2025

