

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, January 12, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Robert Mauro, Councilman
David Oakes, Councilman
Absent: Jim Giglio, Councilman
Ron Kennell, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt of Highways

CALL TO ORDER

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

ORGANIZATIONAL

Motion was made by Mauro, seconded by Oakes to accept report as read by Broughton. The Town named Community Bank and Five Star Bank the official depositories, The Spectator/Tribune the official Newspaper, set mileage at \$.56 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, authorized Jason Emo to spend up to \$5,000.00 without prior board approval and the Town Board will accept the Annual Report to Audit Control as the Supervisor's Annual Report.

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

MINUTES

Motion was made by Mauro, seconded by Oakes to accept Minutes of December 8, 2020 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Oakes, seconded by Mauro that bills contained on Abstract #1 have been reviewed by the Town Board and are authorized for payment in the amount of \$212,807.91.

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

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Oakes to accept report read by Jessica LaFrance with fees for the month of December in the amount of \$459.83. The 2020 Town Clerk's annual report was also provided showing receipts and disbursements in the amount of \$15,130.12.

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

JUSTICE REPORT

Motion was made by Oakes, seconded by Mauro to accept report read by Mauro. For December Justice Scavo collected \$1,180 and Justice Werner collected \$3,260 with distribution to the Town being \$1,393.

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

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Mauro to accept report read by Mauro with the activities and mileage for the month of December, 2020 by the Codes Officer.

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

PLANNING BOARD REPORT

Motion was made by Mauro, seconded by Oakes to accept report presented by Joe Dick. Dick stated that they are only planning to do half of the originally planned Solar Farm.

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

BLDGS/INSURANCE

Motion was made by Mauro, seconded by Oakes to accept report presented by Emo. The salt building was added to the Town insurance policy.

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

FINANCE

Bookkeeper Debra Castle made the AUD available. No action was taken.

HIGHWAY REPORT

Motion was made by Mauro, seconded by Oakes to accept report presented by Emo. Emo also sought permission to continue the truck program.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Mauro, seconded by Oakes to accept report provided by North Hornell Fire Chief Mike Robbins.

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

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Oakes to accept report read by Broughton. Supervisors report submitted stated that the balance as of 11/30/20 was \$1,644,050.75. The town had an increase of \$153,028.22 and a decrease of \$731,605.24 leaving a balance as of 12/31/20 of \$1,065,473.73.

Roll Call: Mauro, and Oakes; all ayes. Not Carried. The Supervisor's report will be represented at the next meeting of the Town Board.

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Oakes, seconded by Mauro, the meeting was adjourned at 7:35 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
January 21, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, February 9, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Robert Mauro, Councilman
James Giglio, Councilman
Absent: David Oakes, Councilman
Ron Kennell, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

CALL TO ORDER

The Meeting was called to order at 7:08 PM by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Giglio, seconded by Mauro to accept Minutes of January 12, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Mauro, 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 \$104,926.78.

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

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Jessica LaFrance with fees for the month of January in the amount of \$682.50.

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

JUSTICE REPORT – No Report

CODE ENFORCEMENT REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Mauro with the activities and mileage for the month of January, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Mauro, seconded by Giglio to accept report presented by Giglio.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Mauro, seconded by Giglio to accept reports for January and February provided by North Hornell Fire Chief Mike Robbins.

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

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Broughton. Supervisors report submitted stated that the balance as of 12/31/20 was \$1,065,473.73. The town had an increase of \$81,869.78 and a decrease of \$331,186.78 leaving a balance as of 01/31/21 of \$816,156.73.

Roll Call: Mauro, and Giglio; all ayes. Not Carried. The Supervisor's report will be represented at the next meeting of the Town Board.

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

OTHER BUSINESS

Motion was made by Giglio, seconded by Mauro to accept the policies on Covid-19 Response and Operational Procedure.

Supervisor Broughton reported that the NYSERTA Grant for \$50,000 was approved.

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

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Giglio, seconded by Mauro, the meeting was adjourned at 7:22 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
February 19, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, March 9, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
David Oakes, Councilman
Absent: Robert Mauro, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt of Highways

CALL TO ORDER

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

MINUTES

Motion was made by Kennell, seconded by Giglio to accept Minutes of February 9, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Oakes that bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the amount of \$125,542.56.

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

TOWN CLERK REPORT

Motion was made by Giglio, seconded by Oakes to accept report read by Jessica LaFrance with fees for the month of February in the amount of \$949.00.

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

JUSTICE REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Kennell. For January Justice Scavo collected \$1,840 and Justice Werner collected \$4,665 with distribution to the Town being \$1,457.

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

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Kennell to accept report read by Giglio with the activities and mileage for the month of February, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Kennell, seconded by Giglio to accept report presented by Oakes.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT – No Report

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 11/30/20 was 1,644,050.75. The Town had an increase of \$153,028.22 and a decrease of \$731,605.24 leaving a balance as of 12/31/20 of \$1,065,473.73. As of 12/31/20 there was a balance of \$1,065,473.73. The town had an increase of \$81,869.78 and a decrease of \$331,186.78 leaving a balance as of 01/31/21 of \$816,156.73. As of 01/31/21 there was a balance of \$816,156.73. The town had an increase of \$135,983.08 and a decrease of \$208,997.73 leaving a balance as of 02/28/21 of \$743,142.08.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #1-2021

WHEREAS, THE TOWN OF HORNELLSVILLE TOWN BOARD, needs to reappoint Stacie Schieder to the Board of Assessment Review for term beginning 10/01/2020 and expiring 09/30/2025.

BE IT RESOLVED, THAT THE TOWN OF HORNELLSVILLE TOWN BOARD, does hereby approve the reappointment.

Motion was made by Oakes, seconded by Giglio to accept the resolution.

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

RESOLUTION #2-2021

WHEREAS, THE TOWN OF HORNELLSVILLE TOWN BOARD, needs to reappoint Larry Jones to the Planning Board for term beginning 01/01/2021 and expiring 12/31/2025.

BE IT RESOLVED, THAT THE TOWN OF HORNELLSVILLE TOWN BOARD, does hereby approve the reappointment.

Motion was made by Kennell, seconded by Oakes to accept the resolution.

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

RESOLUTION #3-2021

WHEREAS, THE TOWN OF HORNELLSVILLE TOWN BOARD, needs to approve the contract with the Hornell Humane Society for a yearly fee of \$9000 to be paid in January.

BE IT RESOLVED, THAT THE TOWN OF HORNELLSVILLE TOWN BOARD, does hereby approve and enter into a contract with the Hornell Humane Society and grants the Supervisor permission to enter into said contract.

Motion was made by Oakes, seconded by Kennell to accept the resolution.

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

OTHER BUSINESS

Motion was made by Giglio, seconded by Kennell to accept the request made by LaFrance to extend the Tax Collection warrant and to attend training to become a Notary Public.

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

The Board was presented with Arkport Joint FD Budget and the decommissioning plan for the Solar Project. No action was taken.

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Kennell, seconded by Oakes, the meeting was adjourned at 7:35 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
March 18, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, April 13, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
Robert Mauro, Councilman
Absent: David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt of Highways

CALL TO ORDER

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

MINUTES

Motion was made by Kennell, seconded by Giglio to accept Minutes of March 9, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Giglio that bills contained on Abstract #4 have been reviewed by the Town Board and are authorized for payment in the amount of \$52,206.28.

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

TOWN CLERK REPORT

Motion was made by Giglio, seconded by Oakes to accept report read by Jessica LaFrance with fees for the month of February in the amount of \$877.00.

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

JUSTICE REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Kennell. For February Justice Scavo collected \$2,206 and Justice Werner collected \$4,375 with distribution to the Town being \$1,011. For March Justice Scavo collected \$8,432 and Justice Werner collected \$5,292 with distribution to the Town being \$1,918.

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

CODE ENFORCEMENT REPORT

Motion was made by Kennell, seconded by Giglio to accept report read by Mauro with the activities and mileage for the month of March, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Mauro, seconded by Kennell to accept report presented by Emo.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Mauro, seconded by Kennell to accept reports for April provided by North Hornell Fire Chief Mike Robbins.

Roll Call: Broughton, Kennell, Giglio and Mauro; 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 02/28/21 was 743,142.08. The Town had an increase of \$1,409,550.92 and a decrease of \$227,749.69 leaving a balance as of 03/31/21 of \$1,924,943.31.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #4-2021

WHEREAS, the Town of Hornellsville, with assistance for the County of Steuben, has gathered information and prepared the Steuben County Multi-Jurisdictional Hazard Mitigation Plan (the “Plan”); and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 as amended; and

WHEREAS, the Town of Hornellsville Town Board has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now therefore, be it

RESOLVED, that this Town of Hornellsville Town Board does hereby adopt the Steuben County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan including all corrections as may be required by FEMA and as revised from time to time.

Motion was made by Mauro, seconded by Giglio to accept the resolution.

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

OTHER BUSINESS

Motion was made by Giglio, seconded by Kennell to accept the request made by LaFrance to extend the Tax Collection warrant and to attend training to become a Notary Public.

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

The Board was presented with the decommissioning plan for the Solar Project #166.00-01-014.100 by Ryan McCune. No action was taken.

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Giglio, seconded by Kennell, the meeting was adjourned at 7:39 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
April 22, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, May 11, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

CALL TO ORDER

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

MINUTES

Motion was made by Oakes, seconded by Mauro to accept Minutes of April 13, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Oakes, seconded by Giglio that bills contained on Abstract #5 have been reviewed by the Town Board and are authorized for payment in the amount of \$38,851.85.

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

TOWN CLERK REPORT

Motion was made by Kennell, seconded by Mauro to accept report read by Jessica LaFrance with fees for the month of February in the amount of \$1,388.55.

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

JUSTICE REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Kennell. For April, Justice Scavo collected \$5,513 and Justice Werner collected \$6,582 with distribution to the Town being unavailable.

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

CODE ENFORCEMENT REPORT

Motion was made by Kennell, seconded by Oakes to accept report read by Mauro with the activities and mileage for the month of April, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Kennell, seconded by Mauro to accept report presented by Oakes.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT – No Report

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 03/31/21 was 1,924,943.31. The Town had an increase of \$55,959.17 and a decrease of \$133,477.31 leaving a balance as of 04/30/21 of \$1,847,425.17.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

OTHER BUSINESS

Motion was made by Mauro, seconded by Giglio to accept the request made by LaFrance to purchase Williamson Law's Clerk Plus program which will allow the Town to accept credit cards.

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

Motion was made by Giglio, seconded by Mauro to accept the new quote from Ed's Computer Technologies to purchase a laptop for the Codes Department. It was budgeted for in October, but the price has since gone up.

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

The Board was presented with an email request by Katrina Oliverio, Clerk-Treasurer of the Village of Canisteo. No action was taken.

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Kennell, the meeting was adjourned at 7:57 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
May 13, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, July 14, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt of Highways

CALL TO ORDER

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

MINUTES

Motion was made by Kennell, seconded by Giglio to accept Minutes of May 11, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Mauro that bills contained on Abstract #6 have been reviewed by the Town Board and are authorized for payment in the amount of \$285,128.51. Bills contained on Abstract #7 have been reviewed by the Town Board and are also authorized for payment in the amount of \$189,354.22

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

TOWN CLERK REPORT

Motion was made by Kennell, seconded by Oakes to accept report read by Jessica LaFrance with fees for the month of May in the amount of \$735.38 and fees for the month of June in the amount of \$1,229.

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

JUSTICE REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Kennell. For April, Justice Scavo collected \$5,513 and Justice Werner collected \$6,582 with distribution to the Town being \$2,277. For May, Justice Scavo collected \$7,404 and Justice Werner collected \$3,894 with distribution to the Town being \$2,291.

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

CODE ENFORCEMENT REPORT

Motion was made by Mauro, seconded by Kennell to accept report read by Giglio with the activities and mileage for the month of May and June, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Kennell, seconded by Mauro to accept report read by Oakes with activities from the highway department for the month of May.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Oakes, seconded by Mauro to accept report read by Kennell with activities from the South Hornell Fire Dept for the month of May.

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

SUPERVISOR REPORT – No Report

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #5-2021

PILOT CONSENT RESOLUTION
(Eight Point Wind LLC -Wind Energy Project)

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HORNELLSVILLE CONSENTING TO A PROPOSED PILOT AGREEMENT AND PILOT PAYMENT DISTRJBUTION TO BE PROVIDED BY THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY TN CONNECTION WITH A CERTAIN PROJECT (AS DESCRJBED BELOW) TO BE UNDERTAKEN BY EIGHT POINT WIND, LLC

WHEREAS, Eight Point Wind, LLC, for itself or on behalf of an entity to be formed by it or on its behalf (collectively, the "Company"), has submitted an application (the "Application") to the Steuben County Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project"), consisting of: (i) the acquisition by the Agency of leasehold, easement or other interest in multiple parcels (or portions thereof) of land located in the towns of Greenwood, West Union, Hartsville, and Hornellsville Steuben County, New York (the "Land"), (ii) the construction, installation and operation on the Land of 25 wind turbines -with a generating capacity of 101.8 MW - together with the associated collection and distribution lines (below grade and overhead), access roads, meteorological towers, substation and an operation and maintenance (O&M) building (the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property to undertake the Project (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the County of Steuben (the "County"), the Company has requested the Agency's consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the Improvements and a PILOT payment structure as follows: (i) initial fixed annual PILOT payment of \$5,300.00 per Megawatt ("MW") of production capacity for the Project (the "Base PILOT Payment"), which would escalate two percent (2%) per year, compounded; and (ii) requirement to pay all taxes associated with the value of the Land upon which the Project is situated, as assessed prior to the acquisition of the Land and construction and installation of the Project (the "Land PILOT Payments", such Land PILOT Payments to be distributed by the Agency to the Affected Tax Jurisdictions (as defined hereafter) pro-rata based upon each respective annual tax rate); and

WHEREAS, in connection with the application and furtherance of the projects positive impact within the County of Steuben (the "County"), the company has requested the Agency's consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the distribution systems being built to support the project and a PILOT payment structure which would fix the assessed value at a rate of \$24,950,000 for the life of the benefit period and which provides an initial benefit of 50% of the assessed value which will decline by 2.5% a year through twenty (20) years; and

WHEREAS, the Agency and the Company have further requested the School District's consent to a PILOT distribution structure (the "PILOT Distribution") whereby the Agency would distribute the Base PILOT Payments received from the Company in connection with the Project among Steuben County, the Town of Greenwood, Town of West Union, Town of Hartsville, Town of Hornellsville and the Canisteo Greenwood School District, based upon a negotiated formula: and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HORNELLSVILLE AS FOLLOWS:

Section 1. The Town Supervisor is hereby authorized to execute and deliver a consent certificate (the "Certificate"), such Certificate to be delivered to the Agency as evidence of the Town's consent to a fixed rate as more particularly described in the attached Schedule A.

Section 2. These Resolutions shall take effect immediately.

Motion was made by Kennell, seconded by Mauro to accept the resolution.

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

Eight Point Wind

Steuben County IDA PILOT Assessment Hornellsville

Hornellsville Tax Rate/\$1,000	\$5.31
County Tax Rate/\$1,000	
\$8.52	
Canisteo Greenwood School District Tax Rate/\$1,000	\$19.32
Total Tax Rate/\$1000	\$33.15
Assessed Value of Construction	

Abatement Year	Total PILOT Revenue	Town Payment	County Payment	Canisteo Greenwood School Payment
Year 1	\$58,013	\$9,293	\$14,910	\$33,810
Year 2	\$60,913	\$9,757	\$15,656	\$35,501
Year 3	\$63,814	\$10,222	\$16,401	\$37,191
Year 4	\$66,714	\$10,686	\$17,147	\$38,882
Year 5	\$69,615	\$11,151	\$17,892	\$40,572
Year 6	\$72,516	\$11,616	\$18,638	\$42,263
Year 7	\$75,416	\$12,080	\$19,383	\$43,953
Year 8	\$78,317	\$12,545	\$20,129	\$45,644
Year 9	\$81,218	\$13,010	\$20,874	\$47,334
Year 10	\$84,118	\$13,474	\$21,620	\$49,025
Year 11	\$87,019	\$13,939	\$22,365	\$50,715
Year 12	\$89,919	\$14,403	\$23,111	\$52,406
Year 13	\$92,820	\$14,868	\$23,856	\$54,096
Year 14	\$95,721	\$15,333	\$24,602	\$55,787
Year 15	\$98,621	\$15,797	\$25,347	\$57,477
Year 16	\$101,522	\$16,262	\$26,093	\$59,168
Year 17	\$104,423	\$16,727	\$26,838	\$60,858
Year 18	\$107,323	\$17,191	\$27,584	\$62,549
Year 19	\$110,224	\$17,656	\$28,329	\$64,239
Year 20	\$113,124	\$18,120	\$29,075	\$65,930
	\$1,711,369	\$274,129	\$439,845	\$997,395

CORRESPONDENCE

The Board was presented with a request by Karin Oyer to add a Slow, Children at Play sign to Beech Street. Emo responded that there’s currently one there and that he can only put them so close together. No action was taken.

The Board was presented with a request by a resident of Old Almond Road in Water District 1 to finish adding water lines to the 4 remaining homes on that road. No action was taken.

The Board was presented with a letter from June Pieklo expressing concern for the way that the Assessor’s Dept is ran, along with other various lack of oversight by the Town. Her main concerns were:

- There were no monthly Assessor reports available on the Town webpage.
At this time the Town Board doesn’t require the Assessor to prepare one, but the Assessor stated that she would be more than willing to prepare one if the Board requests it.
- The Assessor’s yearly salary is too high for her hours of 9-3 on Thursday and none in the summer.
The Assessor’s salary is currently set at \$21,855. The Town found that on Sept 25th, 2017 the Assessor wrote a letter to the Town Board requesting a \$4,000 reduction in pay as she had very little walk in traffic from June - Sept. The Town Board agreed that she could work her summers by appointment. Her salary reduction is reflected in the 2018 budget.
- New photos were not taken for the revaluation, but instead the Assessor used online software to take aerial photos.
Supervisor Broughton called the City of Hornell to find out what pictometry they use for their assessments. He found that they use EagleView provided by Steuben County, the same one as our Assessor used for our 2021 revaluation in Hornellsville.
- The Town’s website has not been properly updated and maintained.
The Town Clerk and the Assessor have been working closely on a project to transition the site and improve the overall operation, while being cost effective. COVID has caused

substantial delays, but we are optimistic that it will be updated and running smoothly very soon. No action taken.

OTHER BUSINESS

Motion was made by Giglio, seconded by Oakes to accept the request made by LaFrance to migrate the current Town website to a new host and publish the newly redesigned website.

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

Motion was made by Oakes, seconded by Kennell to enter into a Road Use and Maintenance Agreement with NextEra – Eight Point Wind.

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

PUBLIC – No comments

ADJOURNMENT

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

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
July 14, 2021

Public Hearing
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, July 27, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Absent: Robert Mauro, Councilman

The Public Hearing was called to order at 7:04 PM by Dan Broughton, Supervisor with the pledge of allegiance. The purpose of this hearing was to go over the details of Local Law #1-2021 – Amendment to Local Law #1-2018 regarding the abolishment of the Tax Collector position, Local Law #2-2021 – Amendment to Local Law #1-2010 regarding the licensing of dogs, and Local Law #3-2021 regarding a new Solar Energy Law.

PUBLIC – No comments

ADJOURNMENT

A motion was made by Oakes and seconded by Kennell to close the Public Hearing at 7:29 PM.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
July 30, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, August 10, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman – Left at 7:47 PM
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman – Arrived at 7:17 PM
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt of Highways

CALL TO ORDER

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

MINUTES

Motion was made by Mauro, seconded by Kennell to accept Minutes of July 13, 2021 as submitted by the Town Clerk.

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

Motion was made by Kennell, seconded by Giglio to accept Minutes of July 27, 2021 Public Hearing as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Kennell that bills contained on Abstract #8 have been reviewed by the Town Board and are authorized for payment in the amount of \$66,057.92.

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

TOWN CLERK REPORT

Motion was made by Mauro, seconded by Giglio to accept report read by Jessica LaFrance with fees for the month of July in the amount of \$1,610.00.

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

JUSTICE REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Kennell. For June, Justice Scavo collected \$5,461.00 and Justice Werner collected \$6,026.00 with distribution to the Town being \$1,884.00.

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

CODE ENFORCEMENT REPORT

Motion was made by Kennell, seconded by Giglio to accept report read by Mauro with the activities and mileage for the month of July, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

Motion was made by Kennell, seconded by Mauro to accept report read by Giglio with activities from the highway department for the month of July.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Fire Chief Mike Robbins submitted reports with activities from the North Hornell Fire Dept for the months of July and August. No action was taken.

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Kennell to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 05/31/21 was \$2,114,536.29. The Town had an increase of \$94,733.45 and a decrease of \$391,528.00 leaving a balance as of 06/30/21 of \$1,817,741.74. As of 06/30/21 the balance was \$1,817,741.74. The Town had an increase of \$250,762.87 and a decrease of \$271,744.76 leaving a balance as of 07/31/21 of \$1,796,759.85.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #6-2021

Whereas, the Town Board desires to adopt a schedule of fees to include an application fee and an escrow fee for applicants seeking the issuance of building permits, site plan approval and special use permits in connection with approvals granted by the Planning Board and/or Town Board for Solar Energy Projects, and

Now, therefore, be it resolved, that the Town Board hereby adopts the following as an addition to the fee schedule for Building and Zoning permits in the Town of Hornellsville, effective immediately, and applicable to all current applications.

Schedule of Fees:

Solar Energy Systems - Application fee \$55 per 1,000 square feet of panels

Motion was made by Kennell, seconded by Oakes to accept the resolution read by Mauro.

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

RESOLUTION #7-2021

WHEREAS, Debra Castle, Bookkeeper, needs approval to record budget modifications for the below funds.

WHEREAS, approval is needed for Code A1220.4 for Supervisor - Contractual in the amount of \$39.00; Code A1355.4 for Assessor – Contractual in the amount of \$26,543.07; Code A1355.41 Assessor’s BAR – Contractual in the amount of \$2,750.00; Code A1410.4 Town Clerk – Contractual in the amount of \$11.43; Code A1670.4 Central Print and Mailing – Contractual in the amount of \$1,622.31; Code A5132.2 Garage – Equipment in the amount of \$125.51; Code A9010.8 State Retirement in the amount of \$479.00 from Account A599 Appropriated Fund Balance,

BE IT RESOLVED, that the Town of Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion was made by Giglio, seconded by Mauro to accept the resolution read by Oakes.

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

OTHER BUSINESS

The board was presented with a Road Use and Maintenance Agreement from Eight Point Wind. It’s still missing some information. No action was taken.

The board discussed having a cutoff date for when bills need to be submitted to the Town Clerk for payment. The Clerk will draft a letter explaining this to vendors so everyone can be paid in a timely fashion.

The Town will receive approximately \$245,000 from the Covid Relief Fund. Half will be received upfront. The Town Board is currently discussing options. No action was taken.

Local Law 1-2021
Amendment to Local Law 1 of 2018

WHEREAS,

The Town of Hornellsville Town Board wishes to amend Local Law 1-2018 as follows,

NOW, THEREFORE, it is hereby resolved that:

The position of tax collector in the Town of Hornellsville is hereby abolished, and it is hereby resolved that

The Town Supervisor for the Town of Hornellsville is hereby authorized to enter into agreements with financial institutions to collect property taxes on behalf of the Town of Hornellsville, and it is hereby resolved that

The Town Supervisor for the Town of Hornellsville is hereby authorized to sign contracts with said institutions in order to effectuate said agreements.

Motion was made by Giglio, seconded by Mauro to accept the Amendment.

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

Local Law 2-2021
Amendment to Local Law 1 of 2010

WHEREAS, the Town of Hornellsville passed Local Law No. 1 of the year 2010, and said local law having been filed with the Department of State on December 3, 2010, and

WHEREAS, the Town of Hornellsville wishes to amend the Local Law to allow people licensing dogs to buy a license for either one, two, or three years, and

WHEREAS, the Town Board for the Town of Hornellsville believes that it would be in the best interests of the citizens of the Town of Hornellsville to have the option to buy a longer term dog license.

NOW, THEREFORE, it is hereby RESOLVED that:

- 1.) Section 5(2) of said Local Law is hereby added to provide that a person licensing a dog shall have the option to purchase a multi-year dog license for one, two, or three years. It is required that a valid rabies vaccination certificate be provided upon purchase, must remain valid throughout the term purchased, and in accordance to the provisions of Article 7 of the Agriculture and Markets Law of New York State.
- 2.) Section 5(c) of said Local Law is hereby amended to read as follows: That all fees associated with licensing dogs in the Town of Hornellsville shall be reviewed periodically by members of the Town Board and changed when necessary.
- 3.) All other language contained within said section is hereby abolished.

Motion was made by Mauro, seconded by Oakes to accept the Amendment.

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

Local Law 3-2021
Solar Energy

1. Authority

This Solar Energy Local Law is adopted pursuant to sections 261-263 of the Town Law of the State of New York and Section 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and, in accordance with the Town law of New York State, "to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefore."

2. Statement of Purpose

- A. This Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives:
 - 1) To take advantage of a safe, abundant, renewable and non-polluting energy resource;
 - 2) To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;

- 3) To increase employment and business development in the Town, to the extent reasonably practical, by furthering the installation of Solar Energy Systems;
- 4) To mitigate the impacts of Solar Energy Systems on environmental resources such as important agricultural lands, forests, wildlife and other protected resources, and;
- 5) To create synergy between solar and other stated goals of the community pursuant to its Comprehensive Plan, such as urban/downtown revitalization, vacant land management, creating a walkable, healthy community, etc.

3. Definitions

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM: A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

FARMLAND OF STATEWIDE IMPORTANCE: Land, designated as "Farmland of Statewide Importance" in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)'s Soil Survey Geographic (SSURGO) Database on Web Soil Survey, that is of state wide importance for the production of food, feed, fiber, forage, and oilseed crops as determined by the appropriate state agency or agencies. Farmland of Statewide Importance may include tracts of land that have been designated for agriculture by state law.

GLARE: The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground via a pole or other mounting system, detached from any other structure, that generates electricity for onsite or offsite consumption.

NATIVE PERENNIAL VEGETATION: native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

POLLINATOR: bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

PRIME FARMLAND: Land, designated as "Prime Farmland" in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)'s Soil Survey Geographic (SSURGO) Database on Web Soil Survey, that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these land uses.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite or offsite consumption.

SOLAR ACCESS: Space open to the sun and clear of overhangs or shade so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

SOLAR ENERGY EQUIPMENT: Electrical material, hardware, inverters, conduit, storage devices, or other electrical and photovoltaic equipment associated with the production of electricity.

SOLAR ENERGY SYSTEM: The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy

Equipment. The area of a Solar Energy System includes all the land inside the perimeter of the Solar Energy System, which extends to any interconnection equipment. A Solar Energy System is classified as a Tier 1, Tier 2, or Tier 3 Solar Energy System as follows.

A. Tier 1 Solar Energy Systems include the following:

- a. Roof-Mounted Solar Energy Systems
- b. Building-Integrated Solar Energy Systems

B. Tier 2 Solar Energy Systems include Ground-Mounted Solar Energy Systems that generate up to [110] % of the electricity consumed on the site over the previous [12] months, either capacity-based with system capacity up to 25 kW AC or physical-size based with a total surface area of all solar panels on the lot of up to 4,000 square feet.

C. Tier 3 Solar Energy Systems are systems that are not included in the list for Tier 1 and Tier 2 Solar Energy Systems.

SOLAR PANEL: A photovoltaic device capable of collecting and converting solar energy into electricity.

STORAGE BATTERY: A device that stores energy and makes it available in an electrical form.

4. Applicability

A. The requirements of this Local Law shall apply to all Solar Energy Systems permitted, installed, or modified in the Town after the effective date of this Local Law, excluding general maintenance and repair.

B. Solar Energy Systems constructed or installed prior to the effective date of this Local Law, or any open applications with fees paid shall not be required to meet the requirements of this Local Law.

C. Modifications to an existing Solar Energy System that increase the Solar Energy System area by more than 5% of the original area of the Solar Energy System (exclusive of moving any fencing) shall be subject to this Local Law.

D. All Solar Energy Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards as referenced in the NYS Uniform Fire Prevention and Building Code ("Building Code"), the NYS Energy Conservation Code ("Energy Code"), and the applicable Town of Hornellsville Zoning Ordinance.

5. General Requirements

A. A Building permit, issued by the town's code enforcement officer shall be required for installation of all Solar Energy Systems.

B. Issuance of permits and approvals by the Planning Board shall include review pursuant to the State Environmental Quality Review Act.

6. Permitting Requirements for Tier 1 Solar Energy Systems

Tier 1 Solar Energy Systems shall be permitted in all zoning districts and shall be exempt from site plan review under the local zoning code or other land use regulation, subject to the following conditions for each type of Solar Energy Systems; refer to General Requirements Section 5A (above)

A. Roof-Mounted Solar Energy Systems

1) Roof-Mounted Solar Energy Systems shall incorporate, when feasible, the following design requirements:

- a. Solar Panels on pitched roofs shall be mounted with a maximum distance of 8

inches between the roof surface and the highest edge of the system.

b. Solar Panels on pitched roofs shall be installed parallel to the roof surface on which they are mounted or attached.

c. Solar Panels on pitched roofs shall not extend higher than the highest point of the roof surface on which they are mounted or attached.

d. Solar Panels on flat roofs shall not extend above the top of the surrounding parapet, or more than 24 inches above the flat surface of the roof, whichever is higher.

2) Glare: All Solar Panels shall have anti-reflective coating(s).

3) Height: All roof mounted Solar Energy Systems shall be subject to the maximum height regulations specified for principal and accessory buildings within the underlying zoning district as stated in Section 4.03 Schedule B of the Town Zoning ordinances.

B. Building-Integrated Solar Energy Systems shall be shown on the plans submitted for the building permit application for the building containing the system.

7. Permitting Requirements for Tier 2 Solar Energy Systems

Tier 2 Solar Energy Systems shall be permitted in all zoning districts as accessory structures and shall be exempt from site plan review under the local zoning code or other land use regulations, subject to the following conditions; refer to General Requirements Section 5A. If requirements are not met, applicant will be referred to the Planning Board for Site Plan Review.

A. Glare: All Solar Panels shall have anti-reflective coating(s).

B. Setbacks: Tier 2 Solar Energy Systems shall be subject to the setback regulations specified for the accessory structures within the underlying zoning district. All Ground-Mounted Solar Energy Systems shall only be installed in the side or rear yards in residential districts.

C. Height: Tier 2 Solar Energy Systems shall comply with the height limitations in Appendix 2.

D. Screening and Visibility.

1) All Tier 2 Solar Energy Systems shall have views minimized from adjacent properties to the extent reasonably practicable.

2) Solar Energy Equipment shall be located in a manner to reasonably avoid and/or minimize blockage of views from surrounding properties and shading of property to the north, while still providing adequate solar access.

E. Lot Size: Tier 2 Solar Energy Systems shall comply with the existing lot size requirement specified for accessory structures within the underlying zoning district.

8. Permitting requirements for Tier 3 Solar Energy Systems

Tier 3 Solar Energy Systems are permitted through the issuance of a special use permit within the Town of Hornellsville's local zoning described in Article 700 of the Town's Zoning District Regulations, and subject to site plan application requirements set forth in this Section.

A. Applications for the installation of Tier 3 Solar Energy System shall be:

1) Submitted to the Code Enforcement Officer for submission to the Planning Board to be

reviewed for completeness. Applicants shall be advised within 10 business days of the completeness of their application by the Planning Board.

2) Subject to Town of Hornellsville Zoning Ordinance Section 9 Application Procedure

B. Underground Requirements. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

C. Vehicular Paths. Vehicular paths within the site shall be designed to minimize the extent of impervious materials and soil compaction.

D. Signage.

1) No signage or graphic content shall be displayed on the Solar Energy Systems except the manufacturer's name, equipment specification information, safety information, and 24-hour emergency contact information. Said information shall be depicted within an area no more than 8 square feet.

2) As required by National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

E. Glare. All Solar Panels shall have anti-reflective coating(s).

F. Lighting. Lighting of the Solar Energy Systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

G. Tree-cutting. Removal of existing trees larger than 6 inches in diameter should be minimized to the extent possible.

H. Decommissioning.

1) Solar Energy Systems that have been abandoned and/or not producing electricity for a period of 1 year shall be removed at the Owner and/or Operators expense, which at the Owner's option may come from any security made with the Town as set forth in Section 10(b) herein.

2) A decommissioning plan (see Appendix 3) signed by the owner and/or operator of the Solar Energy System shall be submitted by the applicant, addressing the following:

a. The cost of removing the Solar Energy System.

b. The time required to decommission and remove the Solar Energy System and any ancillary structures.

c. The time required to repair any damage caused to the property by the installation and removal of the Solar Energy System.

3) Security.

a. The deposit, executions, or filing with the Town Clerk of cash, bond, or other form of security reasonably acceptable to the Town attorney and/or engineer, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. (See Appendix 4)

b. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The cash deposit, bond, or

security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.

c. In the event of default or abandonment of the Solar Energy System, the system shall be decommissioned as set forth in Section 10(b) and 10(c) herein.

I. Site plan application. For any Solar Energy system requiring a Special Use Permit, site plan approval shall be required. Any site plan application shall include the following information:

- 1) Property lines and physical features, including roads, for the project site
- 2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures
- 3) A one- or three-line electrical diagram detailing the Solar Energy System layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
- 4) A preliminary equipment specification sheet that documents all proposed solar panels, significant components, mounting systems, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- 5) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- 6) Name, address, phone number, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
- 7) Zoning district designation for the parcel(s) of land comprising the project site.
- 8) Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.
- 9) Erosion and sediment control and storm water management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Planning Board.
- 10) Prior to the issuance of the building permit or final approval by the Planning Board, but not required as part of the application, engineering documents must be signed and sealed by a New York State (NYS) Licensed Professional Engineer or NYS Registered Architect.

J. Special Use Permit Standards.

- 1) Lot size
 - a. The property on which the Tier 3 Solar Energy System is placed shall meet the lot size requirements in Appendix 1.
- 2) Setbacks
 - a. The Tier 3 Solar Energy Systems shall meet the setback requirements (Section 4.03 Schedule B -Town of Hornellsville Zoning Ordinance)
- 3) Height

a. The Tier 3 Solar Energy Systems shall comply with the height limitations in Appendix 2 depending on the underlying zoning district.

4) Lot coverage

a. The following components of a Tier 3 Solar Energy System shall be considered included in the calculations for lot coverage requirements:

I. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

II. All mechanical equipment of the Solar Energy System, including any pad mounted structure for batteries, switchboard, transformers, or storage cells.

III. Paved access roads servicing the Solar Energy System; per the Highway Superintendent.

b. Lot coverage of the Solar Energy System, as defined above, shall not exceed the maximum lot coverage requirement of the underlying zoning district.

5) Fencing Requirements. All mechanical equipment, including any structure for storage batteries, shall be enclosed by a 7-foot-high fence, as required by NEC, with a self-locking gate to prevent unauthorized access.

6) Screening and Visibility.

a. Solar Energy Systems smaller than 10 acres shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.

b. Solar Energy Systems larger than 10 acres shall be required to:

I. Conduct a visual assessment of the visual impacts of the Solar Energy System on public roadways and adjacent properties. At a minimum, a line-of-sight profile analysis shall be provided. Depending upon the scope and potential significance of the visual impacts, additional impact analyses, including for example a digital viewshed report, may be required to be submitted by the applicant.

II. Submit a screening & landscaping plan to show adequate measures to screen through landscaping, grading, or other means so that views of Solar Panels and Solar Energy Equipment shall be minimized as reasonably practical from public roadways and adjacent properties to the extent feasible.

i. The screening & landscaping plan shall specify the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping, and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system, following the applicable rules and standards established by the Town.

7) Agricultural Resources. For projects located on agricultural lands:

1) Tier 3 Solar Energy System owners shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds,

songbirds, and pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the owners shall use native plant species and seed mixes.

K. Ownership Changes. If the owner or operator of the Solar Energy System changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the Solar Energy System shall notify the zoning enforcement officer of such change in ownership or operator within 30 days of the ownership change.

9. Safety

A. Solar Energy Systems and Solar Energy Equipment shall be certified under the applicable electrical and/or building codes as required.

B. Solar Energy Systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local fire department and, if the Tier 3 Solar Energy System is located in an ambulance district, the local ambulance corps.

C. If Storage Batteries are included as part of the Solar Energy System, they shall meet the requirements of any applicable fire prevention and building code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of the Town and any applicable federal, state, or county laws or regulations.

10. Permit Time Frame and Abandonment

A. The Special Use Permit and site plan approval for a Solar Energy System shall be valid for a period of 12 months, provided that a building permit is issued for construction or construction is commenced. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Planning Board, within 12 months after approval, the applicant or the Town may extend the time to complete construction for 180 days. If the owner and/or operator fail to perform substantial construction after 24 months, the approvals shall expire. Town of Hornellsville Zoning Ordinance III Section 9.06(E)(1)

B. Upon cessation of electricity generation of a Solar Energy System on a continuous basis for 12 months, the Town may notify and instruct the owner and/or operator of the Solar Energy System to implement the decommissioning plan. The decommissioning plan must be completed within 360 days of notification.

C. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the Town may, at its discretion, utilize the bond and/or security for the removal of the Solar Energy System and restoration of the site in accordance with the decommissioning plan.

11. Enforcement

Any violation of this Solar Energy Law shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the zoning or land use regulations of Town.

12. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

APPENDIX 1: LOT SIZE REQUIREMENTS

The following table displays the size requirements of the lot for Ground-Mounted Solar Energy Systems to be permitted.

Table 1: Lot Size Requirements

Zoning District	Tier 3 Solar Energy Systems
R-1: Single Family Residential	--
C-1: Local Commercial	≥ 5 acres
C-2: Highway Commercial	≥ 5 acres
I-1: Light Industrial	≥ 5 acres
I-2: Heavy Industrial	--
C-F: Community Facilities	--
A-F: Agricultural-Forestry	≥ 5 acres

Key:
--: Not Allowed

APPENDIX 2: HEIGHT REQUIREMENTS

The following table displays height requirements for each type of Solar Energy Systems. The height of systems will be measured from the highest natural grade below each solar panel.

Table 3: Height Requirements

Zoning District	Tier 1 Roof-Mounted	Tier 2	Tier3
R-1: Single Family Residential	2' above roof	10'	--
C-1: Local Commercial	2' above roof	10'	20'
C-2: Highway Commercial	2' above roof	10'	20'
I-1: Light Industrial	4' above roof	15'	20'
I-2: Heavy Industrial	4' above roof	15'	--
C-F: Community Facilities	4' above roof	15'	--
A-F: Agricultural-Forestry	2' above roof	15'	20'

Key:
--: Not Allowed

APPENDIX 3: EXAMPLE DECOMMISSIONING PLAN

Date: [Date]

Decommissioning Plan for [Solar Project Name], located at: [Solar Project Address]

Prepared and Submitted by [Solar Developer Name], the owner of [Solar Farm Name]

As required by Town, [Solar Developer Name] presents this decommissioning plan for [Solar Project Name] (the "Facility").

Decommissioning will occur as a result of any of the following conditions:

- 1. The land lease, if any, ends
- 2. The system does not produce power for 12 months
- 3. The system is damaged and will not be repaired or replaced

The owner of the Facility, as provided for in its lease with the landowner, shall restore the property to its condition as it existed before the Facility was installed, pursuant to which may include the following:

- 1. Removal of all operator-owned equipment, concrete, conduits, structures, fencing, and foundations to a depth of 36 inches below the soil surface.
- 2. Removal of any solid and hazardous waste caused by the Facility in accordance with local, state and federal waste disposal regulations.
- 3. Removal of all graveled areas and access roads unless the landowner requests in writing for it to remain.

All said removal and decommissioning shall occur within 12 months of the Facility ceasing to produce power for sale.

The owner of the Facility, currently [Solar Developer Name], is responsible for this decommissioning.

Facility Owner Signature: _____ Date: _____

APPENDIX 4: SECURITY BONDS

The amount of the bond or security shall be 125% of the cost of removal, as determined by the Town Engineer, of the Tier 3 Solar Energy System and restoration of the property, with an escalator of 2% annually for the life of the Solar Energy System.

Motion was made by Oakes, seconded by Giglio to accept this Law.

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

CORRESPONDENCE – None

PUBLIC

Tim Bailey expressed his appreciation for the Town’s donation to Summerfest this year and hopes to make it bigger and better next year. They are currently working on their Not for Profit.

ADJOURNMENT

With no further business, on a motion made by Oakes, seconded by Giglio, the meeting was adjourned at 8:13 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
August 30, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, September 14, 2021 7:00 PM

Present: Dan Broughton, Supervisor
Ron Kennell, Councilman
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

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 Minutes of August 10, 2021 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Giglio, seconded by Mauro that bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment in the amount of \$153,463.95.

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

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Mauro to accept report read by Jessica LaFrance with fees for the month of August in the amount of \$821.11.

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

JUSTICE REPORT

Motion was made by Mauro, seconded by Oakes to accept report read by Kennell. For July, Justice Scavo collected \$2,796.00 and Justice Werner collected \$6,280.00 with distribution to the Town being \$1,876.00.

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

CODE ENFORCEMENT REPORT

Motion was made by Kennell, seconded by Giglio to accept report read by Mauro with the activities and mileage for the month of August, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

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

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Mauro, seconded by Kennell to accept report submitted by Fire Chief Mike Robbins dated September 13, 2021 with activities from the North Hornell Fire Dept.

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

SUPERVISOR REPORT

Motion was made by Mauro, seconded by Kennell to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 07/31/21 was \$1,796,759.85. The Town had an increase of \$141,369.47 and a decrease of \$156,524.54 leaving a balance as of 08/31/21 of \$1,781,604.78.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #8-2021

WHEREAS, Debra Castle, Bookkeeper, needs approval to record budget modifications for the below funds.

WHEREAS, approval is needed for Code A1220.4 for Supervisor - Contractual in the amount of \$67.25; Code A1680.4 for Computer Software and Maintenance in the amount of \$258.25; Code A5132.2 Garage – Equipment in the amount of \$399.41 from Account A599 Appropriated Fund Balance,

WHEREAS, approval is needed for Code DA5112.2 for CHIPS in the amount of \$118,784.65 from Account DA599 Appropriated Fund Balance,

WHEREAS, approval is needed for Code SW4-8340.4 for Transmission – Contractual in the amount of \$3,083.57 from Account SW4-599 Appropriated Fund Balance,

BE IT RESOLVED, that the Town of Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion was made by Giglio, seconded by Kennell to accept the resolution read by Oakes.

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

OTHER BUSINESS

Oakes mentioned that our Zoning Law requires a 6 foot fence around a pool where the State only requires a 4 foot fence. Oakes requested that we look into amending our Zoning Law to coincide with State requirements.

CORRESPONDENCE – None

PUBLIC – None

ADJOURNMENT

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

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
September 21, 2021

Town Board Special Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Thursday, October 7, 2021 6:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
David Oakes, Councilman
Absent: Ronald Kennell, Councilman
Robert Mauro, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

CALL TO ORDER

The Special Meeting was called to order at 6:02 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

BUSINESS

The purpose of this Special Meeting is to discuss filling the vacant Town Council position left upon the passing of Ronald Kennell. His term was set to expire 12/31/21.

The Town received a written request from Trisha Yanni to be considered for the open position and to serve the remainder of the term. No other requests were received.

Motion was made by Oakes, seconded by Giglio to appoint Trisha Yanni until 12/31/21.

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

ADJOURNMENT

With no further business, on a motion made by Oakes, seconded by Giglio, the meeting was adjourned at 6:21 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
October 12, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, October 12, 2021 7:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Absent: Robert Mauro, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk
Others Present: Jason Emo, Supt. of Highways

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 Giglio to accept Minutes of September 14, 2021 as submitted by the Town Clerk.

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

Motion was made by Giglio, seconded by Oakes to accept Special Minutes of October 7, 2021 as submitted by the Town Clerk.

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

OATH OF OFFICE

Yanni was sworn in to fill the vacancy on the Town Board caused by the passing of Ronald Kennell. Her appointed term will expire 12/31/21.

AUDIT OF CLAIMS

Motion was made by Yanni, seconded by Giglio that bills contained on Abstract #10 have been reviewed by the Town Board and are authorized for payment in the amount of \$55,907.97.

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

TOWN CLERK REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Jessica LaFrance with fees for the month of September in the amount of \$7,424.04.

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

JUSTICE REPORT

Motion was made by Giglio, seconded by Yanni to accept report read by Oakes. For August, Justice Scavo collected \$3,803.00 and Justice Werner collected \$4,598.00 with distribution to the Town being \$2,169.

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

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Giglio with the activities and mileage for the month of September, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

HIGHWAY REPORT

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

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT – No Report

SUPERVISOR REPORT

Motion was made by Oakes, seconded by Yanni to accept reports read by Broughton. Supervisors report submitted stated that the balance as of 08/31/21 was \$1,781,604.78. The Town had an increase of \$199,501.69 and a decrease of \$333,079.69 leaving a balance as of 09/31/21 of \$1,648,026.78.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #9-2021

WHEREAS, Debra Castle, Bookkeeper, needs approval to record budget modifications for the below funds.

WHEREAS, approval is needed for Code A1410.4 for Town Clerk - Contractual in the amount of \$76.03 and Code A5132.2 Garage – Equipment in the amount of \$538.64 from Account A599 Appropriated Fund Balance,

BE IT RESOLVED, that the Town of Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion was made by Giglio, seconded by Kennell to accept the resolution read by Oakes.

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

OTHER BUSINESS

A budget workshop was scheduled for October 26, 2021 at 7:00 p.m. at the Hornellsville Town Hall at 4 Park Ave in Arkport.

The Board also discussed possible uses for the money received from the Covid Relief Fund. They would like to receive some engineering quotes for water projects.

CORRESPONDENCE

Regarding the Joint Services Agreement from Steuben County the Board decided to table it until more information could be obtained on it from the Assessor.

The invited by the City of Hornell to attend a meeting including Sheriff James Allard and D.A. Brooks Baker regarding the new Marijuana regulations and their impact on local communities. Broughton stated that he would attend. They also received a copy of the City of Hornell's current resolutions that pertain to smoking, vaping and cannabis use in Municipal Parks and bus stops.

PUBLIC

Mr. Smith expressed concern about a neighbor dumping concrete/blacktop in the creek behind his house on Cunningham Creek Rd. DEC has been notified. Mooney has visited the site and will follow up. Soil and water has also been notified. The creek property is owned by Steuben County. Broughton stated that he will follow up on this as well.

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Oakes, the meeting was adjourned at 8:13 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
October 19, 2021

Town Board Budget Workshop
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, October 26, 2021 7:00 PM

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

Meeting came to order at 7:05 p.m.

The purpose of this Special Meeting was to have a Budget Workshop to discuss and make revisions to the 2022 Preliminary Budget.

The Board was presented with a proposed budget prepared by Castle with information provided by each department. Small increases were noted in some expenditure accounts. The Covid Pandemic has caused a rise in the cost of items used by the Town.

The 2022 budget proposed a 3% salary increase for all elected and appointed officials. A revision of \$3,500 was made to Tax Collection for the Clerk duties of Collector since the position was abolished via Local Law 1-2018. This is a decrease in pay from the 2018 rate of \$5,088.

The Board discussed various other individual line items, as well as, the tax rate summary provided by Castle, who was waiting on final numbers from the County.

Meeting was adjourned at 8:34 PM.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
October 28, 2021

Town Board Budget Workshop
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Monday, November 8, 2021 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, Supt. of Highways
Debra Castle-Harvey, Bookkeeper

Meeting came to order at 7:00 p.m.

The purpose of this Special Meeting was to have a Budget Workshop to discuss and make revisions to the 2022 Preliminary Budget.

An increase in the salary for the Payroll Clerk in the amount of \$1,536 was made to account for the increase in time it takes to handle retirement etc. due to the Covid-19 Pandemic.

The Board discussed various other individual line items, as well as, the tax rate summary provided by Castle. Tax Cap information had been provided and the summary was complete.

There was discussion regarding overriding the tax cap since future Covid/Non-Covid related costs can't be predicted. With an override, taxpayers would still see a decrease in taxes paid per \$100,000. Town residents would see an estimated decrease of \$16.19 per \$100,000 of assessed value while Village residents would see an estimated decrease of \$0.59 per \$100,000 of assessed value.

Meeting was adjourned at 8:34 p.m.

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
November 9, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 9, 2021 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, Supt. of Highways
Lisa Cuddeback, Deputy Town Clerk
Debra Castle-Harvey, Bookkeeper

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 Minutes of October 12, 2021 as submitted by the Town Clerk.

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

Motion was made by Mauro, seconded by Yanni to accept Budget Workshop Minutes of October 26, 2021 as submitted by the Town Clerk.

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

Motion was made by Oakes, seconded by Giglio to accept Budget Workshop Minutes of November 8, 2021 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 Mauro that bills contained on Abstract #11 have been reviewed by the Town Board and are authorized for payment in the amount of \$87,546.52.

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

TOWN CLERK REPORT

Motion was made by Giglio, seconded by Yanni to accept report read by Jessica LaFrance with fees for the month of September in the amount of \$1,034.36.

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 September, Justice Scavo collected \$5,263.00 and Justice Werner collected \$2,976.00 with distribution to the Town being \$1,671.

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 for the month of October, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT – No Report

BLDGS/INSURANCE – No Report

FINANCE – No Report

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 October.

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

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT – No Report

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 09/30/21 was \$1,648,026.78. The Town had an increase of \$57,038.73 and a decrease of \$137,810.07 leaving a balance as of 10/31/21 of \$1,567,255.44.

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

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

OTHER BUSINESS

There was discussion regarding appointing Larry Jones Acting Chair of the Planning Board while Joseph Dick is attending to personal matters. Motion was made by Oakes, seconded by Mauro to make the appointment.

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

LaFrance expressed to the Town Board an interest of Deputy Clerk Cuddeback to move to salary instead of hourly. Her salary will be based on 15 hours per week at \$15 an hour. She will continue to submit hours to LaFrance. Any weekly hours worked over 15, will be banked and can be used as time off when mutual agreed upon with LaFrance. Motion was made by Yanni, seconded by Giglio to accept these terms.

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

Emo requested a possible bus stop designation. Buses currently pick up and drop off in front of Michael John's Mini Mart on Seneca Road North. This has caused a significant amount of loitering in and around that areas local business. No action was taken at this time.

CORRESPONDENCE

A letter to the Board was received from Larry Jones requesting approval of a simple single page Planning Board Application along with a publicized fee of \$50. Motion was made by Giglio, seconded by Yanni to approve the application and fee.

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

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Giglio, the meeting was adjourned at 7:30 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
December 1, 2021

Public Hearing
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 16, 2021 6:00 PM

Present: James Giglio, Deputy Supervisor/Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Absent: Dan Broughton, Supervisor
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk via Zoom

The Public Hearing was called to order at 6:05 p.m. by James Giglio, Deputy Supervisor. The purpose of this hearing was to go over the details of Local Law #4-2021 – Override the Tax Levy Limit for Fiscal Year 2022 and the Preliminary Budget for 2022.

PUBLIC – None present

ADJOURNMENT

A motion was made by Oakes, seconded by Mauro to close the Public Hearing at 6:07 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
December 9, 2021

Town Board Special Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, November 16, 2021 6:00 PM

Present: James Giglio, Deputy Supervisor/Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Absent: Dan Broughton, Supervisor
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk via Zoom

CALL TO ORDER

The Special Meeting was called to order at 6:08 p.m. by James Giglio, Deputy Supervisor.

BUSINESS

The purpose of this Special Meeting is to discuss overriding the tax levy limit for fiscal year 2022 via Local Law #4-2021 and to adopt the Budget for 2022. No public was present at the Public Hearing.

LOCAL LAW

Local Law 4-2021
Override the Tax Levy Limit for Fiscal Year 2022

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 2022 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 2022, and to adopt a budget for Fiscal Year 2022 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 Oakes, seconded by Mauro to adopt Local Law 4-2021.

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

BUDGET

No action was taken at this time. The Board will reconvene at a later date.

ADJOURNMENT

With no further business, on a motion made by Oakes, seconded by Giglio, the meeting was adjourned at 6:10 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
December 9, 2021

Town Board Special Meeting
(Extension of 11/16/2021)
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Friday, November 19, 2021 6:00 PM

Present: Dan Broughton, Supervisor
James Giglio, Councilman via teleconferencing
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman via teleconferencing
Recording Secretary: Jessica LaFrance, Town Clerk via teleconferencing

CALL TO ORDER

The Special Meeting was called to order at 6:15 p.m. by Supervisor Broughton.

BUSINESS

The purpose of this Special Meeting is to adopt the Budget for 2022.

BUDGET

Broughton stated that Town Wide (A, DA) would see a decrease of \$.59 and Part Town (B, DB) would see a decrease of \$15.61 for a total decrease of \$16.19. The Village (A, DA) would see a decrease of \$.59

All board members and the Supervisor being in agreement to adopt the 2022 Budget, a motion was made by Oakes, seconded by Mauro.

Roll Call: Broughton, Mauro and Oakes; 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 6:18 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
December 9, 2021

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 14, 2021 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

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 Mauro, seconded by Oakes to accept the Regular Minutes of November 9, 2021, the Public Hearing Minutes of November 16, 2021 and the Special Meeting Minutes of November 16, 2021 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 Giglio that bills contained on Abstract #12 have been reviewed by the Town Board and are authorized for payment in the amount of \$62,825.20.

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 read by Jessica LaFrance with fees for the month of September in the amount of \$720.46.

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, Justice Scavo collected \$1,785.00 and Justice Werner collected \$1,769.00 with distribution to the Town being \$898.

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 for the month of November, 2021 by the Codes Officer.

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

PLANNING BOARD REPORT

Joe Dick announced that he will be able to resume as Chairman of the Planning Board. He wanted to Thank Larry Jones and the rest of the Board for filling in and making sure business was taken care of while he was away.

BLDGS/INSURANCE

Steve Peck from the Ryan Agency presented the 2022 Insurance Proposal Summary. The proposal included coverage for Town vehicles, leased, hired and/or borrowed equipment, persons, crime, buildings and property. The total premium is \$28,892 which is down almost \$2,000 from last year. Motion was made by Mauro, seconded by Yanni to accept the proposal as presented by Steve Peck.

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

FINANCE

Broughton discussed setting up certain bills for prepay via direct withdraw. LaFrance is going to put together a resolution. Motion was made by Oakes, seconded by Giglio to accept this.

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.

ECONOMIC DEV/BUS. RELATIONS – No Report

PUBLIC SAFETY/FIRE DEPT

Motion was made by Giglio, seconded by Yanni to accept the reports as provided by North Hornell Fire Chief Mike Robbins.

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

SUPERVISOR REPORT – No Report

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #11-2021

WHEREAS, the Governor, Kathy Hochul of New York State has signed Legislation extending virtual access to public meetings under New York State's Open Meetings Law S.50001/A.40001;

WHEREAS, Pursuant to Open Meetings Law S.50001/A.40001, in relation to authorizing political subdivisions to permit any public body to hold meetings remotely and without in-person access during the COVID-19 state disaster emergency; and provides for the repeal of such provisions upon the expiration thereof (Part E),

WHEREAS, in accordance with Open Meeting Law S.50001/A.40001, the Hornellsville Town Board will conduct meetings in such a manner that allows some members of that body and members of the public to attend and participate without being physically present at the meeting place identified on the meeting agenda;

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board hereby allows; members of the Town Board, and the public to attend meetings from remote locations by use of video conferencing and/or teleconferencing when conducting any/all meetings or Public Hearings.

FURTHER RESOLVED, and be it this resolution shall take effect immediately.

Motion was made by Oakes, seconded by Mauro to accept the resolution.

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

RESOLUTION #12-2021

WHEREAS, Pursuant to Town Law §64(1-a), a town can, by resolution establish a petty cash fund for any town officer or head of a department or office in the town;

WHEREAS, in accordance with Town Law §64(1-a), the Petty Cash can be used for the payment, in advance of audit, of properly itemized and verified or certified bills for materials, supplies or services furnished to the town for the conduct of its affairs and upon terms calling for payment to the vendor upon the delivery of any such materials or supplies or the rendering of any such services, provided that moneys in any such fund also may be used for the purpose of making change when such is required in the performance of official duties;

WHEREAS, in accordance with Town Law §64(1-a), at the time of any payment from such fund, the officer for which the fund was established shall require delivery to him or her of a bill in form sufficient for audit by the town board as required by law;

WHEREAS, in accordance with Town Law §64(1-a), at a meeting of the town board a list of all expenditures made from each such fund together with the bills supporting such expenditures, shall be presented to the town board for audit and the town board shall direct the supervisor to reimburse each petty cash fund from the appropriate budgetary item or items, in an amount equal to the totals of such bills which it shall so audit and allow, except that, in any such town in which there is a town comptroller, such list of expenditures, together with such bills shall be presented to said town comptroller for audit no later than the last day of each month and the supervisor shall so reimburse each petty cash fund in an amount equal to the total of such bills which the town comptroller shall so audit and allow;

WHEREAS, in accordance with Town Law §64(1-a), any of such bills or any portion of any of such bills which the town board or the town comptroller, as the case may be, shall refuse to audit and allow shall be the personal liability of the officer for which the fund was established and he or she shall promptly reimburse his petty cash fund in the amount of such disallowances and if such reimbursement has not been made by the time of the first payment of salary to such officer after the action of the town board or the town comptroller, as the case may be, in disallowing an amount so expended, such amount shall be withheld from his or her salary payment and, if necessary, subsequent salary payments and paid into the appropriate petty cash fund until an amount equal to the amount so disallowed has been repaid to such petty cash fund and any bond or undertaking filed by any town officer or department or office head shall be available to the town for recovery of any losses incurred by reason of the operation of the petty cash fund established for him or her; and

NOW, THEREFORE, BE IT RESOLVED, Petty cash funds shall be established for the purpose allowed under Town Law §64(1-a), including but not limited to making change when required in the performance of official duties;

FURTHER RESOLVED, all aspects of establishing, and managing the petty cash funds shall be done in compliance with the procedures, auditing standards and other requirements under Town Law Section 64(1-a) and any other relevant sections of law, rules and regulations;

FURTHER RESOLVED, the petty cash funds are hereby established as follows:

Town Clerk for Clerk Account - \$50.
Town Clerk for Licensing Account - \$50.
Town Clerk for Tax Collection Acct. - \$200

FURTHER RESOLVED, and be it this resolution shall take effect immediately.

Motion was made by Mauro, seconded by Giglio to accept the resolution.

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

RESOLUTION #13-2021

WHEREAS, Pursuant to General Municipal Law §5(b), the governing board of any local government, as that term is defined in section ten of this article, may, by local law, ordinance or resolution, determine that it is in the public interest and authorize such local government to enter into agreements with one or more financing agencies or card issuers to provide for the acceptance,

WHEREAS, Pursuant to General Municipal Law §5(c), any local government which has entered into an agreement with a financing agency or card issuer as authorized by the provisions of subdivision (b) of this section may accept credit cards as a means of payment;

WHEREAS, Pursuant to General Municipal Law §5(f) The governing board, in enacting a local law, ordinance or resolution pursuant to this section, shall designate which of its officers, charged with the duty of collecting or receiving moneys on behalf of the local government, shall be authorized to accept credit cards as a means of payment of fines, taxes, rent, rates, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments or interest;

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be authorized to enter into contract with Williamson Law Book Company/Quick Pay for Clerks, to handle credit card transactions on behalf of the Town of Hornellsville for the purpose(s) allowed under General Municipal Law §5(b),

FURTHER RESOLVED, that the Hornellsville Town Board authorizes the Town Clerk to accept credit card payments for the purpose(s) allowed under General Municipal Law §5(f),

FURTHER RESOLVED, and be it this resolution shall take effect immediately.

Motion was made by Giglio, seconded by Yanni to accept the resolution.

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

RESOLUTION #14-2021

WHEREAS, there exists, by operation of law, a vacancy on the Town Board of the Town of Hornellsville by virtue of the fact that Ronald Kennell was elected to, and is unable to assume the position of, Councilman effective January 1, 2022; and

WHEREAS, such position of Councilperson is a four (4) year term which expires on December 31, 2025; and

WHEREAS, pursuant to Town Law §64(5), the Hornellsville Town Board, by a majority vote thereof, has the authority to appoint a qualified person to fill the vacancy; and

WHEREAS, the Town Board has received and considered the qualifications of those individuals that have expressed interest in filling said vacancy; and

WHEREAS, pursuant to Town Law §64(5), the vacant seat will be subject to an election to fill the unexpired term at a special election in 2022;

THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board does hereby appoint Trisha Yanni to fill the existing Town Board vacancy until December 31, 2022.

FURTHER RESOLVED, and be it this resolution shall take effect immediately.

Motion was made by Mauro, seconded by Oakes to accept the resolution.

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

RESOLUTION #15-2021

WHEREAS, Debra Castle, Bookkeeper, needs approval to record budget modifications for the below funds.

WHEREAS, approval is needed for Code A1220.4 for Supervisor - Contractual in the amount of \$39.00 from Account A599 Appropriated Fund Balance,

WHEREAS, approval is needed for Code DB5110.1 for General Repairs - Payroll in the amount of \$9,462.75 and Code DB9030.8 for FICA & Medicare in the amount of \$582.94 from Account DB599 Appropriated Fund Balance,

THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board, does hereby approve the recording of the above budget modifications.

Motion was mad by Yanni, seconded by Oakes to accept the resolution.

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

RESOLUTION #16-2021

WHEREAS, pursuant to Town Law §267(2), the Hornellsville Town Board, by a majority vote thereof, has the authority to appoint a board of appeals; and

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

WHEREAS, such position of board of appeals member is a five (5) year term; and

NOW, THEREFORE, BE IT RESOLVED, that the Hornellsville Town Board does hereby reappoint Wendy Jordan, Chairperson to the Zoning Board of Appeals until December 31, 2026.

FURTHER RESOLVED, and be it this resolution shall take effect January 1, 2022.

Motion was made by Mauro, seconded by Giglio to accept the resolution.

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

OTHER BUSINESS

A Public Hearing for Local Law #5-2021 – Cannabis Opt Out was scheduled for 12/12/21 at 9 a.m.

CORRESPONDENCE

A memorandum and Shared Services Agreement for Data Collection Services was received from Steuben County Real Property requesting renewal. Assessor Gabriel recommended the renewal. Motion was made by Oakes, seconded by Yanni to approve the agreement.

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

The Hornell Area Humane Society provided an updated \$9,000 contract for 2022 regarding dog control. Motion was made by Giglio, seconded by Mauro to approve the contract.

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

The Association of Towns of the State of New York has arranged a virtual training event for newly elected Town officials. Motion was made by Mauro, seconded by Oakes to approve the attendance of any Town official that would like to attend.

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

LaFrance provided a budget schedule for 2022. No action was taken.

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Yanni, the meeting was adjourned at 7:46 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance

Town Clerk
December 16, 2021

Public Hearing
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 21, 2021 9:00 AM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

The Public Hearing was called to order at 9:00 a.m. by Dan Broughton, Supervisor. The purpose of this hearing was to go over the details of Local Law #5-2021 – Cannabis Opt-Out.

PUBLIC – None present

ADJOURNMENT

A motion was made by Oakes, seconded by Mauro to close the Public Hearing at 9:02 a.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
January 14, 2022

Town Board Special Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 21, 2021 9:00 AM

Present: Dan Broughton, Supervisor
James Giglio, Councilman
Robert Mauro, Councilman
David Oakes, Councilman
Trisha Yanni, Councilman
Recording Secretary: Jessica LaFrance, Town Clerk

CALL TO ORDER

The Special Meeting was called to order at 9:02 a.m. by Dan Broughton, Supervisor.

BUSINESS

The purpose of this Special Meeting is to discuss Local Law #5 Cannabis Opt-Out. No public was present at the Public Hearing.

LOCAL LAW

Local Law 5-2021
Cannabis Opt-Out

A Local Law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Town of Hornellsville.

SECTION 1. Legislative Intent.

It is the intent of this local law to opt the Town of Hornellsville out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries, that would otherwise be allowed under Cannabis Law §131 (4).

SECTION 2. Authority.

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes a town, city or village to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. Local Opt-out.

The Town Board of the Town of Hornellsville, County of Steuben, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

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. Permissive Referendum/Referendum on Petition.

This Local Law is subject to a permissive referendum pursuant to Cannabis Law§131 and the procedure outlined in Municipal Home Rule Law §24.

SECTION 6. Effective Date.

This local law shall take effect immediately upon its filing with the Secretary of State.

Motion was made by Mauro, seconded by Giglio to adopt Local Law 5-2021.

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

ADJOURNMENT

With no further business, on a motion made by Giglio, seconded by Yanni, the meeting was adjourned at 9:02 a.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
January 14, 2022