

Town of Hornellsville  
Town Board Monthly Meeting  
October 14, 2014  
Time: 7:00 p.m.

Present: Supervisor Kenneth Isaman  
Town Clerk Sheryl Isaman  
Board Member Ronald Kennell  
Board Member Dan Broughton  
Board Member Joe Dick

Absent: Board Member James Giglio

Deputy Supervisor Ron Kennell addressed public before regular session of Board Meeting expressing how the Public Comment period would be held after the regular board meeting. All persons wishing to speak would have to address all the Board and not only one person and that he would handle the Public Comment period.

Meeting came to order at 7:00 p.m. with the Supervisor and everyone with pledge to flag.

#### **MINUTES**

Motion made by Kennell and seconded by Isaman to accept the minutes of September 9, 2014.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **PAY BILLS**

General Bills #284-320	\$ 47,795.31
Highway #165-188	139,942.04
Total Bills	\$187,737.35

Motion made by Broughton and seconded by Kennell to pay bills as audited.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **TOWN CLERK'S REPORT – SHERYL ISAMAN**

Town Clerk's Report read by Town Clerk Isaman with fees for the month of September of \$467.00.

Town Clerk also presented the Town Board with the Tentative 2015 Town Budget.

Motion made by Kennell and seconded by Isaman to accept the Town Clerk's report.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **JUSTICE REPORTS – DAN BROUGHTON**

Justice Reports read by Board Member Broughton with Justice Plank with \$10353.00 and Justice McManus with fees of \$1744.00 for the month of September 2014.

Motion made by Kennell and seconded by Dick to accept reports.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **CODES REPORT – CEO SHAWN GRASBY – BOARD MEMBER JOE DICK**

Codes Report read by Board Member Dick with the activities for the month of September for the Codes Officer.

Motion made by Broughton and seconded by Isaman to accept the Codes Report.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **PLANNING BOARD REPORT – KEN ISAMAN**

Planning Board Report read by Isaman for their meeting of October 7, 2014 with presentation by Don Bellaire of Maple Mountain Resort requesting Planning Board to recommend to Town Board to form a Water/sewer District for this 44 acres of land with the City of Hornell.

Motion made by Dick and seconded by Kennell to accept report.

#### **HIGHWAY REPORT – JASON EMO, HIGHWAY SUPERINTENDENT BOARD MEMBER KENNEL READ REPORT**

Board Member Kennell read Highway Report for the month of September 2014 with activities of the Highway Department.

Also Deputy Supervisor Kennell addressed Board and public regarding the Resolution #3-2014 regarding Knolltop Court Development and the Town of Fremont portion of road into Knolltop Court. Supervisor Isaman dismissed himself from this discussion and Resolution as to part ownership in the acreage around this parcel. Deputy Kennell gave history of this road and the Inter-Municipal Agreement that the Township had with the Town of Fremont for maintenance, repair, plowing and general upkeep of Knolltop Court and more specifically, that part of Knolltop Court situate in the Town of Fremont and also with the understanding that the Town of Fremont still owned its portion of road. Everyone had agreed to this years ago, but Agreement did not get signed.

Deputy Kennell also asked for board permission for him to sign the Resolution Agreement, due to conflict of interest with Supervisor Isaman.

Motion made by Dick and seconded by Broughton for Deputy Supervisor Kennell to sign and board to approve this Agreement.

Roll Call: Kennell, Dick, Broughton, Isaman – abstained. Motion carried.

Also, Deputy Kennell had another Resolution regarding Corrections/Changes to the Town of Hornellsville Local Highway Inventory listing of increasing MacIntosh Road from the Allegany County Line to Hopkins Road for a total distance of 0.20 miles.

Motion made by Kennell and seconded by Supervisor Isaman to make the correction/addition to MacIntosh Road 0.20 miles.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

Deputy Supervisor also addressed Town Board and public regarding the ongoing debate on BOCES Road Project. Deputy Kennell made statement that NO HIGHWAY EQUIPMENT OR MANPOWER WOULD BE ON BOCES ROAD PROJECT, until the time that the road is completed by BOCES and road is up to specs for the Town to actually take over.

Also, Deputy Kennell told public that letter of April 25, 2011 from Christopher Weinmann, Executive Director for Career and Technical Education Programs, to Mr. Robert Rink, letter attached to minutes, stated that BOCES will transport all materials excavated in construction of the road to his field approximately .5 miles west of the construction site. Excavated materials to be approximately 20,000 cubic yards to the site by June 30, 2012, which, of course, has not happened.

Deputy Kennell reiterated to public that BOCES are the only ones transporting this 20,000 cubic yards of material, whenever that happens.

Motion made by Board Member Dick to have our Attorney revise letter whereby it stated Town would be removing this 20,000 cubic yards of material and all the Board sign it. Motion seconded by Deputy Kennell.

Roll Call: Isaman, Kennell, Dick, Broughton, all ayes. Carried.

Highway Superintendent Jason Emo had advertised for a part-time MEO and decided on a Mr. Bill Pratt. He would be paid \$14.00 per hour and needed no benefits as he is already retired from NYSDOT and receiving his retirement.

Motion made by Kennell and seconded by Broughton to hire Mr. Bill Pratt at \$14.00 per hour.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

Motion made by Dick and seconded by Broughton to accept the Highway Report.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### **SUPERVISOR'S REPORT – KEN ISAMAN (FINANCIAL REPORT ATTACHED)**

Supervisor Isaman introduced Mr. Don Bellaire and his Engineer to Board and Mr. Bellaire gave a brief presentation of the development of Maple Mountain and how he had bought this acreage from his brother and was continuing to develop this site. He is asking the Board to approve a water/sewer district formation in his benefit area to be hooked up to City water and sewer and needs the Town Board approval to go forward. A Public Hearing needs to be held regarding the district being established

for this district only to benefit Maple Mountain. Public Hearing tentatively set for November 11, 2014 at 7:10 p.m. conditioned on meeting with Hornell City Public Works on Thursday, October 16, regarding them being allowed to have water and sewer from City.

Motion made by Isaman and seconded by Kennell to move forward with formation of this district for water and sewer with City of Hornell, all costs for everything involved to be paid by Maple Mountain.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

Also Supervisor Isaman made a Budget Workshop for October 24, 2014 at 9:00 a.m. in Town Hall with Board and Highway Employees for their contract.

Also discussed the floodway survey for Kmart and Hunt Engineering was working with Berman in pricing. Phase #1 to be approximately \$11,041.00 including the surveying by Bergman.

Motion made by Kennell and seconded by Broughton to hire Bergman for floodway survey.

Roll Call: Isarnan, Kennell, Broughton, Dick, all ayes. Carried.

Motion made by Kennell and seconded by Isaman to accept report.

Roll Call: Isarnan, Kennell, Broughton, Dick, all ayes. Carried.

#### NEW BUSINESS

Motion made by Dick and seconded by Kennell to set up Public Hearing regarding Local Law #2-2014 November 11, 2014 at 7:00 p.m. to override Tax Cap Legislation.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### BOARD AMENDMENT

Motion made by Kennell and seconded by Broughton to amend the 2014 Budget and transfer from Administration Contractual (SW1 8310.4) \$22,000.00 to Transmission Contractual (SW1 8340.4) Motion needed to set up appropriation for repair of roadway in the #Water District.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

#### ADJOURN

Motion made by Kennell and seconded by Broughton to adjourn meeting at 7:50 p.m.

Roll Call: Isaman, Kennell, Broughton, Dick, all ayes. Carried.

Respectfully submitted,

October 15, 2014

Sheryl Isaman, Town Clerk



RESOLUTION BY THE TOWN BOARD OF THE TOWN OF HORNELLSVILLE

BE IT HEREBY RESOLVED by the Town Board of the Town of Hornellsville, we make the following corrections/changes:

The following addition is to add MacIntosh Road which is not currently on the Local Highway Inventory listing provided annually by NYS Department of Transportation:

INCREASE/ADD:

MacIntosh Road from the Allegany County Line to Hopkins Road for a total distance of 0.20 Miles.

Total Mileage Added: 0.20

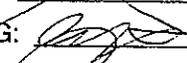
NOW, THEREFORE, TOWN OF HORNELLSVILLE BOARD MEMBERS HEREBY RESOLVE AS FOLLOWS:

The following vote was taken and recorded in the public or open session of said meeting as to the changes/corrections to the Town of Hornellsville Local Highway Inventory listing:

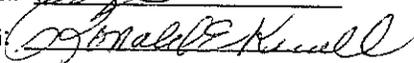
Kenneth Isaman, Supervisor

VOTING: 

Danny K. Broughton, Councilman

VOTING: 

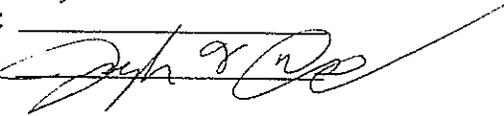
Ronald Kennell, Councilman

VOTING: 

James Giglio, Councilman

VOTING: \_\_\_\_\_

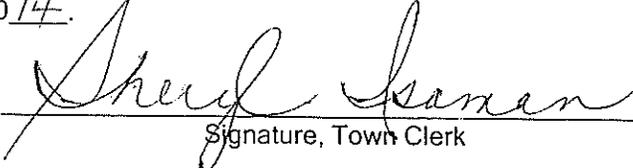
Joseph Dick, Councilman

VOTING: 

MOTION: \_\_\_\_\_ (Approved) \_\_\_\_\_ (Denied)

CERTIFICATE OF RECORDING OFFICER

The attached Resolution is a true and correct copy of Resolution No. 4 as regularly adopted at a legally convened meeting of the Town Board of the Town of Hornellsville, duly held on the 14<sup>th</sup> day of Oct, 2014; and further that such Resolution has been duly recorded. In witness whereof, I have hereunto set my hand at this 14<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Signature, Town Clerk

Affix Seal:

RESOLUTION #3-2014  
INTERMUNICIPAL AGREEMENT  
BETWEEN  
THE TOWN OF FREMONT  
AND  
THE TOWN OF HORNELLSVILLE

WHEREAS, the entrance to Knolltop Court is situate in the Town of Fremont, the said Knolltop Court being a road leading from County Route 58 in the Town of Hornellsville, County of Steuben and State of New York; and

WHEREAS, the remaining roadway of Knolltop Court is situate in the Town of Hornellsville; and

WHEREAS, the Town of Fremont and the Town of Hornellsville are desirous of entering into an intermunicipal agreement whereby the Town of Hornellsville assumes the responsibility for maintenance, repair, plowing and general upkeep of Knolltop Court and more specifically, that part of Knolltop Court situate in the Town of Fremont;

NOW, THEREFORE, it is agreed by and between the Town of Fremont and the Town of Hornellsville as follows:

1. The Town of Fremont shall permit the Town of Hornellsville to maintain, repair, plow and provide general upkeep to that part of Knolltop Court situate in the Town of Fremont.
2. The Town of Hornellsville shall be solely responsible for the maintenance, repair, plowing and general upkeep of the roadway known as Knolltop Court situate off of County Route 58 in the Town of Hornellsville, County of Steuben and State of New York; and more particularly the Town of Hornellsville shall be responsible for the maintenance, repair, plowing and general upkeep of that part of Knolltop Court situate within the Town of Fremont.

3. It is hereby established by and between the municipalities hereto that there shall be no cost to the Town of Fremont or the Town of Hornellsville for the mutual covenants provided for under this Agreement.

4. This Agreement shall be effective for ninety-nine (99) years from the date hereof.

Dated: 10/16/14

TOWN OF HORNELLSVILLE

By: Ronald E Kennell  
Ronald Kennell, Deputy Supervisor

Dated: 10-16-14

TOWN OF FREMONT

By: Robert S Osborn

*Copy*

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BE IT HEREBY RESOLVED by the Town Board of the Town of Hornellsville, we make the following corrections/changes:

The following addition is to add MacIntosh Road which is not currently on the Local Highway Inventory listing provided annually by NYS Department of Transportation:

INCREASE/ADD:

MacIntosh Road from the Allegany County Line to Hopkins Road for a total distance of 0.20 Miles.

Total Mileage Added: 0.20

NOW, THEREFORE, TOWN OF HORNELLSVILLE BOARD MEMBERS HEREBY RESOLVE AS FOLLOWS:

The following vote was taken and recorded in the public or open session of said meeting as to the changes/corrections to the Town of Hornellsville Local Highway Inventory listing:

Kenneth Isaman, Supervisor

VOTING: *[Signature]*

Danny K. Broughton, Councilman

VOTING: *[Signature]*

Ronald Kennel, Councilman

VOTING: *[Signature]*

James Giglio, Councilman

VOTING: \_\_\_\_\_

Joseph Dick, Councilman

VOTING: *[Signature]*

MOTION: \_\_\_\_\_ (Approved)

\_\_\_\_\_ (Denied)

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The attached Resolution is a true and correct copy of Resolution No. 4 as regularly adopted at a legally convened meeting of the Town Board of the Town of Hornellsville, duly held on the 14<sup>th</sup> day of Oct, 2014; and further that such Resolution has been duly recorded. In witness whereof, I have hereunto set my hand at this 14<sup>th</sup> day of October, 2014.

*[Signature]*  
Signature, Town Clerk

Affix Seal:



*Christopher T. Weinman*

*Innovation in creating student success  
through cooperative services*



April 25, 2011

Mr. Bob Rink  
457 Seneca Road  
Hornell, NY 14843

Re: Access road project

Dear Bob:

Please be advised that our office represents the Greater Southern Tier BOCES. We have been advised that you have donated a parcel of property to the Town of Hornellsville for purposes of construction of a new road running from Bald Hill Road in Hornell to County Route 21 in Hornell. Students of the GST BOCES are providing the labor on the road.

It is our understanding that the agreement between GST BOCES, the Town of Hornellsville and yourself is that BOCES will transport all materials excavated in construction of the road to your field approximately .5 miles west of the construction site. It is our intention to have the excavated materials, approximately 20,000 cubic yards to the site by June 30, 2012. It is also our understanding that BOCES students are to build you an access road from the newly constructed road west through your property. We understand that you are to specify where the access road will be located. It is also our intent to complete the access road by June 30, 2012.

It is BOCES intent to comply with the above requests. If our understanding of the specifics is not accurate, please advise us as soon as possible.

Sincerely,

Christopher T. Weinman  
Executive Director for Career and Technical Education Programs

CTW: tnw