

Town of Hornellsville  
Town Board Meeting  
February 14, 2017  
Time: 7:00 p.m.  
Public Hearing: Local Law #2-2017

Present: Supervisor Kenneth Isaman  
Town Clerk Sheryl Isaman  
Board Member Dan Broughton  
Board Member Jim Giglio  
Board Member Robert Mauro

Absent: Board Member Ronald Kennell

PUBLIC HEARING ON LOCAL LAW #2-2017 AMENDMENT OF LOCAL LAW #1-1987 FLOOD  
DAMAGE PREVENTION

Public Hearing came to order at 7:00 p.m. with Town Clerk Sheryl Isaman reading the amended Local Law to the board and public. (See Attached).

Motion made by Mauro and seconded by Broughton to close the Public Hearing at 7:05 p.m.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

Supervisor held a presentation for the Woodlawn's Community (was known as Green Acres Park) with their board members, DOH Tom Klaesus, Jody Allen, Engineer, Kathleen Dear of LaBella Associates to explain to board and public about the Town taking over dedication of the water and sewer system for the park residents. The park has received a \$750,000.00 grant to upgrade improvements and to replace water and septic systems. Town had our Town Attorney present to ask questions and our Engineer of our previous water districts to be able to ask questions regarding this matter. Thanked board for listening and considering their offer and board will discuss this and get back to these people when they have secured all facts regarding this project.

Also, Board Member Dan Broughton discussed the proposed addition of lighting down by the Maple City Bowl, Maple Court and on up to the Hornell Humane Society and Jamison Suzuki. Engineer Tom Swift to meet with Dan to get specific area and also cost from NYSEG.

Supervisor thanked everyone for discussion and board went into regular board meeting.

MINUTES

Motion made by Mauro and seconded by Broughton to accept the minutes of January 10, 2017.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

PAY BILLS

General Bills #28-58	\$257,548.57
Highway Bills #21-44	17,760.35
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Total bills	\$275,308.92

Motion made by Isaman and seconded by Mauro to pay bills as audited.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

TOWN CLERK'S REPORT – SHERYL ISAMAN, TOWN CLERK

Town Clerk's Report read by TC Sheryl Isaman with fees for the month of January 2017 in the amount of \$158.00.

Motion made by Mauro and seconded by Giglio to accept the report as read.

JUSTICE REPORTS – BOARD MEMBER DAN BROUGHTON

Justice Reports read by Broughton with Justice Scavo fees of \$6660.00 and Justice Buisch with fees of \$6754.00 for January 2017.

Motion made by Mauro and seconded by Giglio to accept report as read.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

CODES REPORT – SHAWN GRASBY – CODES OFFICER

Codes Report read by TC Sheryl Isaman with activities of the codes officer for the month of January 2017.

Motion made by Giglio and seconded by Broughton to accept report.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

HIGHWAY REPORT – JASON EMO, HIGHWAY SUPERINTENDENT

Jason read report to the Board for the duties performed by highway department for the month of January 2017. Highway guys had 23 times of plowing and sanding for the month.

Motion made by Mauro and seconded by Giglio to accept report.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

SUPERVISOR'S REPORT – KEN ISAMAN, (Financial Report attached)

Supervisor Isaman and Board Member Giglio, Economic Development discussed the proposed hospital project.

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

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

LOCAL LAW #2-2017 amendment to Local Law #1-1987 Flood Damage Prevention.

Motion made by Mauro and seconded Broughton to adopt Local Law #2-2017 for Flood Damage Prevention amendment.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

EXECUTIVE SESSION UNDER ARTICLE 7& 105.1.F

Motion made by Broughton and seconded by Mauro to go into Executive Session regarding Article 7& 105.1.F to discuss a history of a particular employee and employment at 8:25 p.m.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

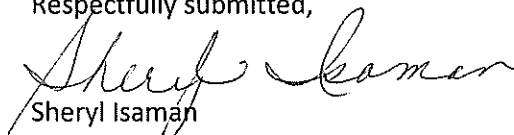
Motion made by Isaman and seconded by Mauro to come out of Executive Session and 8:50 p.m.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

Motion to adjourn meeting at 8:50 p.m. made by Broughton and seconded by Mauro.

Roll Call: Isaman, Broughton, Giglio, Mauro, all ayes. Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheryl Isaman". The signature is written in a cursive, flowing style.

Sheryl Isaman  
Town Clerk

February 15, 2017

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Hornellsville

Local Law No. 2 of the year 2017

A local law amending Local Law Number 1 of 1987 for Flood Damage Prevention.  
(Insert Title)

Be it enacted by the Hornellsville Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Hornellsville as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

1. Section 3.1 of Local Law Number 1 of 1987 is amended to read as follows:

**“3.1 LANDS TO WHICH THIS LOCAL LAW APPLIES**

This Local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Hornellsville.”

2. Section 3.2 of Local Law Number 1 of 1987 is amended to read as follows:

**“3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels) Index No. 360777 0001-0025, whose effective date is July 16, 1980.
- (2) A scientific and engineering report entitled “Flood Insurance Study, Town of Hornellsville, New York, Steuben County” dated January 1980.
- (3) Flood Boundary and Floodway Map (multiple panels) Index No. 360777 0001-0025, whose effective date is July 16, 1980.
- (4) LOMR effective May 2, 2017. FEMA case # 16-02-1795P, revising FIRM panel 0010B and FBFM panel 0010 and above referenced FIS dated January 1980.”
- (5) The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at Hornellsville Town Hall, 4 Park Street, Arkport, New York 14807.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2017 of the ~~(County)(City)(Town)(Village)~~ of Hornellville was duly passed by the Hornellville Town Board on February 14 20 17, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20   in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

(Seal)

*Sheryl Isaman Town Clerk*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Sheryl Isaman, Hornellsville Town Clerk  
Date: February 14, 2017

STATE OF NEW YORK }  
STEUBEN COUNTY } SS.

**AFFIDAVIT**

Beth Ann Hults being duly sworn, disposes and says that she resides in the County of Steuben, and State of New York, that she is the signor and authorized designee of the publisher of The Evening Tribune, a public newspaper, published and printed daily in the City of Hornell by GateHouse Media, Inc., and that a notice of which the annexed is a printed copy, was published in said newspaper The Evening Tribune, said publication therein being on the following dates:

1/18, 1/19/17

Beth Ann Hults

Subscribed and sworn to before me this 27<sup>th</sup>

day of January, 20 17

Melissa M. VanSkiver

Notary Public

Melissa M. VanSkiver  
Notary Public, State of New York  
Steuben County, No. 01VA6164665  
Commission Expires, April 30, 2019

**PUBLIC HEARING**

The Town of Hornellsville Town Board will hold a Public Hearing for Local Law #2-2017 on February 14, 2017 amending Local Law #1-1987 for Flood Damage Prevention of the Town's Zoning Law. Meeting at 7:00 p.m. at Town Hall, Arkport, New York.

By Order of the Town Board  
Sheryl Isaman, Town Clerk