

A regular meeting of the Town Board of the Town of Hornellsville, County of Steuben, State of New York, was held on August 12, 2025 at the Hornellsville Town Hall, 4 Park Avenue, Arkport, New York 14807 at 6:00 p.m. The meeting was called to order by Supervisor Broughton.

Present: Dan Broughton, Supervisor
James Giglio, Council Member
Robert Mauro, Council Member
David Oakes, Council Member
Trisha Yanni, Council Member
Recording Secretary: Jessica LaFrance, Town Clerk
Also Present: Jason Emo, Highway Superintendent
Debra Castle-Harvey, Bookkeeper
Richard Scavo, MEO

The Pledge of Allegiance was cited, led by Dan Broughton, Supervisor.

Reports Submitted:

Town Clerk Report	July 2025
Justice Report	June 2025
Code Enforcement Report	July 2025
Dog Control Officer Report	July 2025
Highway Report	July 2025
Bookkeepers Report	Dated August 2025
Supervisors Report	July 2025
Fire Report	Dated July 2025
	Dated August 2025

Resolution 96-2025: Approval of the Town Board Meeting Minutes

Motion by: Giglio Seconded by: Mauro

RESOLVED, that the Hornellsville Town Board hereby approves the regular minutes of July 8, 2025 as submitted by the Town Clerk.

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

Resolution 97-2025: Approval of the Audit of Claims

Motion By: Mauro Seconded by: Giglio

RESOLVED, that vouchers 266 – 309 totaling \$75,222.00 as shown on Abstract 8, have been audited and approved by the Town Board and are hereby authorized for payment as follows:

General Fund A	\$31,631.87
General Fund B	\$286.30
Highway Townwide DA	\$4,448.03
Highway Outside DB	\$30,599.58
Sewer District 1 SS1	\$7,742.22

Water District 2 SW2 \$514.00

Total \$75,222.00

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

Resolution 98-2025: Approval of Budget Amendments

Motion by: Oakes

Seconded by: Mauro

RESOLVED, that the Hornellsville Town Board hereby accepts the following budget amendments as presented in the Bookkeeper's Report dated August 2025, and directs that they be entered into the official financial records of the Town.

From		To		Amount
A3021	Justice Grant – JCAP	A1110.2	Justices – Equipment	\$1,168.86
A599	Fund Balance	A1355.4	Assessors – Contractual	\$12,055.00
A599	Fund Balance	A1620.2	Buildings – Equipment	\$1,557.50
A599	Fund Balance	A5132.4	Garage – Contractual	\$234.90

Resolution 99-2025: Approval of the Supervisor's Report

Motion by: Yanni

Seconded by: Mauro

WHEREAS, Supervisor Broughton presented the monthly report on the Town's finances for the month of July 2025. The submitted report stated that the balance as of 06/30/25 was \$2,498,674.74. The town had an increase of \$286,943.14 and a decrease of \$474,702.90 leaving a balance as of 07/31/25 of \$2,310,914.98.

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

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

Resolution 100-2025: Scheduling a Budget Workshop

Motion by: Oakes

Seconded by: Yanni

WHEREAS, the Hornellsville Town Board is preparing the tentative budget for the 2026 fiscal year and deems it necessary to hold a public budget workshop to review financial matters and departmental requests; and be it

RESOLVED, that the Town Board will hold a Budget Workshop on September 9, 2025 at 5:00 p.m. at the Town Hall, 4 Park Ave, Arkport, NY; and be it

FURTHER RESOLVED, that the Town Clerk is directed to post notice of the workshop on the Town's official website and bulletin board and take any additional steps necessary to notify the public in accordance with the Open Meetings Law.

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

Resolution 101-2025: Approval of the Intermunicipal Maintenance Agreement for NYSDOT Route 36 Project

Motion by: Yanni

Seconded by: Oakes

RESOLVED, that the Hornellsville Town Board hereby approves the Intermunicipal Maintenance Agreement with the City of Hornell and the Village of North Hornell in connection with the NYSDOT Route 36 project, and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to execute said agreement.

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

Resolution 102-2025: Approving Highway Law § 284 Agreement

Motion by: Yanni

Seconded by: Mauro

WHEREAS, New York State Highway Law § 284 requires that a written agreement be entered into between the Town Board and the Town Superintendent of Highways for the expenditure of monies levied and collected for the repair and improvement of Town highways; and

WHEREAS, the Town Superintendent of Highways has prepared the 2025 Highway Law § 284 Agreement specifying the roads and projects to be undertaken and the funds to be expended; and

WHEREAS, the Town Board has reviewed said agreement and finds it to be in the best interest of the Town; and be it

RESOLVED, that the Town Board of the Town of Hornellsville hereby approves the Highway Law § 284 Agreement for 2025 as presented, and authorizes the Town Supervisor and members of the Town Board to execute said agreement along with the Town Superintendent of Highways; and be it

FURTHER RESOLVED, that a copy of the executed agreement shall be filed with the Steuben County Superintendent of Highways in accordance with law.

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

Resolution 103-2025: Joint Resolution Pursuant to N.Y. Gen. Muni. Law § 703-a Proposing the Annexation of Territory in the Town of Canisteo to the Town of Hornellsville, and Scheduling a Joint Public Hearing on the Proposed Annexation of Said Territory

Motion by: Oakes

Seconded by: Mauro

WHEREAS, the Town Board of the Town of Hornellsville and the Town Board of the Town of Canisteo (collectively, the “Governing Boards”) previously mutually agreed to study the proposed annexation of certain parcels of real property situated in the Town of Canisteo and contiguous to the Town of Hornellsville (herein the “Territory”), to the Town of Hornellsville, for the purpose of providing the fourteen (14) residences situated within the Territory with access to municipal water service from the Town of Hornellsville, which connection is not currently available through the Town of Canisteo, and is not reasonably expected to become available in the future; and

WHEREAS, the Territory proposed for annexation consists of: (a) all of the acreage of fourteen (14) inhabited residential parcels of real property, more particularly described as follows:

1. approx. 1.10± acres of real property located at 5670 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-061.000),
2. approx. .78± acres of real property located at 5842 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-029.000);
3. approx. .25± acres of real property located at 5846 Dineen Road, Town of Canisteo

Tax Map No. 182.00-01-030.000);

4. approx. .20± acres of real property located at 5844 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-031.000);
5. approx. .25± acres of real property located at 5843 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-032.000);
6. approx. 6.60± acres of real property located at 5841 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-033.100);
7. approx. .65± acres of real property located at 5835 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-053.000);
8. approx. .31± acres of real property located at 5833 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-028.000);
9. approx. .23± acres of real property located at 5831 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-027.000);
10. approx. .31± acres of real property located at 5829 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-026.000);
11. approx. .20± acres of real property located at 5827 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-025.000);
12. approx. .68± acres of real property located at 5825 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-024.000);
13. approx. 1.02± acres of real property located at 5807 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.200); and
14. approx. 2.93± acres of real property located at 5813 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.300),

and (b) all or a portion, as the case may be, of three (3) uninhabited and vacant parcels of real property, more particularly described as follows:

1. approx. 26.40± acres of a total 132± acres of real property located at 0 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.100);
2. approx. .09± acres of vacant real property located at 0 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-059.000); and
3. approx. .30± acres of vacant real property located at 0 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-060.000),

said Territory being as further shown in the map annexed hereto and incorporated herein by reference, and aggregating, in total, approximately 46.82± acres; and

WHEREAS, the Governing Boards are mutually satisfied that there is evidence to support that the annexation of the Territory to the Town of Hornellsville is in the over-all public interest, including for among other reasons so that the residences situated in the Territory may be provided with access to municipal water service by the Town of Hornellsville; and

WHEREAS, pursuant to N.Y. General Municipal Law Section 703-a, the governing boards of two or more municipalities which have mutually agreed to study the annexation of territory, may, by joint resolution, propose the annexation of such territory pursuant to the provisions of Article 17 of the General Municipal Law, also known as the Municipal Annexation Law; and

WHEREAS, the Governing Boards mutually desire to propose the annexation of the Territory through adoption of a joint resolution pursuant to and in accordance with the Municipal Annexation Law; and

WHEREAS, pursuant to General Municipal Law Section 704, in the event that there is a proposal to annex territory by joint resolution, the governing board of the local government to which it is proposed to annex such territory and the governing board of the affected local government in which such territory is situated, are required to schedule a joint hearing on the joint resolution proposing annexation, and said hearing to be scheduled, noticed, and conducted as provided for in Sections 704 and 705 of the General Municipal Law,

NOW, THEREFORE, BE IT RESOLVED, by each of the Governing Boards, that, pursuant to Section 703-a of the General Municipal Law and by this Joint Resolution, the Governing Boards mutually propose the annexation of the Territory to the Town of Hornellsville and hereby do initiate the process set forth in the Municipal Annexation Law for further consideration of the proposed annexation of the Territory; and

BE IT FURTHER RESOLVED, that, pursuant to Section 704 of the General Municipal Law, a joint hearing of the Governing Boards on this Joint Resolution initiating annexation is hereby scheduled to be held at Hornellsville Town Hall, 4 Park Ave., Arkport, NY 14807, on the 8th of September, 2025 at 4:00 p.m. (herein the “Joint Public Hearing”); and

BE IT FINALLY RESOLVED, that, further pursuant to Section 704 of the General Municipal Law, the Town Clerk for each Governing Board is hereby directed to cause both the publication and mailing of a Notice of said Joint Public Hearing, in the form attached hereto and incorporated herein by reference, on August 18, 2025, said date being at least twenty days in advance of the scheduled date of the Joint Public Hearing but not more than forty days in advance thereof, and said publication and mailing of said Notice shall be in the manner and to the recipients as provided in Section 704 of the General Municipal Law.

[ADDENDUM TO JOINT RESOLUTION]

**NOTICE OF JOINT PUBLIC HEARING
on Joint Resolution Proposing the Annexation
of Territory in the Town of Canisteo, New York
to the Town of Hornellsville, New York**

NOTICE IS HEREBY GIVEN, pursuant to N.Y. General Municipal Law (“GML”) Section 704, that the Town Board of the Town of Hornellsville, New York and the Town Board of the Town of Canisteo, New York (collectively, the “Governing Boards”) have adopted a joint resolution pursuant to GML § 703-a (the “Joint Resolution”), proposing the annexation of certain territory situated in the Town of Canisteo (the “Territory”) to the Town of Hornellsville, and

NOTICE IS FURTHER GIVEN, that the Territory proposed for annexation consists of: (a) all of the acreage of fourteen (14) inhabited residential parcels of real property, more particularly described as follows:

1. approx. 1.10± acres of real property located at 5670 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-061.000),
2. approx. .78± acres of real property located at 5842 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-029.000);
3. approx. .25± acres of real property located at 5846 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-030.000);
4. approx. .20± acres of real property located at 5844 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-031.000);
5. approx. .25± acres of real property located at 5843 Dineen Road, Town of Canisteo

- (Tax Map No. 182.00-01-032.000);
6. approx. 6.60± acres of real property located at 5841 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-033.100);
 7. approx. .65± acres of real property located at 5835 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-053.000);
 8. approx. .31± acres of real property located at 5833 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-028.000);
 9. approx. .23± acres of real property located at 5831 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-027.000);
 10. approx. .31± acres of real property located at 5829 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-026.000);
 11. approx. .20± acres of real property located at 5827 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-025.000);
 12. approx. .68± acres of real property located at 5825 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-024.000);
 13. approx. 1.02± acres of real property located at 5807 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.200); and
 14. approx. 2.93± acres of real property located at 5813 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.300),

and (b) all or a portion, as the case may be, of three (3) uninhabited and vacant parcels of real property, more particularly described as follows:

1. approx. 26.40± acres of a total 132± acres of real property located at 0 Dineen Road, Town of Canisteo (Tax Map No. 182.00-01-022.100);
2. approx. .09± acres of vacant real property located at 0 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-059.000); and
3. approx. .30± acres of vacant real property located at 0 State Road Route 36, Town of Canisteo (Tax Map No. 182.00-01-060.000),

said Territory being as further shown in the map annexed to the Joint Resolution and aggregating, in total, approximately 42.30± acres.

NOTICE IS FURTHER GIVEN, that on the 8th of September, 2025 at 4:00 p.m., a joint hearing on said Joint Resolution will be held by the Governing Boards at Hornellsville Town Hall, located at 4 Park Ave., Arkport, NY 14807.

At such time and place, all persons interested in the matter may be heard, and the aforesaid Governing Boards will receive evidence and information which may be presented concerning the question set forth in General Municipal Law § 705(1)(e) of whether the proposed annexation is or is not in the overall public interest: (1) of the Territory proposed to annexed; or (2) of the local government or governments to which the Territory is proposed to be annexed; or (3) of the remaining area of the local government or governments in which such Territory is situated; or (4) of any school district, fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county improvement district, situated wholly or partly in the Territory proposed to be annexed.

Testimony, evidence and information may also be presented concerning the grounds set forth in General Municipal Law § 705(1)(a)-(d). Objections based upon General Municipal Law § 705(1)(a)-(d), in addition to the presentation

of oral testimony thereon, must be submitted in writing and placed on file with the Governing Boards and made a part of the record of the hearing.

Dated: August 18, 2025

Dan Broughton, Supervisor
Town of Hornellsville

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

Resolution 104-2025: Coordinating an Environmental Review for the Proposed Annexation of Territory in the Town of Canisteo to the Town of Hornellsville by Joint Resolution

Motion by: Mauro

Seconded by: Yanni

WHEREAS, the Town Board of the Town of Hornellsville and the Town Board of the Town of Canisteo (collectively, the “Governing Boards”) jointly proposed the annexation of approximately 42.30± acres of real property in the Town of Canisteo (the “Territory”), to the Town of Hornellsville (the “Action”), through adoption of a Joint Resolution pursuant to Section 703-a of the General Municipal Law; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereto contained in 6 NYCRR § 617 et seq., known as the State Environmental Quality Review Act (hereinafter collectively referred to as “SEQRA”), the proposed Action is subject to environmental review; and

WHEREAS, the Action is one that does not exceed the Type I threshold contained in 6 NYCRR § 617.4(b)(4), as it involves the annexation of less than 100 contiguous acres of land, and the Action is therefore preliminarily classified as an Unlisted action for the purposes of SEQRA, requiring completion of a Short Environmental Assessment Form (SEAF) in order to determine the significance of such action; and

WHEREAS, the Town Board of the Town of Hornellsville is the most appropriate agency to conduct a coordinated SEQRA review of this Action and accordingly intends to seek “Lead Agency” status with respect to the requisite SEQRA review; and

WHEREAS, the Governing Boards have scheduled a Joint Public Hearing of the Town Boards of the Town of Hornellsville and the Town of Canisteo on the Joint Resolution, pursuant General Municipal Law Sections 704-705, on the 8th of September, 2025 at 4:00 p.m., located at Hornellsville Town Hall, 4 Park Ave, Arkport, NY 14807 (the “Joint Public Hearing”),

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Hornellsville (hereinafter “Town Board”) does hereby declare pursuant to SEQRA that, as the Territory proposed for annexation is less than 100 contiguous acres of land, the Action is preliminarily classified as an “Unlisted” action under SEQRA, and therefore a SEAF will be prepared in order to determine the significance of the Action, and as the Town Board intends to seek “Lead Agency” status, it will complete Part 1 of said Full Environmental Assessment Form; and

BE IT FURTHER RESOLVED, the Town Clerk of the Town of Hornellsville is hereby directed to provide notice, together with a copy of the completed Part 1 of the SEAF, to all involved and interested agencies identified on Part 1 of the SEAF of the Town Board’s intention to designate itself as “Lead Agency”, and seeking their agreement or objection to same before the expiration of thirty (30) days after such notice is given; and

BE IT FINALLY RESOLVED, that, upon expiration of the 30-day period for said agencies to agree or object to the Town Board acting as “Lead Agency” for purposes of the SEQRA review of the proposed annexation of the Territory,

and if no objections are received, the Town Board will consider and determine, pursuant to SEQRA, if the proposed Action will result in any significant adverse environmental impacts as part of its review of the same.

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

Resolution 105-2025: Approval of Highway Department Labor Agreement

Motion by: Oakes

Seconded by: Yanni

WHEREAS, the Town Board has negotiated with the Highway Department Bargaining Unit regarding wages, benefits and other terms and conditions of employment for the period beginning January 1, 2026 and ending December 31, 2030; and

WHEREAS, the Town Board finds the proposed agreement to be fair and in the best interest of the Town and its employees;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the Highway Department Labor Agreement for the above-stated term.

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

Resolution 106-2025: Directing the Bookkeeper to Void and Record Outstanding Checks

Motion by: Yanni

Seconded by: Mauro

WHEREAS, the Hornellsville Town Board has received and reviewed the Bookkeeper's Report dated August 12, 2025, which identifies certain outstanding checks that remain unrepresented and uncleared; and

WHEREAS, it is in the best interest of the Town to void these outstanding checks and to record them properly in the Town's accounting records in accordance with the New York State Comptroller's accounting requirements;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hornellsville hereby directs the Bookkeeper to void and record the outstanding checks as presented in the Bookkeeper's Report dated August 12, 2025.

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

Resolution 107-2025: Authorizing Expenditure for Windows and Building Improvements

Motion by: Yanni

Seconded by: Mauro

WHEREAS, the Town Board of the Town of Hornellsville recognizes the need to replace windows and make other improvements to Town facilities; and

WHEREAS, it is necessary to authorize an employee to obtain quotes and oversee expenditures in order to carry out such improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes Richard Scavo, MEO, to obtain quotes for replacement windows and other building improvements, and to expend an amount not to exceed Ten Thousand Dollars (\$10,000.00) for such purposes, with payment to be made from account A1620.4 (Buildings – Contractual), provided that all procurement shall be conducted in accordance with the Town's procurement policy and the requirements of General Municipal Law §103.

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

Adjournment:

With no further business, on a motion made by Mauro, seconded by Yanni, the meeting was adjourned at 7:04 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
August 19, 2025