

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, January 11, 2022 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, Highway Superintendent

CALL TO ORDER

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

ORGANIZATIONAL

The Town named Community Bank and Five Star Bank the official depositories, The Spectator/Tribune the official Newspaper with the same information being available on the Town website, set mileage at \$.585 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.

Motion was made by Mauro, seconded by Yanni to accept report as read by Broughton.

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

MINUTES

Motion was made by Giglio, seconded by Mauro to accept the Regular Minutes of December 14, 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 Yanni that bills contained on Abstracts #13 and #1 have been reviewed by the Town Board and are authorized for payment in the amounts of \$155,002.69 and \$97,991.99, respectively.

Roll Call: Broughton, Giglio, Mauro, Oakes and Yanni; 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 December in the amount of \$1,774.83. The 2021 Town Clerk's annual report was also provided showing receipts and disbursements in the amount of \$19,969.73.

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 November, Justice Scavo collected \$2,510.00 and Justice Werner collected \$735.00 with distribution to the Town being \$750.00.

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

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Yanni to accept report read by Mauro with the activities and mileage (378 mi) for the month of December, 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 Giglio to accept report read by Oakes with activities from the Highway Department for the month of December.

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 Mauro, seconded by Yanni to accept the report dated January 10, 2022 as provided by North Hornell Fire Chief Mike Robbins.

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

SUPERVISOR REPORT

Motion was made by Yanni, seconded by Oakes to accept report read by Broughton. Supervisors report submitted stated that the balance as of 11/31/21 was \$1,495,481.94. The town had an increase of \$301,573.87 and a decrease of \$246,497.35 leaving a balance as of 12/31/21 of \$1,550,558.46.

DEPUTY SUPERVISOR REPORT – No report

COUNTY LEGISLATOR REPORT – No report

RESOLUTIONS

RESOLUTION #1-2022

WHEREAS, on December 26, 2021, the Governor of New York issued Executive Order 11.1, and

WHEREAS, this Executive Order allows for the automatic renewal of the real property tax exemptions afforded in subdivisions 7, 7-a and 8 of §459-C of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of §467 of the Real Property Tax Law if the assessing unit adopts a

resolution directing the assessor to grant exemptions pursuant to such section on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, and

WHEREAS, this would allow the Low-Income Senior/Disabled property owner to not have to file an exemption application with the Town of Hornellsville Assessor in order to continue their exemption on the 2022 Assessment Roll, and

WHEREAS, this law also allows the governing body of the assessing unit to put a local option for when the assessor might require a renewal application.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hornellsville Town Board, by majority vote of the members of the Town Board, allows the Town of Hornellsville Assessor to automatically grant exemptions for RPTL 459-c and RPTL 467 as were received on the 2021 Assessment Roll onto the 2022 Assessment Roll, and

FURTHER RESOLVED, that the Assessor can review the 2022 income for property owners whose income may have dropped in 2020 to ensure that the largest exemption is granted to the property owner if the income is provided by the federal deadline to submit income taxes with an extension, and

FURTHER RESOLVED, that the Assessor can require a renewal application to be filed by taxable status date, in instances where the Assessor has reason to believe that an owner who qualified for the exemption on the 2021 Assessment Roll may have since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or died.

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

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

RESOLUTION #2-2022

WHEREAS, the Town of Hornellsville regularly incurs charges for postage, freight, express, electric, gas, water, sewer, fuel oil and telephone services and other public utility charges (hereinafter "Utility Claims"); and

WHEREAS, Utility Claims are incurred in the regular course of business and are necessary to the operation of the Town; and

WHEREAS, Utility Claims must be paid in a prompt manner to avoid disruption of these needed services and to receive discounts for prompt payment; and

WHEREAS, New York Town Law §118(2) permits the Town Board to authorize the payment of Utility Claims in advance of the audit of such claim; and

NOW, THEREFORE, BE IT RESOLVED: 1. The department head or Town Officer that incurs a Utility Claim shall cause a voucher to be created for such claim.

2. Pursuant to the authority granted by New York Town Law §118(2), the Town Board hereby authorizes the Supervisor to review any voucher for a Utility Claim in advance of the audit required by Town Law §119(1).

3. Pursuant to the authority granted by Town Law §118(2), the Town Board hereby authorizes the prepayment on any Utility Claim reflected on a properly completed voucher prior to the audit of such claim required by Town Law §119, provided that the claim is determined to be valid.

4. Utility Claims may be prepaid by check, credit card or direct bank withdrawal.

5. Vouchers for all Utility Claims paid prior to audit shall be presented at the next regular meeting of the Town Board for audit pursuant to the provisions Town Law §119(1).

6. The claimant and the Town Officer incurring or approving a Utility Charge that is paid in accordance with this resolution shall be jointly and severally liable for any amount disallowed by the Town Board as required by Town Law §118(2).

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

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

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

Emo inquired as to why the budget modification was showing that he was over budget even though his sale of equipment was more than enough to cover the departments' new equipment purchases. Broughton's going to check with Castle-Harvey as to what the reasoning is. Resolution was tabled until Castle-Harvey could be reached for clarification regarding the transfers. No action was taken.

OLD BUSINESS

The Town revisited the topic regarding designating a transit stop in Hornellsville. Emo suggested that maybe Wegman's would consider allowing a transit stop there. Broughton is going to reach out and see if that's a possibility. No action was taken.

Yanni discussed the cost of the Kandy phone system that will be replacing our current phone system. The court is interested in having hosted IP instead. Yanni is going to check with Justice Scavo regarding the additional expense. No action was taken.

OTHER BUSINESS

Theresa Pullman's current term on the BAR ended on 09/30/21. Steuben County inquired as to if she was going to be reappointed. LaFrance will prepare a resolution for her reappointment.

CORRESPONDENCE

A letter from Logan Sliter was received requesting permission to purchase a tank for a booster pump system and be reimbursed by the Town. He would like to have a new one on hand due to the age of the present one. The lead time on these is approximately 5 months. Motion was made by Mauro, seconded by Oakes to approve the agreement.

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

EXECUTIVE SESSION

A motion was made at 7:52 p.m. by Oakes, seconded by Mauro to adjourn regular session and reconvene in executive session pursuant to public officers' Law Article 7 §105.1.F. *The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.*

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

No action was taken during executive session.

A motion was made at 8:03 p.m. by Giglio, seconded by Oakes to adjourn executive session and reconvene in regular session.

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

PUBLIC – No comments

ADJOURNMENT

With no further business, on a motion made by Yanni, seconded by Giglio, the meeting was adjourned at 8:04 p.m.

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

Respectfully Submitted,

Jessica L. LaFrance
Town Clerk
January 14, 2022