

**REGULAR MEETING OF THE
NORTH HORSELL VILLAGE BOARD
January 10, 2022, 6:00 PM**

ATTENDANCE: Mayor: John Falci
Trustees: Joseph Ingalls, Joshua Greenthal, Joseph Flint & Richard Head
Clerk Vanessa Scott
Treasurer Kristene Libordi
Fire Chief Michael Robbins
Public Works Superintendent Richard Scavo
CEO William Rusby
OIC/Police Chief Kyle Amidon - Absent

Mayor Falci opened the meeting at 6:00 PM with the pledge of allegiance.

MINUTES

The Minutes for the December 2021 meeting were approved on a motion by Trustee Joseph Flint, seconded by Trustee Joseph Ingalls and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

Trustee Ingalls noted verbiage that needed completion and would confer with Clerk Vanessa Scott.

TREASURER'S REPORT

A motion to approve the Treasurer's Report was made by Trustee Joseph Ingalls, seconded by Trustee Joshua Greenthal and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

CLERK'S REPORT

A motion to approve the Clerk's Report was made by Trustee Richard Head, Seconded by Trustee Joseph Flint and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

CODE ENFORCEMENT REPORT

Code Enforcement Officer William Rusby went over his report.
He will finish his end of the year report that's due by April 1, 2022.
He will be attending FLABOA schooling in person this year – March 14, 15 & 16 at the RIT Conference Center.
Fire Inspections will start in February & March.

He reviewed the request from Parnell/Terwilliger (previously owned by McNellis). The request is to use a portion of Village property to be able to get to the back of their property. The board had a discussion. Trustee Greenthal would like to have more information before voting. Mayor Falci told the board he would like to have an answer from the board by the end of the week. The board continued the discussion about the need for legal papers to allow this use. No decision at this time was made. Mayor Falci and Trustee Head agreed to move forward and Trustee Ingalls, Trustee Greenthal and Trustee Flint want more information and a chance to look at the property before making a final decision. The board also requested to have information on file of what the resident is asking to use if approved for future reference.

A motion to approve the Code Enforcement Report was made by Trustee Joseph Ingalls, seconded by Trustee Joshua Greenthal and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

POLICE REPORT

OIC/Police Chief Kyle Amidon was absent. The board reviewed the submitted report.

Complaints	8
Community Services Rendered	17
Assist Other Departments	4
Traffic Stops	9
Total Calls Handled for the Month:	38

A motion to approve the Police Report was made by Trustee Joshua Greenthal, seconded by Trustee Richard Head and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

FIRE REPORT

Fire Chief Robbins was absent. President Wes Bryant was present. Trustee Joseph Ingalls asked for a copy of the Grant being written. Wes told him he would let Chief Robbins know so he could get the board a copy. Trustee Ingalls said he would like to review it prior to its submittal.

Trustee Ingalls asked for a copy of quotes received for tires that were put on E85. This fulfills the requirement of the Procurement Policy.

Total Calls for the Month:	15
Town:	8
Village:	4
Fire Alarm Checks:	3
M/A:	0

A motion to approve the Police Report was made by Mayor John Falci, seconded by Trustee Joshua Greenthal and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

MAINTENANCE REPORT

There was a small discussion about the bid award for the Sewer inspection/survey/camera study for the Village. The board agreed this was a good investment and to move forward.

A discussion about the work done by the gas line company and the lawns that need to be repaired. Trustee Richard Head told the board he can confirm that the gas company will be back in the spring of 2022 to do the necessary repairs.

Trustee Joseph Flint told the board that Marty Butler will provide the board more information on the steps needed to change the speed limit on Cleveland Ave to 20mph.

A motion to approve the Maintenance Report was made by Trustee Richard Head, seconded by Trustee Joseph Ingalls and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

NEW BUSINESS

RESOLUTION 1-2022 POLLING PLACE FOR MARCH 15, 2022 ELECTION

The following resolution was offered by Trustee Richard Head, seconded by Trustee Joshua Greenthal at the January 10, 2022 Regular Board:

Resolved that the Polling Place for the election of officers of the Village of North Hornell will be held on Tuesday, March 15, 2022 from 12PM to 9 PM at the Village Hall, 4 W Maplewood Ave. North Hornell.

	<u>Aye</u>	<u>Nay</u>
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 2-2022 ELECTION INSPECTOR & RATE OF COMPENSATION

The following resolution was offered by Trustee Joshua Greenthal, seconded by Trustee Richard Head at the January 10, 2022 Regular Board meeting:

Resolved to appoint the following, Margaret Horan and Marie Patti as election inspectors for the March 15, 2022 Village elections, between the hours of 12:00 PM and 9:00 PM. Inspectors will be compensated at the rate of \$100 per day.

	<u>Aye</u>	<u>Nay</u>
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 3-2022 LOCAL LAW #1 OF 2021

A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Village of North Hornell.

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of North Hornell out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages 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 Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Board of Trustees of the Village of North Hornell, County of Steuben, hereby opts-out of licensing and establishing cannabis retail dispensaries and cannabis on-site consumption establishments within its boundaries.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, 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 judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Offered by Mayor John Falci, seconded by Trustee Richard Head at the January 10, 2022 Regular Board Meeting:

	AYE	NAY
Mayor John Falci	X	
Trustee Joseph Ingalls	X	
Trustee Joshua Greenthal	X	
Trustee Joseph Flint	X	
Trustee Richard Head	X	

RESOLUTION 4-2022 BUDGETARY RESOLUTION

The following Resolution was offered by Mayor John Falci, seconded by Trustee Joshua Greenthal and carried.

RESOLVED, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on January 10, 2022 approved the transfer of funds from A1990.4 Contingency Account in the amount of

\$20,000.00 to A3410.4 Fire Department Contractual. Approved the transfer of funds from A599 Fund Balance in the amount of \$8,637.00 to A3410.4 Fire Department Contractual for repairs to Engine 85.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 5-2022 BUDGETARY RESOLUTION

The following Resolution was offered by Trustee Joseph Ingalls, seconded by Trustee Joseph Flint and carried.

RESOLVED, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on January 10, 2022 approved the transfer of funds from A1990.4 Contingency Account in the amount of \$676 to 9010.8 State Retirement and \$14.35 to A9730.7 Seneca Curbs Interest for overages in those accounts.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 6-2022 APPROVE PAYMENT OF VOUCHERS

The following Resolution was offered by Trustee Richard Head, seconded by Mayor John Falci and carried.

RESOLVED, that the Village of North Hornell Board of Trustees at the monthly meeting on January 10, 2022, approved to pay vouchers from the General Account starting with number 242-262 in the amount of \$32,813.95. Pay voucher number 42-43 from the Sewer Account in the amount of \$7,262.63.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 7-2022

The following Resolution was offered by Trustee Joseph Ingalls, seconded by Trustee Joshua Greenthal and carried.

RESOLVED, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on January 10, 2022 approved the deposit of the Wal-Mart Grant in the amount of \$1,500 into the A232 Police Reserve to be expended in December 2022 for the Wal-Mart Shop with a Cop Day.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 8-2022

The following Resolution was offered by Mayor John Falci, seconded by Trustee Joseph Flint and carried.

RESOLVED, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on January 10, 2022 approved the bid from Kenyon Pipeline to perform the Sanitary Sewer Video Inspection not to exceed the following. Base Cost of \$35,946.50, additional cost of \$25,366.80 for a total cost of \$61,313.30.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

RESOLUTION 9-2022

The following Resolution was offered By Mayor John Falci, seconded by Trustee Richard Head and carried,

RESOLVED, that the Village of North Hornell Board of Trustees at the monthly meeting on January 10, 2022, approved the appointment Attorney Brian Schu to represent the Village of North Hornell as needed. No retainer fee is requested.

	Aye	Nay
Mayor Falci	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	
Trustee Head	X	

VILLAGE ATTORNEY

Mayor Falci presented Attorney Brian Schu as the Village Attorney. He told the board that Attorney Schu didn't mention a retainer and that he would charge for work done when the Village needed his legal services. Trustee Richard Head asked Clerk Vanessa Scott to obtain a fee schedule so the board will know the cost involved ahead of time should legal services be necessary.

FULL TIME EMPLOYEE APPROVED HOLIDAY'S FOR 2022

The Holiday schedule for full time employees was provided to the board. After a brief discussion, Election Day was deleted from the list of paid days off. The Elections conducted by Steuben County have been moved

to the Church on Seneca leaving the Village open for regular business. It was agreed that this would be revisited should elections be moved back to Village Hall.

All board members agreed unanimously to the change.

GENERAL CODE UPDATE

Trustee Joshua Greenthal presented the cost information he received from Todd Metcalf of General Code. The total cost will be under \$12,000.00 with the first year of E-Code. E-Code will be \$1,195.00 annually. The \$12,000.00 will be due in the following payment schedule:

20% due 30 days after signing the agreement
40% due after they present a submission for review
The final payment to be after the job is completed.

The above payment timeline would be through 2 to 3 budgets.

The board discussed the possibility of needing to obtain another quote to fulfill the requirements of the Procurement Policy. There was a discussion about this and it was decided that General Code has a history with the Village of North Hornell and already has a lot of the necessary preliminary information that would have to be researched by another company and therefore the board decided to move forward with the updates being completed by General Code.

Mayor John Falci asked Clerk Vanessa Scott to update the Procurement Policy with the following statement for future items that may come up like this with General Code:

“The Board has made a verbal agreement to provide a justification of why each department would use a Soul Source detailing reasons why the company being utilized is a Soul Source & the department head will attach the justification to the voucher “

Trustee Joseph Flint made a motion to move forward with General Code to update the Village Code Books along with E-Code not to exceed \$12,000.00, seconded by Mayor John Falci and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

20MPH ZONE FOR CLEVELAND

A motion to adjourn at 7:36 PM was made by Mayor Falci, seconded by Trustee Greenthal and carried.

Mayor Falci	Aye		
Trustee Ingalls	Aye	Trustee Greenthal	Aye
Trustee Flint	Aye	Trustee Head	Aye

Respectfully submitted,
Vanessa Scott – Village Clerk