

**REGULAR MEETING OF THE  
NORTH HORNELLS VILLAGE BOARD  
DECEMBER 13, 2021, 6:00 PM**

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

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

**MINUTES**

The Minutes for the November 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 Mayor John Falci, seconded by Trustee Richard Head 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 be attending FLABOA schooling in person this year – March 14, 15 & 16 at the RIT Conference Center. Fire Inspections will start in February & March.

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

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

## **POLICE REPORT**

OIC Kyle Amidon added to his November report. Officer Brent Nadjadi was hired to replace Officer Tyler Crouch as PT Police. "Shop with a Cop" was a success. Officers from Canisteo, Hornell, Alfred State and Sheriff's office sponsored with Wal-Mart to buy gifts for 75 kids in the area.

Steuben County Coalition/Opioid Committee donated a biohazard container to put in police car.

Village Police will be out on December 18<sup>th</sup> to assist the Fire Department with their Christmas Parade and Santa's arrival.

There was discussion to change the speed limit on Cleveland Ave. to 20-mph in the area closest to the North Hornell School. Trustee Flint will consult with a representative from the DOT on the process involved to change the speed.

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

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

## **FIRE REPORT**

Fire Chief Robbins gave the board an estimate of costs for the repair of Engine 85 \$25,000 to \$27,000. Chief noted that the tires are included in this estimate.

The Fire Department will host its annual parade on December 18<sup>th</sup>.

A motion to approve the Police Report 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

## **MAINTENANCE REPORT**

Discussion on Third St and possible water run-off to First St residents. Superintendent Scavo provided two letters to the board of Trustees outlining recommendations. He met with Steuben County Soil and Water on December 18. Their observation and recommendations: The Third St site did not divert additional watershed to areas behind First St residents, monitor runoff on Third to see if any flows create erosion down slope; possible installation of drop inlet to divert water flow to existing drainage system on east side of Third; Drainage system on First to be flushed to verify water flow to First; Drainage from Third to Linwood and Gifford to be upgraded and looked at by an engineer to determine proper retrofit.

Superintendent Scavo noted the 2006 Drainage Study by Hunt Engineers that was mentioned in the December 8<sup>th</sup> letter from Hunt Engineer. Their observation: stormwater improvements from the previous study and recommendations seem to be in good working order and regular maintenance to be done at the end of fall seasons; the properties on First St are in low lying flat areas - the concerning issue is the rising ground water due to consecutive years of heavy rainfall. When enough water is added, the water table rises causing flooding issues.

Conclusion – Surface water runoff is not contributing to any local flooding issues.

Superintendent Scavo is going to follow the recommendation of Steuben County Soil and Water and Hunt Engineer.

The board gave approval for the DPW to dump soil and rock on the Third St. area as needed.

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

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

**NEW BUSINESS**

**RESOLUTION 42-2021  
APPROVE PAYMENT OF VOUCHERS**

The following Resolution was offered by Trustee Joseph Ingalls, seconded by Trustee Richard Head and carried,

**RESOLVED**, that the Village of North Hornell Board of Trustees at the monthly meeting on December 13, 2021, approved to pay vouchers from the General Account starting with number 193-241 in the amount of \$53,632.90. Pay voucher number 31-41 from the Sewer Account in the amount of \$1,932.34 and Trust & Agency number 5 in the amount of \$388.66

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

**RESOLUTION 43-2021  
BUDGETARY RESOLUTION**

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

**RESOLVED**, that the Village of North Hornell Board of Trustees at their Board Meeting on December 13, 2021 approved the transfer of \$17,900.00 from G232 the Sewer Reserve Account to G8120.4 Sanitary Sewers Contractual to cover expenses to be paid to the MRB Group for Professional Services of the Sanitary Sewer Investigation.

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

**RESOLUTION 44-2021**

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 Board Meeting on December 13, 2021 approved the existing Village policies – they have been reviewed and not in need of updating: Accident/Incident Reporting and Documentation Policy, Americans with Disabilities Act Employment

Policy & Implementation, Equal Employment Opportunity Policy, Procurement Policy, Reimbursement Policy, Workplace Violence Policy & Prevention. The Following policies have been reviewed and amended and will be made part of the December 13, 2021 Minutes: Code of Ethics, Credit Card Policy & Procedures, Electronic Banking, Equal Employment Opportunity & Monthly Auditing procedures.

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

**RESOLUTION 45-2021  
BUDGETARY RESOLUTION**

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

**RESOLVED**, that the Village of North Hornell Board of Trustees at their Board Meeting on December 13, 2021 approved the transfer of \$1,000.00 from A1990.4 Contingent Account to A3120.2 Police Equipment for various items – needed items for donated shot gun, calibration of radar, rescue bag, security camera for office and uniform for new police officer.

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

**WEBINARS AT VILLAGE HALL**

NYCOM will be hosting several webinars during January. Trustees can contact Clerk Scott if they would like to attend.

**GAS LINE MAPPING**

National Fuel will not share gas line mapping to the Village. Trustee Ingalls questioned if National Fuel would be coming back in the spring to do restoration on the lawns that were dug up this fall. Trustee Head was told they will be back in March.

**OLD BUSINESS**

**Local Law No. 1 of the year 2021**

**Village of North Hornell, County of Steuben**

**A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or 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 allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of North Hornell.

**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.

Motion to adopt the above Local Law 1-2021 was made by Mayor John Falci, seconded by Trustee Joseph Flint and carried

Falci	Aye
Ingalls	Aye
Flint	Aye
Greenthal	Aye
Head	Aye

VILLAGE ATTORNEY

Mayor Falci has spoken to several local attorneys and is waiting on a response. He noted that other towns and villages use an attorney on a case-by-case basis. This may be something the board will consider.

SEWER SURVEY CAMERA

Superintendent Scavo added that December 22<sup>nd</sup> is the opening of the bids by the MRB Group. The company will take the bids and make a recommendation. At the January 10<sup>th</sup> meeting the board will award the bid.

GENERAL CODE UPDATE

Trustee Greenthal would like the board to make a decision on proceeding with General Code to update our codes. Cost estimates were \$10,000 to \$12,000, which includes the E-Codes. Trustee Greenthal will contact the GC representative for cost update, with and without E-Codes and additional information for the board to advance on this.

A motion to adjourn at 7:30 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,  
Kristene Libordi - Treasurer