

**TOWN OF HORNBY**  
**PUBLIC HEARING ON LOCAL LAW # 1 of 2025 &**  
**REGULAR MEETING OF THE HORNBY TOWN BOARD**  
**APRIL 14, 2025**

A public hearing on Local Law # 1 of 2025 and the regular meeting of the Hornby Town Board was held on Monday April 14, 2025 at the Hornby Town Hall. Present were: Supervisor Justin Eberlin, Councilmembers Hazel Russell, John Hale, Highway Superintendent Ron Divens, and Town Clerk Pam Smith. Also in attendance were County Legislator Carol Ferratella, Dominic Eberlin, Tammie DeWert, Stephanie DeWert, Charles DeWert, Edward Buchanan, Rebecca Litz, Brian Litz and Code Enforcement Officer Brad Laverty.

The public hearing on Local Law # 1 of 2025 was opened at 6:00 pm and the legal notice as published in The Leader was read by Supervisor Eberlin.

None of the visitors had any comments regarding local law # 1 Of 2025, a Moratorium on Commercial Solar Energy Systems.

Councilmember Russell stated that NYSEG will be putting in bigger transmission lines on Hornby Rd.

Code Enforcement Officer Brad Laverty suggested including battery storage in the moratorium.

MOTION by Russell, seconded by Hale,

To close the public hearing at 6:06pm.

Vote: Eberlin – aye, Reed – not present, Russell – aye, McLaughlin – not present, Hale – aye.

The Town Board meeting was opened at 6:06 pm by Supervisor Eberlin.

Supervisor Eberlin stated that the County Planning Department did not approve the moratorium law, stating that it needed more details included in the law. The law will be sent back to the planning board, then the town

board will send it to the lawyer to review. Local Law # 1 of 2025 a Moratorium on Commercial Solar Energy Systems, is tabled for now.

MOTION by Russell, seconded by Hale,  
To approve the minutes of the Town Board meeting dated March 10, 2025.  
Vote: Eberlin – aye, Reed – not present, Russell – aye, McLaughlin – not present, Hale – aye.

Discussion was held on the trucking bill from Clark's. Highway Superintendent Divens stated that having Clark's hauling saves time and money. Clark's hauls for \$5.50 per ton, or \$126.50 a load. This is cheaper than using the Town's trucks and employees. CHIPS money is used to pay for these services. Highway Superintendent Divens is given a budget to do the work needed, and he can choose to use that money as he deems necessary to complete the required work.

MOTION by Russell, seconded by Hale,  
To approve the payment of General Fund vouchers, numbered 49-74 on abstract G-04-25 in the amount of \$27,790.31; the payment of Fire Protection District voucher number 54 in the amount of \$92,500.00, the payment of Highway Fund vouchers numbered 40-58 on abstract H-04-25 in the amount of \$57,236.82; and the payment of Trust and Agency voucher numbered 57 in the amount of \$7,086.93.  
Vote: Eberlin – aye, Reed – not present, Russell – aye, McLaughlin – not present, Hale – aye.

The rabies clinic will be held on Friday May 23, from 5pm – 7pm at the fire hall.

NYS has passed a law that states that municipalities have to have a '.gov' website by December 21, 2025. Discussion was held. A policy is also needed, stating what is to be put on the website, and who is to put it on the website. Supervisor Eberlin will ask for a quote from CPE IT.

The Town Board was given the Assessor's reports for March and April, and the reports were read out loud. The current equalization rate for the 2025 assessment roll is 89.25 percent.

The highway department is requesting to join a union. The International Brotherhood of Teamsters, Local Union No. 118 sent a letter to Supervisor Eberlin informing him of the highway department's request to unionize. Supervisor Eberlin contacted Attorney Bowes, who asked and received a two week waiver from the union to respond. Attorney Bowes suggested that the Town use a labor relations lawyer to negotiate the contract. Discussion was held. The money for a lawyer is not in the budget, but there is money in the savings that could be used for the lawyer.

Highway Superintendent Divens stated that they are hauling gravel and servicing summer equipment. He got a permit to trap beavers, so that he can deal with a problem on Rogers Road. Noel Bablo is trapping for the Town.

Discussion was held on propane. Mirabito has been told to not deliver any more propane. Highway Superintendent Divens is going to shop around to find a better price on the propane.

Supervisor Eberlin stated that the town hall is actually a tier two for the furnace contract because of the air conditioning, not a tier one. Cost of tier two is \$35.99/month or if paid annually, \$410.29.

MOTION by Hale, seconded by Russell,

To accept the Ambient contract for tier two, at a cost of \$410.29.

Vote: Eberlin – aye, Reed – not present, Russell – aye, McLaughlin – not present, Hale – aye.

The Town has a lawn care quote from Prime Lawn Care of \$600.00 per service, which is \$1200 per month. This was tabled so that the town board members could talk with Highway Superintendent Divens. Discussion was held on the lawn quote, and where the money will be coming from.

A8810.2 has \$1000.00 in the budget

A8810.4 has \$300 in the budget

A8810.1 has \$6,440 in the budget for a total of \$7440.00 for planned mowing.

If any more mowing is needed, the money will come out of A1620.4.

Discussion was held on Central Valley Cemetery. Elmer Eaton has been mowing it, but has not submitted invoices for the last two years. It was

suggested that he be paid from the perpetual care fund for that cemetery. Supervisor Eberlin will ask Attorney Bowes if the fund can be used to pay for mowing.

The Town's current dog control officer is moving, so the town will need a new dog control officer. Discussion was held. Southern Tier Animal Control would charge the Town \$7,200 per year. The town board members think that is too expensive. That amount is over \$2000 more than the Town pays for a dog control officer now, and people would have to drive approximately an hour one way to pick up their dogs. Concerns were also raised about the contract they sent the Town and their practices. Work will have to be done on the Town's kennel to keep it approved by NYS.

The draft local law for the volunteer firefighter and ambulance worker exemption is being tabled until next month.

Supervisor Eberlin has received concerns about the condition of some of the roads. Discussion was held. The highway department is working on fixing roads.

The meeting was opened to hear from visitors.

County Legislator Carol Ferratella stated that since Governor Hochul lifted some of the restrictions on the fired corrections officers, Steuben County has twelve of the corrections officers interested in working at the County jail. There are thirteen open positions at the jail. Also, don't forget about roadside cleanup and the special days at the landfill.

Discussion was held on roadside cleanup. It will be Saturday May 17<sup>th</sup> from 9am -12noon. This year they will meet at the town barn, and drop off the picked up garbage at the town barn.

Discussion was held on the summer program. A decision needs to be made by the May meeting. The Town Clerk will check with Bill Caudill to see if the Town is still eligible for a reimbursement if the program is held. Any director would need a background check.

MOTION by Hale, seconded by Eberlin,  
To adjourn the meeting at 6:58pm.

Vote: Eberlin – aye, Reed – not present, Russell – aye, McLaughlin – not present, Hale – aye.

Pamela A. Smith  
Hornby Town Clerk