

TOWN OF HORNBY
REGULAR MONTHLY MEETING & ORGANIZATIONAL MEETING
JANUARY 12, 2026

Present at the January meeting of the Hornby Town Board were: Supervisor Justin Eberlin, Councilmembers Rebecca Litz, Hazel Russell, Steve Reed and John Hale, and Town Clerk Pam Smith. Eunie Taggart and Jen Cushing also attended the meeting.

The Town Board meeting was opened at 6:00 pm by Supervisor Eberlin.

MOTION by Hale, seconded by Reed,
To approve the minutes of the Town Board meeting dated December 8, 2025 as presented. No discussion was held.
Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

MOTION by Russell, seconded by Hale,
To approve the payment of General Fund vouchers numbered 193-196 & 1-12 on abstract G-01-26 in the amount of \$10,433.92; the payment of Highway Fund vouchers numbered 170-171 & 1-12 on abstract H-01-26 in the amount of \$43,243.31; and the payment of Trust and Agency voucher numbered 68 in the amount of \$7,937.63. No discussion was held.
Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

Supervisor Eberlin stated that the Hornbyny.gov is approved.

The Town received the quarterly report from the fire department, with the officers and number of calls for the quarter.

Supervisor Eberlin will keep trying to apply for the grant for the dog kennel. The deadline for the grant is in February.

Discussion was held on the details for a bicentennial plaque – on 1/27/2026, the Town will be 200 years old. Supervisor Eberlin will order the plaque.

The Assessor turned in her monthly report, and the town board members have copies of the report.

Discussion was held on the Association of Towns training. There will be training in Corning. No one is interested.

There is no highway report tonight.

The status of the dog kennel and required upgrades were discussed. The kennel on 414 is not in business yet, but will be soon, so a contract cannot be done with them yet. Supervisor Eberlin wanted to call Hannah from NYS Ag & Markets to get a list of what had to be changed in the town's kennel, but the rest of the town board did not want him to call. The Town's kennel is able to be used until NYS comes and inspects it and fails the kennel. When NYS comes, Councilmember Russell volunteered to meet with Shawn and Hannah so we could get a written list of what needs to be fixed to be able to use the kennel again.

Hiring Prime Lawn Care to shovel the town hall was discussed. In the past, Prime Lawn Care did not come out and shovel when there was snow, because they were not aware that it had snowed in Hornby. The town board does not want to hire them to shovel. The town board feels that when the town highway department plows, they should also plow the town hall parking lot and shovel the town hall sidewalks.

The meeting was opened to visitors.

Eunie Taggart is concerned with the Beacon software that the County Real Property Department is now using for parcel information. The print is smaller, the printout is pages longer and she cannot get more than 500 properties to list out when the town has around 1000 parcels. The software is not user friendly and is hard to use in several ways. Discussion was held. Two lawyer's offices have called for tax bills because they couldn't get the information from the Beacon software. Mrs. Taggart also discussed her progress on her book.

Supervisor Eberlin was sworn in as a County Legislator on 1/5/2026. He is on two committees: Human Services, Health & Education and Public Works. Discussion was held.

MOTION by Eberlin, seconded by Reed,
To appoint Councilmember Hazel Russell as Deputy Supervisor. Discussion was held.
Vote: Eberlin – aye, Russell – abstain, Litz – aye, Reed - aye, Hale - aye.

Discussion was held on the highway money. In 2026, Highway should have \$130,377.18 to begin the year 2026, per the unexpended fund balance. Per the Dec 2025 bank statement, they had \$438,653.78, because of the CHIPS repayment in December. General had loaned Highway money for CHIPS purposes, and Highway currently owes General \$351,775.58. If General took what Highway owes them, then General would have to give Highway more money to cover the unexpended amount they need to start 2026. So, General will only get back \$300,000.00.

MOTION by Russell, seconded by Eberlin,
To move \$300,000.00 from Highway to General as full repayment for what Highway borrowed in 2025, as a loan for CHIPS.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

MOTION by Reed, seconded by Hale, to go into executive session at 7:09 pm to discuss matters relating to collective negotiations pursuant to Article 14 of the Civil Service Law.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

The regular meeting resumed at 7:49pm.

MOTION by Eberlin, seconded by Reed,
To add the monthly court fine bill for December 2025 in the amount of \$1365.00 from NYS to the January abstract.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

The organizational portion of the meeting started at 7:52 pm.

RESOLUTION by Hale, seconded by Eberlin, to approve the following designations:

The Town Board will meet the second Monday of each month at 6:00 PM at the Town Hall.

The official newspaper is the Corning Leader.

Depositories: Supervisor – Community Bank, NA
Justice – Chemung Canal
Town Clerk – Five Star Bank
Tax Collection – Chemung Canal

Petty cash funds shall be set as follows:

Town Clerk - \$50.00
Tax Collection - \$200.00
Town Justice - \$100.00

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Eberlin, seconded by Hale, to approve the following contract to be effective retroactive to January 1, 2026.

Attorney for the Town – Thomas M. Bowes at \$3,000 per year for the first 30 hours.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Reed, seconded by Hale, to approve the following salaries to be effective retroactive to January 1, 2026:

Justice – Theresa Novak, at \$5,993.02

Supervisor – Justin Eberlin, at \$9,925.08

Town Board Members – Hazel Russell, at \$1439.90

Rebecca Litz, at \$1439.90

John Hale, at \$1439.90

Steven Reed, at \$1439.90

Town Clerk – Pamela Smith, at \$20,831.75

Superintendent of Highways – Ron Divens, at \$72,355.44

Code Enforcement – Brad Laverty at \$12,500.00

Assessor – Holley Smalt and David Weeks at 19,641.49, agreed upon between the two

parties.

Summons Server – to be determined, at \$10.00 per service, plus mileage

Dog Control Officer – Shawn Peterson, at \$4,774.08

Historian – Eunice Taggart at \$612.00

Bookkeeper – Ann Taft, at \$20.55 per hour

Clerk to the Planning Board and Zoning Board of Appeals – Jeanne Beebe @

\$45 per meeting night, hourly minimum wage for other planning and zoning work.

Court Clerk – Patrick Harrison @ minimum wage; with a 3 hr minimum

Deputy Supervisor – Hazel Russell at no salary

Deputy Town Clerk/Tax Collector – Laura Landolf at minimum wage; with a 3 hr minimum

Town Hall Cleaner – Shannon Eberlin at \$212.18 per month

Armed Court Officer PT – to be determined, at \$20 per hour; with a 3 hr minimum

Assessment Board of Review - \$62.54 diem per each grievance day and current minimum wage plus mileage to attend training, to be paid by voucher after grievance day.

Vote: Eberlin – abstain, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Russell, seconded by Eberlin,

That the Highway Superintendent is to be paid biweekly; the Assessor, Supervisor, Town Clerk, Dog Control Officer, Justice, Bookkeeper, Court Clerk, Armed Court Officers, Planning Board Clerk, Custodian and Code Enforcement Officer, shall be paid monthly. All other elected and appointed officials shall be paid in four equal payments as set by the 2026 budget, to be paid in March, June, September, and December.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Reed, seconded by Eberlin, to authorize the following:

The Town Hall scheduler is the Town Clerk or in her absence, the Supervisor.

Regular Town Hall use is:

Town Clerk Monday 10:00 am – 2:00 pm & Tuesday 11:00 am – 6:00
pm and
during January on Fridays 11:00 am – 6:00 pm
Assessor – 1st & 3rd Tuesdays 11:00-3:00 and 2nd & 4th Thursdays 11:00-
3:00
Planning Board – Thursday following the Town Board meeting at
7:00pm
Zoning Board of Appeals – as needed
Code Enforcement Officer – Mondays 4:30pm – 6:30pm
Justice – Court is 1st Wed at 8:30am
Town Board – second Monday of each month at 6:00 pm
Town Supervisor – 5:00pm-6:00pm Mondays before Town Board
meetings

The rate for mileage reimbursement is set at 72.5 cents per mile. Mileage is
to be turned

in to the Town Clerk for reimbursement by March 1, June 1, September 1
and December
1 of the current year.

The Supervisor is authorized to submit, in lieu of an annual report, a
copy of the annual report submitted to the State Comptroller to the
Town Clerk. The Town Clerk is to publish in the official newspaper that the
report has

been received and is on file at the Town Hall. Said notice shall be published
within 10
days of receipt of the report.

That the Supervisor is authorized to pay bills that may incur a
penalty prior to audit, including credit card bills, by the Board and to invest
town funds in

interest bearing accounts per regulation set by the State Comptroller and
that the

Supervisor is also authorized to prepay medical insurance for the covered
employees.

That the veterinarians at Towne & Country Veterinary Hospital are authorized to euthanize dogs upon the direction of the DCO at the current rate per animal size.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Reed seconded by Eberlin, to approve the highway program for 2026 until the union negotiations are completed as follows:

Pay rates are frozen at 2025 rates until union negotiations are completed.

Pay scale –	Laborers:	\$16.00
	MEO:	\$19.90 – \$23.87

In addition to their raise, the employee shall be paid, upon completion of an annual evaluation to be performed by the Highway Superintendent, an incentive raise which shall be 1/5 of the difference of his/her starting salary and the top pay scale for his/her job description. This shall continue until the top rate is reached. The incentive raises shall be given on the employees' anniversary date. All raises shall be given at the discretion of the Highway Superintendent but must be approved by the Town Board.

The pay period shall be bi-weekly, with payday no later than Wednesday following the end of the pay period; the end of the pay period being Saturday, unless a holiday falls on a Monday, Tuesday or Wednesday, in which case the payday may be delayed until Thursday.

Holidays: Eleven paid holidays: New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas, the day after Christmas and one roving day. If a holiday falls on a Friday, Saturday or Sunday, the day before or after will be observed, the Highway Superintendent will specify the day. Employees must work the day before and the day after a holiday to receive holiday pay. Employees will also be paid to attend the Steuben County Highway Employees Summer Picnic if the event is held on a scheduled work day.

Sick pay: one sick day per month, accumulative to 100 days. If sick days are consistently used by employees without a major illness, the employee may be required to have a physical exam by a physician to ascertain the employee's well-being for employment. If employee is absent for three consecutive days, the employee may be required to have a physician's statement to return to work. Employees will be eligible to receive 40 hours (1 week) pay for unused sick days after 1000 hours have accumulated, payable in the last payroll of the year. Upon retirement, the employee will be paid their accumulated sick hours at 62.5% of their current hourly rate.

Overtime: Time and one half will be paid for hours over 10 hours per day or 40 hours per week.

Personal days: One day or 10 hours, every six months, non accumulative.

Health Insurance:

Individual coverage – employee shall contribute \$130.00 per month for coverage,

the balance of the premium shall be paid by the Town.

(Starting January 1, 2026, employees shall contribute \$130.00 per month for individual coverage.)

Family coverage – employee shall contribute \$160.00 per month for coverage, the balance of the premium shall be paid by the Town.

(Starting January 1, 2026, employees shall contribute \$160.00 per month for family coverage.)

Paid Vacation Per Year:

One week after 1 completed year of employment

Two weeks after 2 completed years of employment

Three weeks after ten completed years of employment

Four weeks after fifteen completed years of employment

Five weeks after twenty completed years of employment

No more than three consecutive weeks being allowed at one time without special permission of the Highway Superintendent.

Bereavement Leave

In the event of death in the immediate family, each employee shall be granted three (3)

days off with pay for time lost during regularly scheduled workweek. This time shall

normally end on the day following the funeral. Immediate family shall mean: Spouse,

Child, Step-Child, Parent, Step- Parent, Brother, Sister, Step-Brother, Step-Sister,

Grandparent and/or Grandchild of either spouse. Bereavement shall not be deducted

from any other accumulated leave benefit nor shall they be accumulative.

Additional

days to be deducted from an employee's accumulated sick leave may be granted at the

discretion of the Employer.

Jury and Court Attendance

An employee working at least 40 hours or more weekly shall be entitled to his/hers usual salary for the days he/she actually serves as a juror or is in Court pursuant to subpoena or other order of the Court, in Federal Court, Grand Jury, County Court, City Court, Police Justice Court, and Magistrate Court.

Unemployment Insurance: Paid by employer

Disability Insurance: Covered under the State Plan – paid by employer

When employee meets the requirement for disability, the following shall go into effect. The disabled shall receive 100% of their wages for the time of disability under the following equation:

Disability will be paid by the current disability insurance rate with the balance being paid by sick days to meet the employees' weekly wage. Once the employees' sick days run out, the employee will only be paid the current disability insurance rate per week.

Employees on disability are not active employees, and as such, will not receive active employee benefits such as holiday pay.

Workers Compensation: Steuben County Plan – 2026 cost to the Town is \$26,522.50.

Retirement:

Employees are eligible under the NYS and Local Retirement System, tier 3 & 4 & 6

coverage. Three percent of wages paid by employee, if applicable. Upon reaching the

age for retirement, employee shall notify the Town of intent to retire and approximate

day for retirement. Retiree shall be responsible for notifying the NYS Retirement System

and the Social Security Administration for benefits. Health Insurance coverage and

benefits may be changed depending upon costs.

The Town operates under the guidelines of the Steuben County Drug and Alcohol Program at a cost of \$50 per person, per year, paid by Town.

The costs of the annual D.O.T. physicals will be paid by the Town.

Uniforms

Employees will be reimbursed for up to \$250 a year per person for purchasing work pants and/or boots.

The Town of Hornby will provide proper PPE including 5 work shirts and 5 sweatshirts.

The Highway Superintendent shall be authorized to purchase tools, equipment and implements during the year, without prior approval of the Town Board, up to the amount of \$1,000.

Any major repairs to equipment shall have a written quote from the vendor with a firm quote and notification that without written consent, overages will not be paid.

The yearly highway inventory shall be filed with the Town Clerk for items valued over \$500. The Highway Superintendent shall file said inventory by August 1st.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Litz, seconded by Eberlin,
To appoint the Highway Superintendent as Town of Hornby FEMA Administrator, whose activities include identifying damage, attending applicant briefings, completing forms, creating files, project monitoring, assessing damage, collecting cost data, developing cost estimates and final inspection of projects.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Litz, seconded by Eberlin, to approve the following

Vacations (Non-Highway):

Hourly: Non-Highway Hourly employees will not be paid for time off from work that they choose to take. Such time off must be approved by the Town Supervisor a minimum of

one week prior to time off. Emergencies excluded. They may take unpaid time off to

the extent that it does not impact fulfilling their job duties, and their jobs are not

negatively impacted.

Salaried: Non-Highway Salaried employees will receive paid vacation time.

Vacation time

must not interfere with the fulfillment of the employee's normal duties.

Town Supervisor

must be notified at least one week in advance. Emergencies excluded.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Russell, seconded by Reed, to approve the following

Any salaried employee (highway or non-highway) who is enrolled in the NY State and

Local Retirement System must report any time off to the bookkeeper, whether it is vacation, medical leave, personal days, etc., to ensure proper reporting to the retirement system.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Eberlin, seconded by Hale,

All hourly employees, highway and non-highway, who have met all requirements of their respective positions for the entire year may, at the discretion of their respective supervisors, receive up to an additional \$75 in addition to their annual salaries. This decision will be made at the November or December Town Board meeting.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

MOTION by Russell, seconded by Eberlin,
Starting with the retirement or departure of the current Highway Superintendent Ron Divens, the starting salary will be \$50,000.00 for the incoming Highway Superintendent position. No cell phone will be provided, nor reimbursed; and the employee contribution for health insurance shall be that of all other highway employees.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Eberlin seconded by Reed,
To split every quarterly sales tax payment in half and distribute one half to Highway and one half to General.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

RESOLUTION by Eberlin, seconded by Hale,
To transfer appropriate funds to General to meet the Unexpended Fund Balance defined in the 2026 Budget, monies to come from General Savings; and to transfer appropriate funds to Highway to meet the Unexpended Fund Balance defined in the 2026 Budget, monies to come from General Savings.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

MOTION by Eberlin, seconded by Hale,
To re-appoint Russell Howe as a planning board member, term of office 1/1/2026 – 12/31/2030.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

MOTION by Reed, seconded by Eberlin,
To re-appoint Jason McLaughlin as Zoning Board of Appeals member, term of office 1/1/2026 – 12/31/2030.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

The organizational portion of the meeting concluded at 8:48 pm

MOTION by Russell, seconded by Hale,
to adjourn the meeting at 8:51 pm. No discussion was held.

Vote: Eberlin – aye, Russell – aye, Litz – aye, Reed - aye, Hale - aye.

Pamela A. Smith
Hornby Town Clerk