

Town Board Regular Meeting
Town of Hornellsville
Town Hall - 4 Park Ave, Arkport
Tuesday, December 12, 2023 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
Debra Castle-Harvey, Bookkeeper
Shannon Smith, Deputy Clerk

CALL TO ORDER

The Meeting was called to order at 7:01 p.m. by Dan Broughton, Supervisor with the pledge of allegiance.

MINUTES

Motion was made by Oakes, seconded by Mauro to accept the Budget Workshop Minutes, Public Hearing Minutes and Regular Minutes of November 14, 2023 and the Public Hearing Minutes and Special Meeting Minutes of November 20, 2023 as submitted by the Town Clerk.

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

AUDIT OF CLAIMS

Motion was made by Mauro, seconded by Oakes that bills contained on Abstract #12 have been reviewed by the Town Board and are authorized for payment in the amount of \$65,724.68.

General Fund A - \$16,871.49
General Fund B - \$411.34
Highway Fund DA - \$21,461.08
Highway Fund DB - \$26,100.00
Street Lighting Fund SL1 - \$842.97
Water District Fund SW2 - \$37.80

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 with total disbursements by the Clerk for the month of November in the amount of \$405.00.

Paid to the Supervisor for General Fund - \$130.33
Paid to the Supervisor for Part Town Fund - \$3,356.00
Paid to NYS DEC for Decals - \$1,169.67
Paid to NYS Animal Population Control Fund - \$15.00

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 October 2023, Justice Scavo collected \$3,630.00 and Justice Werner collected \$1,745.00 with distribution to the Town being \$2,026.00.

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

CODE ENFORCEMENT REPORT

Motion was made by Oakes, seconded by Giglio to accept report read by Mauro with the activities and mileage (424 mi) for the month of October 2023 and activities and mileage (204 mi) for the month of November 2023 by the Codes Officer.

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

BUILDINGS AND INSURANCE

Motion was made by Yanni, seconded by Mauro to accept the proposal by Steve Peck for the renewal of the towns insurance policy through The Ryan Agency. The cost of the policy is \$34,564.80.

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

HIGHWAY REPORT

Motion was made by Mauro, seconded by Yanni to accept report read by Oakes with activities from the Highway Department for the month of November.

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

PUBLIC SAFETY/FIRE DEPT

Motion was made by Giglio, seconded by Oakes to accept the report dated December 11, 2023 as provided by North Hornell Fire Chief, Mike Robbins.

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

BOOKKEEPERS REPORT

Motion was made by Oakes, seconded by Yanni to accept the report dated December 12, 2023 as provided by Debra Castle-Harvey.

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

SUPERVISOR REPORT

Motion was made by Giglio, seconded by Mauro to accept report read by Broughton. Supervisors report submitted stated that the balance as of 10/31/2023 was \$2,297,167.97. The town had an increase of \$2,092,086.71 and a decrease of \$1,971,718.02 leaving a balance as of 11/30/2023 of \$2,417,536.66.

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

RESOLUTIONS

RESOLUTION 18-2023

A RESOLUTION FOR THE AUDIT OF THE NEW YORK STATE 2022 GENERAL ELECTION

Whereas it is a recognized civil right in the United States for every citizen to have free and fair elections. “And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” (Reynolds v. Sims, 377 U.S. 533 (1964));

Whereas it is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free of distortion or manipulation;

Whereas our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through the operational integrity of our elections, as defined by those laws governing the following five processes:

1. Rigorous Verification of Voter Identity.
2. Proven Ballot Security and Intact Chain of Custody.
3. Voting Systems Certified to be Secure from Operational, Physical and Cyber Threats.
4. Meets All FISMA and State Operational and Risk Assessment Requirements.
5. Meets Auditability and Traceability Requirements and Operational Policy.

Whereas an open-source audit of the New York State 2020 General Election conducted by New York Citizens Audit has uncovered evidence of massive inaccuracies that violate both Federal and State Laws, including:

- 2,427,827 NYS Voter ID numbers attached to 1,170,790 registrants.
- 740,396 ineligible votes cast Statewide.
- 338, 356 more votes cast than voters who voted.
- 987,490 voters who registered on January 1st from 1900 to 2021.
- 1.9MM registrations in the state voter rolls missing from the county rolls.
- 625,359 more registrations than voting-age citizens in six countries alone.
- 195,271 votes cast in New York City that went missing in the NYS Voter database.
- 1,000,000+ felony violations of New York State Election Law.
- 95 State and Federal legislative races impacted by 740,396 ineligible votes.
- Abandoned ballots and ballot payment schemes.
- Certification as defined by laws was provably fraudulent and illegal.

Whereas these findings trample accuracy requirements of voting systems for a Federal Election, wherein the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions. For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by voter for each ballot position without error;

Whereas it must be factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio (United States v. Throckmorton, 98 U.S. 61 (1878));

Whereas State and Federal Officials have met the efforts of New York Citizens Audit to seek redress for these egregious violations with indifference and inaction, including the Attorney General, Secretary of State, State Board of Elections, Inspector General, Federal Bureau of Investigations, State Leadership of Democrat and Republican parties, County Election Officials, Sheriffs, District Attorneys, and others;

Whereas none of these violations were addressed prior to administration and certification of the 2022 General Election, and there prevails a spirit of extreme contention and zero trust between people of differing political ideologies across New York, which is destructive to our families, our way of life, and the fabric of these United States and;

Therefore, we call upon our Representatives including Town Board Members, County Legislators, State Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, and Judges to provide relief to the people, and the assurance of domestic tranquility, through the fulfillment of each of the following firm requests:

1. A complete end-to-end audit of the New York State 2022 General Election, for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.
2. The enactment of legislation defining a mutually agreed upon process by which an end-end audit would be triggered in any future elections.
3. The enactment of legislation defining a mutually agreed upon accuracy rate for the NYS Voter and County voter roll databases.
4. The enactment of legislation allowing for anonymous vote verification and tracking by the voter (open-source, royalty-free patent pending), including automatic mechanisms to report and remedy errors during the canvas period following an election, regardless of ballot entry source.
5. Criminalize election misconduct explicitly with regard to State election law, and increase penalties to reflect the societal and generational harms inflicted by these crimes.

Be it Resolved that Hornellsville, NY stands in support with the concerns and remedies presented here. We implore the Steuben County Legislature, NYS Legislature, Federal Legislators, Law Enforcement, Federal and State Prosecutors, Judges, and both State and County Boards of Elections to cooperate and fulfill these firm requests of the people.

Motion Made by: James Giglio

Motion Seconded by: Trisha Gianni

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

OTHER BUSINESS

Motion was made by Oakes, seconded by Mauro to allow Deputy Clerk, Shannon Smith and Town Clerk, Jessica LaFrance to attend the Association of Town's training school January 10, 11 and 12 at a cost of \$200.00 per attendee.

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

Correspondence was received from Steuben County Public Health regarding the Rabies Clinic held on September 30, 2023 at the Highway Department. Use of the facility allowed for 107 dogs and 28 cats to be vaccinated for rabies. No action was taken.

ADJOURNMENT

With no further business, on a motion made by Mauro, seconded by Gianni, the meeting was adjourned at 8:06 p.m.

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

Respectfully Submitted,

Jessica LaFrance
Town Clerk
January 8, 2024