

REGULAR meeting of the Hornell Common Council was held on Monday, February 24, 2014, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

PRESENT: Mayor Shawn D. Hogan; City Attorney Joe Pelych; Aldermen Brown, Harkenrider, McCumiskey, Foreman, McManus, Lehman, Bassage, Buckley and Carbone, City Clerk Barbara Perrott.

ALSO PRESENT: Jeff Cole, Evening Tribune; Billy Murphy, WLEA; 14 High School students, Eileen Lehman, Michele Smith, and Randy Weaver.

ABSENT: Aldermen Murray

INVOCATION: Rev. Kahler

PLEDGE TO THE FLAG: Mayor Shawn Hogan

By: Lehman/Brown

RESOLVED, that the minutes of the Common Council meeting of January 27, 2014 be approved as read.

Carried – 9

Absent – 1 (Murray)

By: Carbone/Foreman

RESOLVED, that the Reports of Officers be accepted and placed on file.

REPORTS FILED: Dog Control Officer Insp. Rpt.-1/2014; Municipal Shelter Insp. Rpt.-1/2014; City Clerk-1/2014; General Fund Exp.-1/2014; Water fund Exp.-1/2014; Humane Society-1/2014; Library Board of Trustees-12/16/13; General Fund Rev.-1/2014; Water Fund Rev.-1/2014; EDLP Summary Rpt.-1/2014; Housing rehab Summary Rtp.-1/2014; BPS Minutes-1/9/14; Codes-1/2014; HPD-1/2014; Fire/Ambulance-1/2014; BPW Minutes-1/16/14; DPW-1/2014; Petro Tank-2/4/14; WPCP-1/2014; WTP-1/2014

Carried – 9

Absent – 1 (Murray)

Alderman Bassage commended Codes Officer Bud Burdett on his monthly report.

By: Buckley/Brown

RESOLVED, that the Reports of Committees be accepted and placed on file.

AUDIT COMMITTEE:

February 20, 2014

To the Honorable Shawn D. Hogan, Mayor
And
Members of the Common Council

Ladies and Gentlemen:

Bills were audited and approved by Audit Committee Members Jim Bassage, Jeff Brown, Fred Lehman and Audit Committee Chairman John Carbone.

Bills audited and approved:

CC	\$174,784.74
CD	\$ 20,928.50
PAYROLL	<u>\$ 78,605.30</u>
 TOTAL	 <u>\$ 274,318.54</u>

Respectfully submitted,
John Carbone, Chairman
Audit Committee

Carried – 9
Absent – 1 (Murray)

FINANCE COMMITTEE:

February 14, 2014

Hon. Mayor Shawn D. Hogan
Members of the Common Council
Ladies & Gentlemen:

The Finance Committee met on Friday, February 14, 2014 at 4:00 pm in the City Building conference room. Members present were Aldermen: Buckley, Harkenrider, Carbone and Foreman.

Others present were: Mayor Hogan and City Chamberlain Michele Smith.

Items discussed and/or acted upon are as follows:

1. Mayor Hogan briefed the committee on the FY 2014-15 City Budget.
2. A motion was made by Buckley, seconded by Harkenrider to approve said budget and move it to the full council. A public hearing on this budget will be held on Saturday, February 22, 2014. All ayes.
3. Mayor Hogan briefed the committee on the FY 2014-15 City Water Budget. There is no projected increase in this budget. A motion was made by Carbone, seconded by Harkenrider to approve the budget. All ayes.
4. A motion was made by Buckley, seconded by Carbone to override the Tax Cap. All ayes.

There being no further business the meeting adjourned at 4:55 p.m.

Respectfully submitted,

Joseph Foreman, Chairman

By: Buckley/Brown

HN-14-17 – Local Law #1 of 2014

WHEREAS, It is the intent of this local law to allow the City of Hornell to adopt a budget for the fiscal year commencing April 1, 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c., and

WHEREAS, This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

The Common Council of the City of Hornell, County of Steuben, is hereby authorized to adopt a budget for the fiscal year commencing April 1, 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

NOW, THEREFORE, IT IS HEREBY RESOLVED, THAT Local Law No. 1 of 2014 is hereby adopted and shall take effect immediately upon filing with the Secretary of State

Carried – 9

Absent – 1 (Murray)

Mayor Hogan explained that the City is well below the 2% tax cap and adopting this local law is procedural; municipalities are advised to approve it in case of an error in figures.

By: Buckley/McCumiskey

HN-14-18

WHEREAS, the City of Hornell owns real property located at 12 Conklin Street in the City of Hornell, County of Steuben, State of New York and,

WHEREAS, the City of Hornell has entered into an agreement to sell said real property to Justin Ohara and Kirsten Burger and,

WHEREAS, Justin Ohara and Kirsten Burger have obtained bank financing in order to purchase said property.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor for the City of Hornell is authorized to execute any and all documents necessary in order to effectuate the closing of the aforesaid property.

Carried – 9

Absent – 1 (Murray)

By: Carbone/Lehman

HN-14-19

WHEREAS, the City of Hornell owns real property located at 62 East Main St. Circle in the City of Hornell, County of Steuben, State of New York and,

WHEREAS, the City of Hornell has entered into an agreement to sell said real property to Matthew and Tiffany Donovan and,

WHEREAS, Matthew and Tiffany Donovan have obtained bank financing in order to purchase said property.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor for the City of Hornell is authorized to execute any and all documents necessary in order to effectuate the closing of the aforesaid property.

Carried – 9

Absent – 1 (Murray)

By: Carbone/Lehman

HN-14-20

RESOLVED, that the 2014-2015 City of Hornell budget be and is hereby approved.

Carried – 8

Nay – 1

Absent – 1 (Murray)

Alderman McManus asked what the finance committee has done to change the need for borrowing. Mayor Hogan explained that the state pension fund sets the rate and we have no control over it. Alderman Buckley asked Alderman McManus where he would make cuts. McManus suggested cutting positions in the Police and Fire Departments.

By: Buckley/Carbone

HN-14-21

RESOLVED, that the 2014-2015 City of Hornell water budget be and is hereby approved.

Ayes – 9

Absent – 1 (Murray)

Alderman Bassage said that he and Alderman McCumiskey had recently toured the Water Plants and were very impressed. He encouraged all aldermen to do so.

HN-14-22

WHEREAS, the budget report as adopted shows the amount to be raised by tax for the current year to be \$2,722,777.66;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does ascertain that the aforesaid sum of \$2,722,777.66 as above set out, be and the same is hereby levied according to the valuation upon the assessment roll for the current year, and the City Clerk and the Mayor along with the City Chamberlain be, and are hereby directed, in accordance with the provisions of the City Charter of Hornell, to apportion said sum levied on the assessment roll to be raised by tax, and to receive and collect same.

Carried – 9

Absent – 1 (Murray)

HN-14-23

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, City Chamberlain and City Clerk be authorized to draw checks.

Carried – 9

Absent – 1 (Murray)

HN-14-24

NOW, THEREFORE, BE IT RESOLVED, that Steuben Trust Co., Depository Trust Company of New York, Chase Manhattan Bank, MBIA Municipal Investors Service Corp., and Five Star Bank be and are hereby designated official depositories for monies of the City of Hornell, N.Y., for fiscal year 2014-15.

Carried – 9

Absent – 1 (Murray)

HN-14-25

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does hereby designate The Evening Tribune as the Official Newspaper for 2014-15.

Carried – 9

Absent – 1 (Murray)

HN-14-26

NOW, THEREFORE, BE IT RESOLVED, that George Huffsmith of 86 Bennett St., Hornell, New York, and David Sengstock of 15 Washington St., Hornell, New York, are hereby re-appointed

as Commissioners of Public Safety for two-year terms, both commencing Feb. 1, 2014 and expiring Jan. 31, 2016.

Carried – 9

Absent – 1 (Murray)

HN-14-27

NOW, THEREFORE, BE IT RESOLVED, that Joseph Bob of 40 ½ Jane St., Hornell, New York, and Stanley Hill of 75 Platt St., Hornell, New York are hereby reappointed as Commissioners of Public Works for two-year terms, each commencing Feb. 1, 2014, and expiring Jan. 31, 2016.

Carried – 9

Absent – 1 (Murray)

CLAIMS:

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$274,318.54, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$174,784.74
Community Development	\$ 20,928.50
Payrolls	<u>\$ 78,605.30</u>
TOTAL	<u>\$274,318.54</u>

Carried – 9

Absent – 1 (Murray)

New & Unfinished Business:

Mayor Hogan stated that we have received our last supply of salt for the season and have begun mixing it with sand to last the rest of the winter.

A Local Law will be presented at the March meeting – Sales tax agreement with county.

Alderman Buckley proposed a city-wide referendum to change the Asst. Judge position to an elected position. Attorney Pelych will look into this further.

By: McManus/Buckley

RESOLVED, that the Common Council adjourn at 7:50 p.m.

Carried – 9

Absent – 1 (Murray)

SHAWN D. HOGAN
MAYOR

BARBARA M. PERROTT
CITY CLERK