

REGULAR meeting of the Hornell Common Council was held on Monday, Oct. 24, 2005, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

PRESENT: Honorable Shawn D. Hogan, Mayor; Aldermen Flaitz, Koehler, Norton, Sciotti, Foreman, Testani, Shepard, Smith, Lewis and Carbone; City Attorney Joseph Pelych; Stenographer Karen Schu; and City Clerk Robert J. Roberts.

AND FROM THE MEDIA: Rob Montana of The Evening Tribune and Brian O'Neal of radio station WLEA.

ALSO PRESENT: Residents Glenn Hann and Nigel Perrott; and 20 Hornell High School students.

ABSENT: None.

INVOCATION: The Honorable Shawn D. Hogan, Mayor.

PLEDGE TO THE FLAG: City Attorney Pelych.

By
Smith/Carbone:

RESOLVED, that minutes of the public hearing and regular meeting held Oct. 11, 2005, be approved as read.

Carried – Ayes all (10)

Absent – None

By Shepard/Koehler:

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

Carried – Ayes all (10)

Absent – None

REPORTS OF COMMITTEES:

Oct. 20, 2005

TO: Honorable Shawn D. Hogan
and Members of the Common Council

Ladies and Gentlemen:

The Audit Committee met and audited bills Wednesday, Oct. 19, 2005, at 7:35 p.m. Bills were audited by Jean Shepard, John Carbone and Dan Smith. Chris Koehler audited bills on Thursday, Oct. 20.

Bills audited and approved:

CC	\$250,354.48
CD	3,907.27

PAYROLL	<u>126,615.14</u>
TOTAL	<u>\$380,876.89</u>

Respectfully submitted,
Christopher Koehler
Chairman, Audit Committee

By Koehler/Sciotti:

RESOLVED, that the Reports of Committees be accepted and placed on file.
Carried – Ayes all (10)
Absent – None

RESOLUTIONS:

#1 – SET HALLOWEEN TRICK-OR-TREAT HOURS – HN-05-53

By Testani/Shepard:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby sets trick-or-treating hours for 6-8 p.m. on the night of Monday, Oct. 31, 2005.
Carried – Ayes all (10)
Absent – None

#2 – AUTHORIZE MAYOR TO SIGN BUS GRANT – HN-05-54

By Lewis/Koehler:

WHEREAS, the City of Hornell is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for operating assistance to provide transportation service in Eastern Allegany County and Western Steuben County by Hornell Area Transit for the 2006-07 and 2007-08 fiscal years;

WHEREAS, the City of Hornell and the State of New York have entered into a continuing agreement, which authorizes the undertaking of the Project and payment of the Federal Share, identified as State Contract No. C003668;

RESOLVED, that Mayor Shawn D. Hogan is authorized to act on behalf of the City of Hornell to sign the application and progress and complete the above-named project.

Carried – Ayes all (10)
Absent – None

ON THE QUESTION: Mayor Hogan noted this aid helps the Hornell Area Transit system run on a break-even or above-break-even basis. He noted that given the current

high cost of gasoline, the runs back and forth to Bath average over 300 passengers a day. "It's been a great service for a lot of individuals," he said.

#3 – CANCEL TAXES ON HORNELL STREET PROPERTIES – HN-05-55

By Flaitz/Sciotti:

WHEREAS, the City of Hornell's 2005 City taxes were levied in error because the following properties are under a payment-in-lieu-of-taxes agreement with the Hornell Industrial Development Agency:

135-137 Hornell St.

133 Hornell St.

NOW, THEREFORE, BE IT RESOLVED, that the 2005 City taxes owed on the above properties be canceled.

135-137 Hornell St. #151.55-01-066.000 \$93.76

133 Hornell St. #151.55-01-065.000 \$95.35

Carried – Ayes all (10)

Absent – None

ON THE QUESTION: Mayor Hogan noted this resolution came from the office of Chamberlain Thelma Pelych, and dealt with property occupied by Updyke's Willow Ridge rest home. "They provide a great service to the community's quality of life," he said. The tax was levied in error.

#4 – WAIVE AGENDA – HN-05-56

By Shepard/Smith:

NOW, THEREFORE, BE IT RESOLVED, that the agenda be waived for the Common Council meeting of Oct. 24, 2005, in order to discuss a resolution asking for a minimum rise in the price of heating costs this winter.

Carried – Ayes all (10)

Absent – None

ON THE QUESTION: The resolution was proposed by Alderwoman Shepard as a way to send a symbolic message of concern to utility and state officials.

#5 – REQUEST TO HOLD HEATING COST INCREASES TO A MINIMUM – HN-05-57

By Shepard/Sciotti:

WHEREAS, the Common Council for the City of Hornell is desirous of protecting the health and welfare of the residents of the City of Hornell; and

WHEREAS, the Common Council is aware of and very concerned about the costs associated with heating the homes of its citizens this coming winter; and

WHEREAS, the Common Council wishes to request that the Public Service Commission and National Fuel do all that is possible to hold down any increases in the costs associated with heating our citizens' homes;

NOW, THEREFORE, LET IT BE RESOLVED that the Common Council for the City of Hornell hereby implores the Public Service Commission and National Fuel Gas to raise rates this year as little as possible in order to minimize the effects of any projected increases upon our citizens.

Carried – Ayes all (10)

Absent – None

ON THE QUESTION: Mayor Hogan said the City has no official control over utilities, but that the City could ask the federal government to put controls over the extent of the price of heating costs, which are expected to rise from 30- to 5-percent this winter. This resolution, he added, was “symbolic in nature” and would be sent to utility and governmental authorities. “How can people afford these gas bills when they are higher than their mortgage? Somebody needs to step up to the plate,” Alderwoman Shepard said. Mayor Hogan said the best solution is to educate residents about available programs – such as HEAP – that could help them pay higher fuel bills. “A lot of them don’t apply because they don’t know about them,” the Mayor said. As an example of the non-binding relationship between the City and National Fuel, Mayor Hogan noted the City did not sign a franchise agreement renewal with the utility because its 25-percent discount on city fuel bills was ended. That was about eight years ago, he said, and the lack of a franchise agreement has not hampered National Fuel in Hornell. “We’re like a declawed cat; we have no authority” over utilities, Mayor Hogan said. The irony is that natural gas is located and stored only a few miles from Hornell, “and we pay some of the highest rates in the country,” the Mayor said, pointing to high transmission fees. “Where is it coming from – another planet?” Alderwoman Shepard asked rhetorically. The resolution will be sent to the New York State Public Service Commission, National Fuel, and federal and state representatives.

PETITIONS: None.

CLAIMS:

By Koehler/Shepard:

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$380,876.89, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$ 250,354.48
CD	\$ 3,907.27
Payrolls	<u>\$ 126,615.14</u>
TOTAL	\$ 380,876.89

Carried – Ayes all (10)

Absent – None

NEW & UNFINISHED BUSINESS:

- Mayor Hogan said agreements have been signed on the South Yards annexation and that a local law on annexing the roughly 23 acres is expected at the Nov. 14, 2005, meeting. Public hearings on the annexation, and on renewed legislation for the Empire Zone, will be held on Nov. 14.
- Mayor Hogan asked members of the Common Council's Planning & Development Committee, and media representatives, to stay after the meeting for a committee meeting.
- Mayor Hogan told Alderman Smith that street repairs in the Eighth Ward would continue as weather permits.
- Alderman Koehler urged no support of Proposition No. 1 on the ballot in the Nov. 8, 2005, General Election. He said the proposition was "really a power grab" by state legislators to gain control over the state budget process. Mayor Hogan agreed, and said Proposition No. 2 – a transportation bond act – would create jobs and repair infrastructure, and urged residents to "vote the way you feel" on it.

By Shepard/Flaitz:

RESOLVED, that the Common Council adjourn at 7:30 p.m.

Carried – Ayes all (10)

Absent – None

Shawn D. Hogan
Mayor

Robert J. Roberts
City Clerk