

REGULAR meeting of the Hornell Common Council was held on Monday, Feb. 9, 2004, at 7 p.m. in Council Chambers, 82 Main St., Hornell, N.Y.

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

ALSO PRESENT: City Chamberlain Thelma Pelych, Wayne Drescher of Deloitte & Touche, Peg Brewer of the Hornell Ministerium, Rob Montana of The Evening Tribune, and Bill Dubensky of WLEA radio.

ABSENT: Aldermen Joseph Foreman and William Hogan.

INVOCATION: Peg Brewer.

PLEDGE TO THE FLAG: Alderman Leslie Lewis.

By Smith/Sciotti:

RESOLVED, that the minutes of the last meeting be approved as read.

Carried – Ayes all (8)

Absent (2) Aldermen: Foreman and Hogan

By Shepard/Norton:

RESOLVED, that the reports of officers be approved as read.

Carried – Ayes all (8)

Absent (2) Aldermen: Foreman and Hogan

REPORTS OF COMMITTEES: None.

RESOLUTIONS:

#1 – APPROVAL OF CITY FINANCIAL PARTICIPATION IN CATHERINE STREET BRIDGE PROJECT

By Testani/Koehler:

WHEREAS, a project for the rehabilitation of BIN 2218160, Catherine Street over Chauncey Run, P.I.N. 6753.57 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the City of Hornell desires to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of rehabilitation of BIN 2218160, Catherine Street over Chauncey Run.

NOW, THEREFORE, the Common Council, duly convened does hereby

RESOLVE, that the Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Common Council hereby authorizes the City of Hornell to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$260,000 is hereby appropriated from the Capital Bridge Account and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and it is further

RESOLVED, that the Mayor of the City of Hornell be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the City of Hornell with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this resolution shall take effect immediately.

Carried – Ayes all (8)

Absent (2) Aldermen: Foreman and Hogan

#2 – APPOINTMENT OF FAIR HOUSING OFFICER

By Norton/Sciotti:

RESOLVED, that Karen Gemmell be appointed the Fair Housing Officer for the City of Hornell for the 2004-05 fiscal year.

Carried – Ayes all (8)

Absent (2) Aldermen: Foreman and Hogan

By Norton/Koehler:

RESOLVED, to waive the agenda to allow for introduction of Resolution #3.

Carried – Ayes all (8)

Absent (2) Aldermen: Foreman and Hogan.

#3 – PARTICIPATION IN THE STATE-CERTIFIED APPRENTICESHIP PROGRAM

By Flaitz/Koehler:

WHEREAS, ...

Carried – Ayes all (8)
Absent (2) Aldermen: Foreman and Hogan.

PETITIONS: None.

CLAIMS: None.

NEW & UNFINISHED BUSINESS:

- Alderwoman Shepard noted she had received numerous complaints about Time Warner Cable's dropping of the NBC affiliate in Rochester, done at the request of the NBC affiliate in Elmira. Mayor Hogan said Time Warner was bound by federal law to honor the Elmira station's request. The mayor also said he wanted the Common Council's Quality of Life Committee to call a public hearing that would include representatives from Time Warner, the state Public Service Commission and – if need to, by subpoena – the management of the NBC and ABC affiliates in Elmira.

By Shepard/Flaitz:
RESOLVED, that this Council adjourn at 7:52 p.m.

Carried – Ayes all (8)
Absent (2) Aldermen: Foreman and Hogan.

SHAWN D. HOGAN, MAYOR

ROBERT J. ROBERTS, CITY CLERK