

REGULAR meeting of the Hornell Common Council was held on Monday, Dec. 20, 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, Smith, Lewis and W. Hogan; City Attorney Joseph Pelych, Stenographer Karen Schu; and City Clerk Robert J. Roberts.

ALSO PRESENT: Kyle Torok of The Evening Tribune; Jim Gentile of WLEA radio; Peg Brewer of Our Lady of the Valley Catholic Church/Hornell Ministerium; and Hornell High School students Chris Dailey, Adam Gebhard, Alison Hammond, Renee Travis, Calvin Weaver, Allison Labanoski, Heather Wilson, Phil Snowden and Jaime George.

ABSENT: Aldermen Foreman and Shepard.

INVOCATION: Peg Brewer of Our Lady of the Valley Catholic Church/Hornell Ministerium.

PLEDGE TO THE FLAG: Alderman Smith.

By W. Hogan/Flaitz:

RESOLVED, that the minutes of the last meeting, held Nov. 23, 2004, be approved as read.

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

By Flaitz/Norton:

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

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

REPORTS OF COMMITTEES:

Dec. 8, 2004

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

Ladies and Gentlemen:

The Planning & Development Committee met on Wednesday, Dec. 8, 2004, at 5 p.m. in the Mayor's Conference Room. Members present were Aldermen Smith,

Foreman, and Hogan. Others present were Mayor Hogan, Bill Dubensky of WLEA, Kyle Torok of The Evening Tribune, and Nigel Perrott.

Items discussed and/or acted upon:

Mayor Hogan presented plans for Camelot Estates. This will consist of a total of three buildings, with two units each, for a total of six townhouses. This will be located at Hartshorn Street and Adams Avenue. Each unit will be approximately 1,400-1,800 square feet, each with a two-car garage and a deck looking over the valley.

The Planning Board approved the site plan on Oct. 28, and the Zoning Board of Appeals approved it on Nov. 29 and filed with the clerk's office on Nov. 30.

These units will be built in spring of 2005 and completed by September 2005.

A motion was made by Foreman, seconded by Smith, to approve the site plan.

Passed, all ayes.

There being no further business, the meeting was adjourned at 5:15 p.m.

Respectfully submitted,
William Hogan
Chairman, P&D Committee

Dec. 15, 2004

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

Ladies and Gentlemen:

The Audit Committee met Tuesday, Dec. 14, 2004, at 7:00 p.m. Members present were Jean Shepard, Dan Smith and Christopher Koehler, Chairman.

Bills audited and approved:

	CC	\$ 81,780.30	
	CD	8,298.77	
	PAYROLL	<u>87,400.03</u>	
TOTAL			\$177,479.10

Respectfully submitted,
Christopher Koehler, Chairman
Audit Committee

By Koehler/Norton:

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

Carried – Ayes all (8)

Absent – Alderman Foreman, Shepard (2)

RESOLUTIONS:

#1 – ACCEPT PROPOSAL FROM STUART I. BROWN ASSOCIATES AND ECOSPECT, INC. –HN-04-71

BY Hogan/Sciotti:

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the procurement procedures established by the Governor's Office for Small Cities, the Common Council hereby accepts the proposal submitted by Stuart I. Brown Associates, Inc. to provide administrative services for the implementation of the 2004 Small Cities Program grant award.

RESOLVED, that the Common Council hereby accepts the proposal submitted by EcoSpect, Inc. to perform lead based paint evaluation services associated with the 2004 housing rehabilitation program.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute agreements with Stuart I. Brown Associates, Inc. and with EcoSpect, Inc. for the administrative and lead based paint testing services, respectively.

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

ON THE QUESTION: Mayor Hogan said EcoSpect was deemed the most qualified, of three requests for proposals required by regulation, to do the lead-based paint testing service.

#2 – SEQR FOR HOUSING REHABILITATION PROGRAM – HN-04-72

BY Koehler/Flaitz:

WHEREAS, in accordance with the New York State Environmental Quality Review Act (SEQR), the Common Council of the City of Hornell is conducting an environmental review a Housing Rehabilitation Program to assist eligible owner-occupants within the City to make essential improvements to their houses, to be undertaken as part of the 2004 Small Cities Program that was approved by the Governor's Office for Small Cities in September 2004; and,

The Common Council has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the above project. The Common Council hereby accepts the Environmental Assessment of the proposed project, prepared by Stuart I. Brown Associates, Inc.

The Common Council has determined that the proposed project is an Unlisted Action, as defined under SEQR.

NOW THEREFORE BE IT RESOLVED, The Common Council declares that it will serve as lead agency for the Housing Rehabilitation Program (City-Wide); and

The Common Council hereby directs the Community Development Office to circulate the Environmental Assessment of the project to Involved Agencies for comment.

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

#3 – NEPA FOR HOUSING REHABILITATION PROGRAM – HN-04-73

By Sciotti/Smith:

WHEREAS, in accordance with the National Environmental Policy Review Act (NEPA), the Common Council of the City of Hornell is conducting an environmental review a Housing Rehabilitation Program to assist eligible owner-occupants within the City to make essential improvements to their houses, to be undertaken as part of the 2004 Small Cities Program that was approved by the Governor's Office for Small Cities in September 2004; and

The Common Council has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the above project. The Common Council hereby accepts the Environmental Review Record of the proposed project, prepared by Stuart I. Brown Associates, Inc.

NOW, THEREFORE, BE IT RESOLVED, the Common Council hereby declares that the proposed project is Categorically Excluded under Section 24 CFR 58.35 (A)(4), subject to compliance with the related laws and authorities at 24 CFR 58.5 and 58.6.

The Common Council declares designates Shawn D. Hogan, Mayor, to serve as the Certifying Officer for the completion of the environmental review process.

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

ON THE QUESTION: Mayor Hogan said all three resolutions were the result of the City of Hornell's successful grant for a housing rehabilitation program. Of 167 applicants, the 15 most needy will be chosen for the program. Work likely will not begin until spring 2005.

PETITIONS: None

CLAIMS:

BY: Koehler/Flaitz

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$177, 479. 10, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$ 81,780.30
CD	\$ 8,298.77
Payrolls	<u>\$ 87,400.03</u>
TOTAL	\$177, 479.10

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

NEW & UNFINISHED BUSINESS:

- Mayor Hogan updated the Common Council on the status of the Southwest Quadrant Water Project. Four bids for the project were opened on Dec. 8; the consulting engineer from LaBella Associates was asked to review them. Mayor Hogan said the issue arose about the city's sole source for sewage pumping equipment, as Smith & Loveless does not specialize in water pumping equipment needed for this project. All bids were rejected, the contract document language will be modified, and the project will be re-bid. Mayor Hogan said he is confident the new bid will result in a lower overall bid that will be well within budget.
- Mayor Hogan reported that he met last week with Gov. George Pataki and 14 other mayors in Albany. The governor outlined what Mayor Hogan said was going to be a "very difficult" state budget, as New York State is out of balance an estimated \$4 billion to \$6 billion, not including court-ordered increased aid to education. Gov. Pataki is looking at a "reform budget," according to Mayor Hogan, with results-based funding initiatives and the mayors were asked for their input. "We felt it was a productive meeting," said Mayor Hogan, who will attend the State of the State speech on Jan. 5, 2005.
- Mayor Hogan told aldermen that Gov. George Pataki's veto of a bill outlawing plastic piping now brings New York State's Uniform Code closer to those in other states.
- There is nothing new to report on the pension fund problems, Mayor Hogan said. The City of Hornell's pension premiums have risen from \$40,000 to \$700,000. The mayor said he hoped a resolution would be forthcoming on the issue.
- Mayor Hogan said it is "a fluid situation" with Steuben Tile, the company in Shawmut Industrial Park that recently closed. The mayor said he has received calls from people interested in bringing the company to full production.
- Recent state equalization rate numbers indicate a strong housing market in Hornell, according to Mayor Hogan. The City of Hornell traditionally has had an equalization rate of about 100 percent, meaning houses are selling close to their assessed value. However, Mayor Hogan said the latest equalization rate in Hornell is down to 80 percent, "which shows values shot up significantly." City Attorney Pelych added that sale of single-family homes is primarily responsible for the new equalization rate.

By Flaitz/Testani:

RESOLVED, that the Common Council adjourn at 7:33 p.m.

Carried – Ayes all (8)

Absent – Aldermen Foreman, Shepard (2)

Shawn D. Hogan
Mayor

Robert J. Roberts
City Clerk