

REGULAR meeting of the Board of Public Safety was held on Thursday, April 9, 2009, at 9 a.m. at the City Building, 82 Main St., Hornell, N.Y.

PRESENT: Honorable Shawn D. Hogan, Mayor; Commissioner George Huffsmith; Commissioner David Sengstock; Fire Chief Dan Smith; Police Chief Ted Murray; Neighborhood/Facilities Director Jeff Johnson; and City Clerk Robert J. Roberts.

AND FROM THE MEDIA: Bob Clark of The Evening Tribune.

ALSO PRESENT: None.

ABSENT: None.

By Huffsmith/Sengstock:

RESOLVED, that minutes of the last regular meeting, held March 12, 2009, be adopted as read.

Carried – Ayes all (3)

Absent –

By Sengstock/Huffsmith:

RESOLVED, that the Reports of Fire, Ambulance, Codes and Police be approved and ordered filed.

Carried – Ayes all (3)

Absent – None

REPORTS FILED: HPD 3/2009; HFD 3/2009; Codes 3/2009.

By Sengstock/Huffsmith:

RESOLVED, that claims in the amount of \$263,588.79 be approved and paid as audited.

Carried – Ayes all (3)

Absent – None

MISCELLANEOUS:

#1 – AWARD BID #03-09 FOR PURCHASE OF FIREFIGHTING APPARATUS

By Huffsmith/Sengstock:

RESOLVED, that the Board of Public Safety of the City of Hornell hereby accepts the recommendation of Fire Chief Daniel Smith, and awards the contract for Bid #03-09, the purchase of self-contained breathing apparatus and accessories, to Dival of Buffalo, N.Y., the low bidder in the bid opening of April 8, 2009.

Carried – Ayes all (3)

Absent – None

ON THE QUESTION: One bid was received. Fire Chief Smith recommended the option of personal escape rope. Almost all of this will be paid by a FEMA grant; the City will have a 5-percent share, worth about \$5,900.

#2 – SKATEBOARDS, SCOOTERS BANNED IN BUSINESS DISTRICT

By Sengstock/Huffsmith:

NOW, THEREFORE, the Board of Public Safety of the City of Hornell hereby finds that it is in the best interest of the public to regulate the use of skateboards and scooters within the business District of the City. The rapid growth of the use of skateboards and scooters in the business district has led to a growing concern for the safety of pedestrians, motorists, and the general public, as well as increased vandalism to public and private property. The adoption of appropriate restrictions will ensure unobstructed access to public areas.

DEFINITIONS:

Skateboard – a narrow board of wood, fiberglass, plastic or similar material with roller skate or other type of wheels attached to each end, and used for gliding or moving on any hard surfaces, without a mechanism or other device for steering while being used, operated or ridden.

In-line Skates – Shoes, skates or footwear with a single row of roller wheels.

Roller Skates – Shoes, skates, or footwear with two or more rows of roller wheels.

Scooter – a vehicle with a long footboard between two small end wheels, and is controlled by an upright steering handle attached to the front wheel.

Business District – The north boundary shall be the south side of Canacadea Creek; the south boundary shall be Elm Street; the west boundary shall be Maple City Drive; the east boundary shall be Church Street at Canacadea Creek to Genesee Street, to Hakes Avenue to Center Alley and then to Elm Street.

PROHIBITION:

It shall be unlawful to operate a skateboard or scooter in any manner upon any public streets, curbs, or sidewalks in the downtown business district of the City of Hornell.

RESTRICTIONS:

- (a) In all districts of the City of Hornell, every person operating a skateboard, in-line skates, roller skates, or scooter shall yield to the right of way to pedestrians and motorists.
- (b) All operators of skateboards, in-line skates, roller skates, and scooters shall be subject to traffic safety rules, regulations and laws.

PENALTIES:

Any person or persons violating any provision of this chapter shall be guilty of an offense and shall pay a fine not to exceed fifty dollars (\$50.00) for each offense.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Carried – Ayes all (3)

Absent – None

ON THE QUESTION: Bicycles already are covered, as far as not being allowed on sidewalks by Vehicle & Traffic Law, Mayor Hogan noted. The City wants to install 12 new benches in the downtown area, he added, but the ones already there have been heavily damaged by the operators of scooters and skateboards. Information on the damage, including photographs and repair costs, were shared with Commissioners. A \$200,000 skatepark already exists for this purpose, said the Mayor. “Everyone has to have respect for the community. This violation of community assets just will not be tolerated,” Mayor Hogan said. Chief Murray said violators under age 16 cannot be arrested, but their skateboard can be seized and their parents warned.

By Huffsmith/Sengstock:

RESOLVED, that this meeting adjourn at 9:25 a.m.

Carried—Ayes all (3)

Absent – None

Respectfully submitted,

Robert J. Roberts
City Clerk