

REGULAR meeting of the Hornell Common Council was held on Monday, May 21, 2012, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

PRESENT: Mayor Shawn Hogan; Aldermen Murray, Harkenrider, Foreman, Bacon, Lehman, Bassage and Buckley; City Attorney Joe Pelych and City Clerk Barbara Perrott.

AND FROM THE MEDIA: Andrew Poole, Evening Tribune and Brian O'Neal, WLEA.

ALSO PRESENT: City Chamberlain Michele Smith, Eileen Lehman, Greg Argentieri and 19 high school students.

ABSENT: Aldermen Brown, Sciotti and Carbone

INVOCATION: Mayor Shawn D. Hogan

PLEDGE TO THE FLAG: Mayor Shawn D. Hogan

By: Murray/Bacon

RESOLVED, that the minutes of the Common Council meetings of April 23, 2012 be approved as read.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

By: Bacon/Buckley

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

REPORTS FILED: Library Board of Trustees – 3/19/12; City Clerk – 4/2012; Gen. Fund Exp.-4/12; Water Fund Exp.-4/12; Gen Fund Rev.-4/12; Water Fund Rev.-4/12; BPSMinutes-4/12/12; Codes-4/2012; Police-4/2012; Fire & Ambulance-4/2012; Humane Society-4/2012; BPW Minutes-4/19/12; Petro Tank-5/1/12; DPW-4/2012; WTP-4/2012; WPCP-4/2012.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

Alderman Buckley asked if there were any plans for the empty lot across from the library. Mayor Hogan stated that the library was interested in a parking lot but because of the size there wouldn't room for many cars. Buckley suggested a green space but Hogan said that the lot might be a good place for a new house.

By: Murray/Lehman

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

Planning & Development Committee

April 23, 2012

Hon. Mayor Shawn D Hogan
Members of the Common Council

Ladies & Gentlemen:

The Planning and Development Committee met in a special meeting on Monday, April 23, 2012 at 7:55 pm at City Hall. Members present were Alderman Jeff Brown, John Buckley, John Carbone, Jim Bassage and Joe Foreman, Chairman.

Others present were Aldermen Sciotti, Harkenrider, Murray, Bacon and Lehman and Mayor Shawn Hogan, City Attorney Joe Pelych, City Clerk Barb Perrott.

Items Discussed and Acted upon:

- 1) The meeting was called to order at 7:55 pm. A motion was made by Carbone and seconded by Brown to enter into executive session. Ayes all.
- 2) There being no action taken, a motion by Carbone and seconded by Buckley to adjourn Executive Session was made. Ayes all.
- 3) A motion was made by Brown and seconded by Foreman to adjourn regular meeting. Ayes all.

Respectfully Submitted,

Joe Foreman, Chairman

Audit Committee

May 18 2012

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, Larry Bacon and Randy Harkenrider, and by Audit Committee Chairman John Carbone.

Bills audited and approved:

CC	\$360,826.34
CD	\$454,371.63
PAYROLL	<u>\$ 86,254.27</u>
TOTAL	\$901,452.24

Respectfully submitted,

John Carbone, Chairman
Audit Committee

Carried – 7
Absent – 3 (Brown, Sciotti, Carbone)

By: Murray/Lehman

HN-12-24 Forgive Taxes – 27 Cottage Ave. and 37 Crosby St.

WHEREAS, The City of Hornell purchased the properties at 27 Cottage Ave. and 37 Crosby St. in the City of Hornell in the 2011 Steuben County Tax Sale, and

WHEREAS, these properties were inadvertently billed for the 2012 City Tax for the City of Hornell.

NOW THEREFORE BE IT RESOLVED, that the 2012 City tax ascribed to the parcels of land located at 27 Cottage Ave. and 37 Crosby St. in the City of Hornell in the amounts of \$600.00 and \$900.00 respectively is hereby forgiven and rescinded.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

Alderman Buckley asked if a date has been set for the demolition of the Crosby St. property. Hogan replied that he is waiting for the State to alleviate some of the asbestos restrictions and has also looked into a program where inmates are involved in the asbestos removal. Hogan also reported that there are potential purchasers for the Cottage Ave. property.

By: Foreman/Buckley

HN-12-25 Balancing Resolution

WHEREAS, the following transfers must be made to close out the appropriation accounts for Fiscal Year 2011-2012,

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be hereby approved:

<u>FROM</u>		<u>TO</u>	<u>AMT</u>
STREETS PERS. SERV.	A5110.1	BAN PRINCIPAL	A9730.6 \$44,000.00
“	“	BUS OP.-CONT. SERV.	A5630.4 \$28,058.00
“	“	REFUSE & GARBAGE-CONT.SER	A8160.46 \$ 3,538.10
“	“	CODES-CONT. SERVICES	A3620.46 \$ 93.46
“	“	CONTRACT WITH OTHER GOV.	A1989.4 \$ 60.91
AMB. PERS. SERVICES	A4540.1	FIRE & POLICE RETIREMENT	A9014.8 \$42,767.00
“	“	BUS OP.-FRINGE BENETITS	A5630.8 \$22,017.80
“	“	AIRPORT-UTILITIES	A5610.44 \$ 2,096.86
“	“	POOL-UTILITES	A7180.44 \$ 423.88
“	“	CITY ATTY.-PERS. SERVICES	A1420.1 \$ 12.26
PUB. WORKS –PERS. SERV	A1490.1	WORKER’S COMPESNSATION	A9040.8 \$40,246.04
“	“	STATE RETIREMENT	A9010.8 \$17,185.39
“	“	DISABILITY INSURANCE	A9055.8 \$ 3,012.49
“	“	CODES-MISC.	A3620.49 \$ 211.42
PERM. IMP.-CAP. OUTLAY	A5112.2	SOCIAL SECURITY	A9030.8 \$26,523.53
“	“	CITY CLERK-PERS. SERVICES	A1410.1 \$ 4,212.04
COUNCIL CONTINGENCY	A9500.9	BUS OP.- PERS. SERVICES	A5630.1 \$14,301.48
“	“	FIRE DEPT.-PERS. SERVICES	A3410.1 \$13,958.32
		GARAGE-UTILITES	A5132.44 \$ 621.04
WPCP-UTILITES	A8130.44	MAYOR PERS. SERVICES	A1210.1 \$ 406.68
“	“	BAN-INTEREST	A9730.7 \$ 6,250.00
“	“	CENTRAL COMM. SYSTEMS	A1640.46 \$ 1,806.55

PURIFICATION-REAL PROPF8330.491	WATER ADMIN-CONT. SERV.	F8310.46	\$ 718.04
“	“	SERIAL BONDS-PRINCIPAL	F9710.6
			\$ 6,332.00

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

By: Buckley/Harkenrider

HN-12-26 Appropriate Funds for Grand Street Bridge

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Bridge Replacement (BIN 2218120) Grand Street over Crosby Creek, City of Hornell, County of Steuben, P.I.N. 6754.26 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Hornell desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Bridge Replacement (BIN 2218120) Grand Street over Crosby Creek, City of Hornell.

NOW, THEREFORE, the Hornell City Council, duly convened does hereby

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

RESOLVED, that the Hornell City 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 Design and Right of Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,480,000 is hereby appropriated from a Bond Anticipation Note (BAN) 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 Hornell City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New

York State Department of Transportation 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 and/or Marchiselli 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 and state-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 – 7

Absent – 3 (Brown, Sciotti, Carbone)

Mayor Hogan stated that the work on the bridge is scheduled to begin the end of May with completion by the end of October.

By: Bacon/Murray

HN-12-27 Negative NEPA – Hornell Housing Authority Improvements

WHEREAS, in accordance with the National Environmental Policy Review Act (NEPA), the Common Council of the City of Hornell has conducted an environmental review of a series of capital improvements to be constructed by the Hornell Housing Authority at the Church Street Court, Sawyer Street and Hillside Manor Apartments, to be undertaken as part of the HHA's 2011 Capital Improvement Program.

The Common Council has caused to be prepared an environmental assessment of the significance of and the 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)(3)(iii), subject to compliance with the related laws and authorities at 24 CFR 58.5 and 58.6.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

By: Bacon/Harkenrider

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$901,452.24 as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited,

Common Council	\$360,826.34
Community Development	\$454,371.63
Payrolls	<u>\$ 86,254.27</u>
TOTAL	\$901,452.24

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

Mayor Hogan discussed a bill that has been introduced to the State Assembly and State Senate that will give tax benefits for improvements to properties. Upon Hogan's recommendation the agenda was waived to vote on an additional resolution that will support the State Bill.

By: Buckley/Bacon

HN-12-28 WAIVE THE AGENDA

RESOLVED, that the Common Council of the City of Hornell hereby approves waiving the agenda to consider a resolution to support A10107/S7424, a bill to establish a residential-commercial exemption program in certain counties.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

By: Buckley/Murray

HN-12-28 SUPPORT A10107/S7424

WHEREAS, the City of Hornell is aware that the New York State Assembly has a Bill 10107 currently pending before said body, and the Senate has an identical bill known as 7424 pending before their body, and

WHEREAS, the City of Hornell is aware of the contents of the bills, and believes it would be in the best interest of the City of Hornell, as a municipality and its citizens, if said legislation was passed, and

WHEREAS, the City of Hornell believes that by passing said bills, it would reduce the burden on the tax payers of the City of Hornell and help promote job growth in the community.

NOW THEREFORE it is hereby

RESOLVED, that the Common Council for the City of Hornell hereby urges the respective legislative bodies to pass Assembly Bill 10107 and Senate Bill 7424.

Carried – 7

Absent – 3 (Brown, Sciotti, Carbone)

NEW & UNFINISHED BUSINESS: -

City resident Greg Argentieri addressed the Council.

By: Buckley/Bacon

RESOLVED, that the Common Council adjourn at 7:340 p.m.

Carried – 10

SHAWN D. HOGAN
MAYOR

BARBARA M. PERROTT
CITY CLERK