

REGULAR meeting of the Hornell Common Council was held on Monday, February 4, 2013, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

PRESENT: Mayor Shawn D. Hogan; Aldermen Murray, Sciotti, Foreman, Bacon, Lehman, Buckley and Carbone, Stenographer Karen Schu and City Clerk Barbara Perrott.

ALSO PRESENT: City Chamberlain Michele Smith, Eileen Lehman, 6 High School students and Jeff Cole from the Evening Tribune

ABSENT: Aldermen Brown, Harkenrider and Bassage

INVOCATION: Donna Mehlenbacher, Catholic Charities

PLEDGE TO THE FLAG: Mayor Shawn Hogan

By: Carbone/Bacon

RESOLVED, that the minutes of the Common Council meetings of January 14, 2013 be approved as read.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Murray/Sciotti

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

REPORTS FILED: Housing Rehab Program-12/2012; Economic Development Loan Program-12/2012; BPW Minutes-12/20/12; DPW-12/2012; Petro Tank Rpt.-1/2/13; WTP-12/2012; WWTP-12/2012; Sewer-12/2012; Sewer-End of year 2012.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Buckley/Carbone

COMMITTEE REPORTS

Audit Committee –
January 24 2013

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 Larry Bacon, Jeffrey Brown, Randy Harkenrider and by Audit Committee Chairman John Carbone on Thursday, January 24th, 2013.

Bills audited and approved:

CC	\$285,743.47
CD	\$ 89,405.93
PAYROLL	<u>\$ 94,954.42</u>
TOTAL	\$470,103.82

Respectfully submitted,

John Carbone, Chairman
Audit Committee

Law & Ordinance Committee:

February 5, 2013

Hon Mayor Shawn D Hogan
Members of the Council

Ladies & Gentlemen:

The Law & Ordinance Committee met on Monday February 4, 2013, at 6:15pm at City Hall. Members present were Aldermen Lehman, Bacon, Sciotti, Carbone, Buckley, Murray and Mayor Hogan.

Items discussed:

1. Approved all four resolutions that were approved by the Board of Public Safety.

Resolution 1: Restrict parking near the driveway at 10 Orchard St.

Resolution 2: Restrict parking near the driveway at 327 Grand St.

Resolution 3: Approve the placement of a stop sign at the end of Orchard Street at the corner of Rose Avenue and Orchard Street.

Resolution 4: Restrict parking on the west end of Orchard Street between the two entrances to the Oncology parking lot.

2. After much discussion, it was agreed that Mayor Hogan would negotiate a new contract with the Humane Society to include the Humane Society taking all stray cats from the City of Hornell when requested and holding them for a few days until they are claimed by their owners.

There being no further business, the meeting adjourned at 6:50pm. Next meeting TBA.

Respectfully submitted,
Bob Murray, Chairman

Carried – 7
Absent – 3 (Brown, Harkenrider, Bassage)

By: Sciotti/Murray

HN-13-07 Re-appoint Library Board of Directors

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hornell, NY, that the following be re-appointed for three year terms to the Hornell Public Library Board of the Directors:

- David Hardy, of 58 Church St., reappointed to a term expiring Jan. 31, 2016;
- Jon Cleveland, of 82 Maple St., reappointed to a term expiring Jan. 31, 2016;
- Betty Arcangeli, of 37 Collier St., reappointed to a term expiring Jan. 31, 2016.

Carried – 7
Absent – 3 (Brown, Harkenrider, Bassage)

By: Bacon/Sciotti

HN-13-08 Support Assembly Bills A.88 & A.824

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Common Council of the City of Hornell supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the City of Hornell hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the City of Hornell support the passage of said Bills.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Buckley/Lehman

HN-13-09 SEQR – Stomping Grounds

WHEREAS, that in accordance with the National Environmental Policy Review Act (NEPA) and the New York State Environmental Quality Review Act (SEQR), the Common Council of the City of Hornell hereby designates itself to serve as lead agency to coordinate the environmental review of the provision of an economic development assistance to Richard F. Harris Jr. to establish a retail store and cyber lounge within existing commercial space at 181 Seneca Street, Suite 3.

WHEREAS, in its capacity as lead agency, the Common Council has caused to be prepared an environmental assessment of the significance of and potential environmental impact of this project, and

WHEREAS, the Common Council hereby accepts the environmental assessment of the project, prepared by the Community Development Office, and

WHEREAS, the Common Council further declares that, based on the environmental assessment which has been prepared, it finds that the project is a Type II Action under SEQR [Section 617.5(c)(25)] and categorically excluded under NEPA.

THEREFORE, BE IT RESOLVED THAT, the Common Council has determined that an Environmental Impact Statement will not be required and the environmental review process is hereby concluded.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Sciotti/Lehman

HN-13-10 JARC

WHEREAS, the U.S. Department of transportation is authorized to make grants to states through the Federal Transit Administration to support eligible projects under Section 5316; and

WHEREAS, NYSDOT has been designated by the Governor of the State of New York to administer Section 5316 Federal formula reimbursement funds for projects designed to increase access for welfare recipients and low income persons to employment, as identified through a coordinated planning process, and consistent with the eligible activities; and

WHEREAS, Hornell will enter into a contract with NYSDOT for FTA Federal funds to implement an eligible JARC service in City of Hornell, total project costs \$340,794 and

WHEREAS, the City of Hornell has fulfilled the FTA coordinated plan requirements that the project “must be derived from the project area Coordinated Plan”; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that;

1. City of Hornell does hereby authorize the Mayor of the City of Hornell, to file and execute applications on behalf of City of Hornell with NYSDOT to aid in the financing of an operating assistance project pursuant to FTA Section 5316 JARC; as amended;
2. That Mayor Shawn D. Hogan is authorized to execute and file all Annual FTA certification and Assurances, contract/agreements or any other document required by NYSDOT;
3. That the Mayor of the City of Hornell is authorized to submit and approve payment requests for reimbursement of Federal funds from the NYSDOT for eligible activities.
4. City of Hornell will make available funds for the local match through General Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby authorizes Shawn D. Hogan, Mayor, to accept and appropriate the above named project, as required by the grant agreement.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Buckley/Murray

HN-13-11 Waive the Agenda

RESOLVED, that the Common Council of the City of Hornell hereby waives the agenda in order to discuss four traffic ordinances.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

By: Buckley/Carbone

HN-13-12 Traffic Ordinances

RESOLVED, that the Common Council of the City of Hornell hereby amends the City of Hornell Traffic Ordinances as listed:

1. Restrict parking near driveway at 10 Orchard Street
2. Restrict parking near driveway at 327 Grand Street
3. Restrict parking on West end of Orchard Street
4. Rescind Traffic Ordinance #705. Change the placement of the stop sign on the southwest corner of Rose Avenue to the corner of Orchard Street to comply with NYS Vehicle and Traffic Law.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

NEW & UNFINISHED BUSINESS: -

Mayor Hogan said that many items in Governor Cuomo's proposed budget will have a positive impact on the City, including workers' comp reform, unemployment insurance and pension smoothing.

By: Carbone/Lehman

RESOLVED, that the Common Council adjourn at 7:55 p.m.

Carried – 7

Absent – 3 (Brown, Harkenrider, Bassage)

SHAWN D. HOGAN
MAYOR

BARBARA M. PERROTT
CITY CLERK