

REGULAR meeting of the Hornell Common Council was held on Monday, Nov. 28, 2005, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

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

AND FROM THE MEDIA: Justin Pfeiffer of The Evening Tribune.

ALSO PRESENT: Alderman-Elect Glenn Hann; Wayne Drescher of Drescher & Malecki LLP; the Rev. Beth Kottemann; out-of-town visitors Mr. and Mrs. Michael Hooper; and Hornell High School student Joseph Pelych..

ABSENT: Aldermen Foreman and Shepard, both due to illness, and Alderman Sciotti.

INVOCATION: The Rev. Beth Kottemann, pastor of United Methodist Church.

PLEDGE TO THE FLAG: Alderman Norton.

PRESENTATION OF AUDIT FOR CITY OF HORNELL FISCAL YEAR 2004-05

Wayne Drescher, of Drescher & Malecki LLP, presented the audit of City finances for the fiscal year that ended March 31, 2005. Mr. Drescher noted a total fund balance of \$1.7 million, including some for reserved or special programs, and some set aside to meet expenses in the current budget year. There is \$645,795 in unencumbered fund balance, he said, an amount that is about 7 percent of its total appropriations, well within the Comptroller's recommended 5- to 15-percent range. Mr. Drescher said it reflected the City being in "a very sound, stable condition as of March 31."

Mr. Drescher looked at revenues, of which sales tax, property tax, state aid and departmental income are the largest, respectively. The largest expense is public safety, but employee benefits are the fastest-growing cost in the budgets of Hornell and every other municipality, he said. The City's biggest task will be to control rising pension and healthcare expenses, Mr. Drescher said.

"It's a difficult situation but you've done very well on managing the fund balance and staying in good financial condition," Mr. Drescher told the Common Council.

He also addressed recommendations for improvements, including: documentation of financial systems flow; succession planning; standardized computer network; and, long-range financial planning.

By

Koehler/Flaitz:

RESOLVED, that minutes of the two public hearings and the regular meeting held Nov. 14, 2005, be approved as read.

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

By

Norton/Flaitz:

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

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

REPORTS OF COMMITTEES:

Nov. 23, 2005

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

Ladies and Gentlemen:

The Audit Committee met and audited bills Tuesday, Nov. 22, 2005, at 7 p.m. Bills were audited and approved by members Jean Shepard, John Carbone, Dan Smith and Christopher Koehler, Chairman.

Bills audited and approved:

CC	\$
156,755.90	
CD	12,656.65
PAYROLL	<u>81,564.01</u>
<u>TOTAL</u>	<u>\$250,976.56</u>

Respectfully submitted,
Christopher Koehler
Chairman, Audit Committee

By Smith/Flaitz:

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

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard

RESOLUTIONS:

#1 – AUTHORIZE KASZYNSKI TO SEEK RECORDS MANAGEMENT GRANT

– **HN-05-62**

By Testani/Flaitz:

(Authorizing submission of application by City of Hornell Planning Office for grant funds from Local Government Records Management Improvement Fund of New York State Archives and Records Administration/New York State Education Department)

WHEREAS, the Commissioner of Education is offering Local Government Records Management Improvement Fund (LGRMIF) grants from the New York State Archives and Records Administration of the State Education Department for Records Management Improvement Projects within the counties of New York State, and

WHEREAS, in order to receive such grant funds, applications must be submitted to the New York State Grants Administration Unit, and

WHEREAS, the City of Hornell applied for and received grants from the Local Government Records Management Improvement Fund in 1999 and 2005 for records management activities, and

WHEREAS, the City of Hornell has been successful in its direction of all activities funded by LGRMIF in 1999 through 2005, and

WHEREAS, the City of Hornell seeks to continue its records management improvement efforts and activities in ways that will benefit the City of Hornell,

NOW, THEREFORE, BE IT RESOLVED, that Heather Kaszynski, Director of the Mayor's Planning Office, is authorized to execute and submit an application for an individual (not to exceed \$75,000) LGRMIF grant from the New York State Archives and Records Administration of the State Education Department under the direction of the Mayor for the year 2006, and be it further

RESOLVED, that said grant agreement shall be deemed executory only to the extent of monies available to the City for the performance of the terms hereof and no liability on account thereof shall be incurred by the City beyond monies available to or appropriated by the City for the purpose of the grant agreement and that said grant agreement shall automatically terminate upon the termination of State or Federal funding available for such contract purposes.

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

ON THE QUESTION: Mayor Hogan said the grant, if obtained, would be used to pay for a GIS needs assessment study.

#2 –

SECOND SEQR FOR REDESIGNATION OF EMPIRE ZONE – HN-05-63

By Koehler/Testani:

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Common Council of the City of Hornell has conducted an environmental review of the redesignation of the Hornell Empire Investment Zone,

which includes land in the City of Hornell, the City of Corning, the Town of Erwin and the Village of North Hornell.

1. The Common Council has determined that the proposed action is an Unlisted Action, as defined under SEQR.
2. The Common Council notified the Involved Agencies of its intention to act as Lead Agency for this project on November 15, 2005 and circulated the short form Environmental Assessment Form. The Involved Agencies have concurred with the City's action to declare lead agency and coordinate the environmental review process.
3. The Common Council has considered the Environmental Assessment prepared for this project, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, the Common Council declares that it will serve as lead agency for the redesignation of the Hornell Empire Investment Zone; and

The Common Council declares that, based on the Environmental Assessment which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

ON THE QUESTION: Mayor Hogan noted the City is the sponsoring community of the Empire Zone. New state regulations have tightened up the Zone requirements, including limitations on the number of sub-zones allowed (three non-contiguous areas). Mayor Hogan noted the areas that have been added to the Hornell zone, including the recently annexed South Yards, and a parcel in North Hornell that is under negotiation for annexation. There is a third-party agreement with the Village of North Hornell that that parcel will be removed from the Zone if annexation does not occur, the Mayor said. The parcel is being considered for the Lowe's store, the Mayor said in response to a question from Alderman Koehler, and the Zone is different than a real estate deal between Lowe's and the private owner of the property.

Local Law #3 of 2005, finalizing the Empire Zone changes, will be mailed out to aldermen in advance of the Dec. 12, 2005, public hearing and law adoption, Mayor Hogan said.

PETITIONS: None.

CLAIMS:

By Koehler/Carbone:

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$250,976.56, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$ 156,755.90
CD	\$ 12,656.65

Payrolls	<u>\$ 81,564.01</u>
TOTAL	\$ 250,976.56

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

NEW & UNFINISHED BUSINESS:

- In response to the audit, Mayor Hogan noted healthcare costs have gone up an average of 15 percent annually, while pension costs have also skyrocketed. On the positive side, economic development projects proceed at places such as the soon-to-be-vacant Hornell Waste Site, probably in late 2006 or early 2007, and in the annexation of property for Lowe's. Alderman Koehler remarked on the suggestion for succession planning, and Mayor Hogan said it is necessary for the City to do something – such as amending the Charter – to require future chamberlains or chief financial officers to meet professional requirements. The Common Council will have to visit the issue within a few months, he said. The chamberlain's office is "a position where you can mess up everything" with an inexperienced person, Alderman Koehler said, adding that he did not think residents knew what the job entails.
- Mayor Hogan noted the next two Common Council meetings would be Monday, Dec. 12, 2005, and Tuesday, Dec. 27, 2005.

By

Flaitz/Testani:

RESOLVED, that the Common Council adjourn at 7:40 p.m.

Carried – Ayes all (7)

Absent – Sciotti, Foreman, Shepard (3)

Shawn D. Hogan
Mayor

Robert J. Roberts
City Clerk