

REGULAR meeting of the Hornell Common Council was held on Monday, Aug. 28, 2006, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

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

AND FROM THE MEDIA: Rob Montana of The Evening Tribune, and Brian O'Neal of radio station WLEA-AM.

ALSO PRESENT: The Rev. Dan Fuller of Hornell Bible Church.

ABSENT: None.

INVOCATION: The Rev. Dan Fuller of Hornell Bible Church.

PLEDGE TO THE FLAG: Alderman Flaitz.

By Hann/Carbone:

RESOLVED, that the minutes of the July 24, 2006, regular meeting be approved as read.

Carried – Ayes all (10)

Absent – None

By Lewis/Foreman:

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

Carried – Ayes all (10)

Absent – None

REPORTS FILED: BPS Minutes 7/20/06; BPW Minutes 7/20/06; City Clerk July 2006; General Fund Expenditures July 2006; Water Fund Expenditures July 2006; General Fund Revenues July 2006; Water Fund Revenues July 2006; HPD July 2006; HFD July 2006; Codes July 2006; DPW July 2006; WTP July 2006; Sewer July 2006; WPCP July 2006; and HAHS July 2006.

REPORTS OF COMMITTEES:

Aug. 9, 2006

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

Ladies and Gentlemen:

The Planning & Development Committee met on Wednesday, Aug. 9, at 5 p.m. in the Conference Room of City Hall. Members present were Aldermen Carbone, Koehler, Testani, and Foreman. Others present were Tim Aiken of the Codes Office and Mayor Hogan.

Items discussed and/or acted upon are as follows:

- 1) A motion was made by Testani, and seconded by Carbone, to approve a new home to be built at 42 Willow St. by Mr. and Mrs. Gaffney. All ayes.
- 2) A motion was made by Koehler, and seconded by Carbone to allow self-storage buildings to be built off Park Drive and East Main Street Extension. All ayes.
- 3) A motion was made by Testani, and seconded by Foreman, to approve the transferring of property from the Masonic Lodge to a neighboring resident who can make better use of said land. All ayes.
- 4) A motion was made by Carbone, and seconded by Koehler, to allow Our Lady of the Valley Church to deed a small parcel of land to neighboring residents. All ayes.
- 5) A motion was made by Foreman, and seconded by Carbone, to sell a lot on Jane Street to Jodi Amann, contingent on a variance being granted. All ayes.

There being no further business, the meeting adjourned at 5:45 p.m.

Respectfully submitted,
Joe Foreman, Chairman
Planning & Development Committee

Aug. 24, 2006

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

Ladies and Gentlemen:

The Audit Committee met and audited bills at 7 p.m. on Wednesday, Aug. 23, 2006. Bills were audited and approved by members Jean Shepard and Christopher Koehler, Chairman.

Bills audited and approved:

CC	\$329,602.90
CD	16,908.00
PAYROLL	<u>99,668.48</u>
TOTAL	\$446,179.38

Respectfully submitted,
Christopher Koehler
Chairman, Audit Committee

Aug. 28, 2006

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

Ladies and Gentlemen:

The Planning & Development Committee met on Monday, Aug. 28, at 6:30 p.m. in the Conference Room of City Hall. Members present were Aldermen Carbone, Koehler, Norton, Testani, and Foreman. Others present were Alderman Angelo Sciotti, Rob Montana of The Evening Tribune, and Mayor Hogan.

Items discussed and/or acted upon are as follows:

- 6) A motion was made by Testani, and seconded by Carbone, to allow Ronald and Dolores Perkins to subdivide a lot for sale at 16 Mays Ave. All ayes.

There being no further business, the meeting adjourned at 6:45 p.m.

Respectfully submitted,
Joe Foreman, Chairman
Planning & Development Committee

By Flaitz/Koehler:

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

Carried – Ayes all (10)

Absent – None

RESOLUTIONS:

#1 – APPROVING CATHERINE STREET BRIDGE PROJECT – HN-06-51

By Koehler/Norton:

(Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid – and state-administered federal program-aid – eligible costs, of a capital project, and appropriating funds therefore.)

WHEREAS, a project for the Catherine Street Bridge Replacement Project, PIN 6MS073.30A (“the Project”) is eligible for funding (under Title 23 U.S. Code, as amended and) New York State’s Multi-Modal Program administered by the New York State Department of Transportation (“NYSDOT”); and,

WHEREAS, the City of Hornell desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and,

NOW, THEREFORE, the Common Council, duly convened does hereby

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

RESOLVED, that the Common Council hereby authorizes the City of Hornell to pay in the first instance 100-percent of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$100,000.00 is hereby appropriated from the Catherine Street Bridge Account (H5120.2) and 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 Common Council of the City of Hornell shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT 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 Multi-Modal Program Funding on behalf of the City of Hornell with NYSDOT 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 all Project costs 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 required and/or appropriate agreements executed in connection with the Project between the City of Hornell and the State of New York; and it is further

RESOLVED, that this resolution shall take effect immediately.

Carried – Ayes all (10)

Absent – None

ON THE QUESTION: Mayor Hogan said that during the state Legislature's budget process, he was able to reach out to state Sen. George Winner, who was able to procure a \$100,000 state grant for the City through the Multi-Modal Program. The money will help pay much of the City's local share of the Catherine Street Bridge Project, the Mayor said. "This will reduce significantly the local debt," he said, and thanked Sen. Winner and Assemblyman George Bacalles. Upon reading of the resolution, Mayor Hogan added that the majority of the project cost would be paid through a federal grant because the new Catherine Street Bridge will be made of composite materials. The federal grant is \$250,000. Alderwoman Jean Shepard and Alderman Joe Testani noted there is a steep drop-off on the bridge leading to Glen Avenue. The Mayor said he expects that will be corrected in upcoming work on the bridge's approaches.

PETITIONS: None.

CLAIMS:

By Koehler/Shepard:

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$446,179.38, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$ 329,602.90
CD	\$ 16,908.00
Payrolls	<u>\$ 99,668.48</u>
TOTAL	\$ 446,179.38

Carried – Ayes all (10)

Absent – None

NEW & UNFINISHED BUSINESS:

- Mayor Hogan noted that in the Council packets are copies of a proclamation designating Sept. 17-23 as Constitution Week in the City of Hornell, upon request of the Canisteo Valley Daughters of the American Revolution.
- Mayor Hogan updated the Council on various public works projects, including Oak and Jane streets, and noted the City was awaiting word from the state Environmental Facilities Corp. on pavement-restoration funds in the wake of the City's Water Distribution System Improvement Project.
- Alderman Lewis noted Bennett Parkway's water-pressure is getting worse, rather than better, and that there is a considerable drainage problem in the area from 453 to 465 Bennett Parkway, as well as on Hogan Drive. Mayor Hogan said that area has received both curbing and storm sewer, so the problem probably was not due to storm run-off. The Mayor said he would discuss the situation with Public Works Superintendent David Oakes. Alderman Lewis said the excess water might be coming up from underground.
- Mayor Hogan and Alderwoman Shepard updated the board on a recent meeting with NYS DOT Regional Director Peter White and other DOT officials. Mayor Hogan said the City questioned the level and frequency of maintenance of grassy medians along the state highway by the DOT, and was told by the DOT not to expect the kind of maintenance seen in the past due to budgetary and personnel constraints. The Mayor said the City has indicated it is willing to assist the DOT in enhancing those medians.

By Shepard/Flaitz:

RESOLVED, that the Common Council adjourn at 7:21 p.m.

Carried – Ayes all (10)

Absent – None

Shawn D. Hogan
Mayor

Robert J. Roberts
City Clerk