

REGULAR meeting of the Hornell Common Council was held on Monday, March 13, 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, Shepard, Hann, Lewis, and Carbone;
1) Stenographer Karen Schu; and City Clerk Robert J. Roberts.

AND FROM THE MEDIA: Rob Montana and Lynn Brennan of The Evening Tribune.

ALSO PRESENT: Capt. Bob Kurtz of the Salvation Army; and Hornell High Schools students Lindsay rose, Julie Sengstock and Brian Butler.

ABSENT: Alderman Foreman and City Attorney Pelych.

INVOCATION: Capt. Bob Kurtz of the Salvation Army.

PLEDGE TO THE FLAG: Alderman Carbone.

By Carbone/Shepard:

RESOLVED, that minutes of the last meeting held Feb. 28, 2006, be approved as read.

Carried – Ayes all (9)

Absent – Foreman (1)

By Koehler/Flaitz:

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

Carried – Ayes all (9)

Absent – Foreman (1)

REPORTS OF COMMITTEES:

March 8, 2006

TO: Honorable Mayor Hogan
and members of the Common Council

Ladies and Gentlemen:

The Finance Committee met on March 8, 2006, at 5 p.m. in the conference room of City Hall. Members present were Aldermen Flaitz, Koehler, Norton, Carbone, and Foreman. Others present were: Mayor Hogan, Rob Montana of The Evening Tribune, Brian O’Neal of WLEA and Joe Duffy from the public sector.

Items discussed and/or acted upon are as follows:

Discussed the 2006-07 fiscal year budget. A motion was made by Flaitz, second by Koehler, to approve the 2006-07 budget as proposed. All ayes. A motion was made by Carbone, second by Norton, to approve the 2006-07 water budget with the provision that any increase will not exceed 3 percent. All ayes. There being no further business, the meeting was adjourned at 5:50 p.m.

Respectfully submitted,
Joe Foreman,
Chairman

By

Koehler/Norton:

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

Carried – Ayes all (9)

Absent – Foreman (1)

RESOLUTIONS:

#1 – SMALL CITIES APPLICATION – HN-06-21

By Shepard/Sciotti:

RESOLVED, that the Mayor of the City of Hornell, Steuben County, New York, is hereby authorized as the official representative of the City to execute and submit a Small Cities application for the Fiscal Year 2006 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

Carried – Ayes all (9)

Absent – Foreman (1)

ON THE QUESTION: Mayor Hogan noted there have been two public hearing on the Small Cities application. He noted that the last Small Cities project result in about a dozen homes across Hornell being rehabilitated, after generating widespread interest. The Mayor said he discussed this application in November with Small Cities staff, which urged him to re-submit based on strong housing rehabilitation interest and need. If the City wins a Small Cities grant, Mayor Hogan said, a number of homes similar to that which was done two years ago probably will be rehabilitated. The City had tried for more housing rehabilitation funds last year but the Governor's office then was pushing home-ownership and micro-business programs, the Mayor noted. The homes that qualified for rehabilitation two years ago are being completed now; Mayor Hogan said it took time to test for lead-based paint and mitigate any that was found, in order to comply

with federal regulations.

#2 – IMPLEMENTATION OF NATIONAL INCIDENT MANAGEMENT SYSTEM –
06-22

By Norton/Koehler:

IT IS HEREBY RESOLVED by the City of Hornell, State of New York,
that:

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9/11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, the Common Council of the City of Hornell hereby mandates the National Incident Management Systems be utilized for all incident management in the City of Hornell.

This resolution is to take effect immediately.

Carried – Ayes all (9)

Absent – Foreman (1)

ON THE QUESTION: Mayor Hogan noted that according to presidential directive,

each community needs to have emergency management coordination that required trained personnel and identification of resources. The Mayor said if the City did not comply, it would not be allowed to apply for certain state and federal grants. Alderwoman Shepard asked if the City would have to bear the cost of training to comply with NIMS; Alderman Norton explained how it was done in the Steuben County Sheriff's Office, with three exams and a training officer.

**# 3 – REAPPOINTMENT OF KAREN GEMMELL AS FAIR HOUSING
OFFICER – HN-06-23**

By

Carbone/Flaitz:

RESOLVED, that the Common Council does hereby appoint Karen Gemmell as the Fair Housing Officer for the City of Hornell for the 2006-07 year.

Carried – Ayes all (9)

Absent – Foreman (1)

ON THE QUESTION: Mayor Hogan noted appointment of a Fair Housing Officer was federally mandated through the Community Development program, to be a resource for those who think they have been discriminated against in housing.

#4 – WAIVE AGENDA – HN-06-24

By

Norton/Sciotti:

RESOLVED, that the Common Council of the City of Hornell hereby waives the agenda in order to consider adoption of the Information Security Breach and Notification policy.

Carried – Ayes all (9)

Absent – Foreman (1)

**#5 – INFORMATION SECURITY BREACH AND NOTIFICATION POLICY –
HN-06-25**

By

Flaitz/Sciotti:

IN ORDER to comply with New York State's new Information Security Breach and Notification Act, which requires cities and villages to adopt a notification policy by April 6, 2006 in order to safeguard the private information of individuals;

IT IS HEREBY RESOLVED by the Common Council of the City of Hornell that the City of Hornell is required to notify an individual when there has been, or is reasonably believed to have been, a compromise of an individual's private information in

compliance with the National Security Breach Act and this policy, as detailed in the attached document.

Carried – Ayes all (9)

- **Absent – Foreman (1)**

PETITIONS: None.

CLAIMS: None.

NEW & UNFINISHED BUSINESS:

Mayor Hogan said he will deliver the State of the City at the Common Council's March 27, 2006, meeting.

- Mayor Hogan said the public hearing on the General Fund and Water budgets will be held at 10 a.m. March 25. He said the latest Senate budget proposal matches the Assembly's increase in Aid Incentive to Municipalities, which in turn would help the City bring in a General Fund budget with no tax increase. The Water budget will have no more than a 2- or 3-percent increase in water rates, he said.

Alderman Koehler asked about the status of the Bennett Street pump station, which burst during cold weather in December before the City had taken possession. Mayor Hogan said the City is involved in discussion with contractor Blue Heron, which has said it could provide like-new warranted replacement equipment. The City also is working with Smith & Loveless, manufacturer of the equipment in the pump station. Meanwhile, other aspects of the Water Distribution Improvement Project are being finalized, including installation of check valves and relief valves, he said. The final work probably will be cleanup in spring, he added.

By Shepard/Flaitz:

RESOLVED, that the Common Council adjourn at 7:32 p.m.

Carried – Ayes all (9)

Absent – Foreman (1)

Shawn D. Hogan
Mayor

Robert J. Roberts
City Clerk