

A regular meeting of the Hornell Common Council was held on Monday, August 27, 2018, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

**PRESENT:** John J. Buckley Mayor; Council members Ponticello, Brown, McKay, Warriner, Cleveland, Lehman, Bassage and Carbone; City Attorney Joe Pelych, Stenographer Karen Schu and City Clerk Barbara Perrott.

**ALSO PRESENT:** Eileen Lehman, Mary Nesbit and Kathy Dessena from the Humane Society, Bud Burdett and Larry Bacon from Codes, Rose Dewhurst, Doug Martin from MEGA, Jason Jordan from the Evening Tribune, and Bill Dugan from WLEA.

**ABSENT:** Councilmembers Argentieri and Shinebarger

**INVOCATION:** Rev. Kathryn Griffis, United Presbyterian Church

**PLEDGE TO THE FLAG:** Mayor Buckley

**By: Brown/Lehman**

**RESOLVED**, that the minutes of the Common Council meeting of July 23, 2018 be approved as read.

Carried – 8

Absent – 2 (Argentieri/Shinebarger)

**By: Cleveland/Ponticello**

**RESOLVED** that the Reports of Officers be and hereby are approved and placed on file.

**REPORTS FILED:**

City Clerk – 7/2018; BPW Minutes – 7/19/18; Gen. Fund Exp. – 7/2018; DPW – 7/2018; Water Fund Exp. – 7/2018; WTP – 7/2018; BPS Minutes – 7/24/2018; Project Summary – 8/13/18; HPD – 7/2018; WPCP – 7/2018; Codes – 7/2018; Petro Tanks Insp. – 8/1/18; Codes Log – 7/2018; Gen Fund Rev – 7/2018; Fire/Amb. – 7/2018; Water Fund Rev – 7/2018

Carried – 8

Absent – 2 (Argentieri/Shinebarger)

**By: Warriner/Brown**

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

**COMMITTEE REPORTS:**

**AUDIT COMMITTEE**

August 15, 2018

To the Honorable John J. Buckley, Mayor  
And  
Members of the Common Council

Ladies and Gentlemen:

Bills were audited and approved by Audit Committee Members Jeff Brown, Jim Bassage, Fred Lehman, and Rich Argentieri.

Bills audited and approved:

Common Council	\$240,067.15
CD	\$ 20,075.37
Payrolls	<u>\$ 75,330.79</u>
TOTAL	\$335,473.31

Respectfully submitted,

John Carbone, Chairman  
Audit Committee

### **Policies and Procedures Committee**

August 23, 2018

Mayor John Buckley, Members of the Common Council, Ladies and Gentleman,

The Policies and Procedures Committee held a meeting on August 21, 2018 at 5:00 PM in the second-floor conference room in City Hall. In attendance, Mayor John Buckley, Deputy Mayor Jessica Cleveland, City Attorney Joseph Pelych, Alderman Melissa Ponticello, Alderman Jim Bassage, and Chairman Joe McKay.  
Meeting was called to order at 5:01 PM

Items discussed were pertaining to Fines and Late fees imposed for sanitation and water:

1. A policy was framed and will be drafted by the City attorney addressing late fees and will be presented to the common council in a future resolution in the upcoming meeting.
2. Reviewing Ambulance bills by the City of Hornell for insured and non-insured. Financial status will be taken into consideration, and any reduction and/or payments will reflect the status accordingly.

There being no more business to discuss, a motion for adjournment was made by Melissa Ponticello and second by Jessica Cleveland.

The meeting was adjourned at 5:49 PM

Respectfully Submitted,

Joseph McKay  
P&P Chairman

Carried – 8  
Absent – 2 (Argentieri/Shinebarger)

**RESOLUTIONS:**

**By: Carbone/Lehman**  
**HN 18-66 – LL #2 of 2018 – Redefine Ward Boundaries**

**NOW, THEREFORE, BE IT ENACTED**, that the Common Council of the City of Hornell hereby adopts Local Law #2 of 2018, Amending Section C-3 of the City Charter to redefine the ward boundaries.

Carried – 8  
Absent – 2 (Argentieri, Shinebarger)

**By: Brown/Cleveland**  
**HN-18-67 – SEQR – Negative Declaration - TTA**

**WHEREAS,**

1. In accordance with the New York State Environmental Quality Review regulations (SEQR), the Common Council of the City of Hornell announced its intent to serve as Lead Agency on July 23, 2018, to conduct an environmental review of a proposed economic development project to assist TTA Systems LLC to expand and create jobs.
2. The Common Council has determined that the proposed action is an “Unlisted Action” as defined under SEQR.
3. The Common Council, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
4. On July 24, 2018, the Common Council notified the potentially Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the short Environmental Assessment Form.
5. Comments received on the project have been addressed in Part 2 of the Environmental Assessment Form. The City will continue to work with Federal, State and local agencies until all necessary permits and approvals have been obtained.

6. The Common Council has considered the Environmental Record prepared for this action, 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 Economic Development Project – TTA Systems LLC, CDBG Project No. 552ED909-18; and,

The Common Council declares that, based on the Environmental Record 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 – 8

Absent – 2 (Argentieri/Shinebarger)

**By: Cleveland/Carbone**  
**HN-18-68 – Environmental Review - TTA**

**WHEREAS**, the City has been awarded a \$400,000 Community Development Block Grant (CDBG) award and has committed \$60,000 in CDBG program income funds to provide economic development assistance to TTA Systems, LLC to enable the company to expand and create new jobs; and

**RESOLVED**, that in accordance with the National Environmental Policy Act (NEPA) and the related authorities listed at 24 CFR Part 58, the Common Council of the City of Hornell hereby announces its intent to conduct an environmental review of the project and appoints John Buckley, Mayor, to act as the Certifying Officer for the completion of the environmental review; and

**RESOLVED**, that the Common Council hereby accepts the environmental review of the project prepared by LaBella Associates, DPC and the determination that the project will have no significant adverse impacts on the environment, and

**RESOLVED**, that the Common Council hereby authorizes the publication in the City's official newspaper of a Notice of Finding of No Significant Impact and Request for Release of Funds for the project.

**RESOLVED**, that copies of this resolution be given to the CD Office and LaBella Associates.

Carried – 8

Absent – 2 (Argentieri/Shinebarger)

**By: Warriner/Lehman**  
**HN-18-69 – DEC Agreement**

**WHEREAS**, the City Clerk's Office for the City of Hornell currently sells hunting and fishing licenses on behalf of the New York State Department of Environmental Conservation, and

**WHEREAS**, there have been cutbacks in staff to the City Clerk's Office, which makes it difficult to allot the time to sell said licenses, and

**WHEREAS**, said licenses can be purchased online and from many retail locations in the area, and

**WHEREAS**, the City Clerk's Office wishes to no longer sell said licenses, and they further believe that said licenses can be purchased at various other locations without placing a burden upon the purchasers of said licenses.

**NOW, THEREFORE**, it is hereby resolved that:

The City Clerk for the City of Hornell shall no longer sell hunting and Fishing licenses on behalf of the New York State Department of Environmental Conversation.

Carried – 8  
 Absent – 2 (Argentieri/Shinebarger)

**By: Brown/Ponticello**  
**HN-18-70 – Appoint Norton to Planning Board**

**RESOLVED**, that William Norton, of 34 Collier St., Hornell be appointed to fill the unexpired term of Leo Lejeune, on the Planning Board, effective August 20, 2018 through January 1, 2023.

Carried – 8  
 Absent – 2 (Argentieri/Shinebarger)

**By: Carbone/Lehman**  
**HN-18-71 – Appoint Zigenbus to Commissioner of Board of Public Works**

**NOW, THEREFORE, BE IT RESOLVED**, that Jared Zigenfus of 363 Canisteo Street, Hornell, New York, be appointed to fill the unexpired term of Stan Hill, Commissioner of Public Works, expiring Jan. 31, 2020.

Carried – 8  
 Absent – 2 (Argentieri/Shinebarger)

**By: Cleveland/Warriner**  
**HN-18-72 – Appoint Tingley to Planning Board**

**RESOLVED**, that Melissa Tingley, of 25 Pardee St., Hornell be appointed to fill the unexpired term of Ian Bixby, on the Planning Board, effective August 20, 2018 through January 1, 2019.

Carried – 8  
 Absent – 2 (Argentieri/Shinebarger)

**By: Ponticello/McKay**  
**HN-18-73 – Waive the Agenda**

**RESOLVED**, that the Common Council of the City of Hornell hereby waives the agenda so that the Common Council may discuss a resolution to authorize the Mayor to submit a 2018 CBDG application.

Carried – 8  
 Absent - 2 (Argentieri/Shinebarger)

**By: Warriner/Cleveland**  
**HN-18-74 – Authorize Mayor to submit CDBG Application**

**RESOLVED**, that the Mayor of the City of Hornell, Steuben County, New York, is hereby authorized as the official representative of the City of Hornell to execute and submit a 2018 Community Development Block Grant (CDBG) application for housing rehabilitation activities, 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 – 8  
 Absent – 2 (Argentieri/Shinebarger)

**Claims:**

**By: Ponticello/Brown**

**NOW, THEREFORE, BE IT RESOLVED**, that claims in the amount of \$335,473.31, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$240,067.15
CD	\$ 20,075.37
Payrolls	<u>\$ 75,330.79</u>
TOTAL	\$335,473.31

Carried – 8  
Absent – 2 (Argentieri/Shinebarger)

**New and Unfinished Business:**

Doug Martin from MEGA gave a presentation on his company

Mary Nesbit and Kathy Dessena from the Humane Society gave a presentation on the animal shelter.

**By: Brown/McKay**

**RESOLVED**, that there being no further business the Common Council adjourned at 7:58 pm

Carried – 8  
Absent – 2 (Argentieri/Shinebarger)

Respectfully submitted,

---

Barbara M. Perrott  
City Clerk