

A regular meeting of the Hornell Common Council was held on Monday, December 15, 2025, at 7:00 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

**PRESENT:** John J. Buckley Mayor; City Attorney Timothy Rosell, Council members, Sutfin, Hancock, McKay, Peck, Warriner, Brown, Bassage, Davis, and Carbone, Stenographer Ellen Kerr, and City Clerk Holly Snyder.

**ALSO PRESENT:** Deputy Mayor Jessica Cleveland, City Chamberlain Michele Smith, Heather Lisi, Mitchell Cornish and sixteen students from Hornell High School and/or members of the public.

**FROM THE MEDIA:** Brian O'Neill

**ABSENT:** Alderman Valentine

**INVOCATION:** Rev John Cwynar

**PLEDGE TO THE FLAG:** Mayor Buckley

**BY:** Peck/Sutfin

**RESOLVED**, that the minutes of the Common Council meeting of November 17, 2025 be approved as read.

Carried – 9 ayes

Absent – 1 (Valentine)

**BY:** Brown/Davis

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

**REPORTS FILED:**

Gen Fund Rev.- 11/2025; Water Fund Rev.- 11/2025; Gen Fund Exp.- 11/2025; Water Fund Exp.- 11/2025; City Clerk- 11/2025; BPS Minutes –11/2025; Fire/Amb-11/2025; Codes/Codes Log- 11/2025; Police- 11/2025; BPW Minutes – 11/2025; DPW/Sewer - 11/2025; WTP – 11/2025; WPCP – 11/2025; Petro – 11/2025; Library - 11/2025; Humane Society 11/2025; HAT Commission - 11/2025

Carried – 9 ayes

Absent – 1 (Valentine)

**BY:** Warriner/Hancock

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

Carried – 9 ayes

Absent – 1 (Valentine)

**COMMITTEE REPORTS:****Audit Committee**

December 15, 2025

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, Jim Bassage, Kevin Valentine, Steven Peck, Christina Hancock and Audit Committee Chairman John Carbone.

Bills audited and approved:

CC	\$ 1,859,084.05
CD	\$ 130.00
<u>PAYROLL</u>	<u>\$ 111,206.49</u>
<b>TOTAL</b>	<b>\$ 1,970,420.54</b>

Respectfully submitted,  
 John Carbone, Chairman  
 Audit Committee

**RESOLUTIONS:****HN 25-77 Local Law #2 of 2025 Amend Salaries of Council & Mayor**

BY: Peck/Sutfin

**Amend the Salaries of the Common Council and the Mayor of the City of Hornell**

**WHEREAS**, the salary for the Common Council and the Mayor of the City of Hornell is set by the Charter for the City of Hornell at Section C-18(A), and

**WHEREAS**, the starting salary for the Mayor has not been changed since 2015 and is currently set at \$65,000.00, and

**WHEREAS**, said salary for the Common Council has not been changed since 1999 and is currently set at \$2,300.00 per annum, and

**WHEREAS**, the Common Council for the City of Hornell believes that the salaries for the Common Council and the Mayor for the City of Hornell should reflect a more appropriate compensation.

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

Section C-18(A) of the Charter for the City of Hornell is hereby amended to read as follows: The Mayor shall receive for his or her services a salary of not less than \$75,000 per annum; said salary to be

determined on an annual basis and established in the budget of the City of Hornell, which is subject to the approval of the Common Council for the City of Hornell. Each Common Council member shall receive for their services a salary of \$3,000 per annum; and no other fee or reward shall be paid unless approved by the Common Council.

This act shall be effective on April 1, 2026.

Carried – 9 ayes  
Absent – 1 (Valentine)

HN 25- 78 Local Law #3 of 2025 Senior Citizens Tax Exemption

BY: Peck/Carbone

**Senior Citizens Tax Exemption**

(Local Law No. 3-2025: A local law providing for partial exemption from taxation by the City of Hornell of real property owned by persons who are sixty-five years of age or older.)

Be it enacted by the Common Council of the City of Hornell as follows:

**SECTION 1. LEGISLATIVE INTENT.** The purpose of this local law is to provide real estate tax relief to qualified persons sixty-five (65) years of age or older.

**SECTION 2. LEGISLATIVE AUTHORITY.** This local law is enacted pursuant to the provisions of Article Four of the Real Property Tax Law of the State of New York as amended.

**SECTION 3. SHORT TITLE.** This local law shall hereafter be known as the City of Hornell Over 65 Real Property Tax Exemption Law.

**SECTION 4. REAL PROPERTY EXEMPTION.** Real property located in the City of Hornell and owned by one or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife, one of whom is sixty-five (65) years of age or over, shall be exempt from taxation by the City of Hornell by a percentage of its assessed value, based on the income-based sliding-scale exemption. The percentage of the property's assessed value that is tax-exempt is determined according to the following schedule.

Base exemption: 50% of assessed value.

Sliding scale: \$18,000 = the maximum income eligibility level for the base (50%) exemption

- more than \$18,001, but less than \$19,000 = 45% of exemption
- more than \$19,001, but less than \$20,000 = 40% exemption
- more than \$20,001, but less than \$21,000 = 35% exemption
- more than \$21,001, but less than \$22,000 = 30% exemption
- more than \$22,001, but less than \$23,000 = 25% exemption

- more than \$23,001, but less than \$24,000 = 20% exemption
- more than \$24,001, but less or equal to \$25,000 = 15% exemption

**SECTION 5. LIMITATIONS ON EXEMPTIONS.** No real property shall be entitled to the exemption granted by this local law:

- a) If the income of the owner or the combined income of the owners for the income tax year immediately preceding the date of making application for exemption exceeds the sum of Twenty-Five Thousand Dollars (\$25,000). Income tax years shall mean the twelve-month period for which the owner or owners filed a Federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income from self-employment no depreciation deduction shall be allowed the exhaustion, wear and tear or real personal property held for the production of income:
- b) Unless the title of the property shall have been vested in the owner or one of the owners of the property for at least twelve (12) consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of a husband or wife in whose name title of this property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months provided further, that in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months; and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to consecutive for purposes of the local law. Where a residence in the City of Hornell is sold and replaced with another within one year in the City of Hornell the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation by the City of Hornell;
- c) Unless the property is used exclusively for residential purposes;
- d) Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all owners of the property;
- e) No exemption will be granted in respect to an undivided portion of a single parcel.

**SECTION 6. APPLICATION FOR EXEMPTION.** Application for the exempted allowed by this local law must be made by the owner, or all of the owners of the property, on forms prescribed by the state

board to be furnished by the appropriate assessing authority and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in the assessor's office on or before the appropriate taxable status due.

**SECTION 7. PENALTY FOR FALSE STATEMENT.** In addition to any other penalty provided by law, any conviction of having made any willful false statement in any application for real property exemption under this local law shall be punishable by a fine of not more than one hundred dollars and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

**SECTION 8. VALIDITY.** If any section, subsection, paragraph, clause, sentence or phrase of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such decision shall not affect the validity of the remaining portion thereof.

**SECTION 9. EFFECTIVE DATE.** This local law shall take effect immediately but shall apply to any real property taxes levied by the City of Hornell for the year commencing April 1, 2026 and beyond.

**BE IT FURTHER RESOLVED,** that within five (5) days after the final adoption by this Common Council of the City of Hornell, the City Clerk of the City of Hornell shall cause one certified copy thereof to be filed in the Office of Steuben County Clerk, one certified copy in the Office of the New York State Comptroller, and four certified copies in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is requested to file the local law in a separate book kept by him for such records, and be it further,

**RESOLVED,** that the City Clerk in accordance with Section 214, shall cause a true copy of said Local Law to be published in the official City newspaper at least once a week for two successive weeks, the first publication of which shall be had within ten (10) days after such Local Law has become effective, and be it further,

**RESOLVED,** that certified copies of this resolution shall be forwarded to City Assessor of the City of Hornell, the Director of the Steuben County Real Property Tax Service Agency, City Chamberlain of the City of Hornell, and to the Steuben County Office of Aging.

Carried – 9 ayes  
Absent – 1(Valentine)

HN 25-79 Local Law 4 of 2025 City Codes Update

**BY: Hancock/Brown**

**A LOCAL LAW AMENDING VARIOUS SECTIONS OF THE CODE OF THE CITY OF HORNELL**

Be it enacted by the Common Council of the City of Hornell as follows:

Section 1. Amendment to § 1-1, "Penalties for offenses."

Section 1-1 of the Code of the City of Hornell is hereby amended to read as follows:

§ 1-1 Penalties for offenses.

Except as otherwise provided, any person who shall violate any provision of this Code shall, upon conviction thereof, be punished by a fine of not less than \$75 nor more than \$250 for a first-time offense. Continued noncompliance with the same provision may constitute a separate offense for each day the violation persists. A second offense shall carry a fine of not less than \$150 nor more than \$250. A third offense shall carry a fine of not less than \$250 or imprisonment for a term of not more than 15 days, or both.

Section 2. Amendment to § 135-9, “Licensing; fees; violations and penalties.”

Section 135-9(B) of the Code of the City of Hornell is hereby amended to read as follows:

B. License fees.

(1) Spayed/neutered: \$7.50.

(2) Unspayed/unneutered: \$15.50.

(3) In addition to the license fees set forth above, a late licensing fee of \$5 shall be assessed for each calendar year that a dog is found to be unlicensed beyond its required licensing date. This fee shall be in addition to any fees or fines incurred related to any tickets issued for dog license violations.

Section 3. Amendment to § 160-10, “Creation of nuisance; depositing on streets and other property.”

Section 160-10 of the Code of the City of Hornell is hereby amended to read as follows:

A. All garbage disposed of within the limits of the City shall be disposed of in such manner as not to create a nuisance and in such manner as shall be approved by the Board of Health.

B. No person shall throw or deposit or cause to be thrown or deposited any garbage, as defined in this chapter, upon any street, alley, lane, gutter, or any public grounds in the City or into any stream running through or adjacent to said City or other premises in said City.

C. No person shall place, deposit, or dispose of garbage, rubbish, recyclables, yard waste, construction debris, appliances, furniture, or other refuse on property not owned or leased by them, unless they have received explicit permission from the property owner and the disposal complies with all applicable City regulations.

Section 4. Addition of § 120-3, “Short-Term Rental Regulations.”

A new Section 120-3 is hereby added to the Code of the City of Hornell to read as follows:

§ 120-3. Short-Term Rental Regulations.

A. Purpose. The City of Hornell recognizes the growing prevalence of short-term rentals (STRs), such as those facilitated by platforms like Airbnb, and seeks to ensure such properties comply with building, fire, and safety standards to protect public health, safety, and welfare. This section establishes regulations for STRs to promote safe and responsible use within the City.

B. Definitions. For the purposes of this section:

(1) Short-Term Rental (STR): A dwelling unit, or portion thereof, rented for a fee for a period of less than 28 consecutive nights to persons other than the owner or their immediate family. This includes rentals facilitated by online platforms such as Airbnb, as well as bed-and-breakfasts, but excludes hotels or motels regulated elsewhere in this Code.

(2) Owner: The person(s) or entity holding legal title to the property used as an STR.

(3) Dwelling Unit: A building or portion thereof designed for residential occupancy, as defined in § 120-2 of this Chapter.

(4) Building Inspector: The City of Hornell Building Inspector or their designated representative responsible for enforcing this section.

#### C. Certificate of Occupancy.

(1) No dwelling unit shall be used as an STR without a valid Certificate of Occupancy (COO) issued by the Building Inspector, as required for rental properties under this Chapter.

(2) The COO shall confirm compliance with all applicable building, fire, and health codes, including the New York State Uniform Fire Prevention and Building Code.

(3) Owners must maintain a valid COO for the duration of STR operations and provide a copy to the Building Inspector upon request.

#### D. Operational Standards.

(1) Compliance with Codes: STRs shall comply with all applicable provisions of this Chapter, the New York State Uniform Fire Prevention and Building Code, and other City ordinances including zoning, noise, and property maintenance regulations.

#### E. Inspections.

(1) Semiannual Inspections: Every STR shall be inspected by the Building Inspector or their designee at least once every six months to ensure compliance with this section and applicable building, fire, and health codes.

(2) Emergency Inspections: The Building Inspector may conduct inspections without prior notice if there is reason to believe an immediate threat to life, health, or safety exists.

#### F. Enforcement and Penalties.

(1) Violations: Failure to comply with any provision of this section, including failure to maintain a valid COO or allow inspections, shall constitute a violation.

(2) Penalties: Violators shall be subject to the penalties set forth in § 1-1 of the Hornell City Code.

#### G. Effective Date.

This section shall take effect immediately.

#### Section 5. Effective Date.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Carried – 9 ayes

Absent – 1 (Valentine)

HN 25-80 Canvass the Vote

BY: Davis/Warriner

**WHEREAS**, Subpart A §17 of the City Charter of the City of Hornell provides that the Common Council shall act as a Board of Canvassers of Election for City Elections, and

**WHEREAS**, the City Clerk has certified the following list, as submitted to her, pursuant to §17 of the City Charter, as the Official Statement of the Election Inspectors and results of the Election held on November 4, 2025, as it now appears by records on file in the Office of the City Clerk, and

**WHEREAS**, the following persons have received a plurality of votes cast in such election for the respective offices set opposite their name:

John J. Buckley	Hornell City Mayor
David Sutfin	Hornell City Alderman Ward 1
Christina Hancock	Hornell City Alderman Ward 2
Joseph McKay	Hornell City Alderman Ward 3
Steve Peck	Hornell City Alderman Ward 4
Daniel Warriner	Hornell City Alderman Ward 5
Lita Brown	Hornell City Alderman Ward 6
Kevin Valentine	Hornell City Alderman Ward 7
James Bassage, Sr.	Hornell City Alderman Ward 8
Shannon Davis	Hornell City Alderman Ward 9
John A. Carbone Jr.	Hornell City Alderman Ward 10

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell does hereby declare the persons named to be duly elected to the respective offices set opposite their names for the terms of office, as specified by the City Charter of the City of Hornell.

Carried – 9 ayes

Absent – 1(Valentine)

HN 25-81 Appoint H. Lisi Marriage Officer

BY: Brown/McKay

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell, N.Y., hereby appoints Heather Lisi, of 60 Church Street, Hornell, N.Y., as City Marriage Officer, effective January 1, 2026, and expiring January 31, 2028.

Carried – 9 ayes

Absent – 1 (Valentine)

HN 25-82 Re-Appoint H. Snyder Registrar

BY: Carbone/Peck

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell, N.Y., hereby re-appoints Holly Snyder, of 42 Pearl Street, Hornell, N.Y., as Registrar of Vital Statistics, effective January 1, 2026, and expiring December 31, 2027.

Carried – 9 ayes

Absent – 1 (Valentine)

HN 25-83 Amend the 2025-2026 General Fund budget - new salt truck

BY: Sutfin/Brown

**Amend the 2025-26 General Fund budget to purchase new salt truck.**

**WHEREAS**, a budget amendment is necessary to, amend the 2025-2026 General Fund budget to purchase a new salt truck.

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Hornell, NY, that the 2025–2026 City of Hornell General Fund budget now reflects the following adjustments:

Increase General Fund Assigned Fund Balance by \$189,237.72

Increase Expenditure: A 5142.2 – Snow and Ice Control Equipment by \$189,237.72

Carried – 9 ayes

Absent – 1 (Valentine)

HN 25-84 Extend Hornell Street Extension

BY: Peck/Carbone

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell, N.Y., hereby extends Hornell Street Extension by .03 miles.

Carried – 9 ayes

Absent – 1 (Valentine)

**CLAIMS:**

BY: Hancock/Sutfin

**NOW, THEREFORE, BE IT RESOLVED**, that claims in the amount of \$404,981.11, as audited by the Audit Committee of the Common Council of the City of Hornell, are approved and authorized paid as audited.

Common Council	\$1,859,084.05
Community Development	\$ 130.00
Payrolls	<u>\$ 111,206.49</u>
TOTAL	\$1,970,420.54

Carried – 9 ayes

Absent – 1 (Valentine)

**MISCELLANEOUS:**

Mayor Buckley stated they had to discuss a Real Estate transaction and that the council was going to go into an executive session. Immediately following they are going to adjourn the meeting.

By: Peck/Warriner

**Entering into Executive Session at 7:28 pm**

Carried-9 ayes

Absent- 1 (Valentine)

By: Warriner/Peck

**To go back into Regular Session at 8:47 pm**

Carried- 9 ayes

Absent- 1 (Valentine)

BY: Hancock/Brown

**RESOLVED**, that there being no further business the Common Council adjourned at 8:48 p.m.

Carried – 9

Absent – 1 (Valentine)

Respectfully submitted,

*Holly Snyder*

Holly Snyder

City Clerk