

A regular meeting of the Hornell Common Council was held on Monday, April 20, 2026 at 7:27 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, Warriner, Brown, Valentine, Bassage, Davis, and Carbone, Stenographer Ellen Kerr, Deputy Mayor Jessica Cleveland, City Chamberlain Michele Smith and City Clerk Heather Lisi.

ALSO PRESENT: Fire Chief Frank Brzozowski, Neighborhood & Facilities Director Bud Burdett, Kim Gilbert and 12 students and/or members of the public.

FROM THE MEDIA: none

ABSENT: Steven Peck

INVOCATION: Father Stan Kacprzak

PLEDGE TO THE FLAG: Mayor Buckley

BY: Brown/Warriner

RESOLVED, that the minutes of the Common Council meeting of March 16, 2026 and March 23, 2026 be approved as read.

Carried – 9 ayes

Absent – Peck

BY: Hancock/Sutfin

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

REPORTS FILED:

Gen Fund Rev.- 3/2026; Water Fund Rev.- 3/2026; Gen Fund Exp.- 3/2026; Water Fund Exp.- 3/2026; City Clerk- 3/2026; BPS Minutes –3/2026; Fire/Amb - 3/2026; Codes/Codes Log- 3/2026; Police- 3/2026; BPW Minutes –3/2026; DPW/Sewer –3/2026; WTP – 3/2026; WPCP – 3/2026; Petro – 3/2026; Library - 3/2026; Humane Society 3/2026; HAT Commission - 3/2026

Carried – 9 ayes

Absent – Peck

BY: Davis/Warriner

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

Carried – 9 ayes

Absent – Peck

COMMITTEE REPORTS:

Audit Committee

April 20, 2026

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	\$ 1,977,768.82
CD	\$ 780.00
<u>PAYROLL</u>	<u>\$ 176,592.47</u>
TOTAL	<u>\$ 2,155,141.29</u>

Respectfully submitted,
John Carbone, Chairman
Audit Committee

Youth & Recreation Committee

April 7, 2026

To: The Honorable John Buckley, Mayor & Members of the Common Council

Ladies and Gentlemen:

The Youth and Recreation Committee met on Monday, April 7th, at 6:03pm, the following members were in attendance; Joe McKay, Lita Brown, Christina Hancock and chairman Jim Bassage.

Excused: David Sutfin

Guests: Heather Lisi

The following items were discussed.

- 1- Heather shared the 2025 attendance numbers for the play grounds and pool.
- 2- City's agreement with the YMCA to oversee the pool operations has been signed and approved by the Council for 2026.
- 3- Committee agreed that the following playgrounds would be used this summer for the Parks program; James Street, Stevens Street, Columbian, Maple City (High School) and Bryant Apartments. Date was set for opening of playgrounds, June 29th. All hired playground

attendants will be required to take CPR training, prior to starting, to be offered by Frank Brozowski, Fire Department Chief. Heather will confirm date.

4- Committee reviewed applicants and recommended to hire ten summer playground staff, one supervisor, two pool staff and five alternatives. Heather will send offer letters.

5-Committee also would like to explore the possibility or need to staff the new pocket park by the Hornell Little League fields.

Meeting was adjourned the meeting at 6:22pm.

Next meeting – TBD

RESOLUTIONS:

HN-26-23 Resolution Authorizing the Adoption of Local Law No. 2 of 2026 EBikes

BY: Carbone/Suffin

WHEREAS, a proposed local law entitled “A Local Law Regulating the Operation of Electric Bicycles, Electric Scooters, and Electric Skateboards” has been introduced before the Common Council of the City of Hornell; and

WHEREAS, the Common Council has determined that the increasing use of such devices requires reasonable regulation to protect the public health, safety, and welfare of City residents; and

WHEREAS, said local law establishes rules governing the safe operation of electric bicycles, electric scooters, and electric skateboards, including provisions related to speed limits, permitted areas of operation, helmet use, and enforcement; and

WHEREAS, the Common Council finds that adoption of this local law is in the best interests of the City of Hornell;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby adopts Local Law No. 2 of 2026 in its entirety; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to file said local law with the New York State Secretary of State in accordance with the Municipal Home Rule Law.

Carried – 9 ayes
Absent – Peck

HN 26-24 Budget Amendment General Fund - Fire Department

By: Valentine/Hancock

WHEREAS, a budget amendment is necessary to amend the 2025-2026 General Fund budget to account for PERMA grant funds received for the Firefighter Risk Reduction Program.

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 Revenue:
A 3389 – Public Safety State Aid by \$5,000

Increase Expenditure:

A 3410.21 – Fire – Equipment from Grants by \$5,000

Carried – 9 ayes

Absent – Peck

HN 26-25 Budget Amendment - General Fund Assessment Change

BY: Davis/Sutfin

WHEREAS, a budget amendment is necessary to amend the 2026-2027 General Fund budget to account for assessment changes received from the State Office of Real Property Tax Services for special franchise companies after the budget was adopted by the Common Council on March 23, 2026.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Hornell, NY, that the 2026 – 2027 City of Hornell General Fund budget now reflects the following adjustments:

Increase General Fund Total Assessed Value to \$418,852,914.00

Increase Revenue:

A1001 – Real Property Taxes by \$343.21

Increase Expenditure:

A9550.9 - Council Contingency by \$343.21

Carried – 9 ayes

Absent – Peck

HN 26-26 Tree Ordinance

BY: Warriner/Hancock

WHEREAS, the Common Council of the City of Hornell recognizes the importance of maintaining safe and healthy trees in the City of Hornell; and

WHEREAS, the Law and Ordinance Committee has reviewed and recommended a revision of the City Code regarding tree management;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby adopts and enacts the following as Chapter 288: Trees to be effective immediately:

§ 288-1 Authority and Purpose The City of Hornell recognizes the importance of maintaining safe and healthy trees within public spaces and rights-of-way. While the City does not employ certified arborists or other tree health experts, it is committed to addressing hazardous trees that pose a risk to public safety.

§ 288-2 Responsibility of Property Owners Property owners are responsible for maintaining trees on their property in a safe condition. Such responsibility includes obtaining expert evaluations when a tree appears damaged, diseased, or otherwise unsafe and removing or addressing hazards in a timely manner.

§ 288-3 Administration The Codes Department or its designee shall be responsible for the administration of this chapter, including identifying trees within the City’s authority that present an immediate hazard to the public, issuing notices to property owners regarding tree concerns, and coordinating removal actions in accordance with § 288-11.

§ 288-4 Spacing No trees may be planted closer together than thirty feet for small trees, forty feet for medium trees, and fifty feet for large trees, except in special plantings designed or approved by the Department of Public Works.

§ 288-5 Distance from Curb and Sidewalk No trees may be planted closer to any curb or sidewalk than two feet for small trees, three feet for medium trees, and four feet for large trees.

§ 288-6 Distance from Street Corners and Fireplugs No street tree shall be planted closer than thirty-five feet to any street corner, measured from the point of nearest intersecting curbs or curb lines. No street tree shall be planted closer than ten feet to any fireplug.

§ 288-7 Utilities No street trees, other than small trees, may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line, or other utility.

§ 288-8 Public Tree Care The City or its designee may plant, prune, maintain, and remove trees, plants, and shrubs within streets, alleys, avenues, lanes, squares, and public grounds as necessary to ensure public safety or preserve the symmetry and appearance of public grounds. This section shall not prohibit adjacent property owners from planting street trees, provided that the selection and location of such trees comply with § 288-4 through 288-7 of this chapter.

§ 288-9 Tree Topping It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree, or other tree on public property. “Topping” is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree’s crown, removing the normal canopy and disfiguring the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted at the determination of the Codes Department or its designee.

§ 288-10 Pruning; Corner Clearance Owners of trees overhanging streets or rights-of-way shall prune branches so that such branches do not obstruct the light from any street lamp, obstruct the view of any street intersection, or interfere with the visibility of any traffic control device or sign. Pruning shall provide a clear space of seven feet above the surface of the street or sidewalk. Owners shall remove all dead, diseased, or dangerous trees or broken or decayed limbs that constitute a menace to the safety of the public. The City or its designee may prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight, interferes with the visibility of any traffic control device or sign, or interferes with equipment operation to maintain public streets and roadways.

§ 288-11 Dead, Diseased, or Hazardous Tree Removal The City may request the removal of any tree, whether on private property or in the public right-of-way, that is dead, diseased, or otherwise hazardous to life, property, or public safety, or that harbors insects or disease presenting a potential threat to other trees within the City. The Codes Department or its designee shall notify the property owner, verbally or in writing, when such a condition is observed or a concern or complaint is received regarding a tree on private property. Property owners are responsible for obtaining expert evaluations if the condition of the tree is in question and for taking any necessary corrective action. In the event that the property owner fails to comply, the City or its designee may remove or cause removal of the tree, if it can be completed without entering private property, and the cost of removal may be charged to the property owner, and added if it remains unpaid, to the owner’s property tax bill.

§ 288-12 Interference with City Tree Maintenance Activities It shall be unlawful for any person to prevent, delay, or interfere with City employees or authorized agents while performing activities related to the planting, cultivating, mulching, pruning, spraying, or removal of trees located within the public right-of-way or City-managed public spaces as authorized under this chapter.

Carried – 9 ayes

Absent – Peck

HN 26-27 Accept Burdell resignation City Assessor**BY: Valentine/Sutfin**

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby accepts the resignation of Cindy Burdell of 441 Fairview Ave, Hornell, N.Y., as Hornell City Assessor effective April 30, 2026.

Carried – 9 ayes

Absent – Peck

CLAIMS:

BY: Warriner/Valentine

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$2,155,141.29, as audited by the Audit Committee of the Common Council of the City of Hornell, are approved and authorized paid as audited.

Common Council	\$1,977,768.82
Community Development	\$780.00
Payrolls	<u>\$176,592.47</u>
TOTAL	\$2,155,141.29

Carried – 9 ayes

Absent – Peck

MISCELLANEOUS: Deputy Mayor Jessica Cleveland gave an update on Hornell Area Transit. We are expecting new buses to be delivered this summer. HAT is accepting applications for drivers. Mayor Buckley noted that the deadline for construction proposals for the improvements on the Skate Park is May 1, 2026. Additionally, municipalities are awaiting the approval of the State Budget for State funding implications.

BY: Sutfin/Brown**RESOLVED**, that there being no further business the Common Council adjourned at 8:05 p.m.

Carried – 9 ayes

Absent – Peck

Respectfully submitted,

Heather Lisi

Heather Lisi

City Clerk