

A regular meeting of the Hornell Common Council was held on Monday, August 25, 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, Valentine, Bassage, Davis, and Carbone, Stenographer Ellen Kerr, and City Clerk Holly Snyder.

ALSO PRESENT: Deputy Mayor Jessica Cleveland, City Chamberlain Michele Smith, Chief Ted Murray, Sargent Harrison, Rich Dunning, Robert McLaughlin, Bud Burdett, and five members of the public.

FROM THE MEDIA: None

ABSENT: None

INVOCATION: Pastor Bruce Incze – United Presbyterian Church

PLEDGE TO THE FLAG: Mayor Buckley

BY: Carbone/Brown

RESOLVED, that the minutes of the Common Council meeting of July 21, 2025 be approved as read.

Carried – All Ayes (10)

Absent – None

BY: Warriner/Sutfin

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

REPORTS FILED:

Gen Fund Rev.- 7/2025; Water Fund Rev.- 7/2025; Gen Fund Exp.- 7/2025; Water Fund Exp.- 7/2025; City Clerk- 7/2025; BPS Minutes –7/2025; Fire/Amb-7/2025; Codes/Codes Log- 7/2025; Police- 7/2025; BPW Minutes –7/2025; DPW/Sewer 7/2025; WTP –7/2025; WPCP – 7/2025; Petro – 7/2025; Library 7/2025; Humane Society 7/2025; HAT Commission 7/2025

Carried – All Ayes (10)

Absent – None

BY: Davis/Peck

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

Carried – All Ayes (10)

Absent – None

COMMITTEE REPORTS:**Audit Committee**

August 25, 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	\$ 345,318.31
CD	\$ 9,051.23
PAYROLL	\$ 104,177.51
TOTAL	\$ 458,547.05

Respectfully submitted,
John Carbone, Chairman
Audit Committee

RESOLUTIONS:**HN 25-50 City Codes Update**

BY: Sutfin/Hancock

WHEREAS, the Common Council of the City of Hornell recognizes that updating and modernizing the City Code is both beneficial and necessary; and

WHEREAS, the Law and Ordinance Committee has reviewed and approved proposed updates to the City Code for consideration by the Common Council; and

WHEREAS, the Common Council has reviewed and considered the proposed updates by the Law and Ordinance Committee; and

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Hornell hereby approves the proposed updates to the City Code; and

BE IT FURTHER RESOLVED, that said updates shall be effective immediately.

Carried – All Ayes (10)

Absent – None

HN 25-51 SEQR Negative Declaration for Intermunicipal Sewer System

BY: Peck/Hancock

**A RESOLUTION TO ISSUE A NEGATIVE DECLARATION UNDER SEQR
FOR INTERMUNICIPAL SEWER SYSTEM IMPROVEMENT PROJECT**

WHEREAS, the City of Hornell and portions of the neighboring Village of North Hornell and the Town of Hornellsville are served by the City of Hornell's Water Pollution Control Plant, which is permitted

under the New York State Pollution Elimination Discharge Permit to treat 4.0 million gallons per day (MGD) and has the capacity to treat up to 8.0 MGD peak hourly flow.

WHEREAS, the City, Village, and Town, in partnership with LaBella Associates, completed an engineering evaluation of the intermunicipal sewer system in May 2025 and recommended the following improvements: Replace three pump stations (new wet wells and pumping equipment) and replace aging trunk line piping within the Town; Replacement of one pump station (new wet well and pumping equipment) and lining of trunk main piping (in accordance with CCTV inspection completed in 2022) within the Village; and repair four existing wet wells and replace aging pumping equipment within the City.

WHEREAS, in accordance with the New York State Environmental Quality Review regulations (SEQR) the City of Hornell Common Council conducted an environmental review of the proposed intermunicipal sewer system improvements, and

WHEREAS, the City of Hornell Common Council has determined that the proposed sewer system improvements project is a Type 1 Action as defined under SEQR and conducted a coordinated review with Involved and Interested Agencies, and completed a Full Environmental Assessment Form, Parts 1-3; and

WHEREAS, during the coordinated review there were no objections to City of Hornell Common Council intent to serve as the SEQR Lead Agency, the City of Hornell Common Council declares itself to be the SEQR Lead Agency and now desires to make a determination of significance in accordance with the SEQR regulations at 6 NYCRR §617.7.

Now Therefore, Be It Resolved, The City of Hornell Common Council declares that, based on the Environmental Record which has been prepared, the Project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project and the City of Hornell Common Council is resolved to issue the Negative Declaration pursuant to the SEQR Environmental Review.

Resolved, that this resolution shall take effect immediately.

Carried – All Ayes (10)

Absent – None

HN 25-52 Authorize Mayor, - IMA-Intermunicipal Sewer Project

BY: Brown/Valentine

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby authorizes the Mayor to enter into an Intermunicipal Agreement with the Town of Hornellsville, and the Village of North Hornell for an Intermunicipal Sewer Project.

Carried – All Ayes (10)

Absent – None

HN 25-53 Authorizing WIIA Grant

BY: Carbone/Brown

AUTHORIZATION TO SUBMIT NYS WATER INFRASTRUCTURE IMPROVEMENT GRANT / INTERMUNICIPAL GRANT HORNELL INTERMUNICIPAL SEWER IMPROVEMENT CITY OF HORNELL

WHEREAS, the City of Hornell, Town of Hornellsville, and Village of North Hornell propose improvements to municipal owned and operated sewer conveyance system to include improvement of replacement of

three pump stations and replacement of aging trunk line piping within the Town; replacement of one pump station and lining of trunk main piping within the Village; and repair of four existing wet wells and replacement of aging pumping equipment within the City, and

WHEREAS, the sanitary collections system collects and conveys sanitary flow to a Water Pollution Control Plant owned and operated by the City, and

WHEREAS, NYS Environmental Facilities Corporation is offering grants for clean and drinking water projects during the 2025-2026 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality; and

WHEREAS, the City of Hornell, acting as lead applicant is seeking funding through the NYS Water Infrastructure Improvement (WIIA) Grant and Intermunicipal Grant Program (IMG);

WHEREAS, NYS Environmental Facilities Corporation requires a resolution authorizing the undertaking of the project and the total funding appropriated for the project. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW THEREFORE, IT IS RESOLVED, that the City authorizes the undertaking of the project and the estimated project cost is \$16,782,000 with the following allocation based on location of improvement: Town of Hornellsville \$10,710,000; Village of North Hornell \$3,502,000; City of Hornell \$2,570,000; and it is

FURTHER RESOLVED, that an Intermunicipal Agreement has been adopted defining cost sharing and the City of Hornell will meet the financial obligations necessary to fully and satisfactorily complete the City's allocation of the project through Environmental Facilities Short Term and Long Term Financing; and it is

FURTHER RESOLVED, that the City of Hornell as lead applicant authorizes and empowers Mayor John Buckley to sign and submit a grant application and sign the funding agreement for the City's allocation with Environmental Facilities Corporation and any associated documents; and it is

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried – All Ayes (10)

Absent – None

HN 25-54 Bond – Wet Wells Improvements

BY: **Warriner/Peck**

BOND RESOLUTION DATED AUGUST 25, 2025.

A RESOLUTION AUTHORIZING IMPROVEMENTS TO FOUR EXISTING WET WELLS AND REPLACEMENT OF AGING PUMPING EQUIPMENT IN THE CITY SEWER SYSTEM IN AND FOR THE CITY OF HORNELL, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,570,000 AND AUTHORIZING THE ISSUANCE OF \$2,570,000 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the City Council of the City of Hornell, Steuben County, New York, as follows:

Section 1. Improvements to four existing wet wells and replacement of aging pumping equipment in the City sewer system in and for the City of Hornell, Steuben County, New York, including

original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, are hereby authorized at a maximum estimated cost of \$2,570,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,570,000 serial bonds of said City, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Hornell, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Chamberlain, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Chamberlain, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Chamberlain, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Chamberlain shall determine consistent with the provisions of the Local Finance Law.

Section 7. The City Chamberlain is hereby further authorized, at the City Chamberlain's sole discretion, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof and of the bond resolution dated August 22, 2017, or a portion thereof, by a bond, and/or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Chamberlain. Such notes shall be of such terms, form and contents as may be prescribed by said City Chamberlain consistent with the provisions of the Local Finance Law.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried – All Ayes (10)

Absent – None

HN 25-55 Bond – Sewer Truck

BY: Brown/Sutfin

BOND RESOLUTION DATED AUGUST 25, 2025.

A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER TRUCK FOR THE CITY OF HORNELL, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$521,814 AND AUTHORIZING THE ISSUANCE OF \$311,814 SERIAL BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the City Council of the City of Hornell, Steuben County, New York, as follows:

Section 1. The purchase of a sewer truck for the City of Hornell, Steuben County, New York, is hereby authorized at a maximum estimated cost of \$521,814.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$311,814 serial bonds of said City, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; plus \$60,000 credit for trade in and \$150,000 to be paid from available monies of the City hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Hornell, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Chamberlain, the chief

fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Chamberlain, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Chamberlain, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Chamberlain shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried – All Ayes (10)

Absent – None

HN 25-56 Authorize Mayor, Chief of Police – IMA-Tyler System

BY: Peck/Warriner

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby authorizes the Mayor and the Chief of Police to enter into an Intermunicipal Agreement with the Steuben County IT Department for use of the Tyler System.

Carried – All Ayes (10)

Absent – None

HN 25-57 Re-Appoint C. Burdell City Assessor

BY: Valentine/Brown

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby reappoints Cindy Burdell of 441 Fairview Ave., Hornell, as the City Assessor, for the 6-year term October 1, 2025 through September 30, 2031.

Carried – all Ayes (10)

Absent – None

HN 25-58 Re-Appoint Lynch to BAR**BY: Sutfin/Davis**

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby re-appoints Margaret Lynch, of 24 Erie Ave., Hornell, to the City Board of Assessment Review, for the 5-year term of October 1, 2025 through September 30, 2030.

Carried – All Ayes (10)

Absent – None

CLAIMS:

BY: Warriner/Peck

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	\$345,318.31
Community Development	\$ 9,051.23
Payrolls	<u>\$104,177.51</u>
TOTAL	\$458,547.05

Carried – All Ayes (10)

Absent – None

MISCELLANEOUS:

Mayor Buckley went into detail and explained all the resolutions.

Alderman McKay talked about the resolution to update the City Codes.

Chief Murray and Sargent Harrison talked about the Tyler System Resolution.

BY: Hancock/Brown

RESOLVED, that there being no further business the Common Council adjourned at 8:17 p.m.

Carried – All Ayes (10)

Absent – None

Respectfully submitted,

Holly Snyder

Holly Snyder

City Clerk