

A regular meeting of the Hornell Common Council was held on Monday, September 21, 2026, at 7:04 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 Heather Lisi.

ALSO PRESENT: Deputy Mayor Jessica Cleveland, City Chamberlain Michele Smith, WPCP Chief Operator Robert McLaughlin, DPW Superintendent Mitchell Cornish, HAT Driver Leonard Caruso, 7 students from Hornell High School and/or members of the public.

FROM THE MEDIA: Brian O'Neil

ABSENT: N/A

INVOCATION: Deacon Mark Clark, Our Lady of the Valley Parish

PLEDGE TO THE FLAG: Mayor Buckley

BY: Peck/Sutfin

RESOLVED, that the minutes of the Common Council meeting of August 17, 2026 be approved as read.

Carried – 9 ayes

Absent – 1 (Valentine)

BY: Davis/Brown

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

REPORTS FILED:

Gen Fund Rev.- 8/2026; Water Fund Rev.- 8/2026; Gen Fund Exp.- 8/2026; Water Fund Exp.- 8/2026; City Clerk- 8/2026; BPS Minutes –8/2026; Fire/Amb-8/2026; Codes/Codes Log- 8/2026; Police- 8/2026; BPW Minutes – 8/2026; DPW/Sewer - 8/2026; WTP –8/2026; WPCP – 8/2026; Petro – 8/2026; Humane Society 8/2026; HAT Commission – N/A

Carried – 9 ayes

Absent – 1 (Valentine)

BY: Peck/Hancock

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

Carried – 9 ayes

Absent – 1 (Valentine)

COMMITTEE REPORTS:

Audit Committee

September 21, 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	\$ 1,437,705.19
CD	\$ 4,641.25
PAYROLL	\$ 112,768.79
TOTAL	<u>\$ 1,555,115.23</u>

Respectfully submitted,
John Carbone, Chairman
Audit Committee

Policies and Procedures Committee

September 21, 2026

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

Ladies and Gentlemen:

The Policies and Procedures Committee met on September 21st, at 6:45pm. The following members were in attendance; John Carbone, Joe McKay, Christina Hancock, Dan Warriner and Jim Bassage, Chair.

Excused-

Guests; Mayor Buckley, Jessica Cleveland, Deputy Mayor

The following items were discussed;

- I. Since the City of Hornell Vehicle use policy was implemented there was some changes suggested to provide some clarification to some sections. The Committee reviewed the suggested clarifications to the Vehicle Use policy. After discussion of the clarifications a motion was made by Dan Warriner to approve the changes, and a second by Christina Hancock. All Ayes.

Motion to adjourn by John Carbone, second by Joe McKay. All Ayes. Meeting was Adjourned at 7:56 pm.

Next meeting - TBD

RESOLUTIONS:**HN 26-47 Re-appoint Egmond to BAR**

BY: Carbone/Warriner

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby approves the re-appointment of Michael Egmond of 2 Francis P. Hogan Drive, Hornell, to the Board of Assessment Review for a 5-year term beginning October 1, 2026, and expiring September 30, 2031

Carried – 9 ayes

Absent – 1 (Valentine)

HN 26-48 Authorize Mayor - MOA HCSD Crossing Guard

BY: Brown/Peck

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby authorizes the Mayor to enter into a Memorandum of Agreement (MOA) with the Hornell City School District to support the addition of two crossing guards to provide for the safe crossing of students near the Hornell High School.

Carried – 9 ayes

Absent – 1 (Valentine)

HN 26-49 Bridge NY Reimbursement for Church St Bridge Replacement

BY: Warriner/Davis

WHEREAS, a project for the Bridge Replacement (BIN 2218190) Church Street over Canacadea Creek, City of Hornell, Steuben County, P.I.N. 6755.65 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the City of Hornell will design, let, and construct the Project: and

WHEREAS, the City of Hornell desires to advance the Project by making a commitment of 100% of the costs for Right of Way Incidentals and Acquisition.

NOW, THEREFORE, the Hornell Common Council, duly convened does hereby

RESOLVE, that the Hornell Common Council hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Hornell Common Council hereby authorizes the City of Hornell to pay 100% of the cost of Right of Way Incidentals and Acquisition work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$47,500.00 is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that the Hornell Common Council hereby agrees that the City of Hornell shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the City of Hornell; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the City of Hornell shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that City of Hornell hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Mayor of the City of Hornell be and is hereby authorized to execute on behalf of the City of Hornell all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and City of Hornell's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Carried – 9 ayes

Absent – 1 (Valentine)

Waive the Agenda for additional Resolution

BY: Carbone/Bassage

Carried – 9 ayes

Absent – 1 (Valentine)

HN 26-50 Lease Resolution 2025 International Dump Truck DPW

BY: Carbone/Warriner

Whereas, City of Hornell (the "Lessee"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of New York, is authorized by the laws of the State of New York to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

Whereas, the Lessee desires to purchase, acquire and lease certain equipment constituting personal property necessary for the Lessee to perform essential governmental functions; and

Whereas, in order to acquire such equipment, the Lessee proposes to enter into that certain Equipment Lease Purchase Agreement (the "Agreement") with ROC Leasing LLC dba Real Lease (the "Lessor"); and

Whereas, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the equipment therein described on the terms and conditions therein provided;

Now, Therefore, Be It And It Is Hereby Resolved;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement are hereby approved by the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the Mayor of the Lessee is hereby authorized and directed to execute, and the City Clerk of the Lessee is hereby authorized and directed to attest and countersign the Agreement and affix the seal of the Lessee to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the Lessee as provided in the Agreement.

Section 4. Section 265(b) (3,) Designation. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" for the purposes and within the meaning of Section 265(b) of the Internal Revenue Code of 1986, as amended. Lessee further represents that Lessee reasonably anticipates that Lessee and other entities that Lessee controls will not issue tax-exempt obligations (including the Agreement) that exceed the aggregate principal amount of \$250,000.00 during the calendar year in which the Agreement is executed and delivered.

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

Adopted and Approved by the governing body of the Lessee this 21st day of September, 2026.

Carried – 9 ayes

Absent – 1 (Valentine)

CLAIMS:

BY: Sutfin/Peck

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$1,555,115.23, as audited by the Audit Committee of the Common Council of the City of Hornell, are approved and authorized paid as audited.

Common Council	\$ 1,437,705.19
Community Development	\$ 4,641.25
Payrolls	<u>\$ 112,768.79</u>
TOTAL	\$ 1,555,115.23

Carried – 9 ayes

Absent – 1(Valentine)

MISCELLANEOUS:

Prior to the start of the regular session, Mayor Buckley recognized Leonard Caruso for 25 years of service as a Hornell Area Transit Bus Driver. Mr Caruso was presented a certificate of appreciation and reflected on his years driving buses in the City. Mr Caruso plans to retire at the end of September.

Mayor Buckley attended the NYCOM Fall Training last week. There were several items of interest that he shared with the Council:

1. A statewide EMS Assessment is in process. NYS is requiring all counties to submit an EMS plan in an effort to identify underserved communities.
2. There are two bills in process to allow payment (per call) for volunteer fire fighters. No actual dollar amount has been set. The cost of these payments would fall on the municipality or fire district.
3. Tier 6 Pension reform is putting pressure on municipal budgets across the state.
4. Cooperative Purchasing has been extended to 6/30/2027 to aide in cost savings for municipalities.
5. Talks continue over proposals to have “even year” elections for municipal officials. These would align with State and Federal elections.

Enter Executive Session: 7:46 pm**BY:** Warriner/Carbone

Carried – 9 ayes

Absent – 1 (Valentine)

Exit Executive Session and enter into Regular Session: 8:27 pm**BY:** Peck/Warriner

Carried – 9 ayes

Absent – 1 (Valentine)

BY: Hancock/Brown**RESOLVED**, that there being no further business the Common Council adjourned at 8:27 p.m.

Carried – 9 ayes

Absent – 1 (Valentine)

Respectfully submitted,

Heather Lisi

Heather Lisi

City Clerk