

A regular meeting of the Hornell Common Council was held on Monday, January 15, 2018, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

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

ALSO PRESENT: Michele Smith, Mitch Cornish, Jason Jordan from the Evening Tribune, Bill Dugan from WLEA, 8 high school students.

ABSENT: Council members Brown and Lehman

INVOCATION: Pastor Brittingham

PLEDGE TO THE FLAG: Mayor John J. Buckley

By: Ponticello/Cleveland

RESOLVED, that the minutes of the Common Council meeting of December 18, 2017 be approved as read.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Cleveland/Shinebarger

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

REPORTS FILED:

BPW Minutes – 11/16/17; General Fund Rev. – 12/2017; DPW – 11/2017; Water Fund Rev. – 12/2017; Petro Tank Report – 12/1/17; Humane Society – 12/2017; Sewer – 11/2017; BPS Minutes – 12/14/17; WTP – 11/2017; Codes – 12/2017; WPCP – 11/2017; Codes Log – 12/2017; City Clerk – 12/2017; Police – 12/2017; General Fund Exp. – 12/2017; Fire & Ambulance – 12/2017; Water Fund Exp. – 12/2017.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Argentieri/Warriner

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

Carried – 8

Absent – 2 (Brown, Lehman)

COMMITTEE REPORTS:

AUDIT COMMITTEE

January 12, 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, Richard Argentieri and Audit Committee Chairman John Carbone.

Bills audited and approved:

Common Council	\$198,912.35
CD	\$177,520.00
Payrolls	<u>\$ 88,441.66</u>
TOTAL	\$464,874.01

Respectfully submitted,

John Carbone, Chairman
Audit Committee

Carried – 8
Absent – 2 (Brown, Lehman)

RESOLUTIONS:

By: Ponticello/Carbone
HN 18-01 – Standard Work Day and Reporting

NOW THEREFORE BE IT RESOLVED that the Common Council hereby establishes the standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body.

BE IT FURTHER RESOLVED that it is the responsibility of each Council Member to keep and submit a monthly log of their activities on City Business.

Carried – 8
Absent – 2 (Brown, Lehman)

By: Carbone/Warriner
HN-18-02 – Accept Resignation of Deputy Mayor

NOW, THEREFORE BE IT RESOLVED, that the Common Council hereby accepts the resignation of John Buckley from the position of Deputy Mayor.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Argentieri/Shinebarger

HN-18-03 – Appoint Cleveland Deputy Mayor

Whereas, Section C-19 of the City Charter provides for the appointment of a deputy mayor for a two year term, and

Whereas, the position of deputy mayor is currently vacant and

Whereas the Mayor is desirous of filling said position within the ranks of the Common Council, and

Whereas, the Common Council for the City of Hornell believes that it would be in the best interest of the citizens of the City of Hornell to have a Common Council member serve as deputy mayor, and

Whereas the deputy mayor shall not have voting rights with the Common Council when acting as deputy mayor, and

Whereas that the Mayor of the City of Hornell nominates Jessica Cleveland to the Common Council for the two (2) year appointment as deputy mayor,

Now therefore it is hereby resolved that Jessica Cleveland is hereby appointed to act as deputy mayor pursuant to Section C-19 of the City Charter of the City of Hornell, and shall serve in said capacity only in the case of prolonged or permanent absence of the elected mayor.

It is further resolved that Section C-31 of the City Charter of the City of Hornell entitled "Conflicts of Interest", which prohibits a member of the Common Council from holding any other city or ward office is hereby waived pursuant to said section, and it is further

Resolved, that this appointment shall be effective upon signing the oath of office.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Carbone/Warriner

HN-18-04 – Reappoint Joseph Pelych City Attorney

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hornell, New York, that Joseph G. Pelych be reappointed as City Attorney for the City of Hornell for a two-year term commencing Feb. 1, 2018, and expiring Jan. 31, 2020.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Cleveland/Ponticello

HN-18-05 – Reappoint Barbara Perrott City Clerk

NOW, THEREFORE, BE IT RESOLVED, that Barbara M. Perrott of 15 Ransom Street, Hornell, be hereby re-appointed to a two year term to the Hornell City Clerk position effective 01/31/2018 thru 01/30/2020.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Carbone/Shinebarger

HN-18-06 – Appoint John Buckley to City of Hornell IDA

NOW, THEREFORE BE IT RESOLVED, that the Common Council hereby appoints John Buckley, of 9 W. VanScoter St., to the City of Hornell Industrial Development Agency Board of Directors, for a four-year term beginning Jan. 1, 2018, and expiring Dec. 31, 2022

Carried – 8

Absent – 2 (Brown, Lehman)

By: Cleveland/Ponticello

HN-18-07 – Appoint John Carbone to City of Hornell IDA

NOW, THEREFORE BE IT RESOLVED, that the Common Council hereby appoints John Carbone, of 378 Duane St., to the City of Hornell Industrial Development Agency Board of Directors, for a four-year term beginning Jan. 1, 2018, and expiring Dec. 31, 2022.

Carried – 8

Absent – 2 (Brown, Lehman)

By: McKay/Cleveland

HN-18-08 – Reappoint David Parmley as BPS Commissioner

NOW, THEREFORE, BE IT RESOLVED, that David Parmley of 457 Bennett Parkway, Hornell, New York, is hereby re-appointed as Commissioner of Public Safety for a two-year term, commencing Feb. 1, 2018 and expiring Jan. 31, 2020.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Carbone/Ponticello

HN-18-09 – Reappoint Stanley Hill as BPW Commissioner

NOW, THEREFORE, BE IT RESOLVED, that Stanley Hill of 75 Platt St., Hornell, New York is hereby reappointed as Commissioner of Public Works for a two-year term, commencing Feb. 1, 2018, and expiring Jan. 31, 2020.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Cleveland/Argentieri

HN 18-10 – Appoint Joseph Liberto as BPW Commissioner

NOW, THEREFORE, BE IT RESOLVED, that Joseph Liberto of 62 Genesee St., Hornell, New York is hereby appointed as Commissioner of Public Works for a two-year term, commencing Feb. 1, 2018, and expiring Jan. 31, 2020.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Warriner/Carbone

HN 18-11 – Appoint Roy Forshee City Marshall

RESOLVED, that the Common Council of the City of Hornell hereby approves the appointment of Roy Forshee of 27 W. Academy Street, Canisteo to the unpaid position of City of Hornell Marshall effective January 15, 2018.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Ponticello/Carbone

HN 18-12 – Reappoint Tina Lee Registrar

NOW, THEREFORE, BE IT RESOLVED, that Tina Lee be re-appointed as registrar of vital statistics for the City of Hornell for a 4-year term commencing on January 1, 2018 and ending on December 31, 2022.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Cleveland/Warriner

HN 18-13 – Appoint Barbara Perrott Deputy Registrar

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby appoints Barbara Perrott, of 15 Ransom St., as Deputy Registrar of Vital Statistics.

Carried – 8
Absent – 2 (Brown, Lehman)

By: Carbone/Ponticello
HN 18-14 – Appoint Martha Marino to Planning Board

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell accepts the resignation of Linda Cox from the Planning Board and appoints Martha Marino of 127 Thatcher Street, Hornell, New York, to fill the unexpired term commencing January 15, 2018 and ending December 31, 2020.

Carried – 8
Absent – 2 (Brown, Lehman)

By: Warriner/Cleveland
HN 18-15 – Reappoint Jordan and McLaughlin to HHA Board of Commissioners

NOW, THEREFORE, BE IT RESOLVED, that Jason Jordan of 105 ½ Steuben Street and Robert McLaughlin of 165 Leach Avenue, Hornell, New York, be re-appointed to the Hornell Housing Authority Board of Commissioners for a four-year term commencing January 1, 2018 and expiring December 31, 2022.

Carried – 8
Absent – 2 (Brown, Lehman)

By: Shinebarger/Ponticello
HN 18-16 – Reappointments to Library Board of Directors

RESOLVED, that the Common Council of the City of Hornell hereby approves the following re-appointments to the Hornell Public Library Board of Directors, for a three-year term to begin Feb. 1, 2018, and expire Jan. 31, 2021:

- Diane Hovorka, of 306 Seneca Rd., Hornell
- Rex Wiggers, of 13 Riverside Pl. , Hornell
- Suzanne Knapp, of 6286 Honey Run Rd. , Hornell

Carried – 8
Absent – 2 (Brown,Lehman)

By: Cleveland/Carbone
HN 18-17 – CDBG Sewer Rehab

WHEREAS, the City of Hornell submitted an application under the 2017 Consolidated Funding Application (CFA) process for Community Development Block Grant (CDBG) funding for the rehabilitation of the sanitary sewer trunk line through a portion of the City; and

WHEREAS, the City's application in the amount of \$745,500 has been approved by the NYS Office of Community Renewal.

BE IT RESOLVED, that the Common Council of the City of Hornell hereby accepts the CDBG grant award and authorizes the Mayor to execute the grant agreement and provide additional documentation to the NYS OCR as required for the project.

BE IT FURTHER RESOLVED, that the Common Council hereby authorizes the Mayor to solicit proposals and/or statements of qualifications, consistent with CDBG procurement requirements, from qualified firms to provide administrative and engineering services to assist the City to implement the project.

Carried – 8

Absent – 2 (Brown, Lehman)

By: Carbone/Cleveland

HN 18-18 – Main Street Project Funding

WHEREAS, a Project for the Main Street Repaving and ADA Curb Ramp Repairs in the City of Hornell, County of Steuben, P.I.N. 6754.93 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Hornell desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design phase work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; and

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

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

RESOLVED, that the Hornell Common Council hereby authorizes the City of Hornell to pay in the first instance the full **non-federal share** of the cost of Construction/Construction Inspection phase work **totaling \$186,072** minus the **previously authorized and paid** Construction/Construction inspection non-federal share **amount of \$139,239** for a **required additional payment** for the **non-federal share in the amount of \$46,833** for the Project to the NYS Department of Transportation as a non-federal share

deposit payment to be combined with the **previously authorized and paid** full non-federal share of the Design phase in the **amount of \$20,000**; and it is further

RESOLVED, that the additional **non-federal deposit sum of \$46,833** is hereby appropriated from the general fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the project 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 the Mayor of the City of Hornell be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Hornell with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share 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 – 8

Absent – 2 (Brown, Lehman)

Claims:

By: Argentieri/Ponticello

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$388,287.69, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$198,912.35
CD	\$177,520.00
Payrolls	<u>\$ 88,441.66</u>
TOTAL	\$464,874.01

Carried – 8

Absent – 2 (Brown, Lehman)

By: Carbone/Ponticello

RESOLVED, that there being no further business, the meeting adjourned at 7:31pm.

Respectfully submitted,

Barbara M. Perrott
City Clerk