

A regular meeting of the Hornell Common Council was held on Monday, July 23, 2018, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

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

**ALSO PRESENT:** Eileen Lehman, Michele Smith, Randy Weaver, Jason Jordan from the Evening Tribune, and Bill Dugan from WLEA.

**ABSENT:** Councilmember Ponticello

**INVOCATION:** Pastor Alan Bliss, Free Methodist Church

**PLEDGE TO THE FLAG:** Mayor Buckley

**By: Cleveland/Brown**

**RESOLVED**, that the minutes of the Common Council meeting of June 18, 2018 be approved as read.

Carried – 9

Absent – 1 (Ponticello)

**By: Argentieri/Warriner**

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

**REPORTS FILED:**

City Clerk – 6/2018; Codes Log – 6/2018; Gen. Fund Rev. – 6/2018; OCR/EDLP Summ. Of Activities; Water Fund Rev. – 6/2018; BPW Minutes – 5/17/18, 6/21/18; Gen. Fund Exp. – 6/2018; DPW – 5/2018, 6/2018; Water Fund Exp. – 6/2018; WTP – 5/2018, 6/2018; Humane Society – 6/2018; WPCP – 5/2018, 6/2018; BPS Minutes – 6/14/18; Project Summary – 5/2018, 6/2018; HPD – 6/2018; Fire/Amb. – 6/2018; Code – 6/2018

Carried – 9

Absent – 1 (Ponticello)

**By: Brown/Argentieri**

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

**COMMITTEE REPORTS:**

**AUDIT COMMITTEE**

July 20, 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, Rich Argentieri and Audit Committee Chairman John Carbone.

Bills audited and approved:

Common Council	\$522,582.51
CD	\$ 1,928.55
Payrolls	<u>\$ 79,924.20</u>
TOTAL	\$604,435.26

Respectfully submitted,

John Carbone, Chairman  
Audit Committee

### **Quality of Life Committee**

To the Honorable John J. Buckley  
Members of the Common Council  
Ladies and Gentleman

A Quality of Life meeting was held in the second floor conference room at City Hall on July 10, 2018 at 6:17pm. In attendance: Alderman Melissa Ponticello, Alderman Fred Lehman, Alderman Dan Warriner, Alderman Steve Shinebarger, Mayor John Buckley, Fire Chief Dan Smith, Police Chief Ted Murray, Codes Enforcement Director Bud Burdett and Chairwoman Jessica Cleveland

Special Guests include: Laura Vetter, Community Service Supervisor, Mohammed Razak, Architect and Bryan O'Donovan, CEO from St. James

The committee received a slideshow presentation of plans for the new hospital and services offered, including schematics of the building and traffic flow. The new hospital will provide 15 inpatient beds, 6 observation beds and 12 beds in the emergency dept. and several other services including laboratory, OR services, and a multi-specialty suite. Much emphasis was on providing natural light and high efficiency of space and connectivity. A medical office building housing primary care, physical therapy and other outpatient services is adjacent to the hospital with opening of some services in November 2018.

Several questions were provided, including areas for growth of services and employment. Hospital staff was very positive in their discussions and indicated both are dependent

upon use of services and data. This includes maternity services, which would require at least an annual amount of 300 births per year. The hospital remains open to exploring and expanding services in the years to come.

Chief Murray provided a police dept. update. He indicates officers are working diligently to trace back and make arrests related to 2 overdoses. Discussion was held regarding an increase of door to door sales/solicitation with the summer season. Chief Murray encouraged residents to reach out to the police dept. with any concerns.

Chief Smith reviewed there have been no concerns related to recent heat wave. He also reported education and outreach services such as an event on this date with Alstom regarding safety, including education regarding use of AEDs.

Codes dept. reviewed several troublesome properties will be auctioned in the upcoming county tax auction. Zombie properties currently stand at about 7 or 8 city wide. There has been much improvement with assistance from financial services to assist with lender or home owner identification.

With no further business, there was a motion to adjourn at 7:35pm by Melissa Ponticello, seconded by Dan Warriner.

Respectfully submitted,  
Jessica Cleveland  
Chairwoman

Carried – 9  
Absent – 1 (Ponticello)

#### **RESOLUTIONS:**

**By: Carbone/Lehman**  
**HN 18-58 – Appoint Library Board of Directors (Friedland/Kelley)**

**RESOLVED**, that the Common Council of the City of Hornell hereby approves the following appointments to the Hornell Public Library Board of Directors:

- Brian Friedland of 450 Seneca Rd., Hornell to fill the unexpired term of Diane Hovorka, expiring 2/1/2021
- Ceil Kelley, of 61 John St. Site, Hornell to fill the unexpired term of Carla Johnson, expiring 1/1/2019

Carried – 9  
Absent – 1 (Ponticello)

**By: Brown/Argentieri**

### **HN-18-59 – Reappoint Aldrich to HHA Board of Commissioners**

**NOW THEREFORE, BE IT RESOLVED**, that Matt Aldrich of 4 The Circle, Hornell, NY be reappointed to the Hornell Housing Authority Board of Commissioners for a four year term, expiring 7/1/2022.

Carried – 9

Absent – 1 (Ponticello)

**By: Cleveland/Lehman**

### **HN-18-60 – CDBG Housing Rehab – Public Hearing**

**WHEREAS**, it is the desire of the City of Hornell to submit an application for the 2018 New York State Community Development Block Grant (CDBG) program for funding for a housing rehabilitation program; and

**WHEREAS**, the process for CDBG applications involve holding one public hearing prior to submission of any 2018 CDBG grant application to provide residents with information about the CDBG program and to discuss community development needs and priorities; and

**WHEREAS**, residents are invited to attend the hearing to assist the City in defining community development priorities.

**NOW THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell will hold a Public Hearing on the CDBG program at the Council Chambers, 82 Main Street, Hornell, NY at 6:45 p.m. on Monday, August 20, 2018; and

**BE IT FURTHER RESOLVED**, that the City Clerk is directed publish or cause to be published a Public Hearing notice in the official newspaper of the City of said Public Hearing.

Carried – 9

Absent – 1 (Ponticello)

**By: Bassage/Brown**

### **HN-18-61 – Main St. Program Application**

**RESOLVED**, that the Common Council of the City of Hornell hereby supports the 2018 application for New York State Main Street Program funding in order to assist building and business owners in mixed use areas with renovations, with funding available up to \$100,000 per building not to exceed 75% of the total cost.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor's Planning Office is hereby authorized as the official representative of the City to execute and submit a New York State Main Street application for the Fiscal Year 2018 program, all understandings and

assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

Carried – 9

Absent – 1 (Ponticello)

**By: Brown/Carbone**

**HN-18-62 – BAN – Canisteo St. Bridge**

**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 replacement of Canisteo Bridge in and for the City of Hornell, Steuben County, New York, is hereby authorized at a maximum estimated cost of \$400,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$400,000 serial bonds of said City, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received for such purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 10 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 – 9  
Absent – 1 (Ponticello)

**By: Warriner/Cleveland**  
**HN-18-63 – CDBG – TTA – Accept Grant**

**WHEREAS**, the City of Hornell submitted an application under the 2018 Open Round Application process for Community Development Block Grant (CDBG) funding to provide economic development assistance to TTA Systems LLC; and

**WHEREAS**, the City's application in the amount of \$400,000 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.

Carried – 9  
Absent – 1 (Ponticello)

**By: Carbone/Brown**  
**HN-18-64 – CDBG – TTA – Award Admin Services**

**WHEREAS**, the City of Hornell has determined that it is in the best interest of the City to retain the services of a qualified grants consultant to assist in the administration the Community Development Block Grant (CDBG) award for the TTA Systems, LLC project; and

**WHEREAS**, the City has completed the procurement process to solicit proposals for administrative services, consistent with CDBG regulations and the City’s procurement policy.

**BE IT RESOLVED**, that the Common Council hereby accepts the proposal submitted by LaBella Associates, DPC and authorizes the Mayor to execute a contract for administrative services with the firm.

Carried – 9  
Absent – 1 (Ponticello)

**By: Lehman/Warriner**  
**HN-18-65 – SEQR - TTA**

**RESOLVED**, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Common Council of the City of Hornell announces its intent to serve as Lead Agency to conduct an environmental review of a project to provide economic development assistance to TTA Systems LLC, under Section 617.7 of the New York State Codes, Rules, and Regulations (NYSCR).

**FURTHER RESOLVED**, that the Common Council has determined that the proposed action is an “Unlisted Action” as defined under SEQR.

**FURTHER RESOLVED**, that the Common Council, in its capacity of lead agency, has caused to be prepared Part 1 of the Environmental Assessment Form for this project. The Common Council hereby accepts the environmental assessment of the proposed project prepared by LaBella Associates, D.P.C., dated July 19, 2018.

**FURTHER RESOLVED**, that in accordance with the requirements of the funding agency, the Common Council will notify the Involved Agencies of its intent to act as Lead Agency for this project and will provide them with a copy of Part 1 of the short Environmental Assessment Form. Comments regarding the Environmental Assessment and the City’s intention to assume Lead Agency status will be received from the Involved Agencies during the 30-day review period.

Carried – 9  
Absent – 1 (Ponticello)

**Claims:**

**By: Argentieri/Brown**

**NOW, THEREFORE, BE IT RESOLVED**, that claims in the amount of \$604,435.26, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$522,582.51
CD	\$ 1,928.55
Payrolls	<u>\$ 79,924.20</u>
TOTAL	\$604,435.26

Carried – 9  
Absent – 1 (Ponticello)

**By: Cleveland/Carbone**

**RESOLVED**, that the Common Council adjourn to Executive Session to discuss a personnel issue at 7:38 pm.

Carried – 9  
Absent – 1 (Ponticello)

**By: Brown/Warriner**

**RESOLVED**, that the Common Council return to regular session at 7:45 pm.

Carried – 9  
Absent – 1 (Ponticello)

**By: Argentieri/Lehman**

**RESOLVED**, that there being no further business the Common Council adjourned at 7:45 pm

Carried – 9  
Absent – 1 (Ponticello)

Respectfully submitted,

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Barbara M. Perrott  
City Clerk