

A regular meeting of the Hornell Common Council was held on Monday, June 18, 2018, at 7 p.m. in Council Chambers at 82 Main St., Hornell, N.Y.

PRESENT: John J. Buckley Mayor; Council members Ponticello, 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, Ed Flaitz, 2 members of the public, Jason Jordan from the Evening Tribune, Bill Dugan from WLEA.

ABSENT: None

INVOCATION: Pastor Doug Jones, New Hope Wesleyan Church

PLEDGE TO THE FLAG: Mayor Buckley

By: Brown/Lehman

RESOLVED, that the minutes of the Common Council meeting of May 21, 2018 be approved as read.

Carried – 10
Absent – None

By: Cleveland/Brown

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

REPORTS FILED:

City Clerk – 5/2018; BPS Minutes – 5/10/18; Gen. Fund Rev. – 5/2018; HPD – 5/2018; Water Fund Rev. – 5/2018; SRO – 4/18, 5/18; Gen. Fund Exp. – 5/2018; Fire/Amb. – 5/2018; Water Fund Exp. – 5/2018; Code – 5/2018; Humane Society – 5/2018; Codes Log – 5/2018

Carried – 10
Absent – None

By: Brown/Argentieri

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

COMMITTEE REPORTS:

AUDIT COMMITTEE

June 15, 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, and Audit Committee Chairman John Carbone.

Bills audited and approved:

Common Council	\$842,158.40
CD	\$ 2,036.22
Payrolls	<u>\$ 73,391.10</u>
TOTAL	\$917,585.72

Respectfully submitted,

John Carbone, Chairman
Audit Committee

YOUTH & RECREATION COMMITTEE

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

Ladies and Gentlemen:

The Youth and Recreation Committee met on May 23rd. The following members were in attendance; Jeff Brown, Jessica Cleveland, Bill Hogan, Jim Bassage

Excused: Steve Shinebarger, Richard Argentieri

The following items were discussed;

- Bill Hogan gave the committee an update on the summer program applications. We are fully staffed; 2 Supervisors, 2 maintenance, 12 lifeguards, 12 playground attendants and 3 Community Arts Center staff. Life guards will be receiving their certification training this year through the Hornell YMCA only 4 will need training.
- Pool will open Saturday, June 23rd and the playground programs will begin Monday, June 25th. Media announcement of hours will placed in newspaper.
- Shared with committee a letter that went out to all summer staff that will be required to attend a Staff Orientation and First Aid/CPR training. It will be held on June 2nd, 9-12, in the upstairs conference room at the fire station. Thank you to Frank Brzozowski who will provide the First Aid/CPR training.
- Shared with committee information regarding our Steuben County Youth Bureau funding which included discussion how we are required to collect information and use a Behavior Contract, both requirements of the Youth Bureau funding.

- The Committee arranged a time to meet with Bill at the pool to get a tour of the pool facilities, Tuesday, May 29th at 4pm. Members were encouraged to contact Bill for a tour if they could not make it on the 29th.
- Committee members agreed to visit a playground that will be used in the summer program and do a walk-through inspection. This will help committee members to become familiar with the playgrounds. Playgrounds being used this summer are; Veterans Park, Bryant, Columbian, Madison Ave, Stephens Street and Intermediate.

Next meeting: 2nd week of July, TBD

POLICIES & PROCEDURES COMMITTEE

June 6, 2018

Mayor John Buckley
Members of the Common Council

Ladies and Gentleman,

The Policies and Procedures Committee held a meeting on June 6th, 2018 at 6:00 PM on the second-floor conference room in City Hall. In attendance, Deputy Mayor Jessica Cleveland, Alderman John Carbone, Alderman Melissa Ponticello, Alderman Jim Bassage, Ed Flaitz, and Chairman Joe McKay.

Meeting was called to order at 6:05 PM

Items discussed were pertaining to a state audit of Information Technology:

A plan of action was composed and addressing each of the items of concern. These plans of action are included in the Council packet.

Motion to approve the plans of action was made by Jessica Cleveland and 2nd by Melissa Ponticello

-Ayes all

Next Follow-Up – Find like communities and source them with their Policies and Procedures.

There being no more business to discuss, the meeting was adjourned at 7:23 PM

Respectfully Submitted,

Joseph McKay
P&P Chairman

Carried – 10

Absent – None

RESOLUTIONS:

By: Ponticello/Carbone
HN 18-49 – Approve CAP – IT Audit

WHEREAS, the Office of the State Comptroller recently conducted an audit of the city of Hornell's Information Technology policies and procedures; and

WHEREAS, the report made various recommendations regarding issues that arose as part of the audit; and

WHEREAS, the Common Council wishes to adopt the recommendations put forth by the New York State Comptroller's office in said audit.

It is hereby resolved and ordained that the corrective action plan that has been created as a result of said audit, said plan being attached hereto and made a part hereof, as if fully set forth herein is hereby approved.

Carried – 10
 Absent – None

By: Carbone/Cleveland
HN-18-50 – Authorize Mayor to sign amended MOU with Village of Canisteo

WHEREAS, the City of Hornell and the Village of Canisteo wish to amend a mutual cooperation agreement that they previously entered into to reflect changes that have arisen as part of the agreement.

NOW, THEREFORE, it is hereby resolved that John J. Buckley, the Mayor for the City of Hornell is hereby authorized to enter into the Amended Memorandum of Understanding with the Village of Canisteo. A copy of said agreement is attached hereto and made a part hereof as if fully set forth.

Carried – 10
 Absent – None

By: Warriner/Ponticello
HN-18-51 – Increase Garbage Rates

WHEREAS, the City of Hornell currently contracts city wide to have its residential garbage picked up and disposed of, and

WHEREAS, the cost of disposal of said garbage has increased over the years, and

WHEREAS, the City of Hornell is currently expending more money to collect and dispose of the garbage than they are receiving from residential households, and, as a result, it is the belief of the Common Council for the City of Hornell that the garbage fee for residential units in the City of Hornell needs to be increased.

NOW, THEREFORE, it is hereby resolved that:

The garbage fee for residential units in the City of Hornell shall hereby increase by \$10.00, going from \$85.00 per unit/per year to \$95.00 per unit/per year.

This act shall take effect immediately.

Carried – 10
Absent – None

By: Carbone/Lehman
HN-18-52 – SEQR – Amended – WTP Project

WHEREAS,

- 1) The City of Hornell has previously determined that it would undertake improvements to the City's water filter plant, reservoirs, and delivery system (the "Project"): upgrade existing Clarifier #1, replace existing 2.5 MG storage tank, install an additional storage tank, install automation at the water treatment plant, repair automatic influent control valve, and repair transmission pipeline and provide protection at crossings.
- 2) In February 2016, the Planning Board, on behalf of the City Council which possesses the discretionary power to authorize the aforementioned improvements, declared itself Lead Agency under State Environmental Quality Review Act (SEQRA) with respect to the environmental review of the Project. The Planning Board prepared a short Environmental Assessment Form and issued a Negative Declaration for the Project upon finding no significant adverse impact on the environment.
- 3) The City Council acknowledges that the proposed installation of an additional storage tank is not stated explicitly in the 2016 SEQRA documentation. But the City Council concluded its potential environmental impacts to have been evaluated during the original environmental review given its inclusion in the 2015 Preliminary Engineering Report submitted as part of the New York State Environmental Facilities Corporation's Drinking Water State Revolving Fund application for which the 2016 SEQRA review was conducted.

- 4) The City of Hornell modified the Project scope in June 2018 by deferring the transmission main improvements to prioritize other proposed improvements given the limited funding.
- 5) At the City Council's request, LaBella Associates, DPC reviewed the modified Project scope in relation to the 2016 SEQRA documentation and provided updated findings, as described in the June 2018 Memo attached to this Resolution. Specifically the updated Project was reevaluated in order to reanalyze those environmental resources potentially affected by the passage of time, to meet changing standards or concerns identified in recent years by agencies with review responsibilities, and to update and confirm the SEQRA findings based on the revised Project scope.
- 6) The City Council has considered the Environmental Record prepared including the proposed Amended Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Hornell hereby accepts the updated Environmental Assessment and June 2018 Memo submitted by LaBella Associates, DPC.

The Common Council hereby declares that, based on the above-referenced updated Environmental Assessment and Memo, the Project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. An amended Negative Declaration under SEQRA is therefore issued for the updated Project.

Carried – 10
Absent – None

By: Ponticello/Brown
HN-18-53 – Convert CDBG loans to deferred loans

WHEREAS, the City of Hornell receives CDBG program income from the repayments of loans and/or grants awarded under various CDBG-funded economic development and housing rehabilitation programs as well as from revolving loan funds established with these repayments; and

WHEREAS, the New York State Office of Community Renewal (OCR) advised the City in March 2018 of a policy change to CDBG Program Income Guidelines which will require the City to return to OCR all program income received each fiscal year beginning April 1, 2019, if the total receipts for the year exceed \$35,000; and

WHEREAS, OCR has encouraged the City to consider changes to its loan policies in order to reduce the total program income receipts each fiscal year to below \$35,000, so that these funds may be retained by the City as Miscellaneous Revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hornell hereby agrees, subject to each homeowner's concurrence, to convert all outstanding housing rehabilitation loans to deferred loans, at zero percent (0%) interest, with repayment of the principal due only upon the sale, transfer, refinancing, or foreclosure of the property.

BE IT FURTHER RESOLVED, that the Common Council authorizes the Community Development Office to notify all homeowners of the change in policy and to work with the City Attorney to prepare and file amendments to the Notes and Mortgages to reflect these changes.

BE IT FURTHER RESOLVED, that the conversion to deferred loans will apply only to the outstanding housing rehabilitation loans, and not to any of the outstanding economic development or homeownership assistance loans.

BE IT FURTHER RESOLVED, that future housing rehabilitation loans awarded by the City will provided as deferred loans, at zero percent (0%) interest, with repayment of the principal to be made only upon the sale, transfer, refinancing, or foreclosure of the property.

Carried – 10
Absent – None

By: Cleveland/Brown
HN-18-54 – Authorize Mayor to sign NYSDOT ATCP Agreements

WHEREAS the City of Hornell has been approved for a grant of funds by the New York State Department of Transportation, pursuant to 2017 and 2018 NYSDOT Accelerated Transit Capital Program for a project described as Capital Assistance.

WHEREAS, the City of Hornell and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the 100% state share.

RESOLVED, that Mayor John J. Buckley is authorized to sign:

- 1) Any and all Agreements between the City of Hornell and the State of New York for the above named Project;
- 2) Any and all Agreements between the City of Hornell and any third party subcontractors necessary to complete the Project;
- 3) Any and all Agreements between the City of Hornell and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities; and

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Hornell certifies through this Resolution that 2017 and 2018 ATC projects are 100% state share and therefore the first instance local fund will be 100% reimbursed by state shares.

Carried – 10
Absent – None

By: Cleveland/Brown
HN-18-55 – Establish Standard Workday

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 – 10
Absent – None

By: Ponticello/Carbone
HN-18-56 – Re-appoint Perrott Marriage Officer

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Hornell, NY, that Barbara M. Perrott of 18 Hartshorn St., Hornell, NY, be hereby re-appointed as City Marriage Officer for a two-year term commencing June 15, 2018, and expiring June 14, 2020.

Carried – 10
Absent – None

Claims:

By: Warriner/Lehman

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of \$917,585.72, as audited by the Audit Committee of the Common Council of the City of Hornell, be approved and authorized paid as audited.

Common Council	\$842,158.40
CD	\$ 2,036.22
Payrolls	<u>\$ 73,391.10</u>
TOTAL	\$917,585.72

Carried – 10
Absent – None

New & Unfinished Business:

Mayor Buckley stated that the city did not the final three cut for the Downtown Revitalization Initiative Grant. He reported that Alstom is doing well and currently has 800+ active employees. The Main St. repaving project is complete and kudos to Dalrymple Construction, who completed the job one month ahead of schedule.

By: Argentieri/Lehman

RESOLVED, that there being no further business the meeting adjourned at 7:56 pm.

Carried – 10
Absent – None

Respectfully submitted,

Barbara M. Perrott
City Clerk