A regular meeting of the Hornell Common Council was held on Tuesday, November 19, 2019, at 7:08 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 and Shinebarger; City Attorney Joseph Pelych; Stenographer Ellen Kerr, and City Clerk Melissa Logan.


ABSENT: Council member John Carbone.

INVOCATION: Minister Marseena Harmonson of Rehoboth Deliverance Ministries.

PLEDGE TO THE FLAG: Mayor Buckley

By: Ponticello/Lehman
RESOLVED, that the minutes of the Common Council meeting of October 21, 2019 be approved as read.

Carried – 9
Absent – 1 (Carbone)

By: Cleveland/Warriner
RESOLVED that the Reports of Officers be and hereby are approved and placed on file.
REPORTS FILED:

Carried – 9
Absent – 1 (Carbone)
By: Argentieri/Lehman

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

Carried – 9
Absent – 1 (Carbone)

COMMITTEE REPORTS:

AUDIT COMMITTEE

November 15, 2019

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:

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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 November 13, 2019. The meeting was called to order at 6:30pm. In attendance: Alderman Fred Lehman, Alderman Dan Warriner, Alderwoman Melissa Ponticello, Alderman Steve Shinebarger, Mayor Buckley, Capt. Mike Sexsmith, Fire Chief Frank Brzozowski, Codes Enforcement Director Bud Burdett and Chairwoman Jessica Cleveland.

Capt. Sexsmith provided an overview regarding drug trends within the city. He noted the drug of choice seen most often currently is meth versus heroin. Overdoses within the city have remained about the same. Capt. Sexsmith provided the committee with an overview of challenges related to Bail Reform. There is much advocacy state wide regarding this issue. The committee thanked Capt. Sexsmith and the Dept. regarding their response to recent events and their high professionalism in their response during a challenging time.

Chief Brzozowski reviewed no recent trends noted at this time. Information discussed regarding change in season and fire safety. Reviewed information regarding Fire Safety for winter heating as well as holiday decorations. Chief Brzozowski was commended for public outreach regarding fire dept. performance and duties and he noted a positive public response.

Bud Burdett reviewed interventions appear helpful from Arbor Development with assistance to prevent foreclosures are effective. Further, foreclosed properties are listed for sale sooner, allowing for new occupancy. Bud discussed upcoming changes and challenges regarding landlords with statewide changes and noted recent local landlord codes changes have been helpful. Bud commended the Fire Dept. for their assistance with codes, which Chief Brzozowski noted is helpful in prevention of events, rather than responding to devastating fire event.

Mayor Buckley reviewed recent challenges with aging infrastructure with both water and sewer. Reminders to all city residents that putting leaves, grass or snow into the road is illegal. Residents are encouraged to keep areas clean from debris to allow for effective drainage.

With no further business, there was a motion to adjourn at 7:17pm by Steve Shinebarger, seconded by Fred Lehman.

Respectfully submitted,
Jessica Cleveland
Chairwoman

Finance Committee

November 19, 2019
To the Honorable John J. Buckley, Mayor
And
Members of the Common Council
Ladies and Gentlemen:
The finance committee met in the 2nd floor conference room at City Hall. Committee members present were Joe McKay, Dan Warriner, Steve Shinebarger and chair Melissa Ponticello. Also present were Mayor Buckley, and City Chamberlain Michele Smith, Alderman Jeff Brown, and Chief Frank Bryzowski. The meeting was called to order at 6:00pm.

1. We had a discussion to change the hourly wage for 3 part time employees as follows:
   - Bob Flaitz from $10 per hour to $14.00 per hour
   - Tim McMichael from $7.99 per hour to $10.50 per hour
   - Joe Gibson from $8.39 per hour to $10.50 per hour

2. A motion was made by Steve, 2nd by Dan to approve the wages as listed above. All ayes.

3. The mayor gave an update on the re-evaluation on properties with the City. It is well under way and numbers are due to the County by Jan 1st 2020.

At 6:20 pm a motion by Dan, second by Joe was made to adjourn.

Respectfully submitted
Melissa Ponticello, Chairwoman

Law and Ordinance Committee

Meeting of the Law and Ordinance Committee was held in the Mayor’s Conference room on November 19th, 2019.
In Attendance were Alderman Shinebarger, Warriner, McKay, Lehman, Argentieri, Alderwoman Ponticello, and Chairman Brown.
Also in attendance were Mayor Buckley, Chamberlain Smith, Fire Chief Brzozowski and Police Chief Murray.
Meeting was called to order at 6:20 pm. Discussed was parking violations not in the city code.
   1) No vehicle shall be parked more than 12 inches from the curb
   2) No vehicle shall be parked with its left side tires nearest the curb.

Motion by Melissa to put in City Code, 2nd by Rich.
Motion to adjourn was made at 6:35pm. Motion by Melissa 2nd by Fred.
Respectfully submitted by
Jeff Brown
Chairman of Law & Ordinance Committee
RESOLUTIONS:

By: McKay/Brown
HN-19-68 Local Law #3 of 2019 - Residency Revised

WHEREAS, the Common Council for the City of Hornell has made a determination that the City of Hornell's current residency requirement for employees has made it difficult to recruit new employees for the City of Hornell, and

WHEREAS, the Common Council for the City of Hornell has further made the determination that it would be in the best interests of the City of Hornell and its citizens to expand the geographic area in which employees may reside, and

WHEREAS, the Common Council for the City of Hornell also wishes to amend and change the way residency requirement waivers are handled within the City of Hornell, and

WHEREAS, the Common Council for the City of Hornell believes that said waiver process would best be handled by an appointed committee.

NOW, THEREFORE, it is hereby resolved that:

Section 74 of the City Codes of the City of Hornell is hereby amended as follows:

Section 74-1 of the Code of Ordinances of the City of Hornell is hereby revoked.

Section 74-2 is hereby renumbered to be Section 74-1.
The current Section 74-3 shall hereby read as follows: Every person employed on a full-time basis by the City of Hornell shall reside within a fifteen (15) Mile radius of the City of Hornell's boundaries as a qualification of employment, within six months of the date of the initial service of the City of Hornell. During the time of service of such employee, no individual shall cease to be a resident within the fifteen (15) mile radius except for seasonal or part-time workers and it shall be renumbered as Section 74-2.

Section 74-4 is hereby renumbered to be Section 74-3. Section

74-5 is hereby renumbered to be Section 74-4.

Section 74-6 is hereby renumbered to be Section 74-5 and shall read as follows: A committee shall be appointed to decide and administer the residency waiver process in the City of Hornell. The committee shall consist of the Mayor, the senior most Public Safety Commissioner, and the senior most Public Works Commissioner. Said committee shall determine if it is in the best interests of the City of Hornell to waive the provisions of Section 74-2 in regard to any employee or potential employee according to the following standards:

1.) Lack of applicants. The requirement of residency may be waived in those instances where the City of Hornell has difficulty hiring or promoting a person who holds necessary certifications and/or licenses required of a specific position because of its residency requirement.

2.) Necessity for non-residents. The requirement of residence may be waived in those instances where it is determined that the residency is not in the best interests of the municipality. Such waivers shall not in any way affect the application of what is now has been amended to be Section 74-2.

Carried – 8
Nay - 1
Absent – Carbone

By: Ponticello/Cleveland
HN 19-69 CDBG Housing Rehab Grant

RESOLVED, that the Mayor of the City of Hornell, Steuben County, New York, is hereby authorized as the official representative of the City of Hornell to execute and submit a 2019 Community Development Block Grant (CDBG) application for housing rehabilitation activities, 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 (Carbone)

By: Argentieri/Warriner

HN 19-70 Standard Workday & 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 – 9
Absent – 1 (Carbone)

By: Brown/Ponticello

HN 19-71 Waive the Agenda

RESOLVED, that the Common Council of the City of Hornell hereby waives the agenda so that the Common Council may discuss a resolution regarding Parking Restrictions.

Carried – 9
Absent – 1 (Carbone)

By: Argentieri/Ponticello

HN 19-72 Parking Restrictions

RESOLVED, that the Common Council for the City of Hornell hereby approves that the following two (2) subsections D and E be added to the now existing Chapter 300-16 of the Hornell City Codes General Parking Restrictions:
Subsection D to read: No vehicle shall be parked with its curb side tires being more than 12 inches from the existing curb.

Subsection E to read: No vehicle shall be parked with its left or driver side tires nearest the curb.

BE IT FURTHER RESOLVED this resolution shall take effect immediately.

Carried – 9
Absent – 1 (Carbone)

Claims:
By: Cleveland/Argentieri

NOW, THEREFORE, BE IT RESOLVED, that claims in the amount of $477,587.24 as audited by the Audit Committee of the Common Council of the City of Hornell, are approved and authorized paid as audited.

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Carried – 9
Absent – 1 (Carbone)

By: Lehman/Brown
RESOLVED, that there being no further business the Common Council adjourned at 7:36 pm

Carried – 9
Absent – 1 (Carbone)

Respectfully submitted,

____________________________
Melissa Logan
City Clerk