

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, December 6, 2021 – 5:30 PM

COUNCIL MEETING

2021-337

Tory Kitching

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, November 22, 2021.

MOTION: Approve SPONSORED BY: Tory Kitching VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

PUBLIC HEARING for the purposes of receiving comments from the public regarding proposed "Local Law No. 2 of 2021 to Override the Tax Levy Limit Established by General Municipal Law Section 3-c".

2021-338

Mayor Mandell

Receive communication from the City Manager and act on resolution accepting the grant award from the City's Community Development Fund for \$3,000.00 to be used for the Vietnam Veteran's Museum parking lot replacement, expressing Council's appreciation to the Chemung County Legislature for this grant award and authorizing the Mayor to sign the Acknowledgement of Terms and Conditions of the grant, a copy of which is attached hereto.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-339

Mayor Mandell

Receive communication from Corporation Counsel and act on resolution designating the City as Lead Agency that Local Law No. 2 of 2021 will not have an adverse impact on the environment and authorizing the City Manager or his designee to file a negative determination in accordance with SEQR 6NYCRR, Part 617.12.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-340
Mayor Mandell

**Act on resolution adopting Local Law No. 2 of 2021 of the
City of Elmira, New York, to Override the Tax Levy Limit
Established in General Municipal Law Section 3-c.**

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 1
AYES: Daniel Mandell, Brent Stermer, Joseph H Duffy, Tory Kitching,
Nannette M Moss TOTAL: 5
NAYS: Nick Grasso TOTAL: 1
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Amended Date Section 1 & 3 - SB: January 1, 2022

2021-341
Mayor Mandell

**Act on resolution authorizing and directing the Mayor to
execute a contract with Erway Ambulance Service, Inc.
for the term commencing January 1, 2022 through
December 31, 2022 whereby Erway will submit to bills on
behalf of the City of Elmira to third parties in
consideration of \$1.00 paid by the City of Elmira for
certain emergency medical services rendered by the City
of Elmira and expressing its sincere thanks and
appreciation to Erway for its thoughtful assistance.**

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-342
Tory Kitching

**Act on resolution releasing the reverter to the City of
Elmira contained in the quitclaim deed dated October 1,
1993 transferring real property located at 547-5471/2
South Main Street from the City to Clyde H. Hill and
Beverly M. Hill, as more particularly described in said
deed attached hereto and made a part hereof as Schedule
A to the Release of Reverter, and authorizing the Mayor
to executed any and all documents necessary to release
such reverter clause and the City surrendering and
making no claim to such right of reverter.**

MOTION: Approve SPONSORED BY: Tory Kitching VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-343
Joseph Duffy

Act on resolution authorizing the Mayor to execute any and all documents to effectuate an agreement for various educational and municipal corporations located within New York State to participate in the Board of Cooperative Education Services (BOCES) to bid jointly for generally needed services and standardized supply and equipment items; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-344
Brent Stermer

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement retaining Marc Immerman, MD to provide medical consultant services to the Elmira City Fire Department and its Emergency Medical Services Program from January 1, 2022 through December 31, 2022 at an annual cost of \$4,000; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

Placed On Consent

2021-345
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement retaining Marc Immerman, MD as a Medical Services Director for the Elmira City Police Department's SWAT Team from January 1, 2022 through December 31, 2022 at an annual cost of \$1,500; said agreement subject to

Corporation Counsel approval.

MOTION: Amend SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

Placed On Consent

2021-346

Mayor Mandell

Receive communication from the City Manager and act on resolution approving the agreement between Chemung County and the City effective from January 1, 2022 through December 31, 2022 whereby the City shall provide to the County services consisting of the operation of the Youth Court and a full-time Fraud Investigator for the County Department of Social Services for a total consideration not to exceed \$216,723.00, authorizing the Mayor to execute said agreement; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

2021-347

Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing and approving the extension of the City's contract, subject to the same terms and conditions contained in the Agreement between the City and the Star-Gazette dated February 12, 2021 for the publication of acts of the Council as are required to be published for the year 2022.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

2021-348

Brent Stermer

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Agreement with Dewittsburgh Housing Development Fund Corporation by which the City shall provide additional

police services to Dewittsburgh commencing January 1, 2022 through December 31, 2022 in consideration for payment to the City of \$154,500.00; said Agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 5- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: Nannette M Moss TOTAL: 1
ABSENT: Mark A Franchi TOTAL: 1

2021-349
Mayor Mandell

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-350
Mayor Mandell

Act on Anti-Displacement Learning Network Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-351
Mayor Mandell

Act on Community Development Block Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-352
Mayor Mandell

American Rescue Plan Business Program

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0

AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-353
Mayor Mandell

American Rescue Plan - Non Profit Program

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-354
Mayor Mandell

American Rescue Plan - Property Rehab

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Brent Stermer, Joseph H Duffy, Tory Kitching,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: Nick Grasso TOTAL: 1
ABSENT: Mark A Franchi TOTAL: 1

2021-355
Mayor Mandell

American Rescue Plan - Chamber of Commerce

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 1
AYES: Daniel Mandell, Brent Stermer, Joseph H Duffy, Tory Kitching,
Nannette M Moss TOTAL: 5
NAYS: Nick Grasso TOTAL: 1
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1

2021-356
Mayor Mandell

Act on Audit

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi TOTAL: 1
Placed On Consent

2021-357

Brent Stermer

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 6- 0

AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1