

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Tuesday, January 18, 2022 – 5:30 PM

COUNCIL MEETING

2022-23

Joseph Duffy

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, January 3, 2022.

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

PUBLIC HEARING held this 18th day of January, 2022, for the purpose of receiving comments from the public on the proposed 2022 Operating Budget and 2022 Capital Budget.

2022-24

Mayor Mandell

Receive communication from the City Manager and act on resolution announcing the personnel actions for the City of Elmira whereby Russell R. Andrews has been appointed to the position of Deputy Police Chief, effective December 21, 2021, at an annual salary of \$112,989; William J. Goodwin, has been appointed to the position of Police Sergeant, effective December 21, 2021, at an annual salary of \$85,873.91; William R. Solt has been appointed to the position of Police Captain, effective December 21, 2021, at an annual salary of \$101,049.62; Reece P. Miller has elected to resign from his position as Solid Waste Specialist I, effective December 23, 2021; and Aubree M. Cruz and Nicole M. Lawson have been appointed to the positions of Police Officer, effective January 5, 2022, at annual salaries of \$50,863.70.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-25
Mayor Mandell

Receive communication from Corporation Counsel and act on resolution designating the City of Elmira as the lead agency pursuant to the State Environmental Quality Review Act (SEQRA) regarding the sale of five (5) vacant City-owned property to Nancy Simpson located on Factory and Sullivan Streets not having an adverse impact on the environment and directing the Mayor to file a negative determination in accordance with SEQR 6NYCRR, Part 617.12.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-26
Mayor Mandell

Act on resolution authorizing the Mayor to execute a quit claim deed to Nancy Simpson of 670 Sullivan Street, conveying five (5) vacant City-owned properties located on Sullivan and Factory Streets (658 Sullivan Street; 807 Factory Street; 809 Factory Street; 806 Factory Street; and 656 Sullivan Street) for the sum of \$1,500.00; said terms of the deed subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-27
Brent Stermer

Act on resolution conveying a permanent easement to NYS Department of Environmental Conservation (DEC) after completion of construction of the Mark Twain Riverfront Park Project, consisting of 18' wide section of land starting from the edge of West Water Street, crossing the existing park property and meeting with the existing DEC Flood Control Perpetual Easement along the flood wall with 10' wide turning flares.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 7- 0

AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-28
Nan Moss

Receive communication from the City Manager and act on resolution declaring abandoned and impounded vehicles located at the Department of Public Works as surplus property and authorizing the sale of said vehicle as set forth on the attached list by either an on-line auction by Auctions International, Inc. or sale of the vehicles to Pick-A-Part in Horseheads, NY.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-29
Brent Stermer

Receive communication from the City Manager and act on resolution containing the proposed amendments to Appendix B-1 of the City-Center Form Based Code as outlined in the City Manager's letter to the Council dated January 18, 2022, be referred to the City Planning Commission and the County Planning Board for their review and recommendations.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-30
Joseph Duffy

Receive communication from the City Chamberlain and act on resolution authorizing and directing the City Chamberlain to make payment to the City of Elmira Fire Department Benefit Fund in the sum of \$56,515.00.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-31
Mayor Mandell

Act on resolution directing the Mayor submit a request to the Elmira Water Board (EWB) to provide to the City the sum of \$50,000.00 out of EWB's 2021 profits or surplus from the Water Board's operation of the water works system; said monies to be used by the City for general municipal purposes for the calendar year 2022.

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

2022-32
Joseph Duffy

Act on resolution receiving and placing on file the Financial Statements and Auditor's Report for the Elmira Water Board for years ending December 31, 2019 and December 31, 2020.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-33
Nan Moss

Receive communication from the City Manager and act on resolution granting Daniel G. Gabriel and his successor owners a temporary easement to maintain a portion of a board fence encroaching on City-owned property and authorizing the Mayor to execute a boundary line agreement between the City and Mr. Gabriel, a copy of which is attached hereto and made a part hereof; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-34
Brent Stermer

Act on resolution authorizing the Mayor to execute a contract on behalf of the City with Two Brothers Printing, the sole proposer meeting specifications for printing of Council minutes, binding and texting for the calendar

year 2022; said contract subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-35
Mayor Mandell

Receive communication from the City Manager and act on resolution reporting the overtime for the Elmira Fire Department for pay periods 25 and 26 of 2021 in the amount of \$14,031.75.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-36
Mayor Mandell

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

Amended - Peak Inadvertently downloaded January 3, 2022 Lead Audit resolution.

2022-37
Mayor Mandell

Act on Community Development Block Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

Amended - Peak Inadvertently downloaded January 3, 2022 Block Grant Audit resolution.

2022-38

American Rescue Plan - Property Rehab

Nan Moss

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-39

Joseph Duffy

American Rescue Plan - Business Program

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-40

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: Mark A Franchi TOTAL: 1
ABSENT: TOTAL: 0

2022-41

Brent Stermer

Act on Audit

MOTION: Approve SPONSORED BY: Brent Stermer VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2022-42

Nan Moss

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0