

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY
COUNCIL MEETING

Monday, April 11, 2022 – 5:30 PM

2022-118

Brent Stermer

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, March 28, 2022.

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

PUBLIC HEARING for the purpose of receiving written and oral comments from the public regarding the City of Elmira's 2022 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnership Programs

PUBLIC HEARING for the purpose of receiving comments from the public regarding the proposed amendment to Appendix B-1 of the City of Elmira Code of Ordinances by amending Section IV(C) allowing as permitted residential use 'Apartment Building' in a Campus INC(C-1) zoning district.

2022-119

Mayor Mandell

Receive communication from the City Manager and act on resolution announcing the appointments of Kurtis Dunn, Pine City, NY; Tyler Taft, Pine City, NY; Theodore Burrows, Pine City, NY; Bailey Bourgeois, Horseheads, NY to the positions of Firefighter in the Elmira Fire Department, effective March 23, 2022, at annual salaries of \$51,124 respectively; and Jeremy Kline, Elmira, NY to the position of Solid Waste Specialist I, effective April 4, 2022, at an hourly rate of \$17.61, and placing same on file.

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

2022-120

Brent Stermer

Act on resolution accepting a donation offered by Soaring Capital Soccer Club to pay TruGreen to fertilize and seed the soccer fields at Eldridge Park in the amount of \$4,485.00 and expressing sincere appreciation to the Soaring Capital Soccer Club for their donation.

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

2022-121

Joseph Duffy

Receive communication from Corporation Counsel and act on resolution designating the City of Elmira as the lead agency pursuant to SEQRA 6 NYCRR, Part 617.6 and finding that the Ordinance to amend Appendix B-1 of the City of Elmira Code of Ordinances Titled City of Elmira Zoning - City-Center Form Based Code to Amend Section VI(C) to amend the 'Permitted Use' to allow as a permitted residential use 'Apartment Building' in a Campus IND(C) zoning district will not have an adverse impact on the environment and authorizing the City Manager to file a negative determination

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

2022-122

Council as a Whole

Act on resolution approving and accepting R. DeVincentis Construction, Inc.'s generous donation to the City to pay for and install a plaque on the Lake Street Pedestrian and Bicycle Bridge to commemorate its restoration project and expressing the City's sincere gratitude to DeVincentis for its generous and thoughtful gift.

MOTION: Approve SPONSORED BY: Council As A Whole 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

2022-123

Nan Moss

Act on resolution waiving the need for individuals entitled to senior real property tax exemption and individuals with disabilities and limited income exemption to file with the Assessor a renewal application for the 2022 Assessment.

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

Amended at the table - delete "and individuals with disabilities and limited income exemption"

2022-124

Council as a Whole

Act on resolution declaring Elmira Police Department's bullet proof vests that have expired their certification dates established by the manufacturer as surplus property and authorizing the Police Chief to deliver or cause to be delivered to St. Nicholas Ukrainian Catholic Church the surplus vests for further delivery by the Church to the Ukrainian Army.

MOTION: Approve SPONSORED BY: Council As A Whole 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

2022-125

Mayor Mandell

Act on a resolution for a first reading of a proposed Local Law No. 2 of 2022 entitled "A Local Law of the City of Elmira, New York to Allow Cold War Veterans a Limited City Tax Exemption Pursuant to Section 458-b of the Real Property Tax Law of the State of New York".

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

2022-126

Act on resolution for a first reading of proposed Local

Joseph Duffy

Law No. 3 of 2022 entitled "A Local Law of the City of Elmira, New York to Amend Subpart "C", Article VIII, of the Charter of the City of Elmira to Provide for a Partial Tax Exemption of Real Property".

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

2022-127

Mayor Mandell

Act on resolution scheduling a Public Hearing for the purpose of receiving public comments regarding proposed Local Law No. 2 of 2022 entitled "Local Law of the City of Elmira, New York, to Allow Cold War Veterans a Limited Tax Exemption Pursuant to Section 458-b of the Real Property Tax Law" on Monday, April 25, 2022.

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

2022-128

Nan Moss

Act on resolution scheduling a Public Hearing on Monday, April 25, 2022 for the purpose of receiving comments from the public on proposed Local Law No. 3 of 2022 entitled "A Local Law of the City of Elmira, New York, to Amend Subpart "C", Article VIII, of the Charter of the City of Elmira to Provide for Partial Tax Exemption of Real Property".

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

2022-129

Tory Kitching

Act on Ordinance authorizing certain Capital Items in and for the City of Elmira, New York at a total maximum estimated cost of \$3,908,905 and authorizing the issuance of \$2,989,262 bonds of said City to pay part of the costs thereof

MOTION: Approve SPONSORED BY: Tory Kitching 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

2022-130
Nick Grasso

**Act on Ordinance to amend Chapter 33, Article III,
Section 33-50 of the City of Elmira Code of Ordinances.**

MOTION: SPONSORED BY: Nick Grasso VOTE: 0- 0
AYES: TOTAL: 0
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0
Withdrawn

2022-131
Brent Stermer

**Receive communication from the City Manager and act on
resolution approving the City entering into an agreement
with Alfred Technology Resources, Inc. d/b/a Incubator
Works (IW) whereby IW will undertake the promotion of
entrepreneurship and business start-up, development, and
growth by identifying, locating, and contacting industrial
prospects (the "Services") within Chemung County for a
period of retroactive to April 2, 2022 through March 31,
2023 in consideration of the City paying IW the sum of
\$200,000, which funds to be 100% Federal American
Rescue Plan Funds and authorizing the Mayor to execute
an agreement with IW for the "Services" to the City.**

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

2022-132
Nan Moss

**Receive communication from the City Manager and act on
resolution authorizing the retention of New York
Industries for the Disabled, Inc. (NYSID) to provide
janitorial services for services at City Hall, Department of
Public Works Building, and 312 Lake Street at a cost to
the City of \$53,533.52 commencing retroactively to April
1, 2022 and expiring March 31, 2023.**

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

2022-133
Mayor Mandell

Receive communication from the City Manager and act on resolution approving a 4-month agreement between the Town of Erin and the City's Code Department for a term commencing May 1, 2022 and expiring September 1, 2022 at a cost to the Town of \$2,400.00.

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

2022-134
Brent Stermer

Act on Lead Hazard Reduction Grant Program 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

2022-135
Brent Stermer

Act on Downtown Revitalization Initiative Program 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

2022-136
Tory Kitching

Act on Anti Displacement Learning Network Grant Program Audit.

MOTION: Approve SPONSORED BY: Tory Kitching 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

2022-137

Act on Community Development Block Grant Program

Mayor Mandell

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

2022-138

Joseph Duffy

Act on Audit

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

2022-139

Joseph Duffy

Act on resolution to adjourn.

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