

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, April 25, 2022 – 5:30 PM

COUNCIL MEETING

2022-140

Tory Kitching

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, April 11, 2022.

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

PUBLIC HEARING for the purpose of receiving comments from the public regarding proposed "Local Law No. 2 of 2022 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."

PUBLIC HEARING for the purpose of receiving comments from the public regarding proposed "Local Law No. 3 of 2022 of the City of Elmira, New York, to Amend Subpart "C", Article VIII, of the Charter of the City of Elmira, New York".

2022-141

Mayor Mandell

Receive communication from Corporation Counsel and act on resolution designating the City as Lead Agency that proposed Local Law No. 2 of 2022 will not have an adverse impact on the environment and authorizing the City Manager to file a negative determination in accordance with SEQR 6 NYCRR, Part 617.12.

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

2022-142

Joseph Duffy

Receive communication from Corporation Counsel and act on resolution designating the City as Lead Agency that

proposed Local Law No. 3 of 2022 will not have an adverse impact on the environment and authorizing the City Manager to file a negative determination in accordance with SEQR 6 NYCRR, Part 617.12.

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

2022-143
Brent Stermer

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 vehicles set forth on the attached list by on-line auction by Auctions International or sale to Pick-A-Part in Horseheads, NY.

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

2022-144
Brent Stermer

Act on 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), Permitted Uses

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

2022-145
Nan Moss

Receive communication from the City Manager and act on resolution awarding certain portions of the hot mix asphalt projects in the City for 2022 to Dalrymple Gravel & Contracting Co., Inc. in the amount of \$351,076.00 and to Elmira Road Materials, LLC in the amount of \$385,841.05 as outlined on the attached bid summary and authorizing the Mayor to sign contracts with the successful bidders; said agreements subject to Corporation Counsel approval.

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

2022-146
Mayor Mandell

Receive communication from the City Manager and act on resolution approving an inspection contract with Davis-Ulmer Fire Protection for a term of one year commencing July 1, 2022 and expiring June 30, 2023 at a total cost of \$1,700.00 and authorizing the Mayor to execute the 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,
Mark A Franchi, Tory Kitching TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1

2022-147
Brent Stermer

Receive communication from the City Manager and act on resolution approving a no-cost time extension of NYSDOT completion date for contract #D035294 Bridge Rehabilitation Main Street Phase 1 Project (PIN 6754.90) to December 31, 2023 and authorizing the Mayor to execute said extension.

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

2022-148
Tory Kitching

Receive communication from the City Manager and act on resolution approving a no-cost time extension of NYSDOT completion date for contract #D036102 Bridge Rehabilitation Main Street Phase 2 Project (PIN 6755.31) to December 31, 2023 and authorizing the Mayor to execute said extension.

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

Mark A Franchi, Tory Kitching TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1

2022-149
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Intermunicipal Agreement between the City and the Town of Ashland to provide animal control services to the Town commencing May 1, 2022 and expiring April 30, 2023 at the cost to the Town of \$6,283.00; 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, Mark A Franchi, Tory Kitching TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1

2022-150
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Intermunicipal Agreement between the City and the Town of Catlin to provide animal control services to the Town commencing May 1, 2022 and expiring April 30, 2023 at the cost to the Town of \$9,600.00; 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, Mark A Franchi, Tory Kitching TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1

2022-151
Tory Kitching

Receive communication from the City Manager and act on resolution reporting the overtime for the Elmira Fire Department for pay periods 5, 6, and 7 of 2022 in the amount of \$25,310.19.

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

ABSENT: Nannette M Moss TOTAL: 1

2022-152
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,
Mark A Franchi, Tory Kitching TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1

2022-153
Joseph Duffy

Act on Anti Displacement Learning Network Program Audit.

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

2022-154
Brent Stermer

Act on Community Development Block Grant Program Audit.

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

2022-155
Nan Moss

Act on Audit

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

2022-156
Mayor Mandell

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Brent Stermer, Joseph H Duffy,
Mark A Franchi, Tory Kitching TOTAL: 6

NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nannette M Moss TOTAL: 1