

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, December 5, 2022 – 5:30 PM

COUNCIL MEETING

2022-405

Tory Kitching

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, November 21, 2022.

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

PUBLIC HEARING for the purpose of receiving comments from the public regarding proposed "Local Law No. 5 of 2022 to Override the Tax Levy Limit Established by General Municipal Law Section 3-c".

2022-406

Mayor Mandell

Act on resolution scheduling a public hearing for December 19, 2022 at 5:30 p.m. for the purpose of receiving written and oral comments on the City of Elmira's Application under Round 7 of the Restore NY Communities Program

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

2022-407

Joseph Duffy

Receive communication from the Corporation Counsel and act on resolution designating the City as lead agency that proposed Local Law #5 of 2022 to Override the Tax Levy Limit Established in General Municipal Law Section 3-c will not have an adverse impact on the environment and authorizing the City Manager or his designee 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

2022-408
Nan Moss

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Intermunicipal Agreement with the Town of Southport whereby the City's Animal Control Department will provide animal control services in accordance with Articles 7 and 26 of the Agriculture and Markets Law at a cost to the Town of \$38,809.00 commencing January 1, 2023 through December 31, 2023; 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
Placed On Consent

2022-409
Brent Stermer

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Intermunicipal Agreement with the Town of Chemung whereby the City's Animal Control Department will provide animal control services in accordance with Articles 7 and 26 of the Agriculture and Markets Law at a cost to the Town of \$10,506.00 commencing January 1, 2023 through December 31, 2023; said agreement 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
Placed On Consent

2022-410
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an Intermunicipal Agreement with the Town of Elmira whereby the City's Animal Control Department will provide animal control services in accordance with

Articles 7 and 26 of the Agriculture and Markets Law at a cost to the Town of \$23,113.20 commencing January 1, 2023 through December 31, 2023; said agreement 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
Placed On Consent

2022-411
Tory Kitching

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement with the County of Chemung under which the City will provide to the County's Rabies Program animal handler and specimen services commencing January 1, 2023 through December 31, 2023 at cost to the County of \$5,000.00; said agreement subject to Corporation Counsel approval.

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
Placed On Consent

2022-412
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the overtime for the Elmira Police Department for pay periods 16-22 of 2022, in the amount of \$122,685.61

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

2022-413
Joseph Duffy

Receive communication from the City Manager and act on resolution reporting the overtime for the Elmira Fire Department for pay periods 21 and 22 of 2022 in the amount of \$19,421.55.

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

2022-414
Brent Stermer

**Receive communication from the City Manager and act on
resolution reporting the overtime for the Elmira Fire
Department for pay periods 23 and 24 of 2022 in the
amount of \$12,293.35.**

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

2022-415
Nan Moss

**Act on Anti-Displacement Learning Network Program
Audit**

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

2022-416
Tory Kitching

Act on Lead Hazard Reduction 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

2022-417
Brent Stermer

**Act on Community Development Block 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

2022-418
Mayor Mandell

**Act on American Rescue Plan Commercial Property
Rehab Repair Program.**

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

2022-419
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

2022-420
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