

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, December 19, 2022 – 5:30 PM

COUNCIL MEETING

2022-421

Brent Stermer

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, December 5, 2022.

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

Public Hearing for the purpose of receiving written and oral comments from the public on the City of Elmira's application for the Reynolds Way Project by Arbor Housing and Development (406 E Church Street; 410-416 E Church Street; 310 Academy Place) under Round 7 of the Restore NY Communities Program.

2022-422

Council as a Whole

Act on resolution scheduling a Public Hearing to receive public comments on the proposed 2023 Operating Budget and 2023 Capital Budget on Tuesday, January 3, 2023 in City Council Chambers, City Hall.

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

2022-423

Mayor Mandell

Act on resolution adopting Local Law #5 of 2022 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, Mark A Franchi, Nannette M Moss TOTAL: 5
NAYS: Nick Grasso TOTAL: 1
ABSTAIN: TOTAL: 0

ABSENT: Tory Kitching TOTAL: 1

2022-424

Joseph Duffy

Receive recommunication from the City Manager and act on resolution approving Amendment No. 1 to the Master License Agreement between the City and Eldridge Park Carousel Society, Inc., a copy of which is attached hereto and made a part hereof, and authorizing the Mayor to execute Amendment No. 1.

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

2022-425

Brent Stermer

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City and Chemung County whereby the City will provide Hazardous Materials Incident Response upon request of the County and the County will continue to assist the City by paying the annual amount of \$35,000.00 for such services; 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, Mark A Franchi, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Tory Kitching TOTAL: 1

2022-426

Nick Grasso

Act on resolution authorizing the Mayor to execute a contract with Erway Ambulance Service for the calendar year 2023 whereby Erway will submit to third parties bills on behalf of the City for certain emergency medical services rendered by the City in consideration of \$1.00 paid by the City.

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

2022-427

Receive communication from the City Manager and act on

Tory Kitching

resolution accepting the bid of Pro Dock and Door meeting all specifications as outlined on the attached bid summary sheet in the amount of \$35,250.00 for the purchase of a replacement overhead door at Fire Station No. 3 and authorizing the Mayor to execute an agreement with Pro Dock and Door; 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, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Tory Kitching TOTAL: 1
Sponsored By: Mayor Mandell - CM: Kitching Absent

2022-428

Nan Moss

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City and the Town of Horseheads whereby the City's Animal Control Department will provide animal control services as needed in accordance with Articles 7 and 26 of the Agriculture and Markets Law for a term of one (1) year at a cost to the Town of \$60,996.00 to be paid by the Town in quarterly installments of \$15,249.00 commencing retroactively from October 1, 2022 and expiring on September 30, 2023; said agreement subject to Corporation Counsel approval.

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

2022-429

Mayor Mandell

Receive communication from the City Manager and act on resolution approving the purchase of two (2) Mammoth walk behind snow removal equipment with sidewalk attachments at a total cost of \$45,410.10 utilizing Chemung County's cooperative contract, a copy of the Ariens Co quote and County Justification are attached; and authorizing the Mayor to sign all required documents to effect the purchase of the equipment.

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

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

2022-430
Joseph Duffy

**Act on Anti Displacement Learning Network Grant
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, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Tory Kitching TOTAL: 1

2022-431
Nick Grasso

Act on Lead Hazard Reduction Grant Program Audit.

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

2022-432
Brent Stermer

**Act on Downtown Revitalization Initiative 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, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Tory Kitching TOTAL: 1

2022-433
Nan Moss

**Act on Community Development Block Grant Program
Audit.**

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

2022-434
Mayor Mandell

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

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

2022-435

Tory Kitching

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, Nannette M Moss TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Tory Kitching TOTAL: 1
Sponsored By: Mayor Mandell - CM Kitching Absent

2022-436

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