

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, March 27, 2023 – 5:30 PM

COUNCIL MEETING

2023-100

Nan Moss

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, March 13, 2023.

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

Public Hearing to receive written and oral comments from the public regarding the City of Elmira's 2023 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnership Program.

2023-101

Mayor Mandell

Receive communication from the City Manager and act on resolution announcing the Personnel Actions for the City of Elmira whereby Matthew McGrain has been appointed to the position of Acting Police Lieutenant, effective March 2, 2023, at an annual salary of \$97,719.15; Scott Packard has been appointed to the position of Deputy Police Chief, effective March 8, 2023, at an annual salary of \$120,645; and Franklin Garrison has elected to retire from his position as Solid Waste Specialist II, effective March 14, 2023

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

2023-102

Council as a Whole

Act on resolution extending appreciation to Franklin Garrison for his 22 years of service to the City of Elmira and wish him well in his future.

MOTION: Approve SPONSORED BY: Council As A Whole VOTE:

6- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

2023-103

Nan Moss

Act on resolution reporting the results of the Elmira Housing Authority Election of a Tenant Representative to the Elmira Housing Authority, held on March 7, 2023, declaring Leslie Gorton elected with a term to expire March 22, 2025.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 6- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

2023-104

Mayor Mandell

Receive communication from the City Manager and act on resolution approving the retention of a consultant through the Animal Protection Federation to assist the City in establishing and implementing a program to be compliance with the new State Laws regarding animal shelters, at no cost to the City except payment of the consultant's travel, meals, and lodging expenses.

Amended top sheet only. Compliance to compliant.

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

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi TOTAL: 1

2023-105

Joseph Duffy

Receive communication from Corporation Counsel and act on resolution designating the City as the lead agency that the City's sale of surplus City-owned of Tax Map Parcel # 79.19-5-8 known as 1209 Sullivan Street will not have an adverse impact on the environment and directing the Mayor to file a negative determination with the sale.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6

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

2023-106
Mayor Mandell

Receive communication from the City Manager and act on resolution declaring City-owned property identified as Tax Map Parcel # 79.19-5-8 located at 1209 Sullivan Street and approving the sale of said property to Mr. Willie Owens in consideration of his payment to the City of \$1,250.00 and authorizing the Mayor to execute and deliver a quitclaim to Mr. Owens; said deed and other title documents subject to Corporation Counsel approval.

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

2023-107
Council as a Whole

Receive communication from the City Manager and act on resolution approving the erection of a memorial plaque in memory of Tess Rothstein to be placed by the Elmira Rotary Club on a metal bench on the City-owned section of the Lackawanna Trail closest to the Wegmans Plaza, copies of the narrative and proposed plaque are attached hereto.

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

2023-108
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the City's submission of a grant application in the amount of \$74,023.00 to the New York State Archives Grants Administration Unit, and if awarded any funds, approves receipt of the funds to be used to upgrade the City's document scanning and storage capabilities.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Tory Kitching, Nannette M Moss TOTAL: 6

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

2023-109
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the City Manager or Fire Chief to submit an application for grant monies to Federal Emergency Management Agency (FEMA) in the amount of \$30,000.00 which funds, if awarded, will be used for the purchase or equipment and tools to be used by the Fire Prevention Bureau for the purpose of investigating fires, with a cost share to the City of five percent (5%) of the awarded amount and authorizing the Mayor to execute whatever documentation FEMA requires to receive the grant funds; said documents subject to Corporation Counsel approval.

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

2023-110
Joseph Duffy

Act on Ordinance authorizing certain Capital items in and for the City of Elmira, Chemung County, New York at a total maximum estimated cost of \$4,721,500 and authorizing the issuance of \$3,459,500 bonds of said City to pay part of the costs thereof.

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

2023-111
Corey Cooke

Receive communication from the City Manager and act on resolution approving Supplemental Agreement #2 retroactive to September 5, 2022 with Fisher Associates for additional costs and scope of services associated with the N. Main Street Bridge Rehabilitation Project PIN #'s 6754.90 and 6755.31 due to delays by Verizon at a maximum cost to the City of \$104,446.00; and authorizing the Mayor to execute the Supplemental Agreement #2; said agreement subject to Corporation Counsel approval.

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

2023-112
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an intermunicipal agreement with the Town of Baldwin and County of Chemung whereby the City's Animal Control Department will provide animal control services for the main purpose of enforcing Article 26 of the Agriculture and Markets Law at a cost of \$6,250.00 retroactive to January 1, 2023 and expiring December 31, 2023, which amount will be paid by the County to the City; said agreement subject to Corporation Counsel approval.

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

2023-113
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an intermunicipal agreement with the Town of Erin and County of Chemung whereby the City's Animal Control Department will provide animal control services for the main purpose of enforcing Article 26 of the Agriculture and Markets Law at a cost of \$6,250.00 retroactive to January 1, 2023 and expiring December 31, 2023, which amount will be paid by the County to the City; said agreement subject to Corporation Counsel approval.

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

2023-114
Nick Grasso

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Nick Grasso VOTE: 6- 0

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

2023-115

Tory Kitching

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

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

2023-116

Corey Cooke

Act on Audit.

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

2023-117

Nick Grasso

Act on resolution to adjourn.

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