

Elmira City Council Meeting Minutes

RE: AGENDA, ELMIRA CITY

Monday, May 22, 2023 – 5:30 PM

COUNCIL MEETING

2023-161

Joseph Duffy

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, April 10, 2023.

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
Amended: April 10, 2023 To May 8, 2023.

2023-162

Council as a Whole

Receive communication from the City Manager and act on resolution announcing the Personnel Actions for the City of Elmira whereby Joseph M .Runyan has been appointed to the provisional position of Police Lieutenant, effective April 18, 2023, at an annual salary of \$97,719.15; Michael W. Collins has elected to retire from his position of Police Officer, effective April 30, 2023: and Dalton J. Guisewhite has been appointed to the position of Police Officer, effective May 5, 2023, at an annual salary of \$52,135.29.

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

2023-163

Council as a Whole

Act on resolution extending appreciation to Michael W. Collins for his services rendered to the City of Elmira for the past 20 years and wish him well in the 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

2023-164
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the settlement of The L.C. Whitford Co., Inc.'s legal action against the City for a payment by the City to Whitford in the amount of \$9,833.25 and authorizing Corporation Counsel to sign a stipulation discontinuing the legal action against the City.

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

2023-165
Joseph Duffy

Act on resolution receiving the Financial Statements and Auditor's Report for the Elmira Water Board for Year Ending December 31, 2022, and placing said report on file.

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

2023-166
Mayor Mandell

Receive communication from the City Manager and act on resolution approving a revocable License Agreement granting to James W. Doland to continue an encroachment of a shed into a portion of a City-owned alley behind 1263 College Avenue, specifically shown on the survey map attached hereto and made a part hereof and authorizing the Mayor to execute a revocable License Agreement; 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

2023-167
Joseph Duffy

Receive communication from the City Manager and act on resolution approving an intermunicipal agreement between the City and the Village of Elmira Heights, NY,

whereby the City Code Department will provide Code Enforcement services to the Village two days a week for 8 hours a day and the Village paying the City \$60.00 per hour, a copy of the agreement is attached hereto and made a part hereof, and authorizing the Mayor to sign the intermunicipal agreement; 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

2023-168
Mayor Mandell

Receive communication from the City Manager and act on resolution approving an intermunicipal agreement between the City and the Town of Ashland whereby the City's Animal Control Department will provide animal control services to the Town at a cost of \$6,283.00 annually to be paid by the Town to the City in monthly installments of \$523.59 commencing retroactively to May 1, 2023 and expiring on April 30, 2024 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, 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

Placed On Consent

2023-169
Joseph Duffy

Receive communication from the City Manager and act on resolution approving an intermunicipal agreement between the City and the Town of Catlin whereby the City's Animal Control Department will provide animal control services to the Town at a cost of \$9,600.00 annually to be paid by the Town to the City in monthly installments of \$800.00 commencing retroactively to May 1, 2023 and expiring on April 30, 2024 and authorizing the Mayor to execute the agreement; 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
Placed On Consent

2023-170
Corey Cooke

Receive communication from the City Manager and act on resolution approving the purchase of dumpsters for the City Department of Public Works utilizing Chemung County's cooperative contract with Sourcewell from vendor Wastequip Manufacturing Company, LLC at a cost of up to \$60,000.00 and authorizing the Mayor to sign all required documents to effect the purchase of the waste/recycling equipment and containers.

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

2023-171
Corey Cooke

Act on resolution authorizing and approving a flood control easement to the New York State Department of Environmental Conservation with the redevelopment of Mark Twain Riverfront Park in accordance with the attached easement extending from West Water Street southerly to the Chemung River Flood Control as shown on the attached map and authorizing the Mayor to execute the easement and all other documents necessary to effect the easement.

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

2023-172
Nan Moss

Act on Anti Displacement Learning Network Grant Program Audit.

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

2023-173
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

2023-174
Joseph Duffy

Act on Community Development Block Grant Program Audit.

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

2023-175
Nan Moss

Act on American Rescue Plan Property Rehab Audit.

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

2023-176
Nick Grasso

Act on 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

2023-177
Nan Moss

Act on resolution to adjourn.

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