

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Tuesday, June 20, 2023 – 5:30 PM

COUNCIL MEETING

2023-191

Tory Kitching

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, June 5, 2023.

MOTION: SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2
Sponsored By: Mayor Mandell - CM Kitching Absent

2023-192

Joseph Duffy

Resolution Authorizing the Submittal of a Request to Housing and Urban Development for a Conflict-of-Interest Exception

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-193

Council as a Whole

Act on resolution of the City Council accepting the canvas of the returns of the Elmira Water Board Election and further declare Thomas E. Ramich, 854 Euclid Avenue Elmira to be elected to the Office of Water Commissioner for a term of Five Years expiring June 2028.

MOTION: Approve SPONSORED BY: Council As A Whole VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-194

Corey Cooke

Resolution Authorizing the Mayor to Execute HOME ARP Agreement

MOTION: Approve SPONSORED BY: Corey Cooke VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-195
Nan Moss

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

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-196
Nick Grasso

Receive communication from the City Manager and act on resolution declaring abandoned/impounded vehicles and miscellaneous equipment as surplus property and authorizing the sale of the vehicles and equipment in the City's possession set forth on the attached list by way of an on-line auction by Auctions International or sale of the vehicles to Pick-A-Part in Horseheads, NY.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2
Sponsored By: Mayor Mandell Changed Sponsor At The Table Was CM Grasso

2023-197
Joseph Duffy

Receive communication from the City Manager and act on resolution approving the purchase of firefighting Self-Contained Breathing Apparatus-SCBA-RFP from Municipal Emergency Services for the Elmira Fire Department at a total cost of \$306,800.00; said purchase being made through a cooperative contract with the cooperative or lead agency being "NPP.Gov".

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-198
Mayor Mandell

Receive communication from the City Manager and act on resolution retroactively approving the adjustment to the City's 2022 General Fund Operating Budget to accommodate the \$276,068.13 transfer in 2022.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-199
Council as a Whole

Receive and place on file the 2022 Financial Audit Report for the City of Elmira.

MOTION: Approve SPONSORED BY: Council As A Whole VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-200
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the sale of surplus City-owned property measuring 15 ft in width and 134 ft in length adjacent to real property at 467 W. Water Street to Cerio Properties, LLC and authorizing the Mayor to execute a quitclaim deed and all other title documents necessary to convey said parcel.

MOTION: Postpone SPONSORED BY: Daniel Mandell VOTE: 0- 0
AYES: TOTAL: 0
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0
Withdrawn From Agenda

2023-201
Mark Franchi

Receive communication from the City Manager and act on Ordinance to amend Article IX of Appendix B, Section 930.1(b) and Section 930.2(c) of the Code of Ordinances of the City of Elmira, as Amended.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,

Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

Sponsored By: Mayor Mandell - CM Franchi Absent

2023-202

Mark Franchi

Act on Ordinance to Amend Chapter 5, Article VI, Section 25-101(b) of the Code of Ordinances of the City of Elmira, as Amended.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,

Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

Sponsored By: Mayor Mandell - CM Franchi Absent

2023-203

Nan Moss

Receive communication from the City Manager and act on resolution approving the City's participation in the intergovernmental cooperative purchase program known as the National Purchase Partners, LLC d/b/a NPPGov and authorizing the Mayor to execute the intergovernmental purchase agreement, a copy of which is attached hereto, by which the City becomes a participating governmental entity in NPPGov; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 5- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,

Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-204

Joseph Duffy

Receive communication from the City Manager and act on resolution approving the purchase of police tasers from Axon Enterprises, Inc. at a total contract price of \$133,798.50 and authorizing the Mayor to execute the purchase contract, said purchase being made under the current NPPGov taser contract; said contract subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 5- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,

Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-205

Mayor Mandell

Receive communication from the City Manager and act on resolution approving an intermunicipal agreement between the County and City regarding the Gun Involved Violence Elimination X (GIVE) Initiative Project, a copy of which is attached hereto and made a part hereof, and authorizing the Mayor to execute the agreement; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-206

Nick Grasso

Act on resolution approving an Intermunicipal Agreement (IMA) with Chemung County municipalities relative to stormwater management and erosion and sediment control, a copy of which is attached hereto and made a part hereof, commencing July 1, 2023 and expiring December 31, 2028, the annual 6.16% cost to the City being \$28,866.25 and authorizing the Mayor to execute the IMA; said IMA subject to Corporation Counsel approval.

MOTION: Postpone SPONSORED BY: Nick Grasso VOTE: 0- 0

AYES: TOTAL: 0

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: TOTAL: 0

Withdrawn From Agenda

2023-207

Nick Grasso

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Nick Grasso VOTE: 5- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Nannette M Moss TOTAL: 5

NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0

ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-208

Tory Kitching

Act on Anti Displacement Learning Network Grant Program Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2
Sponsored By: Mayor Mandell - CM Kitching Absent

2023-209
Corey Cooke

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

MOTION: Approve SPONSORED BY: Corey Cooke VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-210
Joseph Duffy

**Act on American Rescue Plan Property Rehab Repair
Audit.**

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-211
Nan Moss

Act On Audit.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2

2023-212
Mayor Mandell

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Nannette M Moss TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Mark A Franchi, Tory Kitching TOTAL: 2