

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY

Tuesday, October 10, 2023 – 5:30 PM

COUNCIL MEETING

2023-308

Tory Kitching

Act on resolution dispensing with the minutes of the Regular Meeting held on Monday, September 25, 2023.

MOTION: Approve SPONSORED BY: Tory Kitching VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-309

Joseph Duffy

Act on resolution setting the hours for Trick-or-Treating in the City of Elmira on Tuesday, October 31, 2023, between the hours of 5:30PM and 8:00PM.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-310

Mayor Mandell

Act on resolution to schedule a public hearing on October 23, 2023 at 5:30 p.m. to receive comments from the public that the Official Zoning Map be amended by the rezoning of Lot B at 910 Maple Avenue.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-311

Tory Kitching

Act on resolution scheduling a public hearing on October 23, 2023 at 5:30 p.m. to receive comments from the public on the proposed ordinance to close and abandon a portion of Howard Street and ordering the Elmira City Planning Commission Resolution No. 23-09-02 and attached map recommending an amendment to the Official Map of

Streets be printed in the minutes.

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

2023-312
Tory Kitching

Receive communication from Corporation Counsel and act on resolution designating the City as lead agency and directing the Mayor to file a negative determination that the closing and abandoning of a portion of Howard Street will not have an adverse impact on the environment pursuant to the NYS Environmental Quality Review Act.

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

2023-313
Mayor Mandell

Receive communication from the City Manager and act on resolution appointing John McCracken to be the City's stormwater management officer and local stormwater public contact pursuant to the Intermunicipal Agreement Stormwater Management, Erosion and Sediment Control Services.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-314
Joseph Duffy

Act on resolution rejecting the bids opened on June 6, 2023 submitted by National Lawn Sprinkler, George E. Ley Co., and Landscape Unlimited, LLC for the Mark Twain Golf Course Irrigation System Installation Project and authorizing submission of requests for new proposals.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-315
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the City's purchase of 3,265 plastic refuse and recycling containers utilizing a Sourcewell Cooperative Contract with Toter, LLC for a total cost of \$172,882.50.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss, Daniel Mandell, Corey Cooke TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-316
Joseph Duffy

Receive communication from the City Manager and act on resolution amending the City's 2023 Capital Budget to approve the purchase of 2 vehicles for Animal Control and Code Departments.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-317
Mayor Mandell

Act on resolution for the first reading of proposed Local Law No. 1 of 2023 to amend Section 214 of the City Charter to provide for the payment of compensation to each City's Cemetery Commissioners in the amount of \$75.00 per meeting attended.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-318
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Chamberlain to accept grant funds awarded by the Governor's Traffic Safety Committee to the Elmira Police Department in the amount of \$6,750.00 for participation in statewide Police Traffic Services Program.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-319
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Chamberlain to accept grant funds from the NYS Division of Criminal Justice Services awarded to Elmira Police Department in the amount of \$18,375.40 for EPD to purchase Livescan equipment used to process arrestees.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-320
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the City Manager to execute a Request for Release of Funds and Certification regarding Elmira Housing Authority's application to the US Department of Housing and Urban Development (HUD) for capital funds and authorizing the Mayor to execute an indemnification agreement with the Elmira Housing Authority; said certification and indemnification agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-321
Nan Moss

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement with Elmira Housing Authority (EHA) whereby the City provides additional police patrol services to EHA from October 9, 2023 through March 31, 2024 at a cost to EHA of \$25,509.86; said agreement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0

AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-322
Mayor Mandell

Act on resolution approving the leasing of 2 new 2023 Ford Escape vehicle from Enterprise Fleet Manager, Inc. for the Police Department utilizing Chemung County's cooperative contract with Sourcewell and authorizing the Mayor to execute the leases; said leases subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-323
Joseph Duffy

Receive communication from the City Manager and act on resolution reporting the overtime for the Elmira Fire Department for pay periods 19 and 20 of 2023 in the amount of \$39,803.19.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 7- 0
AYES: Joseph H Duffy, Mark A Franchi, Tory Kitching, Nannette M Moss, Daniel Mandell, Corey Cooke, Nick Grasso TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-324
Corey Cooke

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Corey Cooke VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-325
Corey Cooke

Act on Community Development Block Grant Program Audit.

MOTION: Approve SPONSORED BY: Corey Cooke VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7

NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-326
Mayor Mandell

Act on American Rescue Plan Elmira Water Board Audit.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-327
Nan Moss

Act on Audit.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0

2023-328
Corey Cooke

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Corey Cooke VOTE: 7- 0
AYES: Daniel Mandell, Corey Cooke, Nick Grasso, Joseph H Duffy,
Mark A Franchi, Tory Kitching, Nannette M Moss TOTAL: 7
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: TOTAL: 0