

Elmira City Council Meeting Minutes

RE: AGENDA, ELMIRA CITY
COUNCIL MEETING

Monday, November 4, 2024 – 5:30 PM

2024-332
Corey Cooke

Act on resolution dispensing with the minutes of the regular Meeting held on Monday, October 21, 2024.

Sponsored by: Mayor Mandell - CM Cooke Absent

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-333
Joseph Duffy

Receive communication from Corporation Counsel and act on resolution designating the City as Lead Agency determining the closing and abandonment of an alley running southerly from Woodlawn Avenue to Noble Street, will not have an adverse impact on the environment and directing the Mayor to file a negative determination in accordance with SEQR 6NYCRR, Park 617.12.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-334
Joseph Duffy

Receive communication from Corporation Counsel and act on resolution closing and abandoning an alley running from Woodlawn Avenue southerly to Noble Street and authorizing the Mayor to execute all documents necessary to effectuate any conveyances.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-335
Nan Moss

Receive communication from the City Manager and act on resolution rescinding Resolution No. 2024-272 pertaining to purchase of 3 robots from Innvotronics.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-336
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the purchase of 3 robots for tactical use by the Elmira Police Department SWAT Team from Safeware, Inc. for a total purchase price of \$48,700.00; said purchase to be paid for the LETECH Grant monies and determining that the City is utilizing the New York State HIRE contract which awarded a vendor contract to Safeware, Inc. to provide robots, and by reason thereof, formal bidding procedures are not required.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-337
Joseph Duffy

Act on resolution for a first reading of a proposed Local Law No. 2 of 2024 to override the tax levy limited established in General Municipal Law Section 3-c.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 5- 1
AYES: Daniel Mandell, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 5
NAYS: Nick Grasso TOTAL: 1
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-338
Mayor Mandell

Act on resolution scheduling a public hearing on November 18, 2024 at 5:30 p.m. to receive public comments on proposed Local Law #2 of 2024 to override the tax levy limit established in General Municipal Law Section 3-c.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M
Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-339
Corey Cooke

Receive communication from the City Manager and act on resolution rejecting all bids submitted for the RFB-320 Parking and Access Control Systems (PACS) equipment for the Centertown Parking Garage Project due to an irregularity in the bidding process and authorizing submission of requests for new proposals.

Sponsored by: Mayor Mandell - CM Cooke Absent

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M
Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-340
Mayor Mandell

Act on resolution granting permission, upon New York State Department of Transportation approval, to the Elmira Police Department to install license plate reader equipment within the State's Right-of-Way along Clemens Center Parkway (NY Route 14) and East/West Church Street (NY Route 352) within the City of Elmira and authorizing the Mayor to sign any and all documentation necessary as a result of this project.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 0
AYES: Daniel Mandell, Joseph H Duffy, Nannette M Moss, Gary Brinn,
Jackie Wilson TOTAL: 5
NAYS: TOTAL: 0
ABSTAIN: Nick Grasso TOTAL: 1
ABSENT: Corey Cooke TOTAL: 1

2024-341
Mayor Mandell

Receive communication from the City Manager and act on resolution referring the amending of Section 520.9 (titled "Temporary Signs") of Appendix B of the City's Zoning Ordinance to the City Planning Commission and the County Planning Board pursuant to Sections 1110 and 1120 of Appendix B of the Code of Ordinances.

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

AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-342

Jackie Wilson

Receive communication from the City Manager and act on resolution accepting the bid of Simmons Rockwell Ford of Bath, meeting all bid specifications outlined on the attached bid summary sheet, to purchase 2 F350 Pick-ups with Dump Body and Western Plow for the Department of Public Works at a purchase price of \$81,789.85 for each vehicle and authorizing the Mayor to sign such documents necessary to effect this award.

MOTION: Approve SPONSORED BY: Jackie Wilson VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-343

Gary Brinn

Receive communication from the City Manager and act on resolution accepting the SAFER Grant on behalf of the Elmira Fire Department by the US Department of Homeland Security FY 2023; said grant monies to be used to pay the personnel costs for 4 new firefighters for a 36-month period and authorizing the Mayor to sign any and all documents necessary to effect the acceptance of the grant.

MOTION: Approve SPONSORED BY: Gary Brinn VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-344

Mayor Mandell

Act on Ordinance to amend Chapter 18 of the City of Elmira Code of Ordinances by Adding a New Article to be Titled Article VI "Camping".

Withdrawn

2024-345

Gary Brinn

Act on Ordinance to Amend Sections 8-30(c)(8)(a), 8-30(c)(8)(b), 8-30(c)(8)(c) and 8-30(c)(2)(e) and Create a New

Section 8-30(c)(2)(k) of the Code of Ordinances of the City of Elmira, New York.

MOTION: Approve SPONSORED BY: Gary Brinn VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-346
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Mayor to enter into agreements with multiple low bidders meeting all bid specifications for groundskeeping products for the Mark Twain Golf Course for the calendar year 2025 listed on the attached bid summary sheet.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-347
Joseph Duffy

Receive communication from the City Manager and act on resolution approving the attached Customer Quote and Lease/Purchase Agreement between the City and Empire Golf Cars, a copy of which is attached hereto and made a part hereof, to lease 56 gas powered golf cars for a 4-year term commencing retroactive to November 1, 2024 and expiring October 31, 2028 for the Mark Twain Golf Course with an annual rental of \$65,829.72 and authorizing the Mayor to sign the Lease Agreement/Authorization and all other documents necessary to effectuate the terms of the Lease; said Lease Agreement/Authorization subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-348
Corey Cooke

Receive communication from the City Manager and act on resolution authorizing the Change Order submitted by

Lupini Construction LLC, a copy of which is attached hereto and made a part hereof, for additional restoration work on the City Clock Tower Project, authorizing the Mayor to sign the Change Order and authorizing the City Chamberlain to use interest accrued on the City's Capital Account(s) to pay for the additional work.

Sponsored by: Mayor Mandell - CM Cooke Absent

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-349
Nan Moss

Receive communication from the City Manager and act on resolution granting an easement to Town Line Property Management, LLC, regarding an encroachment at property located at 406 S. Walnut Street, a copy of which is attached hereto and made a part hereof, and authorizing the Mayor to execute the Easement subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Nannette M Moss VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-350
Corey Cooke

Receive communication from the City Manager and act on resolution approving a fee amendment submitted by LaBella Associates, DPC pertaining to continued professional services for the Centertown Parking Garage Improvement Phase II Project not to exceed \$161,300.00 and authorizing the Mayor to execute the agreement, a copy of which is attached hereto; said agreement subject to Corporation Counsel approval.

Sponsored by: Mayor Mandell - CM Cooke Absent

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0

ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-351
Mayor Mandell

Act on resolution authorizing the cost to lease 5 vehicles from Enterprise Fleet Management, Inc./Enterprise FM Trust for the Elmira Police Department utilizing Chemung County's cooperation Sourcewell contract and the cost of upfitting aftermarket police equipment to be installed by Bush Electronics on each vehicle and further authorizing the Mayor to sign all required documents to effect the leases and installation/upfitting of aftermarket police equipment; said documents subject to Corporation Counsel approval.

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 5- 1
AYES: Daniel Mandell, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 5
NAYS: Nick Grasso TOTAL: 1
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-352
Nick Grasso

Act on Lead Hazard Reduction Grant Program Audit.

MOTION: Approve SPONSORED BY: Nick Grasso VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-353
Jackie Wilson

Act on Community Development Block Grant Program Audit.

MOTION: Approve SPONSORED BY: Jackie Wilson VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-354
Corey Cooke

Act on Audit.

Sponsored by: Mayor Mandell - CM Cooke Absent

MOTION: Approve SPONSORED BY: Daniel Mandell VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M Moss, Gary Brinn, Jackie Wilson TOTAL: 6

NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1

2024-355

Nick Grasso

Act on resolution to adjourn.

MOTION: Approve SPONSORED BY: Nick Grasso VOTE: 6- 0
AYES: Daniel Mandell, Nick Grasso, Joseph H Duffy, Nannette M
Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Corey Cooke TOTAL: 1