

Elmira City Council

Meeting Minutes

RE: AGENDA, ELMIRA CITY
COUNCIL MEETING

Monday, December 16, 2024 – 5:30 PM

2024-392

Jackie Wilson

Act on resolution dispensing with the minutes of the regular Meeting held on Monday, December 2, 2024.

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

PUBLIC HEARING for the purpose of receiving comments from the public regarding proposed "Local Law No. 3 of 2024 of the City of Elmira, New York, Regulating the Unlicensed Cannabis Sales in the City of Elmira."

2024-393

Mayor Mandell

Receive communication from the City Manager and act on resolution reporting the Personnel Actions for the City of Elmira, whereby Riley P. Simpson, has been appointed to the position of full-time Kennel Worker, effective November 4, 2024, at an annual salary of \$30,723; Barry R. Hoff, has been appointed to the position of Solid Waste Specialist I, effective November 20, 2024, at an hourly rate of \$18.68; and Nicole A. Keough, has been appointed to the position of Assistant Code Enforcement, effective November 20, 2024, at an annual salary of \$38,884.

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

2024-394

Joseph Duffy

Receive communication from the Corporation Counsel and act on resolution designating the City as the lead agency pursuant to State Environmental Quality Review Act that proposed Local Law #3 of 2024 will not have an

adverse impact on the environment and authorizing the City Manager to file a negative determination pursuant to SEQR 6NYCRR, Part 617.12.

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

2024-395
Gary Brinn

Act on resolution to hold an Executive Session immediately preceding the adjournment of this Council Meeting of December 16, 2024 for the purpose of discussing possible litigation.

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

2024-396
Nan Moss

Act on resolution to schedule a public hearing to receive comments from the public on the proposed 2025 Operating and Capital Budgets on Monday, December 30, 2024 at 5:30 p.m. in City Council Chambers, Second Floor, 317 E. Church Street.

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

2024-397
Jackie Wilson

Resolution Authorizing a Grant Application Submission to New York State Department of Agriculture and Markets for the 2024-2025 Companion Animal Capital Project Fund.

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

2024-398
Gary Brinn

Resolution Authorizing a Grant Application Submission to Empire State Development Corporation Under Round Nine of the Restore NY Communities Initiative Grant Program.

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

2024-399
Corey Cooke

Receive communication from the City Manager and act on resolution authorizing Wenzel Landscaping LLC to install a concrete pad at the Ernie Davis Park pavilion at a cost not to exceed \$26,958.00, said work being performed under Chemung County's RFB-2632 Time and Materials General Construction Services for 2024-2025 and authorizing the Mayor to execute any necessary documents to effect the installation of the concrete pad by Wenzel Landscaping LLC.

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

2024-400
Jackie Wilson

Receive communication from the City Manager and act on resolution authorizing the issuance of a Request for Bids for additional work identified to the renovations at Dunn Field to be in compliance with bidding requirements for public work pursuant to General Municipal Law Section 103.

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

2024-401
Mayor Mandell

Act on Ordinance to amend Appendix B, Section 520.9 of the Code of Ordinances of the City of Elmira, as Amended.

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

2024-402
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City and the Town of Elmira whereby the City's Animal Control Department will provide animal control services enforcing Articles 7 and 26 of the Agriculture and Markets Law at the annual cost to the Town of \$24,000.00 for services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent Motion was accepted by CM Moss and Seconded by CM Cook

Motion to place item On Consent passed 6-0

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

2024-403
Nan Moss

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City and the Town of Southport whereby the City's Animal Control Department will provide animal control services enforcing Articles 7 and 26 of the Agriculture and Markets Law at the annual cost to the Town of \$38,809.00 for services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent Motion was accepted by CM Moss and Seconded by CM Cook

Motion to place item On Consent passed 6-0

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

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

2024-404
Corey Cooke

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City and the Town of Chemung whereby the City's Animal Control Department will provide animal control services enforcing Articles 7 and 26 of the Agriculture and Markets Law at the annual cost to the Town of \$10,506.00 for services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent Motion was accepted by CM Moss and Seconded by CM Cook

Motion to place item On Consent passed 6-0

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

2024-405
Jackie Wilson

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City, Chemung County, and the Town of Erin whereby the City's Animal Control Department will provide animal control services enforcing Article 26 of the Agriculture and Markets Law at the annual cost to the Town of \$6,250.00 to be paid by the County for services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent Motion was accepted by CM Moss and Seconded by CM Cook

Motion to place item On Consent passed 6-0

MOTION: Approve SPONSORED BY: Jackie Wilson VOTE: 6- 0
AYES: Daniel Mandell, Corey Cooke, Joseph H Duffy, Nannette M

Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nick Grasso TOTAL: 1

2024-406
Mayor Mandell

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City, Chemung County, and the Town of Baldwin whereby the City's Animal Control Department will provide animal control services enforcing Article 26 of the Agriculture and Markets Law at the annual cost to the Town of \$6,250.00 to be paid by the County for the services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent
Motion was accepted by CM Moss and Seconded by CM Cook
Motion to place item On Consent passed 6-0

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

2025-407
Joseph Duffy

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute an agreement between the City, Chemung County, and the Town of VanEtten whereby the City's Animal Control Department will provide animal control services enforcing Article 26 of the Agriculture and Markets Law at the annual cost to the Town of \$6,250.00 to be paid by the County for services commencing January 1, 2025 through December 31, 2025; said agreement subject to Corporation Counsel approval.

Mayor Mandell made a motion to place item On Consent
Motion was accepted by CM Moss and Seconded by CM Cook
Motion to place item On Consent passed 6-0

MOTION: Approve SPONSORED BY: Joseph H Duffy VOTE: 6- 0
AYES: Daniel Mandell, Corey Cooke, Joseph H Duffy, Nannette M

Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nick Grasso TOTAL: 1

2024-408
Gary Brinn

Receive communication from the City Manager and act on resolution authorizing the Mayor the execute an agreement the City and the County of Chemung whereby the City will provide Hazardous Materials Incident Response to the County and Chemung County will continue to assist the City by paying to the City the annual amount of \$35,000.00 to the City for such services; said agreement subject to Corporation Counsel approval.

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

2024-409
Corey Cooke

Receive communication from the City Manager and act on resolution authorizing the Mayor to execute a Contract Renewal Letter between NYS Unified Court System (NYSUCS) and the City whereby the City will provide janitorial cleaning and minor repair services for NYSUCS court facilities at the budgeted amount of \$48,865.00 to be paid to the City for the fiscal year April 1, 2024 through March 31, 2025; said agreement subject to Corporation Counsel approval.

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

2024-410
Gary Brinn

Act on resolution approving a contract between the City and the New York State Energy Research and Development Authority (NYSERDA) for an award to the City of \$8,200.00 to be used by the City to undertake an Energy Study of City Hall to identify eligible energy upgrade measures recommended in a Clean Energy Communities Energy Study, authorizing the Mayor to execute the contract; said contract subject to Corporation

Counsel approval, and expressing the City's sincere gratitude to NYSERDA for the award.

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

2024-411
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the amendment to Section 15-1 of the current Collective Bargaining Agreement between the City and CSEA and authorizing the Mayor to Sign the Memorandum of Agreement, attached hereto and made a part hereof.

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

2024-412
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the City's participation in the VIEWPOINT short-form documentary series at a total cost to the City in the amount of \$29,300.00 and authorizing the Mayor to sign the Studio Production Authorization, a copy of which is attached hereto and made a part hereof.

Item Withdrawn

2024-413
Joseph Duffy

Act on resolution approving an agreement with Chemung County, a copy of which is attached hereto, under which the City will administer, on behalf of the County, a Lead Detection and Remediation Program applicable to eligible buildings in the City of Elmira and the County reimbursing the City for its Program services up to and not exceeding \$292,663.00 during the term of the agreement, which term is retroactive from September 1, 2024 through March 31, 2026 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, Joseph H Duffy, Nannette M
Moss, Gary Brinn, Jackie Wilson TOTAL: 6
NAYS: TOTAL: 0
ABSTAIN: TOTAL: 0
ABSENT: Nick Grasso TOTAL: 1

2024-414
Nan Moss

Act on Lead Hazard Reduction Grant Program Audit.

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

2024-415
Corey Cooke

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

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

2024-416
Nan Moss

Act on Audit.

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

2024-417
Mayor Mandell

Act on resolution to adjourn.

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