

APPROVAL OF MINUTES

2023-329
Nan Moss

Act on resolution dispensing with the minutes of the Regular Meeting held on Tuesday, October 10, 2023.

FIRST PUBLIC COMMENT PORTION

IDENTIFICATION OF CONSENT ITEMS

PUBLIC HEARING

PUBLIC HEARING for the purpose of receiving comments from the public regarding the proposed closure and abandonment of a portion of Howard Street.

PUBLIC HEARING for the purpose of receiving comments from the public regarding the amendment to the Official Zoning Map by rezoning City Parcel No. 99.16-4-17.1 (4.4 acres) from Residence P District to Residence A District.

RESOLUTIONS

2023-330
Mayor Mandell

Act on resolution scheduling a public hearing on November 6, 2023 at 5:30 p.m. to receive public comment on proposed Local Law No. 1 of 2023 to Amend Section 214 of the City Charter.

2023-331
Joseph Duffy

Receive communication from the City Manager and act on resolution reviewing and adopting the attached City's proposed, revised Purchasing Policy and Procedure.

LOCAL LAW

OVERTIME REPORTS

2023-332
Mayor Mandell

Receive communication from the City Manager and act on resolution approving the overtime for the Elmira Police Department for pay periods 10 - 20 of 2023 in the amount

of \$208,686.25.

AUDITS

2023-333

Corey Cooke

Act on Lead Hazard Reduction Grant Program Audit.

2023-334

Mayor Mandell

**Act on Anti Displacement Learning Network Grant
Program Audit.**

2023-335

Nan Moss

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

2023-336

Joseph Duffy

Act on American Rescue Plan City Welcome Signs Audit.

2023-337

Corey Cooke

Act on Audit.

SECOND PUBLIC COMMENT PORTION

CITY MANAGER REPORT

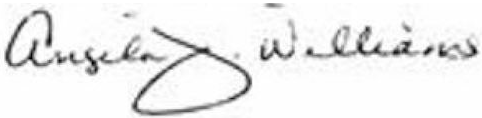
ADJOURN

2023-338

Mayor Mandell

Act on resolution to adjourn.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Angela J. Williams". The signature is written in dark ink on a light background.

Angela J. Williams
City Clerk

Elmira City Council

Agenda Summary:	Act on resolution dispensing with the minutes of the Regular Meeting held on Tuesday, October 10, 2023.
Resolution Number:	2023-329
Sponsor:	Nan Moss

ATTACHMENTS

[Beginning Oct 23.docx](#)

October 23, 2023

Minutes of the Regular Meeting of the Council of the City of Elmira, New York, held at City Hall in said City of Elmira, this 23rd day of October, 2023.

The Mayor called the meeting to order and presided.

The City Clerk called the roll.

PRESENT:

ABSENT:

RESOLUTION

NO. 2023- _____

By Councilmember: _____

RESOLVED, that the reading of the minutes of the Regular Meeting of this Council held October 10, 2023, be dispensed with and stand approved.

ADOPTED BY THE FOLLOWING VOTE

AYES		NAYS
	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

Agenda Summary:

PUBLIC HEARING for the purpose of receiving comments from the public regarding the proposed closure and abandonment of a portion of Howard Street.

Resolution Number:

Sponsor:

ATTACHMENTS

[resolution PH closing portion of howard street 10.23.2023.doc](#)

October 23, 2023

PUBLIC HEARING

PUBLIC HEARING held this 23rd day of October, 2023 for the purpose of receiving comments from the public regarding the proposed closure and abandonment of a portion of Howard Street from its intersection with Home Street southerly to Zeiser Wilbert Vault, Inc.'s property.

APPEARANCES: OPEN:

In Favor Of:

Opposed:

Closed:

Written Submissions:

Agenda Summary:

PUBLIC HEARING for the purpose of receiving comments from the public regarding the amendment to the Official Zoning Map by rezoning City Parcel No. 99.16-4-17.1 (4.4 acres) from Residence P District to Residence A District.

Resolution Number:

Sponsor:

ATTACHMENTS

[resolution PH rezoning lot B maple ave 10.23.2023.doc](#)

October 23, 2023

PUBLIC HEARING

PUBLIC HEARING held this 23rd day of October, 2023 for the purpose of receiving comments from the public regarding the amendment of the Official Zoning Map by rezoning City Tax Parcel No. 99.16-4-17.1 (4.4 acres) identified as Lot B on Case Map No. 4014 filed in the Chemung County Clerk's office on March 16, 2016 from a Resident P District (Planned Residential) to a Residence A District (One Family).

APPEARANCES: OPEN:

In Favor Of:

Opposed:

Closed:

Written Submissions:

Elmira City Council

Agenda Summary: Act on resolution scheduling a public hearing on November 6, 2023 at 5:30 p.m. to receive public comment on proposed Local Law No. 1 of 2023 to Amend Section 214 of the City Charter.

Resolution Number: 2023-330

Sponsor: Mayor Mandell

ATTACHMENTS

[resolution Sch PH LL#1 of 2023 - amend Section 214 cemetery commissioner compensation 10.23.2023.doc](#)

October 23, 2023

RESOLUTION
NO. 2023 - _____

By Councilmember _____:

RESOLVED, that the proposed ***Local Law No. 1 of 2023, “A Local Law of the City of Elmira, New York, to Amend Section 214 of the City Charter to Provide for the Payment of Compensation to each of the City’s Cemetery Commissioners”***; and be it further

RESOLVED, that a public hearing be held on said local law before this Council on Monday, November 6, 2023 in the Council Chambers, Second Floor, City Hall, 317 East Church Street, Elmira, NY at 5:30 p.m., and that notice of such hearing be published once in the Elmira Star Gazette at least five (5) days before said hearing.

ADOPTED BY THE FOLLOWING VOTE

AYES

NAYS

	Councilmember Stermer	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

Agenda Summary: Receive communication from the City Manager and act on resolution reviewing and adopting the attached City's proposed, revised Purchasing Policy and Procedure.

Resolution Number: 2023-331

Sponsor: Joseph Duffy

ATTACHMENTS

[resolution revised purchasing policy & procedure 10.23.2023.doc](#)
[2023 City Purchasing Policy DRAFT.doc](#)

October 23, 2023

FOR THE AGENDA
COMMUNICATION

To the Honorable Mayor and Council

Dear Councilmembers:

In accordance with section 104-b of the General Municipal Law, the City has a written Purchasing Policy and Procedure. Subdivision (4) of section 104-b mandates that the “governing board” shall annually review its policies and procedures.

Attached is a copy of the City’s proposed, revised Purchasing Policy and Procedure. The following resolution confirms Council’s review and adoption of the revised Policy and Procedure.

Respectfully yours,

P. Michael Collins
City Manager

October 23, 2023

RESOLUTION
NO. 2023 - _____

By Councilmember _____:

RESOLVED, that the communication from the City Manager regarding the City's proposed, revised Purchasing Policy and Procedure, be received and placed on file; and be it further

RESOLVED, that pursuant to the requirement of subparagraph 4 of section 104-b of the General Municipal Law, the City Council of the City of Elmira, New York has reviewed and hereby adopts the attached revised policy and procedure.

ADOPTED BY THE FOLLOWING VOTE

AYES

NAYS

	Councilmember Stermer	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

*Adopted by City Council August 8, 1994, Resolution 94-444
Revised December 17, 2001 by City Council Resolution 2001-415
Reviewed and Adopted by City Council May 3, 2004, Resolution 2004-141
Reviewed and Adopted by City Council October 16, 2006 - Resolution 2006-341
Reviewed and Adopted by City Council on December 21, 2009 – Resolution 2009-459
Reviewed and Adopted by City Council on December 6, 2010 – Resolution 2010-386
Reviewed and Adopted by City Council on October 22, 2012 – Resolution 2012-319
Reviewed and Adopted by City Council on October 21, 2013 – Resolution 2013-312
Reviewed and Adopted by City Council on November 3, 2014 – Resolution 2014-360
Reviewed and Adopted by City Council on July 29, 2015 – Resolution 2015-203
Reviewed and Adopted by City Council on September 6, 2016 – 2016-285
Reviewed and Adopted by City Council on August 7, 2017 – 2017-195
Reviewed and Adopted by City Council on September 4, 2018 – 2018-204
Reviewed, Revised and Adopted by City Council on July 6, 2020 – 2020-201
Reviewed, Revised and Adopted by City Council on September 27, 2021 – 2021-278
Reviewed, Revised and Adopted by City Council on November 7, 2022 – 2022-363*

2023 City of Elmira Purchasing Policy and Procedure

Section A – General Policy

1. The Purchasing Function shall operate under the direction of the City Manager, and according to the Inter-Municipal Agreement with Chemung County.
- 2 All rules, laws, policies, procedures, and regulations apply to all City Employees participating in the process / procedure of procuring goods and services.
3. The Purchasing Coordinator shall issue purchase orders for authorized requisitions which meet the criteria and standards set forth herein.

The Purchasing Coordinator and staff shall advise user departments in matters related to procurement methods, purchasing policies, and requirements. Pursuant to an Intermunicipal Agreement with the County of Chemung, the County's Purchasing Coordinator shall be the City's Purchasing Coordinator:

As Purchasing Coordinator for the County of Chemung and City of Elmira, the assigned person will be responsible to plan, direct, and coordinate a variety of diverse, centralized services in support of the County and City departments and various agencies. Work is performed under the general supervision of the Deputy County Executive. The Purchasing Coordinator:

- Formulates and implements operational policies and procedures for Purchasing, Communications, and Central Stores for application within County and City departments and agencies;
- Confers regularly with operational and supervisory personnel to improve exiting services and to develop new procedures and / or services as needed;
- Develops and implements necessary changes to purchasing system for greater efficiency, to include new procedures, forms and scheduling;
- Prepares reports regarding services and analyzes data in relation to goals and objectives for the County Executive;
- Coordinates bidding procedures required by law to include: advertising for bids, maintaining current information in bid package, coordinating bid specifications with bid plans, opening bids, creating bid tabulations, maintaining current bid index files, managing prospective bidders' correspondence and coordinating contract documents to finalize bid awards;
- Supervises staff in processing bids, requisitions, purchase orders, mail processing and routine office procedures and other purchasing related work as required;
- Supervises staff relating to telephone responsibilities; e.g. repair calls, new lines or circuits as requested, mobile phone orders, invoice payment and department billing.

- Supervises Central Stores staff in processing outgoing USPS mail through an electronic mailing meter; staff sorts and delivers incoming mail for County and City departments. Central Stores personnel orders City and County office supplies is coordinated by the Purchasing Department.
- Operates daily office schedule which includes answering and directing purchasing related questions and problems, vendor invoicing problems, meeting with vendors and sales representatives, attending trade shows, coordinating and making presentations to County and City department heads and their purchasing personnel to explain changes in the system as they occur.
- Prepares and administers Purchasing Department budget;
- Coordinates the annual surplus property auction for the City, if needed.
- Other purchasing related tasks as requested by the County and City.

4. All Department Heads are responsible for reasonably anticipating the total annual expenditure for materials and services expected to be purchased for use by their department. These anticipated expenditure totals shall dictate the procurement method to be used in accordance with the policies and procedures outlined herein.

5. A Department requesting a purchase under a New York State or County Contract shall identify the contract number, contractor's identity, and specific items and their respective costs on each requisition using such contracts.

For the use of out-of-state shared contracts the following must be in place:

- The shared contract must be consistent with New York State law and made available for use by other government entities.
- A complete copy of the solicitation
- A copy of the evaluation which includes cost and / or price analysis and that the award determination was fair and reasonable.
- A copy of the award recommendation and the final contract.

**Purchase contracts and public works subject to competitive bidding will be awarded to the lowest responsible bidder, however, the City Council authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law 163.

6. A written justification along with documentation of any purchase contract awarded to or recommended to be awarded to other than the lowest responsible dollar offerer shall be kept on file with the purchase order. Possible acceptable justification would be: inability to deliver goods or services within the required amount of time, substandard or unsuitable materials being offered, or materials or services which do not meet the specifications or intent of the quotation, proposal, or bid.

7. Tie Bids are low responsive bids from responsible bidders that are identical in price, meeting all the requirements and criteria set forth in the RFB where contractor selection is based on price alone.

Vendor Selection – In the case of a tie bid, the Purchasing Coordinator shall break the tie in the following priority:

1. Select the bidder who Participates in one or more New York State Certified Apprenticeship Program
2. Select the bidder from City of Elmira
3. Select the bidder from Chemung County
4. Select the bidder from New York State
5. Select the bidder who submitted their bid first

**6. Conduct a public drawing with a witness to verify results
Record vendor selection method used to break the tie.**

8. Emergency purchases: An emergency purchase order may be issued by the Purchasing Coordinator up to the amount of \$10,000.00 at the request of a Department Head. Emergency requests exceeding \$10,000.00 must be approved by the City Manager. The following procedure will be followed:

The Department Head shall provide the Purchasing Coordinator with an explanation of the emergency situation and an estimated cost. Upon approval, the Department will process a requisition for same through the computerized purchasing system. In the absence of the Purchasing Coordinator, the City Chamberlain may approve an emergency purchase up to \$10,000.00, or in the event the amount would exceed \$10,000.00, the City Manager must approve. Emergency purchases will be reviewed by the City Manager. Emergency purchases exceeding the bidding threshold(s) must be approved by the Corporation Counsel.

9. **Sole Source Purchases:** As provided by section 103 of the General Municipal Law, sole source is defined as a situation where there is only one possible source from which to procure goods and services, such as in the case of certain patented goods or services. The unique benefits of the patented item as compared to other products available in the marketplace must be established. Also, that no other product provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable.

a. **Documentation:** The City will maintain written documentation of the unique benefits of the product or service purchased as compared to other products or services available in the marketplace; that no other product or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the product or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods or services. Documentation shall be attached to the Purchase Order.

Sole source purchases which exceed bidding thresholds require written justification by the department head and complete vendor documentation. Departments shall complete a route slip, attach all documentation, and forward to the Purchasing Coordinator. The City Manager must approve any sole source purchase exceeding bidding thresholds.

Sole Source is a monopolistic situation and no possibility of competition.

10. The City Chamberlain shall approve all purchase requisitions for compliance with budgetary and accounting requirements prior to issuance of purchase orders by the Purchasing Coordinator or designee. The City Chamberlain shall audit all invoices issued against purchase orders prior to issuing payment.

11. The purchases of professional services are not subject to the procedures entailed in Sections B and C herein, but shall be solicited or obtained after review and conference by the Department Head, Purchasing Coordinator and the City Manager. Efforts will be made to obtain two to three written proposals for the required service, if possible. A purchase order contract may be issued for professional service contracts under \$10,000.00. Professional Service Contracts in excess of \$ 10,000.00 shall be awarded by the City Council and the contract reviewed and approved by the Corporation Counsel.

12. Any Purchase Requisition may be reviewed and /or rejected by the City Manager

13. The City Council shall review these policies and procedures annually.

14. Blanket Purchase Orders may be requested by the Department for purchases of routine supplies, materials, and services used by the departments. The Blanket Purchase Orders shall properly identify the various commodities / services which are anticipated to be purchased and the total annual amount expected to be required for each vendor's blanket order.

- a. Blanket orders for department requirements may be used to New York State, Chemung County, or other Authorized Shared Contract contractors if this method facilitates department operations. The blanket order shall be identified as such a contract on the Blanket Purchase Order request. Only items covered under the specified contract may be purchased against that order.
- b. Blanket orders shall not be utilized by departments for any single item or group of like items for which the annual total exceeds statutory bidding requirements.
- c. Purchases made against blanket purchase orders and payments made for such purchases are subject to review and audit. Abuses and / or misuse of the process by a department may result in cancellation of any or all of the department's blanket purchase orders and denial of future issuance of blanket purchase orders.

15. Electronic Receipt of Bids may be authorized by the bid specification and accepted in the designated electronic format. Submission in electronic format may not be required as the sole method for the submission of bids.

- a. The receiving device designated by the City of Elmira will be the e-Procurement software from Empire State Bid System and will be identified in the bid specification. The Empire State Bid System will, at a minimum:

1. Document time and date of each bid received electronically;
2. Authenticate the identity of the sender;
3. Ensure security of the information transmitted;
4. Ensure confidentiality of bid until the time and date established for opening the bids.

- b. Timely submissions of an electronic bid in compliance with instructions provided for such submission will be stated in the advertisement for bids and shall be the responsibility of each bidder. The City shall not incur any liability from delays or interruptions in the receiving device designated for the submission and receipt of electronic bids.

Section B: Purchasing Policy And Procedure For Procurement Of Materials And Supplies

Requisition Amount	Purchasing Authorization	Method Of Procurement (Exceptions Noted Below)
Under \$ 3,000.00 per single item	Department Head and Purchasing Coordinator	Departments to obtain one (1) to two (2) written quotations inclusive of all charges. Quotes will be guaranteed for thirty (30) days.
\$3,000.00 to \$9,999.00 per single item	Department Head & Purchasing Coordinator	Departments to obtain at least two written quotations inclusive of all charges. Quotes will be guaranteed for forty-five (45) days. The written quotes must be obtained by using the standard forms and be submitted to the Purchasing Coordinator with the requisition.
\$10,000.00 to \$20,000.00 per single item	Department Head & Purchasing Coordinator & City Manager	The Purchasing Department or originating department shall obtain three (3) written quotations, pricing inclusive of all charges, and guaranteed for sixty (60) days.
Over \$ 20,000.00 per single item or cumulative purchase	Department Head & Purchasing Coordinator & City Manager & City Council	Competitive sealed bids are required by NYS law for all purchases of any single item costing over \$20,000.00, or cumulative purchases over \$ 20,000.00 of any single item or type of item (ex: tires) in one calendar year. The City Manager shall request permission from City Council to go out for bids for all items in this category. Department requests must be submitted to the City Manager for review and conference by Purchasing Coordinator and City Chamberlain. Technical specifications shall be submitted to the Purchasing Coordinator for development of a formal bid. The final bid document shall be approved by the Corporation Counsel and the City Manager.

Exceptions to all the above procurement requirements are purchase contracts with vendors holding a NYS OGS Contract, a Chemung County or other authorized Shared Contract as defined by General Municipal Law 103, Preferred Source, or documented sole source.

FORMS FOR OBTAINING QUOTES AND PROPOSALS ARE ON THE CITY INTRANET

Section C: Policy And Procedure For Procurement Of Public Works And Building Service Contracts

Contract Amount	Purchasing Authorization	Method Of Procurement (Exceptions Noted Below)
Under \$ 7,500.00	Department Head & Purchasing Coordinator	The Department shall obtain a minimum of two written proposals inclusive of all charges <u>using standard city request for proposal form</u>. All proposals shall be submitted with the purchase requisition for approval. The standard legal requirements are stated on the City's proposal form, and vendors/contractors shall comply with these requirements. 1. Prevailing wage rates must be paid and documentation must be supplied to the Purchasing Department. Payment shall be withheld until the certified payrolls are provided. 2. General liability insurance of one-million dollars (\$1,000,000.00); (\$ 500,000.00 for contracts under \$ 1,000) per occurrence and a certificate naming The City of Elmira, it's officers and employees as additional insureds on a primary basis and worker's compensation coverage.
\$ 7,500.00 to \$ 19,999.00	Department Head & Purchasing Coordinator & City Manager	The Purchasing Department or the originating department shall obtain at least two written proposals using the Request for Proposal Form Requirements: same as above
\$20,000.00 to \$35,000.00	Department Head & Purchasing Coordinator & City Manager	The Purchasing Department or the originating department shall obtain three written proposals using the City's standard request for proposal form. The department shall provide a description of the work to be performed or services to be provided to the Purchasing Coordinator. Requirements: same as above Additional requirements: performance bond required in the form of: certified check or bank draft in the amount of 10% of the amount of the contract, or a performance bond in the amount of 100% of the amount of the contract, or an irrevocable letter of credit for the full amount of the contract.
OVER \$35,000.00	Department Head & Purchasing Coordinator & City Manager & City Council	Competitive sealed bids are required The City Manager shall request permission from City Council to go out for bids for all items in this category. Department requests shall be submitted to the City Manager for review and conference by Purchasing Coordinator and City Chamberlain.

Exceptions to all the above procurement requirements are purchase contracts with vendors holding a NYS OGS Contract, a Chemung County or other authorized Shared Contract as defined by General Municipal Law 103, Preferred Source, or documented sole source.

FORMS FOR OBTAINING QUOTES AND PROPOSALS ARE ON THE CITY INTRANET

SECTION D: PURCHASING FORMS**CITY OF ELMIRA REQUEST FOR QUOTATION**

Issue Date: _____

Quote Information	Vendor Information	City Information
Quote Due By: Date: Time:	Name: Address:	Quote Requested by: Department/Division: Address:
Delivery Time: _____ Days from date of order.	Contact Name:	Phone: Mobile Phone: Fax:
Award Based Upon: Low Total Gross Sum Quote or Lowest Quote for Each Item	Phone: Mobile Phone: Fax:	Ship To:

A. GENERAL CONDITIONS:

1. Quotations should be mailed, faxed, or hand delivered to the City Department and person listed above. The quotes must be received by the City on or before the due date and time. Late quotes will not be accepted. The City of Elmira has the right to reject any or all quotes and to waive technicalities if its best interest will be served thereby.
2. Submission of Quote: Bidders must submit their quote on this document. All pages of this document must be initialed and submitted. Quotes shall remain firm for thirty (30) calendar days for quotes less than \$3,000.00; for forty-five (45) calendar days for quotes between \$3,000.00 and \$9,999.00 and for sixty (60) days for quotes between \$10,000.00 and \$19,999.00 from the proposal due date.
3. Price Quotes shall include all shipping and handling, F.O.B. destination.
4. Delivery: Delivery shall be within the delivery time stated above.
5. Payment: Payment shall be made within forty-five (45) days of receipt and acceptance of bid items or receipt of the vendor's invoice, which ever is later.
6. Executory Clause: Any contract awarded as a result of this solicitation shall be deemed executory only to the extent of the monies appropriated and available for its purpose, and no liability on account therefore shall be incurred beyond the amount of such monies. It is understood that this solicitation, any resulting contract, or any representation by any public employee or officer, creates any legal or moral obligation to request, appropriate, or make available monies for the purpose of the contract.
7. Vendor Knowledge of Requirements: All vendors must carefully inspect this document and be fully aware of its requirements. Questions should be directed to the City employee listed above. The submission of a quote will be construed as evidence that the vendor has made such examinations and understands all conditions.

Form for Submission of Quotation				
Qty	Description	Unit Price	Total Price In Figures	Total Price In Words
<u>TOTAL GROSS SUM QUOTE:</u>				

NAME AND TITLE OF PERSON PREPARING QUOTE

BUSINESS ADDRESS AND TELEPHONE NUMBER OF PERSON PREPARING QUOTE

NAME OF PERSON, FIRM, OR CORPORATION ON WHOSE BEHALF QUOTE IS MADE

SIGNATURE OF PERSON PREPARING QUOTE

CITY OF ELMIRA REQUEST FOR PROPOSAL FOR PUBLIC WORK OR SERVICE

Issue Date: _____

RFP Information	Vendor Information	City Information
Proposal Due By: Date: Time:	Name: Address:	Proposal Requested by: Department/Division: Address:
Contract Time: Work to begin by: And complete on or before: Prevailing wage applicable: ___yes ___no	Contact Name: Phone: Mobile Phone: Fax:	Phone: Mobile Phone: Fax:

A. GENERAL CONDITIONS:

1. Intent: It is the City of Elmira's intent to award this contract to the proposer submitting the lowest responsible proposal. The City has the right to reject any or all proposals and to waive technicalities if its best interest will be served thereby.

2. Submission of Proposal: Proposals are to be submitted to the City Department and person listed above on or before the due date and time. Initial all pages of this document and return with the proposal. Include any other documents required in the technical specifications. No vendor contracts shall be signed or agreed to by the City.

a. Proposals shall remain firm for forty-five (45) calendar days from the proposal due date.

3. Insurance: The successful proposer shall provide insurance certificates, and /or other proofs of insurance to the City of Elmira Purchasing Department within one week of notification of award and prior to start of work as follows:

a. General Liability Insurance in the amount of one-million dollars (\$1,000,000.00); (\$500,000.00 for contracts under \$1,000.00) per occurrence and certificate naming the City of Elmira, its officers and employees as additional insured on a primary basis.

b. Workers Compensation: Proof of workers compensation must be provided.

4. Prevailing Wage Requirements (IF APPLICABLE): Contractor must pay workers according to NYS prevailing wage schedules applicable on the effective date of the contract. Pursuant to Section 220 (3-a) of the NYS Labor Law, the successful proposer to whom the City awards the contract, and any subcontractor performing work under said contract, shall submit to the City Purchasing Department a transcript of its original payroll records within thirty (30) days of the issuance of the contract (purchase order), and payroll records every thirty (30) days thereafter.

5. Issuance of Purchase Order - Notice to Proceed: Upon receipt of all required insurances and performance bonds, a purchase order will be issued to the successful contractor and this shall be the notice to proceed.

6. Payment: Payment shall be made within forty-five (45) days of completion and acceptance of the entire project or receipt of the contractor's invoice, which ever is later.

7. Executory Clause: This contract shall be deemed executory only to the extent of the monies appropriated and available for the purpose of the contract, and no liability on account therefore shall be incurred beyond the amount of such monies. It is understood that neither this contract nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate, or make available monies for the purpose of the contract.

8. Financial and Professional Qualifications: The City reserves the right to require the apparent low proposer to furnish evidence, including documentary evidence where deemed necessary, to establish proof of financial responsibility and ability to perform the contract, if awarded. The City reserves the right to conduct investigations as to the qualifications and financial position of the apparent low proposer to the fullest extent allowed by law. The City, in its sole discretion, shall determine financial and professional adequacy of proposer.

9. Proposer Knowledge of Requirements and Conditions: All prospective proposers must carefully inspect these proposal documents and the actual work site. The submission of a proposal will be construed as evidence that the proposer has made such examinations. Technical questions and /or appointments to tour the work site can be made by contacting the City employee listed.

The attached proposal is submitted by:

NAME AND TITLE OF PERSON PREPARING PROPOSAL

BUSINESS ADDRESS AND TELEPHONE NUMBER OF PERSON PREPARING PROPOSAL

NAME OF PERSON, FIRM, OR CORPORATION ON WHOSE BEHALF PROPOSAL IS MADE

SIGNATURE OF PERSON PREPARING PROPOSAL

Specifications and/or Description of Work attached:

City of Elmira, New York
Telephone / Verbal Quotation Summary

Department:_____ Division:_____

Supervisor:_____ Telephone:_____ Date:_____

Notes:

VENDORS			
Vendor Name			
Address			
City, State, Zip			
Contact			
Phone: Fax:			

Qty	Description:	Unit Price	Total	Unit Price	Total	Unit Price	Total
Totals:							

Section E – Federal Grant Administration Procedures

The City of Elmira does not have a centralized grants department, therefore it is the responsibility of each department obtaining a grant to administer, and be familiar with, all grant documents and requirements. For purposes of this policy, Department Head applies to the individual within a given department who will be responsible for the grant.

General Information

2 CFR Part 200 Subparts A-F “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards” requires organizations to establish and maintain effective internal controls over federal awards.

To comply with 2 CFR Part 200 (subparts A-F), the City of Elmira implements the following policies and procedures, including, but not limited to:

1. Follow the current procurement policy and procedure document which reflects applicable State and Local laws and regulations. This policy will apply to Federal Grants where appropriate and will be subject to General Municipal Law and Uniform Guidance.
2. Procurement Standards. The type of purchase procedures required depends on the cost of the item(s) being purchased. NOTE: The City’s procurement policy is more restrictive than the federal purchase methods; departments must always follow the most restrictive policy.
 - a. Sealed Bid (Formal Advertising) – Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. The Sealed bid method is the preferred method for procuring construction, if the following conditions apply:
 - 1) A complete, adequate, and realistic specification or purchase description is available;
 - 2) Two or more responsible bidders are willing and able to compete effectively for the business;
 - 3) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- 1) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, the invitation for bids must be publicly advertised;
- 2) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to respond properly;
- 3) All bids will be opened at the time and place prescribed in the invitation for bids and must be opened publicly;
- 4) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
- 5) Any or all bids may be rejected if there is a sound documented reason.

- b. Competitive Proposal – The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
 - 1) Request for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - 2) Proposals must be solicited from an adequate number of qualified sources;
 - 3) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The City may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

- c. Noncompetitive Proposals (Sole Sourcing) – Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and maybe used only when one or more of the following circumstances apply:
 - 1) The items is available only from a single source;
 - 2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - 3) The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the City; or
 - 4) After solicitation of a number of sources, competition is determined inadequate.

3. Maintain oversight to ensure that contractors perform in accordance with the contract terms, conditions, and specifications.

4. Standards of Conduct. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employees or is about to employ any of the parties indicated herein, have a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.

5. Avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. The City will also analyze other means, as described in §200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.

6. Use Intergovernmental Agreements or inter-entity agreement, where appropriate.

7. Use of Federal Excess and Surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

8. Suspension/Debarment. The City awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

- a. City Departments will be required to notify the Purchasing Department and Law Department that federal funding will be used for a certain procurement/contract.
- b. When requesting a written contract, the City Department will be responsible for running the Vendor/Contractor's name through the System for Award Management (SAM.gov) to determine any exclusion exists.
- c. Prior to issuing a purchase order using federal funds, the Purchasing Department will check SAM.gov to determine if any exclusion exists for the Vendor/Contractor.
- d. If a vendor/contractor is found to be suspended or debarred, the City will immediately cease to do business with the vendor.

9. Provide for full and open competition consistent with 2 C.F.R § 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

10. Utilize Time and Materials contracts when it has been determined, in writing, that no other contract type is suitable.

11. Settlements of Issues Arising Out of Procurements. The City is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the City of any contractual responsibilities under its contracts. Violations of the law will be referred to the local, state, or federal authority having proper jurisdiction. The City maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

12. Maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (Including a cost or price analysis), and verification that the contractor is not suspended or debarred (to be supplied by Department Head).

13. Graphical Preferences Prohibited. The City shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographical preference. When contracting for architectural and engineering (A/E) services, geographical location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

14. Prequalified Lists. The City shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure

maximum open and free competition. Also, the City must not preclude potential bidders from qualifying during the solicitation period.

15. Solicitation Language will incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals. 2 C.F.R. § 200.319 (c) (1).

16. Take all necessary affirmative steps to ensure that minority businesses, women’s business enterprise, and labor surplus area firms are used when possible as described in §200.321.

17. Procured recovered materials in compliance with §200.322.

18. Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold (\$150,000), including contract modifications. 2 C.F.R. §200.323(a).

- a. A cost analysis generally means evaluating the separate cost elements that make up the total price.
- b. A price analysis means evaluating the total price, without looking at the individual cost elements.
- c. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Department Head must come to an independent estimate prior to receiving bids and proposals. 2 C.F.R. §200.323(a).
- d. When performing a cost analysis, the Department Head negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. 2 C.F.R. § 200.323(b).
- e. The cost plus a percentage of cost and percentage of construction cost methods of contracting must NOT be used.

19. Federal awarding agency or pass-through entity review. The City will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal award agency or pass-through entity believe such review is needed.

20. Bonding requirements (§200.325) for construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold (\$150,000), the City will require:

- a. A bid guarantee from each bidder equivalent to five (5) percent of the bid price.
- b. A performance bond on the part of the contractor for one-hundred (100) percent of the contract price.
- c. A payment bond on the part of the contractor for one-hundred (100) percent of the contract price.

21. Contract provisions (§200.326). The City contract must contain the applicable provisions described in Appendix II to Part 200.

Elmira City Council

Agenda Summary:	Receive communication from the City Manager and act on resolution approving the overtime for the Elmira Police Department for pay periods 10 - 20 of 2023 in the amount of \$208,686.25.
Resolution Number:	2023-332
Sponsor:	Mayor Mandell

ATTACHMENTS

[EPD Overtime Resolution \(10-20\).docx](#)
[EPD OT report \(10-20\).pdf](#)

October 23, 2023

FOR THE AGENDA

COMMUNICATION

To The Honorable Mayor and Council

Dear Council Members:

Attached is the breakdown of overtime pay earned by the personnel of the Elmira Police Department for pay periods 10 - 20 of 2023.

It is respectfully recommended that the City Council authorize the payment of \$208,686.25 to members of the Elmira Police Department who actually were called upon to work these extra hours.

Respectfully submitted,

P. Michael Collins
City Manager

RESOLUTION
NO. 2023 - _____

By Councilmember: _____

RESOLVED, that the communication from the City Manager dated October 23, 2023, reporting the overtime pay for the Elmira Police Department personnel during emergency situations for pay periods 10 - 20 of 2023, be received and placed on file; and be it further

RESOLVED, that the overtime pay for pay periods 10 – 20 of 2023, in the amount of \$208,686.25 be and the same is hereby approved for such work performed during emergency situations by members of the Elmira Police Department.

ADOPTED BY THE FOLLOWING VOTE

AYES

NAYS

	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

2023 EPD Overtime

pay periods	2023	2023 YTD	2022 TYD	2021 YTD	2020 YTD	2019 YTD	2018 YTD
pay #1	\$26,718.34	\$26,718.34	\$25,127.66	\$20,366.63	\$6,838.20	\$5,733.86	\$6,963.96
pay #2	\$7,982.79	\$34,701.13	\$33,643.48	\$30,051.58	\$12,507.40	\$13,179.02	\$14,910.94
pay #3	\$22,962.06	\$57,663.19	\$43,223.08	\$43,845.79	\$17,121.50	\$23,720.90	\$19,543.07
pay #4	\$13,725.77	\$71,388.96	\$55,570.67	\$65,325.56	\$21,509.19	\$34,007.18	\$28,734.95
pay #5	\$13,665.42	\$85,054.38	\$64,788.60	\$77,437.43	\$27,206.60	\$43,043.82	\$43,038.10
pay #6	\$14,842.19	\$99,896.57	\$73,307.76	\$85,722.72	\$32,806.11	\$52,027.01	\$55,650.21
pay #7	\$10,768.87	\$110,665.44	\$86,029.95	\$94,264.28	\$34,035.36	\$57,636.98	\$68,337.68
pay #8	\$11,786.07	\$122,451.51	\$93,816.28	\$102,376.04	\$34,749.31	\$74,481.66	\$82,174.28
pay #9	\$16,520.18	\$138,971.69	\$102,089.42	\$113,980.86	\$35,294.25	\$83,091.57	\$97,623.46
pay #10	\$12,365.13	\$151,336.82	\$115,568.00	\$126,045.48	\$35,903.96	\$97,654.15	\$106,999.76
pay #11	\$20,428.96	\$171,765.78	\$122,003.88	\$135,299.02	\$38,048.35	\$112,727.41	\$118,118.99
pay #12	\$15,780.19	\$187,545.97	\$130,500.74	\$144,003.01	\$45,020.02	\$124,323.00	\$131,152.10
pay #13	\$25,408.67	\$212,954.64	\$143,265.08	\$152,154.47	\$49,383.26	\$138,043.85	\$142,529.53
pay #14	\$23,102.87	\$236,057.51	\$156,301.71	\$170,633.13	\$54,339.01	\$154,241.22	\$157,801.43
pay #15	\$37,952.20	\$274,009.71	\$185,269.65	\$179,776.31	\$60,900.93	\$170,635.90	\$178,059.88
pay #16	\$20,659.18	\$294,668.89	\$199,403.64	\$194,136.92	\$76,691.57	\$190,486.32	\$190,992.02
pay #17	\$15,278.13	\$309,947.02	\$211,708.01	\$202,000.23	\$92,092.71	\$200,171.41	\$205,942.70
pay #18	\$15,490.01	\$325,437.03	\$232,207.80	\$217,733.85	\$109,263.34	\$212,763.47	\$216,910.06
pay #19	\$12,105.40	\$337,542.43	\$253,615.97	\$231,756.59	\$126,436.56	\$223,464.84	\$233,225.24
pay #20	\$10,115.51	\$347,657.94	\$269,574.14	\$248,323.79	\$156,951.79	\$240,341.14	\$242,255.97
pay #21			\$294,310.91	\$259,982.93	\$181,020.74	\$245,518.50	\$254,409.46
pay #22			\$307,955.26	\$272,945.24	\$197,780.70	\$257,094.46	\$261,726.38
pay #23			\$323,316.31	\$282,416.28	\$209,336.90	\$264,349.33	\$268,792.43
pay #24			\$334,398.52	\$288,365.20	\$222,881.09	\$271,818.43	\$285,949.99
pay #25			\$360,307.21	\$304,402.43	\$233,673.08	\$278,004.34	\$296,539.41
pay #26			\$370,133.65	\$317,076.01	\$242,517.73	\$281,093.49	\$305,540.48

EPD reimbursable OT 2023

pay periods	2023	2022	2021	2020
pay #1	\$0.00	\$0.00	\$0.00	\$0.00
pay #2	\$0.00	\$0.00	\$0.00	\$210.00
pay #3	\$721.64	\$0.00	\$0.00	\$762.72
pay #4	\$0.00	\$1,025.08	\$275.80	\$0.00
pay #5	\$0.00	\$0.00	\$1,291.63	\$1,400.00
pay #6	\$1,889.44	\$0.00	\$1,263.84	\$147.92
pay #7	\$721.88	\$1,498.20	\$0.00	\$0.00
pay #8	\$2,608.68	\$0.00	\$2,766.20	\$0.00
pay #9	\$1,062.73	\$0.00	\$739.28	\$0.00
pay #10	\$0.00	\$0.00	\$3,924.47	\$0.00
pay #11	\$745.61	\$0.00	\$0.00	\$1,089.04
pay #12	\$0.00	\$584.34	\$2,741.72	\$0.00
pay #13	\$0.00	\$0.00	\$1,191.12	\$0.00
pay #14	\$0.00	\$0.00	\$2,056.09	\$614.80
pay #15	\$0.00	\$1,120.00	\$458.36	\$0.00
pay #16	\$637.22	\$350.00	\$0.00	\$0.00
pay #17	\$876.92	\$0.00	\$382.32	\$1,280.40
pay #18	\$0.00	\$456.93	\$2,355.63	\$0.00
pay #19	\$2,360.80	\$1,862.56	\$4,020.92	\$2,513.40
pay #20	\$0.00	\$210.00	\$462.50	\$0.00
pay #21		\$5,617.63	\$0.00	\$1,203.92
pay #22		\$339.32	\$0.00	\$0.00
pay #23		\$339.32	\$0.00	\$382.88
pay #24		\$0.00	\$0.00	\$1,930.68
pay #25		\$361.68	\$157.60	\$0.00
pay #26		\$0.00	\$0.00	\$0.00

TOTALS	\$11,624.92	\$13,765.06	\$24,087.48	\$11,535.76
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Agenda Summary: Act on Lead Hazard Reduction Grant Program Audit.

Resolution Number: 2023-333

Sponsor: Corey Cooke

ATTACHMENTS

[10-23-2023 audit \(LEAD\).doc](#)

October 23, 2023

CITY OF ELMIRA
COMMUNITY DEVELOPMENT- LEAD Hazard Reduction Grant
RESOLUTION NO. 2023-_____

Councilmember _____

RESOLVED, that the bills in the amount of **\$4,042.86** are hereby audited for payment for the LEAD Hazard Reduction Grant, October 23, 2023.

ADOPTED BY THE FOLLOWING VOTE

AYES		NAYS
	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

Acct. Name	Payee	Item	Amount
Payroll Expenses	Payroll	Payroll to be reimbursed to CDBG- not to exceed	\$ 2,900.00
ADP	ADP	invoice # 643973888	\$ 44.58
Recording Fee	Chemung County Clerk	See Attachment for additional information	\$ 106.00
LEAD Testing	Eco-Testing Services LLC	invoice # 1499 and 1500	\$ 600.00
Processing Fee	AmRent	invoice # 4198414	\$ 41.85
Mileage Reimbursement	See Attachment for additional information	See Attachment for additional information	\$ 350.43
		TOTAL	\$ 4,042.86



Agenda Summary: Act on Anti Displacement Learning Network Grant Program Audit.

Resolution Number: 2023-334

Sponsor: Mayor Mandell

ATTACHMENTS

[10-23-2023 audit \(ADLN\).docx](#)

October 23, 2023

CITY OF ELMIRA
COMMUNITY DEVELOPMENT- ANTI DISPLACEMENT LEARNING NETWORK
RESOLUTION NO. 2023-_____

Councilmember _____

RESOLVED, that the bills in the amount of **\$10.24**, they are hereby audited for payment for the Anti Displacement Learning Network grant, October 23, 2023

ADOPTED BY THE FOLLOWING VOTE

AYES		NAYS
	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

Acct. Name	Payee	Item	Amount
Mileage Reimbursement	See Attachment for additional information	See Attachment for additional information	\$5.24
Filing Fee	Chemung County Clerk	See Attachment for additional information	\$5.00
		TOTAL	\$10.24

Elmira City Council

Agenda Summary: Act on Community Development Block Grant Program Audit.

Resolution Number: 2023-335

Sponsor: Nan Moss

ATTACHMENTS

[10-23-2023 audit \(CDBG;HOME\).docx](#)

October 23, 2023

CITY OF ELMIRA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
RESOLUTION NO. 2023-_____

Councilmember _____

RESOLVED, that the bills in the amount of **\$19,320.85** they are hereby audited for payment for the Community Development Block Grant, October 23, 2023.

ADOPTED BY THE FOLLOWING VOTE

AYES		NAYS
	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	

Acct. Name	Payee	Item	Amount
Rehab- Payroll Admin- Payroll	Payroll	Payroll not to exceed	\$19,000.00
ADP	ADP	invoice # 643973888	\$133.72
Filing Fee	Chemung County Clerk	See attachment for additional information	\$151.50
Mileage	See attachment for additional information	See attachment for additional information	\$35.63
		TOTAL	\$19,320.85

Elmira City Council

Agenda Summary: Act on American Rescue Plan City Welcome Signs Audit.

Resolution Number: 2023-336

Sponsor: Joseph Duffy

ATTACHMENTS

[welcome signs.pdf](#)

DATE: October 23rd, 2023

TO: THE HONORABLE MAYOR AND COUNCIL

FROM: AMERICAN RESCUE PLAN

I hereby present to you for examination and audit the following list. These lists and the supporting applications have been examined by the departments concerned and have been certified by them to me. An examination of these claims has been made by the Chamberlain's office for the purpose of ascertaining that the prerequisites to the audit have been complied with.

City Welcome Signs	\$75,000.00
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GRAND TOTAL PAYMENTS PER ATTACHED COMPUTER LIST:	----- \$75,000.00 =====
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RESOLUTION NO. 2023-

By Councilmember _____

RESOLVED, that the applications in the amount of \$75,000.00
be and they hereby are audited and approved for payment,
when in funds.

ADOPTED BY THE FOLLOWING VOTE:

AYES-----	-----NAYS
_____ COUNCILMEMBER COOKE	_____
_____ COUNCILMEMBER MOSS	_____
_____ COUNCILMEMBER FRANCHI	_____
_____ COUNCILMEMBER KITCHING	_____
_____ COUNCILMEMBER GRASSO	_____
_____ COUNCILMEMBER DUFFY	_____
_____ MAYOR MANDELL	_____

=====

Agenda Summary: Act on Audit.

Resolution Number: 2023-337

Sponsor: Corey Cooke

ATTACHMENTS

[Cover Sheet.pdf](#)

[Backup Part 1.pdf](#)

[Backup Part 2.pdf](#)

DATE: October 23rd, 2023

TO: THE HONORABLE MAYOR AND COUNCIL

FROM: CHARMAIN CATTAN, CITY CHAMBERLAIN

I hereby present to you for examination and audit the following lists. These lists and the supporting vouchers and payrolls have been examined by the departments concerned and have been certified by them to me. An examination of these claims has been made by the Chamberlain's office for the purpose of ascertaining that the prerequisites to the audit have been complied with.

CURRENT BUDGET FUNDS:	\$545,957.96
CAPITAL FUNDS:	\$95,220.65
COMMUNITY DEVELOPMENT;	\$0.00
TRUST & AGENCY FUNDS:	\$0.00
SELF INSURANCE FUNDS:	\$0.00

TOTAL PER ATTACHED COMPUTER LIST:	\$641,178.61
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OTHER PAYMENTS:

PAYROLLS W/E Septemeber 22nd, 2023	\$750,000.00
HAND CHECKS-THRU MACHINE-LISTINGS ATTACHED	\$9,184.07
CAPITAL HAND CHECKS	\$0.00
	\$0.00
	\$0.00
	\$0.00
	\$0.00
	\$0.00

TOTAL OTHER PAYMENTS:	\$759,184.07
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GRAND TOTAL PAYMENTS:	\$1,400,362.68
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RESOLUTION NO. 2023-

By Councilmember _____

RESOLVED, that the bills and the payrolls in the amount of \$1,400,362.68
be and they hereby are audited and approved for payment,
when in funds.

ADOPTED BY THE FOLLOWING VOTE:

AYES-----	-----NAYS
_____ COUNCILMEMBER COOKE	_____
_____ COUNCILMEMBER MOSS	_____
_____ COUNCILMEMBER FRANCHI	_____
_____ COUNCILMEMBER KITCHING	_____
_____ COUNCILMEMBER GRASSO	_____
_____ COUNCILMEMBER DUFFY	_____
_____ MAYOR MANDELL	_____

=====

City of Elmira *LIVE*

Payment Batch Register

Bank Account: GENERAL FUND - GENERAL FUND
Batch Date: 10/23/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: GENERAL FUND - GENERAL FUND					
Check	10/23/2023	203480 Accounts Payable	ADP		5,101.22
	Invoice	Date	Description		Amount
	643974175	10/10/2023	CLIENT#262059		3,253.26
	643973845	10/10/2023	CLIENT#262059		1,847.96
Check	10/23/2023	203481 Accounts Payable	AIRGAS EAST		22.00
	Invoice	Date	Description		Amount
	5501597040 EXTRA	10/10/2023	2593562		22.00
Check	10/23/2023	203482 Accounts Payable	AMAZON CAPITAL SERVICES INC		1,928.38
	Invoice	Date	Description		Amount
	1vd4qrcl7hjm	09/26/2023	CRC 2-26 LUBRICANT		327.07
	17PX-NKFV-JVN9	10/10/2023	ACCT#ASROVYJOJMY2H		1,570.26
	1TFK-1LCV-JNT1	10/10/2023	Blanket PO Office Supplies		31.05
Check	10/23/2023	203483 Accounts Payable	AT&T		71.81
	Invoice	Date	Description		Amount
	1178601282	10/10/2023	ACCT#1000-810-0850		71.81
Check	10/23/2023	203484 Accounts Payable	AUSTIN EXCAVATING & PAVING INC		2,842.77
	Invoice	Date	Description		Amount
	13429, 13585	09/19/2023	L-ROC 2 Run of Crusher RFB-2394		2,842.77
Check	10/23/2023	203485 Accounts Payable	Auto Zone		986.95
	Invoice	Date	Description		Amount
	2950799509 +	09/18/2023	PARTS/HARDWARE RES#22-241		986.95
Check	10/23/2023	203486 Accounts Payable	BANFIELD BAKER CORPORATION		200.00
	Invoice	Date	Description		Amount
	5651	10/05/2023	BLANKET PURCHASE FOR SEED, STRAW MATTS		200.00
Check	10/23/2023	203487 Accounts Payable	BRIAN ELLIS		1,076.32
	Invoice	Date	Description		Amount
	10/1/23	10/10/2023	HEALTH INS REIMBURSEMENT		1,076.32
Check	10/23/2023	203488 Accounts Payable	BRYAN J MAGGS LAW OFFICES, PLLC		2,926.00
	Invoice	Date	Description		Amount
	2508	10/10/2023	MURPHY&CAMILLI V. ELMIRA		2,251.00
	2511	10/10/2023	DRISCOLL V. ELMIRA		625.00
	2512	10/10/2023	STURGIS V. ELMIRA		50.00
Check	10/23/2023	203489 Accounts Payable	CENTRAL NEW YORK NEWSPAPER GROUP		390.63
	Invoice	Date	Description		Amount
	0005942557	10/10/2023	ACCT#204437		390.63
Check	10/23/2023	203490 Accounts Payable	CHAMPION FASTENERS		136.87
	Invoice	Date	Description		Amount
	90181	10/03/2023	BLANKET FOR NUTS, BOLTS, HARDWARE		51.70
	90158	10/02/2023	BLANKET FOR NUTS, BOLTS, HARDWARE		85.17
Check	10/23/2023	203491 Accounts Payable	CHAPEL LUMBER COMPANY		3,719.70
	Invoice	Date	Description		Amount
	2309-104887+	09/27/2023	MATERIALS & SUPPLIES		348.62
	2309-102536+	10/10/2023	CHAPEL BPO		3,371.08
Check	10/23/2023	203492 Accounts Payable	CHEMUNG COUNTY INSURANCE DEPARTMENT		394,540.60
	Invoice	Date	Description		Amount
	OCTOBER 2023	10/10/2023	HEALTH INSURANCE		386,804.51
	OCTOBER. 2023	10/10/2023	ADMIN FEE		7,736.09

	INV89531	10/10/2023	PARKING METER CHARGES	3,106.99
Check	10/23/2023	203510 Accounts Payable	JAMES J TURCSIK, JR.	2,412.20
	Invoice	Date	Description	Amount
	W/E 10/29/23	10/10/2023	PER CONTRACT	2,412.20
Check	10/23/2023	203511 Accounts Payable	KECK'S FOOD SERVICE	637.30
	Invoice	Date	Description	Amount
	46345	09/20/2023	rFOOD, FOOD SUPPLIES, CONDIMENTS	637.30
Check	10/23/2023	203512 Accounts Payable	LINDE GAS & EQUIPMENT INC	275.00
	Invoice	Date	Description	Amount
	38522458	09/29/2023	WELDING SUPPLIES	275.00
Check	10/23/2023	203513 Accounts Payable	LOWE'S COMPANIES, INC.	198.55
	Invoice	Date	Description	Amount
	85944	10/02/2023	BLANKET FOR PLANTS, FLOWERS & MULCH	198.55
Check	10/23/2023	203514 Accounts Payable	MCCARTHY TIRE SERVICE	904.75
	Invoice	Date	Description	Amount
	35-62879	09/20/2023	TIRES RFB#2380 RES#22-255	904.75
Check	10/23/2023	203515 Accounts Payable	MTE	782.76
	Invoice	Date	Description	Amount
	375482, 377380	09/11/2023	MOWER BLADES/PARTS	782.76
Check	10/23/2023	203516 Accounts Payable	MTE TURF EQUIPMENT	8,448.00
	Invoice	Date	Description	Amount
	01-377323	08/27/2023	MOWER PART	8,448.00
Check	10/23/2023	203517 Accounts Payable	NAPA AUTO PARTS	2,976.83
	Invoice	Date	Description	Amount
	102213 +	08/22/2023	PARTS/SOURCEWELL CONTRACT	2,926.93
	104729	09/21/2023	OIL/LUBRICANTS/SOURCEWELL #032521-GPC	49.90
Check	10/23/2023	203518 Accounts Payable	NEW YORK POLICE SUPPLY	4,730.72
	Invoice	Date	Description	Amount
	00030961	10/10/2023	Smokeless barricade & launcher	4,730.72
Check	10/23/2023	203519 Accounts Payable	NEXTREQUEST LLC	2,397.00
	Invoice	Date	Description	Amount
	278362	10/10/2023	SOFTWARE LICENSE FOR CLERKS AND RECORDS DEPTS	2,397.00
Check	10/23/2023	203520 Accounts Payable	NRG BUSINESS MARKETING	254.70
	Invoice	Date	Description	Amount
	HS33854304	10/10/2023	ACCT#692586-3081	254.70
Check	10/23/2023	203521 Accounts Payable	NYS ASSOC. OF CITY & VILLAGE CLERKS	50.00
	Invoice	Date	Description	Amount
	2023-2024 DUES	10/10/2023	YEARLY DUES	50.00
Check	10/23/2023	203522 Accounts Payable	NYS UNEMPLOYMENT INSURANCE	1,345.29
	Invoice	Date	Description	Amount
	AS OF 10/2/23	10/10/2023	EMPLOYER REGISTRATION #04-60071 5	1,345.29
Check	10/23/2023	203523 Accounts Payable	NYSEG	2,406.63
	Invoice	Date	Description	Amount
	10/3/23	10/10/2023	ACCT#1005-1984-374	22.48
	10/5/23	10/10/2023	ACCT#1901-0000-214	2,384.15
Check	10/23/2023	203524 Accounts Payable	PARMENTER MOTORS, INC.	150.00
	Invoice	Date	Description	Amount
	AS OF 9/21/23	10/10/2023	TOWING	150.00
Check	10/23/2023	203525 Accounts Payable	Passport Labs, Inc	372.78
	Invoice	Date	Description	Amount
	INV-1041417	10/10/2023	TICKET PROCESSING FEE	372.78
Check	10/23/2023	203526 Accounts Payable	PERRY & CARROLL, INC.	21,824.98
	Invoice	Date	Description	Amount
	7875	10/10/2023	POLICY#PLM-CB-SN5SPKPUM-002	21,824.98
Check	10/23/2023	203527 Accounts Payable	PITNEY BOWES	15.00
	Invoice	Date	Description	Amount
	1023954184	10/10/2023	ACCT#0015532822	15.00
Check	10/23/2023	203528 Accounts Payable	POINT SPRING & DRIVESHAFT CO.	479.04

	Invoice	Date	Description	Amount
	15109 +	09/19/2023	HEAVY DUTY PARTS RFB#2077R	479.04
Check	10/23/2023	203529 Accounts Payable	RENTALS TO GO LLC	250.00
	Invoice	Date	Description	Amount
	126848	10/03/2023	PORTABLE TOILETS FOR GOLF COURSE	250.00
Check	10/23/2023	203530 Accounts Payable	SAFETY KLEEN	291.29
	Invoice	Date	Description	Amount
	92665006	09/21/2023	PARTS WASHER SERVICE	291.29
Check	10/23/2023	203531 Accounts Payable	SOUTHERN TIER SENTRY HARDWARE	112.94
	Invoice	Date	Description	Amount
	86402	10/02/2023	BLANKET FOR ELECTRICAL SUPPLIES	20.98
	86342, 86410	09/27/2023	MISC. PARTS/HARDWARE	54.00
	86327	09/27/2023	MISC SIGN MATERIALS	37.96
Check	10/23/2023	203532 Accounts Payable	STAPLES BUSINESS ADVANTAGE	255.13
	Invoice	Date	Description	Amount
	8071641712	10/10/2023	Office Supplies	17.98
	8071803539	10/10/2023	Blanket PO Office Supplies	195.65
	3547832124	10/10/2023	Blanket PO Office Supplies	41.50
Check	10/23/2023	203533 Accounts Payable	STEPHANIE SCHREIBER	40.01
	Invoice	Date	Description	Amount
	10/3/23	10/10/2023	MILEAGE	40.01
Check	10/23/2023	203534 Accounts Payable	STEWART P. WILSON	19,210.27
	Invoice	Date	Description	Amount
	465112 +	09/11/2023	FUEL-BLANKET PO RFB# 2402 RES#22-187	16,857.73
	467934, 466695	09/18/2023	FUEL-BLANKET PO RFB# 2402 RES#22-187 MTGC	2,352.54
Check	10/23/2023	203535 Accounts Payable	SUSQUEHANNA RIVER BASIN COMMISSION	47.19
	Invoice	Date	Description	Amount
	201941	10/02/2023	WATER CONSUMPTION	47.19
Check	10/23/2023	203536 Accounts Payable	TIME WARNER CABLE	59.95
	Invoice	Date	Description	Amount
	143746101100123	10/10/2023	ACCT#879316	59.95
Check	10/23/2023	203537 Accounts Payable	UniFirst Corporation	232.91
	Invoice	Date	Description	Amount
	3553867	09/28/2023	LAUNDRY SERVICE	81.25
	3556233, 3556234	10/05/2023	FLOOR MATS AT CITY HALL & DPW	151.66
Check	10/23/2023	203538 Accounts Payable	VAL-U TOWING	90.00
	Invoice	Date	Description	Amount
	0200	10/10/2023	TOWING	90.00
Check	10/23/2023	203539 Accounts Payable	VASCO BRANDS, INC.	86.65
	Invoice	Date	Description	Amount
	138956	09/21/2023	BLANKET FOR JANITORIAL SUPPLIES	86.65
Check	10/23/2023	203540 Accounts Payable	VERIZON (FORMERLY BELL ATLANTIC)	2,091.41
	Invoice	Date	Description	Amount
	SEP-607-737-5601	10/10/2023	ACCT#251-754-338-0001-91	1,997.50
	SEP-607-737-0531	10/10/2023	ACCT#251-754-321-0001-58	18.78
	SEP-607-737-5600	10/10/2023	ACCT#651-754-337-0001-23	75.13
Check	10/23/2023	203541 Accounts Payable	VERIZON WIRELESS	3,084.43
	Invoice	Date	Description	Amount
	9945126586	10/10/2023	286111989-00001	3,084.43
Check	10/23/2023	203542 Accounts Payable	W. W. GRAINGER	2,399.36
	Invoice	Date	Description	Amount
	9873514283	09/19/2023	HONDA GENERATORS	2,399.36
Check	10/23/2023	203543 Accounts Payable	WEST INFORMATION PUBLISHING GROUP	873.93
	Invoice	Date	Description	Amount
	849111474	10/10/2023	LIBRARY PLAN 9/1 - 9/30/23	467.58
	849018157	10/10/2023	WESTLAW CHARGES 9/1 - 9/30/23	406.35
Check	10/23/2023	203544 Accounts Payable	WEX BANK	1,555.16

	Invoice	Date	Description	Amount
	92344521	10/10/2023	0496-00-818704-9	1,555.16
Check	10/23/2023	203545 Accounts Payable	WILBRI, INC.	9,974.72
	Invoice	Date	Description	Amount
	24872	09/29/2023	DIAGNOSE AND REPAIR SANITATION TRUCK #144	9,974.72
Check	10/23/2023	203546 Accounts Payable	WILLIAM GOODWIN	20.00
	Invoice	Date	Description	Amount
	9/28/23	10/10/2023	FUEL PURCHASES	20.00
Check	10/23/2023	203547 Accounts Payable	XEROX CORPORATION	501.73
	Invoice	Date	Description	Amount
	019766775	10/10/2023	CUST#726756687	9.71
	019766772	10/10/2023	CUST#726631807	29.24
	019766763	10/10/2023	CUST#726289374	74.01
	019766778	10/10/2023	CUST#708184692	66.57
	019766783	10/10/2023	CUST#718422447	5.88
	019766788	10/10/2023	CUST#719281172	12.17
	019766795	10/10/2023	CUST#726246770	21.83
	019766764	10/10/2023	CUST#726368111	87.29
	019766765	10/10/2023	Cust#726368160	25.81
	019766766	10/10/2023	CUST#726368178	121.99
	019766782	10/10/2023	718270358	6.82
	019766794	10/10/2023	CUST#726246168	40.41

GENERAL FUND GENERAL FUND Totals: Transactions: 68 \$545,957.96

Checks: 68 \$545,957.96

City of Elmira *LIVE*
Payment Batch Register
Bank Account: CAP CHECK - CAPITAL CHECKING
Batch Date: 10/23/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: CAP CHECK - CAPITAL CHECKING					
Check	10/23/2023	104794 Accounts Payable	AXON ENTERPRISE, INC		4,197.50
	Invoice	Date	Description		Amount
	INUS189403	10/03/2023	TASER HOLSTERS		4,197.50
Check	10/23/2023	104795 Accounts Payable	DALRYMPLE GRAVEL COMPANY		23,879.15
	Invoice	Date	Description		Amount
	20486	09/24/2023	HOT MIX ASPHALT RFB# 2481 ROLLOVER FUNDS		23,879.15
Check	10/23/2023	104796 Accounts Payable	Valorence, LLC		13,674.00
	Invoice	Date	Description		Amount
	INV-0953	10/03/2023	Dual Purpose Modular Surveillance System		13,674.00
Check	10/23/2023	104797 Accounts Payable	Wastequip Manufacturing Company, LLC		53,470.00
	Invoice	Date	Description		Amount
	447784 & 449650	09/26/2023	REAR LOAD CONTAINER/DUMPSTER		53,470.00
CAP CHECK CAPITAL CHECKING Totals:			Transactions: 4		\$95,220.65
Checks:	4		\$95,220.65		

HAND CHECKS DETAILS

\$9,184.07

CAPITAL HAND CHECKS DETAIL

\$0.00

ACH PAYMENTS

GHI DENTAL BILLS FOR THE TWO WEEK PERIOD 09/30/2023 - 10/11/2023

10/2/2023 GHI DENTAL	\$	3,092.60
10/4/2023 GHI DENTAL	\$	1,507.00
10/4/2023 GHI DENTAL	\$	1,956.00
10/10/2023 GHI DENTAL	\$	2,399.00
	\$	<u>3,092.60</u>

MTGC LIQUOR BILLS FOR THE TWO WEEK PERIOD 09/30/2023 - 10/11/2023

10/3/2023 SARATOGA EAGLE	\$	282.90
10/3/2023 AL GEORGE	\$	431.61
	\$	<u>714.51</u>

City of Elmira *LIVE*

Payment Batch Register

Bank Account: GENERAL FUND - GENERAL FUND
Batch Date: 10/03/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: GENERAL FUND - GENERAL FUND					
Check	10/03/2023	203475 Accounts Payable	BALKAN BEVERAGE LLC		44.70
	Invoice	Date	Description		Amount
	2494700	10/03/2023	ALCOHOL/MIXERS FOR SNACK SHOP		44.70
Check	10/03/2023	203476 Accounts Payable	ERICA LAPIERRE		113.00
	Invoice	Date	Description		Amount
	10/4-10/6 TRAIN	10/03/2023	MEALS PER DIEM		113.00
Check	10/03/2023	203477 Accounts Payable	SOUTHERN WINE AND SPIRITS		139.45
	Invoice	Date	Description		Amount
	2387407	10/03/2023	WINE AND SPIRITS		139.45
GENERAL FUND GENERAL FUND Totals:			Transactions: 3		\$297.15
Checks:	3		\$297.15		

City of Elmira *LIVE*

Payment Batch Register

Bank Account: GENERAL FUND - GENERAL FUND
Batch Date: 10/05/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: GENERAL FUND - GENERAL FUND					
Check	10/05/2023	203478 Accounts Payable	JAMES J TURCSIK, JR.		5,079.81
	Invoice	Date	Description		Amount
	9/16-9/30/23	10/05/2023	Commission Check		5,079.81
GENERAL FUND GENERAL FUND Totals:			Transactions: 1		\$5,079.81
Checks:	1	\$5,079.81			

Elmira City Council

Agenda Summary: Act on resolution to adjourn.

Resolution Number: 2023-338

Sponsor: Mayor Mandell

ATTACHMENTS

[Adjournment Oct 23.docx](#)

October 23, 2023

RESOLUTION

NO. 2023 – _____

By: _____

RESOLVED, that the next meeting for City Council will be a Regular Meeting held on Monday, November 6, 2023, at 5:30PM; and be it further

RESOLVED, that this meeting is adjourned.

ADOPTED BY THE FOLLOWING VOTE

AYES		NAYS
	Councilmember Cooke	
	Councilmember Moss	
	Councilmember Franchi	
	Councilmember Kitching	
	Councilmember Grasso	
	Councilmember Duffy	
	Mayor Mandell	