

**Auburn City Council  
Regular Meeting  
Thursday, December 5, 2019 6:00 P.M.  
City Council Chambers  
Memorial City Hall  
24 South St.  
Auburn, NY 13021**

**Minutes**

The meeting of the Auburn City Council was called to order at 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

**1. Roll Call** – The City Clerk called the roll. Mayor Quill and Councilors McCormick, Giannettino, Cuddy and Carabajal were all present.

**The following City Staff was present for the regular meeting:**

- Acting City Manager, Jennifer Haines
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Director of Capital Improvement Program and Grants, Christina Selvek
- Deputy Police Chief, Roger Anthony
- Director of Municipal Utilities, Seth Jensen
- Superintendent of Engineering, William Lupien
- Superintendent of Public Works, Mike Talbot
- Fire Chief, Joe Morabito

**2. Pledge of Allegiance to the Flag** – Mayor Quill led the Pledge of Allegiance.

**3. Moment of Silent Prayer or Reflection** – Mayor Quill asked for a moment of silent prayer.

**4. Public Announcements**

The City Clerk read the announcements.

**5. Ceremonial Presentations and Proclamations.**

- Mayor Quill introduced former member of City Council Gilda Brower who joined Janice Sanders, both representing the CNY Tomatofest Board of Directors to present donations to area food pantries.

**6. Public to be Heard** – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

Tim Lattimore, 63 South Street, County Legislator for District 13 spoke to state that he hopes someone finds a use for space being vacated at the Schwartz Towers.

David Anthony Scott, 63 South Street and CEO of New Batavia, LLC, spoke to discuss statistics he had shared with the attendees of a recent community forum hosted by the Harriet Tubman Center for Justice and Peace.

**7. Approval of Meeting Minutes**

November 26, 2019 Council Meeting Minutes

Motion to approve the November 26, 2019 minutes carried 5-0.

**8. Reports of City Officials**

**A. City Manager's Report**

- Next week we expect that the Cayuga County Soil and Water Conservation District will be helping us out on York St. An area near North Division has been flooding during heavy rain events causing a hazardous situation in the roadway, impacting local businesses and potentially damaging the relatively new roadway. With the cooperation of adjacent property owners, CCSWCD will be clearing out two areas on the North side of the road to restore flow and improve drainage.
- Yesterday the trade magazine "The Architects' Newspaper" published its Editors' Picks for 2019. Under the category "Best Design for a Cultural Building", the NYS Equal Rights Heritage Center and its designer, nArchitects, received an honorable mention.
- The city currently owns the historic Seymour Mansion at 113 North St. and with council's approval we are trying something new by utilizing the professional services of a realtor top market the unique property rather than just auction it off in a tax sale. The property is being marketed nationally with offers due to be submitted by December 18. The property is receiving a tremendous amount of attention across the nation and we have several interested parties that will be coming into town to view the property. Locally channel 3&5 will be airing a special segment about the property and its history starring Mayor Quill next Tuesday December 17.

**B. Reports from members of Council**

**9. Matters to Come Before Council**

**A. State Environmental Quality Review Act Resolutions (SEQR) - None**

**B. Ordinances – None**

**C. Local Laws –**

**LOCAL LAW #3 of 2019**

**REPEALING AND REPLACING SECTIONS OF CHAPTER 259 OF THE  
AUBURN CITY CODE ENTITLED "STREETS AND PUBLIC PLACES"**

By Councilor McCormick

December 5, 2019

**WHEREAS**, on March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 259 of the Auburn City Code entitled “Streets and Public Places,” pursuant to New York State Municipal Home Rule Law Section 10(1)(ii)(a)(11); and

**WHEREAS**, in 2018 the City of Auburn established a Clean Up Crew to perform certain aspects of property maintenance where the owner of record was unwilling or unable to perform such tasks; and

**WHEREAS**, since its inception, the Clean Up Crew program has proven to be an asset in the City’s fight against blight by mowing overgrown grass, shoveling unmaintained sidewalks and removing trash from yards; and

**WHEREAS**, Chapter 259 of the City Code authorizes the City of Auburn to mow overgrown grass and clear accumulated snow from city sidewalks; and

**WHEREAS**, Chapter 254 of the City Code authorizes the City of Auburn to remove accumulated solid waste from yards; and

**WHEREAS**, it is necessary for the purposes of efficiency and clarity to make uniform the sections of the City Code which allow for City staff to perform all such tasks; and

**WHEREAS**, it is possible to achieve such uniformity by amending the language in the relevant sections of Chapter 259 of the City Code to conform with the relevant section of Chapter 254 of the City Code ; and

**WHEREAS**, Local Law No. 3 of 2019, attached hereto and incorporated herein, proposes to update Chapter 259 of the City Code to achieve such uniformity; and

**WHEREAS**, the passage of Local Law No. 3 of 2019, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

**WHEREAS**, subject to City Council approval, a public hearing will be held on November 26, 2019, concerning the repealing of sections of Local Law No. 2-1991 and the enactment of Local Law No. 3 of 2019.

**NOW THEREFORE BE IT ENACTED** that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 44 of the City Code entitled “Streets and Public Places:”

1. Article I, Sections 259(6);
2. Article VI Sections 259(40);

and,

**BE IT FURTHER ENACTED** that the Auburn City Council does hereby adopt Local Law No. 3 of 2019, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 259 of the Auburn City Code entitled “Streets and Public Places”:

1. Article I, Sections 259(6);
2. Article VI Sections 259(40);

; and,

**BE IT FURTHER ENACTED** that the foregoing repeal and adoption shall take effect immediately upon the filing of a certified copy of the local law with the New York Secretary of State.

Seconded by Councilor Cuddy

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**CHAPTER 259 STREETS AND PUBLIC PLACES**

**ARTICLE I. GENERAL REGULATIONS**

**§259-6 Removal of Snow and Ice from Sidewalks**

(a) Responsibility. The owner, occupant or lessee of any lot or lands adjoining any public sidewalk shall keep the same free from snow, slush or ice. In case of failure or neglect to comply with this requirement within 24 hours following any storm depositing such snow, slush or ice, such may be removed by ~~the Department of Public Works~~ **city staff** at the direction of the City Manager. Failure to complete such removal shall not be deemed an act of negligence by the City of Auburn.

(b) Cindering or sanding. In the event that snow, slush or ice may become frozen on sidewalks in such a way that removal is difficult or injurious to sidewalks, the sidewalks shall be rendered safe for public travel by use of cinders, sand or other suitable materials and shall be properly cleaned thereafter when weather permits. If any owner, occupant or lessee of lots or lands abutting sidewalks fails to comply with this requirement, the walks shall be rendered safe by ~~the Department of Public Works~~ **city staff** and thereafter cleaned at the direction of the City Manager.

(c) Work performed by ~~Department of Public Works~~ **city staff**. Any work performed by ~~the Department of Public Works~~ **city staff** pursuant to this section shall be charged against the property owner and shall be billed and collected by the City Treasurer. Such charge shall be a lien on the adjoining realty to the same extent as City taxes and may be included in the general City tax roll and enforced in the same manner as other City taxes. ~~All actual items of work, including labor and materials,~~ **The cost, established at least annually by the City Council through a budget resolution that adopts a City fee schedule,** of removal plus an administrative and supervisory expense of 50% thereof, shall be charged; ~~provided, however, that the minimum charge for each occurrence shall be \$5 per lot or parcel of land.~~

**ARTICLE VI. WEEDS GRASS AND RANK, POISONOUS OR HARMFUL  
VEGETATION**

**§259-40 Notice to Owner or Occupant; Action by City**

(a) If the provisions of the foregoing sections are not complied with, ~~the Director of Parks and Recreation~~ **Code Enforcement Office** shall serve written notice, personally or by mail, upon the owner, occupant or any person having the control of any such lot or land to comply with the provisions of this article. Mailing by regular mail to the owner's address on file in the City Assessor's office shall be deemed sufficient five days after mailing. In the event that the owner files with the ~~Director of Parks and Recreation~~ **Code Enforcement Office** a notice designating another person as being responsible for the care and maintenance of said property, then mailing by regular mail to both shall be deemed sufficient five days after mailing.

(b) If the person upon whom the notice is served fails, neglects or refuses to cut and remove or cause to be cut and removed such weeds, grass or other vegetation within five days after receipt of such notice, or if no person can be found in the City who either is or claims to be the owner of such lot or land or who either represents or claims to represent such owner, the ~~Director of Parks and Recreation~~ **Code Enforcement Office** shall cause such weeds, grass and other vegetation on such lot or land to be cut and removed, and the ~~actual-cost~~ **established at least annually by the City Council through a budget resolution that adopts a City fee schedule** of such cutting and removal plus a service charge of 50% thereof to cover **administrative** cost of supervision and administration shall be certified by the ~~Director of Parks and Recreation~~ **Code Enforcement Office** to the City Clerk, and such certified amount shall thereupon become and be a lien upon the property on which such weeds, grass and other vegetation were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as City real estate taxes and shall be collected and enforced in the same manner as such taxes.

(c) The owner, occupant or any person having control over any lot, land or property found in violation of § ~~259-38~~ shall be notified in writing only once ~~in any given three-month period~~ **between May 1 and October 1 of each year** for a particular violation. Subsequent violations of a similar nature at the same location during the same ~~three-month~~ period shall be corrected by the City or its agent without notice to the owner, occupant or person having control of said property. After initial notification, such owner, occupant or person having control of said property will be presumed to have been given sufficient notice of infraction for the entire ~~three-month~~ period **referenced herein.**



2) Transform a Vacant Lot into a Prominent Public Plaza; and

**WHEREAS**, the New York State Department of State will serve as the granting agency for grant contract #C1001600 and will oversee the project scope of work for the DRI funds; and

**WHEREAS**, the Mayor of the City of Auburn must be authorized to accept this grant funding and execute all necessary documents in connection therewith.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK:**

1. That the Mayor, or appointed designee, of the City of Auburn be authorized and directed to execute the grant agreement and all necessary documents in connection therewith for the New York State Department of State Downtown Revitalization Initiative Program Contract #C1001600 for the two project components as outline above; and
2. That the City Comptroller be authorized to create the capital expense accounts as follows: Public Safety Building (HA1620.440.PSB) and State Street (HA8672.440.SS) and recognize grant revenue in the amount of \$2.2 million to be appropriated to capital revenue accounts as follows: HA99.359.PSB and HA99.359.SS; and
3. That this resolution shall take effect immediately upon its approval and adoption.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**AGREEMENT RESOLUTION #135 OF 2019**

**AUTHORIZING CHANGE ORDER NO. 1 TO THE GENERAL CONSTRUCTION CONTRACT FOR THE LANDFILL TRANSFER STATION**

By Councilor McCormick

December 5, 2019

**WHEREAS**, on June 6, 2019, the Auburn City Council passed Award Resolution No. 107 of 2019, authorizing a contract with C&S Technical Resources, Inc., for the general construction of the Transfer Station (“the Project”) at the Landfill; and,

**WHEREAS**, due to a winter construction schedule and anticipated unfavorable weather conditions, additional construction resources accommodating the cold winter temperatures are anticipated; and,

**WHEREAS**, since construction has commenced and will continue through the winter, the City needs to authorize Change Order No.1 to C&S Technical Resources, Inc. in the amount of \$30,000.00 to cover potential cost increases including: costs for heated concrete, concrete accelerant, concrete warming blankets, a 300,000 BTU ground heater, and labor to install and remove the blankets and a ground heating system; and

**WHEREAS**, the project cost will still be below the approved bond amount of \$1,591,000, after accounting for the proposed change order.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Auburn does hereby approve Change Order No. 1 to the contract with C&S Technical Resources, Inc. of Syracuse, New York, authorizing the general construction winter work provisions for the Transfer Station in the amount not to exceed \$30,000.00 to be charged to the project capital account AL 8162.440.KF; and,

**BE IT FURTHER RESOLVED** that the Mayor, or approved designee, of the City of Auburn is hereby authorized to execute any and all necessary agreements and contracts, certifications, and reimbursement requests on behalf of the City of Auburn for said project.

Seconded by Councilor Carabajal

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**AWARD RESOLUTION #136 OF 2019**

**AWARDING A CONTRACT FOR THE  
CASEY PARK RINK ROOF REPLACEMENT**

By Councilor McCormick

December 5, 2019

**WHEREAS**, on May 16, 2019, the City of Auburn City Council passed Bond Ordinance #2 of 2019, which established funding for the Casey Park Rink Roof Replacement (the Project) at the Casey Park Recreation Facility; and

**WHEREAS**, City staff prepared bid documents and issued a formal bid for the Project; and

**WHEREAS**, bids were advertised for the Project and on November 22, 2019, the following bids were opened and received;

	<u>Contractor</u>	<u>Base Bid</u>	
1.	J&B Installations, Inc. 732 Visions Road PO Box 188 Skaneateles, New York 13153	\$226,800.00	
		Alternate #1	\$19,400.00
		Alternate #2	(\$25,500.00)
2.	CJ Marley Construction, Inc. 4701 North Street Road Marcellus, New York 13108	\$493,000.00	
		Alternate #1	\$25,000.00
		Alternate #2	\$0

; and

**WHEREAS**, it is necessary that the Auburn City Council award the bid for the Casey Park Rink Roof Replacement to the lowest qualified bidder, J&B Installations, Inc., in the amount of \$246,200.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award the contract for the Casey Park Rink Roof Replacement Project to J&B Installations, Inc. for their low base bid of \$226,800 and Alternate #1 of \$19,400 for a total of \$246,200 and the cost of the Resolution is to be charged to the capital account entitled Casey Park Building Improvements (#HA.7143.440.JW); and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in reference to the award of this bid.

Seconded by Councilor Carabajal

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**FINANCIAL RESOLUTION #137 OF 2019**

**AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS**

By Councilor McCormick

December 5, 2019

**WHEREAS**, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2019-20 year as outlined in attachment A; and,

**WHEREAS**, there is no fund balance being used for these transfers.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Auburn, New York:

1. That the Auburn City Council does hereby authorize the transfers in Attachment A for the 2019-20 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	



**COUNCIL RESOLUTION #138 of 2019**

**AUTHORIZING CHANGES TO THE CITY COUNCIL MEETING CALENDAR FOR THE MONTH OF DECEMBER 2019 AND JANUARY 2020**

By Councilor Cuddy

December 5, 2019

**WHEREAS**, the rules of the Auburn City Council require that the Auburn City Council meet on the first four Thursdays of each month to conduct business unless modified by Council Resolution; and

**WHEREAS**, the Auburn City Council desires to reschedule the meeting for the fourth week of December 2019 from Thursday, December 26, 2019 to Wednesday, January 1, 2020, said meeting to be held at the special time of 12:00 PM (Noon) for the purpose of a special meeting to swear in elected members of the Council; and

**WHEREAS**, the Auburn City Council desires to cancel the meeting for January 30, 2020 which is the fifth week of January 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby make the following changes to the Auburn City Council meeting schedule:

1. The regular meeting scheduled for Thursday, December 26, 2019 at 6:00 PM will be moved to Wednesday, January 1, 2020 at 12:00 PM (Noon) for the purpose of a special meeting to swear in elected members of the Council; and
2. The regular meeting for the fifth Thursday of January 2020, January 30, 2020 is cancelled.

**BE IT FURTHER RESOLVED** that all other meetings shall be on the first four Thursdays of each month at the regular time of 6:00 p.m. unless modified by subsequent Council Resolution, and the City Clerk is hereby requested to notify the public of the changes in the meeting dates as set forth herein.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**COUNCIL RESOLUTION #139 OF 2019**

**REQUESTING THE GOVERNOR AND STATE LEGISLATURE TO INCREASE THE EXISTING N.Y.S.D.O.T. ARTERIAL MAINTENANCE REIMBURSEMENT RATE**

By Councilor Giannettino

December 5, 2019

**WHEREAS**, the City of Auburn has an agreement with the New York State Department of Transportation (NYSDOT) for arterial highway maintenance and upkeep of the State Arterial highways that pass through the City and said agreement was entered into between the NYSDOT and the City of Auburn commencing December 1, 1961; and

**WHEREAS**, pursuant to the New York State Highway Law, Article XII-B entitled “State Arterial Highways Passing through Cities”, Section 349-c, the annual State reimbursement rate, is currently \$0.85 per square yard for at grade sections and \$0.95 per square yard for elevated sections. The rates were set in 1987 and have not been adjusted by the State for the past 32 years; and

**WHEREAS**, earlier this year, legislation to amend the State Highway Law in relation to the rate paid by New York State to a city for maintenance and repair of highways, set forth in bill numbers A. 5990-A (by Assemblywomen Rozic) and S. 4048-A (by Senator Kennedy), unanimously passed both houses of the State legislature but was recently vetoed by the Governor; and

**WHEREAS**, the Governor and State Legislature will convene in Albany early in January 2020 and the Mayor and City Council wish to express to our State officials that the adjustment of the State’s reimbursement rate for Arterial highway maintenance is long overdue and it will be necessary to adjust the reimbursement rate in the 2020-2021 State Budget to assist the City of Auburn to cover the expense of maintaining the Arterial as it runs through our City.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council publicly thank Senator Pamela Helming, Senator Robert Antonacci, Assemblyman Gary Finch and all members of the NYS Legislature for their support in 2019 for bill numbers A. 5990-A (by Assemblywomen Rozic) and S. 4048-A (by Senator Kennedy) to adjust the reimbursement rate for Arterial Highway Maintenance; and

**BE IT FURTHER RESOLVED** that the Mayor and City Council call upon Governor Andrew M. Cuomo, Senator Pamela Helming, Senator Robert Antonacci, Assemblyman Gary Finch and all members of the NYS Legislature to adjust the reimbursement rate for Arterial Highway Maintenance from the 32 year old reimbursement rate of \$0.87 per square mile to \$1.87 per square mile and include this increase in the 2020/2021 New York State Budget; and

**BE IT FURTHER RESOLVED** that the City Clerk forward a certified copy of this resolution to the Governor and all of our State representatives.

Seconded by Councilor Carabajal

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**AGREEMENT RESOLUTION #140 OF 2019**

**AUTHORIZING AN EXTENSION OF AGREEMENT WITH  
TLC EMERGENCY MEDICAL SERVICES, INC**

By Councilor Carabajal

December 5, 2019

**WHEREAS**, on March 21, 2019, City Council passed Agreement Resolution No. 32 of 2019, which authorized a third extension of the Agreement with TLC Emergency Medical Services, Inc. (“TLC”); and

**WHEREAS**, the parties require more time to complete ongoing discussions regarding a new agreement; and

**WHEREAS**, the parties now propose a Fourth Extension of Agreement, attached hereto and incorporated herein, which will extend the term of the Ambulance Service Agreement until June 30, 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve a Fourth Extension of Agreement, attached hereto and incorporated herein, with TLC Emergency Medical Services, Inc., which shall extend the term of the June 26, 2013, Ambulance Service Agreement until June 30, 2020; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to sign any and all documents necessary to carry out this Resolution.

Seconded by Councilor Cuddy

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**COUNCIL RESOLUTION #141 OF 2019**

**URGING THE STATE OF NEW YORK TO IMMEDIATELY AMEND OR  
DELAY IMPLEMENTATION OF CRIMINAL JUSTICE REFORMS THAT WILL  
BE IMPLEMENTED ON JANUARY 1, 2020**

2019 December 05,

By Councilor Giannettino

**WHEREAS**, The City of Auburn recognizes the need for statewide common sense bail and discovery reform laws; and

**WHEREAS**, protecting the people from harm by enforcing the rule of law is the foundational role of government; and

**WHEREAS**, municipal governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children; and

**WHEREAS**, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key participants within the criminal justice system and be protected and treated with dignity, fairness, and respect; and

**WHEREAS**, for the past twenty-five years the State of New York has committed itself to reducing crime, and has succeeded as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s; and

**WHEREAS**, in the final stages of adopting its FY 2020 budget, the State of New York

enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

**WHEREAS**, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, or the potential threat these defendants pose to the community at large, and instead these defendants will be released back into the general public; and

**WHEREAS**, the discovery mandates imposed by the State of New York will require police and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

**WHEREAS**, the Office of New York State's Chief Law Enforcement Officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state lack the resources required to fully comply with discovery mandates; and

**WHEREAS**, the Attorney General's office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and consequently needs an additional \$10 million in state funding; and

**WHEREAS**, the City of Auburn is very concerned about the unfunded mandates incorporated into New York's 2019 criminal justice reforms and the practical consequences of this dramatic swing in the criminal justice procedures pendulum will have detrimental administrative, fiscal, and justice impacts at the local level, and

**WHEREAS**, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these new laws be remedied prior to their effective date of January 1, 2020,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Auburn, New York that it hereby urges the Governor and Legislature of the State of New York to immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to Governor Cuomo, Attorney General James; Senator Helming, Senator Antonacci, and Assemblyman Finch.

Seconded by Councilor Cuddy

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

**Tabled Items - none**

**STAFF/VENDOR PRESENTATIONS**

**10. Other Business –**

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:24 p.m.

Minutes submitted to the City Council on December 12, 2019 by:

Charles Mason  
City Clerk