

**Auburn City Council
Regular Meeting
Thursday, June 25, 2020 5:00 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 5:00PM in the City Council Chambers, 24 South St. Auburn NY by Mayor Quill.

Roll Call – The City Clerk called the roll. Mayor Quill, Councilor Debra McCormick, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro were all present. Councilor Cuddy was present via teleconference.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Charles Mason
- Director of Municipal Utilities, Seth Jensen
- Police Chief, Shawn Butler
- Interim Fire Chief, Mark Fritz

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

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

Mayor Quill

Thank you. Mr. Clerk, any public announcements?

City Clerk Mason

Thanks, Mayor. Real quick, just one reminder announcement for the council and the public of our meeting scheduled for the month of July. Next week on Thursday, July 2, there will be no council meeting. But the council will meet the following 4 Thursday's of the month of July. July 9, July 16, July 23, and July 30. All meeting times are 5pm. And hopefully we'll be back open to the public by then. But if not, we will let the community know the week of July 6, when the governor updates his notices. Thanks, Mayor.

Mayor Quill 01:38

Thank you. I don't, do not believe there are any ceremonial presentations.

Chuck Mason 01:44

Jeff's got something

City Manager Dygert 01:45

Yes. They just got added in this afternoon. We had to catch up on a little bit of paperwork. We've got some new hires. And we have four new police officers entering the Police Academy on June 29. NIKOLI BILJANOSKI, hopefully I've got that right, if not, I apologize. BERNARD DEGRAW, JEFFREY GARDNER and PATRICK LAGROW. Again, starting the police academy on June 29. We'll double check that and apologize to Mr. Bennett. RYAN GUERRETTE was promoted to Fire Lieutenant on June 25. So, today it was announced that RYAN GUERRETTE has been promoted to Fire Lieutenant and we have a new hire as a Motor Equipment Operator, starting July 1, Robert Sadler will be starting with the Public Works Department.

Mayor Quill 03:01

Where will the police officers be going?

City Manager Dygert 03:05

Where's the academy for your police?

Police Chief Butler 03:06

Mohawk Valley Academy.

Mayor Quill

Approval of the June 11, 2020 City Council meeting minutes. Motion by Councilor Locastro, seconded by Councilor Giannettino.

City Clerk Mason

- Approval of the June 11, 2020 City Council meeting minutes. Councilor McCormick (aye), Councilor Giannettino (aye), Councilor Cuddy (Yes), Councilor Locastro. (Yes), Mayor Quill (aye). Carried.

Thank you.

Mayor Quill 03:42

Minutes from June 18 to be on in two weeks.

Chuck Mason 03:46

Yes, Mayor.

Mayor Quill 03:48

Mr. Dygert, City Manager's report.

City Manager Dygert 03:51

Thank you, Mayor. I just want to make sure Councilor Cuddy, can you hear me okay, I just want to make sure of that.

Councilor Cuddy 03:58

Yes, I can Mr. Dygert, yes.

City Manager Dygert 04:01

Okay. I've just got a lot of stuff to go through. I'd hate to see sitting there and not being able to hear what's going on. Okay. So some updates on bids and RFPs. The City of Auburn is currently accepting bids for the Biosolids Processing and Drying Design, Construction Administration and Construction Inspection Services. Bids are due back tomorrow June 26. More details can be found on the city web page under the tab "Bids and RFPs". The city is also currently accepting bids for the Construction Documents, Construction Administration and Construction Inspection of the Bradford Street Playground Project. Bids are due back on July 16. And again, more information is available on the city webpage under the title, or under the tab "Bids and RFPs". An RFP for the Combined Sewer Overflow Facility Upgrades will be added to the list of Bids and RFPs on the city's web page tomorrow. More stuff out of our Municipal Utilities Department. The Zebra Mussel Control Project is just about wrapped up. Just some final things to clean up there, but the project's mostly complete. Also, an update on a project that's been about two years in the making. The Lead Service line Replacement Project is wrapping up. You may recall that about two years ago, we received a grant from New York State for \$698,000. That allocation has been used up and 261 water services have been replaced under the grant. Largely that work was handled by our Water Department. A little bit was handled by a private contractor, the majority done by our Water Department. And that program saved city residents approximately \$652,000 over the last two years. We're getting into the season, harmful algal blooms are beginning to appear in some of the Finger Lakes. Our Water Department has reviewed our plans coordinated with the County Health Department and has our equipment ready for action should the need arise. We have a couple more projects that are getting ready to go. The, you may recall, the Wholesale Sewer Manhole Upgrade, and Dunning Avenue Water Main Replacement Projects are in design. They're prepared and ready to go out to bid. That bid document for both of those projects should be released on July 12, with the intent to complete the projects during the construction season. We had a relatively short notice on the closure of North Street, or detours on North Street, while the railroad coordinated with our Engineering Department and Public Works and private contractors to resurface the area around the railroad tracks on North Street. It had been expected that that project would span about two weeks but actually wrapped up in about four days. So, when you go through there, you don't even need to slow down anymore. Kind of

nice. Yes. Might be advisable to but you don't need to . This is a little bit, a little bit premature Civil Service still needs to approve this at their next monthly meeting, but we anticipate that there will be a new Police Officer exam in September. So that's good news for the Police Department. And the Civil Service is also working on an online application process to streamline the administrative functions of the office, as well as make the process more accessible to those that are just searching around for jobs on the internet. We've got three recruit firefighters who were in the middle of their training at the New York State Fire Academy when the COVID closure struck. They got back to work at the academy this week, and they should be ready for service by the end of July. If all goes well. Our Police and Fire Departments are working together with the Healing Community Study to provide increased public education and availability of Narcan to combat opioid overdoses. And the last thing on my list right at the moment here, staff has been working for the last week or so here to wrap up the process with the New York State Shared Services Projects. So you may recall over the last couple years, we've worked with the county as the county as the lead on all of these projects throughout New York State for Shared Services Initiatives, we're optimistic based on what we've heard so far, that once we finish a few of these things up that New York State will be providing funding toward some more funding towards the Public Safety Building Project, and the Falcon Park Renovation Project, as were outlined in Cayuga County's plan that was submitted last fall. And the last thing I have and there's quite a bit of information Councilors, I think that you were updated on this by Jenny Haines via email. We continue to work through the process of reviewing applications and dispersing funds related to the CDBG-CV funds for COVID-19. We had originally \$404,000 available for For-Profit businesses, and Not For Profit Arts and Culture organizations. Last week, I informed you that staff had found approximately \$100,000 more to potentially be added to that, that that action was taken this week. So we end up having \$334,000 available to approximately 72 For-Profit businesses and \$80,000 for the Not For Profit Arts and Cultural organizations. The Arts and Cultural organizations had 8 applications and there was another approximately \$190,000 worth of funding available in nine applications received for Human Services organization. So, this week, today, some notices went out in the mail. Planning Department has been working hard on all three of these programs to get the required paperwork in order. We've evaluated each of the applications along with a lot of help from CEDA. And everyone's done their best to make sure that to the extent possible, practically everyone that submitted an application gets some sort of assistance. So the details of that are forthcoming and will be made public. We want to make sure that the applicants are aware before they see it anywhere else. So those communications are happening this week and will continue through tomorrow. And I think that's it for that one.

Mayor Quill 11:43

Very good thing. Any questions from council?

Councilor Locastro 11:47

How are we doing with staffing for Fire and Police right now?

City Manager Dygert 11:52

Fire is down about two positions right at the moment. And Police?

Police Chief Butler 12:02

(inaudible due to not using the microphone.)

Mayor Quill 12:49

Chief are any of them transfers or are they all brand new?

Police Chief Butler

Brand new.

Mayor Quill

Thank you.

Councilor Giannettino 12:55

If, if there is another test in September, when will that list be eligible?

Police Chief Butler 13:08

So we have scheduled that test. It's September 26. The last time it took quite a while to get that back. I would guesstimate, probably near the first of the year. I wish it would come back sooner. I wish we could speed that up. But we are we have exhausted this current list. So, we, I shouldn't say that. We do have some retakes that we are allowed to retake the physical fitness test. So, we do have some left but we're almost exhausted.

Councilor Giannettino 13:38

So, you said you have 10 in the academy right now or 10 that are either in the academy or going? Those were all off this past list, right? How many people did you canvas to get those 10?

Police Chief Butler

166 who passed the test, we have hired 12. Not good, not good odds. And hence the reason we have to look for another test. We probably will for the foreseeable future, usually the list lasts at least two years up to four. But the way the current candidates and atmosphere is, you know, we're just not getting the quality.

Councilor Giannettino 14:20

So out of those 166, 12 were hireable the other ones were not hireable or declined, right? Not hireable because they didn't pass physical fitness tests or background check.

Police Chief Butler 14:31

Multiple, yes, correct. Multiple reasons, some just decline the canvas or lose interest. They may have taken it as an option to forego.

Councilor Giannettino 14:46

And I know that you, when that last test was done, you and Deputy Chief Anthony, the Fire Department, Sherriff Schenck went to multiple events throughout the city, trying to boost up interest. Is there a way for you to track the demographic of people who took the test?

Police Chief Butler 15:08

Yes. I will get you that information. That was a goal of mine, putting pen to paper. We do have that information and can put it into a report. Yeah, that's something we're possibly targeting better.

Councilor Giannettino 15:32

Good. A lot of good things happen in Auburn Police Department. We don't need the State to tell us what to do.

Councilor Cuddy 15:37

Chief. So after January 1st, after the 12 men & women that are currently in the process of being confirmed. I didn't get your answer to Councilor Locastro's at that point, on January 1, how many openings will there be?

Police Chief Butler 16:01

So, starting Monday, I'm going to send five to Mohawk Valley. So I'll have 10 in the academy. I still have, I still have seven vacancies.

Councilor Cuddy 16:11

So January 1, so, if somebody takes the exam, on September 26, there's basically seven slots for that.

Police Chief Butler 16:22

I hope that number doesn't go up. But yes.

Councilor Cuddy 16:25

Okay. All right. That's all I wanted to know

Police Chief Butler 16:27

That includes my two retirees in July.

Councilor Cuddy 16:34

Okay. So, but basically seven slots for that new crew. Okay. Thank you.

Councilor Locastro 16:42

Will the SROs have any effect on the number of openings if school doesn't open in September?

Police Chief Butler 16:49

Absolutely. Yes.

Councilor Locastro 16:52

Well, if it does open then?

Police Chief Butler 16:53

Then I'll lose four officers back off the road. But that's all part of our structure. So, that's anticipated. It was nice getting them back as a little bit of relief this spring. But we can talk and my advocacy for that program is large I truly believe in it. I think it pays dividends. And I can go on and on about it, but we, we see the dividends that it pays years after the kids graduate. It's just a phenomenal relationship that these officers build with our young people.

Councilor Giannettino 17:32

Not to keep grilling you but I know that this council values SRO program just like you do and this mandate coming from the state. Is there any talk of disbanding SRO programs like they have in other states?

Police Chief Butler 17:43

Not that I have heard, we have a great working relationship with the school district. You know there's been some talk about the look of it may be changing because of our hardships with manpower issues and funding. You know, that's always a challenge. That's something the superintendent and my staff have talked about in the last year. But with everything that's going on, it kind of is like everything else is on the back burner. But that would be something that would take some time to really figure out what that looks like. But no, I have heard nothing about that here locally. Thank you.

Mayor Quill 18:28

Thanks. Thank you. Yes. Reports from members of Council. Councilors?

Councilor McCormick 18:45

Councilor McCormick provided an update on the latest annual meeting of the Auburn Downtown Business Improvement District. (parts were inaudible due to not using the microphone.)

Mayor Quill 20:33

No one else? Councilor Cuddy, you all set?

Councilor Cuddy 20:37

All set Mayor, Thank you.

Mayor Quill 20:38

Thank you. Mr. Dygert, I turn back to you on the update on the reopening of City of Auburn.

City Manager Dygert 20:49

Thanks, Mayor. So as we know we've got a few things that have been going on here related to reopening not only City Hall, but city facilities. So, I'm going to read down through a few things here. I kind of tried to put it together, so I didn't forget anything, probably still have, but, so our city facilities have been open to the public for about the last two weeks, after several weeks, several months of being closed to the public due to COVID-19. We continue to encourage the public to utilize methods such as email, regular mail, and online payment to reduce the need for in person visits to City Hall. We also encourage the public to call ahead for appointments for those transactions that require in person visits. We remind the public that the public access to City Hall is limited to the rear door and the parking lot is available there. Upon entry into the building all visitors must check in and provide information in case we need to contact them for contact tracing. Everyone will be asked a series of standardized questions and everyone will be asked what their business is at City Hall so that they can be directed to the appropriate office. All visitors are required to wear a face covering and these procedures have been put in place based on New York State and CDC guidance and mandates. And we ask that everyone respectively help us comply with those. All city facilities have been outfitted with protective barriers to allow for the safe interaction between the public and city staff. And all city facilities have new updated cleaning and disinfecting schedules throughout the day based on use and the hazard of the particular area or facility and those again, are in compliance with CDC and New York State guidelines. One of the big issues has been city playgrounds. Those will open officially tomorrow, Friday, June 26 and while New York State did announce that communities could reopen playgrounds last week, we needed to have a written plan for cleaning and disinfection in place, as well as signage prior to an official opening. We'd like to remind the public that even though we do intend to clean the playground equipment on a regular basis, it is not practical for the city to clean equipment after each use, and therefore parents should supervise their children, practice good personal hygiene and come prepared with things like hand sanitizer and face masks in the event recommended social distancing cannot be maintained. Casey Park pool has been another area that folks have asked a lot about. It is slated to open on Monday July 6, and in an effort to maintain compliance with the recommended practices from New York State and our local Department of Health, the city and our partner, the YMCA, have implemented new schedules, rules and procedures for the patrons of Casey Park pool. We are limited related to the capacity of the pool and all visitors will be required to sign in, sign a waiver, exercise social distancing and maybe limited to the time they are allowed to stay. On any given day, Casey Park pool can host two to 300 visitors. And that's just not going to be able to happen anymore, at least for the foreseeable future. Those pool occupancy numbers are limited again by New York State guidelines, on social distancing, as well as the YMCA's ability to provide lifeguards. For the last several months, though, the YMCA had scheduled weekly weekend classes to train lifeguards and have not been able to complete that training during the shutdown. So,

they're stretched a little thin as well. And again, as always, we ask our residents to be patient, respect our rules, comply with staff requests so that everyone can have a chance to enjoy the Casey Park pool.

Councilor Giannettino 24:51

Can I ask a question about that? You mentioned that there may have to be time limits and things of that nature. I know that in the past there have been behavioral issues at Casey Park that kind of fell on the lifeguards to deal with and some of them are young kids themselves. You know, I would ask that, you know, we have a policy in place that if there are problem residents down there that they are not allowed in. Because I, you know, this situation, it's going to put added stress on everybody down there. I don't know how we enforce that.

City Manager Dygert 25:21

Sometimes if we just have, you know, if need be, we'll see how things go. If need be, we can put maybe a more experienced, mature member of staff down there to take care of things. Thank you. As we enter phase four of the New York State Central New York Reopening Plan tomorrow, we have been receiving requests and questions regarding league sports and sports teams that utilize city owned fields and we're still working through the details of those requests and are directing teams to get familiar with the New York State guidance document on sports and recreation during the COVID situation. So, I believe I forwarded this to all of you Councilors today electronically, because I've got a feeling that some of you will probably be fielding questions from some of the team members, leagues, things like that. So, that's there so that you can have an idea of what we're working off of, again, like many things New York State has been doing, it has a potential to change from day to day, but this is what we have for guidance right now. So our leagues and teams will need to have a written plan on how they intend to comply with the regulations, and participants may be required to acknowledge receipt of the rules by their signature. We are also, especially now that the weather has broke, there's been some relaxation on gatherings from maximum of 10 to a maximum of 25. We're getting requests for the use of Hoopes Park for things such as small weddings and the use of Casey Park shelters for things like small family picnics. So we're just wrapping up guidance on those types of requests. Again, with the 25 person restriction in mind and again, organizers of those small get-togethers will be asked to acknowledge that they understand and agree to comply with the rules. The last thing I have here is really more about private businesses, but the interaction they have with the city, and we continue to work with our local bars and restaurants to help those in our downtown setting expand their outdoor seating areas into the public space. These expansions are just temporary and are made in cooperation and conformance with the New York State Liquor Authority guidance. As previously mentioned, we asked the public as patrons of these businesses to comply with the requirements of social distancing and face masks. While the New York State Liquor Authority has relaxed certain requirements, it has imposed other restrictions due to COVID-19, along with more harsh penalties and almost immediate enforcement actions against the owners and operators of these establishments. Non-compliance by individuals seriously jeopardizes the ability of these great local businesses to continue to operate. So again, we know folks are excited to get out and do things they

haven't been able to do for a few months. But non-compliance with the rules set forth puts those establishments in a predicament where they could potentially have their liquor license pulled on the spot.

Councilor Locastro 26:55

Is the city liable if there's an outbreak down the Casey Park pool?

City Manager Dygert 28:47

I think it would be really tough to come back and pinpoint an actual you know, case. I defer to....

Nate Garland 29:00

Councilor, I guess that I would answer your question with just some general news that I've taken in over the last several months. New York State trial lawyers are very politically powerful entity they've been pushing to essentially allow personal injury suits relative to COVID-19 exposure. And that has not yet been something that the courts or the legislature is willing to authorize essentially. So, relative to our liability, again, I agree with the manager it would be very hard to prove, first of all, but it's at best a gray area in the law right now as to whether or not a personal injury suit could be brought relative to COVID exposure. Thank you.

City Manager Dygert 29:48

And I think in addition, we're taking all of the recommended precautions, doing all the things recommended again by New York State, by the CDC. So you know, hopefully that's going to work to limit our legal exposure to any problems. We are working on waivers for things like Hoopes Park, Casey Park, shelters, the sports teams, all of that stuff again. So there's an acknowledgment from the participants that we have rules in place and that they acknowledge that we have rules in place.

Mayor Quill 30:27

Has NYMIR helped us with any of this?

City Manager Dygert 30:30

There's been a lot of communications between you know, everything from, practically every vendor we have sends us communications on what they think is best. Organizations like the chiefs of police and the fire chiefs, NYCOM, NYMIR. There's a ton of organizations out there, putting information out. So sometimes the difficulty is actually weeding through all of that to find out what's best and what's accurate. What's coming from a good source and what makes sense for us. But for the most part, we've found that we tend to be, you know, all the folks we've got working on it from Corporation Counsel's office, and the Planning Department, we actually seem to be typically a week to two weeks ahead of when they, when these different organizations, come out and they release something. It's something we've already tackled. And we're, again, typically a week or two ahead of it.

Mayor Quill 31:30

I know my city hall email, every day I get two or three, somebody out trolling, looking for work, and I don't blame them for that. So, apparently with the Councilors reaction, they are getting the same things. Councilor Cuddy.

Councilor Cuddy 31:47

Yes, thank you. I just want to commend the city manager and the staff through this crisis. I really appreciate the cautiousness that the city has gone through the phases to make sure that we are being safe. As we see, states that have opened up prematurely, and that's thrown out some of the things that we are holding here too, such as social distancing and wearing of masks and, and making sure that those are being enforced out in public. I think it's important that we maintain that. I'm glad to hear that the signage is going into the playgrounds that we are, as I said, being very thorough in in our unfolding of this and as, as you indicated, Mr. Dygert that it really makes me proud that you guys were one or two weeks ahead of the state when it came to kind of see what was coming down the bend. It has a lot, I think that has a lot to do with the success that we've had so far in kind of keeping the flattening of the curve down. But I really, as you said yourself city manager, that, we still need to exercise caution, we still need to do social distancing, and we still need to wear masks out in public so, we can really kind of keep this COVID-19 from really getting back into our lives. And I think that if we, if we keep this up, you know, Auburn and Cayuga County will be, hopefully able to maintain where we are right now. So, I just want to thank the staff and you for being very thorough and cautious through this process. We need to maintain that we need to keep that thoroughness and caution because by all means this is not over.

Mayor Quill 34:10

Thank you Councilor Cuddy. Anyone else? Mr. Dygert bar graphs.

City Manager Dygert 34:18

Yes, so I've got a little bit of a budget update and not a lot of detail. But a couple things that I think the Council is aware of. I'm not sure if the general public is related to the bar graph reports. You know, as we're approaching the end of the fiscal year, just midweek next week, we're looking pretty good. Again, typically at the end of the fiscal year, we put the brakes on spending and we tighten things up. So, any expenditure over about 500 bucks has to go through me personally. Obviously, with everything that went on this year, we put those measures in place pretty quickly. When we knew businesses are shutting down and sales tax would be impacted and things like that. So, staff has done a great job of trying to keep spending under control and still keeping operations running and doing what we need to do. So, with that said, on the expenditure side, I think we're looking really good on the budget situation for this fiscal year. As an update our sales tax, the last report we've got, which would cover the month of May, sales tax revenues for the month of May, were down 33%. So that's obviously, that's significant. May we expect is going to be the most significant impact of sales tax. We expect that the June report when we get that, things will have started to rebound slightly because of reopening. As we discussed during the budget process, we budget for a certain amount, an anticipated amount of sales tax, we try not to get too overly optimistic about sales tax, but we try to keep it realistic for those budgeting purposes. For the last

several years, we've received more sales tax, we've outperformed our budgeted revenue in that area. So, with that in mind, because the previous months prior to March and April, because those months had been good performers, we still have a little wiggle room here at the finish line to potentially come in and actually still meet our budgeted amount. Not sure exactly if that will happen or not. But if we can get June, if the June decrease is less than 12% we will actually still meet last year's budget amount which will be good. And other than that, you know, I think we may still be in, maybe not the shape we thought we'd be in this time last year, but still in pretty decent shape. Earlier this week, we received notification from New York State that are our AIM funding from New York State, that we would be receiving it in June like we normally do, but it was going to be a reduced payment. So, the good news is we're getting something. The bad news is we're not getting everything we expected. So, the City of Auburn along with, I believe, 11 other cities were, it was announced that we would get 80% of our normal payment. What we don't know is what's going to happen with that other 20%. There's been no definitive answer as to whether or not we won't get that or whether it will be deferred, delayed, reduced, or what will happen with it. The amount of that is just shy of \$1 million. So, we'll keep an eye on that and see what happens.

Councilor Giannettino 38:06

Is there any guidance from NYCOM on what their efforts are going to be to lobby the state? For some type of information?

City Manager Dygert 38:15

I have not seen that yet. Mayor, I don't know if you've received anything or not.

Mayor Quill 38:26

We can reach out if you'd like.

Councilor Giannettino 38:28

Yeah. I'm just wondering if we should reach out to them and to our legislators. You know, I understand we're in the situation. AIM has never been one of the governor's favorite things. He's always threatening to, you know, decrease it and take it away. I just hope that this isn't being used as his avenue to do that. Yeah. So, you know, if we could reach out to our legislative delegation, I know it's diminished with nobody being in a seat in the 50th. But, I'm sure Pam Helming would, you know, look into it for us.

City Manager Dygert 39:01

We'll do that. Thank you.

Mayor Quill 39:10

Any information Council for Mr. Dygert? Councilor Cuddy, all set?

Councilor Cuddy 39:17

All set Mayor. Thank you.

Mayor Quill 39:21

Other business from the Council. Councilor.

Councilor Locastro 39:23

I'm sorry. No. As far as the budget graph. Yes. You couldn't go to the snow removal one for me, could you? I am just wondering why snow removal has dollar amounts in the warmer months.

City Manager Dygert 39:40

It may be just whether, I can't speak for Mike Talbot, but they may be going back reconciling some stuff and making some changes. There again when they get into snow plowing in the wintertime, like there's not a separate fuel line or anything like that. So, occasionally, they'll go through and make some adjustments, even personnel, when they do that. So, yes, it's not that there's been recent activity. They may just be adjusting their records.

Councilor Locastro 40:12

I looked at Falcon Park, I mean for this year. I don't know whether we're staffed down there but some of the numbers?

City Manager Dygert 40:22

No, so at Falcon Park, we do have somebody that's, you know, technically assigned to Falcon Park and all the other people that would typically have been assigned to Falcon Park because again, we'd be into the season now. They're being utilized or being redistributed in other areas, but because they're budgeted out of that they still come back to that. So, you know, there are still some things we need to do down there as far as you know, maintenance of the facility and, and taking care of the facility and keeping the lights on and paying the gas and electric and stuff like that. But right now, it's essentially mothballed right at the moment until we know more.

Councilor Locastro 41:05

Okay, thank you.

Councilor Giannettino 41:12

Mayor. I know that...

Mayor Quill 41:14

I didn't know. I'm sorry. I'm watching Councilor Cuddy.

Councilor Giannettino 41:18

I did. If he has something.

Councilor Cuddy 41:22

Me. Yeah, no, I'm good. Thank you. No, if it looked like I raised my hand, I don't have anything. Thank you.

Councilor Giannettino 41:30

I know the last couple of weeks there's been increased complaints on fireworks and I know the police and fire chief put out a joint notice. I know in recent years also, New York State has legalized certain fireworks. I don't know if that contributes to the increased use of illegal fireworks, people thinking that they're all legal. If it got to a point where it continues to be an issue, could we pass a local law banning the sale of those legal fireworks in Auburn, so they're not setting up tents on East Hill?

City Manager Dygert 41:58

I would have to look into that. When that practice started, back when I was a fire chief, it was my understanding that that law falls to the local level of County government. And they have the ability to either authorize or not authorize the sale. I don't know if there's an ability for us if the county says it's okay, if we can actually overrule that or not.

Nate Garland 42:23

We'll look into it for him. Thank you.

Councilor Locastro 42:27

Does anybody monitor the areas that they're selling fireworks to see if they're legal or not legal?

City Manager Dygert 42:33

Typically, yes. Whether it's the PD or the fire department, fire inspector that goes down and checks on those things. Code Enforcement, I think also has an obligation not locally, but just generally speaking, that those facilities are supposed to be inspected on a certain basis.

Police Chief Butler 42:58

So, we do have officers inspect, we do Thank you.

Mayor Quill 43:14

Any other Business Council? Do we have requests for Executive Session?

City Manager Dygert 43:21

Yes, Mayor, we have three matters of pending or potential litigation we'd like to discuss with council.

Mayor Quill 43:29

Any other reason? Other than that? That's enough, I realize, yes. Council, do you have any requests for Executive Session? Very well. At this point I entertain a motion for Executive Session. Mr. Clerk.

City Clerk Mason

Executive Session. Councilor Locastro made a motion to enter Executive Session, seconded by Councilor McCormick. Council voted unanimously to enter an executive session at 5:49 p.m. regarding the following matters:

- Three matters pertaining to potential or pending litigation

Executive session adjourned at 7:26 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:27 p.m.

Minutes submitted to the City Council on July 16, 2020 by Charles Mason, City Clerk