

**Auburn City Council
Regular Meeting
Thursday, January 7, 2021 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 5:00 p.m. via Zoom videoconference from the City Council Chambers, 24 South St. Auburn, NY by Mayor Quill. The meeting was held by videoconference due to the COVID-19 pandemic.

ROLL CALL – The City Clerk called the roll. Councilor Deb McCormick, Councilor Jimmy Giannettino, Councilor Terry Cuddy, Councilor Tim Locastro and Mayor Quill were all present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Chuck Mason
- Director of Capital Improvement Program, Christina Selvek
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- Director of Municipal Utilities, Seth Jensen
- City Comptroller, Rachel Jacobs
- City Engineer, William Lupien

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.

Public Announcements –

The City of Auburn Civil Service Commission will hold a meeting on Monday, January 11, 2021 at 6:30 p.m. via videoconference. Complete information is available at the City website www.AuburnNY.gov

Secondly, the City Historic Resources Review Board will hold a meeting on Tuesday night, January 12, 2021 at 7p.m. via videoconference. Complete information is available at the City website www.AuburnNY.gov

CEREMONIAL PRESENTATIONS –

WHEREAS, Solomon Northup was born a free person in the year 1807 in Schroon, New York, now Minerva, New York, and lived for many years in Saratoga Springs, New York; and

WHEREAS, In 1841 Solomon Northup was recruited by two men to work as a musician in the circus and made a trip to Washington, D.C. to begin his work as a fiddler; and

WHEREAS, Upon his arrival in Washington, Solomon Northup was sold to slave trader James H. Birch by the name of Platt Hamilton, conveyed to Richmond, Virginia and then delivered by ship to New Orleans, Louisiana, where he was sold by trader Theophilus Freeman to William P. Ford; and

WHEREAS, Solomon Northup would spend the next twelve years in slavery in the Bayou Boeuf plantation region of Central Louisiana's Red River Valley; and

WHEREAS, In 1852 then Governor of New York Washington Hunt utilizing Governor Seward's 1840 statute made Henry B. Northup an agent of the State of New York sending Henry to Louisiana with documentation supporting Solomon Northup's status as a free New Yorker; and

WHEREAS, Upon arrival in Louisiana on January 1, 1853 Henry B. Northup hired John P. Waddill, Esquire in search of Solomon Northup; following months of search and legal battle, Solomon Northup's freedom was once again legally obtained in Marksville, Louisiana on January 4, 1853; and

WHEREAS, Solomon Northup returned to the State of New York on January 22, 1853 where he was reunited with his family and together with local writer and lawyer David Wilson, he penned his memoir "Twelve Years a Slave"; and

WHEREAS, "Twelve Years a Slave" was first published by the Auburn, NY publishing company of Derby & Miller once located at 107 Genesee Street on July 15, 1853, and the book becoming a best-seller with more than 25,000 copies sold in its first year and nearly 30,000 copies published in its first four years.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the City Council and Citizens of Auburn, on the 168th anniversary of the day that Solomon Northup re-obtained his freedom do hereby proclaim January 4, 2021 as,

Solomon Northup Freedom Day

in the City of Auburn, and encourage all Citizens to observe this day by recognizing this unique story and its significant contribution to our status as History's Hometown.

**In witness whereof I have hereunto set my hand
and caused the seal of the City of Auburn to be
affixed this Fourth day of January 2021.**

Michael D. Quill, Mayor
City of Auburn, New York

PUBLIC TO BE HEARD – Mayor Quill opened the Public to be Heard portion of the Council meeting

and the following residents spoke:

- David Scott. Yes. Good afternoon, or evening, Mayor and members of Council my name is David Scott and reside at 63 South Street in Auburn, 13021. Yes, good evening. We've seen in the last 24 hours, an egregious attack on the Constitution. It is something that deeply, deeply affects me as a combat veteran. I do want to address though the fact that we have an ecology here in the city of Auburn, that is well for the better sake of the word, unfriendly. The data that I have, which is compiled over a 12 month period of 2020 indicates we had 2,219,468 micro aggressions against African Americans including micro assaults, micro insults, micro invalidations, micro profiling as well as micro slanders. Of that 2 million figure approximately 258 may have approached the level of a hate crime. We have a lot to do in our city this year 2021. The landscape has changed because of the Coronavirus. But what I'd like to remind Council and remind the city of Auburn is that this whole Coronavirus situation is only one of the viruses here in the city of Auburn. Racism is still here. We did not have 2.2 million domestic violence situations. And we did not have 2.2 million opioid overdoses in this city. We have a lot of work to do as we progress as a city and as a country. Thank you very much. And I believe I'm under three minutes.
- Madysan Hastings. Student from BOCES. The only thing I think I'd have to say is I couldn't have said it better myself. I agree with everything he's just said. Um, I like the numbers that he added. I think the numbers add a great effect to it. And that's something definitely to remember.

Approval of Meeting Minutes -

- December 22, 2020 Council Meeting Minutes
Motion to approve the December 22, 2020 minutes by Councilor Cuddy, seconded by Councilor McCormick. Motion to approve carried 5-0.

Reports of City Officials

A. City Manager's Report

Okay. I'll keep this brief tonight. I know we've got a lot of stuff on the agenda. I did want to just mention that our ongoing efforts to comply with the governor's executive order 203 related to police reform continued last evening, several of you were part of that conversation that was done remotely similar to this meeting. That was the second large, open to the public community forum. We had approximately 60 participants, which was a great turnout, it was almost double what we had seen at the prior meeting. So members of that working group provided a an overview of the topic areas that they had been working on. And some of the highlights of that work. We heard from our police chief, as well as our county sheriff. And we also ended up fielding some questions. Some of those questions were sent in via email prior to the meeting. So those were addressed, as well as fielding questions and comments from members of the public who took part in that zoom meeting. So all in all, it was a good opportunity for the public to have some input again, which is absolutely the the point of executive order 203. We will be continuing to work on the documents related to that and required by that executive order. And we will have some information in front of counsel in about two to three weeks for you to start to take a look. Yeah, related to the next steps with that executive order. And that is a resolution that will come before Council for your consideration. Really to to to verify the philosophy and the concept of community policing and and the police reform items that are being discussed. We'd like the public to keep in mind

that there are still community surveys available for those folks that haven't been able to take part in a discussion via zoom or any of these meetings. There is a way that the public can be heard. And that is if they go to the police department's website, page or social media as well as the city's web page or social media, there is an online survey that is anonymous, and has an opportunity for people to weigh in with their comments, their thoughts on a variety of topics relating to the Auburn police department as well. The County Sheriff's Department also is doing the same thing. And I mentioned that because our Sheriff's Department Police Department work side by side together in many cases, and the sheriff's department does provide service within the city at time. So if anybody's looking at this, they have an opportunity to take part in both they are not identical, they are slightly different. The next thing I wanted to mention is related to COVID. And to try to get some information out to the public, we continue to deal with the impact of COVID on our community. We started on this path back in March. And we heard a lot of information, a lot of stories about what was going on in other parts of New York state and across country. And for the most part, the city of Auburn and Cuba County were relatively untouched by the drastic impact of COVID. That started to change back in October. And since October, since after Halloween, our local numbers have continued to increase. And they've increased dramatically, has had a dramatic impact on our hospital. I don't have exact figures and I don't want to speak for the hospital. But I can speak in general terms, I think, and our hospital is operating above its normal capacity. on a regular basis at this point. They have been asked to do things above and beyond what they typically would do. So our what is normally considered a 99 bed facility has been operating above 100. What they refer to as our census, how many people they have in beds at the facility, and it's been in excess of 100 or 105 on a fairly regular basis. Approximately 40 of those people at any given time are actual COVID patients. And that not only impacts the hospital, but it impacts everything else. And it not only impacts COVID patients, but it impacts other patients. So it has an impact in our Emergency Medical Response System. It prolongs the wait for an ambulance, it prolongs the time it takes for an ambulance to unload a patient at the hospital due to their capacity. And that is regardless of whether it goes to Auburn or Syracuse or Rochester. This is a systemic problem throughout Central New York and throughout New York State. And it has implications on everybody really relative to COVID or not. For instance, if somebody has a cardiac issue, the speed at which they might be into taken into the hospital and provided care is being impacted by the workload at the hospital and that is in no way. Speaking negatively of the hospital or their staff, they're simply being stressed and the system is is loaded and overloaded. I mentioned that because last week we received locally we received our initial doses of COVID vaccine. The hospital received those doses and was responsible for the distribution of those doses out into the healthcare world. within the hospital and out in the other aspects of first responders and nurses and things like that the community. You may have seen governor giving updates on his impression of how quick that was happening across the state. or local hospital did a great job of getting the word out getting those vaccinations distributed about two days ago on the governor's announcements he mentioned that Auburn Community Hospital was ranked number eight in the state as far as their ability and their performance and getting those vaccines out into people. As of last night, harbor Community Hospital had administered essentially 100% of those a lot of doses so they met the mark they did what they needed to do. They got those doses out into the community within the seven day timeframe put forth by the governor. Here County Health Department this week received an allocation of doses as well. They are running a clinic fo sees on Saturday, again, similar to the doses that were received by the hospital. They are earmarked for an eligible group of individuals. And those are folks again, in what's referred to as phase one a, that are providing patient care in a variety of settings. But these are not available to the general public. They are available to health care professionals at this point. We say that it's important, we want to make sure folks know that we are receiving vaccine. The vaccine is getting out into the

designated populations. We expect in the coming weeks, those population groups will be expanded and will continue to communicate with the public on those vaccine opportunities. This is going to be a major undertaking for the county health department, and Cayuga county and a lot of other agencies to work together. You think about the population of Kiva county if we just round it to 70,000. And the target is to vaccinate 70 to 90% of the population.

So again, if we look at that, and even a look at a 60,000 figure that 60,000 injections, and these vaccines are a two part injections, that'll require two injections. So over time, we will have to provide 120,000 injections based on those numbers give or take. Along the way, testing is still going on are still asymptomatic and symptomatic testing clinics going on throughout the county. We are working with the county health department and emergency management to set up a more localized testing clinic at Booker T. Washington center, we realize that not everybody in our community has the availability, the easy availability of transportation to go to a drive thru clinic outside the city. So we're working hard to get something set up a little more local. And we'll continue to do that with vaccines. Also want to let Council and the public know that the employees for the city of Auburn are stepping up in a variety of ways to try to help out with this effort. As I mentioned, the numbers if you just think of the numbers alone are somewhat mind boggling. The staff at the county health department is somewhat limited. And they are dealing with testing. They're dealing with vaccinating, they're dealing with all of the other stuff that comes along with this COVID as well as all of the other things that they typically do. We have offered and are providing some help to the county health department by doing outreach to eligible groups, doctor's office, dentist's office, things like that, and that nature, and providing some guidance for the online scheduling system. Our firefighters, some folks may not know but our firefighters are trained to actually give injections as part of their job as emergency medical technicians, and approximately 25 firefighters. Within this week, we'll be getting certified to actually administer this vaccine as well so that we can provide some not only some relief to the health department, but also expedite the process of getting the vaccine out into all members of the public. So we'll continue to work on that. And it certainly is going to be a community effort to get this vaccine out there. We want to remind folks that just because the vaccine is out and it's being delivered and injected into folks, we have a long way to go. And there's some discussion about you know, when will we complete? When will this task be completed. And that may be you know, sometime in March could be April so it's going to take some time. And between here and there. We still have people that are going to test positive people that will get ill we still have stress on the hospital system and the EMR system. So just because the vaccine is is available. It's it's certainly is not this is not the end of things so we asked folks to still be cognizant do the right thing where a max mask social distance. Try to keep your social interactions under control right now so that our health care workers can get a little break or hospital can get up Break, in that your friends and neighbors can stay healthy. And maybe some of our businesses can open up and get back to normal as well. I think that's that. And that's all I have.

B. Reports from members of Council

Councilor Giannettino: Mayor, if I could just piggyback on a couple things the manager said. I also attended the zoom meeting last night for Executive Order #203 and I just I want to comment on a couple things. The, as a manager said, the participation was up, which was good. The other good component of that, and the encouraging component of that, is that the participation was diverse. There were a lot of young people that called in which is encouraging to me. I think that's important that they're paying attention, and they're being

involved. One thing that was mentioned by Jack Hardy, who's the Civil Service Commissioner, that they just received the test results for APD and AFD and he said, it's the best representation of minority and female candidates in the 11 years he has been on the Civil Service Commission. I think that's important to know, I think that's a combination of a lot of hard work by a lot of people throughout this community, from Auburn Police Department, Auburn Fire Department, Cayuga County Sheriff's Department, our Civil Service Commission, and certainly our social justice groups that have partnered to get that message out. So, you know, we always talk about doing the work, it's nice to hear when we start to reach those benchmarks. Obviously, there's much more work to do but we are making progress and I just wanted to comment on that. The other thing I'd like to comment on is some of the things the manager said about COVID, in our response to COVID. I tried to call in as often as I can to the Monday morning meetings, I happen to be able to do that this Monday. And you know, the manager asked for staff members to step up if they were willing to, to assist the county and the hospital in this community effort to address this public health crisis. And there was no hesitation. And that makes me proud to be a part of this organization. And makes me proud to see that the people that work for this organization and for the people of this city, are willing to put in that extra effort. As the manager mentioned, we are in a serious situation right now. The numbers don't lie. I want to acknowledge those frontline workers who are working very hard and they have been for several months. They're stretched very thin. We all know that. So I want to acknowledge them and their efforts. And as he was giving his report, the daily health department report came out. And sadly, there were four additional deaths. So that's something I think we all need to, as a community, keep in mind that there is a serious toll on this community. And I want to offer condolences to everybody who has lost a family member. Thank you.

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances – none

C. Local Laws – none

D. Resolutions -

GRANT ACCEPTANCE RESOLUTION #1 OF 2021

AUTHORIZING GRANT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR URBAN FORESTRY

By Councilor McCormick

January 7, 2021

WHEREAS, the City of Auburn is part of the Tree City USA program and is committed to managing and expanding public trees through active urban forestry management of the City's tree-lined streets and nearly 100 acres of parkland; and

WHEREAS, due to various invasive plants and insects impacting the City's urban forest, an updated inventory and management plan is needed to document the City's forest health, issues and threats; and

WHEREAS, on December 3, 2019 the City of Auburn submitted an application to the New York State Department of Environmental Conservation (NYS DEC) for funding assistance to conduct a GIS-based tree and available planting site inventory and create an urban forest management plan; and

WHEREAS, on December 18, 2020 the City of Auburn was notified of an Urban and Community Forestry Program's grant from the NYS DEC in the sum of \$30,000; and

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

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF AUBURN hereby accepts an Urban and Community Forestry Program Grant from the New York State Department of Environmental Conservation in the amount of \$30,000 to complete an urban forestry inventory and management plan in the City of Auburn; and

BE IT FURTHER RESOLVED that the Comptroller is authorized to create a project capital account with a total project budget of \$30,000 and to recognize grant revenue from NYS DEC in the amount of \$30,000; and

BE IT FURTHER RESOLVED that the Mayor of the City of Auburn, or a designated representative, is authorized to execute the grant contract and all other documents necessary for the acceptance of the grant, and otherwise act on all matters related to the grant.

Seconded by Councilor Giannettino

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #1 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', written over a horizontal line.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

AGREEMENT RESOLUTION #2 OF 2021

AUTHORIZATION TO FUND RIGHT-OF-WAY PHASES AND ACCEPTANCE OF RIGHTS OF WAY FOR THE AURELIUS AVENUE BRIDGE REPLACEMENT PROJECT- PIN 375688 D040243

By Councilor McCormick

January 7, 2021

WHEREAS, on December 17, 2020, the Auburn City Council authorized Agreement Resolution #118 of 2020, which authorized a master agreement for the Aurelius Avenue Bridge Replacement Project, PIN #375688, (the “Project”) with the New York State Department of Transportation (NYS DOT) for a total project cost of \$4,246,000; and

WHEREAS, the Project is funded under the US Federal Highway Administration Locally Administered Federal Aid Program (LAFAP) that calls for the apportionment of the project costs to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and

WHEREAS, now in order to advance the Project, the City of Auburn must execute a State Administered Right-of-Way (ROW) master agreement with NYS DOT in order to acquire the necessary ROW property and to accept by Official Order the real property acquired for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, that the State Administered ROW master agreement for the Aurelius Avenue Bridge Replacement Project, PIN# 375688 (the “Project”) is hereby approved; and

BE IT FURTHER RESOLVED that the City of Auburn shall pay in the first instance 100% of the non-Federal share in the amount of \$11,000 for the State Administered ROW Incidentals and Acquisition work for a total cost of \$55,000 for the Project or portions thereof; and

BE IT FURTHER RESOLVED that the ROW Incidentals and Acquisition work be charged to the Aurelius Avenue Bridge Replacement account (#HA5110.440.KO); and

BE IT FURTHER RESOLVED that the City of Auburn will accept from NYS DOT the real property acquired for this project; and

BE IT FURTHER RESOLVED that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the City of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation, and it is further

BE IT FURTHER RESOLVED that the Mayor of the City of Auburn is hereby authorized to execute all necessary agreements, certifications, and reimbursement requests for Federal Aid and/or New York State Marchiselli Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first-instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #2 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2021.



Charles Mason, Clerk
City of Auburn, Cayuga County, New York

COUNCIL RESOLUTION #3 OF 2021

ADOPTING A BUDGET CALENDAR FOR THE PREPARATION OF THE FISCAL YEAR 2021-22 CITY BUDGET

By Councilor Giannettino

January 7, 2021

WHEREAS, the City Budget is the financial document that funds the many services provided by local city government; and,

WHEREAS, the City's fiscal year begins on July 1st of each year and the City Council must adopt a final City Budget by the end of June each year for the next budget year; and,

WHEREAS, adequate preparation, review, and eventual adoption of the annual City Budget is an open process that lasts several months; and,

WHEREAS, for the preparation of the Fiscal Year 2021-22 budget, the City Manager recommends the following attached budget calendar be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council sets the attached listed dates as the official budget calendar for the preparation of the City of Auburn Fiscal Year 2021-22 Budget and that all business pertaining to the City Council called for in said calendar will be scheduled as part of regular City Council meeting agendas in accordance with the Council Rules and Procedures; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the public of the dates as set forth herein and that throughout this budget preparation process the City Clerk shall immediately make available to the public all budget related documents as they become available to the Council.

Seconded by Councilor Cuddy

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

2021-22 BUDGET PREPARATION AND ADOPTION TIMELINE

Department Heads receive budget packets	January 19, 2021
Department Heads return budget packets	February 12, 2021
Comptroller compiles Department Head budgets and revenue estimates	March 5, 2021
Comptroller and Manager meet with Department Heads to justify budget requests	March 8 – 19, 2021
City Manager submits preliminary balanced budget	April 1, 2021
Department Head presentations to Council	April 1 & 8, 2021
Council input due to City Manager	April 15, 2021
Final balanced budget based on Council input and revised revenue estimates	April 29, 2021
Final Council input due to City Manager	May 6, 2021
Public Hearing on budget	May 20, 2021
Budget adoption	June 3, 2021

COUNCIL RESOLUTION #4 OF 2021

ADOPTING THE CITY OF AUBURN INVESTMENT POLICY

By Councilor Giannettino

January 7, 2021

WHEREAS, New York State General Municipal Law Section 39, entitled “Investment Policies for Local Governments” states that “Each local government...shall by resolution adopt a comprehensive investment policy which details the local government’s operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government”; and

WHEREAS, the City of Auburn has written a policy in accordance with New York State requirements for review and adoption by the Auburn City Council; and,

WHEREAS, the City has seen monthly investment income growth since the implementation of this Policy in 2014.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby adopt a policy for the City of Auburn in relation to the investment of public funds in accordance with New York State General Municipal Law § 39.

Seconded by Councilor Cuddy

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #4 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

City of Auburn, New York

Investment Policy

A. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the City of Auburn, New York (City) on its own behalf or on behalf of any other entity or individual.

B. OBJECTIVES

The primary objectives of the local government's investment activities are:

- To conform with all applicable federal, state and other legal requirements
- To adequately safeguard principal
- To provide sufficient liquidity to meet all operating requirements
- To obtain a reasonable rate of return.

C. DELEGATION OF AUTHORITY

The City Council's responsibility for administration of the investment program is delegated to the Treasurer. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

D. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City to govern effectively. Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

E. INTERNAL CONTROLS

It is the policy of the City for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer within 5 days of deposit, or within the time period specified in law, whichever is shorter. The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

F. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are banks authorized to do business in New York with preference given to banks located in Central New York.

G. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, “deposits”) made by officers of the City that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured either by:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers.
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.

H. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the City shall be held by the depositary bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities or the pro rata portion of a pool of eligible securities are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities or pro rata portion of a pool of eligible securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the pledged securities are not registered or inscribed in the name of the City, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities or the pro rata portion of a pool of eligible securities as set forth in the security agreement. The custodial agreement shall provide that pledged securities or the pro rata portion of a pool of eligible securities will be held by the bank or trust company as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected security interest in the eligible securities and to otherwise secure the local government’s interest in the collateral, and may contain other provisions that the City Council deems necessary.

I. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the City Council authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York

All investment obligations shall be payable or redeemable at the option of the City within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections G and H herein. Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested. Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

J. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the City transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City. The (chief fiscal officer, treasurer, or other officer having custody of money) shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

K. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner

2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the City Council deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected interest in the securities.

The Treasurer can direct the bank or trust company to register and hold evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a custodial agreement set forth in the General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

L. ANNUAL REVIEW AND AMENDMENTS

The City shall review this investment policy annually, and it shall have the power to amend this policy at any time.

M. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

FINANCIAL RESOLUTION #5 OF 2021

ADOPTING THE 2021 SEYMOUR LIBRARY TAX LEVY

By Councilor Cuddy

January 7, 2021

WHEREAS, the Seymour Public Library District compromising the City of Auburn and the Town of Owasco was created by referendum on October 14, 1992, with the subsequent addition of the Auburn School District portion of the Town of Sennett in January 1996 and the Town of Fleming in 2011; and

WHEREAS, the share of the 2021 operating budget to be raised by the City of Auburn from a local assessment against the real property within the boundaries of the municipality will be \$488,966.80; and

WHEREAS, the Library has requested the City of Auburn advance half of this amount in February 2021

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that \$488,966.80 is to be levied on the 2021 City of Auburn property tax bills on a separate library tax line and an advance in the amount of \$244,483.40 be paid in February 2021 which will reduce the August 2021 payment.

Seconded by Locastro

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #5 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

COUNCIL RESOLUTION #6 OF 2021

**AUTHORIZING THE ADOPTION OF A
CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor McCormick

January 7, 2021

WHEREAS, the City of Auburn maintains and annually adopts a Procurement and Surplus Policy, which regulates competitive bidding and public service contracts so that taxpayers may receive goods and services at the lowest reasonable prices; and

WHEREAS, New York State General Municipal Law requires municipalities to annually review their Procurement Policies in order to update the same with any new legislation which may change competitive bidding limits; and

WHEREAS, the City Comptroller has reviewed the current City of Auburn Procurement and Surplus Policy and has determined that it is compliant with the provisions of the New York General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn Procurement and Surplus Policy is hereby adopted as being compliant with New York State General Municipal Law and that all of the terms set forth in this Policy are continued and authorized in its current form.

Seconded by Councilor Locastro

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #6 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', written over a horizontal line.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

CITY OF AUBURN, NEW YORK
2021 PROCUREMENT AND SURPLUS POLICY

SUBJECT TO OPEN COMPETITIVE BIDDING

Purchases over \$20,000 (Aggregated Annually)

Public Work Contracts over \$35,000

1. Pursuant to New York State General Municipal Law Section 103 (GML 103) all contracts for public work involving an expenditure of more than thirty-five thousand dollars (\$35,000) and all purchase contracts involving an expenditure of more than twenty thousand dollars (\$20,000), shall be awarded through an open competitive bid process by the City Council to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. Purchases of commodities, services or technology shall not be artificially divided for the purpose of avoiding competitive bidding procedures.
2. Open competitive bidding shall be achieved by publishing advertisements in the City's official newspaper and on the City's website. Such advertisement shall contain a statement of the time and place where all bids received pursuant to such notice will be publically opened and read and where the identity of all offerors will be publically disclosed. Whenever a contract is awarded to someone other than the lowest responsible offer, documentation and an explanation are required. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
3. Exceptions to GML 103:
 - a. *Best Value Law (Subdivision 1 – GML 103)*. Best value is defined for this purpose as a basis for awarding contracts to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. To use this exception to GML 103 two requirements must be met:
 - i. The offeror is responsive and responsible.
 - ii. The best value determination must be made on objective and quantifiable standards that the offer optimizes quality, cost and efficiency. Written justification is required if an award is made based on best value instead of the lowest responsible bidder.
 - b. *Emergency Situations*. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the City, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let with City Manager approval. When at all possible, quotations shall be obtained for the emergency services.
 - c. *Surplus and Second-hand Items*. Surplus and second-hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the federal government, the state of New York or from any other political subdivision, district or public benefit corporation.

d. *Piggybacking Law (Subdivision 16 – GML 103)*. This addition authorizes the purchase of apparatus, materials, equipment and supplies, and related installation, repair and maintenance of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district there in given the contract was made available for use by other governmental entities. To use this exception to GML 103 three prerequisites must be met:

- i. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
- ii. The contract must have been made available for use by other governmental entities
- iii. The contract must have been let to the lowest responsible bidder or the basis of best value in a manner consistent with this section.

e. *State Contracts*. Service contracts entered into through the New York State Office of General Services. In these instances, the State has already investigated and secured the lowest possible price for the municipality.

f. *Professional Services*. Pursuant to General Municipal Law §104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the City of Auburn to solicit quotations or document the basis for not accepting the lowest bid:

- i. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the City Council shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to, the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modifications and customizing of pre-packaged software.

g. *Sole Source*. When the subject of a contract is controlled by a sole source so that there is no possibility of competition, and the purposes of competitive bidding would not be furthered by inviting bids, competitive bidding is not

required. This exception is only applicable in limited circumstances when, in the public interest, particular goods or services are required that uniquely serve the public interest for which there is no substantial equivalent and that are, in fact, available from only one source. The mere likelihood that only one firm will bid, however, is insufficient to justify sole source procurement. Further, the City may not artificially create a sole source situation such as by, without proper justification, tailor bid specifications to limit competition to only one bidder or brand.

NOT SUBJECT TO OPEN COMPETITIVE BIDDING

Purchases under \$20,000

Public Work Contracts under \$35,000

1. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method*</u>
\$1,000.00 - \$4,999.99	Verbal Quotations Written Quotations or Written Request for Proposals
\$5,000.00 - \$19,999.99	Written Quotations or Written Request for Proposals
<u>Estimated Amount of Public Work Contract</u>	<u>Method</u>
\$1,000.00 - \$4,999.99	Verbal Quotations Written Quotations or Written Request for Proposals
\$5,000.00 - \$34,999.99	Written Quotations or Written Request for Proposals

*Written includes physical paper, faxed or emailed quotes.

A good faith effort shall be made to obtain three (3) proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

Documentation is required for each action taken in connection with the procurement.

2. Professional Services –

- a. For all professional services with an estimated cost of \$20,000 or more the City shall go through a formal request for proposal process. A scoring matrix shall be

used to evaluate the proposals; the matrix must include cost with a minimum weight of 15% unless regulations specifically restrict a discussion on cost. The matrix shall have at least three categories and no more than ten categories with each category making up no more than 40% of the weight. Cost is excluded from this 40% cap. The scoring matrix shall be included with the request for proposal document given to potential respondents. At least three City staff shall be included to score the proposals and City staff shall make up the majority of any scoring committee. Scores shall be submitted in a sealed envelope at a time and place agreed upon by all committee members. If a committee member cannot be present, they may submit their score in a sealed envelope to the committee. A second round of scoring may be completed after interviews are held using this same process. All committee decisions shall be fully documented and all documentation retained in accordance with the City's record retention policy.

- b. For all professional services with an estimated cost under \$20,000 the City may go through a formal request for proposal or request for quote process. Quotes or a formal request for proposal are not required if the time and effort is expected to exceed the potential cost savings. If the request for proposal or request for quote process is not followed the department must document why this process was followed.
3. Energy Performance Contracts (EPC) – The City shall follow all the same evaluation procedures for an energy performance contract that it would for professional services. In addition to those procedures the savings or revenue projections should be evaluated in detail by the City Comptroller or in the absence of the City Comptroller, the City Comptroller or the City Manager's designee. Once an EPC firm is selected, the EPC shall be evaluated by an independent attorney working on the City's behalf; this may be internal or external Counsel.
4. Exceptions to City Procurement Method:
 - a. *Subject to Open Competitive Bidding.* All the same exceptions exist for purchases not subject to open competitive bidding as exist for purchases subject to open competitive bidding.
 - b. *Large Vehicle and Truck Repairs.* Large vehicle and truck repairs shall be exempt from the requirement to obtain three (3) proposals or quotations. However, a good faith effort shall be made to obtain at least two (2) proposals or quotations where feasible, taking into consideration the size of the vehicle, the difficulty (if applicable) in transporting the vehicle to obtain a proposal or quotation and the number of service providers within the City of Auburn and/or Cayuga County.
 - c. *Goods or Services under \$1,000.00.* The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such diminished contracts would be awarded based on favoritism.
 - d. *Purchase of Surplus and Second-Hand Goods.* Purchases of surplus and second hand goods may be made after a thorough analysis has been done that the second hand product will serve the City's needs as well as a comparable new

product and after an analysis of that product in the market place to ensure the City is receiving the best value possible.

OTHER

1. This policy shall conform to all current and future laws enacted by New York State in relation to the procurement of goods and services.
2. This policy shall go into effect immediately upon adoption and shall be reviewed annually.

DISPOSAL OF SURPLUS PERSONAL PROPERTY

Purpose: To ensure the highest financial benefit to the City when disposing of surplus personal property. Personal property is defined as all property other than real estate.

Policy: When an item is identified as surplus, it is no longer in use in the originating department and cannot be used elsewhere in the City. A City department head shall designate the item as surplus and then, in conjunction with the City's Finance Department, shall determine the most effective means of disposal. This surplus determination and disposal decision shall be subject to Council approval for all items expected to bring at least \$1,000 upon disposal. Items considered scrap are not subject to this policy.

Options for disposal:

- Auction: All surplus personal property will be sold by auction unless another method has been determined to have more financial benefit. It is noted that due to auction fees and the nature of certain surplus personal property public auction is not always the best method of disposal.
- Sale by Broker: At certain times, surplus personal property is specialized or not in demand all year round and therefore a broker may be used to obtain the highest financial benefit.
- Trade-in: If a City asset is being replaced by a new version of that asset, the department head may determine that it is more beneficial to trade the surplus personal property in on the new version.
- Internal Sale: With consideration of auction fees and staff time used to set up external auctions, surplus personal property that is not expected to bring at least \$500 at auction may be auctioned internally if it appears that there may be interest by City employees. All City employees shall have equal opportunity to bid on the items.

FINANCIAL RESOLUTION #7 OF 2021

ADOPTING THE 2021 CAYUGA COUNTY TAX RATE AND CITY OF AUBURN SHARE OF THE CAYUGA COMMUNITY COLLEGE CHARGES

By Councilor Cuddy

January 7, 2021

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #386-20, adopted by the County Legislature on December 10, 2020, the City of Auburn's participation in the 2021 County Tax will be in the amount of \$8,578,007.91 compared to last year's amount of \$8,727,457.61, a decrease of \$149,449.70. The full amount to be raised by property taxes in the entire County is \$42,314,897, that produces the City's share of the County tax levy is 20.27%; and

WHEREAS, the Cayuga County Legislature included within its Resolution #386-20 of 2020 charges to the City taxpayers for the collection of costs related to the preparation and mailing of County tax bills within the City in the amount of \$5,540.18; and

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #386-20 of 2020, that the City of Auburn's proportionate share for the Cayuga Community College charges in the amount of \$206,675.55 is to be added to the 2021 County Tax to be raised from the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York hereby adopts the 2021 County Tax Rate in the City of Auburn in the amount of \$8.175778 per \$1,000 of assessed valuation for the City's share of the County tax, and \$0.196857 per \$1,000 of assessed valuation for the City's share of the Cayuga Community College charges for a total County tax rate of \$8.372635 per \$1,000, with an decrease of \$0.130041 per \$1,000 over the 2020 rate; and

BE IT FURTHER RESOLVED that the Auburn City Council hereby adopts the 2021 County tax rate and authorizes the preparation of the necessary tax bills.

Seconded by Councilor McCormick

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #7 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

FINANCIAL RESOLUTION #8 OF 2021

AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS

By Councilor Giannettino

January 7, 2021

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2020-2021 year as outlined in attachment A; and,

WHEREAS, there is fund balance being requested for these transfers as follows:

- | | |
|---------------------|----------|
| 1. General Fund | \$77,661 |
| 2. Solid Waste | \$6,926 |
| 3. Refuse | \$31,688 |
| 4. Power Utility | \$520 |
| 5. Transfer Station | \$12,736 |
| 6. Water Fund | \$73,614 |
| 7. Sewer Fund | \$96,821 |

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 2020-2021 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor McCormick

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

Attachment A: 20-21 FY					
1/7/2021					
Amount	Account to		Account From		Reason
\$50,000.00	A3410.160	Fire - Contractual Overtime	A3410.250	Fire - Other Equipment	Overtime related to COVID19
\$ 5,500.00	A1670.220	Central Services - Office Equipment	A1990.455	Contingency	ID Badge system upgrade
\$ 5,000.00	A9730.895	BAN - Debt Admin	A1990.455	General Fund - Contingency	South Street Project Debt Admin
\$ 77,661.00	A9010.801	General Fund - Retirement	A909	Fund Balance	NYSLRS ERS & PFRS invoice exceeded budgeted amounts
\$ 996.00	AL9010.801	Solid Waste - Retirement	AL 909	Fund Balance	
\$ 6,967.00	CL9010.801	Refuse - Retirement	CL 909	Fund Balance	
\$ 520.00	E9010.801	Power Utility - Retirement	E 909	Fund Balance	
\$ 2,643.00	EM9010.801	Transfer station - Retirement	EM 909	Fund Balance	
\$ 12,951.00	F9010.801	Water - Retirement	F 909	Fund Balance	
\$ 22,873.00	G9010.801	Sewer - Retirement	G 909	Fund Balance	
\$ 25,000.00	F8330.450	Water Filtr. - Fees	F1990.455	Water Fund - Contingency	Increase Watershed
\$ 5,930.00	AL1911.100	Solid Waste - Unalloc. Salaries	AL 909	Fund Balance	2020FY - COVID19 Allocations per Fund
\$ 24,721.00	CL1911.100	Refuse - Unalloc. Salaries	CL 909	Fund Balance	
\$ 10,093.00	EM1911.100	Transfer station - Unalloc. Salaries	EM 909	Fund Balance	
\$ 60,663.00	F1911.100	Water - Unalloc. Salaries	F 909	Fund Balance	
\$ 73,948.00	G1911.100	Sewer - Unalloc. Salaries	G 909	Fund Balance	

AGREEMENT RESOLUTION #9 OF 2021

**AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
WITH THE FINGER LAKES DOG PROTECTION AGENCY, INC.**

By Councilor Locastro

January 7, 2021

WHEREAS, Finger Lakes Dog Protection Agency (“FLDPA”) has provided dog control services and enforced the laws and ordinances of the State of New York and the City of Auburn for many years; and

WHEREAS, the City of Auburn has a contract with the FLDPA for the aforementioned services and enforcement, which expired on December 31, 2020, and the dog licensing and oversight of control services is the responsibility of the City Clerk’s office; and

WHEREAS, the City and FLDPA have renegotiated a two (2) year contract, effective on the 1st day of January, 2021, and ending on the 31st day of December, 2022, which is attached hereto and incorporated herein; and

WHEREAS, the proposed agreement stabilizes the fees paid at the same rate that were paid during the calendar year 2019, with no increase and these services are essential in order to provide for the dog control requirements of the State law.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve an agreement with the Finger Lakes Dog Protection Agency, Inc. to provide dog control services and enforce the laws and ordinances of the State of New York and the City of Auburn at the same rate that was paid by the City to the Agency for the years 2019-2020 and the Mayor is authorized to sign a new agreement with a two (2) year term commencing effective January 1, 2021 and expiring December 31, 2022.

Seconded by Councilor Cuddy

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the "City"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the "Council"), held on the 7th day of January, 2021, including the Resolution #9 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County,
New York

COUNCIL RESOLUTION #10 OF 2021

AUTHORIZING AUCTION OF SURPLUS VEHICLES AND EQUIPMENT PURSUANT TO THE 2020 CITY OF AUBURN PROCUREMENT AND SUPPLUS POLICY

By Councilor Giannettino

WHEREAS, on January 16, 2020, the City Council of the City of Auburn passed Council Resolution No. 9 of 2020, which adopted a City of Auburn Procurement and Surplus Policy (the “Procurement Policy”); and

WHEREAS, the Procurement Policy requires that the sale of surplus vehicles and equipment with an estimated value of \$1,000 or more be approved by City Council; and

WHEREAS, the following list of City owned surplus vehicles, equipment, and other items, which have outlived their useful life or are no longer necessary or useful to the City, are as follows:

City of Auburn: Fire

1990 Seagrave RA 110 Ladder Truck

- VIN # 1F9FW38J5LCST2137

; and

WHEREAS, it is in the best interest of the City to dispose of the equipment and vehicles listed above through an auction in order to obtain the best value for them.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Auburn hereby authorizes the auction of the City-owned vehicle, Fire Department, 1990 Seagrave RA 110 Ladder Truck, VIN # 1F9FW38J5LCST2137, in accordance with the 2020 City of Auburn Procurement and Surplus Policy.

Seconded by Councilor McCormick

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

EXHIBIT A: Items to be sold at public Auction

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the "City"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the "Council"), held on the 7th day of January, 2021, including the Resolution #10 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 8th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

APPOINTMENT RESOLUTION #11 OF 2020

FOR THE APPOINTMENT OF COMMISSIONERS OF DEEDS

By Councilor

January 7, 2021

WHEREAS, the Auburn City Council appoints individuals as Commissioners of Deeds in order to authorize them to take affidavits, depositions and acknowledgments for use in the City, which gives them powers similar to that of a Notary Public; and

WHEREAS, the law for appointment of Commissioners of Deeds is set forth in New York State Executive Law, Section 139, and the Auburn City Code, Section 62-1, which provide that the City Council shall appoint Commissioners of Deeds for a designated term; and

WHEREAS, on December 17, 2020, the City Council passed Appointment Resolution #121 of 2020, which stated that a total of 50 Commissioner of Deeds appointments would be allotted during the years 2021-2022; and

WHEREAS, the following individuals have filed applications with the Office of City Clerk for City Council consideration to be appointed Commissioner of Deeds:

1. Susan Marteney; and
2. Terry M. Petrosino

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby appoint as Commissioners of Deeds, pursuant to the authority provided by New York State Executive Law, Section 139, the following individuals:

1. Susan Marteney; and
2. Terry M. Petrosino

BE IT FURTHER RESOLVED, that the foregoing appointments shall be effective immediately and shall continue until December 31, 2022.

Seconded by

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

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 7th day of January, 2021, including the Resolution #11 of 2021 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2021.

A handwritten signature in black ink, appearing to read 'C. Mason', with a long horizontal flourish extending to the right.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

E. Staff Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Councilor Locastro

is Billy Lupien. Still here?

Bill Lupien

Yes, yes.

Councilor Locastro

How about a couple quick questions. Is this year's road program completed and closed out?

Bill Lupien

All the listed streets are done. But we still have a little money leftover that we'll use for patches to start off next year's micro surfacing. But there's not much money there at all.

Councilor Locastro

Are we close, or are we over under on the original bid?

Bill Lupien

No, we never go over. We only we, we when he got set it up so that we have all the streets done first, and then whatever, and we save some money to do patches. And so we only spend the money that was appropriated by Council, we do that go over the contract.

Councilor Locastro

Same thing with the concrete program sidewalk program

Bill Lupien

That we're probably that's plus or minus \$2,000. Usually, because we have to do somebody signs up for a sidewalk we have to do though, the whole sidewalk if they sign up for it. Sometimes it's a couple hundred bucks over. But again, we spend usually within 2% of the total contract. I mean, we never go over 5%. Okay, how about the State Street Bridge? Is that 100% completed? No, it isn't. The bridge is completely open, but we still have to go back and do that little park on that northeast corner. And in a little bit of where the parking lot that went into the prison lot. We still have to do some sidewalk over there and some minor work, but it's work that will be done in the spring. And everything will be done.

Councilor Locastro

I'm sorry. Are we close to the original bid?

Bill Lupien

Yes. Okay, we all actually probably come under a little bit.

Councilor Locastro

Great. Okay, thank you.

Bill Lupien

You're welcome.

Councilor Giannettino

Mayor if I may, since Miss Selvek is here, can we just get a quick update on the progress of the public safety building?

Christina Selvek

Sure, good evening Mayor and Councilors. We are progressing with construction despite COVID conditions on site. We are working through some contractual issues with our mason but we are making progress. We are going to be procuring furniture and fixture item bids in the spring. And we will be going out for bid hopefully within the next month for the woodwork and kitchen cabinetry and all the other wood items in the building. I know that is a long awaited bid that the community is looking for. And we do have a long list of interested businesses here locally that would like to see that put out. So we are progressing, at the moment we're on schedule, we're going to see what the spring weather brings for us and we will go from there.

Councilor Giannettino

Okay, good. I just wanted to make sure we were still on schedule. Thank you. Yes,

Mayor Quill

Councilor Locastro.

Councilor Locastro

As far as the public safety building, I know we had a schedule to get a lot of the work completed before the inclement weather it did we reach that?

Christina Selvek

We did not. We were working towards procuring a specialty block for the new build portion, so that's going to be the new apparatus bay number one. We weren't able to procure that in time, for the fall time. We should have our mason on site here, hopefully mid January or late January. And we'll be progressing as much as the weather will let us

Councilor Locastro

So, which means now, was winter protection included in the contract?

Christina Selvek

There were some costs for winter protection. We're gonna be going through that and working on that actually next Tuesday with our contractor.

Councilor Locastro

Thank you.

Second Public To Be Heard: Mayor Quill opened the second Public to be Heard portion of the Council meeting and there were no speakers.

Executive Session:

Councilor Cuddy made a motion to enter Executive Session, seconded by Councilor Giannettino. Council voted to enter an executive session regarding the following matters:

- One matter made confidential by Federal or State law. (Section 4503 of the Civil Practice Law and Rules which establishes that a confidential communication between attorney and client shall be privileged. Pursuant to this section, Council will be receiving legal advice from its attorney which fulfills the requirement provided in Section 108(3) of the Public Officers Law allowing this exemption.)
- One matter pertaining to the sale or lease of City owned property.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:13 p.m. Executive session adjourned at 7:29 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:30 p.m..

Minutes submitted by:

Chuck Mason, City Clerk