

**Auburn City Council  
Regular Meeting  
Thursday, January 21, 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
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Chuck Mason
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- City Comptroller, Rachel Jacobs
- Senior Planner, Tiffany Beebee

**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 Zoning Board of Appeals will hold a meeting on Monday, January 25, 2021 at 7:00 p.m. via videoconference. Complete information is available at the City website [www.AuburnNY.gov](http://www.AuburnNY.gov)

**CEREMONIAL PRESENTATIONS –**

**PUBLIC TO BE HEARD** – Mayor Quill opened the Public to be Heard portion of the Council meeting. There were no members of the public that had requested to speak.

**Approval of Meeting Minutes – none**

## **Reports of City Officials**

### **A. City Manager's Report**

#### **Mayor Quill**

Thank you. Mr. Dygert. City Manager's Report, please.

#### **City Manager Dygert**

Thank you, Mayor. Just a couple things really quick. We had our, somewhat of our final group meeting related to Executive Order 203, which is the Police Reform Initiative out of New York State. We expect that over the next week or two, we will have that document in a draft form and will be getting ready to present that to Council and present that to the public. The public will have another opportunity or some other opportunities throughout the Council resolution process to to weigh in on that. But we've had some good community input, some good community discussions, and the online surveys are still up and running for the Auburn Police Department and the Cayuga County Sheriff's Department. If people wish to be heard or to to weigh in on that process, or just in general, on their law enforcement services, they can do that there and survey links are available on the City webpage, the City Police Department webpage, the Sheriff's Department webpage, as well as the social media platforms. And the final thing I wanted to touch base with, again, I know it's repetitive, but it's certainly a huge topic in the community and across the State and Country right now and that is COVID testing clinics, and more importantly, vaccines. The Cayuga County Health Department continues to do testing clinics. We are continuing to work with them to establish some more neighborhood based testing clinics and we'll have more information on that as we firm those up. Related to vaccines, again, we would like to remind the public that the County Health Department and the City of Auburn, have been working together to try to have an efficient method to roll out the vaccines and I think that's been accomplished. There have been several clinics that went well. Our limiting factor right at the moment is vaccine. So, at this point in time for this week, Cayuga County received just 200 doses for the entire week. We have not heard yet what's going to happen next week, but certainly 200 doses does not go a long way. So that the public has an idea, we had opened up a phone line for folks to call up if they were having issues registering for a slot online and in one day we received over 1,200 phone calls. To date, actually about as of about two days ago, we had received over 9,000 phone calls to that line. The difficulty we have is that we cannot schedule folks for vaccination slots that do not exist. And the County is not scheduling clinics until they are assured there are vaccines available. So, we ask the public to be patient. There are still a prioritized method involved. But even at this time, those that are in the priority groups, there are no vaccines locally to distribute. It's not a local problem. It is a statewide problem. As I mentioned, it's a National issue at this point. And as soon as we have vaccine, we have resources to put those into the community. But right now, we ask folks to be patient. As soon as we have clinics scheduled, we'll make sure we get the word out to the appropriate groups and start getting those scheduled. That's all I have for now.

#### **Mayor Quill**

Thank you. Thank you. Councilors, Any questions for Mr. Dygert? Any reports from Members of Council? Councilor Locastro, excuse me.

**Councilor Locastro**

Is the number of people testing still up?

**City Manager Dygert**

I'm not sure if I understand you correctly, the number of tests that are being given, or the number of positives that come back out of those tests?

**Councilor Locastro**

So, not the positive, just the number of people still getting tested?

**City Manager Dygert**

Yes, they're doing well, they fill up their clinics and again, we're going to work on doing some more neighborhood based clinics for people that have transportation issues, and things like that. Try to get into some neighborhoods where we anticipate there may be some transportation issues as folks getting out to Emerson Park, for instance.

**Councilor Locastro**

Just one other thing. I happened to get my shot last week at BOCES and I can't say enough how great the City worked with the County. I mean, that place ran like a Swiss watch. It's really a pat on the back to, like I said, both the County and the City because Firemen did a great job, everybody down there did a great job. Is there an alternative to an elderly person that doesn't have a smartphone? Because I'm not illiterate when it comes to a smartphone, but it just seems like people that are elderly that don't have a smartphone, is there an avenue going to be for them down the road to try to help them out a little bit?

**City Manager Dygert**

Yes, Councilor. Early on in this, there was a phone number that the County Health Department was promoting and that number could ring here at City Hall. And that was the intent of that number was to take the population, regardless of their age, but the focus was certainly in anticipation of an elderly population that either didn't have internet access or wasn't really tech savvy, to be able to have those folks utilize a means, utilizing the telephone to call here. City staff would take their information and input it into the system and essentially bridge that gap that you're talking about. So, that is exactly what that line was set up for. Currently, the line, it still exists. We are not answering it right at the moment because it's just getting overloaded with people saying I want to sign up, but there's no place to sign them up. So there is a voice message on that line when you call that says right now, there are currently no clinics to sign up for please call back at a later date or watch, you know, watch the media for this information. When that line does open up. What we have done in the past is we fill as many slots as possible utilizing that line. And we create a waitlist so that if people call in and there are no slots

available that we will actually call them back. So, we currently have a list with 200 or 300 people on it. That as we know there's some vacancies here or there in a clinic, we call them. Last week, we reserved one, essentially one entire clinic for those folks and City staff called those folks and got them registered in the system. And that's what the intent is moving forward, is to assist that population in getting into these clinics. And the other thing that we're working with the Fire Department and the Health Department, is in congregate living settings, apartments, things like that, to actually run out mobile clinics directly to them. So that we don't have 300 residents of a high rise trying to get to a clinic out at BOCES, for instance, they can just stay in their apartment, we'll bring the vaccine to them, we'll bring the process right to them. Save them the trouble of traveling and take care of things right where they live.

**Councilor Locastro**

Thank you. Okay. Sounds good.

## **B. Reports from members of Council**

### **Matters to Come Before Council**

#### **A. State Environmental Quality Review Act Resolutions (SEQR)**

#### **B. Ordinances –**

**Chuck Mason**

Thanks, Mayor, this ordinance goes along with the first resolution that you'll also be adopting this evening. With the permission of the Council, I would like to request that we just dispense of this reading, because we read this one last week. And it reads very similar to how the resolution on the next item on your agenda will read. So, if we dispense of this reading and take the vote for the ordinance change, and then I can read the resolution on the next one.

**Mayor Quill**

Is that agreeable Council?

**Councilor Giannettino**

Yes.

**Councilor McCormick**

Sounds good.

**Mayor Quill**

Continue, Mr. Mason.

**Chuck Mason**

So, what we have is, as I explained last week, is the State of New York has changed the schedule for which governments are responsible for maintaining their records. There used to be four different schedules that various levels of government operated under, if you were a school district, you are under one schedule, if you were a City, you are under a certain schedule. They've replaced those four different schedules with just one streamlined schedule. And it became effective, the New York State Law on January 1, that everybody needs to now follow this new schedule. The situation that we're in is every municipality is required to adopt the resolution to state that they will now follow this new State schedule. The other situation that we have with our ordinance change here is that our ordinance, under the records management chapter of our ordinance, we actually stated the name of the old State law. So, we need to change the ordinance so that we state the name of the new State law. And then the next resolution on the agenda will be the City Council just authorizing the fact that we will now operate for records management under the new State regulations. The good news is, it's a streamlined process. It's a much more straightforward program that the State has now. And they've actually put quite a bit of time and effort into their resources. They now have a website, which is updated with the new law, which you can go to that website and plug any topic in, and it will give you the requirements for the State records retention laws. So, there's, there's some positive things that are coming up this change.

**Councilor McCormick**

Mr. Mason, will the changes impact internally how you track records? Will it change the, I don't know the structure of how they're, how you dispose of them, I mean, the numbers that you have to follow?

**Chuck Mason**

There's basically not much change. As far as what the schedule is. Basically, the new law kind of encapsulates more topics and more categories of records. So it's almost like a slight expansion of the law as they combine the four different schedules into one schedule. So, not much changes as far as the procedures that we'll be using here at City Hall with our records at City Hall. I know that the Police Chief is working on matters pertaining to some records management over at the Police Department as far as one of the steps in the process for his accreditation with the Police Department and I am hoping that when the Public Safety Building is completed, there'll be some space or a solution for some of the records management for our Fire Department because I know that they have a lot of that up in their attic. And if we can't take care of that at the new Public Safety Facility, hopefully we can take care of that as part of the renovation of the old Police and Fire Station as that building gets renovated. Thank you. And if anybody ever wants a tour of the attic, check back in a few weeks, we're gonna do some work up there. But there's a lot of records up in our attic as Councilor McCormick knows, from her days as Clerk here. It seems like every time you go up there, there's somebody that has sent a few more boxes up to be stored away in the attic. And everything's coordinated through the Clerk's office, Melissa Simmons, who works in the office is basically responsible for the taking in of records and disposing of the records. And we'll do a major disposal of records usually once a year where we hire up the shredding company. Some of the documents, it's required that you would actually shred the documents.

**Councilor McCormick**

It is worth having a tour of it. It's quite interesting.

**Chuck Mason**

Yes, there's a lot of information up there. It's a big, big space. We are coming very close to filling it up, a few more years and we will probably be looking for a space solution for ourselves here at City Hall. So, we got a few years probably left up there.

**Mayor Quill**

Anyone else? So Mr. Mason, I understand that you want us to call the roll on this.

**Chuck Mason**

Call the roll on the ordinance Mayor then we will do the resolution on the next item.

**Mayor Quill**

Very good. All right. Any further discussion Councilors? Call the roll please.

**ORDINANCE #1 OF 2021**

**REPEALING AND REPLACEING  
CITY CODE CHAPTER 75, ARTICLE II, SECTION 75-11(A)**

By Councilor McCormick

January 21, 2021

**WHEREAS**, on September 23, 1993, the Auburn City Council enacted and established Ordinance #31 of 1993, which established Chapter 75, Article II of the City Code, entitled the "Records Management Program," pursuant to New York Arts and Cultural Law, Article 57-A; and

**WHEREAS**, Section 75-11(A) of the City Code refers to a records retention and disposition schedule, namely the MU-1, which was replaced by the New York State Archives on August 1, 2020, by the Retention and Disposition Schedule for New York Local Government Records (the "LGS-1"); and

**WHEREAS**, now, pursuant to New York Arts and Cultural Affairs Law, Article 57-A, the City must adopt the LGS-1 and, also, repeal and replace Section 75-11(A) of the City Code in order to legally dispose of valueless records listed therein; and

**WHEREAS**, City staff now recommends adoption of Ordinance #1 of 2021, which will repeal and replace Chapter 75, Article II, Section 75-11(A) of the City Code, which is attached hereto and incorporated herein.

**NOW, THEREFORE, BE IT ORDAINED** that the Auburn City Council does hereby repeal Chapter 75, Article II, Section 75-11(A) of the City Code, originally passed on September 23, 1993; and

**BE IT FURTHER ORDAINED**, that the Auburn City Council does hereby adopt Ordinance #1 of 2021 as Chapter 75, Article II, Section 75-11(A); and

**BE IT FURTHER ORDAINED** that the foregoing repeal and replacement of Chapter 75, Article II, Section 75-11(A) of the Auburn City Code shall take effect immediately.

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		

## **AUBURN CITY CODE**

### **CHAPTER 75, ARTICLE II, SECTION 75-11(A)**

Adopted on 9-23-1993 by Ordinance No. 31-1993

#### **§ 75-11 Powers and duties of Records Management Officer.**

The Records Management Officer shall have all the necessary powers to carry out the efficient administration, determination of value, use, preservation, storage and disposition of the noncurrent and archival public records kept, filed or received by the offices and departments of the City of Auburn.

A. The Records Management Officer shall continually survey and examine public records to recommend their classification so as to determine the most suitable methods to be used for maintaining, storing and servicing of archival material. These classifications are:

- (1) Obsolete and unnecessary records according to ~~New York State Records and Retention Schedule MU-1~~ **Retention and Disposition Schedule for New York Local Government Records (the "LGS-1")** thereby subject to disposition;
- (2) Information containing administrative, legal, fiscal, research and historical records of educational value which warrant their permanent retention; or
- (3) Records not subject to disposition according to state law.

**C. Local Laws – none**

**D. Resolutions –**

**City of Auburn, New York**

**COUNCIL RESOLUTION #12 OF 2021**

**ADOPTING THE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK  
LOCAL GOVERNMENT RECORDS (“LGS-1”)**

By Councilor Cuddy

January 21, 2021

**WHEREAS**, as of August 1, 2020, the New York State Archives released the Retention and Disposition Schedule for New York Local Government Records (the “LGS-1”) , which creates a single, comprehensive retention schedule covering records for all types of local governments; and

**WHEREAS**, the LGS-1 consolidates and replaces the four existing retention and disposition schedules, which include the MU-1 retention schedules used by the City of Auburn; and

**WHEREAS**, the City must now adopt the LGS-1, pursuant to New York Arts and Cultural Affairs Law, Article 57-A, for use by all officers in legally disposing of valueless records listed therein.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Auburn that the Retention and Disposition Schedule for New York Local Government Records, also known as the LGS-1, is hereby adopted, pursuant to New York Arts and Cultural Affairs Law, Article 57-A, for use by all officers in legally disposing of valueless records listed therein; and

**BE IT FURTHER RESOLVED**, that in accordance with Article 57-A of the New York Arts and Cultural Affairs Law:

1. Only those records will be disposed of that are described in the LGS-1, after they have met the minimum retention period described therein; and
2. Only those records will be disposed of that do not have a sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods; and

**BE IT FURTHER RESOLVED**, that the adoption of the LGS-1 shall be retroactive and take effect as of January 1, 2021.



Seconded by Councilor Giannettino

	Ayes	Noes
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 21<sup>st</sup> day of January, 2021, including the Resolution #12 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 21<sup>st</sup> day of January, 2021.

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

**City of Auburn, New York**

**AGREEMENT RESOLUTION #13 OF 2021**

**AUTHORIZING AN AGREEMENT TO LEASE PARKING SPACES TO  
WEGMAN'S FOOD MARKET'S INC.**

By Councilor Giannettino

January 21, 2021

**WHEREAS**, the City of Auburn has historically leased underutilized parking spaces located on the south side of Genesee Street between Loop Road and South Street to Wegman's Food Markets, Inc. ("Wegman's"); and

**WHEREAS**, the existing lease agreement terminates on January 31, 2021, and the parties would like to enter into a new agreement; and

**WHEREAS**, under the proposed agreement, which is attached hereto and incorporated herein, Wegman's will pay the City the sum of \$1,500 for eight (8) designated parking spaces for the next six (6) months commencing on February 1, 2021, and ending on July 31, 2021; and

**WHEREAS**, Wegman's has already approved the proposed Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve an Agreement between the City of Auburn and Wegman's Food Markets, Inc., which is attached hereto and incorporated herein; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in order to finalize the agreement.

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	

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

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That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 21<sup>st</sup> day of January, 2021, including the Resolution #13 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 21<sup>st</sup> day of January, 2021.

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

City of Auburn, New York

**COUNCIL RESOLUTION #14 of 2021  
AUTHORIZING A PUBLIC HEARING FOR THE  
2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN**

By Councilor Cuddy

January 21, 2021

**BE IT RESOLVED**, by the City Council of the City of Auburn, New York, that it does hereby authorize that a Public Hearing be held before the City Council of the City of Auburn, New York, on the 28<sup>th</sup> day of January 2021 at 5:00pm via zoom due to the Covid-19 pandemic concerning the 2021-2022 Community Development Block Grant Annual Action Plan.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing State and local requirements.

Seconded by Councilor Giannettino

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

City of Auburn, New York

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 21<sup>st</sup> day of January, 2021, including the Resolution #14 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 21<sup>st</sup> day of January, 2021.

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

**COUNCIL RESOLUTION #15 OF 2021**

**AUTHORIZING THE CITY ASSESSOR TO REQUEST RENEWAL APPLICATIONS,  
UNDER CERTAIN CIRCUMSTANCES, FOR SENIOR CITIZENS AND PERSONS  
WITH DISABILITIES EXEMPTION RENEWALS FOR THE 2021 ASSESSMENT  
YEAR DUE TO COVID-19**

By Councilor McCormick

January 21, 2021

**WHEREAS**, on December 21, 2020, executive order No. 202.83 was signed, which granted local assessing units the ability to allow all Senior Citizens and Persons with Disabilities (RP-467 and RP-459) exemptions to be renewed without application for the 2021 assessment roll with a resolution; and,

**WHEREAS**, on December 28, 2020 the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 was signed into law making the provision regarding Senior Citizens and Persons with Disabilities (RP-467 and RP-459) mandatory instead of optional; and,

**WHEREAS**, this COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 provided that a governing body may adopt a resolutions that include procedures by which the assessor may require a renewal application to be filed if they have reason to believe that an owner whom qualified for the exemption on the 2020 assessment roll may have since changed their name, or their primary residence, added another owner to the deed, transferred the property to a new owner, or died.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council does hereby adopt that for the 2021 assessment roll under the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 the City Assessor may require Senior Citizens and Persons with Disabilities (RP-467 and RP-459) exemption renewals applications if there is reason to believe that an owner whom qualified for the exemption on the 2020 assessment roll may have since changed their name, or their primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

**BE IT FURTHER RESOLVED**, that per COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 this will take effect immediately and shall expire on May 1, 2021.

Seconded by Councilor Giannettino

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

City of Auburn, New York

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 21<sup>st</sup> day of January, 2021, including the Resolution #15 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 21<sup>st</sup> day of January, 2021.

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

**COUNCIL RESOLUTION #16 of 2021**

**AUTHORIZING A GRANT APPLICATION FOR THE  
LAW ENFORCEMENT-BASED VICTIM SPECIALIST PROGRAM**

By Councilor Giannettino

January 21, 2021

**WHEREAS**, the City of Auburn New York Police Department (APD) is an agency that places a high priority on addressing the needs of victims of crime and providing the most effective services to this population; and

**WHEREAS**, in 2019 the APD in partnership with Cayuga Counseling Services, Inc. (CCS) received funding from the US Department of Justice (DOJ), Office of Justice Programs (OJP), and Office of Victims of Crime (OVC) to implement a Law Enforcement Based Victim Specialist Program (LEV) within the police department; and

**WHEREAS**, because of this newly implemented Program the APD is eligible to apply for a 2021 “LEV Grantee-Researcher Partnerships To Enhance Law Enforcement-Based Victim Services” through the US Justice Research and Statistics Association and the Center for Victim Research; and

**WHEREAS**, the APD would serve as the grantee lead agency and to partner with Cayuga Counseling Services, Inc. (CCS) and Dr. Alison Marganski of LeMoyne College to conduct a joint research project that will study data related to crime and the LEV Program’s response since implementation in February of 2020. In addition to analyzing current data, the research project will focus on studying the culture of the APD and perception of their role in victim response; and

**WHEREAS**, the APD would submit a grant application for the maximum award amount of \$15,000 over a 6 month contract beginning March 1, 2021 through September 30, 2021, of which the City would subcontract with CCS and Dr. Marganski to conduct the research in conjunction with APD and those entities would be responsible for completing all deliverables to the funding Agency and completing the final grant report.

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

1. The Mayor, or other appointed designee, is authorized to submit all documents, in partnership with the Cayuga Counseling Services and LeMoyne College, required for submission of the Grant application entitled “LEV Grantee-Researcher Partnerships To Enhance Law Enforcement-Based Victim Services” by the grant deadline of January 31, 2021; and

2. Upon award notification, that the Mayor, or other appointed designee, is authorized to execute the Grant agreement and submit any and all documentation necessary for the Grant; and

3. That the City Comptroller is authorized to receive and appropriate grant funding into the appropriate departmental accounts; and



City of Auburn, New York

4. That this resolution shall take effect immediately upon its adoption.

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 21<sup>st</sup> day of January, 2021, including the Resolution #16 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 21<sup>st</sup> day of January, 2021.



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

**E. Staff Presentations – none**

**TABLED ITEMS - none**

**OTHER BUSINESS –**

**Mayor Quill**

Thank you. Other Business from the Council? Councilors?

**Councilor Cuddy**

Two things. One is just an issue that has been brought to my attention from a couple constituents. Namely, the display of words, I guess swear words, offensive words on, you know, for people to see in public. I received complaints and I just wanted to, you know, ask the Manager and Corporation Council and Codes, if there was any recourse that the City takes, or, if it's a First Amendment issue. There's been a lot of, I guess, phone calls or messages directly to me and I believe my colleagues, as well. So I just wanted to see if there was any recourse that we have on the books.

**City Manager Dygert**

Thanks, Councilor, we have discussed that internally. There's been some issues since around October November, during the election. We had some issues, and recently had a few more spring up, that you brought to our attention, I believe. I believe Mr. Garland was looking into those and I guess I'd ask him if he can give us an update on what the stance is?

**Nate Garland**

Well, Manager and Councilor, we may not like it, but essentially, the the examples that have been brought to my attention are protected speech under the First Amendment. We are able to, as a municipality and do set time, place and manner restrictions on speech. So, for example, for temporary signage, political signage during election time we regulate where that signage may be placed. And when those signs can go up, and as people that have run for office, I'm sure you're all familiar with that particular aspect of our Code. The flying of a flag, however obscene, is by my analysis, protected speech. The remedy there is that that person, holds them out, themselves out, to the rest of our community as someone that is willing to advertise that they are someone who uses foul language, in speech, in a neighborhood where young children live and many other people probably don't want to be exposed to that. And as such, they bear the social opprobrium that will, you know, that would come with holding themselves out as that sort of person. So, that is a long winded way of saying it is protected speech, and there's not a lot that we can do about it, except for our own personal opinions as to the character of that particular person.

**Councilor Cuddy**

All right, I will convey that to the people that have contacted me. Thank you.

**Mayor Quill**

Councilor McCormick, please.

**Councilor McCormick**

Hi, yes. I just wanted to Owasco Lake Watershed Meeting. And the meeting that Dr. John Halfmann the Management Council for a good long time, enough time where he's collected data going back 10 years so he can what's in any report this week? I want to get them to send you send it. It's really impressive. Guess what he basically came, said that his his recommendation going forward is to keep pushing for the revised rules and regulations and to get the 9E plan, so we're on track. The other thing, significant thing in our meeting the other day, for the first time, time I've been on the what Management Council, we had an elected official join us, Senator John Mannion, he attended most of our meeting, he hopped in and out for some time and also one of his aides was on the call too. I can tell you how exciting it is for the Watershed Council to be acknowledged. That's all I can think of, I did find my notes but they're not that legible either. So, but everything is going well. Oh, there's one more thing, big thing. We have an opening. We have two Watershed Inspectors, we have an opening to fill that position and we're talking about reworking the position to change some things in it that will better support the new rules and regulations. And we're working with the farmers and some other stakeholders to figure out what we can do with the next position or the the qualifications for the new position. But it will still be a Watershed Inspector, but maybe with some strengths in certain areas or certification in planning, things like that. So that job description and the the search will start in a couple weeks.

**Mayor Quill**

Anyone else? Councilor Cuddy?

**Councilor Cuddy**

Yes. Thank you. Councilor. McCormick. I have a question, so the vacancy, did somebody leave?

**Councilor McCormick**

Yes. We have two full time positions in addition to Adam. One of the two Watershed Inspectors, the position is open. is open.

**Councilor Cuddy**

All right. Thank you.

**Councilor McCormick**

Yep.

**Mayor Quill**

Anyone else? Councilor Giannettino.

**Councilor Giannettino**

Thank you, Mayor. I have a couple of things. I'd like to first start by commenting on what Councilor McCormick just reported on. I think it's very important and it should be highlighted as she did that, finally, a state representative showed up to a Watershed Management Council meeting. Representation matters. This particular representative understands the science behind what we're facing. Through his campaign he was very supportive and understanding of the issue that we're facing, since being elected, he has already reached out to us collectively, we had the opportunity to meet with him and express our concerns. So, I want to thank him as well for showing up. I had a chance to read through the report that Dr. Halfmann provided and there are some concerning things in that report. First and foremost, to me, the water temperature of Owasco Lake was at a record high this year. So that, you know, the work continues. I think we need to continue to pressure our state representatives, in addition to Senator Mannion, to see that the watershed rules and regulations are enacted. I think Dr. Halfmann's report, the fact that he stated these rules and regs need to be implemented, he is the expert on that lake. So, Councilor, McCormick, thank you for bringing that to our attention, obviously, the work continues on that. I forgot to mention at the beginning of the meeting that Councilor Cuddy and I had an AIDA meeting last night, Auburn Industrial Development Authority. And I just want to report because there was an article in the paper that Max Studios is applying for an expansion to their business, a 25,000 foot, \$1.38 million expansion that will create six full time positions. Peter Mackowitz was in attendance at the meeting last night and he gave the presentation. It will go out to public hearing next month. I just like to thank them for their reinvestment into the city of Auburn and into the workforce. I want to talk a little bit about AIM funding, the Mayor forwarded us an email from NYCOM last night. As we all know that the Governor cut our AIM funding, shortly after we passed our budget for this fiscal year, by a million dollars due to budget shortfalls in the state of New York. It was announced in that email that they are restoring 75% of that money, which is obviously good news, we need that money desperately. But we also need the remaining 25%. And you know, I know we've been strong advocates for that funding to be reinstated and you know, we need to continue to do that. Full disclosure I did call Joe Nehme from Senator Schumer's office today, obviously, that's the federal level, but the reason I did that is, you know, FEMA money has been made available to the State of New York, and the State of New York received CARES act money and I looked through the budget proposal for next year from the Governor and it is full of pet projects, which, again, full disclosure, we've been the recipient of some of those pet projects, and they have moved the City of Auburn forward, and we're all thankful for those projects. But, as we passed an austerity budget last year, and we will probably have to do so again this year, depending on what the federal government comes through with. I implore the governor to restore our money. He continuously has criticized the previous President, for the fact that we send \$2.6 billion more a year to the federal government than we receive in return. This is the same thing, through sales tax, to income tax, we send that money to the state, we just want our fair share. And this fair share is allowing us to pay the very people that are administering vaccines, or responding to public safety calls, who are picking up refuse, all things that we are tasked with doing. So, you know, I know the paper hasn't been covering us but if by chance somebody from the Governor's office is listening and paying attention, you know, I implore him to to restore that money. And the other thing I want to bring up and it really plays into what Councilor Cuddy brought up with the flag and I understand the legal opinion on that. And thank you,

Mr. Garland. And I agree with Mr. Garland that, you know, while we can't regulate that, it does allow us to form opinions on certain people and the decorum that they carry themselves with. It really plays into a couple things I saw on social media this week. And an email that was sent to the Police Chief, from a constituent. Everybody has the right to say what they want to say and whatever form they want to say it in and whatever platform they want to say it on. That includes me and I have this platform. And I will just say that I welcome citizen input all the time. I take pride in the fact that if I'm personally contacted, I respond to every single person, we may not agree and that's okay. That's the way it's supposed to be. But we know we can talk as long as it's in a respectful manner. And some of the posts I saw on social media were very disrespectful of City employees. The email that the Police Chief received, that he shared with all of us, was certainly disrespectful of a City employee and I would say went as far as hate speech, so I would just implore the public to keep that level of decorum. Let's move forward with, let's work together. We're here for you. We work for you. Obviously the employees of the City of Auburn work for you, but they deserve a certain amount of respect. And I would just ask that, everybody keep that in mind. Thank you.

**Mayor Quill**

Thank you. Anyone else? Councilor Cuddy, you're on mute.

**Councilor Cuddy**

Sorry about that. One more thing. I forgot my my second item. Much like what we did with the North Street property that we went to auction on, I thought there was some merit in, in basically, I guess betting? Who would? Who would, I guess, buy the property or, or bid on the property? And I was thinking that, you know, what, if there was, I guess, a pilot program for, for houses that are necessarily unique or properties that are unique, but as a city, and perhaps, you know, the planning department can do this, that there is some kind of incentive program, and I know that there is, at some level, but I, I just think that there may be an opportunity through CDBG money of incentivizing house ownership in Auburn. And again, this notion of taking our housing stock and really, really trying to build a sense of, of, you know, housing ownership. I know, there's been projects in the past, in different neighborhoods, but I, I guess, I guess I'd like to see a more localized grassroots, maybe even like, a committee that could kind of be the liaison as to, you know, these incentives that we can provide for home ownership. I talked a little bit with Councilor Giannettino, about a very, very rough idea, but I just wanted to throw that out there. Because, you know, I thought that the North Street process yielded, I know that house is unique, but I was thinking of houses that are less unique, but at the same time, the result is bringing families into Auburn. And going to our schools and bringing business people in, you know, workers and business people in our community. And I think that if we cultivate that kind of, you know, that kind of demeanor in Auburn, or that, what we do, it fits in with what the Auburn Industrial Development Authority is doing with marketing Auburn as a place to buy a home, raise a family, and work and start a business. So, I think my ideas are a little bit vague right now, but reading the article in the paper about the housing stock in Auburn, as like as old as it is, there is value in those houses and in those properties. And I think

we can leverage that with, you know, attracting young families and encouraging people to move here. That that's all I have to say.

**Mayor Quill**

Councilor Cuddy and remainder of Council I know, for a long time we worked with Habitat for Humanity. You know, working with them taking over some of our properties. I've seen their equipment out. I'm wondering, someone said it was because of the COVID they're not working like they have and they're not allowed to do that with it with today's atmosphere. So, I feel it's a worthwhile project or a pursuit. I would hope Mr. Dygert could come up with some ideas how we may go about it. Anyone else? Councilor Locastro go ahead.

**Councilor Locastro**

I know we've been getting updates but are there any new updates on the church on Wall Street as far as the status of that?

**Nate Garland**

We are in court February 5th. We're attempting to get the Reverend, the Bishop rather that is in charge of this diocese, I may be using the incorrect term, but for the AME Zion church, they organize their church geographically. And the AME Zion Bishop that is in charge of this area, not necessarily the church because it hasn't been a functioning church for quite some time, as everyone knows. We are attempting to get him served. He has yet to be personally served. So, if that does not happen, by the 5th of February, we will have to continue along those lines. But that is the the best I can provide by way of an update. Stay tuned until February 5.

**Councilor Locastro**

I hope it never happens. But if the church was to fall tomorrow, who has the liability?

**Nate Garland**

The property owner is the AME Zion Church, practically, as the city of Auburn, likely we would, as everyone on this zoom call probably knows, we would be the ones picking up the pieces. But the legal responsibility would be on the owner of the real property AME Zion Church. Thank you.

**Mayor Quill**

Anyone else? Councilors last night with an email I sent you, there was also a bit in there, the governor had I believe was \$500 million dollars for water system improvements. As many of you know, I'm on the County Water and Sewer Authority and we've been going through some growing pains trying to develop something. Mr. Selby, who we're all familiar with, is working for the County Water and Sewer trying to develop a plan. I'd like to invite him to a Council meeting from County Water and Sewer. My thoughts are if we had a bigger block, asking for a project, for example, the county, the city, we would have maybe have a better chance of receiving some money. My thought is, we've talked many times

about a second source of water for the City. We've talked about water and sewer for the south end of the county. I keep thinking back also about extending our intake into Owasco Lake. So, with your permission, I'd like to talk with Mr. Selby and the Water Sewer Authority, having him appear at a Council meeting in the next month or two. And just for all of us to maybe, maybe you're in favor of it, maybe you're not, maybe you have better ideas. I think what we're doing with the purity of Owasco Lake, it really should be in my opinion, should be extended to Cayuga Lake. I think there are areas down there that I'm very concerned about the quality of the lake, I can't prove it but I could take you there and show you what my concerns are. But I'd like to invite Mr. Selby and see if there's something in his mind that may work or may not work for a little bit larger scale program as to what we'd like to accomplish. So, feel free to call me, text me, yell at me, whatever, but let it sink in for a few weeks. So, I know you're all shy. You don't like to yell but that's okay I can I can handle it. So, I will prep, Mr. Selby in the meantime, see what his thoughts are, but I won't schedule it until I have the okay from the council. Fair enough.

**Councilor McCormick**

I'm fine with it. I didn't mean not to, I think, yeah, no problem.

**Mayor Quill**

Councilor, the way I look at it, if we don't explore different things. We're never going to know anything.

**Councilor Giannettino**

I'm fine with it as well. Okay.

**Councilor Locastro**

I'm fine with it Mayor

**Mayor Quill**

Very good. Very good.

**Councilor Cuddy**

Same here. Same here. Mayor.

**Mayor Quill**

Thank you. I'll keep you advised and talk with Doug. So he gets his feet on the ground. So thank you. Anyone else? Mr. Clerk, I don't believe we have anyone else for public to be heard.

**Chuck Mason**

You are correct, Mayor.

**Mayor Quill**

Thank you. Mr. Dygert. Do you request executive session?

**Executive Session:**

Councilor Cuddy made a motion to enter Executive Session, seconded by Councilor McCormick. 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.)
- Four separate matters pertaining to the sale, lease or acquisition of City owned property.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:02 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