

**Auburn City Council  
Regular Meeting  
Thursday, July 15, 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. from the City Council Chambers, 24 South St. Auburn, NY by Mayor Quill.

**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 DeForest
- City Clerk, Chuck Mason
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- City Comptroller, Rachel Jacobs
- City Engineer, Bill Lupien
- Director of Planning and Economic Development, Jennifer Haines
- Director of Municipal Utilities, Seth Jensen
- New Police Chief James Slayton
- Several Auburn Police Department personnel for the swearing in ceremony for Chief Slayton

**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** –

**CEREMONIAL PRESENTATIONS** –

Mayor Quill provided the Oath of Office to new Police Chief James Slayton. Chief Slayton spoke. Mayor Quill called a 10 minute recess.

**Public to be heard:** Mayor Quill asked the Clerk read the public to be heard rules. The following individual spoke:

Ginny Kent spoke on behalf of Seymour Public Library to support the resolution for City Council support of the library's 2021 NYS Consolidated Funding Application.

**Approval of Meeting Minutes –**

- June 17, 2021 Council Meeting Minutes  
Motion to approve the June 17, 2021 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 5-0.
- June 24, 2021 Council Meeting Minutes  
Motion to approve the June 24, 2021 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 5-0.

**Reports of City Officials**

**A. City Manager's Report**

- The City of Auburn is seeking bids for the following projects:
- Bulk chemical supplies due August 10.
- More information on these projects is available on the City of Auburn webpage under the tab "Bids/RFPs"
- Our Civil Service Office is accepting applications for our next Police Officer Exam that is scheduled for Sept. 18. Applications are due back by August 19.
- The Civil Service Office is also accepting application for Special Patrol Officers. These part time positions will fill roles as School Resource Officers and must have minimum law enforcement background and credentials.
- More information on these exams and positions is available on the City web page by clicking on the tab "Departments" and then "Civil Service" and then "Job Opportunities".

**B. Reports from members of Council**

**Matters to Come Before Council**

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

**B. Ordinances – none**

**C. Local Laws – none**

**D. Resolutions –**

**COUNCIL RESOLUTION #87 OF 2021  
SUPPORTING A 2021 NYS CONSOLIDATED FUNDING APPLICATION (CFA)  
FOR THE SEWARD HOUSE MUSEUM**

By Councilor Giannettino

July 15, 2021

**WHEREAS**, the Seward House Museum is located at 33 South Street in Auburn; and

**WHEREAS**, the Seward House opened to the public in 1955, was designated a National Historic Landmark in 1964, and now displays one of the most original collections of any historic home in America. In 2008 the museum established itself as its own independent 501-(c)(3) not for profit museum, contributes significantly to our community's quality of life and is a prominent tourist attraction within the Central and Finger Lakes regions of our state; and

**WHEREAS**, the Seward House Museum has as its mission to inspire curiosity and foster learning about 19th century America through the lens of the William H. Seward family by providing engaging and unique experiences; to preserve, protect and care for the collection; and to sustain the historical landscape of the property; and

**WHEREAS**, the Seward House Museum is a participating member of the City's Historic and Cultural Sites Commission; and

**WHEREAS**, the 2021 New York State Consolidated Funding Application (CFA) has released a request for proposals for the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) Program and the Seward House Museum is applying for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located at 33 South Street a site located within the territorial jurisdiction of this City of Auburn, NY, and

**WHEREAS**, as a requirement under the rules of this program, the said not-for profit corporation must obtain the approval/endorsement of the governing body of the municipality in which the project will be located; and

**WHEREAS**, this project will allow the Seward House Museum to maintain its status as one of our City's world class tourist destinations contributing significantly to cultural tourism in our city and region.

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

1. That the City Council of the City of Auburn approves of and endorses the Seward House Museum with its request to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located at 33 South Street for a park project known as the Barn and Carriage House Repair and the project is located within this community; and

2. The City Clerk shall forward a certified copy of this resolution to the Seward House Museum to include the resolution in its grant application.

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		

## **COUNCIL RESOLUTION #88 OF 2021**

### **AUTHORIZING A 2021 CONSOLIDATED FUNDING APPLICATION (CFA) FOR A MARKET NY GRANT FOR THE NYS EQUAL RIGHTS HERITAGE CENTER**

By Councilor Giannettino

July 15, 2021

**WHEREAS**, the NYS Equal Rights Heritage Center (NYS ERHC) opened in November of 2018 at 25 South Street in downtown Auburn, owned and operated by the City of Auburn in partnership with the Auburn Downtown Business Improvement District; and

**WHEREAS**, the NYS ERHC is a heritage-tourism promotion center that highlights the pioneering role that the people of our State have played in the ongoing quest for Equal Rights and is a vivid and immersive space that inspires visitors and motivates them to explore Auburn, the region and the State by visiting the historic and cultural attractions throughout the State where the fight for equal rights becomes tangible; and

**WHEREAS**, the NYS ERHC centralizes several tourism industry organizations and programs into its facility including: the City of Auburn's Historic and Cultural Sites Commission; the Auburn Downtown Business Improvement District; The Cayuga County Office of Tourism; an I Love NY Equal Rights Heritage promotion exhibition; a Taste NY Market; and, a local and regional Visitor Information Center; and,

**WHEREAS**, the 2021 New York State Consolidated Funding Application (CFA) has released a request for proposals for the Empire State Development's Market NY program for which municipalities are eligible to apply; and

**WHEREAS**, to maximize the potential of the NYS ERHC project and to assist the ERHC and our City's other tourist sites to make a full recovery from the coronavirus pandemic shut downs the City

of Auburn has initiated new tourist marketing initiatives and seeks to expand and continue these initiatives in the coming years of 2022 and 2023; and

**WHEREAS**, the City of Auburn's NYS ERHC marketing initiative project aligns with the Central New York Regional Economic Development Council's *Five-Year Strategic Plan: 2012-2016* priority goal to support the growth of a diverse economic base that will provide employment opportunities for a broad cross section of citizens across the five county region; and

**WHEREAS**, the City of Auburn is requesting \$300,000 in funding assistance from NYS Empire State Development's Market NY program to continue to develop and implement the marketing initiative for the NYS ERHC, and will make available the required local match of 25%, or \$100,000. of the total program budget from the City General Fund to be paid for utilizing funds from the American Rescue Plan Act funding received from the Federal government to speed the recovery of Tourism, Travel and Hospitality Sectors from the pandemic; and

**WHEREAS**, the City of Auburn does not currently have the funding to pay for 100% of the Market NY marketing initiative for the NYS ERHC and it is necessary to obtain New York State funding assistance for the project.

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

1. That the Mayor, or appointed designee, is authorized to submit all documents required for the Grant application under the 2021 CFA to implement a Market NY marketing initiative for the NYS ERHC in an amount estimated at \$400,000. in total project costs; and
2. Upon award notification, that the Mayor, or appointed designee, is also authorized, to execute the grant assistance contract, submit project documentation, and otherwise act for the Municipality's governing body in all matters related to the project and state assistance; and
3. Upon award notification, that the City Comptroller is authorized to recognize grant revenue, if awarded, and to appropriate the funds into the designated departmental or capital account(s); and
4. Upon award notification, that the City Comptroller is authorized to transfer the local cash match in the amount of \$100,000 from the American Rescue Plan Capital Account HA8760.440.ARP; and
5. 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		

**COUNCIL RESOLUTION #89 of 2021  
AUTHORIZING A 2021 CONSOLIDATED FUNDING APPLICATION (CFA)  
FOR CASEY PARK SKATE PARK**

By Councilor Cuddy

July 15, 2021

**WHEREAS**, the City of Auburn owns and operates Casey Park and acknowledges the importance of providing quality recreational opportunities to persons of all ages; and

**WHEREAS**, the 2021 New York State Consolidated Funding Application (CFA) has released a request for proposals for park projects from eligible municipalities through the Office of Parks, Recreation, and Historical Preservation Environmental Projection Fund; and

**WHEREAS**, the City of Auburn intends to apply for 2021 CFA funding to construct a concrete skate park at Casey Park; and

**WHEREAS**, the construction of a concrete skate park at Casey Park aligns with the goals in the 2016 Parks Master and the 2020-2024 CDBG Consolidated Plan and 2021-2022 Annual Action Plan; and

**WHEREAS**, the Casey Park Skate Park would consist of the construction of a new concrete skate park with an anticipated cost of \$500,000 with a maximum grant amount of \$250,000 and the balance to consist of a local match from CDBG in the amount of \$250,000; and

**WHEREAS**, the City of Auburn does not currently have the funding to pay for 100% of the Casey Park Skate Park Project and it is necessary to obtain New York State funding assistance for the construction.

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

1. That the Mayor, or appointed designee, is authorized to submit an application for funding under the 2021 CFA to construct a concrete skate park at Casey Park in an amount not to exceed \$500,000 in construction costs; and
2. That the Mayor, or appointed designee, is also authorized, if awarded, to execute the grant assistance contract, submit project documentation, and otherwise act for the Municipality's governing body in all matters related to the project and state assistance; and
3. That the City Comptroller is authorized to recognize grant revenue, if awarded, and to appropriate the funds into the designated departmental or capital account(s).

4. 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	

**COUNCIL RESOLUTION #90 OF 2021  
AUTHORIZING THE COUNCIL MEETING CALENDAR FOR THE MONTH OF  
JULY AND SEPTEMBER 2021**

By Councilor Locastro

July 15, 2021

**WHEREAS**, the Rules and Procedure of the Auburn City Council state that the Council shall meet the first four Thursdays of each month and for months containing a fifth Thursday, the Council shall pass a resolution to determine if a fifth meeting of the month will be held or not held; and

**WHEREAS**, the month of July 2021 contains five Thursdays, and the Council shall set the following meeting schedule for the month of July:

- July 1, 2021, the regular Council meeting will be a Business Meeting;
- July 8, 2021, the regular Council meeting will be a Work Session Meeting;
- July 15, 2021, the regular Council meeting will be a Business Meeting;
- July 22, 2021, the regular Council meeting will be a Work Session Meeting; and
- **July 29, 2021, the regular Council meeting will be cancelled;** and

**WHEREAS**, the month of September 2021 contains five Thursdays, and the Council shall set the following meeting schedule for the month of September:

- **September 2, 2021, the regular Council meeting will be cancelled;**
- September 9, 2021, the regular Council meeting will be a Business Meeting;
- September 16, 2021, the regular Council meeting will be a Work Session Meeting;
- September 23, 2021, the regular Council meeting will be a Business Meeting; and
- September 30, 2021, the regular Council meeting will be a Work Session Meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby make the above stated changes to the Council meeting calendar for the months of July and September 2021; and

**BE IT FURTHER RESOLVED** that the City Clerk shall notify the public of the change in the Council meeting calendar as set forth herein.

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		

## **COUNCIL RESOLUTION #91 of 2021**

### **REQUESTING THAT NEW YORK STATE DEPARTMENT OF HEALTH ADOPT WATERSHED RULES AND REGULATIONS FOR OWASCO LAKE AND ESTABLISH A TRANSPARENT PROCESS FOR THE TIMELY APPROVAL OF DRAFT WATERSHED RULES AND REGULATIONS DRAFTED BY OTHER COMMUNITIES**

By Councilor McCormick

July 15, 2021

**WHEREAS**, Public Health Law Article 11, Section 1100, allows the New York State Department of Health (NYSDOH) to promulgate watershed rules and regulations "for the protection from contamination of any or all public supplies of potable waters and water supplies of the state ... and their sources within the state;" and

**WHEREAS**, in 1984, pursuant to Public Health Law Section 1100, the New York State Department of Health adopted Title 10 of the New York Codes, Rules and Regulations, Section 104.1, which is commonly referred to as the Owasco Lake Watershed Rules and Regulations,

**WHEREAS**, under the Owasco Lake Watershed Rules and Regulations, the City of Auburn and the Town of Owasco are responsible for inspecting the watercourses within the watershed and for reporting violations in cases of noncompliance with the Cayuga County Health Department; and

**WHEREAS**, in 2017, as a part of the continued efforts to protect water quality and pursuant to their duty imposed by regulation, , the City of Auburn, the Town of Owasco and Cayuga County passed resolutions endorsing a project to update and revise the 1984 Owasco Lake Watershed Rules and Regulations; and

**WHEREAS**, the City of Auburn, Town of Owasco and County of Cayuga engaged in an intensive, community-based process which resulted in eight (8) steering committee meetings, five (5) public meetings, and more than ten (10) staff meetings, in a coordinated effort to create and recommend a revised draft of the Owasco Lake Watershed Rules and Regulations; and



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**WHEREAS**, on October 29, 2020 the City of Auburn and Town of Owasco in a joint session endorsed and supported the revised Owasco Lake Watershed Rules and Regulations; and

**WHEREAS**, Comprehensive watershed rules and regulations have been used to actively improve the management of drinking water supplies serving New York City and the City of Syracuse, to address modern sources of pollution such as urban and agricultural storm water runoff, development, and erosion; and

**WHEREAS**, the revised Owasco Lake Watershed Rules and Regulations protect a body of water that serves as the drinking water source for 46,000 people in the City of Auburn, the Villages of Cayuga, Port Byron and Weedsport; the Towns of Aurelius, Brutus, Fleming, Throop, Mentz, Montezuma, Owasco, Sennett and Springport; the Cayuga County Water Authority and the Thruway Authority; and

**WHEREAS**, these are the first watershed rules and regulations submitted for consideration since New York State published its draft Framework for Creating a Drinking Water Source Protection Plan, which identifies Watershed Rules and Regulations as a tool for protecting and managing water supplies, “especially in watersheds that fall within several municipalities;” and

**WHEREAS**, most of the watersheds for reservoirs, lakes and rivers that serve as drinking water sources for communities in New York State, as well as some of the recharge areas for wells serving as drinking water sources, are each located in several municipalities; and

**WHEREAS**, drinking water source protection is a public health issue, as well as an environmental justice issue, with downstream communities reliant on, and often powerless to influence, decisions made by upstream communities affecting their drinking water sources; and

**WHEREAS**, watershed rules and regulations are established by the state, but are tailored to specific pollution concerns affecting each local water source and its watersheds; and

**WHEREAS**, watershed rules and regulations specifically empower downstream communities with certain authorities to protect their water sources; and

**WHEREAS**, watershed rules and regulations can give municipalities jurisdiction to inspect the entire watershed of their drinking water supply for violations of Watershed Rules and Regulations, issue notices of violation, and refer uncorrected violations to NYSDOH for investigation and enforcement; and

**WHEREAS**, watershed rules and regulations can work prospectively by influencing proposed projects that require local, state, or federal approval; prior to approval, these proposed projects must be found to be in compliance with all laws, including any applicable watershed rules and regulations; and

**WHEREAS**, while other federal, state and local laws are designed to protect drinking water supplies, frequent episodes of contamination, and emerging threats from unregulated contaminants, harmful algal blooms, disinfection byproducts and other water quality concerns indicate gaps in the existing protections that watershed rules and regulations can help address; and

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**WHEREAS**, most watershed rules and regulations in effect were last updated decades ago, and many water sources have no watershed rules and regulations in effect, leaving many communities without effective protections; and

**NOW, THEREFORE, BE IT RESOLVED** the Auburn City Council continues to urge the NYSDOH to adopt the updated Owasco Lake Watershed Rules and Regulations as supported and endorsed by the City of Auburn and Town of Owasco; and

**BE IT FURTHER RESOLVED**, the Auburn City Council expresses its support for all New York State communities that are, or plan to be, engaged in the process of updating or creating watershed rules and regulations for the protection of their drinking water sources, and in particular the Owasco Lake watershed communities; and

**BE IT FURTHER RESOLVED**, in furtherance of its desire to support all New York State communities that are, or plan to be, engaged in the process of updating or creating watershed rules and regulations for the protection of their drinking water sources, the Auburn City Council, with the assistance of the environmental advocacy group Riverkeeper, has drafted a letter of support and a sample resolution, attached and incorporated hereto, which will be disseminated to watershed communities of the Finger Lakes and beyond; and

**BE IT FURTHER RESOLVED**, the Auburn City Council urges the Department of Health to establish a transparent process for the timely approval of updated draft watershed rules and regulations submitted by other communities; and

**BE IT FURTHER RESOLVED**, this resolution be sent to local and state Departments of Health, Governor Andrew M. Cuomo, and state Assembly and Senate representatives whose districts include the City of Auburn, Owasco Lake, and its watershed.

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		

**AGREEMENT RESOLUTION #92 OF 2021**

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

By Councilor Locastro

July 15, 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 July 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 August 1, 2021, and ending on January 31, 2022; 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 Giannettino

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

**COUNCIL RESOLUTION #93 OF 2021  
SUPPORTING A 2021 NYS CONSOLIDATED FUNDING APPLICATION (CFA)  
FOR THE SEYMOUR LIBRARY**

By Councilor McCormick

July 15, 2021

**WHEREAS**, the Seymour Library opened at 176-178 Genesee Street, in the Case Memorial Building in 1903; and

**WHEREAS**, the library contributes significantly to our community’s quality of life and the building is listed on the National Register of Historic Places; and

**WHEREAS**, the Seymour Library has as its mission “to connect our community, to expand opportunities, and to inspire curiosity. Seymour Library serves as the community’s hub of learning and discovery by providing dynamic resources and experiences”; and

**WHEREAS**, the Seymour Library is a participating member of the City’s Historic and Cultural Sites Commission; and

**WHEREAS**, since its opening in 1903 the Case Memorial Building has had two major additions, in 1972 and in 1993, when the west lobby, now the main lobby, was added with a new accessible entrance; and

**WHEREAS**, in recent years the library’s Building Improvement Plan has outlined several renovation projects to the library facilities and in 2019, the results of a condition assessment by Bell & Spina Architects determined that the most concerning physical deficiency of the Case Memorial Building is the prolific leaking of the main roof including the related skylight, internal gutter system, and flashings; and

**WHEREAS**, the 2021 New York State Consolidated Funding Application (CFA) has released a request for proposals for the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) Program and the Seymour Library is applying for a grant under Title 9 of the Environmental Protection Act of 1993 for a project to correct the above stated deficiencies to the Case Memorial Building located at 176-178 Genesee Street a site located within the territorial jurisdiction of this City of Auburn, NY, and

**WHEREAS**, as a requirement under the rules of this program, the said applicant must obtain the approval/endorsement of the governing body of the municipality in which the project will be located.

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

1. That the City Council of the City of Auburn approves of and endorses the Seymour Library with its request to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a project to repair the Case Memorial Building located at 176-178 Genesee Street and the project is located within this community; and
2. The City Clerk shall forward a certified copy of this resolution to the Seymour Library to include the resolution in its grant application.

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		

**E. Staff Presentations –**

**TABLED ITEMS - none**

**OTHER BUSINESS –**

Executive Session. Councilor McCormick 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.)

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:11 p.m. Executive session adjourned at 6:39 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:40 p.m..

Minutes submitted by:

Chuck Mason, City Clerk