

**Auburn City Council  
Regular Meeting  
Thursday, December 15, 2022 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 Councilor Giannettino.

**ROLL CALL** – The City Clerk called the roll. Mayor Quill and Councilor Ginny Kent, Councilor Jimmy Giannettino and Councilor Tim Locastro were present. Councilor Cuddy was excused.

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

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Stacy Tamburrino
- Police Chief, James Slayton
- Deputy Police Chief, Roger Anthony
- Director of Planning & Economic Development, Jenny Haines
- Director of Capital Improvement Program and Grants, Christina Selvek
- City Engineer, Bill Lupien
- Director of Municipal Utilities, Seth Jensen

**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 next Zoning Board of appeals meeting for the City will be held on Monday, December 19, 2022 at 7 pm and will be held in Council Chambers at Memorial City Hall.

**Public to be heard:** the City Clerk read the rules for the Public Be Heard. Several individuals spoke regarding a new retail cannabis shop proposed in downtown Auburn at 9 E. Genesee Street. David Anthony spoke regarding a Veterans service that will happen on Saturday, December 17, 2022.

**Approval of Meeting Minutes –**

December 1, 2022 Council Meeting Minutes

Motion to approve the December 1, 2022 minutes by Councilor Kent, seconded by Councilor Giannettino. Motion to approve carried 4-0.

### **Reports of City Officials**

#### **City Manager's Report –**

- The City is accepting bids on the following:
  - ❖ Waste Water Treatment Plant Improvement Project. Bids are due back Jan. 6.
  - ❖ An RFP for Real Estate services to promote and manage the sale of certain key properties recently acquired through tax foreclosures; responses are due Dec. 23
- Cayuga County's Small Business Assistance Grant Program is still accepting applications. Information can be found on the Cayuga County webpage and the CEDA webpage. The application deadline has been extended to December 31.

#### **Reports from members of Council – none**

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

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

#### **B. Ordinances – none**

#### **C. Local Laws – none**

#### **D. Resolutions –**

### **AGREEMENT RESOLUTION #121 OF 2022**

#### **AUTHORIZING AMENDMENT NO. 3 TO THE MUNICIPAL COOPERATION AGREEMENT FOR SEWER SERVICE TO WHOLESALE CUSTOMERS**

By Councilor Giannettino

December 15, 2022

**WHEREAS**, on December 21, 2017, the City of Auburn (hereinafter referred to as the “City”) and the Town of Sennett, the Town of Owasco, and the Town of Fleming (collectively the “Towns”), entered into a Municipal Cooperation Agreement for Sewer Service to Wholesale Customers (the “Agreement”), which is attached hereto for reference; and

**WHEREAS**, the Agreement was amended by Amendments No. 1 and 2, in 2019 and in 2022, respectively, in order to add the Town of Aurelius and the Cayuga County Water and Sewer Authority as parties to the Agreement and, also, to update the wholesale sewer rate; and

**WHEREAS**, now a third Amendment is needed to reflect an updated wholesale sewer rate, which is updated every three (3) years; and

**WHEREAS**, based upon a review of wholesale sewer costs and the methodology set forth in the Agreement, the parties now propose Amendment No. 3, which is attached hereto and incorporated herein; and

**WHEREAS**, Amendment No. 3 of the Agreement updates the wholesale sewer rate in the amount of \$3.04 per 100 Cubic feet, effective January 1, 2023; and

**WHEREAS**, the Town of Owasco, The Town of Fleming, the Town of Sennett, the Town of Aurelius, and the Cayuga County Water and Sewer Authority, by their duly appointed representatives, have approved Amendment No 3 to the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve Amendment No. 3 to the Municipal Cooperation Agreement for Sewer Service to Wholesale Customers, which sets the wholesale sewer unit rate at the amount of \$3.04 per 100 Cubic feet as of January 1, 2023; and

**BE IT FURTHER RESOLVED** that the Auburn City Council hereby authorizes the Mayor, or an appointed designee, to duly execute Amendment No 3 to the Agreement and any other documents necessary to carry out the purposes of this resolution.

Seconded by Councilor Locastro

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

### **COUNCIL RESOLUTION #122 OF 2022**

#### **AUTHORIZING THE SALE OF SURPLUS VEHICLES AND EQUIPMENT PURSUANT TO THE 2022 CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor Giannettino

December 15, 2022

**WHEREAS**, on January 6, 2022, the City Council of the City of Auburn passed Council Resolution No. 4 of 2022, 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**, a 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 attached hereto in Exhibit A; and

**WHEREAS**, it is in the best interest of the City to dispose of the equipment and vehicles set forth in Exhibit A 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 sale of the City-owned vehicles and equipment set forth in Exhibit A attached hereto in accordance with the 2022 City of Auburn Procurement and Surplus Policy.

Seconded by Councilor Kent

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

**AGREEMENT RESOLUTION #123 OF 2022**

**AUTHORIZING AN AGREEMENT WITH BARTON & LOGUIDICE FOR THE  
AUBURN POLICE AND AMBULANCE BUILDING RENOVATION PROJECT**

By Councilor Giannettino

December 15, 2022

**WHEREAS**, the City of Auburn issued a Request for Proposals to solicit professional consulting services to provide architectural and engineering related services for the Auburn Police and Ambulance building renovation project located at 46 North Street and 23 Market Street; and

**WHEREAS**, on November 10, 2022, the City received proposals from five (5) qualified professional architectural firms; and

**WHEREAS**, a committee was formed to review and score the proposals against the criteria outlined in the RFP; and

**WHEREAS**, Barton & Loguidice of Liverpool, NY is recommended as the highest ranked firm to provide professional consulting services as outlined in Phase 1: Construction Phase Services – Design Phases A thru F of the agreement; and

**WHEREAS**, it is now necessary that Barton & Loguidice of Liverpool, NY be awarded the contract for professional consulting services for the Auburn Police and Ambulance Building

Renovation Project in an amount not to exceed \$369,212.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award a contract to Barton & Loguidice of Liverpool, NY for professional consulting services in an amount not to exceed \$369,212.00 and charged to the APD Building Renovation capital account (#HA 1620 440 KT); and

**BE IT FURTHER RESOLVED** that the Mayor, or appointed designee, is authorized to sign the agreement and all other documents relating to the agreement on behalf of the City of Auburn.

Seconded by Councilor Kent

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

#### **AGREEMENT RESOLUTION #124 OF 2022**

#### **AUTHORIZING AN AGREEMENT WITH WEGMAN'S FOOD MARKETS INC. FOR PARKING**

By Councilor Locastro

December 15, 2022

**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, 2023, 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 nine (9) designated parking spaces for a six (6) month term commencing on February 1, 2023, and ending on July 31, 2023; and

**WHEREAS**, Wegman's has 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 Kent

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

### **APPOINTMENT RESOLUTION #125 OF 2022**

#### **FOR THE APPOINTMENT OF COMMISSIONERS OF DEEDS**

By Councilor Giannettino

December 15, 2022

**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 Commissioner of Deeds for a designated term; and

**WHEREAS**, the law requires that the term of each Commissioners of Deeds expire on December 31 of the even-numbered year following appointment; that the appointed person reside or work in the City of Auburn; that the appointed person only administer the Commission within the City; and that the appointed person file an Oath of Office with the City Clerk and with the County Clerk; and

**WHEREAS**, the proposed list for Commissioners of Deeds is set forth on the list attached hereto and incorporated herein, and includes 31 persons. It is estimated that a total of 50 appointments may be necessary within the next two years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Auburn City Council does hereby appoint the list of persons attached to this Resolution as Commissioners of Deeds pursuant to the authority provided by New York State Executive Law, Section 139, and that said appointments shall be effective from January 1, 2023, and shall continue until December 31, 2024; and

**BE IT FURTHER RESOLVED**, that the Auburn City Council does hereby determine that the number of Commissioners of Deeds for the City of Auburn shall be a maximum of 50, which is the

number of Commissioners of Deeds appointed by the list attached to this Resolution plus additional numbers to be reserved for future necessary appointments.

Seconded by Councilor Kent

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

**AGREEMENT RESOLUTION #126 OF 2022**

**AUTHORIZING THE MAYOR TO ENTER INTO AN EASEMENT AGREEMENT  
WITH NEW YORK STATE ELECTRIC AND GAS COMPANY**

By Councilor Giannettino

December 15, 2022

**WHEREAS**, New York State Electric and Gas Corporation (“NYSEG”) has requested a permanent easement across lands owned by the City of Auburn located at 358 Genesee Street (the “Property”), which is also the location of the Department of Public Works garage; and

**WHEREAS**, this easement is to be located over and across the southern boundary of the Property and is being requested for the purpose of installing an underground gas pipeline extension; and

**WHEREAS**, the proposed Easement agreement is attached hereto and incorporated herein, and has been reviewed by the Superintendent of the Department of Public Works, the Director of Municipal Utilities.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby authorize the Mayor to enter the Easement agreement with New York State Electric and Gas Corporation, which is attached hereto and incorporated herein.

Seconded by Councilor Kent

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

**E. Staff or Vendor Presentations –**

- Auburn Police Department Accreditation Updates by Police Chief Jim Slayton and Deputy Police Chief Roger Anthony.

**TABLED ITEMS - none**

**OTHER BUSINESS – none**

**Second Public to be Heard.** No speakers.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 5:56 p.m..

Minutes submitted by: Chuck Mason, City Clerk



# Auburn Police Department Accreditation Updates

▣ December 2022

# Background

- ▣ Purchased Lexipol policy management software in July 2018
- ▣ Went over every policy and procedure we currently had, as well as every policy Lexipol offered to us (150+), and merged
- ▣ Held weekly meetings from end of 2018 – Mid 2020
- ▣ Issued first new policies/procedures late 2019
- ▣ Ahead of the game in 2020 with Executive Order 203. Many of the required public safety and community engagement practices, as well as related policies and procedures, were reviewed and updated already because of accreditation
- ▣ Mock assessment in January 2022
  - Biggest area to address – property/evidence room
  - Cannot move forward until property room issues resolved

# Property / Evidence Room

- Awaiting Connor Fence to install fencing in evidence area so it meets compliance



A locked gate will be added in front of this door to provide secondary layer of security. This room will contain weapons/ammunition and drugs.



Bars will be placed across all windows as a secondary measure of security.

- Will move in-house lab equipment across hall to other room when room is available
- Currently holding 30+ guns for Extreme Risk Protection Order (ERPO) case from one person in future in-house lab room. Will be held up to a year or until hearing

# Program Manager

- ▣ Civilian, Lawrence Church
- ▣ Oversees all aspects of accreditation
  - Gathers required documentation and other proofs of compliance to meet standards
  - Schedules reviews of policy/procedures with primary workgroup
  - Works with upper management to address shortfalls / become compliant
  - Keeps Chiefs apprised of status and standard changes which require change in policy and/or procedure
  - Communicates with DCJS for accreditation inquiries / general communication, and Lexipol for technical support

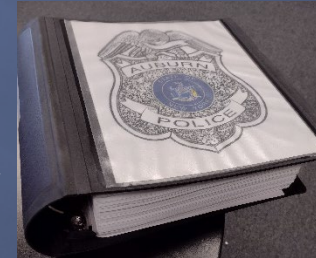


# Getting Accredited

- ❑ Chief requests on-site assessment to Deputy Commissioner of Office of Public Safety (OPS)
- ❑ On-site assessment scheduled, which may take 2-3 days to complete
- ❑ Assessment team reviews 110 standards with satisfactory proofs, which include documentation, interviews, inspection (evidence room, armory, etc.) and other examples of compliance
  - Many standards have multiple parts and each requires written documentation and proof of compliance
- ❑ Assessment team leader prepares report of findings and submits to NYS Law Enforcement Agency Accreditation Council (NYS LEAAC)
- ❑ If satisfactory, the NYS LEAAC will approve at their next quarterly meeting

# Benefits of Accreditation

- ▣ Development / regular review of policies and procedures, promoting enhanced understanding
  - All officers must acknowledge all policies/ procedures/ updates
  - Sent out electronically instead of historical, antiquated way
- ▣ Theoretically, less vulnerability to lawsuits by following NYS-guided policy recommendations and standards
- ▣ Increased transparency and accountability of department
- ▣ Greater public confidence / community relations, and reputation



# Staying Accredited

- ▣ After initial assessment, accreditation is valid for 5 years
- ▣ Each year after accreditation, Annual Compliance Surveys are submitted which demonstrate continued compliance with program standards to maintain accreditation status
- ▣ All policies and procedures must be continuously reviewed to keep up with law changes, best practices and social climate
- ▣ After 5 years, we are eligible for reaccreditation
  - 5 years worth of standard proofs of compliance required
  - Another on-site assessment required.