

**Auburn City Council
Regular Meeting
Thursday, January 27, 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 Mayor Quill.

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

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Chuck Mason
- Director of Capital Projects and Grants, Christina Selvek
- Fire Chief, Mark Fritz
- Police Chief, James Slayton
- Director of Planning and Economic Development, Jennifer Haines
- Senior Planner, Renee Jensen
- Senior Planner, Tiffany Beebee
- Assistant Planner, Gretchen Messer
- City Engineer, William Lupien

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

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

Public Announcements –

CEREMONIAL PRESENTATIONS –

New Employees and Employees Leaving City Employment - Jeff Dygert, City Manager announced new hires and retiring individuals.

Public to be heard: Mayor Quill asked the Clerk to read the public to be heard rules. No speakers.

PUBLIC HEARING FOR THE 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN. Mayor Quill opened the public hearing and the following individuals spoke:

- My name is Tricia Kerr I reside at 2 Sheridan Street in Auburn. I appreciate the opportunity to speak tonight on the CDBG 2022 23 Action Plan as a County Legislator for district 12, representing a portion of the city, I want to thank you Mayor and Council for continued investment in safe affordable housing over the years, and specifically for your partnership with Cayuga County Health Department on the lead Task Force. We need more funding to address lead hazards and other environmental risks prevalent in our aging housing stock. Young children in our community are being exposed to lead which can have permanent health impacts. And I'm grateful for the city's investment and partnership with County Health, Home Headquarters and others in this area. The federal Community Development Block Grant program is a vital funding mechanism to support initiatives like this and also homeownership. As the executive director for the Cayuga County Habitat for Humanity, I can personally attest to the level of interest in homeownership among city renters. We recently held an open application window for our homebuyer program. Over four dozen people applied, mostly city residents. The applications painted a clearer picture of housing struggles for many hard working low income families in our community. Many pay exorbitant rents to live in poor housing units with absentee landlords who fail to address unsafe housing conditions. Instead of building equity or wealth to lift out of poverty, they're throwing half or more of their income out the door on poor housing, and not able to save or get ahead. While the interest may be there, the ability to achieve the American dream for many remains out of reach without help. The path to homeownership is different for everyone. And many of our partner families work for years to overcome barriers, including poor credit, insufficient income, no credit, and more. So Habitat is currently working on its 23rd and 24th house projects in Auburn, one on Wall Street and one on Madison. This would not be possible without the work of our volunteers who work right alongside our partner families to help them complete construction at no cost. Many of our building materials and supplies are donated, which helps keep costs down and leverages public investment. So I want to invite all of you out to see these properties and personally meet with the partner families. And we'd like to say that Habitat welcomes the opportunity to strengthen our partnership with the city and to make homeownership a reality for those who dare to dream here in Auburn. Thank you very much and appreciate your CDBG spending allocations this year for affordable housing. Thank you.
- My name is Erica Ryan, site director for Cayuga County Homsite here in Auburn, New York, 60 Clark Street. I too wanted to piggyback off of what Trish Kerr has mentioned about the benefits of our CDBG funding to affordable housing in our area. We utilize CDBG for our mortgage assistance program, where we're able to allow for up to \$4,000 for qualified individuals to assist with closing costs and downpayment assistance on home purchasing as their first mortgage. We are also working with city planning right now on an acquisition rehab program. Well, we've had a little bit of a struggle getting off of our feet on this, we do have one home that has been completed, and is now on the market at 89 Walnut Street. And we do have more to come we still

have funding remaining and we have been granted an extension on that program. So we're hoping that you can see some more improvements in that area in the near future. We also utilize CDBG funding for our home improvement program that we run through Homsite. Like Trish was saying with the lead program that we have I too sit on the lead task force with the County Health Department and a lot of our housing as we know, a lot of our housing stock is aging and has been an older stock for a very long time. So, we utilize funding with CDBG to assist families in bringing that lead clearance into their home and allowing safety to move forward with their families. So our CDBG funding is an intricate part in how we can fund those programs as a whole. We're able to apply for funding and other areas as well. So we can capitalize and use multiple sources of funding to bring the best outcome available for the homeownership. So I want to thank you for your funding and I hope that we can continue working together in the future.

Approval of Meeting Minutes –

January 13, 2022 Council Meeting Minutes

Motion to approve the January 13, 2022 minutes by Councilor Kent, seconded by Councilor Cuddy.

Motion to approve carried 5-0.

Reports of City Officials

A. **City Manager's Report – none**

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 – FIRST READING.** The City Clerk read the first reading of Local Law #1 of 2022. This will be on the Council agenda for a public hearing on February 17, 2022.

LOCAL LAW #1 of 2022

**ENACTING THE ADOPTION OF SECTION 458-b OF THE REAL PROPERTY TAX LAW
PROVIDING FOR COLD WAR VETERANS EXEMPTION FROM REAL PROPERTY TAXES
AND ELIMINATION OF THE 10 YEAR LIMIT**

By Councilor _____

January 27, 2022

WHEREAS, the State of New York has enacted legislation, Section §458-a of the Real Property Tax Law authorizing an exemption from real property taxes for real property owned by persons who rendered military service to the United States during declared periods of wartime; and

WHEREAS, the State of New York has enacted legislation, Section §458-b of the Real Property Tax Law authorizing an exemption from real property taxes for real property owned by person who rendered military service to the United States during the Cold War (defined as September 2, 1945 to December 26, 1991) provided such property meets the requirements set forth in the law; and

WHEREAS, on March 28, 1991, the City of Auburn adopted Local Law #2 of 1991 enacting the adoption of the Veterans Exemption pursuant to RPTL §458-a, which allowed for veterans of certain defined theatres of war to apply for a property tax exemption; and

WHEREAS, on January 3, 2013, the City of Auburn adopted Local Law #2 of 2013 enacting the adoption of the Cold War Exemption pursuant to RPTL §458-b which expanded the class of individuals able to seek an exemption, and at that time the exemption carried a 10 year term limit; and

WHEREAS, New York State RPTL §§458-b and has since then been amended to allow a local option to eliminate the 10 year term limit; and

WHEREAS, New York State RPTL §§458-a and 458-b have since then been amended to expand the application of the exemptions to apply to LGBTQ+ veterans who were less than honorably discharged based on their status; and

WHEREAS, it would beneficial if the City of Auburn were to opt to eliminate this 10 year limit and expand the class of veterans eligible for this exemption; and

WHEREAS, Local Law No. 1 of 2022, attached hereto and incorporated herein, proposes to update Chapter 265 of the City Code to achieve such goals; and

WHEREAS, the passage of Local Law No. 1 of 2022, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

WHEREAS, subject to City Council approval, a public hearing will be held on February 17, 2022, concerning the repealing of sections of Local Law No. 2-1991; and

NOW THEREFORE BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 182 of the City Code entitled “Veteran’s Exemption:”

1. Article III, Sections 265(24);

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2022, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 265 of the Auburn City Code entitled “Veteran’s Exemption”:

1. Article III, Sections 265(24)(a)
2. Article III, Sections 265(24)(b);

and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect immediately upon the filing of a certified copy of the local law with the New York Secretary of State.

Seconded by Councilor _____

D. Resolutions –

AGREEMENT RESOLUTION #17 OF 2022

**AUTHORIZING A SETTLEMENT SHARING AGREEMENT AND RELEASE WITH
DEFENDANT ALLERGAN RELATING TO THE OPIOID LITIGATION**

By Councilor Giannettino

January 27, 2022

WHEREAS, the City of Auburn is engaged in pending litigation entitled “The City of Auburn v. Purdue Pharma L.P., et al.” (the “Action”) as a part of its efforts to seek legal relief for damages resulting from the opioid addiction crisis; and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Allergan Finance, LLC (f/k/a Actavis, Inc., which, in turn, was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, which, in turn, was f/k/a Actavis plc) (herein referred to as “Allergan”) based on claims that the Allergan contributed to the opioid epidemic by failing to comply with their obligations to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others, all of which contributed to a public health crisis in the City of Auburn; and

WHEREAS, a the parties have now reached a proposed settlement with defendant Allergan, pursuant to a Settlement Sharing Agreement and Release, which are attached hereto and incorporated herein; and

WHEREAS, pursuant to the proposed settlement, the City of Auburn will receive financial payment for the damages from this particular defendant and the settlement also includes injunctive relief, which restrains Allergan or its affiliates from manufacturing, selling, promoting, or lobbying for opioids for 10 years; and

WHEREAS, it is in the best interest of the City of Auburn to resolve and settle its case with respect to Allergan without further litigation and enter into a proposed Settlement Sharing Agreement and Release in order to avoid protracted litigation.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the Settlement Sharing Agreement and Release between the City of Auburn and Allergan, which are attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that attorneys Napoli, Shkolnik, PLLC, acting on behalf of the City of Auburn, are hereby authorized to sign the Settlement Sharing Agreement and Release, together any and all documents in order to finalize carry out 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 #18 of 2022

REQUESTING THAT NEW YORK STATE GOVERNOR HOCHUL AND ALL NEW YORK STATE REPRESENTATIVES ACKNOWLEDGE EMERGENCYMEDICAL SERVICE (EMS) PROVIDERS AS ESSENTIAL HEALTH CARE PROVIDERS AND INCLUDE EMS IN THE FINAL NEW YORK STATE BUDGET

By Councilor Giannettino

January 27, 2022

WHEREAS, the City of Auburn and communities all across New York State rely on Emergency Medical Services (EMS) to provide essential prehospital care to our sick and injured neighbors as part of a comprehensive health care system; and

WHEREAS, EMS agencies have struggled for years to maintain financially viable operations in order to provide fair and appropriate compensation to the individuals providing these vital services; and

WHEREAS, the Covid-19 Pandemic has placed unprecedented stress on the entire healthcare system, including EMS; and

WHEREAS, on January 18, 2022, New York State Governor Hochul presented an Executive Budget for 2023; and

WHEREAS, the proposed budget includes a number of considerations for healthcare workers, facilities, and agencies intended to improve recruitment and retention of essential healthcare workers, and to provide the necessary funding to support community health; and

WHEREAS, the proposed budget includes funding to support innovative solutions to streamline healthcare; and

WHEREAS, the proposed budget considers adjustment to Medicaid reimbursements; and

WHEREAS, Medicaid reimbursements have long lagged behind the actual cost of providing EMS services, creating an unreasonable burden on EMS providers.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby request that New York State Governor Hochul and all New York State Representatives continue to fully support and fund the essential Healthcare provisions of the proposed budget, and to acknowledge EMS workers and agencies as part of the health care system; and

BE IT FURTHER RESOLVED that the Auburn City Council does hereby request that New York State Governor Hochul and all New York State Representatives make the necessary adjustments to Medicaid reimbursements so that local EMS agencies can continue their vital work and compensate their dedicated employees with fair wages and benefits; and

BE IT FURTHER RESOLVED that the City Clerk shall forward certified copies of this resolution to the Governor and our NYS Representatives.

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		

E. Staff Presentations –

- Chapel House Redevelopment – Chris Trevisani, Vice President, Housing Visions. This presentation was postponed and will be rescheduled for February 24, 2022.
- 2022-2023 CDBG Annual Action Plan Presentation by Renee Jensen, Senior Planner; Tiffany Beebee, Senior Planner; and Jennifer Haines, Director of Planning and Economic Development presented on the 2022-2023 Community Development Action Plan.
- Parks Master Plan Update by Tiffany Beebee, Senior Planner and Renee Jensen, Senior Planner
- City of Auburn Annual Review of 2021 by Jeff Dygert, City Manager
- Monthly Bar Graph Reports December 2021 by Jeff Dygert, City Manager

TABLED ITEMS - none

OTHER BUSINESS – none

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:46 p.m..

Minutes submitted by: Chuck Mason, City Clerk