

**Auburn City Council
Regular Meeting
Thursday, May 21, 2020 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 5:00PM in the City Council Chambers, 24 South St. Auburn NY by Mayor Quill.

Roll Call – The City Clerk called the roll. Mayor Quill, Councilor Debra McCormick, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro were all present. Councilor Cuddy was present via teleconference.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest (by teleconference)
- City Clerk, Charles Mason
- Superintendent of Public Works, Mike Talbot
- Senior Planner, Renee Jensen (by teleconference)
- Senior Planner, Tiffany Beebee (by teleconference)
- Police Chief, Shawn Butler
- City Engineer, Bill Lupien (by teleconference)
- Interim Fire Chief, Mark Fritz

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.

Mayor Quill

Thank you. Mr. Clerk, any public announcements?

City Clerk Mason

Thanks, Mayor. Just a couple of announcements this evening. Actually one, normally the zoning Board of Appeals meeting is held on the fourth Monday of each month. This month that Monday is Memorial Day. So the Zoning Board of Appeals meeting has been scheduled for Monday, June 1 following week. And all of the materials for that Zoning Board of Appeals meeting and public hearing is on the website already. It'll be we're in that area where we're not quite sure if the building will be open yet as of June 1,

or the public meetings will be allowed. So it is right now scheduled as a teleconference and all the information for people that wish to participate in the Zoning Board Meeting. That information is all on the website. Legal Notices sent out this week notices to the neighbors and everything. So Tawnya Burns down at the code enforcement office was hard at work all week to make sure all that stuff got out and plenty of time so that the public will have a full shot on 10 days notice of all the materials that are available for that meeting. So that's Monday, June 1 7pm. That's it this evening.

Mayor Quill

It is pointed out, I like to open up the public hearing in regards to the city of Auburn 2020-2021 budget. Mr. Clerk, I'll turn it over to you at this point.

Chuck Mason

Thanks, Mayor. We, as Council you adopted the budget calendar and the resolution to set the public hearing. The public hearing has been advertised since last week. It appeared in the local newspaper, the citizen newspaper since Saturday, the information has been on our city website, we've put it out by email and Facebook. And there were no takers on the registration for the teleconference for the public hearing this evening. And at the City Clerk's office or the Mayor and Council's office, we've received no written notifications, no emails, or no phone messages. So at this point in time, everything has been duly authorized and duly advertised. And as of 5pm, this evening, there were no registrants for the teleconference. So

Mayor Quill

Council, with your approval, there is no applications for anyone to speak this evening and close that public hearing tonight.

Councilor Cuddy

Mayor, if I may, please. So, Clerk, Did you also say that there were no comments that were submitted by email through the clerk's office?

Chuck Mason

There were no comments to the Clerk's office or the Mayor and Council office to my knowledge.

Councilor Cuddy

Okay. No, no emails. Okay. Just want to make sure that that that was mentioned.

Mayor Quill

All set Councilor Cuddy. Very good. Thank you. We will close the public hearing. ceremonial presentations, proclamations. Anything, Mr. Clerk?

Chuck Mason

None this evening. Thank you.

Mayor Quill

Approval of meeting minutes from May 14 of this year. We have a sponsor, Councilor Giannettino, second by Councilor Locastro. Corrections, deletions additions? Clerk if you call the roll.

City Clerk Mason

- Approval of the May 7, 2020 City Council meeting minutes. Councilor McCormick (aye), Councilor Giannettino (aye), Councilor Cuddy (Yes), Councilor Locastro. (Yes), Mayor Quill (aye). Carried.

Thank you.

Mayor Quill

Mr. Dygert. City Manager report please.

City Manager Dygert

Thanks, Mayor. Just a couple of updates. You may notice there's some signs posted now at the entrance ways to the State Street Bridge to inform drivers that the bridge is scheduled to be closed down beginning June 1 for its replacement. Our wastewater treatment facility has been coordinating with the County Health Department and SUNY ESF, to test samples from the facility for COVID-19. This week, the first set of weekly tests were analyzed and showed no conclusive results. So that's something that's going to continue on a weekly basis for the foreseeable future just to see if it shows up anything in search to show any trends and lastly, We had a remote meeting today of CEDA and CEDA is continuing to work on several updates to its plan for the future. Obviously, the current situation with code of COVID and the shut downs of many of our local businesses have changed what had previously been a work plan for CEDA. So that's going to be modified to try to make sure we meet those demands. And make sure that CEDA is offering appropriate services for local businesses, as well as continue to promote Auburn and Cayuga County is an attractive location for newer expanding businesses amidst all of this stuff that's going on with COVID. So that's it right at the moment. two

Mayor Quill

Questions for a manager. Thank you. Reports from members of council anyone

Councilor McCormick

I have I have two this week after two months of not meeting the watershed inspection program and Management Council met, as did our BID committee. So I just thought I would give you a brief update because with all that's going on, those that are concerned about our watershed, may wonder if we're

continuing to know what's going on. And I'm happy to say that, due to the nature of the work, the inspection has continued, inspection activities have continued all along throughout the last few months if, almost as if, there were no restraints on what people did. As far as inspecting goes. There was a few things that the COVID did impact. And that was related to not being able to go to work, go to your workplace, because we have so several of the the agencies that work on our nine element plan, the research for that is done at Cornell, but they're not allowed to go to Cornell. So that your home computer isn't quite as smooth as the one that Cornell probably has. So that's been just, it's been delayed and it's gone slower, but it's still on. It's still ongoing. And we're hoping, I think, for August to be able to get some results from that. Also, rules and regulations again, that was on track. In March, we met in March, we're ready to, you know, we had a whole timeline prepared. But again, COVID, put that on the back burner, but it's back on. we're tentatively looking at June, the end of June, to see if because we really want public input. And I think we need to really have the public, ability to have the public here. there's also activity and acquiring and preserving land around the lake The Nature Conservatory has been able to acquire some more land which is good. And Drew and Caitlin, they are the ones that are they inspect the watershed area noted that the most they've seen they've seen more residential construction continuing right through then more in general and more and in light of what we're going through. So that's good and not so good because I believe that we've got do construction around the watershed is is risky for the for the lake, it because these are quite close to the lake. The other is the BID met and the watershed program and BID took advantage of the PPP program. Both were approved for it and it was a great help, especially to both of them. But for the watershed program is we need every dollar we can get not that the BID doesn't. On the BIDs update, just so in case people are wondering where the flowers are, we've reduced the potted plants that are going to be on the sidewalk, but we'll still have the hanging baskets. We talked about events that we usually have that unfortunately we're going to have to cancel and hoping that maybe if we find out more and more as the summer goes on, we might try to get creative and do some things to bring people downtown. And also about retail, and restaurants reopening supporting them and finding out helping them figure out what's what you can do. It can't do things like that, but I have to compliment to both BID . Stephanie DeVito and the watershed. Adam Effler and in Katelyn, and Drew's Well, for just not even, you wouldn't even know. There was a crisis a pandemic, they just kept plugging away and they've done a great job. That's it.

Mayor Quill

Councilor, I attended a couple of different meetings in last few weeks, and some of them are. We can't meet in person and it's extremely hard and some of them are well done and others not so much. But we're all we're all growing and learning. So, and I would like to take a minute to welcome introduce our new fire chief. Chief Mark Fritz, Chief. Congratulations. Welcome. You see what happened. Chief Dygert, myself, so I know I don't know he was still you stayed in the ring. So probably good. Thank you. Good luck. Councilor Cuddy. You didn't have anything did you? I didn't recognize you.

Councilor Cuddy

Yes, Mayor, I just wanted to say that Councilor. Thank you. Councilor Giannettino. and I were at the AIDA meeting last night. And basically, we are just discussing how we may want to proceed with criteria for the various various businesses that may come to us for incentives. So, I just wanted to give the update to the city council that we're thinking about coming up with a more standardized way and going through some potential businesses that come to us for incentives. That's it.

Mayor Quill

Okay, thank you. Any questions? Reports from members of Council?

Mayor Quill

Thank you. Thank you, Council. Council Resolution Number 57 of 2020 approving the submission to the 2020 annual action plan amendment, Community Development Block Grant program.

Chuck Mason

COUNCIL RESOLUTION #57 of 2020

**APPROVING THE SUBMISSION OF THE 2020 ANNUAL ACTION PLAN AMENDMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

By Councilor McCormick

May 21, 2020

WHEREAS, The City of Auburn is an Entitlement Community for the Community Development Block Grant (CDBG) Program and is required to submit a Five Year Consolidated Plan with an annual statement of objectives and uses of the CDBG Entitlement Program funds; and

WHEREAS, The City of Auburn has prepared the 2020 Annual Action Plan Amendment outlining the community development activities, objectives, and budget for the use of the CDBG CV stimulus grant; and

WHEREAS, The City of Auburn held two virtual public hearings on May 11, 2020 during the public comment period; and

WHEREAS, The City of Auburn published the Notice of Annual Action Plan Amendment on May 5, 2020 and May 10, 2020 to start the local comment period; and

WHEREAS, The local comment period was advertised as the 2019 Action Plan Amendment for CDBG CV funds, HUD has instructed the City of Auburn to apply for CDBG CV funds through a 2020 Annual Action Plan Amendment, and

WHEREAS, all comments received during the 2019 Annual Action Plan Amendment local comment period including the public hearings will be included as part of the 2020 Annual Action Plan Amendment.

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

1. The City Council does hereby approve the 2020 Annual Action Plan Amendment; and
2. The City Council does hereby authorize the Mayor to sign the Application for Federal Assistance and submit the amended 2020 Annual Action Plan to the U.S. Department of Housing and Urban Development for the CDBG CV stimulus grant to complete the objectives of the amended 2019 Annual Action Plan; and
3. The City Council does hereby authorize and direct the Mayor to sign the Funding Approval / Agreement with the U.S. Department of Housing and Urban Development necessary to further the objectives of the amended 2020 Annual Action Plan and all related Subrecipient and other agreements necessary to further the objectives of the Annual Action Plan; and
4. The City Council does hereby authorize the City Comptroller's Office to recognize grant revenue and appropriate funding into the correct departmental budget.

Seconded by Councilor Giannettino

Mayor Quill

Thank you, Councilors, so you know, with us this evening is Jenny Haines from Open Office of Planning economic development. Jenny, would you like to add anything at this point or just want to field questions? Can't hear you Jenny.

Jenny Haines

Okay, I'll get this. Renee Jensen and Tiffany Beebee are also with me. We're happy to field any questions as we sent in email ahead. HUD is allowing us to use the 2019 process that we already went through in order to submit this 2020 Amendment, which they gave us guidance, early last week that we needed to do so. We're ready for questions. We adjusted the budget. According to the discussion with the council last week. We're excited to get the applications out. We are planning on putting both the Human Services application and the Business Assistance application out tomorrow. Thank you.

Mayor Quill

Councilors, questions?

Councilor Giannettino

Thank you, Ms Haines, Ms Beebee and Ms Jensen. Thank you for all the heart. work that went into this. And it was a short timeframe. And everybody's under a lot of pressure because of the current situation. I'd like like to also thank you all for your willingness to forego the administrative line, despite all the hard work that you're putting in that. You know, we know it's important that this money goes to the businesses and the human services organizations that have been affected. So thank you for that. What is the turnaround time for the applications?

Jenny Haines

We use that Friday, June 5, that gives everybody two weeks. We're doing that with the hopes that HUD will have our amendment approved by then, and that we can get the money out into the community quickly. We've set up a review process for both on the Human Services side and I think the council discussed this with staff last week. We will look at those applications through planning staff to make the decisions related to that based on community needs that we've seen, and the need that the agencies demonstrate on the business side, we will be using our downtown facade loan committee which consists of the City Manager, Corporation counsel, Comptroller and myself, with CEDA staff, reviewing the applications ahead and providing us advice around community need, and business need

Councilor Giannettino

there was a block of money set aside for not for profit to employ individuals, specifically the Historical and Cultural Sites. Is that the same application that they'll be using or is there a different application?

We I worked with the application with Tracy Verrier this week, and I think we have it finalized. We have our HUD rep reviewing reviewing it right now. We will have both the nonprofit arts institutions as well as our businesses use the same application. Essentially, they're all economic drivers in our community, they're all employing people, the same criteria and thought process They'll have to meet that as well. So there'll be in the same application.

Councilor Giannettino

Okay, thank you.

Mayor Quill

Anyone else? No further discussion. Clerk, would you call the roll please?

City Clerk Mason

Council Resolution #57 of 2020

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

Mayor Quill

Thank you. Council Resolution Number 58 of 2020. Accepting a citizen participation plan for the Community Development Block Grant program.

Chuck Mason

COUNCIL RESOLUTION #58 of 2020

ADOPTING A CITIZEN PARTICIPATION PLAN FOR

THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

By Councilor Giannettino

May 21, 2020

WHEREAS, The City of Auburn is an Entitlement Community for the Community Development Block Grant (CDBG) Program; and

WHEREAS, The City of Auburn is required to comply with all federal regulations governing citizen participation as they pertain to the CDBG Program, specifically in accordance with Section 104(d) of the Housing and Community Development Act (1974) and National Affordable Housing Act (1991), implementing all regulations at 24 CFR Part 42 and 24 CFR 91.105; and

WHEREAS, The City of Auburn has amended its Citizen Participation Plan in accordance with the aforesaid regulations; and

WHEREAS, The City of Auburn published the Notice of the Citizen Participation Plan on May 5, 2020 to start a 5 day local public comment period; and

WHEREAS, two Public Hearings on the Citizen Participation Plan were held on May 11, 2020 during the public comment period.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn, New York does hereby adopt the Citizen Participation Plan, attached herewith and made a part of this resolution.

Seconded by Councilor McCormick

Mayor Quill

Discussion from Council. Councilor Cuddy, are you fine?

Councilor Cuddy

All set, Mayor Thank you. Thank you.

Mayor Quill

No further discussion Clerk, call the roll please.

City Clerk Mason

Council Resolution #58 of 2020

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

Mayor Quill

Award Resolution Number 59 of 2020 awarding a bid for the 2020 community Community Development Block Grant CDBG sidewalk replacement program.

Chuck Mason

AWARD RESOLUTION #59 OF 2020

AWARDING A BID FOR THE 2020 C.D.B.G. (COMMUNITY DEVELOPMENT BLOCK GRANT) SIDEWALK REPLACEMENT PROGRAM

By Councilor Locastro

May 21, 2020

WHEREAS, the Community Development Block Grant Sidewalk Replacement Program provides for new sidewalks and/or curbing installation in targeted areas of the City which are so designated; and

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WHEREAS, the areas for this year’s construction are as follows: Perrine St. - between railroad tracks and State St. (both sides); N. Division St. - Tech Park Blvd. to Aurelius Ave. (west side only); and an alternate is Bradley St.; and

WHEREAS, as part of this year’s program, the City will also review the condition of existing street trees that are adjacent to the sidewalks slated for replacement and the trees that are found to be diseased, in decline and/or dead will be removed and replaced; and

WHEREAS, on May 12, 2020, bids for the 2020 C.D.B.G. Sidewalk Replacement Program were opened and the following bids were received:

- | | |
|---|---------------|
| 1. Concrete Slipform Inc.
Canastota, New York | \$ 110,985.00 |
| 2. Diamond Excavating & Masonry
Port Byron, New York | \$ 127,190.00 |
| 3. Paul F. Vitale, Inc.
Auburn, New York | \$ 219,525.00 |

; and

WHEREAS, it is necessary that the Auburn City Council award the fiscal year 2020 C.D.B.G. Sidewalk Replacement Program contract to the lowest qualified bidder which is Concrete Slipform Inc. in the amount of \$110,985.00, which is contingent upon the City receiving an executed fiscal year 2020 contract from the US Department of Housing and Urban Development.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the 2020 Community Development Block Grant Sidewalk Replacement Program contract to Concrete

Slipform Inc. which is the lowest qualified bidder in the amount of \$110,985.00, and the cost of the project is to be charged to the Community Development Account #CD 8672 2210 2020; and

BE IT FURTHER RESOLVED that the award is contingent upon the City of Auburn receiving an executed fiscal year 2020 contract from the US Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents necessary in reference to the award of this bid.

Mayor Quill

Anyone discussion?

Seconded by Councilor Giannettino

Councilor McCormick

I don't have any problem with what we have presented before us. I just have a question and I contacted Jenny earlier about the how we select the streets and all that. And it's of course it's a CDBG grant. So I was trying to find out if John Street was in that in that area, because so much work is being done there. And for so long. It's been that gateway. It's been identified as the gateway to the city and other other great places in Auburn and Cayuga County. But it's never looked so great it not that you look around because you're zooming right through there. But with all the work that's going on in the houses, I thought in the homes and all that, that I'd like to see if we could find if it was CDBG. But Jenny explained to me not that it's a but prohibitive, but it's a state highway, and that does cause some roadblocks to us just doing it. Jenny and I know it probably not explained that right if you could help me out there.

Jenny Haines

Sure. So we looked at John Street it is a CDBG eligible neighborhood, right so could qualify for us to do sidewalks on John Street and we have talked to property owners along the street that are interested in seeing that. One of the things that I don't know if Bill Lupien is there at the meeting tonight, but one of the things I understand is that the state would need to approve any work along John Street. So what I had mentioned to Councilor McCormick is that even though John Street does not appear in our five year plan for sidewalks, we could adjust that. And my recommendation was to look at that for next year sidewalk programs so that we have time to work with New York State and any approvals needed to work on sidewalks on John Street. So I sent an email to engineering this morning to start talking through what that process would look like. We haven't had a chance to touch base together yet, but we will provide that information as soon as as soon as we can. So recommend looking at that for next year sidewalk program.

Councilor McCormick

Oh, that would be great. I just think that's it'll be the finishing touches. Because once you come in now right around the corner, everything's blooming in that I don't mean the flowers, the businesses and that will be for residential area, a very positive thing and a support for people that are living there and investing. So think that would be good if we can look into it.

Mayor Quill

Mr. Lupien. Do you have anything you'd like to add?

Bill Lupien

No, I agree with Jenny. That would be an excellent for next year's program. I'm going to be coming back in two weeks for an amendment change order Number one, we have \$165,000 program, we have an excellent price. So I would like to take advantage. I've already talked to Concrete Slip Form, he's agreeable to do a change order. So we'll be bringing that back in two weeks, but we're going to go with the area that was already identified for this year, and that'll be done. And not only Bradley Street, but Case Ve & Perrine Ave, Case Ave being first, but I think that's an excellent idea. If Jenny can put that on next year, amend the program and do John St. next year, that would be excellent, especially if there's going to be some construction activities this year because there is a proposal, it'd be terrible to put a brand new sidewalk in and then have them break it up. So I think waiting till next year's program is an excellent idea. And if it can be done, I'm sure we can do it. We do have an annual maintenance agreement with the New York State Department of Transportation. In that permit, we are allowed to do sidewalks. We do sidewalks up on North Street and Grant Ave when we find bad sidewalks, notify the owners and all the rest. So it won't be a problem. Doing sidewalks on John Street. We definitely will. That can be done under our annual maintenance agreement. Okay.

Councilor McCormick

Thank you, Bill. That's great

Councilor Locastro

Is last years program completed? last year concrete program is completed?

Bill Lupien

That one is yes. And we still have an ongoing Revolving Loan Program all the time with Diamond Masonry but the CDBG Yes, then the work that was identified has been completed. That was done last fall

Councilor Locastro

Will the new work be issued to a local contractor like Diamond?

Bill Lupien

We will we go out to competitive bid. And whoever is the lowest successful bidder, Diamond tends to win the revolving loan contract. And the other one is a toss up a lot of times Concrete Slip Form Incorporated, which has done excellent work in the city. They've sometimes been the low bidder, this time Diamond was number two, they were number one. Next year, it could be the other. It's kind of good in a way that we have two contractors, they both can be working at the same time so we can get the work done a lot quicker. Whereas when you only get one with one crew, it's tend to take throughout the entire year to get the programs done. So

Councilor Locastro

The work on this program this year, any of it handicap related as far as corners?

Bill Lupien

Yes, we always every as we do any of our programs will program sidewalk programs as we come across any corners, we bring them up to the current ADA, American Disabilities Act guidelines for those corners. Make sure they're all ADA accessible.

Councilor Locastro

Okay, thank you.

Mayor Quill

Anyone else? Councilor Cuddy, all set? Thank you, it. Councilor McCormick i agree with you one hundred percent it should be should be done and needs to be done but I agree with let's wait a year and they have it all done. Not too many years ago. We put new sidewalks I believe it was at Logan street through CDBG. But Logan Street and that depended on this census track with the entire length of Logan Street I think was the last block that was not eligible. And I believe you were city clerk at the time we received a lot of concern complaints about that but it all depends on the census thing no further discussion. Clerk Have you call the roll please?

City Clerk Mason

Council Resolution #59 of 2020

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

Mayor Quill

Mr. Dygert. Do we have we're going to get into the land sale. I hope we haven't determined. We have one of our attorneys on the line. Yes,

City Manager Dygert

Nate Garland, up there in our top left corner of the Hollywood Squares. And we also have Mike DeRosa who was a realtor, and Holly Glor, who did a lot of the legwork on this and Jenny Haines.

Mayor Quill

Thanks I'll take Nate Garland for a hundred please.

Chuck Mason

Yeah. Well you also have the, the Joynt family there on the line they're the anonymous telephone on the screen there. Very good.

Mayor Quill

So, Land Sale Resolution number 60 of 2020 authorizing the sale of real property at 113 North Street, Mr. Clerk.

Chuck Mason

LAND SALE RESOLUTION #60 OF 2020

AUTHORIZING THE SALE OF REAL PROPERTY AT 113 NORTH STREET

By Councilor Giannettino

May 21, 2020

WHEREAS, on June 3, 2019, the City of Auburn acquired title to a real property by a tax foreclosure, which is located on the corner of North Street and Seymour Street, commonly known as 113 North Street, Auburn, New York (the "Property"); and

WHEREAS, pursuant to the City's Land Sale Policy, the City notified the neighboring property owner of the City's desire to sell the lot; and

WHEREAS, on October 17, 2019, the Property was listed for sale by Michael DeRosa Exchange, LLC, and by December 18, 2019, the City had received approximately forty-one (41) offers of purchase together with proposed redevelopment plans for the Property; and

WHEREAS, the City has reviewed all forty-one proposed purchase offers of sale and proposed development plans for the Property and, also, interviewed the five most preferred plans for its use and redevelopment; and

WHEREAS, based upon the extensive reviews and interviews conducted, the City now recommends the sale of the Property to Glenn James Joynt and Katherine Joynt, as set forth in the attached Purchase Offer and Sale Contract and Restoration Plan and Intended Use document; and,

WHEREAS, Glenn and Katherine propose to move back to Auburn with their seven children in order to restore and reside in the Property for the long term, and plan to redevelop the Property over the course of the next four (4) to seven (7) years; and

WHEREAS, the Joynt family has submitted the attached Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, which sets forth a purchase price of Fifty Thousand Dollars (\$50,000), together with a proposed investment of at least One Hundred Fifty-Five Thousand Dollars into the restoration of the Property; and

WHEREAS, the Joynt family has agreed to make the Purchase Offer conditional upon a project schedule agreed to by the City and the City's right of reversion, so as to ensure that restoration of the Property occurs as planned.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn that the sale and transfer of a parcel of land commonly known as 113 North Street be hereby authorized to Glenn James Joynt and Katherine Joynt for the sum of \$50,000, pursuant to the Purchase Offer and Sale Contract attached hereto, and that said transfer be subject to the following additional terms:

1. Agreement that the buyers pay all closing costs;
2. Agreement upon a restoration or project schedule with the City; and
3. Agreement that the City retains a right of reversion in the event that the project is not completed as scheduled.

; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in order to finalize the closing of this real estate transaction.

Seconded by Councilor McCormick

Mayor Quill

Mr. Dygert, would you like to lead us into this?

City Manager Dygert

thank you, Mayor over the last few years we've staff has worked hard to try to deal with problem property. So to that end, we meet several of us from Corporation Counsel's Office, myself, Code Enforcement, we get together about once every two weeks and discuss problem properties, and try to get ahead of a few things along the way. Over the last couple of years, we've also taken a good look at the properties in general that the city owns. And we've tried to relieve ourselves of the responsibility of some of those properties by selling it to selling some of those properties to adjacent landowners, developers, whatever. Along the way, we also end up with tax foreclosures. Typically, this home was on the tax foreclosure list and after not very long discussion amongst staff, we felt that it would be better to try a different approach with this particular property. Because of its historic significance in the community, its structural significance, all of those things. We wanted to make sure that we did our due diligence and tried to protect the integrity of the home and the history there. So, the planning department put together an RFP for realtor services related to several of the properties we have in the cities. And Michael DeRosa ended up and his realty company ended up being the successful respondent on that. His work, I'm not sure. And I mean, no disrespect to Michael, I'm not sure how much of the reaction he planned or expected to get. But as you know, the house the sale the story of it got national and

international attention. So that was a good thing for Auburn. And I'm hoping a good thing for Mike DeRosa as well. So certainly a lot of interest and on the backside of things behind the scenes. Holly Glor, from our planning department was working to try to help and work with Michael and organize all of those things. So I want to thank all those folks that have been working on that all along and I'd pass it along to Jenny now to explain things a little bit further.

Jenny Haines

Thank you. We went through the process of reviewing, I believe 41 purchase offers that came in. Again, the buzz that was created by Michael and his efforts was phenomenal and, you know, we generated interest that we could never have anticipated. So we went through these offers. We reviewed them with Michael and with the council. There were five finalists that were chosen. There was a committee a smaller committee that interviewed all five finalists, Councilor Cuddy was included in that committee. We worked on some criteria that the council had set in order to kind of work through what would be the highest and best use for the property. And as we went through that process, and it was we had some really great proposals, as you know, the proposal that was submitted by the Joynt family was the one that that committee recommended to the council. We'd have the Joynts on the line with us tonight. We also have Michael and Holly, Councilor Cuddy, I don't know if you want to add anything related to your experience with being on the review committee for this but I can tell you that we are really, really excited to be transferring this property. It's a phenomenal property. You can see it in the background behind Michael right there. The Code Enforcement crew was there today cleaning up the property and making it look shipshape. We're excited about the Joynts. Taking that on. So we're here for any questions that the council might have.

Mayor Quill

councilors our way and our dear from anywhere else first.

Councilor McCormick

Let's hear from if the Joynts when I speak Would that be okay

Mayor Quill

to Joynts family are you? Can you hear us all right? Hello. Hello. Can you hear us?

Joynt Family

Yes, I can hear you. Thank you.

Mayor Quill

Council is interested if you'd like to say a few words in regards to your great adventure.

Joynt Family

Oh, my I would. First off, thank you all so much. That's an incredible award. We've really enjoyed the whole process of preparing for this moment. Truly We're delighted. And clearly this is one of the most exciting things to have ever happened in our family. And it is the beginning of a great adventure. And we're honored to have been chosen. Thank you so much.

Mayor Quill

Thank you. How about Mr. DeRosa? You spent a lot of time here. You're almost, I thought you were part of staff for the longest time.

Michael DeRosa

So thank you. It's been an honor to work with the city on this assignment. And I'd like to thank you all as well, for all your time spent.

Mayor Quill

Very good. Thank you. councilors, anyone? Councilor Giannettino. Thank you, Mayor.

Councilor Giannettino

I want to start by saying in admitting I guess that I was skeptical when staff came to us with this plan. It wasn't anything that we had tried before. But that being said, one of the things that We are constantly sending emails to staff about our problem properties in the city. So when they came to us with an idea of trying something different, I felt we owed it to them to at least give it a shot. So I want to thank them Mr. DeRosa and the 200 people that submitted proposals for proving me wrong. And it's been a pleasure to watch this whole thing unfold. We always talk about trying to get young people to move to Auburn. And this is a perfect opportunity for a young family with seven children to call Auburn their home. And I want to say welcome to the Joynt family.

Councilor McCormick

I also want to thank first, Mike DeRosa. What a wild adventure. This was. Really, you did an outstanding job. We definitely appreciate everything you did. A lot of a lot of effort went into it and it paid off. And the Joynt family, I can't wait to meet you and all of your kids and your extended family. I think maybe I might know, I don't know maybe. Also I want to thank Holly Glor in the planning department. This was an adventure to I guess, I don't know if it was as much fun it is buying a house but all the work you did to help the city council understand what's going on and see and present us with all the different offers that were there and keep the ball moving along and it's it was a different it new but it I think it's something we should keep trying again for other beautiful properties that need some more love. So thank you all so much. I can't wait til the closing.

Councilor Locastro

Thank you. I would just like to welcome to welcome you to Auburn and I'm looking forward to watching the progress at the house.

Joynt Family

Thank you so much. We look forward to getting in and working on it.

Mayor Quill

Thank you, Mr. Cuddy, Councilor Cuddy

Michael DeRosa

Yes, thank you bear. First I'd like to again, thank the staff and Michel DeRosa. For this this process. I will say that I've received several emails from friends near and far all over the country about this property. And never did I think it would get this much attention. But I was in the review process with city staff. And, you know, there were a lot of worthy plans and the you know, the one thing about this plan that attracted me was a family, making it their home. And you know, that's really what many of us here on council want to do is be a welcoming town, welcoming city for for families to come and move and make this their home. So welcome, Joynt family. Welcome to Auburn

Joynt Family

Thank you so much.

Mayor Quill

This is Mike Quill, once I'd like to join in welcoming you to Auburn, I live in that neighborhood. So I'm going to change my route of travel just to keep an eye on it. And I expect y'all to be moved in by tomorrow morning. So we better cut. We'll cut. We'll cut this phone conference short just so you get packed. Holly and Mike, you really carried the ball on this. The first time I toured the house with the both of you. No one was in their shirtsleeves. It was a very, very cold winter day in the house was even colder than it was outside. So to all of you, thank you for your perseverance in showing us what we can do and how we do it and how to come up with a very workable program. Holly, I sent your book back to your office to Jenny today. I think she had to take the elevator cuz it was quite hefty for what without the paperwork in it, but Thanks for your hard work. So thank you to everyone and to the Joynt family. Looking forward to meeting you. Hopefully you can make a council meeting. When we get back to normal. We'll be glad to meet you. So thank you.

Joynt Family

All right, absolutely. Thank you.

Mayor Quill

Anyone else? Councilor Cuddy. No, y'all set. Clerk. Could you call the roll please?

City Clerk Mason

Council Resolution #60 of 2020

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

Mayor Quill

Firstly, thank you and welcome. Other business from the council counselors that I received a letter late this afternoon from NYCOM and I would ask the clerk if he could read it in the record because they'd like to take some action in regards to it. Please

Chuck Mason

Thank you Mayor. Letter from Peter Baines who is the executive director in New York Conference of Mayors addressed to Robert. Manuka. Is that how you say his name, I can't remember. Manuka who is the budget director for the governor, the State Capitol, Albany, New York. I am reaching out in regards to the state's holding of local aid distributions, particular the literally the aid payments that are scheduled to be paid in June, and additional payment for the city of Yonkers in May. We fully appreciate the need to implement spending controls at the state level as our member cities and villages are dealing with the very same fiscal realities in their own communities. As I am sure you know, many of them have already drastically cut spending and are considering or have already implemented layoffs and service reductions to deal with the revenue shortfalls. They are experience. This May and June aim payments totaling \$370.3 million, account for more than half of the entire AIM Program. As you will see from the attached chart for all but one of the 12 cities, these payments are more than 50% of the total amount of aid they receive. In fact, these In fact, for eight of the cities, it accounts for more than 80% of this critical revenue source. For three cities the amount of their May and June a payment exceeds their total property tax revenue. If for for others it is equal to nearly 50% or more. Another even more critical factor is the timing of these payments 10 of the 12 cities, all but Lackawanna and Rensselaer have fiscal years to end on June 30. As a result, these payments are essential to ensuring that they are able to close out their fiscal years in the black For many without this payment, they will simply run out of money. As I mentioned, we are fully appreciate the precarious fiscal situation facing all of us. And we as an organization are doing everything we can to secure funding from the federal government. For both the state and our localities. However, we implore you to consider the impact of the actions of state the state feels it must take as we await action from Congress. Please do not hesitate to contact me that sincerely Peter a beans night calm executive director.

Mayor Quill

Council. I'm asking for I like to ask the clerk to pen a letter coming from us is as a counselor as a city and send it off to the appropriate services.

Councilor McCormick

Great idea.

Mayor Quill

Thank you, Councilor Cuddy ago. Mr. Clerk of you'll take care of that. I'll be any other business from Council?

Councilor Locastro

I was wondering. If we could just touch Jeff could just touch real quick on 5g just a little bit as far as our status right now.

City Manager Dygert

Sure. So some of you have received some phone calls or communication from the public related to 5g technology. And most typically those questions or concerns are related to the health impacts of 5g. I believe most of those questions have come up due to some recent discussions we've had here at council meetings related to an agreement between the city of Auburn and Verizon for small cell technology, which is essentially putting in small antennas or transmitters, whatever you'd like to call them in lay people terms throughout the community, in the city's right of way. So where the city comes into this whole thing is The proposed location for these things which typically go on existing utility poles or in existing light poles, like our decorative light poles, things like that. The agreement between the cell carrier and the city is for them to occupy space within the cities right of way. The bigger issue is for the governance for communications technology comes from the Federal Communications Commission or the FCC, which is federally regulated. And we really have very little control over that and the federal government exercises that control here at the local level. We, unfortunately in some cases, have to just sit by and and deal with whatever the federal government decides. There are individuals and groups out there that are concerned over the perceived health impact of 4g, which is what we're looking at. And I'm looking at the screen. I don't know if Nate Garland can see me or not, but Nate Garland has been our legal representative on this. So I'll try to give you the laypersons version and he can give you the legal version. And correct me if I'm wrong. What is being proposed here in Auburn is 4g technology. I know there's a lot of discussion about 5g technology. The City of Syracuse is pushing 5g. And there are groups and individuals that believe there are health implications with 4g, and then more so with 5g technology related to the energy that's that's given off from those facilities. Everything we've been able to find from the vendors, if you will, Verizon, AT&T, places like that, or the federal government. have certainly downplayed or negated those health concerns. But no matter what we do when we're talking about cell phone technology as we move forward, there are going to be health concerns brought up with that. Unfortunately, for local folks that are concerned about that this body the city council really has very little say in the introduction of that technology into our community, and a slight amount of say and where it can be positioned and some of the council is aware of that we've gone through some things in the past with cell towers and and the location of cell towers and and and gone all the way to court with

that and not been successful. So I guess I'd turn it over to Nate, maybe for some any any details or anything I may have missed may Nate

Nate Garland

Mr. Manager, I think that was a very precise and succinct summation of the state of regulation in our country and and what we can and cannot do as a city. If there are any questions, so I'd be happy to take any questions

Councilor Locastro

Is 5g been installed in any locations yet

Nate Garland

no our agreement as a city we have the ability to regulate activities within the cities right away. Relative to the generation of technology, be it 4g or 5g. Our regulatory powers are agnostic that we don't have the ability to say yes, you can do 4g but you can't do 5g. But to answer your question directly, Counselor Verizon does not plan to roll out 5g within the city of Auburn for the next couple of years and there are no 5g transmitters. Being able to maneuver within City of Auburn.

Councilor Locastro

Thank you.

Councilor Giannettino

So I received inquiries as well as as I know, Councilor Cuddy did and he's, he's waving his hand. I think the confusion stemmed from the recent newspaper article that basically said 5g was coming to Auburn. But Councilor Cuddy specifically asked in that previous meeting, if this was going to be 4g, or 5g, and we were told it was going to be 4g. So I think that's where the confusion is coming from in this renewed interest from the public. So it's reassuring to hear that as of right now, it is still 4g,

City Manager Dygert

4g and depending on what local media you're looking at, again, the City of Syracuse is on a big push to be one of the first in the country with a big net of 5g. So, you know, we've always got those things playing on us, right. Sure.

Mayor Quill

Councilor Cuddy if you want to add in

Councilor Cuddy

Yes, I I watched to just add a perspective that I would like staff to at least look into, if I if you know, some of my fellow councillors would would, I guess humor me, one of the things that you know as being a teacher now, being a, you know, a remote teacher, given the situation is internet access. And I

am thinking that you know, there are some students that may not have access to, to standard, you know, to the internet via cell phone or by a cable or wherever, I'd like to ask if we could reach out to the Auburn Enlarged School District and and apply Public Service Commission to see if there are maybe some avenues in which we as a city municipality, and partnership with the school district, and maybe even the county to supplement or to shore up at least some kind of internet, or communications infrastructure, maybe with the cell tower we have or some other way in which everyone can have access and not just not just people that have cable or or, or cell phone. So I just wanted to throw that out there because I know important information is access to information is going to be increasingly more important, but I don't want you know, students that don't have the means, and families that don't have the means to get 5g or cell phone or Internet in any form or fashion to get that so I, I kinda I'm, I'm asking to see if what are our options through the Public Service Commission to to work with the school district so that there are other options besides the commercial options.

Mayor Quill

Councilor, I agree with you. I won't speak for the rest of council, but I did see Mr. Dygert. Taking notes in regards to your request. So, Council, is anyone opposed to a great idea? Thank you, Councilor Cuddy. All right.

Councilor Cuddy

Thank you.

Mayor Quill

Councilor, You brought that up. My son and daughter in law are both working from home. And you know, they're both using a computer almost exclusively, and their son is in. He's in grade school. I don't remember which grade so I won't say what they take turns almost with a computer because of Trying to get his schoolwork in and both doing their business. So there's two sides of every argument as to what what's good, what isn't good So, but in this day and age with everything going on I we're really becoming more of a slave to our, to our internet and what we can and can't do so. Anyone else?

Councilor McCormick

Just a quick kind of I usually don't throw out my personal opinion but I think this is bigger than that. I've been out like everyone else has and I've been waiting in line behind people. And I am amazed at how many people aren't wearing a mask and I hold my breath and try not to say anything but it's not that person if they choose. But it's the person that they're gonna get waited on by the the teenager or the whoever that is stuck behind the counter and They've got three people in line that have no, not even a it doesn't faze them at all that they have no protection on. And it's, it's, it's not good. And I don't know if anybody's listening to our meeting tonight because it's a beautiful night. But I really, really wish there was a way that people would be more conscientious about it. And if if I reminded someone of it, I'm sure I'd get in an argument with them. So I won't, but businesses maybe put up bigger signs that say, Please wear your mask or I did see one place so they won't wait on you unless you have a mask on And

that's pretty brutal, but they're protecting their employees. So if if the one or two people that are watching our council meeting tonight can spread the word. I don't know if it's because they don't know or they're not sure. But everybody that's not in their home should be wearing except for in city council. Should be wearing a mask. We're apart. We really should be wearing a mask no matter what. So that's my public service announcement tonight. Thank you.

Councilor Locastro

Back to one question about the 5g. I know you can't put \$1 amount on if it's not safe or if it is safe. Are we compensated for that space that they're using borrowing or

City Manager Dygert

there there is a compensation but there's also a compensation limit. And maybe Assistant Corp Counsel Garland can, he might recall that I do not recall what that what that rent is.

Nate Garland

unfortunately, I don't either Mr. Manager, but I can tell Councilor Locastro that there is a per pole fee and a license application fee. So there are two different kinds of fees. And as the city manager noted, the FCC has essentially capped what sorts of fees and municipality can charge for access to its right of way. They call it a safe harbor. And safe harbor fees have to be to use a lawyerly term that they employ reasonable reasonably tied to the actual cost incurred by a city. So I can't remember exactly what we charge. But I know that it is the upper limit of what is allowed.

Councilor Locastro

So basically, as a council, mayor and city manager, our hands are tied in the situation, basically,

City Manager Dygert

You know, to the extent that we can have some control, we could choose to not charge anything right, or we can charge up to the the limit, which is essentially what we've done. We can try to influence the company to do what we want, but we have No real authority over things, you know, if we unreasonably restrict or inhibit their ability to put these towers where they need to to conduct business, that would be a problem. You know, if we if we can be reasonable and say you need to move in 100 feet that way or 300 feet this way. Those are things we can do. But in order to but for us to say you can't put it in this neighborhood, probably not going to happen.

Councilor Locastro

Are there any other agencies that fall in the same category as them as far as dealing with the city

City Manager Dygert

Most of our federal agencies, so, you know, oftentimes in the springtime, we get complaints about potholes, right. Oftentimes, those are in the general vicinity of railroad tracks. So we are prohibited from doing work within X number of feet of railroad tracks, I believe that's 10 or 15 feet of either side of the actual track. So When our folks in our community are complaining about the condition of railroad tracks, those aren't things that our DPW controls, and theirs are regulated by. I forget whether that's NTSB that deals with the railroad or who it is, but it's federal agencies and the railroads. They we have a good relationship with the railroad, but they don't necessarily have to comply with our every whim. They fall under federal guidance.

Councilor Locastro

One last question. Where do we stand with city staffing now that we're moving forward into phase two?

City Manager Dygert

We have not received any guidance. I've had some conflicting things that I've heard. We're trying to work our way through that. I've heard everything from phase two to phase four. We're trying to stay on top of it. It's confusing. I would You know, again, since the beginning, we've asked the public to remain patient. We're not trying to prolong anything any longer than we have to, we'd love to see our folks back to work and our doors back open. But we have to comply with the directives that are out there oftentimes is confusing. When New York State or when the Governor makes an announcement verbally, sometimes it takes a few days for that to come out in writing and be confirmed. Sometimes what we receive in writing is slightly different than what was verbalized. And oftentimes, it's many shades of gray. And we have to try to figure out what the intent is to some of that language. So there are times that we've got a few things right now we're trying to hash out with the county, they have one interpretation, we have another on a couple of issues. So we're trying to work through those

Councilor Locastro

About as far as staff, I mean, they're, I mean,

City Manager Dygert

It's we some of our outdoor activities. Our public works departments have been ramping up. Because if we don't keep up with things like the grass and the parks and things like that, we're going to get so far behind it. It's going to look like a mess out there. So, we've increased our Public Works Department. As far as administrative type staff in buildings like City Hall, we're still under the same restrictions. We do increase staffing occasionally and particular days of the week or days of the month, related to different types of workflow that have to happen. And as you may have noticed, the public can't see it, but we're making modifications within city hall, anticipating a relaxation of some of those restrictions, but with those relaxations are going to come. Other restrictions such as wearing masks or having a physical barrier between our staff and the public. So we're we're We're working on it. We actually I brought our

draft plan. Stacy DeForrest. Our Corporation Council has been working hard for the last couple of weeks. Putting this plan together is very similar to what all of the private sector businesses that are allowed to reopen right now. They have to have a written plan available. This is very similar to that and following essentially those same guidelines, although we don't know if that's what we'll be held to. Thank you.

Chuck Mason

Manager. I'll just remind you that the plan is actually the number one topic on next week's agenda. The manager is going to review that plan with the council. So

Mayor Quill

Councilor Cuddy.

Councilor Cuddy

Yes, thank you, Mayor. I'm going to jump slightly back to the 5g discussion, um, and mentioned that the franchise agreement we have with cable companies um, we there's I guess monies that go toward ARMA. Right, or the public access station? Um, is there something analogous to that in any of any of the 5g rollout or the any of the what was just discussed?

City Manager Dygert

I'm not aware of anything Corp Counsel Garland may may be aware of something I'm not aware of anything, specifically. And I believe the amounts of revenue generated from those vendor agreements or those franchise agreements are going to be quite a bit different than what you'll see for the lease agreements or rental fees for the siting of these antennas in the city right of ways.

Councilor Cuddy

All right, thank you.

Mayor Quill

Anyone else? request for Executive Session?

City Manager Dygert

Do not

Councilor McCormick

A quick question, do our meeting times changed? Did I see that somewhere? They don't change. We're on five o'clock. Okay. Now, I don't want to I don't know why I've just

City Manager Dygert

Breakfast meetings?

Auburn City Council Meeting, May 21, 2020

Councilor McCormick

No, I'll be quiet now. I'm good.

Mayor Quill

No request for Executive Session. Nothing else from the council. entertain a motion to adjourn.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:12 p.m.

Minutes submitted to the City Council on June 4, 2020 by Charles Mason, City Clerk