

**Auburn City Council
Regular Meeting
Thursday, January 6, 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
- City Comptroller, Rachel Jacobs
- Director of Capital Projects and Grants, Christina Selvek
- Fire Chief, Mark Fritz
- Police Chief, James Slayton
- 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

The next meeting of the Auburn Civil Service Commission will be held on Monday, January 10, 2022 beginning at 6:30 p.m. on the third floor training room at Memorial City Hall, 24 South Street in Auburn.

CEREMONIAL PRESENTATIONS –

WHEREAS, in 1858 the first patrolman was hired, in the 1890's the City of Auburn Police Department was able to provide round the clock protection to their citizens. The brave men and women of the Auburn Police Department have answered the call to serve and protect our community. Our Law Enforcement Officers embody the courage and honor that represent the best of our City; and

WHEREAS, in moments of danger and desperation, the first people we turn to are Law Enforcement officers. These often unsung heroes risk their lives so that we can live in peace and security; and

WHEREAS, Law Enforcement Officers of every rank and file have chosen a profession that puts their life on the line every day for their communities. They've answered a call to public service that is demanding and often unappreciated; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their officers, and that members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression ; and

WHEREAS, the 69 members of the Auburn Police Department play an essential role in safeguarding the rights and freedoms of the Citizens of Auburn. These Sergeants, Lieutenants, Captains, and Special Patrol Officers unceasingly provide a vital public service to this community.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the City Council and the Citizens of Auburn, do hereby proclaim January 9, 2022 as

LAW ENFORCEMENT APPRECIATION DAY

And recognize that we owe dutiful respect and humble gratitude to the City of Auburn Police Officers who work tirelessly to protect us and sacrifice so much to maintain and defend civil order in our community.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Sixth day of January 2022.

Michael D. Quill, Mayor
City of Auburn, New York

Mayor Quill presented a copy of the proclamation to Chief of Police James Slayton.

Police Chief Slayton

Mayor, Councilors, on behalf of the men and women of the Auburn Police Department, I'm proud to accept this proclamation. What the men and women at the department do every day, they go above and beyond, it doesn't matter the calls of service, the weather, whatever they have to do. They're here to protect and serve the citizens of Auburn. I've been proud to do it for 24 years and I know the men and women are too. I would like to thank Dale Bush, who is a member of the Police Department Crossing Gaurd Division, thank you very much, we appreciate it and we include them also. So, thank you very much.

Public to be heard: Mayor Quill asked the Clerk to read the public to be heard rules. The following individuals spoke: no speakers

Approval of Meeting Minutes –

December 23, 2021 Council Meeting Minutes

Motion to approve the December 23, 2021 minutes by Councilor Giannettino, seconded by Councilor Locastro. Motion to approve carried 5-0.

Reports of City Officials

- A. **City Manager's Report** – Just a couple of updates, things that are going on in our ongoing quest to clean up neighborhoods, just so the council's aware, in the next week or so we're going to be focusing some attention on McMaster Place you may notice as you're on the arterial eastbound coming into the city, right, right at the downtown line, really. McMaster place has been a little bit of a challenge for our code enforcement folks for a while and now that winter has hit and the leaves are off the trees and bushes, it's really not a very attractive gateway to downtown. So, we are focusing some attention there in the next week or so, there's three or four properties there that will be followed up on. The Police Chief and I amongst some other city staff met virtually today with, keep wanting to call him Sheriff Gould, but County Legislature Chairperson Gould and the Sheriff and Ray Bazarri from Cayuga County Mental Health, to discuss the mobile crisis intervention team and expanding that service to a 24 hour a day service. So, those discussions are ongoing. We I get the impression from our discussion today that we will be moving that initiative forward relatively quickly, and hopefully in the coming weeks, not months. So, there was a good discussion today. And we're hopeful that we can have continued good partnership with the County on that initiative. Lastly, I did want to mention COVID, as much as I'd like to not say that word anymore for at least a couple of days. COVID has certainly had an impact on us over the last, last almost two years now. Recently, especially this week, we saw probably the most marked increase or impact on our city operations that we've seen since the start of it. Our City Clerk has put out some messaging along the way, encouraging our residents to do business as much as possible through other means other than face to face visits to city buildings and city hall in particular, to protect themselves and protect our workforce, we've been dealing with a large number of individuals in our workforce that have been sick, or in isolation. A significant number of that are actually sick and unable to work and it has impacted things like our code enforcement division, at least for a handful of days. So we thank our departments have been stepping up and covering for each other. So for instance, in our Code Enforcement Department, some administrative staff from the Assessor's office and from Public Works stepped in to cover the calendar for a few days when that was needed. We sent out again, thanks to our City Clerk's information to the public, that trash and recycling pickup was falling behind, not days behind literally hours behind. But that service, it's amazing, that service is so reliable that literally if the trucks are minutes late, sometimes 20 minutes late, we start getting phone calls about what's wrong, what happened that they've skipped me, whatever. So, we appreciate the folk's patience. So, we kind of took a double hit

on that we've had a reduced workforce down there due to the impact COVID but it's also one of the busiest times of year. So, for instance, just to give you an idea, Mike Talbot, our Director of Public Works, who oversees that operation, shared with me just on one particular day that a typical route on that particular day was about 50 tons of trash and it was over 60 tons that particular day and recyclables this week were cardboard. And that particular route typically would be around four and a half tons and it was seven and a half times on that particular day. So, you know, just kind of a combination of things. And again, departments are stepping up to help each other out our Codes Cleanup Crew actually was out today helping with trash collection, recycling collection. So, it was good to see that happening and we will likely have to continue doing that until things pass and we get cleared of all this stuff. So, I want to make sure to just thank our different departments for working together and making sure that work gets done and we're gonna keep doing that to the extent that we can.

Reports from members of Council

Matters to Come Before Council:

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

B. Ordinances – none

C. Local Laws – none

D. Resolutions –

COUNCIL RESOLUTION #1 OF 2022

**AUTHORIZING CHANGE ORDER #1 FOR THE CONSTRUCTION OF THE
LANDFILL NO.2 STAGE IV FINAL CLOSURE**

By Councilor Giannettino

January 6, 2022

WHEREAS, the Auburn City Council authorized Bond Ordinance #5 of 2021 to finance construction costs of the Landfill No. 2 Stage IV Final Closure; and

WHEREAS, on April 8, 2021 City Council authorized Award Resolution #47 in the amount of \$5,685,865 to Marcy Excavation Services, LLC, for the Construction of the Landfill No. 2 Stage IV Final Closure; and

WHEREAS, it is now necessary that the City Council authorize Change Order #1, in the amount of \$363,343.44 to Marcy Excavation Services, LLC so that the City can pay for the additional work required due to varying field conditions confirmed during construction to close the landfill; and

WHEREAS, this work includes increasing the pump station structure’s height, supplying additional geo-composite clay liner material, supply and install additional intermediate cover soils, relocate, grade and compact additional in place waste, additional barrier soils and top soil and seeding required to cover additional ½ acre of closure.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize Change Order #1 in the amount of \$363,343.44 to Marcy Excavation Services, LLC, for the Construction of the Landfill No. 2 Stage IV Final Closure; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$363,343.44 is to be charged to the Landfill Closure Capital Account #AL8167.551 KU.

Seconded by Councilor Locatro

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #1 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

COUNCIL RESOLUTION #2 OF 2022

AUTHORIZING THE CITY ASSESSOR TO GRANT EXEMPTIONS ON THE 2022 ASSESSMENT ROLL TO ALL PROPERTY OWNERS WHO RECEIVED THAT EXEMPTION ON THE 2021 ASSESSMENT ROLL

By Councilor Giannettino

January 6, 2022

WHEREAS, on December 26, 2021, Executive Order No. 11.1 was signed, which temporarily suspended, through January 25, 2022, Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, the City of Auburn Assessor requests to grant these exemptions on the 2022 Assessment Roll to all property owners who received that exemption on the 2021 Assessment Roll, without requiring a renewal application; and

WHEREAS, the City of Auburn Assessor may require a renewal application to be filed when she has reason to believe that an owner who qualified for the exemption on the 2021 Assessment Roll may have since changed his/her primary residence, added another owner to the deed, transferred the property to a new owner, or died.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby adopt this resolution which directs the City Assessor to grant exemptions on the 2022 Assessment Roll for all property owners who received that exemption on the 2021 assessment roll and the City Assessor may require a renewal application if she has reason to believe that an owner who qualified for the exemption on the 2021 Assessment Roll may have since changed his/her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

BE IT FURTHER RESOLVED, that this resolution will take effect immediately.

Seconded by Councilor Cuddy

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #2 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

COUNCIL RESOLUTION #3 OF 2022

**ADOPTING THE CITY OF AUBURN
INVESTMENT POLICY**

By Councilor Cuddy

January 6, 2022

WHEREAS, New York State General Municipal Law Section 39, entitled “Investment Policies for Local Governments” states that “Each local government...shall by resolution adopt a comprehensive investment policy which details the local government’s operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government”; and

WHEREAS, the City of Auburn has written a policy in accordance with New York State requirements for review and adoption by the Auburn City Council; and,

WHEREAS, the City has seen monthly investment income growth since the implementation of this Policy in 2014.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby adopt a policy for the City of Auburn in relation to the investment of public funds in accordance with New York State General Municipal Law § 39.

Seconded by Councilor Locastro

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #3 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

City of Auburn, New York 2022 Investment Policy

A. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the City of Auburn, New York (City) on its own behalf or on behalf of any other entity or individual.

B. OBJECTIVES

The primary objectives of the local government's investment activities are:

- To conform with all applicable federal, State and other legal requirements
- To adequately safeguard principal
- To provide sufficient liquidity to meet all operating requirements
- To obtain a reasonable rate of return.

C. DELEGATION OF AUTHORITY

The City Council's responsibility for administration of the investment program is delegated to the Treasurer. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

D. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City to govern effectively. Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

E. INTERNAL CONTROLS

It is the policy of the City for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer within 5 days of deposit, or within the time period specified in law, whichever is shorter. The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

F. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are banks authorized to do business in New York with preference given to banks located in Central New York.

G. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, “deposits”) made by officers of the City that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured either by:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers.
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.

H. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the City shall be held by the depository bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities or the pro rata portion of a pool of eligible securities are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities or pro rata portion of a pool of eligible securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the pledged securities are not registered or inscribed in the name of the City, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities or the pro rata portion of a pool of eligible securities as set forth in the security agreement. The custodial agreement shall provide that pledged securities or the pro rata portion of a pool of eligible securities will be held by the bank or trust company as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected security interest in the eligible securities and to otherwise secure the local government’s interest in the collateral, and may contain other provisions that the City Council deems necessary.

I. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the City Council authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York

All investment obligations shall be payable or redeemable at the option of the City within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections G and H herein. Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested. Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

J. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the City transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City. The (chief fiscal officer, treasurer, or other officer having custody of money) shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

K. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the City Council deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected interest in the securities.

The Treasurer can direct the bank or trust company to register and hold evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a custodial agreement set forth in the General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

L. ANNUAL REVIEW AND AMENDMENTS

The City shall review this investment policy annually, and it shall have the power to amend this policy at any time.

M. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

COUNCIL RESOLUTION #4 OF 2022

**AUTHORIZING THE ADOPTION OF A
CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor Giannettino

January 6, 2022

WHEREAS, the City of Auburn maintains and annually adopts a Procurement and Surplus Policy, which regulates competitive bidding and public service contracts so that taxpayers may receive goods and services at the lowest reasonable prices; and

WHEREAS, New York State General Municipal Law requires municipalities to annually review their Procurement Policies in order to update the same with any new legislation which may change competitive bidding limits; and

WHEREAS, the City Comptroller has reviewed the current City of Auburn Procurement and Surplus Policy and has determined that it is compliant with the provisions of the New York General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn Procurement and Surplus Policy is hereby adopted as being compliant with New York State General Municipal Law and that all of the terms set forth in this Policy are continued and authorized in its current form.

Seconded by Councilor Locastro

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #4 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

CITY OF AUBURN, NEW YORK
2022 PROCUREMENT AND SURPLUS POLICY

SUBJECT TO OPEN COMPETITIVE BIDDING

Purchases over \$20,000 (Aggregated Annually)

Public Work Contracts over \$35,000

1. Pursuant to New York State General Municipal Law Section 103 (GML 103) all contracts for public work involving an expenditure of more than thirty-five thousand dollars (\$35,000) and all purchase contracts involving an expenditure of more than twenty thousand dollars (\$20,000), shall be awarded through an open competitive bid process by the City Council to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. Purchases of commodities, services or technology shall not be artificially divided for the purpose of avoiding competitive bidding procedures.
2. Open competitive bidding shall be achieved by publishing advertisements in the City's official newspaper and on the City's website. Such advertisement shall contain a statement of the time and place where all bids received pursuant to such notice will be publically opened and read and where the identity of all offerors will be publically disclosed. Whenever a contract is awarded to someone other than the lowest responsible offer, documentation and an explanation are required. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
3. Exceptions to GML 103:
 - a. *Best Value Law (Subdivision 1 – GML 103)*. Best value is defined for this purpose as a basis for awarding contracts to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. To use this exception to GML 103 two requirements must be met:
 - i. The offeror is responsive and responsible.
 - ii. The best value determination must be made on objective and quantifiable standards that the offer optimizes quality, cost and efficiency. Written justification is required if an award is made based on best value instead of the lowest responsible bidder.
 - b. *Emergency Situations*. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the City, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let with City Manager approval. When at all possible, quotations shall be obtained for the emergency services.
 - c. *Surplus and Second-hand Items*. Surplus and second-hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the federal government, the state of New York or from any other political subdivision, district or public benefit corporation.

d. *Piggybacking Law (Subdivision 16 – GML 103)*. This addition authorizes the purchase of apparatus, materials, equipment and supplies, and related installation, repair and maintenance of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district there in given the contract was made available for use by other governmental entities. To use this exception to GML 103 three prerequisites must be met:

- i. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
- ii. The contract must have been made available for use by other governmental entities
- iii. The contract must have been let to the lowest responsible bidder or the basis of best value in a manner consistent with this section.

e. *State Contracts*. Service contracts entered into through the New York State Office of General Services. In these instances, the State has already investigated and secured the lowest possible price for the municipality.

f. *Professional Services*. Pursuant to General Municipal Law §104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the City of Auburn to solicit quotations or document the basis for not accepting the lowest bid:

- i. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the City Council shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to, the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modifications and customizing of pre-packaged software.

g. *Sole Source*. When the subject of a contract is controlled by a sole source so that there is no possibility of competition, and the purposes of competitive bidding would not be furthered by inviting bids, competitive bidding is not

required. This exception is only applicable in limited circumstances when, in the public interest, particular goods or services are required that uniquely serve the public interest for which there is no substantial equivalent and that are, in fact, available from only one source. The mere likelihood that only one firm will bid, however, is insufficient to justify sole source procurement. Further, the City may not artificially create a sole source situation such as by, without proper justification, tailor bid specifications to limit competition to only one bidder or brand.

NOT SUBJECT TO OPEN COMPETITIVE BIDDING

Purchases under \$20,000

Public Work Contracts under \$35,000

1. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method*</u>
\$1,000.00 - \$4,999.99	Verbal Quotations Written Quotations or Written Request for Proposals
\$5,000.00 - \$19,999.99	Written Quotations or Written Request for Proposals
<u>Estimated Amount of Public Work Contract</u>	<u>Method</u>
\$1,000.00 - \$4,999.99	Verbal Quotations Written Quotations or Written Request for Proposals
\$5,000.00 - \$34,999.99	Written Quotations or Written Request for Proposals

*Written includes physical paper, faxed or emailed quotes.

A good faith effort shall be made to obtain three (3) proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

Documentation is required for each action taken in connection with the procurement.

2. Professional Services –

a. For all professional services with an estimated cost of \$20,000 or more the City shall go through a formal request for proposal process. A scoring matrix shall be

used to evaluate the proposals; the matrix must include cost with a minimum weight of 15% unless regulations specifically restrict a discussion on cost. The matrix shall have at least three categories and no more than ten categories with each category making up no more than 40% of the weight. Cost is excluded from this 40% cap. The scoring matrix shall be included with the request for proposal document given to potential respondents. At least three City staff shall be included to score the proposals and City staff shall make up the majority of any scoring committee. Scores shall be submitted in a sealed envelope at a time and place agreed upon by all committee members. If a committee member cannot be present, they may submit their score in a sealed envelope to the committee. A second round of scoring may be completed after interviews are held using this same process. All committee decisions shall be fully documented and all documentation retained in accordance with the City's record retention policy.

- b. For all professional services with an estimated cost under \$20,000 the City may go through a formal request for proposal or request for quote process. Quotes or a formal request for proposal are not required if the time and effort is expected to exceed the potential cost savings. If the request for proposal or request for quote process is not followed the department must document why this process was followed.
3. Energy Performance Contracts (EPC) – The City shall follow all the same evaluation procedures for an energy performance contract that it would for professional services. In addition to those procedures the savings or revenue projections should be evaluated in detail by the City Comptroller or in the absence of the City Comptroller, the City Comptroller or the City Manager's designee. Once an EPC firm is selected, the EPC shall be evaluated by an independent attorney working on the City's behalf; this may be internal or external Counsel.
4. Exceptions to City Procurement Method:
 - a. *Subject to Open Competitive Bidding.* All the same exceptions exist for purchases not subject to open competitive bidding as exist for purchases subject to open competitive bidding.
 - b. *Large Vehicle and Truck Repairs.* Large vehicle and truck repairs shall be exempt from the requirement to obtain three (3) proposals or quotations. However, a good faith effort shall be made to obtain at least two (2) proposals or quotations where feasible, taking into consideration the size of the vehicle, the difficulty (if applicable) in transporting the vehicle to obtain a proposal or quotation and the number of service providers within the City of Auburn and/or Cayuga County.
 - c. *Goods or Services under \$1,000.00.* The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such diminished contracts would be awarded based on favoritism.
 - d. *Purchase of Surplus and Second-Hand Goods.* Purchases of surplus and second hand goods may be made after a thorough analysis has been done that the second hand product will serve the City's needs as well as a comparable new

product and after an analysis of that product in the market place to ensure the City is receiving the best value possible.

OTHER

1. This policy shall conform to all current and future laws enacted by New York State in relation to the procurement of goods and services.
2. This policy shall go into effect immediately upon adoption and shall be reviewed annually.

DISPOSAL OF SURPLUS PERSONAL PROPERTY

Purpose: To ensure the highest financial benefit to the City when disposing of surplus personal property. Personal property is defined as all property other than real estate.

Policy: When an item is identified as surplus, it is no longer in use in the originating department and cannot be used elsewhere in the City. A City department head shall designate the item as surplus and then, in conjunction with the City's Finance Department, shall determine the most effective means of disposal. This surplus determination and disposal decision shall be subject to Council approval for all items expected to bring at least \$1,000 upon disposal. Items considered scrap are not subject to this policy.

Options for disposal:

- **Auction:** All surplus personal property will be sold by auction unless another method has been determined to have more financial benefit. It is noted that due to auction fees and the nature of certain surplus personal property public auction is not always the best method of disposal.
- **Sale by Broker:** At certain times, surplus personal property is specialized or not in demand all year round and therefore a broker may be used to obtain the highest financial benefit.
- **Trade-in:** If a City asset is being replaced by a new version of that asset, the department head may determine that it is more beneficial to trade the surplus personal property in on the new version.
- **Internal Sale:** With consideration of auction fees and staff time used to set up external auctions, surplus personal property that is not expected to bring at least \$500 at auction may be auctioned internally if it appears that there may be interest by City employees. All City employees shall have equal opportunity to bid on the items.

COUNCIL RESOLUTION #5 OF 2022

ADOPTING A BUDGET CALENDAR FOR THE PREPARATION OF THE FISCAL YEAR 2022-23 CITY BUDGET

By Councilor Giannettino

January 6, 2022

WHEREAS, the City Budget is the financial document that funds the many services provided by local city government; and,

WHEREAS, the City’s fiscal year begins on July 1st of each year and the City Council must adopt a final City Budget by the end of June each year for the next budget year; and,

WHEREAS, adequate preparation, review, and eventual adoption of the annual City Budget is an open process that lasts several months; and,

WHEREAS, for the preparation of the Fiscal Year 2022-23 budget, the City Manager recommends the following attached budget calendar be adopted.

NOW, THEREFORE, BE IT RESOLVED that the City Council sets the attached listed dates as the official budget calendar for the preparation of the City of Auburn Fiscal Year 2022-23 Budget and that all business pertaining to the City Council called for in said calendar will be scheduled as part of regular City Council meeting agendas in accordance with the Council Rules and Procedures; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the public of the dates as set forth herein and that throughout this budget preparation process the City Clerk shall immediately make available to the public all budget related documents as they become available to the Council.

Seconded by Councilor Cuddy

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

2022-23 BUDGET PREPARATION AND ADOPTION TIMELINE

Department Heads receive budget packets	January 17, 2022
Department Heads return budget packets	February 11, 2022
Comptroller compiles Department Head budgets and revenue estimates	March 4, 2022
Comptroller and Manager meet with Department Heads to justify budget requests	March 7 – 18, 2022
City Manager submits preliminary balanced budget	March 31, 2022
Department Head presentations to Council	March 31 & April 7, 2022
Council input due to City Manager	April 14, 2022
Final balanced budget based on Council input and revised revenue estimates	April 28, 2022
Final Council input due to City Manager	May 5, 2022
Public Hearing on budget	May 19, 2022
Budget adoption	June 2, 2022

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #5 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

FINANCIAL RESOLUTION #6 OF 2022

**ADOPTING THE 2022 CAYUGA COUNTY TAX RATE AND CITY OF AUBURN
SHARE OF THE CAYUGA COMMUNITY COLLEGE CHARGES**

By Councilor Giannettino

January 6, 2022

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #366-21, adopted by the County Legislature on December 14, 2021, the City of Auburn’s participation in the 2022 County Tax will be in the amount of \$8,652,213.44 compared to last year’s amount of \$8,578,007.91, an increase of \$74,205.53. The full amount to be raised by property taxes in the entire County is \$42,314,897, that produces the City’s share of the County tax levy is 20.45%; and

WHEREAS, the Cayuga County Legislature included within its Resolution #366-21 of 2021 charges to the City taxpayers for the collection of costs related to the preparation and mailing of County tax bills within the City in the amount of \$5,234.56; and

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #328-21 of 2021, that the City of Auburn’s proportionate share for the Cayuga Community College charges in the amount of \$197,973.34 is to be added to the 2022 County Tax to be raised from the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York hereby adopts the 2022 County Tax Rate in the City of Auburn in the amount of \$8.253107 per \$1,000 of assessed valuation for the City’s share of the County tax, and \$0.188727 per \$1,000 of assessed valuation for the City’s share of the Cayuga Community College charges for a total County tax rate of \$8.441834 per \$1,000, with an increase of \$0.069199 per \$1,000 over the 2021 rate; and

BE IT FURTHER RESOLVED that the Auburn City Council hereby adopts the 2022 County tax rate and authorizes the preparation of the necessary tax bills.

Seconded by Councilor Cuddy

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #6 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

FINANCIAL RESOLUTION #7 OF 2022

ADOPTING THE 2022 SEYMOUR LIBRARY TAX LEVY

By Councilor Giannettino

January 6, 2022

WHEREAS, the Seymour Public Library District comprising the City of Auburn and the Town of Owasco was created by referendum on October 14, 1992, with the subsequent addition of the Auburn School District portion of the Town of Sennett in January 1996 and the Town of Fleming in 2011; and

WHEREAS, the share of the 2022 operating budget to be raised by the City of Auburn from a local assessment against the real property within the boundaries of the municipality will be \$510,107.23; and

WHEREAS, the Library has requested the City of Auburn advance half of this amount in February 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that \$510,107.23 is to be levied on the 2022 City of Auburn property tax bills on a separate library tax line, and an advance in the amount of \$255,053.62 to be paid in February 2022, which will reduce the August 2022 payment.

Seconded by Locastro

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

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the "City"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the "Council"), held on the 6th day of January, 2022, including the Resolution #7 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

AGREEMENT RESOLUTION #8 OF 2022

**AUTHORIZING AN AGREEMENT WITH
WEGMAN’S FOOD MARKET’S INC. FOR PARKING**

By Councilor Locastro

January 6, 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, 2022, 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 a six (6) month term commencing on February 1, 2022, and ending on July 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 Kent	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #8 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

AGREEMENT

THIS AGREEMENT made this ____ day of _____ 2022, is by and between the following parties: **City of Auburn**, a municipal Corporation, 24 South Street, Auburn, New York 13021 (hereinafter the “City”) and **Wegmans Food Markets, Inc.**, a duly authorized New York corporation having its principal offices at 1500 Brooks Avenue, P.O. Box 30844, Rochester, New York 14603 (hereinafter referred to as “Wegmans”).

WHEREAS, the City owns several metered parking spaces on the south side of Genesee Street between Loop Road and South Street (hereinafter referred to as the “Parking Spaces”), which are currently underutilized; and

WHEREAS, Wegmans would like to exclusively lease a number of the Parking Spaces for a period of time.

NOW, therefore, in consideration of One Dollar and other good and lawful consideration the parties hereby agree as follows:

1. The City shall lease eight (8) designated Parking Spaces on the south side of Genesee Street between South Street and the Loop Road beginning at the first space located easterly of Loop Road and extending westerly along Genesee Street to Wegmans for its sole and exclusive use (hereinafter referred to as the “Wegmans Parking Spaces”). The Wegmans Parking Spaces are depicted as shown on **Exhibit A**, attached hereto.

2. The the term of this Agreement shall be for a term of six (6) months commencing February 1, 2022, and ending on July 31, 2022.

3. Wegmans agrees to pay to the City the total sum of \$1,500.00 for the term of this Agreement, to be paid by Wegmans sending payment to the City on or before February 28, 2022.

4. The parties agree that any bill, statement, notice or communication, which either party may desire or be required to give the other, shall be deemed sufficiently given or rendered if in writing, sent by Certified or Registered Mail, or by nationally recognized overnight courier, addressed to: (a) the City at the address first stated above, Attention: Auburn City Treasurer, namely, Treasurer Robert Gauthier; (b) to Wegmans at 1500 Brooks Avenue, PO Box 30844, Rochester, New York 14603-0844, Attention: Senior Vice President, Real Estate/Development; or (c) to any other address that either party may designate in writing.

5. The City shall provide appropriate signage earmarking the Wegmans Parking Spaces as being solely for the use of Wegmans and their employees. Wegmans shall provide appropriate identification to their employees to display within their vehicle, which said display and identification of the vehicle shall be prominent and be able to be observed by the City Parking Enforcement employees by either placing said identification from the rear-view mirror or on the dashboard of the vehicles parked in the Wegmans Parking Spaces.

6. The City shall keep the Wegmans Parking Spaces reasonably free of snow and ice, garbage, and other refuse and in reasonably good condition throughout the term of this Agreement.

7. This Agreement shall constitute the entire understanding between the parties and shall not be modified in any form unless said modifications are reduced to writing and subscribed by the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names and titles agreeing to the terms of this Agreement.

Dated: _____, 2022

WEGMANS FOOD MARKETS, INC.

by: _____

Senior Vice President, Real Estate Development

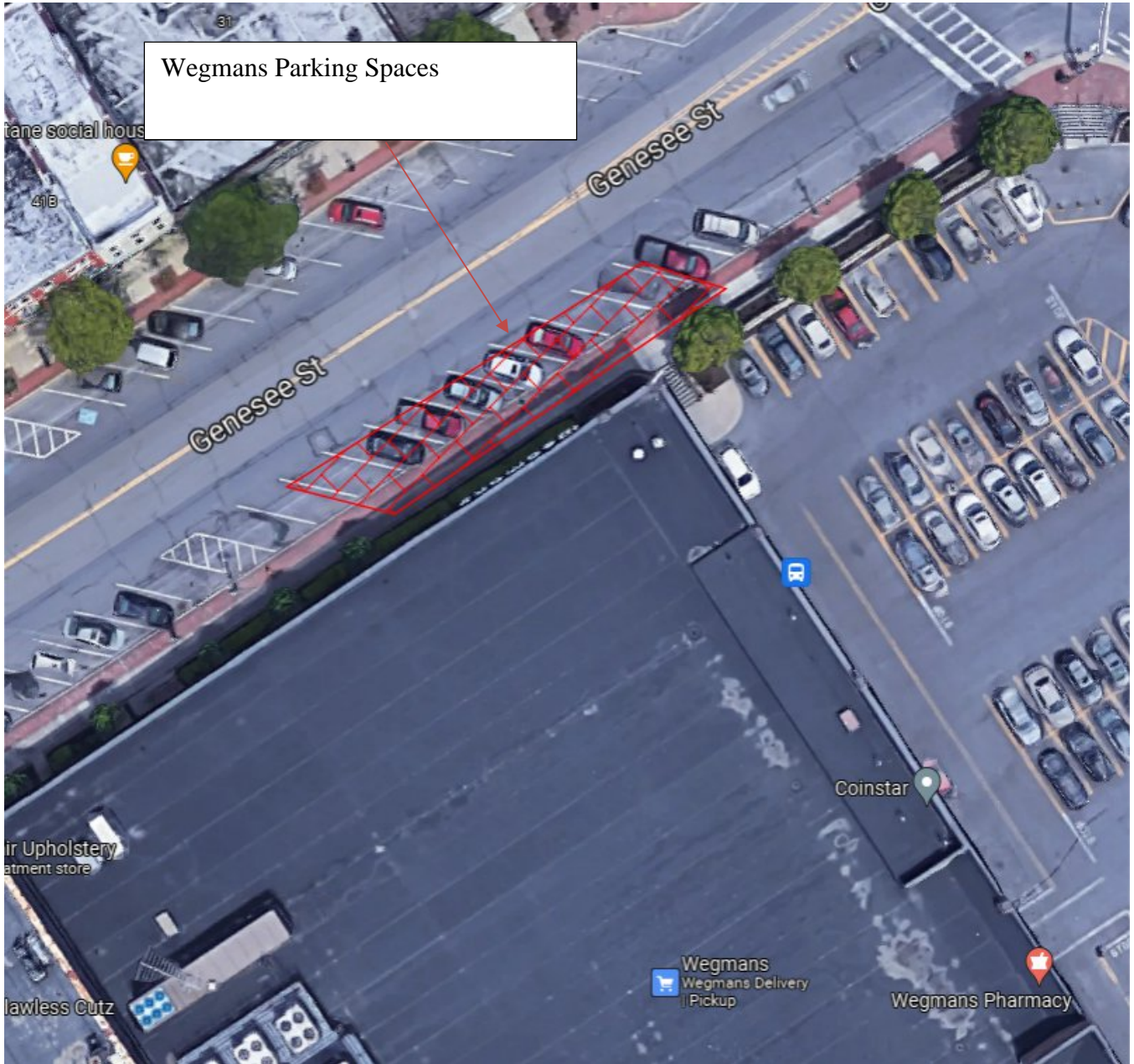
Dated: _____, 2022

CITY OF AUBURN, NEW YORK

by: _____

Michael D. Quill, Mayor

Exhibit "A"



APPOINTMENT RESOLUTION 9 OF 2022

**APPOINTING A MEMBER TO THE BOARD OF DIRECTORS OF THE OWASCO
LAKE WATERSHED MANAGEMENT COUNCIL AND WATERSHED INSPECTION
COMMITTEE**

By Councilor Cuddy

January 6, 2022

WHEREAS, the Agreement that established the Owasco Lake Watershed Management Council between the City of Auburn, the Town of Owasco, Cayuga County and the Owasco Lake Watershed Management Council (OLWMC) requires that one director to the Board of Directors of the OLWMC shall be a member of the Auburn City Council and shall also serve as the City’s representative to the Owasco Lake Watershed Inspection Committee; and

WHEREAS, the Councilor who was so appointed has retired and it is necessary that the Auburn City Council appoint a new member to the OLWMC Board of Directors and that member shall also serve as the City’s representative to the Watershed Inspection Committee; and

WHEREAS, the Auburn City Council is desirous of appointing Ginny Kent as a director of the Owasco Lake Watershed Management Council and the City’s representative to the Watershed Inspection Committee.

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council does hereby appoint City Councilor Ginny Kent to serve as the City Council representative of the Board of Directors of the Owasco Lake Watershed Management Council and the Watershed Inspection Committee and said appointment shall take effect immediately.

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		

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #9 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

APPOINTMENT RESOLUTION 10 OF 2022

**APPOINTING A MEMBER TO THE AUBURN DOWNTOWN BUSINESS
IMPROVEMENT DISTRICT BOARD OF DIRECTORS**

By Councilor Cuddy

January 6, 2022

WHEREAS, the bylaws of the Auburn Downtown Improvement District (BID) requires that one director shall be appointed to the BID Board of Directors by the Auburn City Council; and

WHEREAS, the Councilor who was so appointed to the BID Board of Directors has retired and it is necessary that the Auburn City Council make a new appointment to the BID Board of Directors; and

WHEREAS, the Auburn City Council is desirous of appointing Jimmy Giannettino to serve as the Council’s appointment to the BID Board of Directors.

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council does hereby appoint City Councilor Jimmy Giannettino to serve as the City Council appointee of the Board of Directors of the Auburn Downtown Business Improvement District and said appointment shall take effect immediately.

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		

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

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 6th day of January, 2022, including the Resolution #10 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 7th day of January, 2022.

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

E. Staff Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Councilor Cuddy

Yes. Mayor, I received a communication through the Cayuga County Health Environmental Department, Michelle Wonderlich and Dr. Adam Effler, that the State's DEC's 303-D list, which is a list of impaired water bodies in New York State, there is a comment period in which the water bodies that are listed on there, the public is invited to to give their input and insight on the water bodies. Owasco Lake continues to be on that list, at least in part. As you may remember, shortly after the first Harmful Algal Bloom threat to our drinking water, we had already been on the list since 1998. Shortly after that the lake was put in, I guess limbo, in what was known as requiring verification of an impairment. So, seeing as that communication has come forth, I would like to respond personally myself, but also, if I may draft a letter, and if it is amenable to my colleagues on Council to sign on, I would like to get some support to to advocate for a TMDL for the all of the Owasco Lake and put it on the priority list rather than be in this, I guess, vague area in the 303-D list. So, I will be coming back next week with a draft letter and hopefully, I can get some support from my colleagues and submit that in the comment, for the comment period. The comment period ends January 29, 2022, which gives us enough time to review the letter and if there is the appetite for the Council to sign on I would like to submit that before the 29th.

Mayor Quill

With Councils permission, I would request it if approved that you work with Corporation Counsel to make sure that we're on firm ground and also get a copy of your response to Council next week so we can review it.

Executive Session:

Councilor Giannettino made a motion to enter Executive Session, seconded by Councilor Locastro. Council voted to enter an executive session regarding the following matters:

- Four separate matters 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 5:41 p.m. Executive session adjourned at 6:40 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:41 p.m..

Minutes submitted by: Chuck Mason, City Clerk