

**Mayor
Michael D. Quill**

**Council Members
Terrence Cuddy
Debra McCormick
James Giannettino
Timothy Locastro**

Auburn City Council AGENDA



Mayor Quill and the members of City Council would like to welcome you to Memorial City Hall. At the beginning of each City Council meeting a time is reserved for the public to be heard. If you have come to speak during the public to be heard portion of this meeting the following information will be helpful to you. When you are recognized by the Mayor please approach the podium, state your name and address for the record and speak directly into the microphone. The council is pleased to hear relevant comments that pertain to City government however a 3-minute limit is set by City Council to allow for all of the meeting's business to be conducted. Also, please remember to silence your phones. Requests for accommodations may be made with advanced notice of at least three work days prior to the meeting by calling (315) 255-4100 or e-mailing disabilityaccess@auburnny.gov. As much advance notice as possible is needed to assure that appropriate services can be acquired. Thank you for your interest in City Government.

City Council meetings may be viewed through a live-stream on our city web site.
Use the following web address to view the live-stream: <http://AuburnNY.gov/Channel-A>

Business Session October 15, 2020 5:00 PM

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. MOMENT OF SILENT PRAYER OR REFLECTION**
- 4. PUBLIC ANNOUNCEMENTS**
- 5. CEREMONIAL PRESENTATIONS AND PROCLAMATIONS**
 - 5.A. United Way Day Proclamation - Karen Macier, Executive Director
[United Way Day 2020.pdf](#)
- 6. PUBLIC TO BE HEARD**
- 7. APPROVAL OF MEETING MINUTES**

7.A. Approval of October 1, 2020 and October 8, 2020 City Council Meeting Minutes.

[Council Meeting Minutes October 1, 2020 for Council Approval.pdf](#)

8. CITY MANAGER'S REPORT

9. REPORTS FROM MEMBERS OF COUNCIL

10. SEQR RESOLUTIONS

11. ORDINANCES

12. LOCAL LAW

12.A. Local Law #1 of 2020 Repealing and Replacing Sections of Chapter 265 of the Auburn City Code Entitled "Taxation"

[Background Memo re Local Law to Replace and Repeal Sections of Chapter 265 of the Auburn City Code Entitled Taxation.doc](#)

[Local Law #1 of 2020 Repealing and Replacing Sections of Chapter 265 of the Auburn City Code Entitled Taxation.docx](#)

[Chapter_265__Articles_II_and_X__CLEAN VERSION.docx](#)

13. RESOLUTIONS

13.A. Council Resolution #102 of 2020 Endorsing and Taking the "Lake Friendly Living Pledge" by the Owasco Lake Watershed Management Council (OLWMC) for Advancing Pollutant Reduction Strategies for Land and Water Stewardship within the Owasco Lake Watershed

[Council Resolution #102_Supporting the Lake Friendly Living pledge program by the OLWMC_091520_draft.doc](#)

13.B. Grant Acceptance Resolution #103 of 2020 Authorizing Acceptance of Working Capital Funds from Empire State Development for the NYS Equal Rights Heritage Center

[Background_Memo_Grant Acceptance Reso for Working Capital Funds from ESD for ERHC.docx](#)

[Grant Acceptance Resolution #103 2020 Accepting a Working Capital Grant from ESD for the NYS Equal Rights Heritage Center.doc](#)

[Aid to Localities_p 981_City of Auburn Working Capital authorization.pdf](#)

14. TABLED ITEMS

15. STAFF/VENDOR PRESENTATIONS

16. OTHER BUSINESS FROM THE COUNCIL

17. PUBLIC TO BE HEARD

18. ADJOURNMENT

COUNCIL MEMORANDUM

Memorial City Hall
24 South Street
Auburn, New York 13021

TO: Honorable Mayor and Members of Auburn City Council

FROM: Michael Quill, Mayor

DATE: October 15, 2020

RE: United Way Day Proclamation - Karen Macier, Executive Director

Background

United Way Day Proclamation - Personal Care Kickoff, Campaign Kickoff & 98th Bday is attached.

Board Members and staff that will be present:

Board Members

- o David Gould, President
- o Renee Jensen, Vice President
- o Mary Beth Leeson, Treasurer

Staff

- o Karen Macier
- o Julisa Stone

Recommendation

Fiscal Impact



City of Auburn PROCLAMATION



- WHEREAS,** today, the United Way of Cayuga County celebrates 98 years, and counting, of serving residents from all regions of our community, from all socio-economic backgrounds, and throughout all of life's stages thanks to the continued support and generosity of our neighbors; and
- WHEREAS,** the United Way of Cayuga County continues to act and adapt to the quickly changing needs surrounding the coronavirus pandemic by being among the first organizations to respond. The Board of Directors established the United Way of Cayuga County COVID-19 Response Fund distributing \$50,000 to local non-profits to purchase food, technology needs, and personal protective equipment; and
- WHEREAS,** the dollars raised during the annual fall campaign are more critical than ever as the pandemic lingers, deepening the needs of our community where 54 percent of residents accessing United Way of Cayuga County funded programs last year were seeking basic needs such as food, shelter, transportation, childcare, and more—long before the pandemic began; and
- WHEREAS,** the United Way of Cayuga County launches their 3rd Countywide Personal Care Drive, partnering with local businesses, organizations, and clubs to collect hygiene products for Cayuga County food pantries, homeless shelters, and soup kitchens from October 16th – October 24th; and
- WHEREAS,** the United Way of Cayuga County Board of Directors and more than 200 volunteers across the county are working together to raise both dollars and awareness to find solutions to our community's most dire needs by supporting a network of services to children, adults, seniors, and families in the areas of education, health, income stability, and safety net needs; and
- WHEREAS,** the 2020 Campaign theme *Rebuild Cayuga Together* encourages all Cayuga County residents to make a gift to ensure brighter futures for our friends, families, and neighbors.

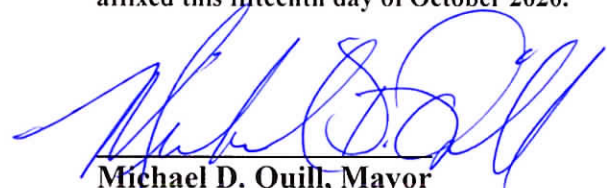
NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, do hereby acknowledge the 98th anniversary of United Way of Cayuga County, the beginning of the 2020-21 Fall Campaign, and the 3rd Countywide Personal Care Drive by proclaiming, **Friday, October 16, 2020** as

UNITED WAY of CAYUGA COUNTY DAY

in the City of Auburn and encourage all Citizens to continue supporting the United Way and their mission to improve lives through mobilizing the caring power of our community.



In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this fifteenth day of October 2020.


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

COUNCIL MEMORANDUM

Memorial City Hall
24 South Street
Auburn, New York 13021

TO: Honorable Mayor and Members of Auburn City Council

FROM: Chuck Mason, City Clerk

DATE: October 15, 2020

RE: Approval of October 1, 2020 and October 8, 2020 City Council Meeting Minutes.

Background

October 1, 2020 City Council Meeting minutes are attached and October 8, 2020 City Council Meeting minutes are forthcoming.

Recommendation

Fiscal Impact

**Auburn City Council
Regular Meeting
Thursday, October 1, 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. Councilor Deb McCormick, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro and Mayor Quill were all present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Chuck Mason
- Deputy Police Chief, Roger Anthony
- Fire Chief, Mark Fritz
- City Engineer, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Assistant to the Mayor and Council, Rhonda Miller

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 City of Auburn Planning Board will be held on Tuesday, October 6, 2020 at 6:30 p.m. and will be held at Memorial City Hall, Council Chambers, 24 South Street.

Ceremonial Presentations and Proclamations –

HEREAS, the City of Auburn, NY is committed to ensuring the safety and security of all those living in and visiting Auburn; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,630 people in the United States in 2017, according to the National Fire Protection Association[®] (NFPA[®]), and fire departments in the United States responded to 357,000 home fires; and

WHEREAS, cooking is the leading cause of home fires in the United States where fire departments responded to more than 173,200 annually between 2013 and 2017; and

WHEREAS, two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

WHEREAS, more than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

WHEREAS, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire

WHEREAS, Auburn's residents should stay in the kitchen when frying food on the stovetop, keep a three-foot kid-free zone around cooking areas and keep anything that can catch fire away from stove tops; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Auburn's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Auburn's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2020 Fire Prevention Week theme[™], "*Serve Up Fire Safety in the Kitchen!!*" effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

THEREFORE, I, Mayor Michael Quill, of Auburn, do hereby proclaim October 4-10, 2020, as

FIRE PREVENTION WEEK

throughout this City, and I urge all the people of Auburn by checking their kitchens for fire hazards and using safe cooking practices during Fire Prevention Week 2020, and to support the many public safety activities and efforts of Auburn's fire and emergency services.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this First day of October 2020.

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

PUBLIC TO BE HEARD – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules. No speakers.

Approval of Meeting Minutes -

- September 17, 2020 Council Meeting Minutes
Motion to approve the September 17, 2020 minutes by Councilor McCormick, seconded by Councilor Locastro. Motion to approve carried 5-0.
- September 24, 2020 Council Meeting Minutes
Motion to approve the September 24, 2020 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 4-0. Mayor Quill voted present.

Reports of City Officials

A. City Manager's Report

- The Civil Service Test for Firefighters is scheduled for Oct. 10. We have 223 candidates signed up for the exam.
- On Saturday Sept. 26, Civil Service administered the Police Officer exam. 125 candidates signed up, 80 sat for the exam locally, and 25 took the test at other locations.
- We urge all residents to complete their 2020 Census by October 5 – the deadline has been extended. The Census can be completed electronically through the webpage 2020census.gov, or following the link on the City of Auburn webpage, or call 1-844-330-2020. Census data is used to determine eligibility and funding for a variety of community programs and projects for the next ten years, and is secure and confidential.
- The State St Bridge project is moving along and on schedule. The main structural steel beams have been set in place.
- Our most recent water samples have shown traces of microcystin in the raw water but none in the finished water.
- Demolition work related to the repair of the parking garage is scheduled to start Monday October 5. Notice has been sent through various channels and signage has been and will be in place to inform users.
- The Auburn Beautification Committee helped clean up along the River Trail last week and city crews will be tackling brush and overgrowth over the next few weeks.
- Next week DPW crews will be working at Technology Park to make way for new signage being design, manufactured and installed by Mack Studios.

B. Reports from members of Council – none

Matters to Come Before Council

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

B. Ordinances – none

C. Local Laws – Local Law #1 of 2020 was first read in to the record on September 24, 2020. The City Council will hold a public hearing on the local law on October 8, 2020. The City Council will then consider the local law for a vote on October 15, 2020.

LOCAL LAW #1 of 2020

**REPEALING AND REPLACING SECTIONS OF CHAPTER 265 OF THE
AUBURN CITY CODE ENTITLED “TAXATION”**

WHEREAS, on March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 181, entitled “Taxation,” which is now known as Chapter 265 of the City Code, pursuant to New York State Municipal Home Rule Law Section 10(1); and

WHEREAS, Chapter 265, Articles II and X, of the City Code authorize the City of Auburn to provide exemptions to low income senior citizens and persons with disabilities by use of a sliding income scale; and

WHEREAS, the current Income Sliding Scale has not been updated since 2006/2007 and the City is looking to adopt a new Sliding Income Scale based on the current scale used by New York State; and

WHEREAS, Local Law No. 1 of 2020, attached hereto and incorporated herein, proposes to update Articles II and X of Chapter 265 of the City Code to achieve such uniformity; and

WHEREAS, the passage of Local Law No. 1 of 2020, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

WHEREAS, subject to City Council approval, a public hearing will be held on October 8, 2020, concerning the repealing of sections of Local Law No. 2-1991 and the enactment of Local Law No. 1 of 2020.

NOW, THEREFORE, BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 181 of the City Code entitled “Taxation:”

Auburn City Council Meeting, October 1, 2020

1. Article II, Sections 265(17);
2. Article X Sections 265(45);

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2020, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 265 of the Auburn City Code entitled “Taxation”:

1. Article II, Sections 265(17);
2. Article X Sections 265(45);

; and,

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

D. Resolutions

COUNCIL RESOLUTION #95 OF 2020

AUTHORIZING A PUBLIC HEARING CONCERNING THE ENACTMENT OF LOCAL LAW 1 OF 2020 TO REPEAL AND REPLACE SECTIONS OF CHAPTER 265 OF THE AUBURN CITY CODE ENTITLED “TAXATION”

By Councilor Cuddy

October 1, 2020

BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize a Public Hearing to be held before the City Council of the City of Auburn, New York, on the 8th day of October, 2020, at 5:00 p.m. at City Council Chambers, 1st floor, Memorial City Hall, Auburn, New York concerning the enactment of a local law to repeal and replace sections of Chapter 265 of the Auburn City Code entitled “Taxation;” and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing state and local requirements.

Seconded by Councilor Giannettino

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

LAND SALE RESOLUTION #96 OF 2020

AUTHORIZING THE SALE OF PROPERTY AT 126 WALL STREET

By Councilor McCormick

October 1, 2020

WHEREAS, on October 30, 2017, the City of Auburn acquired title to real property by a tax foreclosure commonly known as 126 Wall Street (the “Property”), which is a .42 acre vacant lot; and

WHEREAS, the owner of 128 Wall Street, Mr. Domingo Santiago, has proposed a Sale and Purchase Contract, attached hereto and incorporated herein, which offers to purchase the Property from the City for a price of One Thousand Dollars (\$1,000); and

WHEREAS, pursuant to the City’s Land Sale Policy, the City notified the remaining adjacent property owner of the City’s desire to sell the lot; and

WHEREAS, it is recommended that the Auburn City Council approve the sale of the Property to Mr. Santiago since the surplus parcel of land at 126 Wall Street is not needed for City purposes.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn does hereby approve the Sale and Purchase Contract sale of a parcel of land commonly known as 126 Wall Street to Domingo Santiago for the sum of \$1,000.00, subject to revisions stating that Mr. Santiago shall receive a Quit Claim Deed to the property and pay all title and recording costs at the time of closing; 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 Locastro

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

LAND SALE RESOLUTION #97 OF 2020

**AUTHORIZING THE SALE OF A PORTION OF REAL PROPERTY AT
1 STATE STREET**

By Councilor Giannettino

October 1, 2020

WHEREAS, the City of Auburn owns a vacant parcel located at 1 State Street (the “Property”), which is also known as the “Kalet’s Building;” and

WHEREAS, the Property is situated on the west side of State Street between Genesee and Dill Streets and consists of approximately .17 acres; and

WHEREAS, the City acquired the Property by way of a tax foreclosure in 1994 and, ultimately, funded the demolition of the building in 2011 as a part of a plan to transfer the property to Cayuga County for the development of a performing arts center; and

WHEREAS, when the performing arts center project did not come to fruition, the property title was transferred back to the City in 2015; and

WHEREAS, since that time the City has determined that the Property should be used as a public space and hired Bergmann Associated to design the Property for community use; and

WHEREAS, the City has reached out to the community members at large for input on the design of the Property and reached out to the neighboring property owners so that their thoughts and concerns could be considered; and

WHEREAS, this resolution seeks approval of a proposed Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, which would transfer a 15x15 ft. portion of 1 State Street to one of the adjacent property owners, Mr. James Driscoll; and

WHEREAS, Mr. Driscoll owns property at 123-125 Genesee Street, which is immediately south of 1 State Street and is proposing this transfer so that he can have fire prevention access to his building, which would, in turn, enable him access to use the 2nd and 3rd floors of the building; and

WHEREAS, Mr. Driscoll has agreed as follows: (1) to use the 15x15 ft. parcel only for fire access prevention or as a small patio space; (2) to maintain and upkeep the same in perpetuity; (3) to provide all easements requested by the City for its project at 1 State Street; and (4) to pay all title and closing costs in connection with the transaction.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn hereby authorizes the sale of a parcel of land, which is a part of 1 State Street, pursuant to a Purchase Officer and Sale Contract, attached hereto, to James Driscoll; 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 Locastro

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

AWARD RESOLUTION #98 OF 2020

AWARDING BIDS FOR CONSTRUCTION OF THE WHOLESALE SEWER METERING PROJECT

By Councilor Cuddy

October 1, 2020

WHEREAS, on March 19, 2020, Auburn City Council approved Bond Ordinance #4 of 2020 in support of the replacement of wholesale sewer revenue meters, which serve the Town of Owasco, Fleming, Sennett, and Aurelius (The Towns); and

WHEREAS, as part of the wholesale sewer agreement between the City of Auburn and the Towns, half of every dollar spent repairing these meters shall be paid to the City once the project is complete; and

WHEREAS, it was necessary for the City of Auburn to competitively bid the work associated with installation of new wholesale sewer meters that serve the Towns; and

WHEREAS, construction bids for the Wholesale Sewer Metering Project were opened on Tuesday August 4, 2020 and after reviewing the received bids, the City rejected bids for Contract #1: Flowmeter Supply and Installation and Contract #2: General Construction but accepted the low bid for the following Contract:

Contract 3 - Electrical Construction

- | | |
|------------------------------------|---------------|
| 1. J&E Electric Inc.
Auburn, NY | \$ 245,200.00 |
|------------------------------------|---------------|

; and

WHEREAS, construction bids were reissued for Contract 1 - Flowmeter Supply and Installation and bids were opened on Monday, September 28, 2020 and the following bids were received:

Contract 1 - Flowmeter Supply and Installation

- | | |
|---|---------------|
| Cyclops Processing Equipment
Baldwinsville, NY | \$ 136,391.62 |
|---|---------------|

WHEREAS, a bid analysis was completed by GHD Engineering and they have recommended the following bid awards:

Contract 1 - Flowmeter Supply and Installation

- | | |
|---|--------------|
| Cyclops Processing Equipment
Baldwinsville, NY | \$136,391.62 |
|---|--------------|

Contract 2 - General Construction

No Award

Contract 3 - Electrical Construction

J&E Electric
Auburn, NY

\$245,200.00

for a total construction bid award of \$381,591.62; and

WHEREAS, it is necessary that the Auburn City Council award the following bids for the Wholesale Sewer Metering Project to Cyclops Processing Equipment in the amount of \$136,391.62 and J&E Electric in the amount of \$245,200.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award construction bids for the Wholesale Sewer Metering project in the total aggregate amount of \$381,591.62 and the cost of the total construction bid awards of \$381,591.62 is to be charged to Wholesale Sewer Meter Project capital account (#HG 8120 250 IU), 50% of which will be reimbursed by the Towns.

AND IT BE FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in reference to the award of these construction bids.

Seconded by Councilor Giannettino

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

AGREEMENT RESOLUTION #99 OF 2020

AUTHORIZING CHANGE ORDER NO. 1

FOR DESIGN SUPPORT DURING CONSTRUCTION FOR THE WHOLESALE SEWER METERING PROJECT

By Councilor McCormick

October 1, 2020

WHEREAS, December 21, 2017, the Auburn City Council approved Agreement Resolution #183 of 2017, which authorized a Municipal Cooperation Agreement (the “Agreement”) with the Towns of Owasco, Fleming, Sennett, and Aurelius (The Towns); and

WHEREAS, the Agreement provides for wastewater sewer treatment and other sewer services to the Towns and, also, provides that the City and Towns agree to share the costs of meter services, including replacement and maintenance, equally; and

WHEREAS, on September 19, 2019, the City Council of the City of Auburn passed Financial Resolution #116 of 2019, which authorized the acceptance of funding from the Towns for the wholesale sewer meter upgrades; and

WHEREAS, the City of Auburn hired GHD Engineering for the design phase of the Wholesale Sewer Meter Project and has received 50% reimbursement for the work completed; and

WHEREAS, Change Order #1 to the professional services agreement with GHD in the amount of \$67,000 is now required to provide design support services during the construction phase of the Wholesale Sewer Metering Project; and

WHEREAS, the City of Auburn Department of Municipal Utilities recommends the City authorize Change Order #1 to GHD Engineering for design support during construction for the Project in the amount of \$67,000.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award Change Order #1 in the amount of \$67,000 to GHD Engineering for design support during project construction and is to be charged to Wholesale Sewer Meter Project capital account (#HG 8120 250 IU), 50% of which shall be reimbursed by the Towns; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents necessary for awarding the aforementioned award.

Seconded by Councilor Locastro

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

COUNCIL RESOLUTION #100 OF 2020

REQUESTING THE GOVERNOR, STATE LEGISLATURE AND NYS DEPT OF HEALTH TO ESTABLISH A NO-CHARGE CORONAVIRUS TESTING IN AUBURN

By Councilor Cuddy

October 1, 2020

WHEREAS, the year 2020 has been dominated by the international health pandemic of the spread of the Coronavirus; and

WHEREAS, as of October 1, 2020 well over 200,000 citizens of the United States have lost their lives to the Coronavirus; and

WHEREAS, under the leadership of Governor Andrew M. Cuomo the State of New York has taken many significant steps to successfully slow the spread of the Coronavirus; and

WHEREAS, due to the success that the State of New York has experienced in slowing the spread of the Coronavirus, businesses, government institutions, schools, and a majority of public places have been allowed to reopen under new models that factor in best practices to slow the spread of the Coronavirus; and

WHEREAS, as we enter the fall season with children returning to schools, nursing homes allowing visitors and the colder weather driving more people indoors to conduct business, there is an urgent need for access to a no-charge New York State Coronavirus Testing Site for the people in Cayuga County that

will allow our City, County and region to continue to meet State requirements and effectively work to stop the spread of the Coronavirus.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council call upon Governor Andrew M. Cuomo, the State Legislature and the NYS Department of Health to coordinate with the Cayuga County Department of Health and establish a no-charge public Coronavirus testing site within the City of Auburn that could serve all the residents of Cayuga County; and

BE IT FURTHER RESOLVED that the City Clerk forward a certified copy of this resolution to the Governor, our State representatives and the NYS Commissioner of the Department of Health.

Seconded by Councilor Giannettino

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

AGREEMENT RESOLUTION #101 OF 2020

AUTHORIZING AN AGREEMENT WITH THE CITY OF BATAVIA PERMITTING THE USE OF A SURPLUS LADDER TRUCK

By Councilor McCormick

October 1, 2020

WHEREAS, the City of Batavia Fire Department has suffered a mechanical failure to a ladder truck, leaving the department without a functioning aerial apparatus; and,

WHEREAS, the City of Auburn Fire Department is in possession of a surplus 1990 Seagrave 110' ladder truck, which is currently not in service and awaiting disposal; and

WHEREAS, permitting use of the ladder truck by the City of Batavia Fire Department for a period of sixty days would not diminish the capabilities of the Auburn Fire Department; and

WHEREAS, the City of Auburn Fire Department is proposing an Agreement, which is attached hereto and incorporated herein, which permits the City of Batavia Fire Department to use the ladder truck in the interests of providing public safety; and

WHEREAS, the Agreement proposes no cost to Batavia for use of the ladder truck on the conditions that the City of Batavia holds the City of Auburn harmless from all liability for the duration of its possession of the apparatus loan and accepts responsibility for all maintenance, upkeep and any necessary repairs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that it does hereby authorize an Agreement, which is attached hereto and incorporated herein, which permits the City of Batavia to use the a surplus 1990 Seagrave 110' Ladder Truck owned by the City of Auburn Fire Department for a period of not more than sixty days.

Seconded by Councilor Locastro

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

E. Staff Presentations - none

TABLED ITEMS - none

OTHER BUSINESS –

Second Public To Be Heard: Mayor Quill opened the second Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules. No speakers

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

- One matter regarding the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
 - Two separate matters regarding the sale, lease or acquisition of real property.
- The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:54 p.m. Executive session adjourned at 6:58 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:59 p.m..

Minutes submitted to the City Council on October 15, 2020 by:

Chuck Mason, City Clerk

COUNCIL MEMORANDUM

Memorial City Hall
24 South Street
Auburn, New York 13021

TO: Honorable Mayor and Members of City Council

FROM: Rachel Jacobs, City Comptroller

DATE: October 15, 2020

RE: Enactment of a Local Law to Repeal and Replace Sections of Chapter 265 of the Auburn City Code Entitled “Taxation”

Background:

On March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 181 of the 1991 Auburn City Code entitled “Taxation,” pursuant to New York State Municipal Home Rule Law Section 10(1). This is now known as Chapter 265 of the City Code, entitled “Taxation.”

Within Chapter 265, Articles II and X, provide real property tax exemptions for low income senior citizens and persons with disabilities by using a sliding income scale. The sliding income scale has not been updated since 2006/2007 and the City of Auburn would now like to update this scale so that it follows the updated scale adopted by New York State. In addition, the City would like enact the option to permit seniors and persons with disabilities to subtract from their incomes all medical and prescription drug expenses that are not reimbursed or paid by insurance.

The City Comptroller and Assessor reviewed the City’s current income sliding scale and now recommend that Sections of Chapter 265 of the City Code be repealed and replaced, as reflected in Local Law No. 1.

A first reading of Local Law No. 1 was proposed on September 24, 2020. A public hearing for the proposed Local Law was held on October 8, 2020.

Recommendations:

City Comptroller recommends the adoption of Local Law No. 1 of 2020 in order to repeal and replace sections of Chapter 265 of the Auburn City Code entitled “Taxation.”

Fiscal Implications:

None.

LOCAL LAW #1 of 2020

**REPEALING AND REPLACING SECTIONS OF CHAPTER 265 OF THE
AUBURN CITY CODE ENTITLED "TAXATION"**

By Councilor _____

October 15, 2020

WHEREAS, on March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 181, entitled "Taxation," which is now known as Chapter 265 of the City Code, pursuant to New York State Municipal Home Rule Law Section 10(1); and

WHEREAS, Chapter 265, Articles II and X, of the City Code authorize the City of Auburn to provide exemptions to low income senior citizens and persons with disabilities by use of a sliding income scale; and

WHEREAS, the current Income Sliding Scale has not been updated since 2006/2007 and the City is looking to adopt a new Sliding Income Scale based on the current scale used by New York State; and

WHEREAS, Local Law No. 1 of 2020, attached hereto and incorporated herein, proposes to update Articles II and X of Chapter 265 of the City Code to achieve such uniformity; and

WHEREAS, the passage of Local Law No. 1 of 2020, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

WHEREAS, a public hearing was held on October 8, 2020, concerning the repealing of sections of Local Law No. 2-1991 and the enactment of Local Law No. 1 of 2020.

NOW THEREFORE BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 181 of the City Code entitled "Taxation:"

1. Article II, Sections 265(17);
2. Article X Sections 265(45);

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2020, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 265 of the Auburn City Code entitled “Taxation”:

1. Article II, Sections 265(17);
2. Article X Sections 265(45);

; and,

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

Seconded by Councilor _____

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

CHAPTER 265 TAXATION

ARTICLE II. SENIOR CITIZENS EXEMPTION

§265-17 Limitations on exemption

A. Income.[Amended 1-20-1994 by Ord. No. 3-1994; 11-22-1994 by Ord. No. 39-1994; 8-10-1995 by Ord. No. 35-1995; 12-12-1996 by Ord. No. 40-1996]

(1) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$29,000

[Amended 1-16-2003 by Ord. No. 1-2003; 3-23-2006 by Ord. No. 4-2006; LL 1-2020]

Income Range Low	Income Range High	Exemption %
0	29,000	50
29,000.01	29,999.99	45
30,000	30,999.99	40
31,000	31,999.99	35
32,000	32,899.99	30
32,900	33,799.99	25
33,800	34,699.99	20
34,700	35,599.99	15
35,600	36,499.99	10
36,500	37,399.99	5

(a) The City will permit seniors to subtract from their incomes all medical and prescription drug expenses that are not reimbursed or paid by insurance.

(2) "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year,

net rental income, salary or earnings, and net income from self-employment but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

B. Unless the title of the property shall have been vested in the owner or one of the owners of the property for at least 24 consecutive months prior to the date of making application for exemption; provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of 24 consecutive months.

(1) In the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of 24 consecutive months.

(2) Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section.

(3) Where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by the City of Auburn.

C. Unless the property is used exclusively for residential purposes; provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this article.

D. Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property, provided that an owner who is absent while receiving health-related care as an inpatient of a residential health care facility, as defined in § 2801 of the Public Health Law, shall be deemed to remain a legal resident and an occupant of the property while so confined, and income accruing to that person shall be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility, and provided further that during such confinement such property is not occupied by other than the spouse or co-owner of such owner.

ARTICLE X. EXEMPTIONS FOR PERSONS WITH DISABILITIES AND LIMITED INCOMES

§265-45 Limitations on exemption

A. Income.

(1) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$29,000

[Amended 3-23-2006 by Ord. No. 4-2006; Local Law 1-2020]

Income Range Low	Income Range High	Exemption %
0	29,000	50
29,000.01	29,999.99	45
30,000	30,999.99	40
31,000	31,999.99	35
32,000	32,899.99	30
32,900	33,799.99	25
33,800	34,699.99	20
34,700	35,599.99	15
35,600	36,499.99	10
36,500	37,399.99	5

(a) The City will permit persons with disabilities to subtract from their incomes all medical and prescription drug expenses that are not reimbursed or paid by insurance.

(2) "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife, is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be

offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment but shall not include a return of capital, gifts, inheritances, or monies earned through employment in the federal foster grandparent program, and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

B. Unless the property is used exclusively for residential purposes; provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

C. Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in § 2801 of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

COUNCIL MEMORANDUM

**Memorial City Hall
24 South Street
Auburn, New York 13021**

TO: Honorable Mayor and Members of Auburn City Council

FROM: Seth Jensen, Municipal Utilities

DATE: October 15, 2020

RE: Council Resolution #102 of 2020 Endorsing and Taking the "Lake Friendly Living Pledge" by the Owasco Lake Watershed Management Council (OLWMC) for Advancing Pollutant Reduction Strategies for Land and Water Stewardship within the Owasco Lake Watershed

Background

The Owasco Lake Watershed Management Council has been making efforts to encourage residents, who reside or own property in the Owasco Lake watershed to adopt and take the Lake Friendly Living Pledge. This pledge shows a commitment of resident property owners to taking action that helps support water quality.

As the City currently owns approximately 450 acres of land, within the Owasco Lake Watershed, the proposed resolution endorses the Lake Friendly Living pledge and commits the City to the actions within the pledge.

Recommendation

Fiscal Impact

COUNCIL RESOLUTION #102 OF 2020

**ENDORING AND TAKING THE LAKE FRIENDLY LIVING PLEDGE BY THE
OWASCO LAKE WATERSHED MANAGEMENT COUNCIL (OLWMC) FOR
ADVANCING POLLUTANT REDUCTION STRATEGIES FOR LAND AND WATER
STEWARDSHIP WITHIN THE OWASCO LAKE WATERSHED**

By Councilor _____

October 15, 2020

WHEREAS, the City of Auburn provides clean, safe drinking water for nearly 45,000 residents located in the City of Auburn and Cayuga County; and

WHEREAS, the source of the drinking water supply for the Town of Owasco and the City of Auburn is Owasco Lake, a Class AA(T) designated and protected water body; and

WHEREAS, in recent years Owasco Lake has experienced widespread harmful algae blooms due to nutrients that promote and support the growth of algae and Cyanobacteria; and

WHEREAS, harmful algae blooms threaten lake water quality and the health and safety of water consumers; and

WHEREAS, the City of Auburn owns approximately 450 acres of land in the Owasco Flats within the greater Owasco Lake Watershed, which were acquired with the express purpose of preserving those lands for resources protection and conservation; and

WHEREAS, the OLWMC is looking to advance pollutant reduction strategies and land and water conservation within the Owasco Lake Watershed; and

WHEREAS, the OLWMC is proposing that the City of Auburn City Council endorse and take the Lake Friendly Living pledge that aligns with a Finger Lakes Regional pledge effort, which is as follows:

I know my choices can affect water quality for Owasco Lake. I pledge to incorporate 'Lake Friendly Living' practices to reduce my impacts on Owasco Lake. I will adopt these practices that help reduce pollutants and minimize runoff into Owasco Lake:

(1) I pledge to refrain from using excessive lawn fertilizers and chemicals to help prevent Harmful Algal Blooms (HABs).

(2) I will only use limited phosphorus-free fertilizers (as governed by NYS law), applied properly.

(3) I will maintain my septic system.

(4) I will reduce hazardous wastes and dispose of them properly.

(5) I will dispose of prescription drugs properly; I will not flush them.

(6) I will maintain my vehicles, water-crafts, and other recreational vehicles to reduce fluid leaks as well as the spread of aquatic invasive species.

(7) I will use water wisely.

(8) I will not dispose of leaf litter or lawn clippings in waterways or ditches.

(9) I will strive to work towards practicing recommended Best Management Practices (BMPs) for land use activities within the Owasco Lake Watershed.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn hereby strongly endorses the pledge program led by the Owasco Lake Watershed Management Council and endorses the Lake Friendly Living pledge; and

BE IT FURTHER RESOLVED that the City of Auburn will take the Lake Friendly Living pledge for those lands within the watershed for which it maintains ownership, and will work towards achieving the actions requested within the pledge within the City limits, in solidarity with those making such efforts throughout the Owasco Lake Watershed.

Seconded by Councilor _____

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

COUNCIL MEMORANDUM

Memorial City Hall
24 South Street
Auburn, New York 13021

TO: Honorable Mayor and Members of City Council

FROM: Christina J Selvek, Director of Capital Projects & Grants

DATE: October 9, 2020

RE: Grant Acceptance Resolution #103 of 2020 Accepting Working Capital Funds from NYS ESD for ERHC

Background:

On November 13, 2018, NYS Governor Andrew Cuomo announced the grand opening of the new NYS Equal Rights Heritage Center located in downtown Auburn. The 7,500 sq. ft. facility included visitation services, exhibits and a Taste NY marketplace. In addition, the new building provided office space for the Auburn Downtown BID and the Cayuga County Visitor's Bureau. Specifically, the Auburn Downtown BID has an annual agreement with the City to provide services and operation of the new NYS Equal Rights Heritage Center.

As part of the NYS FY 2018-19 budget, the City of Auburn submitted a request for working capital aid to localities in the amount of \$50,000. These working capital funds would be distributed through the NYS Empire State Development agency. The working capital funds would be used to offset first year operation and service costs associated with building operations.

On October 8, 2020, the City received the grant disbursement agreement from NYS ESD in the amount of \$50,000. The City now needs to execute the agreement and submit for reimbursement of operation costs which includes the cost of the BID annual operating agreement.

Fiscal Implications:

At this time there is no cost to the resolution as the City is only seeking funding reimbursement from NYS ESD in the amount of \$50,000 for operation costs already incurred at the new NYS Equal Rights Heritage Center. These revenue funds will be recorded to the A99.3822 Account.

GRANT ACCEPTANCE RESOLUTION #103 OF 2020

**ACCEPTING A WORKING CAPITAL GRANT FROM EMPIRE STATE
DEVELOPMENT FOR THE NYS EQUAL RIGHTS HERITAGE CENTER**

By Councilor _____

October 15, 2020

WHEREAS, on November 13, 2018 NYS Governor Cuomo announced the grand opening of the New York State Equal Rights Heritage Center in downtown Auburn with the City of Auburn serving as the owner and operator of the new facility; and

WHEREAS, as part of the NYS FY 2018-19 budget the City of Auburn submitted a request to New York State for funding assistance for the first year of services and operation expenses related to the new NYS Equal Rights Heritage Center; and

WHEREAS, on October 8, 2020, the City of Auburn received a Grant Disbursement Agreement for working capital at the Equal Rights Heritage Center in the amount of \$50,000 from NYS Empire State Development (ESD); and

WHEREAS, upon receiving the Grant Disbursement Agreement and any related grant documents, the Mayor of the City of Auburn must be authorized to accept the grant funding and execute all necessary documents in connection therewith prior to submitting for funding reimbursement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, that the Mayor of the City of Auburn is hereby authorized and directed to execute the Grant Disbursement Agreement and all necessary documents with Empire State Development for working capital funding of the NYS Equal Rights Heritage Center in the amount of \$50,000 with revenue to be recognized into the A99.3822 Account.

Seconded by Councilor: _____

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

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

AID TO LOCALITIES 2018-19

1 liabilities incurred prior to April 1,
2 2018. All or portions of the funds appro-
3 priated hereby may be suballocated or
4 transferred to any department, agency, or
5 public authority 10,300,000
6 For services and expenses of the Stony Brook
7 Medicine's National Cancer Institute 670,000
8 For services and expenses of the Bronx Over-
9 all Economic Development Corporation 550,000
10 For services and expenses of the Brooklyn
11 Chamber of Commerce 500,000
12 For services and expenses of the Queens
13 Chamber of Commerce 500,000
14 For services and expenses of Canisius
15 College 200,000
16 For services and expenses of Center State
17 CEO 200,000
18 For services and expenses of the Manufactur-
19 ers Association of Central New York
20 (MACNY) 200,000
21 For services and expenses of the North Coun-
22 try Chamber of Commerce 150,000
23 For services and expenses of the Dubois
24 Bunche Center for Public Policy at Medgar
25 Evers College 125,000
26 For services and expenses of Buffalo Niagara
27 International Trade Gateway Organization 50,000
28 For services and expenses of World Trade
29 Center Buffalo Niagara 50,000
30 For services and expenses of Sullivan
31 Renaissance 25,000
32 For services and expenses of the Center
33 State CEO Grants for Growth program 500,000
34 For services and expenses of the Auburn
35 Welcome Center 50,000
36 For services and expenses of the Adirondack
37 North Country, Inc. 200,000
38 For services and expenses of Watkins Glen
39 International 110,000
40 For services and expenses of military base
41 retention and research efforts. Notwith-
42 standing any provision of law this appro-
43 priation shall be allocated only pursuant
44 to a plan setting forth an itemized list
45 of grantees with the amount to be received
46 by each, or the methodology for allocating
47 such appropriation. Such plan shall be
48 subject to the approval of the temporary
49 president of senate and the director of
50 the budget and thereafter shall be
51 included in a resolution calling for the