

**Auburn City Council
Thursday, January 14, 2016 6:00 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 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy, and Carabajal, and Mayor Quill were all present.

The following City Staff was present:

- City Manager, Doug Selby
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Comptroller, Laura Wills
- Fire Chief, Jeff Dygert
- Director of Capital Projects and Grants, Christina Selvek
- Director of Municipal Utilities, Vicky Murphy
- Superintendent of Engineering, William Lupien
- Police Captain, Paul Casper
- Police Lieutenant, Shawn Butler

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

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

4. Public Announcements –

The City Clerk read the following announcements:

A. The New York State Department of Environmental Conservation sent this bulletin on 01/12/2016 01:33 PM EST. General Electric Co. Auburn Site (Auburn/Aurelius) - Remedy to Address Contamination Proposed; Public Comment and Public Meeting - Public Comment Invited on Proposed Remedy to Address State Superfund Site Contamination.

The following link opens a fact sheet that invites public comment about a proposed remedy to address contamination related to the General Electric Co. Auburn Site #706006 (Auburn/Aurelius, Cayuga Co.) under New York's State Superfund Program:

<http://www.dec.ny.gov/data/der/factsheet/706006cuprop.pdf>

Page 1 of 7 Office of the City Clerk/Vital Records, City of Auburn, NY. Charles Mason, City Clerk

Auburn City Council Minutes January 14, 2016

NYSDEC is accepting public comments about the proposal through February 11, 2016. In addition, NYSDEC has scheduled a public meeting on January 27, 2016 at 7:00 PM at Memorial City Hall, 1st Floor, 24 South Street, Auburn, NY 13021 to discuss the proposed remedy and accept public comments. Please see fact sheet for details about the proposed remedy, meeting, and comment period. (see Attachment for more information)

5. Ceremonial Presentations and Proclamations –

The City Clerk read a proclamation from the Office of Mayor Michael D. Quill naming Monday, January 18, 2016 as Dr. Martin Luther King, Jr. Day in the City of Auburn.

The Mayor asked the County Administrator, Suzanne Sinclair to introduce members of the County Legislature and other County staff that was in attendance at the meeting for the presentation on the potential public safety building complex.

6. 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.

David Morris, Town of Sennett

Mr. Morris spoke about the traffic control light at the corner of Franklin Street and Marvine Avenue. He stated he does not believe it is necessary to have a light there and asked the City to evaluate the matter.

Travis Stewart, representing the Sheet Metal Workers Union

Mr. Stewart spoke to encourage support for the regional public safety building proposal. He stated that his union would encourage that local labor and business be used to construct such a complex.

Mary Kathryn Delaney

Ms. Delaney spoke regarding the regional public safety building complex. She stated that women and minority owned businesses should be included as contractors on the construction of such a complex and was looking for more information.

7. Approval of Meeting Minutes:

A. January 7, 2016, City Council meeting minutes.

Motion to approve by Councilor McCormick, seconded by Councilor Giannettino.

The motion to approve the minutes of January 7, 2016 carried 5-0. Councilors McCormick, Giannettino, Cuddy, Carabajal and Mayor Quill all voting aye.

8. Reports of City Officials

A. City Manager's Report

- The City has received notice from Sprint that they will be discontinuing their lease on the City-owned radio tower at Osborne Street.
- The City has received notice from the New York State Department of Transportation that the Title VI Plan and Nondiscrimination Agreement previously adopted by the Council has been accepted.

B. Reports from members of Council

- Councilor McCormick reported that the Harriet Tubman Center for Justice and Peace will be holding a Martin Luther King Day event at the Auburn Public Theater, 8 Exchange Street, Auburn on Monday, January 18, 2016.

Auburn City Council Minutes January 14, 2016

- Councilor Giannettino reported that he attended the City's Historic and Cultural Sites Commission Meeting earlier in the week. Two summer events were announced at the meeting: 1. The Central New York Tomatofest has decided to move the annual event to Downtown Auburn, and 2. There will be a 500 person Model-T car club visiting the region this summer for a 5 day convention in the Finger Lakes. Auburn is the central location for the convention.
- Councilor Carabajal announced that the next meeting of the Heroin Awareness task Force will be held on Monday, January 18, 2016 at the Center located at the corner of E. Genesee Street and Fulton Street.

9. Matters to Come Before Council

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

B. Ordinances

Bond Ordinance #1 of 2016- Authorizing the Issuance of \$500,000 in Serial Bonds for the purchase of a Fire Engine – The City Clerk read the first reading of the Bond Ordinance #1 of 2016 which will be scheduled for a vote on the January 21, 2016 Council meeting.

BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS TO FINANCE THE PURCHASE OF A MOTOR VEHICLE USED FOR FIGHTING FIRES

BE IT ORDAINED by the City Council of the City of Auburn, New York as follows:

Section 1. The City of Auburn, New York (the "City") is hereby authorized to purchase a motor vehicle used for fighting fires, including apparatus used in connection with such motor vehicle, at an estimated maximum cost of \$500,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$500,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of \$500,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty (20) years pursuant to paragraph 27 of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax

Page 3 of 7 Office of the City Clerk/Vital Records, City of Auburn, NY. Charles Mason, City Clerk

Auburn City Council Minutes January 14, 2016

upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

2 2618533.1

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this Ordinance shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this Ordinance and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Comptroller, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond ordinances previously or heretofore adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the dated date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

Page 4 of 7 Office of the City Clerk/Vital Records, City of Auburn, NY. Charles Mason, City Clerk

Auburn City Council Minutes January 14, 2016

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

C. Local Laws – None

D. Resolutions - None

E. Tabled Legislation – None

F. Staff/Vendor Presentations

F1. Auburn Regional Public Safety Building Presentation - Public Safety Building Committee.

Christina Selvek, Director of Capital Projects and Grants led the discussion. Speakers included Paul Casper, Police Captain; Shawn Butler, Police Lieutenant; Jeff Dygert, Fire Chief; James Breuer, President of Heueber-Breuer Construction Company; Joe Bartolotta, representing R & M Real Estate Group; and, Sean Foran, Executive Director of Division of Fire Protection Services for Heueber-Breuer Construction Company. The company First Response Developers, LLC has been selected as the preferred vendor to move forward with the potential project. The Council members and members of the Cayuga County Legislature that were in attendance asked questions. The next action on this proposal will be for the City Council to authorize the City Manager to move forward with negotiations of a design-build lease agreement with First Response Developers, LLC.

F2. New Billing System for Water and Sewer - Vicky Murphy, Director of Municipal Utilities led a presentation on the Council to introduce the new water billing program the City has

Page 5 of 7 Office of the City Clerk/Vital Records, City of Auburn, NY. Charles Mason, City Clerk

Auburn City Council Minutes January 14, 2016

implemented. There has been several months of work leading up to this point and the water users will see the new style bill mailed out for the first time in March of 2016.

F3. Review of City Council Rules and Procedures - Chuck Mason, City Clerk introduced the topic and stated that the input received from members of Council was added and subtracted from the current rules document and the edited document was placed on the Council's desk this evening along with a draft job description for the position of City Clerk. This draft of the rules and procedure will be scheduled for a vote by Council at the January 21st Council meeting.

10. Other Business

Councilor McCormick stated that she was informed by the Fire Chief during the meeting's recess that information would be in the January 21, 2016 agenda regarding the purchase of the Fire Truck. Councilor Giannettino asked when the Council would see presentations from the Department Heads. The Manager stated he is working on a master calendar to schedule those into future Council Meetings.

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

1. Discussion on one matter pertaining to the employment history of a particular individual. (NYS "The Open Meeting Law", Article 7, Section 105-f)
2. Discussion on one matter pertaining to potential litigation. (NYS "The Open Meeting Law", Article 7, Section 105-D)
3. Discussion on one matter that is 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. Councilors McCormick, Giannettino, Cuddy, Carabajal, and Mayor Quill all voting aye. The Council entered Executive Session at 8:17 p.m. Executive session adjourned at 9:30 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 9:31 p.m.

Minutes submitted to the City Council on January 15, 2016 by:
Charles Mason
City Clerk

Auburn City Council Minutes January 14, 2016

On January 21, 2016 a motion to approve the minutes of the January 14, 2016 Auburn, NY City Council meeting was made by Councilor , seconded by Councilor .

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

I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 14th day of January, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk

Date: January 22, 2016