

**Auburn City Council
Regular Meeting
Thursday, February 18, 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
- Director of Planning and Economic Development, Jennifer Haines
- Director of Capital Projects and Grants, Christina Selvek
- Superintendent of Engineering, William Lupien

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 next meeting of the City of Auburn Zoning Board of Appeals will be held on Monday, February 22, 2016 at 7:00 p.m. at the Council Chambers of Memorial City Hall, 24 South Street in Auburn.

B. There will be a public meeting held on Monday, February 29, 2016 at 7:00 p.m. to discuss the Owasco Lake Watershed Management Plan. This meeting will be held at the Cayuga Onondaga BOCES, 1879 West Genesee Street in Auburn. The draft Owasco Lake Watershed and Waterfront Revitalization Plan will be available for review online at www.cayugacounty.us/owascolake.

If you have any questions, please contact Michele Wunderlich at 315-253-1276.

C. The annual March to Lake Day symposium on the status of Owasco Lake will be held on Saturday, March 5, 2016 from 9:00 a.m. through 12:30 p.m. This meeting will be held at the Auburn Public Theater, 8 Exchange Street, Auburn. This event are co-sponsored by Owasco Watershed Lake Association (OWLA), the Institute for the Application of Geospatial Technology (IAGT), Cornell Cooperative Extension of Cayuga County, Cayuga County Water Quality Management Agency (WQMA) and Finger Lakes Institute at Hobart and William Smith Colleges.

D. There will be a public meeting with Robert J. Freeman, Executive Director of the New York State Committee on Open Government held on Monday, March 14, 2016 at 7p.m. The purpose of the meeting is for Mr. Freeman to provide an overview of the New York State Open Meetings Law and Freedom of Information Law. He will also be available for questions from participants. The meeting will be held in Council Chambers, first floor of Memorial City Hall, 24 South Street, Auburn. This meeting will be held during National Sunshine Week and the event is open to all. We will be working over the coming weeks to invite all public boards and commissions of the City, as well as, Cayuga County, the local School District, etc.

5. Ceremonial Presentations and Proclamations – None

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. No members of the public spoke.

7. Approval of Meeting Minutes:

A. February 4, 2016, City Council meeting minutes.

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

The motion to approve the minutes of February 4, 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

- He discussed several matters pertaining to the selling of the Osborne Street Radio Tower. The matter will be on the agenda for Council consideration at a meeting in the future.
- He discussed issues pertaining to the water main line that runs under North Street in the City. When the City has experienced recent water main breaks major companies on the north end of the City such as NUCOR and Hammond & Irving have lost valuable production capability because of the lack of water. Replacing this water main would assist in solving this problem. More information on this matter will be forthcoming.

B. Reports from members of Council

- Councilor Giannettino, Councilor McCormick and Councilor Carabajal reported on a number of topics associated with their recent attendance at the New York Conference of Mayors (NYCOM) annual Winter Legislative Conference held in Albany, NY from February 7th-9th.

9. Matters to Come Before Council

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

B. Ordinances

The City Clerk read the first reading of the following bond ordinance which will be on the February 18, 2016 City Council meeting agenda for a vote:

BOND ORDINANCE #2 OF 2016

AUTHORIZING THE ISSUANCE OF \$1,681,000 SERIAL BONDS TO FINANCE THE COSTS OF THE 2016-2017 ROAD IMPROVEMENT PROGRAM, THE PURCHASE OF EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT AND SIDEWALK IMPROVEMENTS

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

Section 1. The City is hereby authorized to undertake the various capital projects described below at an aggregate estimated maximum cost of \$1,681,000, the estimated maximum cost of each Project being as follows:

(a) 2016-17 Road Improvement Program. The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with single-surface treatment at an estimated maximum cost of \$1,236,000 and to issue an aggregate \$1,236,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(b) Equipment for Public Works Department. The purchase of equipment to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, including a paint machine, flatbed truck, dump truck and skid steer loader for the City Department of Public Works at an estimated maximum cost of \$370,000 and to issue an aggregate \$370,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(c) Sidewalk Improvements. The construction or reconstruction of replacement sidewalks of brick, stone or concrete and handicap access curbing, at an estimated maximum cost of \$75,000 and to issue an aggregate \$75,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$1,681,000, said amount is hereby appropriated therefore and the

plan for the financing thereof shall consist of the issuance of \$1,681,000 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 objects or purposes pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law are as follows:

| <u>Section 1 Subparagraph</u> | <u>Period of Probable Usefulness (Years)</u> | <u>Local Finance Law Section 11.00(a) Paragraph</u> |
|---|--|---|
| (a) 2016-2017 Road Improvement Program | 15 | 20(c) |
| (b) Equipment for Public Works Department | 15 | 28 |
| (c) Sidewalk Improvements | 10 | 24 |

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 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.

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 hereafter 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 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
- (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

D1. Council Resolution #24 of 2016 Establishing an Assistant Comptroller Position.

Motion to approve by Councilor Cuddy, seconded by Councilor Carabajal.

WHEREAS, the City of Auburn Office of the Comptroller is responsible for the capital financing, annual financial reporting and operating budgets for all City Departments and the City Capital Program; and

WHEREAS, the Office of the Comptroller is requesting authorization to establish and fill an Assistant Comptroller position that would work collaboratively with City Departments and the Director of Capital Projects & Grants to provide efficiencies and allow for additional capacity in seeking federal and state funding assistance for the City; and

WHEREAS, the proposed Assistant Comptroller position is competitive and the person hired must pass an examination; and

WHEREAS, the current part-time Purchasing Assistant position is vacant and the new position would also serve as the Purchasing Agent; and

WHEREAS, this position will not require an increase in the 2015-16 budget due to recent staffing changes in the Finance Department; and

WHEREAS, the position is not compatible to be included with other City employees who are represented by Collective Bargaining Agreements and due to the nature of the position, the Senior Management Personnel Policy adopted by Council Resolution #8 of 2016 is further amended to include the position of Assistant Comptroller due to the nature of the duties performed by that designated position and further that an amended salary schedule reflecting the compensation for the Assistant Comptroller position shall be added to the Senior Management Personnel Policy.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council hereby establishes the position of Assistant Comptroller in the Finance Department effective immediately; and

BE IT FURTHER RESOLVED that the Assistant Comptroller position be added to the Senior Management Personnel Policy and that an amended salary schedule shall also be added to that Policy.

The motion to approve Resolution #24 of 2016 carried 5-0. Councilors McCormick, Giannettino, Cuddy, Carabajal and Mayor Quill all voting aye.

E. Tabled Legislation – None

F. Staff/Vendor Presentations

D1. Doubledays Quarterly Report. Mike Voutsinas, General Manager of the Auburn Doubledays provided a report to Council on the progress the Auburn Doubledays baseball team has made in recent years including a successful 2015 season which generated a small profit after all expenses were paid. He also discussed plans for the upcoming 2016 Doubledays season which starts on June 17, 2016.

D2. Discussion of Five Year Financial Plan - Laura Wills, Comptroller. The City Manager led the discussion on this topic because the Comptroller was not able to attend the meeting. On February 4, 2016 the Council had tabled Resolution #22 of 2016 Adopting a City of Auburn Five Year Financial Plan. Following Council discussion it was determined that Council would consider Resolution #22 of 2016 at the February 18, 2016 Council meeting.

D3. Presentation on Code Enforcement Office. Jennifer Haines, Director of Planning and Economic Development and Brian Hicks, Senior Code Enforcement Officer led a presentation to the Council providing an overview of the services that are provided by the City's Code Enforcement Office.

D4. Discussion of 2016 Bond Ordinance Projects. Christina Selvek, Director of Capital Improvements and Grants provided an overview of the projects that would be financed in the \$1,681,000 million Bond Ordinance #2 of 2016.

D5. Council Discussion regarding City Manager Search Process. Councilor McCormick asked the Council to forward her questions for the interview process that will be formulated into the interview process for potential candidates.

10. Other Business

Councilor Cuddy discussed having the Council memorialize its support for the State of New York to eliminate the Gap Elimination Adjustment for school districts in the upcoming State of New York budget.

Councilor McCormick discussed Council agendas. She would like to request that the City staff be careful to thoroughly check agendas before they are published publicly to ensure they have complete and accurate information.

Councilor Giannettino asked for a progress update on State funding for the Clifford Park Clubhouse and various Homeland Security Grants that the City has received. Christina Selvek spoke to provide an update.

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

1. Discussion on one matter pertaining to the appointment of a particular individual. (NYS “The Open Meeting Law”, Article 7, Section 105-f)
2. Discussion on one matter pertaining to the sale of City owned property. (NYS “The Open Meeting Law”, Article 7, Section 105-h)
3. Discussion on one matter pertaining to potential litigation. (NYS “The Open Meeting Law”, Article 7, Section 105-d)

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 8:02 p.m. Executive session adjourned at 9:21 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 9:22 p.m.

Minutes submitted to the City Council on February 12, 2016 by:

Charles Mason
City Clerk

On February 18, 2016 a motion to approve the minutes of the February 11, 2016 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Cuddy.

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

Auburn City Council Minutes February 18, 2016

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 11th day of February, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: February 19, 2016