

**Auburn City Council
Regular Meeting
Thursday, August 4, 2016 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.

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

The following City Staff was present for the regular meeting:

- Interim City Manager, Jeff Dygert
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Acting Assistant City Manager, Jennifer Haines
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen

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 weekly announcements.

5. Ceremonial Presentations and Proclamations –

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:

July 21, 2016 Council Meeting Minutes

Motion to approve the July 21, 2016 minutes by Councilor Giannettino, seconded by Councilor Cuddy.

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

8. Reports of City Officials

A. City Manager's Report,

- Provided an update on progress of the 2016 City Road Improvement Program.
- Reported that the City staff is working towards completing a State grant on the Zombie Properties that recently became available. Auburn could receive up to \$150,000.00 if successful with the application that will be submitted later in August.
- The Director of Municipal Utilities, Seth Jenson will have a presentation for Council prior to their discussion and consideration of Council Resolution 107 of 2016.

B. Reports from members of Council

- Mayor Quill reported that he and Councilor Carabajal and members of City staff had met earlier in the day with New York State Senator John DeFrancisco. They discussed a number of topics. Following that meeting Councilors McCormick and Giannettino joined the Senator for a tour of the City Police and Fire station and discussed the City's needs to replace those facilities.

9. Matters to Come Before Council

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

B. Ordinances – None

C. Local Laws – None

D. Resolutions

FINANCIAL RESOLUTION #106 OF 2016

AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURCHASE OF A VAC-TOR

August 4, 2016

By Councilor Giannettino

WHEREAS, the City of Auburn Water and Sewer Maintenance Department owns and operates a five year old Vac-tor which is reaching the end of its useful life, and;

WHEREAS, the Vac-tor is the single most vital piece machine for the water and sewer maintenance department, and;

WHEREAS, the maintenance costs associated with this aging piece of equipment have been approximately \$93,000 to date and are expected to continue, and;

WHEREAS, Onondaga County bid pricing will allow the City to quickly procure and obtain a new Vac-tor for an estimated cost of \$365,000 and dispose of the current piece of equipment while it still has value;


WHEREAS, the current trade-in value of the City's five year old Vac-tor is estimated to be \$75,000.

NOW THEREFORE BE IT RESOLVED by the Auburn City Council that there shall be a transfer of \$365,000 from the water fund balance to the water capital fund (HF8340.250.IE) to purchase a new Vac-tor and that any proceeds from the sale of the current Vac-tor or unexpended funds shall be returned to the water fund.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #106 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.


Charles Mason, City Clerk Date: August 4, 2016

COUNCIL RESOLUTION #107 OF 2016

REJECTING ALL BIDS FOR THE MILL STREET HYDRO FACILITY REHABILITATION – PHASE 1

By Councilor Cuddy

August 4, 2016

WHEREAS, bids for the North Division Street and Mill Street Hydro Facility Rehabilitation – Phase 1 were opened on June 29, 2016, and it was determined that the bids received for the Mill Street Hydro facility exceeded the allocated funding and it was determined that they would be rejected and the project was rebid; and

WHEREAS, new bids for the Mill Street Hydro Facility Rehabilitation – Phase 1 were received on July 26, 2016 and the following bids were submitted:

1. Adirondack Mechanical \$761,400.00
 Wilton, New York

2. BVR Construction \$797,000.00
 Churchville, New York

; and

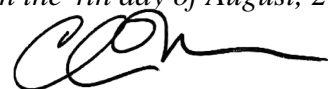
WHEREAS, again, the bids exceed the allocated funding and it is necessary that the Auburn City Council reject all bids for the project.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby reject all bids for the Mill Street Hydro Facility Rehabilitation – Phase 1 Project.

Seconded by Carabajal

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #107 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

COUNCIL RESOLUTION #108 OF 2016

GRANTING PERMISSION TO THE CITY MANAGER TO ADVERTISE FOR BIDS FOR THE 2016 REVOLVING LOAN SIDEWALK PROGRAM

By Councilor Giannettino

August 4, 2016

WHEREAS, the Revolving Loan Sidewalk Program is the program by which property owners request that the City contractor install sidewalks and/or curbing for which the property owner will pay as a special assessment over a five-year period and the Revolving Loan Fund account is replenished by previous participants' yearly installment payments; and

WHEREAS, it is necessary that the City Manager be authorized to advertise for bids for the 2016 Revolving Loan Sidewalk Program.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby approve and grants permission to the City Manager to advertise for bids for the 2016 Revolving Loan Sidewalk Program.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #108 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

AWARD RESOLUTION #109 OF 2016

**AWARDING CHANGE ORDER #1 FOR THE 2015-2016 REVOLVING
LOAN SIDEWALK PROGRAM**

By Councilor McCormick

August 4, 2016

WHEREAS, on August 21, 2014, City Council awarded this project to Concrete Slipform, Inc., in the amount of \$130,655; and

WHEREAS, in order to fulfill property owners' requests for additional work under the current contract, Change Order #1, in the amount of \$50,000 is now required; and

WHEREAS, it is necessary that the Auburn City Council award this Change Order to Concrete Slipform, Inc., for additional work for the Project and the cost of the Resolution is to be charged to Revolving Loan Program – Sidewalks Account #HA 5497-440-001.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby award Change Order #1 in the amount of \$50,000 to Concrete Slipform, Inc. for additional work for the 2015-2016 Revolving Loan Sidewalk Program; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$50,000 is to be charged to Revolving Loan Program – Sidewalks Account #HA 5497-440-001.

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	

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #109 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

**COUNCIL RESOLUTION #110 OF 2016
AUTHORIZING THE INSTALLATION OF SIDEWALKS
ALONG PORTIONS OF STATE STREET**

By Councilor McCormick

August 4, 2016

WHEREAS, Section § 259-36 of the City Code titled *Maintenance of sidewalks*, as amended, provides City Council sole authority to authorize the installation of new sidewalks on any street; and

WHEREAS, the affected property owners at 254, 256-274, 276, 278, 280, 282, 290-292, 294, 296, 300, 327, 329, and 331 State Street were notified of the proposed installation of the sidewalks and a Public Hearing, allowing comment on the proposed installation of sidewalks, was held on July 28, 2016 in accordance with Section § 259-36 of the City Code, as amended;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize the installation of new sidewalks, funded by the Community Development Block Grant Program, along 254, 256-274, 276, 278, 280, 282, 290-292, 294, 296, 300, 327, 329, and 331 State Street.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #110 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

AWARD RESOLUTION #111 OF 2016

**AWARDING A BID FOR THE 2016 COMMUNITY DEVELOPMENT BLOCK
GRANT SIDEWALK REPLACEMENT PROGRAM**

By Councilor Cuddy

August 4, 2016

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

WHEREAS, the proposed areas for the year's construction are: North Division Street by the entrance to Casey Park continuing south to Perrine Street; the north and west sides of Pulaski Street between Perrine Street and Washington Street; the west side of Washington Street between Pulaski Street and Grant Street; Union Street from Washington Street going west; Grant Street from Washington Street to State Street, and State Street from Grant Street to York Street.; and

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

WHEREAS, bids for the 2016 CDBG Sidewalk Replacement Program were opened on July 26, 2016, and the following bids were received:

- | | |
|--|---------------|
| 1. Diamond Excavating
Port Byron, New York | \$ 167,472.50 |
| 2. Pioneer Masonry
N. Syracuse, New York | \$ 169,995.00 |
| 3. Concrete Slipform Inc.
Canastota, New York | \$ 170,235.00 |
| 4. Paul F. Vitale Inc.
Auburn, New York | \$ 171,140.00 |
| 5. Villager Construction
Fairport, New York | \$ 258,500.00 |

; and

City of Auburn, New York

WHEREAS, it is necessary that the Auburn City Council award the fiscal year 2016/2017 CDBG Sidewalk Replacement Program contract to the lowest qualified bidder which is Diamond Excavating in the amount of \$167,472.50 contingent upon the City receiving an executed fiscal year 2016/2017 contract from the US Department of Housing and Urban Development.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby award the 2016 Community Development Block Grant Sidewalk Replacement Program contract to Diamond Excavating which is the lowest qualified bidder which has submitted a bid in the amount of \$167,472.50 and the cost of the project is to be charged to the Community Development Account #CD 8672.2210.2016; and

BE IT FURTHER RESOLVED that the award is contingent upon the City of Auburn receiving an executed fiscal year 2016/2017 contract from the US Department of Housing and Urban Development.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #111 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

AWARD RESOLUTION #112 OF 2016

AWARDING A CONTRACT FOR THE CITY HALL EXTERIOR PAINTING PROJECT

By Mayor Quill

August 4, 2016

WHEREAS, on May 1, 2014, Council approved Bond Ordinance #6 in the amount of \$785,000 to finance the cost of building improvements in and for the City and one of the projects financed was the painting of City Hall ; and

WHEREAS, on July 19, 2016, bids were opened for the City Hall Exterior Painting Project and the following bids were received:

1. Leone Painting \$ 30,200.00 - Bell Tower
Liverpool, New York \$ 71,712.50 - Columns
\$ 73,824.98 - Windows
If awarded 2 projects, 2% discount, if awarded 3 projects, 5% discount

2. MAC Construction Group \$ 79,600.00 - Bell Tower
Syracuse, New York \$115,231.00 - Columns
\$ 84,498.00 - Windows
If awarded 2 projects, 3% discount, if awarded 3 projects, 5% discount

3. MJ Dakota No Bid - Bell Tower
Oneida, New York \$ 113,350.00 - Columns
\$ 132,948.00 - Windows
If awarded 2 projects, 10% discount

; and

WHEREAS, it is necessary that the bid for the City Hall Exterior Painting Project be awarded to Leone Painting, the low bid for all three projects listed, less a 5% discount for a total amount of \$166,950.61.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby award the contract for the City Hall Exterior Painting Project to Leone Painting, Liverpool, New York, for their low total bid for all three projects, plus a 5% discount, in the total amount of \$166,950.61 and that the cost of this Resolution in the amount of \$166,950.61 is to be charged to City Building and Ground Improvements Account #HA 1620-440-HI; and

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

Seconded by Councilor Carabajal

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #112 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

COUNCIL RESOLUTION #113 OF 2016

PROVIDING FOR CONSTRUCTION INSPECTION SERVICES

By Councilor Giannettino

August 4, 2016

WHEREAS, Award Resolution #112 of 2016 awarded the low bid for the City Hall Exterior Painting Project to Leone Painting of Liverpool, New York; and

WHEREAS, it is necessary engage Beardsley Design Associates, which prepared the specifications for the Project, to provide for construction inspection services for the City Hall Exterior Painting Project; and

WHEREAS, the cost of the engagement of Beardsley Design Associates to provide construction inspection services for the City Hall Painting Project is in the amount of \$18,000 and the Auburn City Council must approve this agreement.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby approve the engagement of Beardsley Design Associates for the sum of \$18,000 to provide construction inspection services for the City Hall Exterior Painting Project; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in connection with the engagement of Beardsley Design Associates and the cost of this Resolution in the amount of \$18,000 is to be charged to City Building and Ground Improvement Account #HA 1620-440-HI.

Seconded by McCormick

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #113 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 4, 2016

**COUNCIL RESOLUTION #114 OF 2016
PROVIDING FOR INSPECTION SERVICES FOR THE N. DIVISION STREET HYDRO
FACILITY REHABILITATION PROJECT**

By Councilor Cuddy

August 4, 2016

WHEREAS, Award Resolution #95 of 2016 awarded to BVR Construction a contract for the N. Division Street Hydro Facility Rehabilitation Project in the amount of \$603,553 for the first construction phase; and

WHEREAS, it is that Council award construction inspection services for this contract and also to provide inspection services for the second construction phase which will involve the construction of a new power house building and the installation of the turbine, generator and switchgear; and

WHEREAS, it is necessary to award the construction inspection services contract for both phases of this project to C&S Engineers which is well qualified to perform these services in the amount of \$260,000; and

WHEREAS, it is necessary that the Auburn City Council approve the award of the construction inspection services to C&S Engineers for both phases of this project.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby award the contract for construction inspection services to C&S Engineers in the amount of \$260,000 for the N. Division Street Hydro Facility Rehabilitation Project for the first and second construction phases of the Project; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$260,000 is to be charged to N. Division Street Hydro Upgrade Account #ED 8292-440-HY.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
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 vote for Council Resolution #114 of 2016 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 4th day of August, 2016 and that the City Council approved such by the vote listed above.


Charles Mason, City Clerk Date: August 4, 2016

F. Staff/Vendor Presentations

10. Other Business

Councilor Giannettino discussed the Zombie Property grant and the low Owaso Lake and River levels. The Director of Municipal Utilities reported that a drought announcement from the State urges conservation of water for people in areas that depend on ground water. The City of Auburn gets water from Owasco Lake and the supply levels of the lake are in good shape despite the uncharacteristically low lake levels.

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

1. Discussion on two matters that are 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.)
2. Discussion on one matter pertaining to sale or acquisition of real property. (NYS “The Open Meeting Law”, Article 7, Section 105-h).
4. Discussion on one matter pertaining to the employment history of a particular individual being considered for the position of City Manager. (NYS “The Open Meeting Law”, Article 7, Section 105-f)

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 5:49 p.m. Executive session adjourned at 7:27 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:28 p.m.

Minutes submitted to the City Council on August 11, 2016 by:

Charles Mason
City Clerk

On August 11, 2016 a motion to approve the minutes of the August 4, 2016 Auburn, NY City Council meeting was made by Councilor Carabajal, seconded by Councilor Giannettino.

	Ayes	Noes
Councilor McCormick	x	
Councilor Giannettino	x	
Councilor Cuddy	absent	

Auburn City Council Minutes August 4, 2016

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 4th day of August, 2016 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk Date: August 11, 2016