

**Auburn City Council  
Regular Meeting  
Thursday, August 18, 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.

Chris Burke, 2016 N. Hoopes Avenue

Mr. Burke spoke against a proposed concession stand being built at the softball fields next to the Herman Avenue elementary school. He handed a petition to the Council opposing the project.

Kathleen DeBaggio, 85 Ross St.

Ms. DeBaggio spoke against a proposed concession stand being built at the softball fields next to the Herman Avenue elementary school. She handed a petition to the Council opposing the project.

Alyssa Lawton, Standart Avenue

Ms. Lawton spoke to support the adoption of a cell tower ordinance.  
Karen Walter, 3 Elizabeth St.

Ms. Walter spoke to support the adoption of a cell tower ordinance. She also thanked the mayor for his statement in a local newspaper article opposing a State firing range at a location near West and Washington streets.

**7. Approval of Meeting Minutes:  
August 11, 2016 Council Meeting Minutes**

Motion to approve the August 11, 2016 minutes by Councilor McCormick, seconded by Councilor Carabajal.

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,**

- Reported that the staff is asking to pull Resolution 118 of 2016 and Resolution 126 of 2016 due to the staff needing to spend more time on the topics.

**B. Reports from members of Council**

- Councilor Giannettino reported that graffiti at the west end former Walgreens location had finally been removed. He thanked the staff for their work on this.
- Councilor Carabajal reported on the 'Stuff the Bus' campaign that collects school supplies for students heading back to school. The event is to be held at the Booker T. Washington Center on August 20<sup>th</sup>.

**9. Matters to Come Before Council**

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

**B. Ordinances**

**B1. ORDINANCE #10 of 2016, ESTABLISHING A NEW SCHOOL SPEED LIMIT**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, Chapter 285 of the Auburn City Code entitled "Vehicles and Traffic" contains Article IV entitled "Speed Regulations" and sets forth within that Article, Section 285-11 entitled "Maximum School Speed Limits"; and

**WHEREAS**, the regulations set forth in Section 285-11 identifies all schools within the City of Auburn and sets speed requirements within certain distances of each school; and

**WHEREAS**, Creative Minds Montessori School has been established at 169 Genesee Street at or near the intersection of James Street and it is necessary to amend Section 285-11 in order to set a maximum school speed limit in that vicinity; and

**WHEREAS**, Chapter 285 entitled “Vehicles and Traffic”; Article IV entitled “Speed Regulations; Section 285-11 entitled “Maximum School Speed Limits” is hereby amended to add new paragraph M. Creative Minds Montessori School. Twenty miles per hour on Genesee Street, 285 feet east and 285 feet west from the front of the School situated at 169 Genesee Street during the hours of 7:00 a.m. and 6:00 p.m. on school days.

**NOW, THEREFORE, BE IT ORDAINED** that Chapter 285 entitled “Vehicles and Traffic” ”; Article IV entitled “Speed Regulations; Section 285-11 entitled “Maximum School Speed Limits” is hereby amended to add new paragraph M. Creative Minds Montessori School. Twenty miles per hour on Genesee Street, 285 feet east and 285 feet west from the front of the School situated at 169 Genesee Street during the hours of 7:00 a.m. and 6:00 p.m. on school days; and

**BE IT FURTHER ORDAINED** that said amendment shall become effective upon publication.

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 Ordinance #10 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**B2. Ordinance #11 of 2016 Cell Towers - Wireless Telecommunications Facilities - 1st Reading.** The City Clerk read a summary of the new proposed Cell Tower and Wireless Communications Facilities ordinance. The Ordinance will be on the August 25, 2016 City Council agenda for Council’s consideration.

**C. Local Laws – None**

**D. Resolutions**

**D1. AGREEMENT RESOLUTION #115 OF 2016, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR**

By Councilor McCormick

August 18, 2016

**WHEREAS**, the City of Auburn and the U.S. Geological Survey have entered into an agreement for the operation of the stage station on Owasco Lake and the continuous discharge station on Owasco Lake Outlet; and

**WHEREAS**, the agreement period is from October 1, 2016 to September 30, 2017 and it is required to have a signed agreement in place prior to the commencement of the project activity; and

**WHEREAS**, the work performed is in the amount of \$23,550, of which \$7,070 is to be contributed by the U.S. Geological Survey and \$16,480 is to be contributed by the City of Auburn; and

**WHEREAS**, the expenditures are necessary to cover all of the costs of the necessary field and analytical work to collect the data, namely the maps, records and reports resulting from the program which is necessary in connection with the management of Owasco Lake levels.

**NOW THEREFORE BE IT RESOLVED** that the Mayor is hereby authorized to enter into an agreement for a period of time commencing October 1, 2016 to September 30, 2017 with the U.S. Geological Survey, U.S. Department of the Interior for a Joint Funding Agreement for water resources investigation for Owasco Lake whereby the total expenditure is in the amount of \$23,550 of which \$7,070 is contributed by the U.S. Geological Survey and \$16,480 is to be contributed by the City of Auburn and the Comptroller is authorized to contribute the City of Auburn's share as designated.

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 #115 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D2. AGREEMENT RESOLUTION #116 OF 2016, AUTHORIZING THE LEASE OF PARKING SPACES TO WEGMANS**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, the City of Auburn and Wegmans have entered into agreements for dedicated employee parking on the south side of Genesee Street between the Loop Road and South Street; and

**WHEREAS**, the current agreement does terminate on August 31, 2016 and Wegmans is desirous of extending the terms of the lease for an additional year; and

**WHEREAS**, Wegmans has paid the City the sum of \$5,000 for ten (10) designated parking spaces on the south side of Genesee Street and has agreed to pay an increased amount of \$5,500 for the lease of the parking spaces for the new year commencing September 1, 2016 and terminating August 31, 2017; and

**WHEREAS**, it is necessary that the Auburn City Council approve the new agreement for a period of one (1) year leasing ten (10) designated parking spaces to Wegmans.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve an agreement between the City of Auburn and Wegmans for the leasing of ten (10) designated parking spaces on the south side of Genesee Street between South Street and Loop Road commencing September 1, 2016 and terminating August 31, 2017 with the payment of the sum of \$5,500 for the term of the agreement; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in order to finalize the agreement.

Seconded by Councilor 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 #116 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D3. FINANCIAL RESOLUTION #117 OF 2016, ACCEPTING FUNDING FROM THE FEDERAL CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE FY 2016/2017 RSVP PROGRAM**

By Councilor Carabajal

August 18, 2016

**WHEREAS**, the Corporation for National and Community Service which is the federal agency responsible for funding the City of Auburn Retired and Senior Volunteer Program (RSVP) has awarded a one-time augmentation of \$3,500 in federal funds to support the capacity of the City of Auburn RSVP program; and

**WHEREAS**, the City of Auburn must authorize the acceptance of this one-time funding augmentation and to execute all necessary documents in connection therewith.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK:**

1. That the Mayor, or authorized representative, shall accept the one-time funding augmentation in amount of \$3,500 for the FY 2016/17 RSVP program from the Corporation for National and Community Service and be received into revenue account A99 4772 (Federal Aid-RSVP).
2. That this resolution shall take effect immediately upon its adoption.

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 #117 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D4. AGREEMENT RESOLUTION #118 OF 2016, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF AUBURN AND THE AUBURN ENLARGED CITY SCHOOL DISTRICT FOR THE ASSIGNMENT OF SCHOOL RESOURCE OFFICERS**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, the City of Auburn and the Auburn Enlarged City School District have previously entered into agreements whereby the Auburn Police Department assigns Police Officers to act as School Resource Officers at designated schools of the Auburn Enlarged City School District in order to promote communication and cooperation and to establish a partnership amongst students; and

**WHEREAS**; the assignment assists the School District to create a safe and secure environment for students and staff through law enforcement and assist in identifying and referring students with specific needs through appropriate programs and counseling; and

**WHEREAS**, the previous contract for services has expired and it is necessary to renew a contract that will provide four School Resource Officers and that the reimbursement for the services from the School District to the City for the 2016-2017 school year will be in the amount of \$250,000.

**NOW THEREFORE BE IT RESOLVED** that the parties do hereby agree as follows:

1. That the Auburn City Council does approve an agreement between the City of Auburn and The Auburn Enlarged City School District to provide the assignment of Auburn Police Department officers as School Resource Officers for the 2016-2017 school year; and
2. That the Auburn Enlarged City School District shall pay the sum of \$250,000 as reimbursement for the cost of the officers so assigned for the 2016-2017 school year; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign an agreement between the Auburn Enlarged City School District and the City of Auburn in order to provide the Auburn Police Department officers to be assigned as School Resource Officers for the 2016-2017 school year.

Seconded by Councilor Carabajal

Councilor Giannettino made a motion to table Resolution 118 of 2016, the motion to table was seconded by Councilor Carabajal.

Motion to Table Resolution 118 of 2016	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Tabled	x	

**D5. AGREEMENT RESOLUTION #119 OF 2016, AUTHORIZING A TAX EXEMPTION AGREEMENT FOR 2 LOOP ROAD (TAX MAP NO. 116.45-2-087) WITH STRYKER HOUSING DEVELOPMENT FUND CO., INC.**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, Stryker Housing Development Fund Co., Inc. (the “**HDFC**”) holds title to a certain 102-unit apartment project for low-income senior citizens located at 2 Loop Road (Tax Map No. 116.45-2-087) in Auburn, Cayuga County, New York, 13021, and identified as Stryker Homes (the “**Property**”); and

**WHEREAS**, the HDFC is (i) a not-for-profit corporation organized and existing under the Not-for-Profit Corporation Law of the State of New York whose charitable purposes include developing, preserving and otherwise providing housing and related services for low-income senior citizens and disabled persons, and (ii) a housing development fund company as described in Article XI of the Private Housing Finance Law of the State of New York (“**Article XI**”); and

**WHEREAS**, the Property is used exclusively by the HDFC to provide housing for low-income senior citizens and/or low-income disabled persons; and

**WHEREAS**, in order to preserve the Property as affordable housing for low-income senior citizens and/or low-income disabled persons living in and around the City and surrounding Cayuga County, New York, the HDFC substantially rehabilitated the Property in 2015 and 2016, including (i) the renovation of apartments, (ii) repairs and improvements to the interior of the building and common areas thereof, and (iii) improvements to the grounds of the Property; and

**WHEREAS**, to finance the Property and the above improvements, the HDFC has obtained (or will obtain) certain mortgage loan financing assisted through the U.S. Department of Housing and Urban Development (“**HUD**”);

**WHEREAS**, the above financing is (or will be) a “federally-aided mortgage” within the meaning of Subsection 572(5) of Article XI; and

**WHEREAS**, Real Property Tax Law § 422(1)(a) provides that “[r]eal property owned . . . by housing development fund companies organized pursuant to the not-for-profit corporation law and article eleven of the Private Housing Finance Law, used exclusively to provide housing for the handicapped or aged persons of low income, and financed by a federally-aided mortgage . . . shall be exempt from taxation and exempt from special ad valorem levies and special assessments . . .”; and

**WHEREAS**, upon receipt of the above financing, the Property will be exempt from real property tax by the City, Cayuga County and/or the Auburn City School District; and

**WHEREAS**, notwithstanding the aforesaid exemption under Real Property Tax Law § 422(1)(a), in recognition of municipal services provided by the City, the HDFC has determined that it is in the best interests of the parties for the HDFC to make certain payments in-lieu-of



taxes (PILOT) to the City with respect to the Property pursuant to the Tax Exemption Agreement annexed hereto.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve the Tax Exemption Agreement referenced above and annexed hereto subject to the HDFC obtaining the above financing through HUD; and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Auburn is authorized to execute any necessary documents to effectuate this Resolution.

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 #119 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D6. LAND SALE RESOLUTION #120 OF 2016, CONVEYING A VACANT LOT FRONTING ON CLYMER STREET**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, the City of Auburn owns a lot situated at the corner of Lorraine Avenue and Clymer Street, said lot being 33 feet in width and 167.31 feet in depth; and

**WHEREAS**, Patrick J. and Wendy Sargent are the owners of adjacent property situated at 19 Lorraine Avenue and have been maintaining the vacant lot for an extended period of time; and

**WHEREAS**, the Sargent's are desirous of purchasing the property to add to their parcel where they maintain a personal residence; and

**WHEREAS**, the City of Auburn has no use for the parcel and it is surplus property; and

**WHEREAS**, the Sargent's are agreeable to pay the sum of \$300 plus all of the closing costs in order to obtain title to the premises.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby authorize the sale of premises commonly known as 21 Lorraine Avenue, Auburn, New York, Tax Map No. 122.34-1-45.1 to Patrick J. and Wendy Sargent for the sum of \$300 in addition to the purchasers being responsible for all of the closing costs and that the premises is designated as surplus property no longer needed for City purposes; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in order to convey the premises herein.

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 #120 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D7. AGREEMENT RESOLUTION #121 OF 2016, ESTABLISHING A LINE OF CREDIT FOR THE AUBURN COMMUNITY BASEBALL NON-PROFIT ASSOCIATION, INC.**

By Councilor Cuddy

August 18, 2016

**WHEREAS**, the Auburn Community Baseball Non-Profit Association, Inc. (“ACB”) has been the operational organization for the business conducted by the minor league baseball franchise known as the “Auburn Doubledays” which is owned by the City of Auburn; and

**WHEREAS**, the structural organization of ACB has changed and the baseball franchise is now being operated at a breakeven position; and

**WHEREAS**, ACB at times has working capital shortages before large games; and

**WHEREAS**, ACB currently has a line of credit due in full on August 21, 2016 and this line of credit holds an interest rate that does not allow ACB to make principal payments in their current financial situation; and

**WHEREAS**, the City is desirous of establishing a line of credit to ACB in the amount of \$80,000 in order to provide operating cash flow for the organization and to allow ACB to use the amount they are currently paying in interest costs to pay down the principal balance on the line of credit; and

**WHEREAS**, ACB will be required to utilize the line of credit to pay the current indebtedness in full and it will be agreed that ACB will not take on any additional debt obligations without the express written consent of the City Council of the City of Auburn; and

**WHEREAS**, ACB will be required to reduce their average monthly balance each fiscal year and the line of credit shall be collateralized with any and all assets of ACB and it is necessary that the Auburn City Council approve the issuance of the line of credit to ACB.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve providing a line of credit to Auburn Community Baseball Non-Profit Association, Inc. in the amount of \$80,000 in order to provide operating cash flow for the Association and to pay off a current line of credit held by a local financial institution; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in order to establish an agreement with the Association instituting the line of credit.

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 #121 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D8. CHANGE ORDER RESOLUTION #122 OF 2016, AUTHORIZING CHANGE ORDER #1 FOR THE 2015 CDBG SIDEWALK PROGRAM**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, on July 30, 2015, the Auburn City Council authorized Award Resolution #95 of 2015 which awarded the 2015 CDBG Sidewalk Program to Diamond Excavating & Masonry, Inc. in the amount \$201,865; and

**WHEREAS**, there are funds left in the 2015 CDBG Sidewalk Program and are available to be expended for the Sidewalk Program; and

**WHEREAS**, the sum of \$3,211.79 is now able to be expended to use all of the 2015 CDBG Sidewalk Program funds which were part of the contract to Diamond Excavating & Masonry Inc. and it is now required that a Change Order be approved to add the additional available funds to the contract.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve Change Order #1 in relation to the 2015 CDBG Sidewalk Program awarded to Diamond Excavating and Masonry Inc. in the amount of \$3,211.79 to increase the contract to a total of \$205,076.79 which will allow the City to complete additional work to the 2015 CDBG Sidewalk Program; and

**BE IT FURTHER RESOLVED** that the cost of the Resolution in the amount of \$3,211.79 is to be charged to 2016 CDBG Sidewalk Program Account #CD 8672-2210-2015.

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 #122 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D9. COUNCIL RESOLUTION #123 OF 2016, AUTHORIZING TO ADVERTISE FOR CHEMICAL BIDS**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, in the past, the City advertised for bids for the purchase of chemicals to be used at the Wastewater Treatment Plant, the Water Filtration Plant and at Casey Park Pool every 18 months; and

**WHEREAS**, the current prices are about to expire and new contracts are required to continue purchasing the required chemicals; and

**WHEREAS**, it is more efficient that the City purchase chemicals on a 24-month basis in order to provide for the needs of the various City facilities; and

**WHEREAS**, it is necessary that the Auburn City Council authorizes the advertisement for bids for the 2016-2018 purchase of chemicals.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does approve the advertisement for bids for the purchase of chemicals to be used at the Wastewater Treatment Plant, the Water Filtration Plant and at Casey Park Pool, said quantities to last for a 24-month cycle.

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 #123 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D10. AGREEMENT RESOLUTION #124 OF 2016, FOR THE AWARD OF CONSTRUCTION INSPECTION SERVICES FOR THE WATER TREATMENT PLANT/LOWER PUMP STATION IMPROVEMENT PROJECT**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, Agreement Resolution #66 of 2015 awarded construction inspection services to GHD Consulting Services, Inc. for the Water treatment Plant/Lower Pump Station

Improvements project in the amount of \$135,950 plus \$33,000 from their existing design contract for a total of \$168,950; and

**WHEREAS**, a Supplemental Agreement in the amount of \$87,900 to GHD Consulting Services, Inc. is necessary for additional construction administration in the amount of \$22,500 and additional construction inspection services for an additional two months in the amount of \$65,400, all necessary for the project; and

**WHEREAS**, GHD is providing various professional engineering services which are outside of the original scope of the project and these services enhance the project and are required for the completion of the original \$3.4 million Capital Project Allocation; and

**WHEREAS**, it is necessary that the Auburn City Council award a Supplemental Agreement to GHD in the amount of \$87,900 to complete these tasks.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby award a Supplemental Agreement to GHD Consulting Services, Inc. in the amount of \$87,900 and does authorize the Mayor to sign any and all documents in connection therewith; and

**BE IT FURTHER RESOLVED** that the cost of the Resolution be charged to Water and Pumping Upgrades Account #HF8330-440-HD.

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 #124 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D11. CHANGE ORDER RESOLUTION #125 OF 2016, AUTHORIZING CHANGE ORDER #1 FOR THE NORTH DIVISION STREET DAM HYDRO FACILITY PROJECT**

By Councilor McCormick

August 18, 2016

**WHEREAS**, Council Resolution #95 of 2016 authorized the award of a contract for the North Division Street Dam Hydro Facility Project to BVR Construction in the amount of \$603,553; and

**WHEREAS**, Change Order #1 is required in order to install a new power channel gate and support structure at the Mill Street Hydro Facility in the amount of \$199,500; and

**WHEREAS**, this Change Order is necessary due to the fact that the bids received for the Mill Street Hydro Facility Rehabilitation Project exceeded the funding allocated and all bids for the Mill Street Project were rejected and was rebid; and

**WHEREAS**, the rebid for the project also came in in excess of the funding allocated and all of these bids were rejected as well and the work required for the Mill Street Dam site needs to be performed while the Owasco River flows are low and can be controlled; and

**WHEREAS**, it is more efficient that a Change Order be awarded for the North Division Street Dam Hydro Facility Project to BVR Construction in order to support the work necessary to be performed at the Mill Street Hydro Facility.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve Change Order #1 to the North Division Street Dam Hydro Facility Project to BVR Construction in the amount of \$199,500 for the purpose of performing the installation of a new power channel gate and support structure at the Mill Street Hydro Facility.

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 #125 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**D12. COUNCIL RESOLUTION #126 OF 2016, SETTING A WHOLESALE WATER RATE**

By Councilor Cuddy

August 18, 2016

**WHEREAS**, the City of Auburn provides water mains and water treatment services for the City of Auburn residents and other wholesale customers residing in towns outside of the City; and

**WHEREAS**, Raftelis Financial Consultants, Inc. was hired to perform a cost of service study for sewer and water rates, to establish a fair and equitable rate structure for all City customers; and

**WHEREAS**, the final recommended wholesale water rate is \$2.43 per hundred cubic feet.

**NOW THEREFORE BE IT RESOLVED** that a new wholesale water rate to be charged to wholesale customers shall be \$2.43 per hundred cubic feet with that amount to be incorporated in new Municipal Cooperation Agreements and the new rate to be effective as of July 1, 2016.

Seconded by Councilor Giannettino

Councilor Giannettino made a motion to table Resolution 126 of 2016, the motion to table was seconded by Councilor Carabajal.

Motion to Table Resolution 126 of 2016	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Tabled	x	

**D13. COUNCIL RESOLUTION #127 OF 2016, ESTABLISHING A NEW WHOLESALE SEWER RATE**

By Councilor Ginnettino

August 18, 2016

**WHEREAS**, in December of 2015, the Auburn City Council approved Financial Resolution #139 of 2015 indicating an increase in the wholesale wastewater rate in the amount of \$4.31 per hundred cubic feet effective July 1, 2016; and

**WHEREAS**, the rate increase notification to the wholesale sewer customers prompted the hiring of Raftelis Financial Consultants, Inc. to perform a cost of service study for sewer and water rates to establish a fair and equitable rate structure for all City customers receiving the wastewater treatment services; and

**WHEREAS**, the final recommended wholesale sewer rate is \$\_\_\_\_\_ per 100 cu. feet.



**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council establishes a new wholesale sewer rate at the amount of \$\_\_\_\_\_ to be charged to wholesale customers, effective as of July 1, 2016.

Seconded by Councilor Cuddy

Councilor Cuddy made a motion to table Resolution 127 of 2016, the motion to table was seconded by Councilor Giannettino.

Motion to Table Resolution 127 of 2016	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Tabled	x	

**D14. COUNCIL RESOLUTION #128 of 2016, SETTING THE RETAIL WATER RATE**

By Councilor Giannettino

August 18, 2016

**WHEREAS**, a rate study was completed by Raftelis Financial Consultants, Inc. on June 23, 2016 and the City of Auburn set a new retail water rate at \$3.24 per hundred cubic feet; and

**WHEREAS**, the new rate took effect on July 1, 2016 and in an attempt to minimize the financial impact associated with the retail rate increase, it has been decided to reduce the retail water rate from \$3.24 to \$2.62 per hundred cubic feet as no bill has yet been issued; and

**WHEREAS**, this rate decrease will fully support the system operation maintenance, asset repair and replacement, system improvements, debt service and reserve requirements; and

**WHEREAS**, the new proposed retail rate schedule will generate enough revenue to finance the upcoming five-year Capital Improvement Program through a blended cash and conventional bonding approach instead of a pay as you go cash payment approach.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve a new retail water rate of \$2.62 per hundred cubic feet to be effective July 1, 2016.

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 #128 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: August 18, 2016*

**F. Staff/Vendor Presentations**

**10. Other Business**

Councilor McCormick discussed a recent letter the Council received from the New York Conference of Mayors regarding the New York State tax Cap. She asked if the City could right a letter of support for the topic to our State elected officials.

Councilor Carabajal reported that striping on Lincoln Street appears to be causing problems for cars that are parked on the hill behind Strycker Homes. She asked if the matter could be corrected.

Executive Session. Councilor McCormick 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 four separate 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 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 6:27 p.m. Executive session adjourned at 8:14 p.m.

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:15 p.m.

Minutes submitted to the City Council on September 7, 2016 by:

Charles Mason  
City Clerk

On September 8, 2016 a motion to approve the minutes of the August 18, 2016 Auburn, NY City Council meeting was made by Councilor Giannettino, 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 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 18th day of August, 2016 and that the City Council approved such by the vote listed above.*



Charles Mason, City Clerk

Date: September 9, 2016