

**Auburn City Council
Regular Meeting
Thursday, November 3, 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 Acting Mayor, Councilor McCormick.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy, and Carabajal were all present. Mayor Quill was in Albany, NY attending a New York Municipal Insurance Reciprocal Board of Governor’s meeting and was excused.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Superintendent of Engineering, William Lupien
- Police Chief, Shawn Butler

2. Pledge of Allegiance to the Flag – Councilor McCormick led the Pledge of Allegiance.

3. Moment of Silent Prayer or Reflection – Councilor McCormick asked for a moment of silent prayer.

4. Public Announcements –
The City Clerk read the announcements.

5. Ceremonial Presentations and Proclamations – None

6. Public to be Heard – Councilor McCormick opened the Public to be Heard portion of the Council meeting and the City Clerk read the Public to be Heard rules. No members of the public spoke.

7. Approval of Meeting Minutes: None

8. Reports of City Officials

A. City Manager’s Report

- With the autumn here he provided a review of the rules for curbside leaf collection in the

City. Complete information available at www.AuburnNY.gov/Streamline

- Discussed some arrangements that have been made in cooperation with the County Real Property Tax Office that will allow property owners to pay their County taxes at Memorial City Hall.
- Discussed that the City received notice from the Finger Lakes Railway that they plan to use the rail spur at Frank Smith Street to transfer leachate from the Seneca Meadows Landfill in Seneca County from an 18 wheeler truck to a rail car so that the leachate may be shipped by rail to an industrial wastewater treatment facility in the State of New Jersey. They anticipate 6-9 trucks per day to be delivering the leachate. The Council discussed their concerns with this proposal due to the large amount of truck traffic that would be generated and the fact that no information on the contents of the industrial waste has been provided. The manager stated that City Staff would look into options the City could consider to express concerns over the project and possibly stop the project from happening.

B. Reports from members of Council

- Councilor Giannettino reported on the recent discussions with Senator Schumer's and Senator Gillibrand's office regarding the water quality of Owasco Lake.

9. Matters to Come Before Council

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

B. Ordinances - None

C. Local Laws – None

D. Resolutions –

COUNCIL RESOLUTION #158 OF 2016

**AUTHORIZING TO CHANGE THE MEETING DATE DUE TO THE
THANKSGIVING HOLIDAY**

By Councilor Cuddy

November 3, 2016

WHEREAS, the rules of the Auburn City Council and City Charter require that the Auburn City Council meet on Thursday of each week to conduct business; and

WHEREAS, a meeting scheduled for the last Thursday in November, namely November 24th, is Thanksgiving; and

WHEREAS, in the interest of the citizens of the City of Auburn and convenience of all parties, the Auburn City Council desires to reschedule the meeting for the last week of November 2016 from Thursday, November 24th to Tuesday, November 22nd, said meeting to be held at the usual time of 6:00 PM; and

WHEREAS, the subsequent meetings of the City Council shall return to the Thursday of each week thereafter at its usual time of 6:00 PM.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby move the Auburn City Council meeting scheduled for Thursday, November 24th at 6:00 PM to Tuesday, November 22nd at 6:00 PM, and that all subsequent meetings thereafter shall be on Thursday of each week unless modified by subsequent Council resolution, and the Clerk is hereby requested to notify the public of the change in the meeting date as set forth herein.

Seconded by Councilor Carabajal

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

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #158 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

COUNCIL RESOLUTION #159 of 2016

ADOPTING THE AUDIT REPORT FOR THE YEAR ENDED JUNE 30, 2016

By Councilor Giannettino

November 3, 2016

WHEREAS, the City of Auburn is required by State and Federal government regulations to conduct an audit of its finances annually and the firm of Insert & Co. CPAs, LLP Was engaged to conduct an audit for the fiscal year ended June 30, 2016; and

WHEREAS, the audit firm issued a report and provided basic financial statements as well as a report on internal controls and compliance in accordance with government auditing standards; and

WHEREAS, the audit firm has provided a letter on required communications to the City Council which sets forth significant accounting policies, accounting estimates, audit adjustments, consultations and issues discussed prior to retention of independent auditors; and

WHEREAS, the audit firm has presented its findings to the Auburn City Council by means of a presentation at the Council meeting on October 27, 2016 and it is now necessary that the Council adopt the audit report.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby adopt the City of Auburn, New York Audit Report for the year ending June 30, 2016 prepared by Insert & Co. CPAs, LLP in compliance with all governmental regulations.

Seconded by Councilor Cuddy

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

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #159 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

APPOINTMENT RESOLUTION #160 OF 2016

APPOINTING MEMBERS TO THE BOARD OF THE CAYUGA COUNTY HEALTH INSURANCE CONSORTIUM

By: Councilor Giannettino

November 3, 2016

WHEREAS, on October 6, 2016, the City Council approved the City’s participation in the Cayuga County Health Insurance Consortium; and,

WHEREAS, pursuant to article D section 1 of the Municipal Cooperation Agreement, the City has two seats on the Consortium Board which must be appointed by the City Council; and,

WHEREAS, pursuant to article D section 7 of the Municipal Cooperation Agreement, the City can designate an alternate in the absence of one of the Members; and,

WHEREAS, the City’s Health Benefits Committee comprised of representatives from both the unions and management have voted on their recommendations to City Council for the Members and Alternate; and,

WHEREAS, the Committee recommends the appointment of Sean Corcoran, Fire Lieutenant, and Laura Wills, City Comptroller as Board Members and Joe Villano, Police Officer, as Designated Alternate with voting authority.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council appoints Laura Wills and Sean Corcoran as Board Members to the Cayuga County Health Insurance Consortium and designates Joe Villano as the Designated Alternate with voting authority.

Seconded by Councilor Carabajal

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

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #160 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

COUNCIL RESOLUTION #161 OF 2016

**ADOPTING THE FY 2017-2021
CAPITAL IMPROVEMENT PROGRAM (CIP)**

By Councilor Cuddy

November 3, 2016

WHEREAS, the City of Auburn, New York is authorized and empowered under the New York General Municipal Law- Article 5- §99-G to “undertake the planning and execution of a capital program”; and

WHEREAS, the Auburn City Council desires to implement a Capital Improvement Program (CIP) to provide for the maintenance and improvement of public infrastructure in support of the City’s vision and goals outlined in the City Comprehensive Plan and other adopted planning documents; and

WHEREAS, the Auburn City Council finds that it is in the best interest of the City to adopt and approve the Capital Improvement Program for Fiscal Years 2017 through 2021 to ensure that the City achieves its desired outcomes for a prosperous and sustainable community.

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

1. That the City hereby adopts and enacts the FY 2017 through 2021 Capital Improvement Program; and
2. That this Resolution shall take effect immediately upon its adoption.

Seconded by Councilor Carabajal

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

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #161 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

AGREEMENT RESOLUTION #162 OF 2016

AUTHORIZING ACCEPTANCE OF A GRANT FROM THE LOCAL INITIATIVES SUPPORT CORPORATION FOR A ZOMBIE AND VACANT PROPERTIES REMEDIATION AND PREVENTION INITIATIVE

By Councilor Carabajal

November 3, 2016

WHEREAS, the City of Auburn has approximately 236 Zombie and Vacant properties listed in the Vacant Building Registry Program; and

WHEREAS, the City of Auburn acknowledges the importance of addressing vacant housing through housing quality improvement and enforcement programs; and

WHEREAS, the City of Auburn responded to a Request for Applications to the Local Initiatives Support Corporation (LISC) for funding to implement a Zombie and Vacant Properties Remediation and Prevention Initiative Program in the City of Auburn; and

WHEREAS, as a result of the Request for Applications, the City of Auburn has been awarded a Zombie and Vacant Properties Remediation and Prevention Initiative grant from the Local Initiatives Support Corporation (LISC) in the sum of \$138,000; and

WHEREAS, the Mayor of the City of Auburn must be authorized to accept the grant funding and execute all necessary documents in connection therewith prior to commencing the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN AS FOLLOWS:

1. That the Mayor of the City of Auburn is hereby authorized and directed to execute the contract agreement with the Local Initiatives Support Corporation for a Zombie and Vacant Properties Remediation and Prevention Grant Program Action Number: 47417-0001, submit project documentation, and otherwise act for the Municipality's governing body in all matters related to the project and State assistance; and
2. That the City Comptroller is authorized to recognize grant revenue in the amount of \$138,000, and to appropriate the funds into the appropriate account; and
3. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	

Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	Excused	
Carried and Adopted	X	

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #162 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

CHANGE ORDER RESOLUTION #163 OF 2016

AUTHORIZING CHANGE ORDER #2 FOR THE 2016 ROAD PROGRAM

By Councilor Giannettino

November 3, 2016

WHEREAS, on July 7, 2016, the Auburn City Council authorized Award Resolution #94 of 2016 awarding the 2016 Road Program to F. Rizzo Construction, Inc. in the amount of \$1,032,295; and

WHEREAS, the Road Program involves streets to be improved by asphalt resurfacing, including partial reconstruction, patching, crack sealing, milling the road surfaces, installing asphalt trueing and leveling and top courses; and

WHEREAS, the City allows property owners to install granite curbing at their property, in connection with the Road Program, and to provide payment for the curbing through the Revolving Loan Program; and

WHEREAS, Change Order #1 in the amount of \$140,000 was approved on July 21, 2016, to add additional funding to this contract, now, in order to accommodate additional property owners' requests for curbing installation to be completed by the Road Program contractor, Change Order #2 in the amount of \$20,000 must be approved by the Auburn City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby approve Change Order #2 to F. Rizzo Construction, Inc. for the 2016 Road Program in the amount of \$20,000 in order to assist property owners to install granite curbing on the Road Program streets; and

BE IT FURTHER RESOLVED, that the cost of the Resolution in the amount of \$20,000 is to be charged to Revolving Loan Sidewalk Account #HA 5497-440-001.

Seconded by Councilor Cuddy

	Ayes	Noes	Excused
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 #163 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

CHANGE ORDER RESOLUTION #164 OF 2016

**AUTHORIZING CHANGE ORDER #1 FOR THE NORTH HUNTER BROOK
CULVERT PRESERVATION PROJECT**

By Councilor Cuddy

November 3, 2016

WHEREAS, the Auburn City Council, on December 4, 2014, authorized Award Resolution #174 of 2014 in the amount of \$189,000 to award the North Hunter Brook Culvert Preservation Project engineering and design services contract to Popli Consulting Engineers; and

WHEREAS, in order to provide additional engineering and design services to perform additional hydraulic analyses to evaluate the effect of debris during stormwater events and size a replacement bridge at McIntosh Drive and perform additional engineering services necessary to produce plans for a replacement structure instead of lining the existing structure, it will be necessary to award Change Order #1 in the amount of \$41,000 to provide for those services; and

WHEREAS, the additional amount of \$41,000 to Popli Consulting Engineers for additional engineering and design services for the Project will be eligible for 80% Federal reimbursement and 15% State Marchiselli reimbursement.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby award Change Order #1 to Popli Consulting Engineers in the amount of \$41,000 for additional engineering and design services in connection with the North Hunter Brook Culvert Preservation Project; and

BE IT FURTHER RESOLVED, that the cost of the Resolution in the amount of \$41,000 is to be charged to North Hunter Brook Culvert Account #HA 5110-440-HO.

Seconded by Councilor Carabajal

	Ayes	Noes	Excused
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 #164 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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 4, 2016

F. Staff/Vendor Presentations

- Financial Audit Presentation - Laura Wills, Comptroller. The financial statement audit is complete, the auditors presented their required communications and findings. The Comptroller presented the year end results.
- Annual Capital Improvement Plan Presentation Christina J. Selvek, Director of Capital Improvement Projects & Grants presented the draft 2017-20122 Capital Improvement Plan for the City.
- Monthly Budget Reports for September 2016 - Jeff Dygert, City Manager

10. Other Business

Executive Session. Councilor Carabajal 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 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.)

The motion to enter executive session carried 4-0. Councilors McCormick, Giannettino, Cuddy, Carabajal all voting aye. The Council entered Executive Session at 7:05 p.m. Executive session adjourned at 8:00 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:01 p.m.

Minutes submitted to the City Council on November 16, 2016 by:

Charles Mason
City Clerk

On November 17, 2016 a motion to approve the minutes of the November 3, 2016 Auburn, NY City Council meeting was made by Councilor McCormick, seconded by Councilor Giannettino.

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	Present	
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 3rd day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016