

**Auburn City Council
Regular Meeting
Thursday, November 17, 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, Carabajal, and Mayor Quill were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- City Comptroller, Laura Wills
- Superintendent of Engineering, William Lupien
- Assistant Police Chief, Roger Anthony

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 –

Thanksgiving Week

Special Curbside Trash & Recycling Pick-up Schedule

Due to the Observance of the Thanksgiving Day Holiday there will be no curbside trash or recycling pick-up in the City of Auburn on Thursday, November 24, 2016.

The following special trash pick-up schedule will be in effect for Thanksgiving week:

- If your trash pick-up day is normally Tuesday, you will be picked up on Monday, November 21, 2016
- If your trash pick-up day is normally Wednesday, you will be picked up on Tuesday, November 22, 2016
- If your trash pick-up day is normally Thursday, you will be picked up on Wednesday, November 23, 2016
- There is no change in service for Friday, November 25, 2016 pick-up.

For complete curbside trash & recycling pick-up information, visit: www.AuburnNY.gov/Streamline

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. The following members of the public spoke.

Norm Davis, N. Division Street

Mr. Davis spoke to announce to the public that the Salvation Army, 18 E. Genesee Street will be sponsoring a Thanksgiving Dinner for those in need this Thanksgiving holiday. Also, please support their annual ketel campaign that collects donations for those in need.

Tim Donovan, President of Board for Salvation Army

Mr. Donovan spoke to remember Mr. Ron Quill who had previously served as President of the Board of Directors for the salvation Army. Mr. Quill passed away earlier in the year but would always make a point to speak about Salvation Army activities at the City Council meetings.

Stephanie DeVito, Executive Director of the Auburn Downtown Business Improvement District

Ms. DeVito spoke to support the location of a New York State Welcome Center in the City's downtown at the City owned parking lot located at 25 South Street.

Katie McIntyre, Woodruff Place

Ms. McIntyre spoke to support the location of a New York State Welcome Center in the City's downtown at the City owned parking lot located at 25 South Street. She encouraged that improvements to the City parking garage be made as part of the project.

Chris Nucerino, Executive Director of the YMCA on William Street

Mr. Nucerino spoke to support the location of a New York State Welcome Center in the City's downtown at the City owned parking lot located at 25 South Street. He stated he met earlier in the week with the mayor, City Clerk and City Manager to discuss how the project would impact parking for the YMCA. He looks forward to working with the City moving forward to address parking needs for the YMCA in the downtown area.

Lisa Carr, E. Genesee Street and a member of the Board of Directors for the Auburn Downtown Business Improvement District. Ms. Carr spoke to support the location of a New York State Welcome Center in the City's downtown at the City owned parking lot located at 25 South Street.

Robert E. Hunter, 33 Gaylord Street

Mr. Hunter is a former member of the Auburn City Council. He spoke to ask questions about how the proposed NYS Welcome Center to be built at the City owned parking lot located at 25 South Street will impact parking downtown. He stated that it is early in the process and he hopes the issue can be addressed in the planning process for the construction of the facility.

7. Approval of Meeting Minutes:

November 3, 2016 Council Meeting Minutes

Motion to approve the November 3, 2016 minutes by Councilor McCormick, seconded by Councilor Giannettino.

The motion to approve carried 4-0. Mayor Quill voted present.

November 10, 2016 Council Meeting Minutes

Motion to approve the November 10, 2016 minutes by Councilor Cuddy, seconded by Councilor McCormick.

The motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- He attended a meeting by the the County Health Department to begin preparing for programing needed in the event of future seasonal harmful alga bloom outbreaks in Owasco Lake.
- The Executive Director of the Auburn Downtown Business Improvement District was introduced to discuss the upcoming Downtown Holiday parade. Stephanie DeVito discussed the details of the events that will be happening downtown on Saturday, November 26, 2016.

B. Reports from members of Council

- Councilor Giannettino reported that he attended an event at the City Permaculture Park on Saturday, November 12, 2016.
- Councilor McCormick reported on the most recent Owasco Lake Water Inspection Committee meeting. They are making plans to hire a third watershed inspector and are in the process of reviewing rules of the Owasco lake Watershed.

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 #166 OF 2016

ESTABLISHING A CAPITAL ACCOUNT AND BUDGET FOR APD COMMAND CENTER REPAIRS

By Councilor Giannettino

November 17, 2016

WHEREAS, the Auburn Police Department (APD) held a separate bank account for the deposit of local seizure monies with a balance of \$96,058.52; and,

WHEREAS, this money shall be returned to the City bank accounts and general ledger as the APD is not a separate entity from the City of Auburn; and,

WHEREAS, this money was seized and returned to the Auburn Police Department through the hard work of the officers of APD and therefore should be used to make necessary upgrades to the APD’s Command Center; and,

WHEREAS, it is necessary for the City Council to recognize these funds as revenues to be used for the command center upgrades and establish a capital account for the tracking and payment of these upgrades; and,

WHEREAS, in order to facilitate the construction of the Command Center Repairs and Upgrade it is requested that the City Council authorizes an advertisement for bids.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the establishment of the APD Command Center Repairs capital account (HA1620.440.IG) to be funded through local seizure funds in the amount of \$96,058.52 to be recorded to Other Revenues (HA99.2770.IG) and authorizes the advertisement for bids for the APD Command Center Repair project.

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 #166 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

FINANCIAL RESOLUTION #167 OF 2016

ACCEPTING FUNDING FROM THE FFY 2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE AUBURN POLICE DEPARTMENT

By Councilor Giannettino
2016

November 17,

WHEREAS, the City of Auburn Police Department (APD) received notice of a federal fiscal year 2014 Byrne Justice Assistance Grant (JAG) grant award in the sum of \$5,204.00 from the NYS Division of Criminal Justice Service; and

WHEREAS, this funding is being made available through the County of Cayuga District Attorney’s Office to the APD to cover expenses associated with expanding the City’s digital video recording system; and

WHEREAS, in order for APD to purchase the necessary equipment to enhance the digital video recording system, the City must accept the grant award and 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, is authorized to accept grant funding in the amount of \$5,204 from the Byrne Justice Assistance Grant (JAG) Program, execute any reimbursement forms and other necessary documents to complete the project.
2. That upon acceptance, the City Comptroller’s Office shall increase the Auburn Police Department Other Equipment budget (A3120.250) in the amount of \$5,204 and recognize grant revenue to the Federal Aid – US Department of Justice account (A99.4786).
3. This resolution takes effect immediately.

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 #167 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

CHANGE ORDER RESOLUTION #168 OF 2016

AUTHORIZING CHANGE ORDER #1 FOR THE CITY HALL EXTERIOR PAINTING PROJECT

By Councilor McCormick

November 17, 2016

WHEREAS, Auburn City Council approved Bond Ordinance #6 in the amount of \$785,000 to finance the cost of building improvements in and for the City; and

WHEREAS, one of the projects financed by the Bond Ordinance was the painting of City Hall and pursuant to Award Resolution #112 of 2016, Council awarded the City Hall Exterior Painting Project to Leone Painting in the amount of \$166,950.61; and

WHEREAS, at this time, Change Order #1 in the amount of \$22,000 is requested for this project to cover the cost of additional storm windows to be replaced pursuant to the original Award Resolution; and

WHEREAS, the Auburn City Council must approve this Change Order Resolution #1 for the City Hall Exterior Painting Project to Leone Painting in the amount of \$22,000.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby award Change Order #1 to Leone Painting in the amount of \$22,000 for the City Hall Exterior Painting Project and the cost of the Resolution is to be charged to City Building and Ground Improvements Account #HA 1620-440-HI.

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 #168 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

APPOINTMENT RESOLUTION #169 OF 2016

FOR AN APPOINTMENT OF COMMISSIONER OF DEEDS

By Councilor Giannettino

November 17, 2016

WHEREAS, the Auburn City Council has appointed Commissioners of Deeds to allow a person the authority to take affidavits, depositions and acknowledgments of deeds for use in the City in which the person is appointed. The powers are similar to that of a Notary Public; and

WHEREAS, Section 139 of the Executive Law of the State of New York sets forth the authority and procedure for appointment of Commissioner of Deeds and those persons shall be appointed by the City Council for a designated term; and

WHEREAS, the term of each Commissioner of Deeds shall expire on the 31st of December of the even-numbered year next after he/she shall be appointed and there are requirements that the person receiving the designation must reside or work in the City of Auburn and can only administer the Commission within the City of Auburn. Those persons must file an Oath of Office with the City Clerk and with the County Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby appoint the list of persons attached to this Resolution as a Commissioner of Deeds pursuant to the authority provided by Section 139 of the Executive Law of the State of New York and said appointment shall be effective from the date of approval of this Resolution and shall continue until December 31, 2018.

Seconded by Councilor Cuddy

Motion to table by Councilor Giannettino, seconded by Councilor Carabajal

Motion to table:	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

COUNCIL RESOLUTION #170 OF 2016

TRANSFERRING OWNERSHIP OF THE MINOR LEAGUE FRANCHISE OWNED BY THE CITY OF AUBURN TO AUBURN COMMUNITY BASEBALL, LLC

By Mayor Quill

November 17, 2016

WHEREAS, the City of Auburn (hereinafter referred to as “City”) acquired a New York-Pennsylvania Professional League, Inc. (hereinafter referred to as “NY-Penn League”) in 1982 and has owned the franchise since that date; and

WHEREAS, the City, in past years, has contracted with the Auburn Community Non-Profit Baseball Association, Inc. (hereinafter referred to as “ACB”) to operate the franchise pursuant to three-year contracts, and for many years, the franchise had been profitable and funds were paid from ACB to the City from profits that were realized; and

WHEREAS, in recent years, the franchise has experienced losses which resulted in deficits and the City has advanced funds to pay vendors and unpaid fees; and

WHEREAS, it is necessary that the City divest itself from being the owner of the franchise and transfer the existing franchise to a business entity, which will facilitate operating the franchise in a profitable manner and avoid future losses and deficits; and

WHEREAS, the City has formed a limited liability company known as “Auburn Community Baseball, LLC,” pursuant to New York State law, wherein the City is the sole owner and the operation of the Company will be run through various individuals known as “Managers,” whose mission is to operate the franchise in a more business-like manner in order to maintain the franchise in a profitable situation, and to avoid deficits whereby City General Fund monies will no longer be necessary to pay for losses; and

WHEREAS, an agreement between the City and the Limited Liability Company to acquire the franchise shall be subject to approval by the NY-Penn League; and

WHEREAS, suitable consideration for the transfer of the franchise from the City to the Limited Liability Company will be the subject of an agreement, whereby the Limited Liability Company shall be responsible to the City for revenues received; and

WHEREAS, it is necessary that the Auburn City Council approves the transfer subject to the approval of the NY-Penn League.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does approve the transfer of the minor league baseball franchise, which is a member of the New York-Pennsylvania Professional League, Inc. to Auburn Community Baseball, LLC, subject to approval by the New York-Pennsylvania Professional League, Inc.

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 #170 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

APPOINTMENT RESOLUTION #171 OF 2016

APPOINTING A MEMBER TO THE AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY

By Councilor McCormick

November 17, 2016

WHEREAS, Title 15, of the Public Authorities Law created a public benefit corporation to be known as the Auburn Industrial Development Authority; and

WHEREAS, this public benefit corporation shall consist of a Chairman and eight (8) other members, all of whom shall be appointed by the Mayor of the City for a term of three (3) years subject to confirmation by the Auburn City Council; and

WHEREAS, a member of the Authority has resigned and the Mayor is desirous of appointing Ron Lavarney, residing at 11 Logan Street, Auburn, New York, to fill said vacancy for the unexpired term of the member who has resigned and said term shall commence upon adoption of this Resolution and the signing of the Oath of Office and said term shall expire on January 15, 2017; and

WHEREAS, it is necessary that the Auburn City Council confirm the appointment in order for it to become effective.

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council does hereby confirm the appointment of Ron Lavarney to serve as a member of the Auburn Industrial Development Authority, said appointment to be effective upon passage of this Resolution and the signing of the Oath of Office and said term shall expire on January 15, 2017.

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 #171 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

COUNCIL RESOLUTION #172 OF 2016

AUTHORIZING CITY OWNED PROPERTY LOCATED AT 25 SOUTH STREET TO BE UTILIZED AS THE SITE FOR A NEW YORK STATE REGIONAL WELCOME CENTER

By Councilor McCormick

November 17, 2016

WHEREAS, on October 18, 2016, Governor Andrew Cuomo announced the State of New York would be establishing new regional Welcome Centers in each region across the State featuring Taste NY Products and promoting I Love New York attractions; and

WHEREAS, the City of Auburn has been chosen to be the location for the new regional Welcome Center in the Central New York region; and

WHEREAS, locating the new Welcome Center in downtown Auburn will provide an economic revitalization project to our downtown’s business district and provide support for the many historic and cultural tourist destinations in our City and region; and

WHEREAS, to begin the process of establishing the new Welcome Center in Auburn, Mayor Quill has proposed the use of a .97 acre site, which is City-owned property located at 25 South Street, existing tax parcel (ID# 116.53-1-36), the former location of the Auburn Women’s Educational & Industrial Union (WEIU) building and the current location of a municipal parking lot.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York authorizes that a .97 acre site, which is City-owned property, located at 25 South Street, existing tax parcel (ID# 116.53-1-36), be designated to be used as the site of the new State of New York regional Welcome Center for the Central New York Region that will feature Taste NY Products and promote I Love New York attractions; and

BE IT FURTHER RESOLVED that the City Manager is authorized to utilize City staff to assist with the future planning and implementation of the new Regional Welcome Center.

Seconded By Councilor Cuddy

	Ayes	Noes
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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 #172 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 18, 2016

F. Staff/Vendor Presentations - none

10. Other Business

Councilor Giannettino asked if City staff was conducting any crow hazing this year. The manager stated he would look into the matter.

Councilor Carabajal brought up the traffic light on the corner of State Street and Cottage Street. City Engineer William Lupien provided an explanation of the circumstances at that intersection. The existing light is very old and outdated and the City is no longer able to service the light due to not being able to find parts.

Mayor Quill discussed an upcoming Council Goal setting process and stated he was looking for the Council to take the time necessary to conduct such a process adequately.

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

1. Discussion on one matter pertaining to the sale, lease or acquisition of real property. (NYS “The Open Meeting Law”, Article 7, Section 105-h)

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 7:17 p.m. Executive session adjourned at 7:47 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:48 p.m.

Auburn City Council Minutes November 17, 2016

Minutes submitted to the City Council on November 22, 2016 by:

Charles Mason
City Clerk

On November 22, 2016 a motion to approve the minutes of the November 17, 2016 Auburn, NY City Council meeting was made by Councilor McCormick, 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 17th day of November, 2016 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: November 23, 2016