

**Auburn City Council
Regular Meeting
Thursday, March 9, 2017 6:00 P.M.
City Council Chambers
Memorial City Hall
24 South St.
Auburn, NY 13021**

Minutes

The meeting of the Auburn City Council was called to order at 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy and Carabajal were all present. Mayor Quill was out of town on City related business and was excused. Councilor Giannettino served as acting Mayor.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Director of Capital Improvement Program and Grants, Christina Selvek
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Police Chief, Shawn Butler

2. Pledge of Allegiance to the Flag – Councilor Giannettino asked the 5th grade students from Genesee Elementary to lead the Pledge of Allegiance.

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

4. Public Announcements – The next meeting of the Auburn Industrial Development Authority will be held on Wednesday, March 15, 2017 at 5:00 p.m. at the Chamber of Commerce Building on 2 State Street in Downtown Auburn.

5. Ceremonial Presentations and Proclamations – The City Clerk read a Proclamation from Mayor Quill naming March 10, 2017 as Harriet Tubman Day. Councilor Giannettino presented a framed copy of the proclamation to Pauline Copes Johnson, great, great grandniece of Harriet Tubman. Councilor Giannettino then introduced Jessica DeCerce a representative from the Office of Governor Andrew Cuomo. Ms. Decerce spoke about Harriet Tubman Day and presented a Tubman Day proclamation from the Governor to

Pauline Copes Johnson, great, great grandniece of Harriet Tubman.



City of Auburn
PROCLAMATION

WHEREAS, Harriet Tubman was born into slavery as Araminta Ross in Bucktown, near Cambridge, Maryland in the early 1820's; and

WHEREAS, Harriet escaped from slavery in 1849 to eventually settle in Philadelphia, where she was introduced to William Still – the “Station Master of the Underground Railroad” and began her mission as one of their conductors; and

WHEREAS, Harriet Tubman became known as the “Moses of her people” after making many trips leading several slaves to freedom in Canada, along the Underground Railroad; and

WHEREAS, in the mid 1850's, Harriet Tubman met William H. Seward and his wife Frances in Auburn, New York, through whom she contracted seven acres of land on South Street to build a home for herself, husband Nelson Davis and other family members; and

WHEREAS, in 1896 she purchased twenty-five adjoining acres to her home, including a frame house to expand her charitable work providing for poor, sick, and elderly formerly enslaved people; and

WHEREAS, on the 10th day of March 1913, Harriet Tubman departed for Eternal life and was laid to rest with full military honors at Fort Hill Cemetery in Auburn, New York; and

WHEREAS, today her home and property in Auburn are registered as a National Historic Landmark; and

WHEREAS, in 1998 this site was designated as part of the National Parks Service's National Underground Railroad Network to Freedom; and

WHEREAS, on December 19, 2014 President Barack Obama signed the National Defense Authorization Act (NDAA) which included creating the Harriet Tubman National Historical Park which will protect in perpetuity sites associated with Tubman in Cambridge, Maryland and Auburn, New York; and

WHEREAS, on January 10, 2017 the U.S. Interior Secretary signed the establishment of the Harriet Tubman National Historical Park officially making the Auburn site the 414th unit of our National Park Service; and

WHEREAS, Harriet Ross Tubman is an inspiration to many people, as her life's work of dedication and commitment to the abolition of slavery makes her one of our Nation's greatest

historical figures, and it is therefore fitting that people everywhere pay tribute to this significant American champion of freedom.

NOW THEREFORE BE IT RESOLVED that I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the members of City Council and citizens of Auburn, do hereby proclaim the 10th day of March, 2017, as **HARRIET TUBMAN DAY** in the City of Auburn, New York.

**In witness whereof I have
hereunto set my hand and caused
the seal of the City of Auburn to
be affixed this Tenth day of
March 2017.
Michael D. Quill, Mayor
City of Auburn, New York**

Councilor Giannettino then introduced Anne Mlod, librarian of Genesee Elementary School. Ms. Mlod introduced the 5th grade students from Genesee Elementary School who were in attendance to perform signing a song, “Workin’ for Freedom” that they composed about Harriet Tubman while they were 4th graders at the school with their teachers and the musical duo Magpie (Greg Artzner and Terry Leonino).

6. Public to be Heard – Councilor Giannettino 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.

Three students from Genesee Elementary school spoke. They were members of an Odyssey of the Mind team from their school and conducted a public service project. The findings of their project included that the City park at the corner of Genesee Street and Arlington Avenue known as Columbian Playground was experiencing a problem with litter. The students presented possible solutions to the Council to address the litter problem such as developing fines for littering and placing trash receptacles in the park. Councilor Giannettino thanked the students for their work and presentation to the Council and stated that the City Manager had taken down notes of their findings and that the City would be following up on the matter in the future. Andrew Roblee, 7 Orchard Street. Mr. Roblee serves as a member of the City’s Historic Resources Review Board and spoke regarding a proposed Local Law to replace Chapter #178 of the City Code titled Historical Preservation.

Tim Lattimore, 63 South Street. Mr. Lattimore is the County Legislator for District 13 and spoke regarding Harriet Tubman Day and recognized the students from Genesee Elementary. William and Rachel Juhl, residents of Nelson Street. The Juhl’s are owners of the Hunter Dinerant on Genesee Street. They addressed the Council regarding problems they are experiencing with parking on their street due to new tenants in the recently renovated building at 10-14 Genesee Street. They have discussed the issue with the building owner and the Mayor and they want to work with everyone to find a solution to the new parking dilemma because the issue has been created by progress that has been made in the downtown area. The problem needs to be resolved because the issue is negatively impacting the Diner’s business.

Richard Miller, Meadowbrook Drive. Mr. Miller spoke regarding the recent March to Lake D that was held on march 4, 2017 at the Auburn Public Theater. Mr. Miller reported that the event presented much information that would be valuable to the public and encouraged all to continue

to promote the topics discussed at the event. He also submitted the following comments that are included for the record: This crisis is an "all hands" issue. We will never solve the watershed/Owasco Lake preservation problem unless we educate the public and engage their participation. Placing information on the city website is not nearly sufficient. It requires that someone actually INITIATE access to the info. Most will not do that unless specifically prompted. Here are a few thoughts on the matter:

1. The "10 Things You Can Do" flyer could be the basis for a series of Citizen educational articles prominently featured to attract attention.
2. Why not ask the Post Office, as a public service, to stuff every mailbox with the "10 Things" flyer, and/or other similar pieces?
3. Contact the lawn care companies which do business in the city/county about eliminating harmful chemicals (phosphorous) from their applied products?
4. Enlist the help of local merchants (Lowes, Home Depot, Walmart, Dickman's, Tractor Supply, etc.) in the public education effort.

Finally, all the remediation efforts thus far and those in planning stages, though significant in scope, are still voluntary. Is it perhaps time for the development of City/County ordinances prohibiting the use of phosphorous-loaded fertilizers? Should we prohibit their sale? These would be drastic measures; but the permanent contamination of the watershed and our source of drinking water while we "soft peddle" corrective measures in an effort to not offend residential, industrial or agricultural interests would be no less a drastic catastrophic event. Thanks for listening.

7. Approval of Meeting Minutes:

February 16, 2017 Council Meeting Minutes

Motion to approve the February 16, 2017 minutes by Councilor McCormick, seconded by Councilor Carabajal.

The motion to approve carried 3-0. Councilor Cuddy Abstained. Mayor Quill excused.

February 23, 2017 Council Meeting Minutes

Motion to approve the February 23, 2017 minutes by Councilor Carabajal, seconded by Councilor McCormick.

The motion to approve carried 3-0. Councilor Cuddy Abstained. Mayor Quill excused.

March 2, 2017 Council Meeting Minutes

Motion to approve the March 2, 2017 minutes by Councilor Giannettino, seconded by Councilor Carabajal.

The motion to approve carried 4-0. Mayor Quill excused.

8. Reports of City Officials

A. City Manager's Report

- NYSEG is starting the second phase of the Genesee Street Gas Main Project in mid-March. The work schedule is 7AM - 5PM plus off hours for busy intersections. Work will start on the north side, near 161 Genesee Street and continue east to 63 Genesee Street. Additional crews will complete the service laterals to each building once the gas main is installed and energized. NYSEG will be mailing out letters to the property owners along the project path. Please share this info with affected commercial & residential tenants, departments, employees & patrons. For questions contact Mark Oropallo, NYSEG's

Construction Supervisor at 585.484-4053.

- The City has embarked upon making improvements to the City Municipal parking Garage on Lincoln Street/aka Loop Road. The lighting system in the garage has been repaired and there is noticeable improvement to the lighting throughout the facility. The Police Chief is also working to upgrade the facility's security system. The City will continue to look into additional lighting and repairing signage in the facility in the upcoming weeks.
- The City of Auburn has been working with auditors from the New York State Comptroller's office over the past 6 months on a routine periodic audit of City finances. The auditors have concluded their work and had a meeting with the City Manager and Comptroller to review the process. The City expects to see the formal final analysis from the State Comptroller's office in a few months.

B. Reports from members of Council

- Councilor McCormick reported on the March to Lake Day event that was held at the Auburn Public Theater on March 4, 2017. She recognized the Owasco Lake Watershed Association (OWLA) for their work to organize the event. The other members of Council all attended the event and shared their thoughts on the presentations. It was requested that the City attempt to share the information presented at the event on the City's website. It was also requested if an update on the Owasco Flats project could be provided to the Council.
- Councilor Giannettino reported on the recent Historic and Cultural Sites Commission meeting that was held on March 8, 2017, as well as, a meeting he attended for the kick-off of Blueprint II.

9. Matters to Come Before Council

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

B. Ordinances –

The City Clerk read the first reading of Ordinance #2 of 2017. Ordinance #2 of 2017 will be on the Council agenda for Council consideration at the March 16, 2017 Council meeting.

ORDINANCE #2 of 2017

ADOPTING A NEW SECTION 7 TO CHAPTER 164 OF THE AUBURN CITY CODE ENTITLED "APPEARANCE TICKETS AND MANDATORY ADMINISTRATION FEE"

WHEREAS, on December 19, 1991, the City Council adopted Chapter 164 of the City Code entitled "The City of Auburn Schedule of Fees Ordinance;" and

WHEREAS, Chapter 164 does not include an administration fee for the issuance of appearance tickets, which are authorized by Chapter 5 of the City Code; and

WHEREAS, appearance tickets cost the City valuable time and resources inasmuch as they require preparation for and appearances in court; and

WHEREAS, imposing a mandatory administration fee for appearance tickets will encourage property owners to avoid or correct violations and, also, reduce losses incurred by the City.

NOW, THEREFORE, BE IT ORDAINED that the City Council does hereby adopt a new Section 7 of Chapter 164 of the Auburn City Code, which shall be entitled “Appearance Tickets and Mandatory Administration Fee;” as follows:

Section 164-7: Appearance Tickets and Mandatory Administration Fee.

- A. All property owners and/or other responsible parties, who have been duly served with an appearance ticket pursuant to Chapter 5 of the City Code, and are required to appear in court for the violation(s) set forth therein, shall be required to pay a mandatory administrative fee for each and every appearance that is required.
- B. Said fee shall not apply in instances where the Judge makes a determination that there was no legal basis for the service of the appearance ticket and dismisses the case. Said fee shall be separate and independent from any fines and penalties imposed by the court resulting from the violation(s) set forth in the appearance ticket.
- C. Said fee shall be payable to the City of Auburn Treasurer at the time of each court appearance in an amount to be set by the City of Auburn Fee Schedule, which is on file in the City offices.

and,

BE IT FURTHER ORDAINED that said Ordinance shall become effective immediately.

C. Local Laws – None

D. Resolutions – None

D. Staff/Vendor Presentations

D1. Presentation on proposed Local Law replacing Chapter #178 of the City Code titled Historical Preservation, by Christina Selvek, Director of Capital Improvement Program and Grants. In 2014, NYS Historic Preservation Office and the Preservation League of NYS (PLNYS) developed a new model preservation law to allow municipalities to update existing laws and to encourage more communities to implement historic resource protection. The City of Auburn adopted the Historic Preservation Law in 1991 that has been minimally revised over the last 26 years. The updated 2014 model historic preservation law provides an opportunity for the City Historic Resources

Review Board and the City Council to update the existing 1991 Historic Preservation ordinance and to strengthen the community's commitment to preserving the special character and historic and cultural value of the City. Based upon a 10 month review process with HRRB members, a red-line version of an updated City Code

Chapter 178: Historic Preservation was provided to City Corporation Counsel for review. HRRB Staff is presenting the goals of the new 2014 Model Preservation Law and the proposed changes to the current law to City Council. This presentation is being made in preparation for the required public hearing and adoption process for repealing existing local laws and replacement with updated laws.

D2. Presentation on Final Recommendations for the Microcystin Water Filtration Plant Upgrade by Seth Jensen, Director of Municipal Utilities and Stephen Waldvogel, of GHD consulting engineers. Mr. Waldvogel presented on the findings following the past 4 months of work analyzing the topic in response to the 2016 algal bloom outbreak in Owasco Lake. (see attached presentation) Councilor Giannettino introduced the following individuals from Federal, State representatives: Joe Nehme representing U. S. Senator Schumer; Tricia Vail and Mark Fandrich representing Congressman John Katko; Jessica Decerce representing Governor Andrew Cuomo; Matt Marko from the New York State Department of Environmental Conservation; Tim Lattimore, County Legislator from district 13; and Ed Wagner, Town Supervisor from the Town of Owasco.

E. Tabled Items – none

10. Other Business

Councilor McCormick announced that there would be a Special Meeting of the City Council on Saturday, March 11, 2017 from 9am-11am to be held at the Auburn High School Library, 250 Lake Avenue in Auburn. The purpose of the meeting is to hear from City staff and organizations regarding the topic of diversity.

Councilor Carabajal asked if the City Manager would follow up with the Genesee Elementary students and that the topic of the City's policy of carry-in / carry-out trash in the City parks should be a topic of future Council and staff discussion.

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. Two items pertaining to matters 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.

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The motion to enter executive session carried 4-0. Councilors McCormick, Giannettino, Cuddy, Carabajal all voting aye. Mayor Quill was excused. The Council entered Executive Session at 8:39 p.m. Executive session adjourned at 9:30 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 9:31 p.m.

Minutes submitted to the City Council on March 16, 2017 by:

Charles Mason
City Clerk

On March 16, 2017 a motion to approve the minutes of the March 9, 2017 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor McCormick.

	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 9th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017