

**Auburn City Council
Regular Meeting
Thursday, March 16, 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, 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
- Director of Capital Improvement Program and Grants, Christina Selvek
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- 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 – None

5. Ceremonial Presentations and Proclamations – None

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

7. Approval of Meeting Minutes:

March 9, 2017 Council Meeting Minutes

Motion to approve the March 9, 2017 minutes by Councilor Giannettino, seconded by Councilor McCormick. Motion to approve carried 4-0. Mayor Quill voted present.

8. Reports of City Officials

A. City Manager's Report

- The City received over 3 feet of snow due to the winter storm that hit between March 13-15, 2017. Over 850 labor hours by City staff have been spent on keeping City streets cleared. Thank you to all City crews that kept City streets clear, picked up the trash and recycling, responded to public safety calls during this winter snowstorm.
- City staff continues to work with GHD consulting engineers on finalizing details for temporary and permanent upgrades to the water filtration facility to prepare the system in the event of future algal bloom outbreaks in Owasco Lake. Current work includes obtaining approval from the New York State Department of Health to be able to move forward with the plans.

B. Reports from members of Council

- Councilor Carabajal reported on a Special Meeting of the City Council that was held on Saturday, March 11, 2017 from 9am-11am at the Auburn High School Library, 250 Lake Avenue in Auburn. The purpose of the meeting was to hear from City staff and organizations regarding the topic of diversity. Attendees of the meeting included Jeff Dygert, City Manager; Auburn Police Department Chief Shawn Butler; Fire Department Chief Joe Morabito; Civil Service Jack Hardy, Commissioner; Auburn Enlarged City School District Jeff Pirozzolo, Superintendent; Human Rights Commission Joe Loegrande, Commissioner; Harriet Tubman Center for Justice & Peace Bob Brower; Diverse Auburn Mickey Belosi, Member; and President of the Cayuga NAACP Eli Hernandez.
- Councilor Giannettino discussed that the NY State Assembly and Senate both introduced their one-house versions of the State budget earlier in the week. Of note in the budget proposals was the following matters of concern to the City:
 1. It turns out that both the Assembly and Senate reject the Downtown Revitalization Initiative 2nd round fund.
 2. Both the Assembly and Senate reject the Governor's consolidation public referendum mandates.
 3. The Assembly calls for a \$50.7 million increase in AIM funding. The increase would be the same % as the property tax cap was for years 2012-2017.
 4. Both the Senate and Assembly are calling for an increase in CHIPS funding; both maintain PAVE NY & BRIDGE NY funding and the Senate proposes and increase in BRIDGE NY funding
 5. The Senate calls for a \$11.5 million to increase the reimbursement rate to cities for maintaining State highways running through cities from \$0.85 per square yard to \$1.77 per square yard. (This is the arterial highway maintenance reimbursement)
 6. The \$2 million for the Auburn and Owasco water upgrade for upgrades to treat for toxins from algal blooms is included in both, however, the Assembly wants to put that funding under the Clean Water Infrastructure Fund that will be administered by DEC.

9. Matters to Come Before Council

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

B. Ordinances –

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.

	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 #2 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

C. Local Laws – None

D. Resolutions

COUNCIL RESOLUTION #40 of 2017

APPROVING FREEDOM RECREATIONAL SERVICES TO USE THE FACILITIES AT CASEY PARK FOR FREEDOM CAMP 2017

By Councilor McCormick

March 16, 2017

WHEREAS, Freedom Recreational Services for the past 36 years has provided programs for developmentally disabled and handicapped individuals to participate in a summer program at the Casey Park Recreational Facility; and

WHEREAS, this program has operated very successfully during this period of time and has provided great programs for young people to enjoy recreational programs during summer months; and

WHEREAS, the Freedom Recreational Services is requesting the use of Casey Park Recreational Facility from July 10th through August 4th and the program operates from 8:00 a.m. to 3:00 p.m. and uses certain parts of the facility which are set up around the perimeter of the ice rink; and

WHEREAS, the program has previously operated during that period of time and has coordinated its activities with the City Administration and the Department of Public Works Parks Department; and

WHEREAS, the City does waive any fees for this program for children with special needs in Auburn and Cayuga County and Freedom Recreational Services has provided the requisite insurance information and coverage.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby grant permission to Freedom Recreational Services to conduct a Freedom Camp providing services to children with special needs at the Casey Park Recreational Facility for the summer of 2017 from July 10th through August 4th and that all City fees for the use of the facility are waived.

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 #40 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

COUNCIL RESOLUTION #41 OF 2017

AUTHORIZING A PUBLIC HEARING CONCERNING THE ENACTMENT OF A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 178: HISTORIC PRESERVATION

By Councilor Cuddy

March 16, 2017

BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize that a Public Hearing be held before the City Council of the City of Auburn, New York, on the 23rd day of March 2017 at 6:00 p.m. at City Council Chambers, 1st floor, Memorial City Hall, Auburn, New York concerning the enactment of a local law to repeal and replace Chapter 178: Historic Preservation of the Auburn City Code; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing state and local requirements.

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 #41 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

AWARD RESOLUTION #42 OF 2017

AWARDING THE BID FOR REPAIRS & CONSTRUCTION FOR THE AUBURN POLICE DEPARTMENT COMMAND CENTER PROJECT

By Councilor McCormick

March 16, 2017

WHEREAS, the Auburn City Council authorized the advertisement for bids to facilitate the Auburn Police Department Command Center Repair Project on November 17, 2016; and

WHEREAS, bids for the Auburn Police Department Command Center Repair Project were opened on Friday, March 3rd, 2017 and the following bids were received:

1. Bouley Associates Inc. \$ 208,000.00
Auburn, New York
2. J.D. Taylor Construction Corp. \$ 256,300.00
Syracuse, New York
3. Bellows Construction Specialist LLC. \$259,779.00
Syracuse, New York
4. Bacon & Seiler Constructors Inc. \$293,600.00
Skaneateles, New York

WHEREAS, after the bid analysis by QPK Design, LLP was completed they have recommended the award of the repair and construction contract be awarded to Bouley Associates, Inc. of Auburn, NY; and

WHEREAS, it is necessary that the Auburn City Council award the bid for the Auburn Police Department Command Center Repair Project to Bouley Associates, Inc. in the amount of \$208,000.00

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the bid for the Auburn Police Department Command Center Repair Project in the amount of \$208,000 to Bouley Associates, Inc., and the cost of the bid award of \$208,000 is to be first charged to APD Command Center Repairs account (HA1620.440.IG) in the amount of \$82,958.52 and the balance of \$125,041.48 to be charged to the Auburn Police Department Equitable Sharing account (CM3120.440.APD); and

BE FURTHER RESOLVED that the Mayor, or any other authorized designee, is hereby authorized to sign any and all documents in reference to the award of this bid.

Seconded by Councilor Carabajal

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

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #42 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

AGREEMENT RESOLUTION #43 OF 2017

**AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
WITH FINGER LAKES DOG PROTECTION AGENCY, INC.**

By Councilor Carabajal

March 16, 2017

WHEREAS, the City of Auburn has been contracting with Finger Lakes Dog Protection Agency, Inc. (FLDPA) to provide dog control services and enforce the laws and ordinances of the State of New York and the City; and

WHEREAS, the current contract with FLDPA expired on December 31, 2016 and the dog licensing and oversight of control services is the responsibility of the City Clerk’s office; and

WHEREAS, the City and FLDPA have negotiated a one (1) year contract, terms shall be effective on the 1st day of January, 2017 to the 31st day of December, 2017; and

WHEREAS, FLDPA has provided these services to the City for many years and the proposed agreement stabilizes the fees paid at the same rate that were paid during the calendar year 2016 with no increase and these services are essential in order to provide for the dog control requirements of the State law.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve an agreement with the Finger Lakes Dog Protection Agency, Inc. to provide dog control services and enforce the laws and ordinances of the State of New York and the City of Auburn at the same rate that was paid by the City to the Agency for the year 2016 and the Mayor is authorized to sign a new agreement with a one (1) year term commencing effective January 1, 2017 and expiring December 31, 2017.

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 #43 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

COUNCIL RESOLUTION #44 OF 2017

AUTHORIZING CHANGES TO THE CITY COUNCIL MEETING CALANDAR

By Councilor McCormick

March 16, 2017

WHEREAS, the rules and procedures of the Auburn City Council require that the Auburn City Council meet on the first four Thursdays of each month at 6 p.m. to conduct regular business; and

WHEREAS, the month of March 2017 contains five Thursdays and the Council desires to cancel the regular meeting scheduled for the fifth Thursday in March, namely March 30th, which is also the day that the Mayor and City Manager are scheduled to deliver the State of the City message at a Chamber of Commerce event; and

WHEREAS, a regular Council meeting scheduled for Thursday, April 27, 2017 is scheduled to begin at 6 p.m.; and

WHEREAS, the Council is desirous of changing the start time of the Thursday, April 27, 2017 Council meeting to 5 p.m. so that the members of Council and the community may attend an Auburn Public Theater sponsored event promoted by the members of the Council as important in the fight against the opioid epidemic in Auburn, Cayuga County and across our nation; and

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby cancel the Auburn City Council meeting scheduled for Thursday, March 30th at 6:00 PM and the Council does hereby change the start time of the Thursday, April 27, 2017 meeting to 5 p.m.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby requested to notify the public of the changes in the Council meeting calendar as set forth herein.

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 #44 of 2017 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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 17, 2017

E. Staff/Vendor Presentations

F. Tabled Items – none

10. Other Business

- 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.
- Councilor Giannettino asked if the City would compile information on the impact of the President’s proposed Federal budget which was introduced earlier in the day. The Council discussed that initial media reports did not bode well for many programs that impact localities.
- Mayor Quill recognized the Citizen newspaper reporter Greg Mason. Following 4 years of employment with the Citizen Mr. Mason will be moving on to take a new job with the Observer-Dispatch in Utica, New York.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:30 p.m.

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

Charles Mason
City Clerk

On March 23, 2017 a motion to approve the minutes of the March 16, 2017 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Carabajal.

	Ayes	Noes
Councilor McCormick	Excused	
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 16th day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: March 24, 2017