

**Auburn City Council
Regular Meeting
Thursday, August 3, 2017 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 Councilor McCormick.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy, Carabajal were all present. Mayor Quill was excused so that he could attend a meeting of the New York Municipal Insurance Reciprocity (NYMIR) Board of Governors meeting being held in Buffalo, New York.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Police Chief, Shawn Butler

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 –

- Thursday, August 10th; 6:30 pm; Market Street Park, Motley Crouton
- Friday, August 11th, 7pm-10pm at State Street Music Pavilion, ‘Music on the Mall’ with the band Proud Walkers
- Saturday, August 12th, Founders Day in Downtown Auburn. 10am-10pm. Celebrating the 200th Anniversary of Auburn Correctional Facility! There will be various displays detailing the ACF history and a 200th Anniversary Presentation Program at 4PM on the main stage. An action packed day of activities & events include: the FLAACA Antique Car Show; 4th Annual Art Flaire on Exchange Street; the auBurn Bikefest on State Street; a live music line-up including JD’s Blues Band (1pm-3pm on State Street),

Generation Gap (4:30-6:30pm at main stage) and Big Mean Sound Machine (7pm-9pm at main stage); cold beverages and delicious summer fare!

- Sunday, August 13th, the 40th annual Great Race, the Captain Myles Keogh Paddle, Wheel, & Run turns 40 at Emerson Park. Featuring 5 Team Relay Races of Runners, Bikers, and Paddlers (Canoe or Kayak). Info: www.great-race.com
- Friday, August 14th, 2017, 12pm-Noon at Clifford Field, the Merry-Go-Round Youth Theatre Presents the 3 Little Pigs Children's Theater

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.

Alicia Procino, Wilbur Avenue

Ms. Procino spoke to ask the public to remember donating to our community food pantries during the summer months.

7. Approval of Meeting Minutes

July 20, 2017 Council Meeting Minutes

Motion to approve the July 6, 2017 minutes by Councilor Cuddy, seconded by Councilor Carabajal. Motion to approve carried 4-0. Mayor Quill was excused.

8. Reports of City Officials

A. City Manager's Report

- Public works has been moving forward with work on our parking garage. This week they continued working with our vendor on the installation of the automation equipment. They also removed two of the cosmetic panels along curved wall near the Loop and William St. intersection. This area is being improved and will ultimately allow people to enter and exit the garage at that corner and onto crosswalks that are anticipated to be installed in that area.
- The work to install the powder activated carbon system at the water pump station is progressing well. Major component installation will be completed tomorrow and the system may will be tested.
- Corporation Counsel has been working with Municipal Utilities to investigate the City of Auburn's full legal rights and responsibilities related to the establishment, monitoring and enforcement of rules and regulations in the Owasco Watershed.

B. Reports from members of Council

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances – None

C. Local Laws - None

D. Resolutions –

**COUNCIL RESOLUTION #113 OF 2017
ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS
FOR CERTAIN MUNICIPAL BUILDINGS**

By Councilor Cuddy

August 3, 2017

WHEREAS, buildings are the single largest user of energy in the State of New York; the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the City of Auburn is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the City of Auburn desires to use Building Energy Benchmarking, a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings, to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the City of Auburn; and

WHEREAS, as such the City of Auburn desires to establish procedures or guidelines for City of Auburn staff to conduct such Building Energy Benchmarking; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Auburn, that the following specific policy is hereby adopted:

BUILDING ENERGY BENCHMARKING POLICY

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined, including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Department Head” shall mean the head of a Department of the City of Auburn.

(D) “City Clerk” shall mean the City of Auburn Clerk’s Office.

(E) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the City of Auburn that is 1,000 square feet or larger in size.

(F) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(G) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(H) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(I) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(J) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(K) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(L) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The City Manager may, upon recommendation by a Department Head, exempt a particular Covered Municipal Building from the benchmarking requirement if it is determined that said Building has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(A) No later than May 1 every year, the Department Head, or his or her designee, shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(B) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Department Head or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(A) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) No later than September 1 each year for Covered Municipal Buildings; and

(B) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(1) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(2) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The City Clerk shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the City Clerk for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(A) The City Manager, or his or her designee, shall be the Chief Enforcement Officer of this Policy.

(B) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(C) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the City of Auburn including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the City Manager has determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

NOW BE IT FURTHER RESOLVED, the City Council of the City of Auburn, does hereby authorize and direct the Mayor to execute such other and additional documents as may be required for to perfect the resolutions herein;

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 #113 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 3rd day of August, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: August 4, 2017

AGREEMENT RESOLUTION #114 OF 2017

APPROVING AN AGREEMENT FOR SOLID WASTE DISPOSAL

By Councilor Giannettino

August 3, 2017

WHEREAS, the City of Auburn operates a landfill and receives municipal solid waste and other items in connection with the operation of the solid waste landfill, pursuant to the New York State Department of Environmental Conservation permitting; and

WHEREAS, it is necessary that a minimum amount of municipal solid waste be received annually to ensure financial stability for the solid-waste fund; and

WHEREAS, the Village Weedsport (the “Village”) desires to enter into an agreement with the City for the disposal of the municipal solid waste for a term commencing July 1, 2017, through June 30, 2018; and

WHEREAS, the proposed Solid Waste Disposal Agreement (the “Agreement”) between the City and the Village sets a volume of solid waste to be disposed of at the landfill during the term of the agreement;

WHEREAS, the proposed Agreement sets a cost to be charged to the Village for the solid waste disposal, which is \$49.00 per ton, in accordance with the municipal rate set forth in the City Fee Schedule; and

WHEREAS, the Board of Trustees for the Village of Weedsport voted to approve the proposed Agreement on or about July 13, 2017.

NOW, THEREFORE, BE IT BE RESOLVED that the Auburn City Council does hereby approve of a Solid Waste Disposal Agreement between the City of Auburn and the Village of Weedsport; and

BE IT FURTHER RESOLVED that the Mayor of the City of Auburn is hereby authorized to sign the Solid Waste Disposal Agreement and that said agreement shall be retroactive to July 1, 2017.

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 #114 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 3rd day of August, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: August 4, 2017

APPOINTMENT RESOLUTION #115 OF 2017

**APPOINTING A MEMBER TO THE AUBURN INDUSTRIAL DEVELOPMENT
AUTHORITY**

By Councilor Cuddy

August 3, 2017

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, in accordance with said Public Authorities Law, Board membership must include specific fields representing labor, business, industry and education; and

WHEREAS, a member of the Authority representing education has resigned and the Mayor is desirous of appointing Jeffrey Gasper, member of the Board of Education for the Auburn Enlarged City School District, residing in Auburn, New York, to fill said vacancy for the unexpired term of the member who has resigned; and

WHEREAS, said term shall commence upon adoption of this Resolution and said term shall expire on January 15, 2020; 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 Jeffrey Gasper, member of the Board of Education for the Auburn Enlarged City School District, to serve as a member of the Auburn Industrial Development Authority, said appointment to be effective upon passage of this Resolution and said term shall expire on January 15, 2020.

Seconded by Councilor Giannettino

	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 #115 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 3rd day of August, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: August 4, 2017

E. Staff/Vendor Presentations – none

F. Tabled Items – none

10. Other Business

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

1. One matter pertaining to potential sale, lease or acquisition of real property.
2. One matter pertaining to a matter made confidential according to Federal law for attorney client privilege.

The motion to enter executive session carried 4-0. The Council entered Executive Session at 5:44 p.m. Executive session adjourned at 7:10 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:11 p.m.

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

Charles Mason

Auburn City Council Minutes August 3, 2017

City Clerk

On August 17, 2017 a motion to approve the minutes of the August 3, 2017 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 Augsut, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: August 18, 2017