

**Auburn City Council
Regular Meeting
Thursday, January 18, 2018 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. Mayor Quill, Councilors McCormick, Giannettino, Cuddy, Carabajal were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Comptroller, Laura Wills
- Director of Planning and Economic Development, Jennifer Haines
- Director of Capital Projects and Grants, Christina Selvek
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Superintendent of Public Works, Mike Talbot
- 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 – none

5. Ceremonial Presentations and Proclamations –

Mayor Quill and Fire Chief Joe Morabito welcomed firefighter Michael Calarco for the swearing in of Mr. Calarco to his new position as Lieutenant for the Auburn Fire Department. Lt. Calarco was promoted on January 15, 2018 and has 13 years of service with the Auburn Fire Department.

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.

Dale Bush. 116 Standart Woods. Mr. Bush spoke to support the overnight parking ban proposed on Genesee Street between John and Owasco Street through James Street as called for in Local

law #1 of 2018.

David Taralla, Owner of Bee-line Auto on Seminary Avenue. Mr. Taralla discussed matters of parking in the east side of the downtown area.

7. Approval of Meeting Minutes - none

8. Reports of City Officials

A. City Manager's Report

- We are continuing to meet with contractors for the Equal Rights Heritage Center and expect that very soon we will have information to share with the everyone on how vehicle and pedestrian traffic will be impacted in that area during construction. Once we have all the appropriate information we will utilize our normal outlets such as our webpage and social media to share the info.

B. Reports from members of Council - none

9. Matters to Come Before Council

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

B. Ordinances - None

C. Local Laws

LOCAL LAW #1 of 2018

REPEALING AND REPLACING SECTIONS OF CHAPTER 285 OF THE AUBURN CITY CODE ENTITLED "VEHICLES AND TRAFFIC"

By Councilor Giannettino

January 18, 2018

WHEREAS, on March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 60, entitled "Vehicles and Traffic," which is now known as Chapter 285 of the City Code, pursuant to New York State Municipal Home Rule Law Sections 10(1); and

WHEREAS, City Corporation Counsel recommends adoption of Local Law No. 1 of 2018, which revises Chapter 285 of the City Code in order to reflect current traffic flows and patterns for the continued safety of City residents; and

WHEREAS, the passage of Local Law No. 1 of 2018, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16) (the "Regulations"), and, therefore, pursuant to the Regulations a determination under SEQRA is not required; and

WHEREAS, a public hearing will be held on January 11, 2018, concerning the repealing of sections of Local Law No. 2-1991 and the enactment of Local Law No. 1 of 2018, which replaces sections Chapter 285 of the City Code and is attached hereto.

NOW, THEREFORE, BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was passed as Chapter 60 of the City Code entitled "Vehicles and Traffic:"

(1) Article II, Sections 5(A)(19) and 7;

- (2) Article III, Section 8(B);
 - (3) Article IV, Section 11;
 - (4) Article V, Section 14(A); and
 - (5) Article VI, Section 18(A);
- and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2018, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 285 of the Auburn City Code entitled “Vehicles & Traffic:”

- (1) Article II, Section 7;
 - (2) Article III, 8(B);
 - (3) Article IV, Section 11;
 - (4) Article V, Section 14(A); and
 - (5) Article VI, Section 18(A);
- and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect immediately upon the filing of a certified copy of the local law with the New York Secretary of State.

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	

D. Resolutions –

COUNCIL RESOLUTION #11 OF 2018

AUTHORIZING THE AUBURN FIRE DEPARTMENT TO APPLY FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR FIRE SAFETY EQUIPMENT.

By Councilor Cuddy

January 18, 2018

WHEREAS, the Auburn Fire Department has an opportunity, through the FEMA Assistance to Firefighters Grant program (the “FEMA AFG”), to procure new Self Contained Breathing Apparatus (SCBA) masks, mask mounted regulators and other safety equipment that are used in daily fire department operations as well as other hazardous incidents; and

WHEREAS, all of the foregoing equipment is NFPA (National Fire Protection Association) compliant and further enhances the safety of our firefighters; and

WHEREAS, the City of Auburn Fire Department, is interested in applying for FEMA AFG funds to cover eligible equipment and training costs in the amount of approximately \$150,000; and

WHEREAS, the FEMA AFG application will, if awarded, cover up to 90% of the project costs with a 10% or \$15,000 match requirement from the City General Fund; and

WHEREAS, the annual City of Auburn Fire Department budget does not contain sufficient funds to replace the aforementioned equipment in a timely manner, therefore it is necessary to apply to the AFG grant program for funding assistance.

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

1. That the Auburn Fire Chief is authorized to execute any and all forms or applications necessary to complete the grant application;
2. That the Mayor, or authorized representative, upon notice of the funding award, is authorized to execute a FEMA AFG grant contract and any reimbursement forms or other necessary documents to complete the project;
3. That the City Comptroller's Office is authorized and directed to create a city expense and revenue capital account to track project finances; and
4. This resolution takes effect immediately upon its approval and adoption.

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	

COUNCIL RESOLUTION #12 OF 2018

AUTHORIZING THE AUBURN FIRE DEPARTMENT TO APPLY FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR APPARATUS.

January 18, 2018

By Councilor Giannettino

WHEREAS, the City of Auburn Fire Department has the opportunity to apply for funding through the FEMA Assistance to Firefighters Grant program (the “FEMA AFG”), which would replace the current 1989 PemFab rescue truck that has reached the end of its useful life; and

WHEREAS, this rescue truck has technical capabilities for hazardous materials rope rescue as well as ice and swift-water rescue; and

WHEREAS, this rescue truck will be NFPA (National Fire Protection Association) compliant and further enhance the ability to safely transport Firefighters to and from the scene of any emergency; and

WHEREAS, the City of Auburn Fire Department, is interested in applying for FEMA AFG funding to cover the cost of \$750,000 for the purchase of replacement apparatus; and

WHEREAS, this FEMA AFG application will, if awarded, cover up to 90% of the technical rescue truck requiring the City of Auburn to match 10% or \$75,000 in general funds; and

WHEREAS, the current City of Auburn Fire Department budget does not contain sufficient funds to replace the technical rescue truck, so it is necessary to apply for funding assistance from the FEMA AFG program.

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

5. That the Auburn Fire Chief is authorized to execute any and all forms or applications necessary to complete the grant application;
6. That the Mayor, or authorized representative, upon notice of the funding award, is authorized to execute a FEMA AFG contract and any reimbursement forms or other necessary documents to complete the project;
7. That the City Comptroller’s Office is authorized and directed to create a city expense and revenue capital account to track project finances; and
8. This resolution takes effect immediately upon its approval and adoption.

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	

APPOINTMENT RESOLUTION #13 OF 2018

APPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW

By Councilor McCormick

January 18, 2018

WHEREAS, New York State Law requires that the City of Auburn maintain an Assessment Review Board by which members are appointed by the Mayor with confirmation by the City Council; and

WHEREAS, a current member, Mark Stopyra, is serving a term of service that will terminate on January 31, 2018; and

WHEREAS, the Mayor is nominating Mark Stopyra, residing in Auburn, New York to be re-appointed to the Board of Assessment Review for a term of five (5) years commencing on February 1, 2018 and lasting through January 31, 2023; and

WHEREAS, it is necessary that the Auburn City Council does approve the re-appointment of Mark Stopyra for a term of five (5) years to the Board of Assessment Review.

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council does hereby appoint Mark Stopyra to be a member of the Board of Assessment Review for a term of five (5) years commencing on February 1, 2018 and lasting through January 31, 2023.

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	

APPOINTMENT RESOLUTION #14 OF 2018

APPOINTING MEMBERS TO THE HISTORIC AND CULTURAL SITES COMMISSION OF THE CITY OF AUBURN

By Councilor Giannettino

January 18, 2018

WHEREAS, the Historic and Cultural Sites Commission was originally established by Ordinance #1 of 2000 and said Ordinance set forth the legislative intent, purpose, powers and membership of the Commission; and

WHEREAS, the members of the Historic and Cultural Sites Commission are appointed by the Mayor of the City of Auburn with the approval of the majority of the City Council; and

WHEREAS, there are four member vacancies due to the expiration of the members' previous terms; and

WHEREAS, the Mayor and City Council are desirous of re-appointing the following individuals to their positions for a term of three (3) years commencing effective January 1, 2018 and terminating December 31, 2020:

- Jesse Kline, at large commission member, representing the Auburn Downtown Business Improvement District;
- Maxine Alberici, at large commission member, representing the Community Preservation Committee;
- Diane Stankus, at large commission member, resident of the South Street National Historical District; and
- Susan Muldoon, at large commission member, representing the Auburn Enlarged City School District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn that Jesse Kline, Maxine Alberici, Diane Stankus and Susan Muldoon be re-appointed as members of the Historic and Cultural Sites Commission, and they are appointed for a term of three (3) years, effective January 1, 2018 and expiring December 31, 2020.

Second by Councilor McCormick

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

AGREEMENT RESOLUTION #15 OF 2018

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

By Councilor McCormick

January 18, 2018

WHEREAS, Finger Lakes Dog Protection Agency (“FLDPA”) has provided dog control services and enforced the laws and ordinances of the State of New York and the City of Auburn for many years; and

WHEREAS, the City of Auburn has a contract with the FLDPA for the aforementioned services and enforcement, which expired on December 31, 2017, 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 renegotiated a one (1) year contract, effective on the 1st day of January, 2018, and ending on the 31st day of December, 2018; and

WHEREAS, the proposed agreement stabilizes the fees paid at the same rate that were paid during the calendar year 2017, 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 2017 and the Mayor is authorized to sign a new agreement with a one (1) year term commencing effective January 1, 2018 and expiring December 31, 2018.

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	

AWARD RESOLUTION #16 OF 2018

AWARDING HADLEY EXHIBITS, INC. THE EXHIBIT CONSTRUCTION FOR THE EQUAL RIGHTS HERITAGE CENTER PROJECT

By Councilor McCormick

January 18, 2018

WHEREAS, on October 19, 2017, Auburn City Council approved Council Resolution #154 of 2017 in the amount of \$10 million of URI Program grant funds from Empire State Development to finance construction costs for the Equal Rights Heritage Center, previously known as the Auburn Cultural Heritage Center; and

WHEREAS, Council Resolution #148 of 2017 authorized the City Manager to advertise for construction bids for the Equal Rights Heritage Center and bids for exhibit construction were released on October 31, 2017; and

WHEREAS, bids for the exhibit construction for the Equal Rights Heritage Center were opened on December 6, 2017 and the following bids were received:

Contract 1701-XCW Exhibition Work

- | | |
|---|-----------------|
| 1. Mystic Scenic Studios
Norwood, MA | \$ 832,562.00 |
| 2. Hadley Exhibits Inc.
Buffalo, NY | \$ 781,753.00 |
| 3. Mack Studios
Auburn, NY | \$ 789,737.89 |
| 4. Kubick Maltbie, Inc.
Mount Laurel, NJ | \$ 1,040,708.00 |

; and

WHEREAS, a bid analysis was completed by nArchitects and they have recommended awarding the bid to Hadley Exhibits Inc. of Buffalo, NY.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the bid for the construction of the Exhibits for the Equal Rights Heritage Center project to Hadley Exhibits Inc. in the amount of \$ 781,753.00 to be charged to Welcome Center Project capital account (#HA 1620 440 IM).

AND IT BE FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in reference to the award of this bid and contract.

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	

AGREEMENT RESOLUTION #17 OF 2018

AUTHORIZING CHANGE ORDER NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF A WELCOME CENTER

By Councilor McCormick

January 18, 2018

WHEREAS, the City of Auburn was awarded 2016 EPF Grant #C1000920 from New York State Department of State for the design of a welcome center in Downtown Auburn, and, on March 2, 2017, the Auburn City Council passed Agreement Resolution No. 39 of 2017, authorizing an agreement with nARCHITECTS for professional services for the design of a welcome center, and;

WHEREAS, said welcome center is now known as the Equal Rights Heritage Center, and additional professional design services beyond the original scope of this project were required as a result of the complexity of the exhibits, additional off-site improvements, and preparation of technical information for NYSERDA programs; and

WHEREAS, due to additional design services that were provided beyond the original scope of this project, the Auburn City Council passed Agreement Resolution No. 165 of 2017, authorizing Change Order No.1 to nARCHITECTS in the amount of \$113,042 for this project; and

WHEREAS, there are additional costs for the preparation and production of content pieces within the exhibition for the Equal Rights Heritage Center, and the City of Auburn now needs to authorize Change Order No. 2 to nARCHITECTS in the amount of \$117,930; and

WHEREAS, funding for the additional design services will be provided by New York Empire State Development through the Upstate Revitalization Initiative Program; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn does hereby approve Change Order No. 2 to nARCHITECTS, authorizing the additional services for the exhibit design for the Equal Rights Heritage Center in the amount of \$ 117,930, to be charged to the project capital account HA 1620.440.IM; and,

BE IT FURTHER RESOLVED, that the Mayor of the City of Auburn is hereby authorized to execute any and all necessary agreements and contracts, certifications, and reimbursement requests on behalf of the City of Auburn for said project.

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	

AGREEMENT RESOLUTION #18 OF 2018

AUTHORIZING AN AGREEMENT WITH POPLI DESIGN GROUP TO PROVIDE CONSTRUCTION INSPECTION SERVICES FOR THE EQUAL RIGHTS HERITAGE CENTER PROJECT

By Councilor Giannettino

January 18, 2018

WHEREAS, the Auburn City Council adopted Council Resolution #154 of 2017, which authorized the acceptance of Upstate Revitalization Initiative funds from Empire State Development in the amount of \$10 million allowing the City to proceed with the construction and inspection phases of the Equal Rights Heritage Center Project; and,

WHEREAS, in December 2017 the Auburn City Council previously awarded four (4) construction contracts for this Project and it is necessary that the City procure construction administration and inspection services to provide professional assistance to City staff during the construction phase; and

WHEREAS, a request for Letters of Interest was released on December 5, 2017 with the City receiving three (3) responses from engineering firms of which Popli Design Group was selected as the top qualified firm to provide construction administration and inspection services for the Project; and

WHEREAS, it is now necessary that Popli Design Group be awarded the contract for the construction administration and inspection services portion of the Equal Rights Heritage Center project in an amount not to exceed \$482,200.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award a contract to Popli Design Group for the construction administration and inspection services portion of the Equal Rights Heritage Center project in an amount not to exceed \$482,200; and

BE IT FURTHER RESOLVED that the Mayor, or appointed designee, is authorized to sign the agreement and all other documents relating to the agreement on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED that the cost of the construction administration and inspection services in the amount of \$482,200 is to be charged to the Welcome Center Project capital account #HA1620-440-IM.

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	

E. Staff/Vendor Presentations - none

F. Tabled Items – None

10. Other Business

Members of Council had a discussion regarding snow removal in the City.

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

one matter pertaining to the proposed acquisition, sale or lease of real property

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:49 p.m. Executive session adjourned at 7:36 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:37 p.m.

Minutes submitted to the City Council on February 1, 2018 by:

Charles Mason
City Clerk

Auburn City Council Minutes January 18, 2018

On February 1, 2018 a motion to approve the minutes of the January 18, 2018 Auburn, NY City Council meeting was made by Councilor Cuddy, seconded by Councilor McCormick.

	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 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 1st day of February, 2018 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: February 2, 2018