

**Auburn City Council
Regular Meeting
Thursday, April 5, 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 and Councilors McCormick, Giannettino, Cuddy, Carabajal were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Charles Mason
- Director of Planning and Economic Development, Jennifer Haines
- Director of Capital Projects and Grants, Christina Selvek
- Police Chief, Shawn Butler
- Superintendent of Engineering, William Lupien
- Superintendent of Public Works, Mike Talbot
- Director of Municipal Utilities, Seth Jensen

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 –

The City Clerk read the following proclamations from the Office of Mayor Quill:

WHEREAS America is a symbol of freedom and has achieved its stature in the world because of the selfless service of our brave veterans; and,

WHEREAS from those who initially fought in the Revolutionary War to those that serve today, the fearless members of our country's armed forces have given up the comforts of home, the

company of loved ones and, for some, have paid the ultimate sacrifice so that we could live free in our land of liberty; and,

WHEREAS from the 1950's through the 1970's millions of Americans served in support of the U.S military operations in Vietnam with more than 58,000 giving their lives and more than 300,000 wounded during their service; and

WHEREAS our Vietnam veterans fought for our freedoms, kept America safe and dedicated their lives to this nation; and,

WHEREAS we are forever thankful for their unwavering strength and courage while fighting in the Vietnam War; and,

WHEREAS on March 29th of this year we joined together to express our gratitude, remember their service and said "welcome home" to these brave men and women, we honored the immeasurable sacrifices and contributions our Vietnam War veterans have made to protect the life, liberty and happiness of every American; and,

WHEREAS the people of the United States shall always remember the heroism and courage of those who have served and those who continue to serve, thanks to the enduring valor our Vietnam veterans have demonstrated since their day of return.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, on behalf of members of the City Council and the people of Auburn, do hereby proclaim March 29, 2018 as

“Welcome Home Vietnam Veterans Day,”

in the City of Auburn, New York and ask all to join me in taking this day to give our thanks and appreciation to our Vietnam veterans.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Fifth day of April 2018.

Michael D. Quill, Mayor
City of Auburn, New York

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's cities are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century, to fighting the opioid epidemic, to responding to natural disasters, to supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, National Association of Counties, Cities of Service, and local leaders across the country for the National Recognition Day for National Service on April 3, 2018.

NOW THEREFORE, BE IT RESOLVED that I, Michael D. Quill, Mayor of the City of Auburn on behalf of the members of the City Council, do hereby proclaim April 3, 2018, as **National Service Recognition Day**, and encourage residents to recognize the positive impact of national service in our county; to thank those who serve; and to find ways to give back to their communities.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Fifth day of April 2018.

Michael D. Quill, Mayor
City of Auburn, New York

WHEREAS, more than 50 years after the passage of the Equal Pay Act, women, especially minority women, continue to suffer the consequences of unequal pay; and

WHEREAS, according to the U.S. Census Bureau, women working full time, year round in 2009 typically earned 77 percent of what men earned, indicating little change or progress in pay equity; and

WHEREAS, according to *Graduating to a Pay Gap*, a 2012 research report by the American Association of University Women (AAUW), the gender pay gap is evident one year after college graduation, even after controlling for factors known to affect earnings, such as occupation, hours worked, and college major; and

WHEREAS, in 2009 the Lilly Ledbetter Fair Pay Act was signed into law, which gives back to employees their day in court to challenge a pay gap, and now we must pass the Paycheck Fairness Act, which would amend the Equal Pay Act by closing loopholes and improving the law's effectiveness; and

WHEREAS, according to one estimate, college-educated women working full time earn more than a half million dollars less than their male peers do over the course of a lifetime; and

WHEREAS, nearly four in 10 mothers are primary breadwinners in their households, and nearly two-thirds are primary or significant earners, making pay equity critical to families' economic security; and

WHEREAS, a lifetime of lower pay means women have less income to save for retirement and less income counted in a Social Security or pension benefit formula; and

WHEREAS, While New York State has the smallest gender wage gap in the country, women still only earn the equivalent of 89 cents to each man's dollar, and that number is even less for women of color. New York's Asian American, African American, and Hispanic and Latina women are paid 85 cents, 66 cents, and 50 cents, respectively, for every dollar earned by white non-Hispanic males.; and

WHEREAS, fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

WHEREAS, fair pay strengthens the security of families today and eases future retirement costs while enhancing the American economy; and

WHEREAS, Tuesday, April 10th symbolizes the time in 2018 when the wages paid to American women catch up to the wages paid to men from the previous year,

NOW, THEREFORE, I, Mayor Michael D Quill, do hereby proclaim Tuesday, April 10th, 2018:

EQUAL PAY DAY

In the City of Auburn and urge citizens to recognize the full value of women's skills and significant contributions to the labor force and further encourages businesses to conduct an internal pay evaluation to ensure women are being paid fairly.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this on the Fifth day of April 2018.

Michael D. Quill, Mayor
City of Auburn, New York

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.

Tim Lattimore, Cayuga County Legislator, District 13. Mr Lattimore spoke regarding various issues and that he stopped by City Hall for the previous week's meeting but forgot that the meeting was not held in observance of the Easter Holiday weekend.

Geary Sheeran, representing ACR Health, Inc. – Cayuga County, 990 James Street, Syracuse, NY 13203. Mr. Sheeran is a Health Navigator with ACR, Health, Inc. who is assigned to support the good residents of Auburn and Cayuga County. He wants City residents to know that ACR Health Navigation Services are provided at no cost, these services are confidential, and that ACR Health supports anyone with questions about health coverage needed to obtain health care. He stated that he is a state-trained navigator who can assist residents in lowering barriers to obtaining quality health coverage at low/reasonable costs through the state marketplace- without a trip to the local Department of Social Services. He can be reached by phone at 315-475-2430 ext 2580. For more information visit ACRHealth.org

7. Approval of Meeting Minutes

March 15, 2018 Council Meeting Minutes

Motion to approve the March 15, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 4-0. Mayor Quill voted present.

March 22, 2018 Council Meeting Minutes

Motion to approve the March 22, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 4-0. Councilor McCormick abstained.

8. Reports of City Officials

A. City Manager's Report

- The intersection of Franklin Street and Prospect Street was reopened today following being closed for 4 days.

MacIntosh Drive reopened this week following the winter shut-down required to replace the culvert. Right around the corner from the MacIntosh Drive Culvert, the Schwart

Drive Culvert will be replaced and Schwartz Drive will now be closed for the next 3-4 months to accommodate that construction.

The City was notified this week from the NYS Environmental Facilities Corporation that it has received an additional \$100,000.00 to put towards work at the City water pump station and the power activated carbon treatment system.

B. Reports from members of Council –

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

SEQR RESOLUTION #52 OF 2018

**DETERMINING THAT PROPOSED ACTIONS
ARE TYPE II ACTIONS FOR PURPOSES OF
THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

By Councilor Giannettino

April 5, 2018

WHEREAS, the City Council of the City of Auburn, New York (the "City") is considering undertaking the following project (the "Project"):

- a. reconstruction and resurfacing of various City streets, roads and parking lots including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way not involving the addition of new travel lanes; and
- b. purchase of equipment to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, for the City Departments of Public Works and Municipal Utilities; and
- c. renovation or reconstruction of various city owned buildings, whether or not including grading or improvement of the sites, original furnishings, equipment, machinery or apparatus required for the purposes for which such buildings are to be used; and

WHEREAS, the City desires to comply with the New York State Environmental Quality Review Act ("SEQRA") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being at 6 NYCRR Part 617, as amended (the "Regulations"), with respect to the Project; and

WHEREAS, the Project is determined to be a Type II Action, pursuant to 6 NYCRR §617(c)(2)(4)(25), since it will entail the "replacement, rehabilitation or reconstruction of a structure or facility, in-kind, on the same site, including upgrading buildings to meet building or fire codes", as well as "repaving of existing highways not involving the addition of new travel lanes" and the "purchase or sale of furnishings, equipment or supplies..." and, therefore, no further review is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn hereby determines that the Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c) (2)(4)(25), and, therefore, no further action under the SEQRA Act and the Regulations is required; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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	

B. Ordinances

By Councilor Cuddy

April 5, 2018

BOND ORDINANCE #3 OF 2018

AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS TO FINANCE THE COSTS OF THE 2018-19 ROAD IMPROVEMENT PROGRAM, THE PURCHASE OF EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT AND CITY BUILDING AND GROUNDS IMPROVEMENTS

BE IT ORDAINED by Council of the City of Auburn, New York as follows:

Section 1. The City is hereby authorized to undertake the various capital projects described below at an aggregate estimated maximum cost of \$1,200,000, the estimated maximum cost of each Project being as follows:

(a) 2018-19 Road Improvement Program. The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with single-surface treatment at an estimated maximum cost of \$400,000 and to issue an aggregate \$400,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(b) Equipment for Public Works Department. The purchase of equipment to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, including but not limited to two small plow trucks, a bucket truck, an electric forklift, and a truck with a lift for the City Department of Public Works at an estimated maximum cost of \$380,000 and to issue an aggregate \$380,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(c) City Buildings and Grounds Improvements. The renovation or reconstruction of various city owned buildings, whether or not including grading or improvement of the sites, original furnishings, equipment, machinery or apparatus required for the purposes for which such buildings are to be used at an estimated maximum cost of \$420,000 and to issue an aggregate \$420,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$1,200,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$1,200,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law are as follows:

<u>Section 1 Subparagraph</u>	<u>Period of Probable Usefulness (Years)</u>	<u>Local Finance Law Section 11.00(a) Paragraph</u>
(a) 2018-19 Road Improvement Program	15	20(c)
(b) Equipment for Public Works Department	15	28
(c) City Buildings and Grounds Improvements	25	12(a)(1)

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this Ordinance shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this Ordinance and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Comptroller, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

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	

WHEREAS, The City of Auburn is an Entitlement Community for the Community Development Block Grant (CDBG) Program and is required to submit a Five Year Consolidated Plan with an annual statement of objectives and uses of the CDBG Entitlement Program funds; and

WHEREAS, the City of Auburn has prepared the 2017-2018 Annual Action Plan amendments outlining the community development activities, objectives and budget for use of funds; and

WHEREAS, the City of Auburn published the Notice of the Action Plan Amendments on March 1, 2018, to start the local comment period, and City Council held a Public Hearing in Council Chambers on March 22, 2017, during the Public Comment period.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York hereby:

1. Approves the 2017-2018 Annual Action Plan Amendments; and
2. Authorizes the Mayor to submit the amended 2017-2018 Annual Action Plan to the U.S. Department of Housing and Urban Development; and
3. Authorizes and directs the Mayor to sign the Agreement with the U.S. Department of Housing and Urban Development necessary to further the objectives of the 2017-2018 Annual Action Plan and all related other agreements necessary to further the objectives of the Annual Action Plan; and
4. Authorizes the City Comptroller's Office to recognize grant revenue and appropriate funding into the correct departmental budget.

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	

**AWARD RESOLUTION #54 OF 2018
AWARDING A BID FOR THE CITY HALL ELEVATOR MODERNIZATION
PROJECT**

By Councilor Carabajal

April 5, 2018

WHEREAS, on March 14, 2017, bids for the City Hall Elevator Modernization Project (the ‘Project’) were opened and a single bid of \$474,000 from Bouley Associates was received, which was higher than the funding available; and

WHEREAS, thereafter the Project was modified to reduce the cost, but still includes the removal of the electrical relays, a generator, and many components of the existing elevator system, and the installation of a new solid state electronic controller, a new more energy efficient generator, and the updating of all remaining components; and

WHEREAS, on February 20, 2018, bidding for the modified Project was opened and the following bid was received:

- 1. Bouley Associates Inc.
265 Genesee Street
Auburn, NY 13021
377,000.00
; and
- Total Bid \$

WHEREAS, it is necessary that the Auburn City Council award the City Hall Elevator Modernization Project to the lowest responsible bidder, namely, Bouley Associates Inc. which had submitted the low bid of \$ 377,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contract for the City Hall Elevator Modernization Project to Bouley Associates Inc., the lowest responsible bidder in the amount of \$ 377,000.00; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$ 377,000.00 be charged to the City Hall Elevator Project capital account #HA 1620 440 JG.

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents necessary in reference to the award of this bid.
Seconded by Cuddy

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

FINANCIAL RESOLUTION #55 OF 2018

AUTHORIZING A CHANGE IN THE DESIGNATED PAYEE RECEIVING BUDGETED FUNDS FOR THE OWASCO WATERSHED INSPECTION PROGRAM

By Councilor Giannettino

April 5, 2018

WHEREAS, on February 15, 2018, the City Council of the City of Auburn passed Agreement Resolution No. 32, which authorized the execution of an Agreement by and between the City of Auburn, the Town of Owasco, the County of Cayuga, and the Owasco Lake Watershed Management Council, Inc. (the “Management Council”); and

WHEREAS, pursuant to Part B of the Agreement, beginning January 1, 2018, the City of Auburn agreed to provide quarterly payments in the amount of \$37,500, for an annual total payment of \$150,000, to the Management Council for the operation and management of the Watershed Inspection Program; and

WHEREAS, the existing City budget directs that the foregoing payments be made to designated payee Cayuga County Soil and Water Conservation District; and

WHEREAS, this resolution proposes to change the designated payee receiving budget funds from Cayuga County Soil and Water Conservation District to the Owasco Lake Watershed Management Council, Inc., so as to comply with the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize and direct that the designated payee, who shall receive budgeted funds for the Owasco Watershed Inspection Program, be changed from the Cayuga County Soil and Water Conservation District to the Owasco Lake Watershed Management Council, Inc., in accordance with the Agreement.

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 #56 OF 2018

AUTHORIZING CHANGE ORDER #1 FOR THE GENERAL CONTRACT FOR THE NORTH DIVISION STREET DAM HYDRO FACILITY PROJECT

By Councilor Giannettino

April 5, 2018

WHEREAS, on March 2, 2017, the Auburn City Council passed Council Resolution #36 of 2017, which awarded a bid for general construction for the North Division Street Dam Hydro Facility Project to Gracon, LLC in the amount of \$1,778,100; and

WHEREAS, Change Order #1 is now necessary in order to compensate the contractor in the amount of \$415,000, resulting from unforeseen conditions associated with rock excavation, additional concrete walls added to the project, and expedited extended hours and weekend overtime required in order to complete the Project by the end of December, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize Change Order #1, in the amount of \$415,000 to Gracon, LLC for additional general construction needed for the North Division Street Dam Hydro Facility Project; and,

BE IT FURTHER RESOLVED that the cost of this Resolution in the amount of \$415,000 is to be charged to the N. Division St. Hydro Account ED 8292.440.HY

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	

COUNCIL RESOLUTION # 57 OF 2018

CITING NEGATIVE REGIONAL ENVIRONMENTAL AND ECONOMIC IMPACTS OF THE PROPOSED WASTE INCINERATOR IN THE TOWN OF ROMULUS, SENECA COUNTY AND OPPOSING THE PROJECT

By Councilor Cuddy

April 5, 2018

WHEREAS, a recently formed company named Circular enerG, LLC has proposed building the largest garbage incinerator in New York State in the Town of Romulus, Seneca County, squarely

between Seneca and Cayuga lakes, the two largest of the Finger Lakes and west of Cayuga County (the “Project”); and

WHEREAS, as proposed, this Project has a plan to import up to 2600 Tons of Solid Waste, per day, at full buildout, which is roughly three times (3x) the municipal solid waste imported to the OCRR/COVANTA waste incinerator in the Town of Onondaga, Onondaga County, east of Cayuga County; and

WHEREAS, the waste incinerator Project is proposing to bring up to 238 trucks into the region per day, hauling 20-30 tons of garbage each, from long distances six days a week, which equates to 148,512 additional trucks per year ultimately entering and leaving the facility and it is likely that some, if not many, of these trucks will be routed through Auburn and Cayuga County and the surrounding region thereby increasing traffic and road impacts to our roadways; and

WHEREAS, the waste incinerator Project is proposing rail transport operations that would include rail deliveries of 30 flat railcars carrying 120 sealed containers Monday through Saturday each week and it is likely that these rail transports will need to travel via the rail tracks that run through the City of Auburn increasing the rail traffic experienced in the City; and

WHEREAS, the proposed Waste Incinerator will include a 260-foot smokestack through which emissions of the waste incineration process will pass, emissions that in addition to carbon dioxide and water vapor may also include byproducts such as soot particles and other contaminants released in exhaust gases, leaving a residue (bottom ash) of incombustible and partially combusted waste, creating up to 1 ton of toxic ash for every 4 tons of waste that is burned which would require trucking through local communities for landfilling; and

WHEREAS, the exhaust gases from the waste incineration Project may contain many potentially harmful substances, including particulate matter; oxides of nitrogen; oxides of sulfur; carbon monoxide; dioxins and furans; metals, such as lead and mercury; acid gases; volatile chlorinated organic compounds; and polycyclic aromatic compounds; and

WHEREAS, for such metals and other pollutants that are very persistent in the environment, the potential effects may extend well beyond the area close to the incinerator because persistent pollutants can be carried long distances from their emission sources, go through various chemical and physical transformations, and pass numerous times through soil, water or food; and

WHEREAS, Auburn and Cayuga County, including Owasco Lake and Cayuga Lake along with both of their watershed areas, is due east and downwind of the proposed Circular enerG waste incinerator Project and the prevailing winds will very likely disperse the emissions from the incinerator across municipal boundaries, into our communities and onto our watershed land; and

WHEREAS, the Finger Lakes are a nationally recognized tourist destination attracting millions of visitors annually to its local wineries, breweries, restaurants, farms and other tourist attractions; and

WHEREAS, a considerable increase in the import of trash and municipal solid waste for local incineration is not compatible with current or future economic development goals of the region and could very well endanger the growth and vitality of the Wine, Agricultural and Tourism sectors, including these sectors in Auburn and Cayuga County; and

WHEREAS, the boundaries of an area potentially affected by a waste incinerator should not be defined at the outset by a particular community's political boundaries or jurisdiction, but instead, the assessment area should be based on the geographic extent over which various effects could reasonably occur; and

WHEREAS, the Auburn City Council believes that the proposed Project would result in negative environmental and economic impacts within the Finger Lakes Region and that these negative impacts may extend well beyond the municipal boundaries of the Town of Romulus and Seneca County and could very well extend into Auburn and Cayuga County;

NOW, THEREFORE BE IT RESOLVED, by City Council of the City of Auburn that:

1. The City of Auburn opposes the waste incinerator proposed by Circular enerG to be constructed in the Finger Lakes in the Town of Romulus, Seneca County and urges the Town of Romulus to stand in opposition to the Project and calls on Governor Andrew Cuomo and his administration to reject the Circular enerG Waste Incinerator proposal; and
2. The City Clerk is hereby authorized and directed to send certified copies of this Resolution to Governor Andrew Cuomo; New York State Assembly Speaker Carl Heastie; New York State Assembly Minority Leader Brian Kolb; New York State Senate Majority Leader John Flanagan; New York State Senate Democratic Conference Leader Andrea Stewart-Cousins; New York State Senate Independent Democratic Conference Leader Jeffrey Klein; State Senators Pam Helming, John DeFrancisco, and James Seward, Assembly members Gary Finch, Robert Oaks; US Senators Charles Schumer and Kirsten Gillibrand; Congress Member John Katko; NYS Dept. of Environmental Conservation Commissioner Basil Seggos, NYS Public Service Commissioner Chair John Rhodes, NY State Dept. of Agriculture and Markets Commissioner Richard Ball, NYSERDA Chair Richard L. Kaufman, NYS Empire State Development Commissioner Howard Zempsky, NYS Department of Health Commissioner Howard Zucker, Romulus Town Supervisor David Kaiser, Romulus Planning Board Chair Tom Bouchard, and Seneca County Board of Supervisors Chair Robert Shipley; and
3. This resolution shall take effect immediately.

Seconded by Councilor McCormick

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

AGREEMENT RESOLUTION #58 OF 2018

**AUTHORIZING CHANGE ORDER NO. 3 TO THE PROFESSIONAL SERVICES
CONTRACT FOR THE DESIGN OF A WELCOME CENTER**

By Councilor Giannettino

April 5, 2018

WHEREAS, the City of Auburn was awarded a 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 NYS Equal Rights Heritage Center, and additional professional design services beyond the original scope of this project are required for additional on-site and off-site improvements; and,

WHEREAS, due to additional design services that are to be provided beyond the original scope of this project, the City of Auburn now needs to authorize Change Order No. 3 to nARCHITECTS in the amount of \$34,900 for this project; and,

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn does hereby approve Change Order No. 3 to nARCHITECTS, authorizing the additional services for the design of the NYS Equal Rights Heritage Center in the amount of \$ 34,900, 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 Carabajal

	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 –

The City Manager presented an overview of the City Budget with assistance from the City Treasurer, Bob Gauthier. This was followed by department presentations on their specific department budgets.

COUNCIL MEMORANDUM

Memorial City Hall

24 South Street

Auburn, New York 13021

TO: Honorable Mayor and Members of City Council

FROM: Jeff Dygert, City Manager

DATE: April 5, 2018

RE: 2018-19 Preliminary Budget

Background:

City staff has been diligently working on preparing this budget in accordance with the budget timeline adopted by the City Council. Please see the attachments for the details of the proposal, below are highlights of this year's budget. As always, please keep in mind that we will be modifying estimates as better numbers become available as budgeting is based on educated estimates and not specifically know figures.

General Fund:

The total General fund budget is projected at approximately \$34,287,715 which is a 1.0% increase from the prior year. There is no use of fund balance included in the proposed budget and the proposed tax levy increase is set at 5.00%. This is the growth factor published by NYS for the

City's fiscal year. Below is a highlight of significant changes in total department budgets that lead to the overall increase of 1.0%. Department heads will provide a more detailed look at their departments' budget.

Expenditure Changes:

- City Manager - The transfer of the Director of Capital Projects from Planning.
- Corporation Counsel – The part time Corporation Counsel is retiring.
- Engineering – Purchasing a LG formatted printer and staff changes.
- Public Works Garage – Purchasing a tire mounting machine to replace the obsolete one that is over 20 years old and replacement parts cannot be found.
- Unallocated Salaries – This line decreased as it holds a contingency for contract negotiations which have all been settle this year.
- Central Services – Purchase of a new network switch, updates to Munis and new Cloud backup.
- Police – Purchasing four new SUVs which after use for a few years will be transferred to other departments for use.
- Municipal Parking – Adding a full time laborer who will be tasked with maintaining the Parking Garage as well and help as needed in the new Visitors Center.
- Falcon Park – Purchasing a new infield groomer to replace a ten year old one.

Contractual Salary Increases

Health Insurance – The move to the Cayuga County Health Insurance Consortium allows the City to be able to budget known costs and therefore can reduce the contingency previously budgeted in this account. Projects saving of \$350k from last year.

Revenue Changes:

State revenues for AIM funding, CHIPS funding, PAVE NY funding and arterial highway maintenance funding have been budgeted at amounts proposed in the Governor's FY2018-19 budget. These revenue line items may be adjusted once a final State budget is released.

Sales tax has been increased 2% based on year to date information compared to last year.

The vacant building registry fees are escalating this year; this is a set escalation depending on when the building became vacant.

Landfill Fund

The fund is balanced on a cash flow basis with no fee changes to citizens. The fund budget has decreased by 4.1% due to the retirement of two long term employees and a decrease in the transfer to the General Fund.

Refuse Collection Fund

The fund has a 3.1% increase due to contractual salary increases and debt payment increases.

The

fund is balanced without the need for fee increases but a small use of fund balance.

Power Utility Fund

There is a large increase of 28.2% in this fund's budget due to the new \$3.6m debt issuance for the Mill Street Dam Hydro Electric Facility. The fund is balanced after a \$300k transfer from the general fund.

Water Fund

The fund has an overall fund increase of 2.6% due to contractual salary increases and debt payment increases. The fund is balanced without the need for fee increases or use of fund balance.

Sewer Fund

The fund has a slight .6% increase due to contractual salary increases and new debt issuances.

The fund is balanced without the need for City user or wholesale customer fee increases or use of fund balance.

- Civil Service 2018-2019 Budget Presentation - Laurie Turo-Butler, Civil Service Commissioner presented. Civil Service Commissioners Jack Hardy and Trisha Kerr were also in attendance.
- Finance Department 2018-2019 Budget Presentation - Bob Gauthier, Treasurer
- Department of Public Works 2018-19 Budget Discussion - Mike Talbot, Department of Public Works
- Engineering 2018-2019 Budget Presentation - Bill Lupien, Engineering
- Police Department 2018-19 Budget Presentation - Shawn Butler, Chief of Police
- City Manager 2018-2019 Budget Presentation - Jeff Dygert, City Manager

F. Tabled Items – None

10. Other Business

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

One matter pertaining to collective bargaining negotiations.

One matter pertaining to the sale, lease or acquisition of real property.

One matter pertaining to the employment history of a particular individual.

One matter 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.)

The motion to enter executive session carried 5-0. The Council entered Executive Session at 8:52 p.m. Executive session adjourned at 9:58 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 9:59 p.m.

Minutes submitted to the City Council on April 19, 2018 by:

Charles Mason
City Clerk

On April 19, 2018 a motion to approve the minutes of the April 5, 2018 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	X	
Carried and Adopted	excused	

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 5th day of April, 2018 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: April 20, 2018