

**Auburn City Council  
Regular Meeting  
Thursday, April 12, 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:**

- Acting City Manager, Jennifer Haines
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Deputy Director of Planning and Economic Development, Steve Selvek
- Director of Capital Projects and Grants, Christina Selvek
- Treasurer, Robert Gauthier
- Police Chief, Shawn Butler
- Fire Chief, Joe Morabito
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Chief Water Plant Operator, John West
- Water Plant, Jeff Sikora

**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**

- Casey Park Playground Community Build Week is May 1 – 6<sup>th</sup>. The Casey Park Playground has been designed by the students of the Casey park Elementary School and will be the City of Auburn's first accessible playground! This project is made possible with funding from the U.S. Dept. of HUD Community Development Block Grant program.  
For complete volunteer sign-up information visit [AuburnNY.gov](http://AuburnNY.gov)
- The upcoming City resident Spring Cleaning Days will be held Sat. May 12th & May

19th at the City of Auburn landfill. Complete information is available at AuburnNY.gov/Streamline

**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.

Melissa Howell, Seneca Falls. Ms. Howell stated that she has been working on a project regarding celebrating the Solomon Northup Legacy with all communities in the State that are connected to his story. She asked the Council to support the effort.

**7. Approval of Meeting Minutes - None**

**8. Reports of City Officials**

**A. City Manager’s Report**

- There was a fire today at 37 Sheridan Street, which devastated the structure to the point where it is not savable. In the interest of public safety, staff is working through the process for an emergency demolition.
- Seth Jensen, Director of Municipal Utilities, will be attending the steering committee for Owasco Lake on Monday, April 16, and will be representing the City of Auburn.
- We are less than three weeks away from our Community Build Week at Casey Park Playground! We are still looking for volunteers, and we appreciate the City Clerk’s help in getting the work out through the City’s website and social media.

**B. Reports from members of Council –**

**9. Matters to Come Before Council**

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

**B. Ordinances**

By Councilor Cuddy

April 5, 2018

**BOND ORDINANCE #4 OF 2018**

BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS TO FINANCE THE COST OF THE IMPROVEMENTS TO THE NORTH DIVISION STREET HYDROELECTRIC FACILITY

WHEREAS, the Council of the City of Auburn, New York, on May 7, 2015 adopted Bond Ordinance No. 4 of 2015 entitled “BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF \$5,000,000 SERIAL BONDS TO FINANCE THE COST OF IMPROVEMENTS TO THE NORTH DIVISION STREET HYDROELECTRIC FACILITY”; and

WHEREAS, the Council of the City of Auburn, New York, on September 17, 2015 adopted Financial Resolution No. 103 of 2015 entitled "AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE NYS EMPIRE STATE DEVELOPMENT AGENCY FOR THE NORTH DIVISION STREET HYDRO FACILITY" authorizing the Mayor of the City of Auburn to accept a grant from the NYS Empire State Development Agency and to execute an incentive proposal agreement and all other necessary documents for smart grid and hydro improvements at the North Division Street Hydroelectric Facility in the amount of \$1,200,000; and

WHEREAS, the City Council wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the improvements to the North Division Street Hydroelectric Facility, and (ii) authorize the issuance of additional serial bonds of the City to finance such additional appropriation;

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

Section 1. The City of Auburn, New York (the "City") is hereby authorized to undertake the reconstruction of the City's North Division Street Hydroelectric Facility (the "Facility") in stone, steel or concrete, grading or improvement of the site, and the acquisition and installation of machinery, equipment and apparatus required for the reconstruction of the Facility, at an estimated maximum cost of \$6,650,000, constituting an increase of \$450,000.

Section 2. The plan for financing of such new maximum authorized cost of \$6,650,000 shall be as follows:

(a) by the issuance of \$5,000,000 of serial bonds of the City hereto were authorized to be issued pursuant to Bond Ordinance No. 4 of 2015 adopted by the City Council on May 7, 2015;

(b) by the acceptance of a grant from the NYS Empire State Development Agency in the amount of \$1,200,000 which was authorized to be accepted pursuant to Financial Resolution No. 103 of 2015 adopted by the City Council on September 17, 2015; and

(c) by the issuance of an additional \$450,000 of 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 object or purpose is thirty (30) years pursuant to subparagraph (a) of paragraph 22 of Section 11.00(a) of the Local Finance Law; provided, however, that the maximum maturity of the Bonds shall be computed from the date of issuance of the Bonds or the first bond anticipation note issued in anticipation of the Bonds or the serial bonds or bond anticipation notes authorized pursuant to Bond Ordinance No. 4 of 2015, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(3)(a) 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 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. Any federal or New York State grant funds obtained by the City for the capital purposes described in Section 1 of this Ordinance shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds, the serial bonds or bond anticipation notes authorized pursuant to Bond Ordinance No. 4 of 2015, or to the extent obligations shall not have been issued under this Ordinance or Bond Ordinance No. 4 of 2015, to reduce the maximum amount to be borrowed for such capital purposes. The City Comptroller, as Chief Fiscal Officer, is hereby authorized to determine the application of any such federal or New York State grant funds for any one or more of the foregoing purposes.

Section 11. 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 12. 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 United States Securities and Exchange Commission Rule 15c2-12.

Section 13. 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 14. This Ordinance is not subject to a mandatory or permissive referendum.

Section 15. 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 16. This Ordinance shall take effect immediately upon its adoption.

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	

**C. Local Laws - None**

**D. Resolutions –**

**E. Staff/Vendor Presentations –**

Update from the Doubledays - Adam Winslow, General Manager

The following Fiscal Year 2018-2019 proposed City Budget department presentations on their specific department budgets.

- Municipal Utilities 2018-2019 Budget Presentation - Seth Jensen, Municipal Utilities
- Office of Planning & Economic Development and Code Enforcement 2018-2019 Budget Presentation - Jenny Haines, Director of Planning & Economic Development
- Fire Department 2018-2019 Budget Presentation - Joseph Morabito, Fire Chief
- City Clerk 2018-2019 Budget Presentation - Chuck Mason, City Clerk
- Corporation Counsel 2018-2019 Budget Presentation - Stacy DeForrest, Esq., Corporation
- Counsel
- Mayor & Council 2018-2019 Budget Discussion - Michael D. Quill, Mayor and City Councilors

**F. Tabled Items – None**

**10. Other Business**

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:20 p.m.

Auburn City Council Minutes April 12, 2018

Minutes submitted to the City Council on April 26, 2018 by:

Charles Mason  
City Clerk

On April 26, 2018 a motion to approve the minutes of the April 12, 2018 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Carabajal.

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	Excused	
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 12th day of April, 2018 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: April 27, 2018*