

**Auburn City Council  
Regular Meeting  
Thursday, June 21, 2018 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 Mayor Quill.

**1. Roll Call** – The City Clerk called the roll. Mayor Quill and Councilors, Giannettino, McCormick, Cuddy and 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, Rachel Jacobs
- Director of Capital Projects and Grants, Christina Selvek
- Police Chief, Shawn Butler
- Superintendent of Engineering, William Lupien
- 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**

**5. Ceremonial Presentations and Proclamations – none**

**6. Public to be Heard** – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

Tim Lattimore, 63 South Street. Mr. Lattimore is the Cayuga County Legislator for District 13. He discussed the Vice President of the United States' visit to NUCOR Steel.

**7. Approval of Meeting Minutes -**

June 7, 2018 Council Meeting Minutes

Motion to approve the June 7, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 5-0.

**8. Reports of City Officials**

**A. City Manager's Report**

- The City Pool at Casey Park has been undergoing some upgrades to its mechanical system. The project is running slightly behind due to some parts supply issues. The pool is tentatively slated to open on Saturday June 30. We'll keep everyone up to date on the city web page and social media.
- The Parking Garage automation project has just about wrapped up. The kiosk and control arm are now in and functioning. We are keeping the booth staffed for a while longer as we work through the transition and troubleshooting phase.
- The Codes Neighborhood Cleanup Crew will be out and working starting on Monday June 25th. There is already a list of 21 lawns that have received proper notification and will be tackled by this crew.
- I met with Code Enforcement and Corporation Counsel this morning to follow up on 33 properties that we have identified significant problems based upon complaints we receive. We will be sending out updates to Council approximately every two weeks to keep you informed of the ongoing status of these properties.
- Clifford Field – paint for the clubhouse was ordered today and we were recently authorized to spend some residual grant funds to resurface the softball fields.
- Corporation Counsel just finalized contract language for the sale of 277 Grant Ave. – there will be a land sale reso before Council on July 5.
- Earlier this week NYS DEC released its Action Plan for Harmful Algal Blooms in Owasco Lake among many other reports for lakes throughout the state. The report can be viewed by the public through the NYS DEC website or soon on the city of Auburn webpage.

**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**

**FINANCIAL RESOLUTION #88 OF 2018**

**AUTHORIZING FINANCING FOR THE REVOLVING LOAN PROGRAMS**

By Councilor McCormick

June 21, 2018

**WHEREAS**, the City of Auburn maintains a revolving loan program, which allows property owners to finance the cost of sidewalk and/or curb installation and the cost of water and sewer line repair or replacement over a five year period; and

**WHEREAS**, Attachment A contains a list of all property owners who have requested to participate in the revolving loan programs; and

**WHEREAS**, approval is required in order to process the property owners' requests to participate in the program(s) for 2018 year and the cost of the programs are detailed in Attachment A.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve the expenditure of \$145,950.74 to be charged to HA5497.440.001 to fund the sidewalk and curbing revolving loan program, \$14,954.18 to be charged to HF8340.440.002 to fund the water repair and replacement revolving loan program, and \$71,099.18 to be charged to HG8120.440.003 to fund the sewer repair and replacement revolving loan program.

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	

**ATTACHMENT A****Sidewalks and Curbs**

<u>Owner</u>	<u>Address</u>	<u>Loan Amount</u>
2 Willey Street Inc	66 Arterial E.	\$ 1,282.64
Rhodes, David & Joanne	51 Arterial W.	1,160.74
Ryan, Mollie	17 Bradford St.	4,141.15
Socia, James Jr.	21 Bradford St.	1,783.00
Smith, Anthony	38 Bradford St.	1,344.00
Smith, Anthony	38 Bradford St.	850.00
Smith, Anthony	40 Bradford St.	3,655.00
Smith, Anthony	40 Bradford St.	2,753.00
Paddleford, Fred	42-44 Bradford St.	1,277.00
Ryan, Gordan	62 Bradford St.	2,500.00
Main-Crolick, Suzanne	35 Capitol St.	931.00
Feeney, John	27 Catlin St.	1,915.00
Wilbur, Robert & Colleen	30 Catlin St.	1,405.20
D'Angelo, Anthony & Cynthia	32 Catlin St.	2,105.60
Salemi, Matthew Jr.	35 Catlin St.	2,000.00
Franklin, Richard	37 Catlin St.	5,875.40
May, Timothy & Ann	5 Evans St.	2,584.40
Fritz, Steven	24 Frances St.	4,016.50
Pierce, Monica	79 Grant Ave	535.04
Daley Corporation	87-89 Grant Ave	4,160.77
Flummerfelt, John & Priscilla	121 Grant Ave	1,309.12
Springer, Lewis II	135 Grant Ave	377.00
McLaughlin, Michael	138 Grant Ave	2,157.90
Flummerfelt, John & Priscilla	139 Grant Ave	1,640.84
Briseno, Antonio & Sharon	167 Grant Ave	1,102.75
Dean, Debra	2-4 Grove Ave.	2,940.00
Paquette, Diane	6 Grove Ave.	1,840.00
Tabone, Anthony	32 Grove Ave.	3,435.00
Phillips, Vance	43 Grove Ave.	2,445.00
Bogdanski, Robert	128 Lake Ave	1,081.00
Swank, Jacqueline	36 Liberty St.	1,645.00
Dempsey, David	8 MacDougall St.	2,407.00
Hutchinson, Chris	41 Maple St.	3,487.50
Bryant, Christopher & Jada	101 Mary St	1,213.00
Tarby, Jean	103 Mary St.	163.00
Sheftic, Bernard	110 Mary St.	2,134.00
Anderson, Sybil	112 Mary St.	289.00

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Roche, Paul	20 Myrtle Ave.	729.00
Plaza Group 200 LLC	98-104 North St.	1,866.64
Cartwright Holdings, LLC	129 North St.	1,020.85
134 North St LLC	134 North St.	2,558.80
MKLB Properties LLC	136 North St.	2,332.20
Knight, Richard/Leah, Joseph	200 North St.	1,179.40
Plaza Group 200 LLC	213 North St.	2,991.40
Moylan, Patrick & Christine	222 North St.	3,405.40
McKeen, Rebecca	106 Osborne St.	1,895.00
Kennedy, Dennis & Kathleen	14 Paul St.	1,081.00
Zimmer, Jessica	18 Paul St.	2,070.00
Green, Deborah	51 Perry St.	1,934.00
Emmart, Michael	53 Perry St.	2,907.00
McQueeney, Joseph & Genevieve	55 Perry St.	1,874.00
Nguyen, Lorie	16 Pulaski St.	1,389.00
Sargent, Marjorie	222 S. Hoopes Ave.	3,540.00
Fitzgerald, Peter	23 S. Lewis St.	1,895.00
Dacy, Steve	24 S. Lewis St.	2,115.00
Bahr, Lucille	27 S. Lewis St.	2,225.00
Montgomery, Patrick	36 S. Lewis St.	2,390.00
Genesee Garden Association	112 Seymour St.	11,822.50
Coulson, Tracie	11 Silver Ave	1,829.00
Horbal, Gregory	60 Swift St.	377.00
Winslow, Terry	62 Swift St.	577.00
Carpenter, Alan	77 Swift St.	4,373.00
Swagler, Jamie & Kayla	95-97 Throop Ave.	3,399.00
Wiggins, Jeff	8 Van Patten St.	1,631.00
Casbarro, James & Evelyn	11 Vista St.	4,601.00
		<hr/>
		\$ 145,950.74

**Water Repair/Replacement**

<u>Owner</u>	<u>Address</u>	<u>Loan Amount</u>
Ballard, Mike	8 Rock Ave.	2,025.00
Defendorf, Kent	291 Seymour St.	2,025.00
Gallagher, Alice	122 N Hoopes Ave.	2,025.00
Collins, Ann	44 Frances St.	504.18
Laplante, Betty	19 Havens Ave.	1,525.00
Ballard, Mike	8 Rock Ave.	2,300.00
Jayne, Jason	27 Sheridan St.	2,025.00
Morrell, Michael	12 Benham Ave.	2,525.00
		<b>\$ 14,954.18</b>

**Sewer Repair/Replacement**

<u>Owner</u>	<u>Address</u>	<u>Loan Amount</u>
Church, Tammy	8 Wood St.	\$ 3,056.50
Kuczek, Mary Ann	41 Wood St.	1,325.00
Hunter, Teresa	125 E. Genesee St.	2,070.00
Smith, Spencer	16 Howard St.	2,409.80
Jayne, Jason	27 Sheridan St.	8,200.00
Castle, David	20 Easterly Ave.	9,025.00
Schulz Properties LLC	10 Mary St.	7,025.00
Shine, Robert	16 Chapman Ave.	1,647.88
Vieira, Mark	19 Jefferson St.	8,815.00
Guzalak, Jeffrey	314 N. Marvine Ave.	4,025.00
Gamba, Stephen	128 North St.	14,475.00
Chilson, Michael	82 Hamilton Ave.	9,025.00
		<b>\$ 71,099.18</b>

**FINANCIAL RESOLUTION #89 OF 2018**

**AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS**

By Councilor Giannettino

June 21, 2018

**WHEREAS**, the City of Auburn has performed a year-end review of the operating and capital budget accounts and needs authorization to transfer funds between accounts to cover expenditures for the fiscal 2017-18 year as outlined in attachment A; and,

**WHEREAS**, there is no use of fund balance requested.

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

1. That the Auburn City Council does hereby authorize the transfers in Attachment A for the 2017-18 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Cuddy

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

**COUNCIL RESOLUTION #90 of 2018**

**AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE  
2018 CDBG SIDEWALK PROGRAM**

By Councilor McCormick

June 21, 2018

**WHEREAS**, the Community Development Block Grant Sidewalk Program (CDBG) establishes targeted areas of the City to receive new sidewalks and/or curbing installations; and

**WHEREAS**, on February 15, 2018, Auburn City Council passed Resolution #31, approving the 2018 CDBG Sidewalk Program; and

**WHEREAS**, the areas for this year’s construction are portions of State Street from York St. to #254 State St., Cottage Street from State to North Street, and Seymour Street from State to North Street, and if funding allows then work would continue in the Lansing Street area adjacent to the Auburn Community Hospital; and

**WHEREAS**, as part of the 2018 CDBG Sidewalk Program, the City will also review the condition of existing street trees that are adjacent to the sidewalks slated for replacement, and if the trees are found to be diseased, in decline and/or dead, they will be removed and replaced; and

**WHEREAS**, the cost of the program is \$169,436.00, all of which is provided through the Community Development Block Grant Sidewalk Program, requiring no City funds; and

**WHEREAS**, it is necessary that the Auburn City Council authorize the City Manager to advertise for bids for the 2018 Community Development Block Grant Sidewalk Program.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby authorize the City Manager to advertise for bids for the 2018 Community Development Block Grant Sidewalk Program.

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 #91 OF 2018**

**AUTHORIZING CHANGE ORDER #1 FOR THE  
W. GENESEE STREET PAVEMENT PRESERVATION PROJECT**

By Councilor McCormick

June 21, 2018

**WHEREAS**, on January 4, 2018, the Auburn City Council authorized Award Resolution #2 of 2018, awarding the W. Genesee Street Pavement Preservation Project to F. Rizzo Construction, Inc. in the amount of \$4,148,679; and

**WHEREAS**, change order #1 in the amount of \$474,884.49 is now required to finance the costs of the following additional work items:

- Extension of two course overlay limits on Genesee St. that started from North/South St. to James St. instead of just going to Dill St. as originally planned.
- Replacement of 10 existing drainage structures between Dunning Ave. and Veterans Memorial Highway.
- Drainage system improvements at the intersection of Fort St.
- Storm Manhole and storm sewer pipe installed at the Court St. intersection.
- Increased costs due to the escalation of petroleum prices.
- Additional quantity to the binder and top courses to account for the irregularity in the milled surfaces and maintenance of cross slopes.
- Water service upgrades and infrastructure replacement at 11 additional locations.
- Cost to grind concrete sidewalks to eliminate tripping hazards.
- Additional quantity needed to reset existing brick pavers affected by contract work

; and

**WHEREAS**, the cost of this Resolution is to be charged to West Genesee St. Pavement Preservation Project Account #HA 5110-440-HN in the amount of \$399,029.41 (which is eligible for 80% Federal, and 15% NYS Marchiselli reimbursement), and to W. Genesee St. Pavement Preservation Project Water Account #HF 8340-440-HN-F in the amount of \$75,855.08 for water betterments (which are ineligible for reimbursement).

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award Change Order #1, in the amount of \$ 474,884.49 to F. Rizzo Construction Inc. for the W. Genesee Street Pavement Preservation Project; and,

**BE IT FURTHER RESOLVED** that the cost of this Resolution shall be charged as follows: \$399,029.41 to W. Genesee St. Pavement Project Account #HA 5110-440-HN and \$75,855.08 to W. Genesee St. Pavement Project Water Account #HF 8340-440-HN-F; 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	Excused
Councilor McCormick	X		
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Carabajal	X		
Mayor Quill	X		
Carried and Adopted	X		

**AGREEMENT RESOLUTION #92 OF 2018**

**AUTHORIZING CHANGE ORDER NO. 5 TO THE PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF A WELCOME CENTER**

By Councilor Giannettino

June 21, 2018

**WHEREAS**, on March 2, 2017, the Auburn City Council passed Agreement Resolution #39 of 2017, authorizing an agreement with nARCHITECTS for professional services for the design of a welcome center, and;

**WHEREAS**, on October 19, 2017, the Auburn City Council, by Council Resolution #154 of 2017, accepted a Grant from Empire State Development for advanced design documents and construction of the Equal Rights Heritage Center, previously known as the Welcome Center and the Cultural Heritage Center, through an Upstate Revitalization Initiative Program grant in the amount of \$10 million; and,

**WHEREAS**, additional professional design services beyond the original scope of this project are required as a result of the complexity of the exhibits; and

**WHEREAS**, the City of Auburn now needs to authorize Change Order No. 5 to nARCHITECTS in the amount of \$100,969; 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. 5 to nARCHITECTS, authorizing the additional services for the design of the Equal Rights Heritage Center in the amount of \$100,969, 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 #93 OF 2018**

**AUTHORIZING AN AGREEMENT WITH  
THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT**

By Councilor McCormick

June 21, 2018

**WHEREAS**, on April 25, 2015, the City of Auburn and the Downtown Business Improvement District (the "BID") entered into a three-year agreement whereby the City agreed to contribute the sum of \$40,000 to the BID in exchange for services rendered in maintaining the business district; and

**WHEREAS**, this agreement expires on June 30, 2018, and the parties would like to propose a new three-year agreement, which is attached hereto and incorporated herein; and

**WHEREAS**, the proposed agreement sets forth a payment of \$40,000 to the BID in the first year and a payment of \$45,000 in the second and third years, with the condition that the increases in funding be allocated specifically to the planting and maintenance of BID flowers; and

**WHEREAS**, the proposed agreement will be effective July 1, 2018, and expire June 30, 2021.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve an agreement with the Downtown Business Improvement District to provide funds in the amount of \$40,000 in 2018, and the amount of \$45,000 in both 2019 and 2020, in exchange for services maintaining the Downtown Business Improvement District; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to sign the agreement with the Downtown Business Improvement District, and any and all documents necessary to carry out this Resolution.

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	

**LAND SALE RESOLUTION #94 OF 2018**

**AUTHORIZING THE SALE OF PROPERTY AT 41-55 WASHINGTON STREET, AUBURN, NEW YORK, TO LIVE IT FITNESS AND TRAINING, LLC**

By Councilor Cuddy

June 21, 2018

**WHEREAS**, the City of Auburn is the owner of seven (7) acres of real property located at 41-55 Washington Street (the “Property”), which is also known as the former Dunn & McCarthy Shoe factory site in the City of Auburn; and

**WHEREAS**, the City has owned the Property and marketed it for sale for nearly two decades since it acquired ownership in 1994, but the Property has sat dormant; and

**WHEREAS**, Live It Fitness & Training, LLC (“LIFT”), has presented a written offer to purchase approximately four (4) acres of the Property for the price of \$40,000, which is attached hereto and incorporated herein; and

**WHEREAS**, the City has received no other written offers for the purchase of the Property; and

**WHEREAS**, a sale of a portion of the Property would help to achieve the City’s goal of supporting local business development and the creation of jobs in the City of Auburn.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve a sale of approximately four (4) acres of land located at 41-55 Washington Street, Auburn, New York, to Live It Fitness & Training, LLC, for the purchase price of \$40,000, subject to the terms and conditions set forth in the Purchase and Sale Agreement, which is attached hereto and incorporated herein; and

**BE IT FURTHER RESOLVED**, that the foregoing sale is conditioned upon the City Manager's approval of survey costs from LIFT, where said costs are estimated to be above the amount of \$1,000; and

**BE IT FURTHER RESOLVED**, that the Mayor, or other appointed designee, is authorized to sign the Purchase and Sale Agreement setting forth the above-terms for the sale of the Property, together with any and all documents in order to close on the sale and transfer of the Properties.

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 #95 OF 2018**

**ADOPTING A STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

By Councilor McCormick

June 21, 2018

**WHEREAS**, the Office of the New York State Comptroller requires that elected and appointed officials must have standard work days in order to determine the correct number of days worked to report to an official in order to obtain service credit for retirement benefits; and

**WHEREAS**, it is necessary that the Auburn City Council establish a standard work day for the City of Auburn's elected officials and must adopt a Resolution in relation thereto; and

**WHEREAS**, this Resolution will set forth the standard work day for City Council members in accordance with the requirements of the New York State Comptroller's Office; and

**WHEREAS**, the information is set forth on Form RS2417-A entitled “Standard Work Day and Reporting Resolution for Elected and Appointed Officials” setting forth the identity of the officials, their title, standard work day, information regarding the beginning and end date for each elected official’s term of office and that each official has submitted a sample 3-month record of activities by specifying each official’s ROA results.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby adopt a Standard Work Day and Reporting Resolution for elected and appointed officials as required by the New York State Comptroller’s Office and all information is specifically contained in Form RS2417-A which will be filed with the Office of the State Comptroller within fifteen (15) days after the required 30 day posting period ends.

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	

**E. Staff/Vendor Presentations –**

**F. Tabled Items – None**

**10. Other Business**

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

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

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

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:12 p.m. Executive session adjourned at 7:01 p.m.

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:02 p.m.

Auburn City Council Minutes June 21, 2018

Minutes submitted to the City Council on July 5, 2018 by:

Charles Mason  
City Clerk

On July 5, 2018 a motion to approve the minutes of the June 21, 2018 Auburn, NY City Council meeting was made by Councilor McCormick, 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	

*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 21<sup>st</sup> day of June, 2018 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: July 6, 2018*