

**Auburn City Council
Regular Meeting
Thursday, January 3, 2019 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 McCormick, Giannettino, 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
- Police Chief, Shawn Butler
- Director of Public Works, Mike Talbot

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

One matter regarding the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:01 p.m. Mayor Quill excused all City staff present and stated the regular meeting will reconvene for public session at 6 p.m.

Executive session adjourned at 5:48 p.m.

Mayor Quill called the public session of the meeting back to order at 6 p.m.

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

The City Clerk read the announcements.

5. Ceremonial Presentations and Proclamations

The City Clerk read a proclamation from the office of Mayor Quill naming **Solomon Northup Freedom Day, January 4, 2019**. Melissa Howell from the Solomon Northup Legacy Foundation spoke to thank the mayor and Council.

WHEREAS, Solomon Northup was born a free person in the year 1807 in Schroon, New York, now Minerva, New York, and lived for many years in Saratoga Springs, New York; and

WHEREAS, In 1841 Solomon Northup was recruited by two men to work as a musician in the circus and made a trip to Washington, D.C. to begin his work as a fiddler; and

WHEREAS, Upon his arrival in Washington, Solomon Northup was sold to slave trader James H. Birch by the name of Platt Hamilton, conveyed to Richmond, Virginia and then delivered by ship to New Orleans, Louisiana, where he was sold by trader Theophilus Freeman to William P. Ford; and

WHEREAS, Solomon Northup would spend the next twelve years in slavery in the Bayou Boeuf plantation region of Central Louisiana's Red River Valley; and

WHEREAS, In 1852 then Governor of New York Washington Hunt utilizing Governor Seward's 1840 statute made Henry B. Northup an agent of the State of New York sending Henry to Louisiana with documentation supporting Solomon Northup's status as a free New Yorker; and

WHEREAS, Upon arrival in Louisiana on January 1, 1853 Henry B. Northup hired John P. Waddill, Esquire in search of Solomon Northup; following months of search and legal battle, Solomon Northup's freedom was once again legally obtained in Marksville, Louisiana on January 4, 1853; and

WHEREAS, Solomon Northup returned to the State of New York on January 22, 1853 where he was reunited with his family and together with local writer and lawyer David Wilson, he penned his memoir "Twelve Years a Slave"; and

WHEREAS, "Twelve Years a Slave" was first published by the Auburn, NY publishing company of Derby & Miller once located at 107 Genesee Street on July 15, 1853, and the book becoming a best-seller with more than 25,000 copies sold in its first year and nearly 30,000 copies published in its first four years.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the City Council and Citizens of Auburn, on the 166th anniversary of the day that Solomon Northup re-obtained his freedom do hereby proclaim January 4, 2019 as,

Solomon Northup Freedom Day

in the City of Auburn, and encourage all Citizens to observe this day by recognizing this unique story and its significant contribution to our status as History's Hometown.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Third day of January 2019.

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. No members of the public spoke.

7. Approval of Meeting Minutes -

December 6, 2018 Council Meeting Minutes

Motion to approve the December 6, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 5-0.

December 13, 2018 Council Meeting Minutes

Motion to approve the December 13, 2018 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- Work at Clifford Park / Y Field continues to progress. Recently, drainage work on the fields was completed and new cover dirt has been placed. The field surfaces will be finished when the weather breaks in the spring. New concrete pads have been poured to accept new park benches that are currently on order.
- Our Streamline solid waste and recycling guide is running a little behind but should be going out by the end of this week. Remember that it is also available on the city webpage throughout the year.
- We are currently accepting bids for the construction of a storage building at Falcon Park. Interested bidders can find information on the city web page and those bids are due back by 11am on Thursday January 17, 2019.
- The city will be advertising Requests For Proposals (RFP) for sludge disposal services for the waste water treatment facility. Information on that RFP should be available with the next few days.
- Our latest NYS Sales Tax report shows us up approximately \$250k dollars compared with the same time frame last year (August – December). That figure is also slightly higher than our budget projections at this point which is encouraging news.
- REMINDER: The parking garage will resume charging for parking on Monday January 7, 2019. The two hour free parking will remain in effect.

B. Reports from members of Council

Councilor Giannettino reported that he attended a swearing in ceremony for our newly elected Cayuga County Sheriff Brian Schenck and re-elected Cayuga County Coroner Adam Duckett. He stated that he looks forward to working with these officials.

9. Matters to Come Before Council

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

B. Ordinances - None

C. Local Laws – None

D. Resolutions –

COUNCIL RESOLUTION # 1 OF 2019

**ADOPTING THE CITY OF AUBURN
INVESTMENT POLICY**

By Councilor Cuddy

January 3, 2019

WHEREAS, New York State General Municipal Law Section 39, entitled “Investment Policies for Local Governments” states that “Each local government...shall by resolution adopt a comprehensive investment policy which details the local government’s operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government”; and

WHEREAS, the City of Auburn has written a policy in accordance with New York State requirements for review and adoption by the Auburn City Council; and,

WHEREAS, since the implementation of this policy in 2014, the City has seen monthly investment income growth,

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby adopt a policy for the City of Auburn in relation to the investment of public funds in accordance with New York State General Municipal Law § 39.

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	

City of Auburn, New York Investment Policy

A. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the City of Auburn, New York (City) on its own behalf or on behalf of any other entity or individual.

B. OBJECTIVES

The primary objectives of the local government's investment activities are:

- To conform with all applicable federal, state and other legal requirements
- To adequately safeguard principal
- To provide sufficient liquidity to meet all operating requirements
- To obtain a reasonable rate of return.

C. DELEGATION OF AUTHORITY

The City Council's responsibility for administration of the investment program is delegated to the Treasurer. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

D. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City to govern effectively. Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

E. INTERNAL CONTROLS

It is the policy of the City for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer within 5 days of deposit, or within the time period specified in law, whichever is shorter. The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

F. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are banks authorized to do business in New York with preference given to banks located in Central New York.

G. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, “deposits”) made by officers of the City that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured either by:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers.
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.

H. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the City shall be held by the depositary bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities or the pro rata portion of a pool of eligible securities are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities or pro rata portion of a pool of eligible securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the pledged securities are not registered or inscribed in the name of the City, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities or the pro rata portion of a pool of eligible securities as set forth in the security agreement. The custodial agreement shall provide that pledged securities or the pro rata portion of a pool of eligible securities will be held by the bank or trust company as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected security interest in the eligible securities and to otherwise secure the local government’s interest in the collateral, and may contain other provisions that the City Council deems necessary.

I. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the City Council authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York

All investment obligations shall be payable or redeemable at the option of the City within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections G and H herein. Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested. Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

J. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the City transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City. The (chief fiscal officer, treasurer, or other officer having custody of money) shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The City shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

K. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner

2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the City Council deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City with a perfected interest in the securities.

The Treasurer can direct the bank or trust company to register and hold evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a custodial agreement set forth in the General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

L. ANNUAL REVIEW AND AMENDMENTS

The City shall review this investment policy annually, and it shall have the power to amend this policy at any time.

M. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

COUNCIL RESOLUTION #2 OF 2019

**AUTHORIZING THE ADOPTION OF A
CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor McCormick

January 3, 2019

WHEREAS, the City of Auburn maintains and annually adopts a Procurement and Surplus Policy, which regulates competitive bidding and public service contracts so that taxpayers may receive goods and services at the lowest reasonable prices; and

WHEREAS, New York State General Municipal Law requires municipalities to annually review their Procurement Policies in order to update the same with any new legislation which may change competitive bidding limits; and

WHEREAS, the City Comptroller has reviewed the current City of Auburn Procurement and Surplus Policy and has determined that it is compliant with the provisions of the New York General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn Procurement and Surplus Policy is hereby adopted as being compliant with New York State General Municipal Law and that all of the terms set forth in this Policy are continued and authorized in its current form.

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	

**CITY OF AUBURN, NEW YORK
2019 PROCUREMENT AND SURPLUS POLICY
SUBJECT TO OPEN COMPETITIVE BIDDING**

Purchases over \$20,000 (Aggregated Annually) Public Work Contracts over \$35,000

1. Pursuant to New York State General Municipal Law Section 103 (GML 103) all contracts for public work involving an expenditure of more than thirty-five thousand dollars (\$35,000) and all purchase contracts involving an expenditure of more than twenty thousand dollars (\$20,000), shall be awarded through an open competitive bid process by the City Council to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. Purchases of commodities, services or technology shall not be artificially divided for the purpose of avoiding competitive bidding procedures.

2. Open competitive bidding shall be achieved by publishing advertisements in the City's official newspaper and on the City's website. Such advertisement shall contain a statement of the time and place where all bids received pursuant to such notice will be publically opened and read and where the identity of all offerors will be publically disclosed. Whenever a contract is awarded to someone other than the lowest responsible offer, documentation and an explanation are required. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

3. Exceptions to GML 103: a. *Best Value Law (Subdivision 1 – GML 103)*. Best value is defined for this purpose as a basis for awarding contracts to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. To use this exception to GML 103 two requirements must be met: i. The offeror is responsive and responsible.

ii. The best value determination must be made on objective and quantifiable standards that the offer optimizes quality, cost and efficiency. Written justification is required if an award is made based on best value instead of the lowest responsible bidder.

b. *Emergency Situations*. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the City, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let with City Manager approval. When at all possible, quotations shall be obtained for the emergency services.

c. *Surplus and Second-hand Items*. Surplus and second-hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the federal government, the state of New York or from any other political subdivision, district or public benefit corporation.

d. *Piggybacking Law (Subdivision 16 – GML 103)*. This addition authorizes the purchase of apparatus, materials, equipment and supplies, and related installation, repair and maintenance of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district there in given the contract was made available for use by other governmental entities. To use this exception to GML 103 three prerequisites must be met:

i. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.

ii. The contract must have been made available for use by other governmental entities

iii. The contract must have been let to the lowest responsible bidder or the basis of best value in a manner consistent with this section. e. *State Contracts*. Service contracts entered into through the New York State Office of General Services. In these instances, the State has already investigated and secured the lowest possible price for the municipality.

f. *Professional Services*. Pursuant to General Municipal Law §104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the City of Auburn to solicit quotations or document the basis for not accepting the lowest bid: i. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a

service fits into this category, the City Council shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to, the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modifications and customizing of pre-packaged software.

g. *Sole Source*. When the subject of a contract is controlled by a sole source so that there is no possibility of competition, and the purposes of competitive bidding would not be furthered by inviting bids, competitive bidding is not required. This exception is only applicable in limited circumstances when, in the public interest, particular goods or services are required that uniquely serve the public interest for which there is no substantial equivalent and that are, in fact, available from only one source. The mere likelihood that only one firm will bid, however, is insufficient to justify sole source procurement. Further, the City may not artificially create a sole source situation such as by, without proper justification, tailor bid specifications to limit competition to only one bidder or brand.

NOT SUBJECT TO OPEN COMPETITIVE BIDDING Purchases under \$20,000 Public Work Contracts under \$35,000

1. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Contract Method*

\$1,000.00 - \$4,999.99 Verbal Quotations Written Quotations or Written Request for Proposals

\$5,000.00 - \$19,999.99 Written Quotations or Written Request for Proposals

Estimated Amount of Public Work Contract Method

\$1,000.00 - \$4,999.99 Verbal Quotations Written Quotations or Written Request for Proposals

\$5,000.00 - \$34,999.99 Written Quotations or Written Request for Proposals

*Written includes physical paper, faxed or emailed quotes.

A good faith effort shall be made to obtain three (3) proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will receive savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

Documentation is required for each action taken in connection with the procurement.

2. Professional Services – a. For all professional services with an estimated cost of \$20,000 or more the City shall go through a formal request for proposal process. A scoring matrix shall be used to evaluate the proposals; the matrix must include cost with a minimum weight of 15% unless regulations specifically restrict a discussion on cost. The matrix shall have at least three categories and no more than ten categories with each category making up no more than 40% of the weight. Cost is excluded from this 40% cap. The scoring matrix shall be included with the request for proposal document given to potential respondents. At least three City staff shall be included to score the

proposals and City staff shall make up the majority of any scoring committee. Scores shall be submitted in a sealed envelope at a time and place agreed upon by all committee members. If a committee member cannot be present, they may submit their score in a sealed envelope to the committee. A second round of scoring may be completed after interviews are held using this same process. All committee decisions shall be fully documented and all documentation retained in accordance with the City's record retention policy. b. For all professional services with an estimated cost under \$20,000 the City may go through a formal request for proposal or request for quote process. Quotes or a formal request for proposal are not required if the time and effort is expected to exceed the potential cost savings. If the request for proposal or request for quote process is not followed the department must document why this process was followed.

3. Energy Performance Contracts (EPC) – The City shall follow all the same evaluation procedures for an energy performance contract that it would for professional services. In addition to those procedures the savings or revenue projections should be evaluated in detail by the City Comptroller or in the absence of the City Comptroller, the City Comptroller or the City Manager's designee. Once an EPC firm is selected, the EPC shall be evaluated by an independent attorney working on the City's behalf; this may be internal or external Counsel.

4. Exceptions to City Procurement Method:

a. *Subject to Open Competitive Bidding.* All the same exceptions exist for purchases not subject to open competitive bidding as exist for purchases subject to open competitive bidding.

b. *Large Vehicle and Truck Repairs.* Large vehicle and truck repairs shall be exempt from the requirement to obtain three (3) proposals or quotations. However, a good faith effort shall be made to obtain at least two (2) proposals or quotations where feasible, taking into consideration the size of the vehicle, the difficulty (if applicable) in transporting the vehicle to obtain a proposal or quotation and the number of service providers within the City of Auburn and/or Cayuga County.

c. *Goods or Services under \$1,000.00.* The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such diminished contracts would be awarded based on favoritism.

d. *Purchase of Surplus and Second-Hand Goods.* Purchases of surplus and second hand goods may be made after a thorough analysis has been done that the second hand product will serve the City's needs as well as a comparable new product and after an analysis of that product in the market place to ensure the City is receiving the best value possible.

OTHER

1. This policy shall conform to all current and future laws enacted by New York State in relation to the procurement of goods and services.

2. This policy shall go into effect immediately upon adoption and shall be reviewed annually.

DISPOSAL OF SURPLUS PERSONAL PROPERTY

Purpose: To ensure the highest financial benefit to the City when disposing of surplus personal property. Personal property is defined as all property other than real estate.

Policy: When an item is identified as surplus, it is no longer in use in the originating department and cannot be used elsewhere in the City. A City department head shall designate the item as surplus and then, in conjunction with the City's Finance Department, shall determine the most effective means of disposal. This surplus determination and disposal decision shall be subject to Council approval for all

items expected to bring at least \$1,000 upon disposal. Items considered scrap are not subject to this policy.

Options for disposal:

- Auction: All surplus personal property will be sold by auction unless another method has been determined to have more financial benefit. It is noted that due to auction fees and the nature of certain surplus personal property public auction is not always the best method of disposal.
- Sale by Broker: At certain times, surplus personal property is specialized or not in demand all year round and therefore a broker may be used to obtain the highest financial benefit.
- Trade-in: If a City asset is being replaced by a new version of that asset, the department head may determine that it is more beneficial to trade the surplus personal property in on the new version.
- Internal Sale: With consideration of auction fees and staff time used to set up external auctions, surplus personal property that is not expected to bring at least \$500 at auction may be auctioned internally if it appears that there may be interest by City employees. All City employees shall have equal opportunity to bid on the items.

FINANCIAL RESOLUTION #3 OF 2019

**ADOPTING THE 2019 CAYUGA COUNTY TAX RATE AND CITY OF AUBURN
SHARE OF THE CAYUGA COMMUNITY COLLEGE CHARGES**

By Councilor Giannettino

January 03, 2019

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #446-18, adopted by the County Legislature on December 13, 2018, the City of Auburn's participation in the 2019 County Tax will be in the amount of \$8,804,788.20 compared to last year's amount of \$8,424,428.45, an increase of \$380,359.75. The full amount to be raised by property taxes in the entire County is \$40,613,330, that produces the City's share of the County tax levy is 21.7% and

WHEREAS, the Cayuga County Legislature included within its Resolution #446-18 of 2018 charges to the City taxpayers for the collection of costs related to the preparation and mailing of County tax bills within the City in the amount of \$4,697.65; and

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #420-18, adopted by the County Legislature on November 19, 2018, the City of Auburn's proportionate share for the Cayuga Community College charges in the amount of \$160,184.29 is to be added to the 2019 County Tax to be raised from the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York hereby adopts the 2019 County Tax Rate in the City of Auburn in the amount of \$8.350548 per \$1,000 of assessed valuation for the City's share of the County tax, and \$.151839 per \$1,000 of assessed valuation for the City's share of the Cayuga Community College charges for a total County tax rate of \$8.502387 per \$1,000, with a decrease of \$0.100341 per \$1,000 over the 2018 rate; and

BE IT FURTHER RESOLVED that the Auburn City Council hereby adopts the 2019 County tax rate and authorizes the preparation of the necessary tax bills.

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	

FINANCIAL RESOLUTION #4 OF 2019

ADOPTING THE 2019 SEYMOUR LIBRARY TAX LEVY

By Councilor Giannettino

January 3, 2019

WHEREAS, the Seymour Public Library District comprising the City of Auburn and the Town of Owasco was created by referendum on October 14, 1992, with the subsequent addition of the Auburn School District portion of the Town of Sennett in January 1996 and the Town of Fleming in 2011; and

WHEREAS, the share of the 2019 operating budget to be raised by the City of Auburn from a local assessment against the real property within the boundaries of the municipality will be \$483,859.27; and

WHEREAS, the Library has requested the City of Auburn advance half of this amount in February 2019;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that \$483,859.27 is to be levied on the 2019 City of Auburn property tax bills on a separate library tax line and an advance in the amount of \$241,929.64 be paid in February 2019 which will reduce the August 2019 payment.

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 #5 OF 2019

ADOPTING A BUDGET CALENDAR FOR THE PREPARATION OF THE FISCAL YEAR 2019-20 CITY BUDGET

By Councilor Councilor Cuddy

January 3, 2019

WHEREAS, the City Budget is the financial document that funds the many services provided by local city government; and,

WHEREAS, the City’s fiscal year begins on July 1st of each year and the City Council must adopt a final City Budget by the end of June each year for the next budget year; and,

WHEREAS, adequate preparation, review, and eventual adoption of the annual City Budget is an open process that lasts several months; and,

WHEREAS, for the preparation of the Fiscal Year 2019-20 budget, the City Manager recommends the following attached budget calendar be adopted; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council sets the attached listed dates as the official budget calendar for the preparation of the City of Auburn Fiscal Year 2019-20 Budget and that all business pertaining to the City Council called for in said calendar will be scheduled as part of regular City Council meeting agendas in accordance with the Council Rules and Procedures; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the public of the dates as set forth herein and that throughout this budget preparation process the City Clerk shall immediately make available to the public all budget related documents as they become available to the Council.

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	

2019-20 BUDGET PREPARATION AND ADOPTION TIMELINE

Department Heads receive budget packets	January 18, 2019
Department Heads return budget packets	February 15, 2019
Comptroller compiles Department Head budgets and revenue estimates	March 8, 2019
Comptroller and Manager meet with Department Heads to justify budget requests	March 11 – 22, 2019
City Manager submits preliminary balanced budget	April 4, 2019
Department Head presentations to Council	April 4 & 11, 2019
Council input due to City Manager	April 18, 2019
Final balanced budget based on Council input and revised revenue estimates	May 2, 2019
Final Council input due to City Manager	May 9, 2019
Public Hearing on budget	May 23, 2019
Budget adoption	June 6, 2019

COUNCIL RESOLUTION #6 OF 2019

CANCELLING THE COUNCIL MEETING ON THE FIFTH THURSDAY OF JANUARY 2019

By Councilor McCormick

January 3, 2019

WHEREAS, the Rules and Procedure of the Auburn City Council state that the Council will meet on the first four Thursdays of each month at Memorial City Hall, Auburn, New York; and

WHEREAS, the Rules and Procedures also state that for months containing a fifth Thursday, the Council shall pass a resolution to determine if a fifth meeting of the month will be held or not held; and

WHEREAS, the month of January 2019 contains five Thursdays and the Council shall cancel the Council meeting scheduled for January 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby make the above stated changes to the Council meeting calendar for the month of January 2019; and

BE IT FURTHER RESOLVED that the City Clerk shall notify the public of the change in the Council meeting calendar as set forth herein.

Seconded by Councilor Carabajal

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

APPOINTMENT RESOLUTION #7 OF 2019

APPOINTING AN ASSOCIATE CITY COURT JUDGE

By Councilor Giannettino

January 3, 2019

WHEREAS, David Thurston’s term of service as the Associate City Court Judge ended on December 31, 2018 due to his election as the Full-time City Court Judge for the Auburn City Court; and

WHEREAS, pursuant to the Uniform City Court Act, Section 2104, the authority to appoint a successor to the position is with the Auburn City Council; and

WHEREAS, the Auburn City Council has considered several applicants for the position and finds that Kristin L. Garland residing in Auburn, NY, 13021 is well qualified to be appointed to the position of Associate City Court Judge of the Auburn, New York City Court pursuant to State law and the Rules and Regulations of the Office of Court Administration.

NOW, THEREFORE, BE IT RESOLVED by the Auburn, New York City Council that Kristin L. Garland shall be appointed to the position of Associate City Court Judge of the Auburn, New York City Court, for a term of service of six years to commence immediately upon adoption of this resolution; and

BE IT FURTHER RESOLVED that the City Clerk is directed to file a certified copy of this Appointment Resolution with the New York State Office of Court Administration.

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		

15. STAFF/VENDOR PRESENTATIONS

The City Manager briefly spoke regarding the City Budget reports that were included in the agenda packet for the month of November of 2018.

F. Tabled Items - None

10. Other Business

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:39 p.m.

Minutes submitted to the City Council on January 17, 2019 by:

Charles Mason
City Clerk

On January 17, 2019 a motion to approve the minutes of the January 3, 2019 Auburn, NY City Council meeting was made by Councilor Giannettino, 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	

Auburn City Council Minutes January 3, 2019

I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 3rd day of January, 2019 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: January 18, 2019