

**Auburn City Council
Regular Meeting
Thursday, March 12, 2020 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 Councilor McCormick.

1. Roll Call – The City Clerk called the roll. Mayor Quill and Councilors Debra McCormick, Jimmy Giannettino, Terry Cuddy and Tim Locastro 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
- City Comptroller, Rachel Jacobs
- Director of Capital Improvement Program and Grants, Christina Selvek
- Director of Municipal Utilities, Seth Jensen
- Police Chief, Shawn Butler
- City Engineer, Bill Lupien
- Interim Fire Chief, Mark Fritz

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. The City Clerk read the following proclamations:

6. Public to be Heard – Councilor McCormick opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

Gwen Webber McLeod of Thornton Avenue spoke to recognize former City Councilor Ann Bunker who was the first woman elected to serve on the Auburn City Council. Councilor Bunker accepted the Women's History Month Proclamation.

7. Approval of Meeting Minutes

February 27, 2020 Council Meeting Minutes

Motion to approve the February 27, 2020 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- The City is accepting bids for the replacement of the Casey Park pool liner. Bids are due March 18, 2020 and details are available on the city of Auburn webpage under the tab "bids/RFPs".
- The City is accepting bids for the replacement of the Casey Park lockers. Bids are due March 18, 2020 and details are available on the city of Auburn webpage under the tab "bids/RFPs".
- The City is accepting bids for the 2020 Road Program. Bids are due March 24, 2020 and details are available on the city of Auburn webpage under the tab "bids/RFPs".
- The City is accepting bids for the replacement and repair of the HVAC system at the Auburn Police Department. Bids are due March 13, 2020 and details are available on the city of Auburn webpage under the tab "bids/RFPs".
- The annual State of the City/County address scheduled for Mar. 26 is being postponed. A new date will be verified soon and communicated.
- This afternoon I was informed that Minor League Baseball is planning to delay the start of the 2020 season. We do not have a new schedule yet as the League will base that upon the status of the CoronaVirus in the coming weeks.
- Coronavirus. The City continues to work closely with the County, NYS, the school district, Cayuga Community College, Auburn Community Hospital, and a variety of other organizations to provide a measured and uniform response to concerns and threats in our community.

B. Reports from members of Council

9. Matters to Come Before Council

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

B. Ordinances – the City Clerk read the first reading of Bond Ordinance #6 of 2020

BOND ORDINANCE #6 OF 2020

BOND ORDINANCE OF THE CITY OF AUBURN, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$1,271,172
SERIAL BONDS TO FINANCE THE COST OF THE
RECONSTRUCTION OF A BRIDGE

BE IT ORDAINED by 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 State Street Bridge over the Owasco River in the City, whether or not including the acquisition of land or rights in land, and whether or not including retaining walls or approaches thereto, of stone, concrete, or steel or of a combination of two or more of these materials, at an estimated maximum cost of \$1,271,172 and to issue an aggregate \$1,271,172 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 object or purpose is \$1,271,172, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$1,271,172 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of Bonds to be issued pursuant to this Ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty (20) years pursuant to paragraph 10 of Section 11.00(a) of the Local Finance Law.

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 use of electronic bidding, 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.

C. Local Laws – none

D. Resolutions - none

Tabled Items - none

STAFF/VENDOR PRESENTATIONS:

The Cayuga County Water and Sewer Authority will make a Presentation on a Proposed New Regional Water Supply System - Doug Selby, CCWSA

10. Other Business –

11. 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.

Executive Session. Councilor McCormick made a motion to enter Executive Session, seconded by Councilor LoCastro. Council voted to enter an executive session at 6:10 p.m. regarding the following matters:

- Two matters 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.)
- Two matters pertaining to litigation against the City.

Executive session adjourned at 6:30 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:25 p.m..

Minutes submitted to the City Council on April 16, 2020 by:

Charles Mason
City Clerk