Auburn City Council Regular Meeting Thursday, August 20, 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 Mayor Quill.

ROLL CALL – The City Clerk called the roll. Mayor Quill, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro were all present. Councilor McCormick was excused.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- City Comptroller, Rachel Jacobs
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- Director of Capital Improvement Program and Grants, Christina Selvek
- City Engineer, William Lupien
- Director of Municipal Utilities, Seth Jensen

Pledge of Allegiance to the Flag – Mayor Quill led the Pledge of Allegiance.

Moment of Silent Prayer or Reflection – Mayor Quill asked for a moment of silent prayer.

Public Announcements –

The next Zoning Board of Appeals meeting for the City of Auburn will be held on Monday, August 24, 2020 at 7 p.m. at Council Chambers, Memorial City Hall, 24 South Street, Auburn.

Ceremonial Presentations and Proclamations.

The City Clerk read the following Women's Equality Day Proclamation:

WHEREAS, the 19th Amendment to the United States Constitution which would give women the right to vote nationally, was first introduced in the Congress in 1878, and;

WHEREAS, New Yorkers have been leaders in fighting to advance women's equality and in 2017, New York celebrated the 100th anniversary of women's suffrage in New York State; and;

WHEREAS, following several attempts to pass a women's suffrage amendment nationally since 1878 the 19th amendment passed the House of Representatives on May 21, 1919, followed by the Senate on June 4, 1919, and;

WHEREAS, New York State ratified the amendment on June 16, 1919 and on August 18, 1920 the State of Tennessee became the final of the required 36 states to ratify the amendment, and;

WHEREAS, on August 26, 1920 U.S. Secretary of State Bainbridge Colby, signed a proclamation behind closed doors at 8 a.m. at his own residence in Washington, D.C., officially certifying the ratification of the 19th Amendment, and;

WHEREAS, the bold, courageous and powerful women who fought for the ratification of the 19th amendment to the United States Constitution, deserve special celebration, especially the New Yorkers, many who resided in Auburn and throughout the upstate New York region including Susan B. Anthony, Elizabeth Cady Stanton, Matilda Joslyn Gage, Emily Howland, Frances Seward, Eliza Wright Osborne and Harriet Tubman, just to name a few, and;

WHEREAS, the women of the United States have historically been treated as second-class citizens and have often been denied the full rights and privileges, public or private, legal or institutional, which are available to male citizens of the United States; and;

WHEREAS, despite adoption of the 19th Amendment it did not guarantee suffrage for all women, including Native Americans who did not gain the right to vote until 1924, for Asian Pacific Islander Americans who did not gain the right to vote until 1952, and African-American and Latin Americans suffered voter suppression until passage of the Voting Rights Act of 1965 and 1975, and;

WHEREAS, in 1971, Congresswoman Bella Abzug of New York championed a bill in the U.S. Congress to designate August 26 as "Women's Equality Day" and the bill states that "the President is authorized and requested to issue a proclamation annually in commemoration of that day in 1920, on which the women of America were first given the right to vote", and;

WHEREAS, in 2020, women of the United States have to continue the fight for equality and August 26, is designated as National Women's Equality Day to not only commemorate the 100th anniversary of the ratification of the 19th Amendment, but to highlight and support the continued efforts of women to achieve full equality in our country because we all follow in the footsteps of our resolute American suffragists that started the fight in Seneca Falls with the inception of the women's rights movement in 1848.

NOW, THEREFORE, BE IT RESOLVED, that, I, Michael D. Quill, Mayor of the City of Auburn, on behalf of the members of City Council and the citizens of Auburn, New York hereby proclaim August 26, 2020 as

Women's Equality Day

in the City of Auburn, in commemoration of that day in 1920, on which the women of America won their right to vote and we encourage all to take this day as an opportunity to renew and continue to fight for equal rights for all of our citizens.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Twentieth day of August 2020.

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

Mayor Quill recognized former members of City Council Dia Carabajal and Ann Bunker. Councilor Carabajal accepted the proclamation from the Mayor.

Former City Councilor Dia Carabajal provided the following remarks upon accepting the proclamation: Thank you Councilors. We celebrate the 100th anniversary of Women's Suffrage but as noted in the proclamation, that suffrage wasn't automatic for so many. So, on August 18th, the 19th amendment was ratified but it didn't eliminate other laws. Other laws such as literacy tests and poll taxes, and grandfather clauses, and it didn't eliminate the violence that was perpetrated against women and people of color who tried to exercise their right to vote. So, we want to note that full suffrage didn't happen until 1965 with the Voters Rights Act, and our Latina sisters weren't allowed to vote fully until 1975, our Latina sisters were not fully given the right to vote until language barriers were removed from the rules. So, we still are burdened with voter suppression, voter ID laws, voter registration restrictions, voter purges, and gerrymandering, all restrict our rights to vote. In 2013, the Voters Rights Act was severely damaged by a ruling by the Supreme Court. So, as a result of that damage, the House of Representatives has passed HR 4 (Voting Rights Advancement Act of 2019), they passed it in December of 2019. But that resolution, that law still sits waiting for U. S. Senate approval. So, I want us to think about suffrage and about our full rights to vote. It's something that is very important. It's something that's being denied and it's something that continues to be threatened through things like post office slow downs. So, we can't take it for granted. It's 100 years and it's a reason to celebrate. And we should, but we have to remember, we still have work to do with regard to protecting our voters rights. Lastly, I want to mention that on August 26, which is the day that you proclaimed as Women's Equality Day here in Auburn, there is an event happening, "Women take the stage" at the Finger Lakes drive-in, and it's \$20 a car and it should be a wonderful experience and a way to celebrate this event. Thank you, Council. Thank you, Mayor, for recognizing how important this anniversary is. Hopefully we'll celebrate more as more voters are engaged. Thank you.

The City Clerk announced that two sites in the City of Auburn would be nominated for the National Votes for Women Trail. A project of The National Collaborative for Women's History Sites, The National Votes for Women Trail is collecting sites from all over our country to allow us to tell the untold story of suffrage for all women, of all ethnicities, that extends well past the passage of the 19th amendment. They currently have 44 State Coordinators and over 1000 sites on their database, which continues to grow at a rapid pace. Their partner, The William G. Pomeroy Foundation, is complementing the effort with the donation of 250 historic roadside markers nationally. Two sites in Auburn, New York are in the process of being nominated for placement on the National Votes for Women Trail in New York State by the state coordinator Karen Pastorello.

1. the Equal Rights Heritage Center (former site of the Women's Educational and Industrial Union - WEIU); and,

2. the Exchange Street Plaza (former site of the Cayuga County Political Equality Club which had an office at 9 Exchange Street)

The timeline of this project is as follows:

- August 2020 City grants permission that markers may be installed on City owned property
- Nomination form for all sites in New York State will be submitted by October 2020
- Fall/Winter final announcement made
- Approved markers to be installed likely spring/summer 2021
- Info: https://ncwhs.org/votes-for-women-trail/

Following discussion among the City Council members the Council stated they would like to move forward with having the City Manager grant permission for the stated City owned sites to be made available for the installation of these historical markers if awarded.

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 speakers.

Approval of Meeting Minutes -

August 6, 2020 Council Meeting Minutes
Motion to approve the August 6, 2020 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 4-0.

Reports of City Officials

A. City Manager's Report

- Auburn Civil Service has announced a new Police Officer test. The test is scheduled for September 26 and those interested must apply by August 26. More information is available on the City of Auburn webpage under the tab "departments", then "Civil Service", and finally "Job Opportunities."
- This week we received our report on local sales tax collection for July. Our July sales tax collections are down 7.99% from last year's actuals. That is not entirely bad news as our current budget was developed utilizing a projected 12% reduction in sales tax collections for the entire year.
- Staff continues to work with Cayuga County and their consultant in updating the Cayuga County Hazard Mitigation Plan. The plan is used to identify various hazards that could impact community health, safety, and economic stability. It is also used as a tool to prioritize mitigation projects and is necessary to qualify for certain Federal funding programs.

B. Reports from members of Council – none

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 # 83 OF 2020 SUPPORTING THE REDEVELOPMENT OF THE MELONE VILLAGE APARTMENT COMPLEX

By Councilor Giannettino

August 20, 2020

WHEREAS, in 1948 the Auburn Housing Authority was created by the City of Auburn in order to promote adequate, affordable housing, economic opportunity and a suitable living environment free from discrimination; and

WHEREAS, the Auburn Housing Authority owns and manages the 56-unit Melone Village public housing complex, which has served low and moderate income households in the City of Auburn since it was constructed in 1955; and

WHEREAS, Melone Village has received few meaningful improvements since it was built and is in substantial need of substantial rehabilitation if it is going to continue to provide low and moderate income households in the City of Auburn with safe, adequate, and affordable housing; and

WHEREAS, Melone Village plays a central role in meeting the demand for affordable housing in the City of Auburn and the community desires that Melone Village be rehabilitated in lieu of developing affordable replacement housing; and

WHEREAS, rehabilitation will improve safety, enhance the neighborhood, and improve the overall quality of life for the residents of Melone Village while ensuring a stable stock of affordable housing in the City of Auburn; and

WHEREAS, the City Council, by separate resolution, has authorized a 40-year PILOT Agreement to ensure that Melone Village is economically viable and to promote affordable housing in the City of Auburn.

NOW THEREFORE, BE IT RESOLVED that the City Council supports the efforts of the Auburn Housing Authority and AHA Development Corporation to secure State assistance in furtherance of the Melone Village redevelopment effort; and

BE IT FURTHER RESOLVED that the redevelopment of Melone Village is consistent with and fulfills objectives set forth in the City of Auburn's Community Development Block Grant Five Year Consolidated Plan, Community Development Block Grant Annual Action Plan, and the Comprehensive Plan.

Seconded by Councilor Locastro

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

AWARD RESOLUTION #84 OF 2020

AWARDING BIDS FOR CONSTRUCTION OF A NEW AUBURN PUBLIC SAFETY BUILDING

By Councilor Giannettino

August 20, 2020

WHEREAS, on January 2, 2020, the Auburn City Council authorized Bond Ordinance #1 of 2020 in the amount of \$10 million to finance costs for the Auburn Public Safety Building Project; and

WHEREAS, the City hired Hueber-Breuer Construction Company, Inc. to serve as the project construction management and inspection firm as well as Bivens + Associates Architects to serve as the project design and construction administration firm for this project; and

WHEREAS, in June 2020 the City held a three-week public comment period on the draft design plans seeking input on the project and design documents; and

WHEREAS, in July 2020 NYS Department of Environmental Conservation and Department of State approved the bid documents and bids for General Construction, Mechanical, Plumbing and Electrical, which were released on July 20, 2020; and

WHEREAS, construction bids for the Auburn Public Safety Building were opened on August 11, 2020, and the City received and publically opened 16 bids for General Construction, 8 bids for Mechanical work, 3 bids for Plumbing work and 4 bids for Electrical work with the following as the qualified low bidders:

Contract #1- General Construction	Base Bid	Alternates #1,2,& 3
Peak Construction Group, LLC	\$3,925,000.00	\$41,165.00
Buffalo, NY 14210		
Contract #2- Mechanical		
Siracusa Mechanical, Inc.	\$674,400.00	NA

Auburn, NY 13021

Contract #3- Plumbing

Siracusa Mechanical, Inc. \$582,300.00 NA

Auburn, NY 13021

Contract #4-Electrical

J & E Electric Inc. \$ 532,800.00 NA

Auburn, NY 13021

;and

WHEREAS, a bid analysis was completed by Hueber-Breuer Construction Company and they have recommended the award of the aforementioned qualified low bidders for a total construction bid award of \$5,755,665.00; and

WHEREAS, a project construction contingency budget of 10% of the total construction costs for an amount of \$575,000.00 is necessary to cover field change requests during construction to be approved by the construction inspector and the City Manager; and

WHEREAS, City staff is recommending a total project award of \$6,330,665.00 to complete the construction of the new Auburn Public Safety Building to be located at 31 Seminary Street in the City of Auburn; and

WHEREAS, it is necessary that the Auburn City Council award the following bids for the Auburn Public Safety Building project: (1) to Peak Construction Group, Inc. in the base bid amount of \$3,925,000.00 and Alternates #1, 2 & 3 in the amount of \$41,165.00; (2) Siracusa Mechanical, Inc. in the amount of \$674,400.00 for mechanical and \$582,300.00 for plumbing; and (3) J&E Electric in the amount of \$532,800.00; and (4) a project construction contingency in the amount of \$575,000.00.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does hereby approve awards for the construction bids to Peak Construction Group, Inc., Siracusa Mechanical, Inc., and J&E Electric as set forth herein for the Auburn Public Safety Building project in the total aggregate amount of \$6,330,665.00, which are contingent upon the approval of the New York State Department of Environmental Conservation and the New York State Department of State as well as meeting requirements under NYS Article 15 for Minority/ Women-Owned Business (MWBE) participation; and

BE IT FURTHER RESOLVED, that the cost of the total construction bid awards and construction contingency is to be charged to the Public Safety Building capital account (#HA 1620 440 PSB); and

BE IT FURTHER RESOLVED, that the Mayor of the City of Auburn is authorized to execute any and all documents in reference to the award of these construction bids and the City Manager, or authorized project representative, is authorized to sign any and all documents related to the project construction contingency budget.

Seconded by Councilor Cuddy

	Ayes	Noes	Excused
Councilor McCormick			X

Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

AGREEMENT RESOLUTION #85 OF 2020

AUTHORIZING CHANGE ORDER NO.1 FOR DESIGN SUPPORT DURING CONSTRUCTION FOR THE 2020 WATER SYSTEM IMPROVEMENTS PROJECT

By Councilor Cuddy

August 20, 2020

WHEREAS, on March 19, 2020, the City Council of the City of Auburn passed Bond Ordinance #5 of 2020, authorizing the funding necessary to complete a design project to replace the City's failing Water Main Distribution System at Dunning Ave (West Clymer - City Line) and W. Clymer Street (Dunning Ave - Kensington Ave) (the "Project"); and

WHEREAS, in accordance with the City of Auburn Procurement Policy, City staff issued a Request for Proposals to solicit engineering firms to complete the 100% design documents necessary to bid the general construction contract for the Project; and

WHEREAS, the City of Auburn has an agreement with C&S Companies to complete the engineering and design services necessary to progress the project; and

WHEREAS, Change Order #1 to the professional services agreement with C&S Companies in the amount of \$39,500 is now required to provide design support services during the construction phase of the Project; and

WHEREAS, the City of Auburn Department of Municipal Utilities recommends the City authorize Change Order #1 to C&S Engineers for design support during construction for the Project in the amount of \$39,500.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award Change Order #1 in the amount of \$39,500 to C&S Companies for design support during project construction and the cost of this resolution is to be charged to capital account (#HF 8340-440-JZ); and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents necessary for executing the aforementioned award.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		

Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

AWARD RESOLUTION #86 OF 2020 AWARDING A CONTRACT FOR THE 2020 WATER SYSTEM IMPROVEMENTS PROJECT

By Councilor Cuddy

August 20, 2020

WHEREAS, on March 19, 2020, the City Council of the City of Auburn passed Bond Ordinance #5 of 2020, authorizing the funding necessary to complete a project to replace the City's failing Water Main Distribution System at Dunning Ave (West Clymer - City Line) and W. Clymer Street (Dunning Ave - Lexington Ave); and

WHEREAS, C&S Companies has completed its design and the City of Auburn has received approval from the Cayuga County Dept. of Environmental Health for the proposed water main improvements project; and

WHEREAS, on Tuesday, August 4, 2020, the City of Auburn received and opened bids for the construction of these two significant water main projects. The following bids were received:

1.	JJ Lane Construction Inc. Liverpool, New York	\$ 863,777.00 Alt. (260,000)
2.	G. DeVincentis & Son Binghamton, New York	\$ 878,900.00 Alt. (238,000)
3.	RB Robinson Contracting Inc. Candor, New York	\$ 924,087.20 Alt. (296,088.30)
4.	Highlander Construction Inc. Memphis, New York	\$ 975,871.30 Alt. (256,644)
5.	Villager Construction Inc. Fairport, New York	\$ 1,012,000.00 Alt. (250,550)
6.	CCI Companies Inc. Canastota, New York	\$ 1,064,817.50 Alt. (294,748.75)
7.	Sparacino Construction Inc. Rodman, New York	\$ 1,156,087.91 Alt. (316,343.16)
8.	Marcy Excavation Services Herkimer, New York	\$ 1,172,174.50 Alt. (226,571.72)
9.	Sealand Contractors Corp.	\$ 1,488,000.50

Rush, New York

Alt. (335,000)

; and

WHEREAS, the lowest qualified bidder was Joseph J. Lane Construction Inc. of Liverpool, NY with their base bid of \$863,777.00 which is under the engineering cost estimate for this work; and

WHEREAS, after review of all bids, C&S Companies and the City of Auburn's Engineering and Municipal Utilities Depts. recommend that the City Council award this project to Joseph J. Lane Construction Inc. as the lowest qualified bidder for their base bid of \$863,777.00; and

WHEREAS, it is necessary that the Auburn City Council award the bid for the 2020 Water System Improvements Project to Joseph J. Lane Construction, Inc. pursuant to their low bid of \$863,777.00.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contract for the 2020 Water System Improvements Project to Joseph J. Lane Construction, Inc. in the amount of \$863,777.00 and the cost of this Resolution is to be charged to Account # HF 8340 440 JZ; and

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

Seconded by Giannettino

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

AWARD RESOLUTION #87 OF 2020

AWARDING A BID FOR THE LINCOLN STREET PARKING GARAGE REPAIRS PROJECT

By Councilor Giannettino

August 20, 2020

WHEREAS, in May 2019 the Lincoln Street Parking Garage structure, specifically the basement storage room and 1st floor exit ramp were exposed to fire damage that caused structural damage to the concrete and post tensioned system; and

WHEREAS, in the fall of 2019 Popli Design Group was engaged to complete a fire damage investigation and repairs report, and subsequently to provide additional Engineering services to prepare plans, specifications and construction inspection services to bid this project to perform the necessary repairs to the parking garage; and

WHEREAS, bids for this project were opened on August 18, 2020. The following bid was received:

Crane Hogan Structural Systems Inc

\$ 433,420.00

Spencerport NY; and

WHEREAS, City staff concurs with the bid analysis provided by Popli Design Group that Crane Hogan Structural Systems Inc. of Spencerport, NY is the lowest qualified bidder and recommend that the Auburn City Council approve the aforementioned construction bid award for the Lincoln Street Parking Garage Repairs Project in the amount of \$433,420.00 to Crane Hogan Structural Systems, Inc.; and

WHEREAS, the construction phase of the Lincoln Street Parking Garage Repair project is being reimbursed by Eastern Shores Insurance Company.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award a bid to Crane Hogan Structural Systems Inc. of Spencerport, NY for the Lincoln Street Parking Garage Repairs Project in the amount of \$ 433,420.00; and

BE IT FURTHER RESOLVED that the Mayor, or appointed designee, is authorized to sign an agreement and all other documents relating to the agreement on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED that the cost of the Lincoln Street Parking Garage Repairs Project in the amount of \$433,420.00 is to be charged to the Parking Garage Fire account #A5651.250.PGF.

Seconded by Councilor: Locastro

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

TABLED ITEMS - none

STAFF/VENDOR PRESENTATIONS - none

OTHER BUSINESS –

Second Public To Be Heard: Mayor Quill opened the second Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

David Anthony Scott, 63 South Street, so, good evening, my name is David Scott, 63 South Street, 13021. Once again, I'm going to discuss minority economic development. Our city needs to increase the economic opportunities available for minority enterprises in the City of Auburn. That means getting people in this city who have the training, technical expertise and experience that develops our community's minority economic development base. Once again, to quote last week statistics, 40% of Black Enterprises in the State of New York have gone out of business as a result of the COVID 19 outbreak. That is twice the number of majority owned MBEs or business enterprises. On New York Forward, which Empire State Development announced just \$2.3 million statewide going to MWBE as a result of the COVID crisis. Now that is five times what a certain city is spending on public safety for its new building. Okay, so, I've launched the first draft of the Minority Enterprise Development (MED) week 2020, draft for MED week awards, I believe there's like 14 of them. From the 13th of September to the 19th of September I'd like to see Auburn celebrate Minority Enterprise Development week. The awards are the first part. The second is to look at contracts and procurement in the city. That means we need to produce numbers on the Downtown Revitalization Initiative. We need to produce the really good numbers on the Equal Rights Heritage Center. And we need to look at the future as we go into the New York State Climate Protection Act, the community leadership and Climate Protection Act. Finally, the third part is about federal, state and local technical assistance. Final stages of this all start in the fall, Plan A is coming back to Auburn. The American Planning Association has a chapter and I'm having a select committee review that plan for resubmission. Last thing as I close, we need to increase the local capacity of minority enterprises and we need to do that quickly on our city. We need to support MBEs as much as we support local contracts. I've heard a lot talked about in terms of contracting and construction and procurement in this short meeting. And as much noise as I make. I'm hearing nothing but silence about minority enterprise development. We can no longer just blow off minority enterprise development to social justice organizations. We need to speak about economic advancement. Thank you very much, Mayor and Council. Thank you.

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

• Two matters pertaining to the sale, lease or acquisition of real property The motion to enter executive session carried 4-0. The Council entered Executive Session at 6:07 p.m.

Executive session adjourned at 8:35 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:36 p.m..

Minutes submitted to the City Council on September 3, 2020 by:

Charles Mason, City Clerk