

**Auburn City Council
Regular Meeting
Thursday, December 17, 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 from the City Council Chambers, 24 South St. Auburn, NY by Mayor Quill. The meeting was held by videoconference due to the COVID-19 pandemic.

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

The following City Staff was present for the meeting:

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

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 –

Holiday Trash Pick-up Schedule announced due to Christmas and New Year's Day holiday.

The week of Monday, December 21st is Christmas week and trash and recycling will be picked up one day early in the City of Auburn.

The Christmas Week Schedule is as follows:

- If your pick-up day is usually Tuesday,
you will be picked up on Monday, December 21st

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- If your pick-up day is usually Wednesday,
you will be picked up on Tuesday, December 22nd
- If your pick-up day is usually Thursday,
you will be picked up on Wednesday, December 23rd
- If your pick-up day is usually Friday,
you will be picked up on Thursday, December 24th
- There will be no pick-up on Christmas Day, Friday, December 25th

The New Year's Day Week Schedule is as follows:

- If your pick-up day is usually Tuesday,
you will be picked up on Monday, December 28th
- If your pick-up day is usually Wednesday,
you will be picked up on Tuesday, December 29th
- If your pick-up day is usually Thursday,
you will be picked up on Wednesday, December 30th
- If your pick-up day is usually Friday,
you will be picked up on Thursday, December 31st
- There will be no pick-up on New Year's Day, Friday, January 1st

Complete information about curbside trash and recycling pick-up for the City of Auburn may be found online at: www.AuburnNY.gov/Streamline

CEREMONIAL PRESENTATIONS – None

PUBLIC TO BE HEARD – Mayor Quill opened the Public to be Heard portion of the Council meeting and there were no speakers.

Approval of Meeting Minutes -

- November 19, 2020 Council Meeting Minutes
Motion to approve the November 19, 2020 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 5-0.
- November 24, 2020 Council Meeting Minutes
Motion to approve the November 24, 2020 minutes by Councilor McCormick, seconded by Councilor Locastro. Motion to approve carried 5-0.
- December 3, 2020 Council Meeting Minutes
Motion to approve the December 3, 2020 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 5-0.

Reports of City Officials

A. City Manager's Report

Tomorrow, I'll be sending out the last document that we need to provide towards the County's Hazard Mitigation Plan. Again, that it's something that gets revised every few years. And that helps us to justify some of our Capital Projects. Most of the time related to bridges and sewers and things like that. Most recently, we have several projects written into this year's version of the Hazard Mitigation Plan related to some community flooding issues, neighborhood flooding issues that we hope to utilize to leverage some State and Federal funding in the future to put some projects in place to deal with those problem areas. Earlier today, just a little while ago, had one of our final County Shared Services meetings. Again, for the last several years, the County and the City, all the towns and villages within Cayuga County have collectively work together to put forth an annual Shared Services Plan. Whereby, if some of those projects that are included in those annual plans are followed through on, and we can prove, or justify, demonstrate the savings that the State will reimburse parts of those projects up to a certain percentage. So we are currently working through a couple projects from last year's plan related to the Public Safety Building and also related to the upgrades of Falcon Park. And we have some plans moving forward in the updated plan. Nothing big. Some things related to road salt, fuel, joint purchasing, things like that, pretty simple stuff. No big Capital Projects this time around. And lastly, we continue to work with the County and the County Sheriff's department and Auburn Police Department related to executive order 203, which the Governor signed into law earlier this year, related to Police Reform and Community Policing. We continue to have some community dialogue on that and an effort to come up with our final plan which will be before the Council in February. The next meeting has been scheduled for that, the next community meeting, which will be in a format similar to this, in a zoom. It will be January 6 at 6pm. If it's not already there, that information will be in the City webpage relatively soon, as well as social media for the Police Department, Sheriff's Department, and the City, and the County. We also would like to remind folks, that if they would like to take part and have their voice heard, whether it be questions, comments, their thoughts on local law enforcement, the Auburn Police Department has an online survey available. Again, if you go to the City webpage or the County webpage or any of the social media platforms, you can access those surveys for both the Auburn Police Department and the Cayuga County Sheriff's Department. They are two different surveys. So for folks living in the City of Auburn, you are actually serviced by both entities and you may want to consider taking both of those surveys and have your voice heard. That's all, Mayor.

B. Reports from members of Council – none

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances – none

C. Local Laws – none

D. Resolutions -

**AGREEMENT RESOLUTION #118 OF 2020
AUTHORIZING THE MASTER AGREEMENT AND FUNDING OF ALL DESIGN AND ROW
PHASES FOR THE AURELIUS AVE. BRIDGE REPLACEMENT PROJECT
PIN #375688/D040240**

By Councilor Cuddy

December 17, 2020

WHEREAS, on July 26, 2019, the City of Auburn received notice from the NYS Department of Transportation that the Aurelius Avenue Bridge Replacement Project was included in the Department's five-year capital program for an estimated total Project cost of \$4,246,000; and

WHEREAS, the replacement project for the Aurelius Ave. Bridge, PIN #375688 (the "Project") is eligible for funding under Title 23 U.S. Code, as administered by the Federal Highway Administration, as amended, which calls for the apportionment of the project costs to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the City of Auburn desires to advance the Project by making a commitment of 100% of the first instance payments of the total project costs for preliminary engineering, all design phases (I-VI), and ROW incidental and acquisition (if necessary) for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, that the Aurelius Ave. Bridge Replacement Project, PIN #375688 (the "Project") is hereby approved; and

BE IT FURTHER RESOLVED that the City of Auburn shall create a general fund capital project entitled Aurelius Ave. Bridge Replacement (#HA5110.440.KO) with a total project authorization of \$4,246,000 and an initial sum of \$825,000 made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED that the City of Auburn shall commit to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering, Design Phases (I-VI), Right-of-Way Incidentals and Acquisition (if necessary) work for the Project or portions thereof; and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and

BE IT FURTHER RESOLVED that the Mayor of the City of Auburn is hereby authorized to execute all necessary agreements, certifications, and reimbursements requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Auburn with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the

local share of the federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

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		

**AGREEMENT RESOLUTION #119 OF 2020
AUTHORIZING CHANGE ORDER #1 FOR THE ZEBRA MUSSEL CONTROL
SYSTEM REPLACEMENT PROJECT**

By Councilor McCormick

December 17, 2020

WHEREAS, on April 19, 2019, the City Council of the City of Auburn passed Financial Resolution #60 of 2019, authorizing the funding necessary to complete a design project to replace the City's failing Zebra Mussel Control System (the Project) at the Upper Pump Station; and

WHEREAS, on March 19, 2020, the Auburn City Council passed an Award Resolution for the Project in the bid amount of \$499,816.00, which funded the replacement of the entire zebra mussel control system; and

WHEREAS, a water quality drainage pipe system is located along the access road to the Upper Pump Station and connects Owasco Lake to the Owasco River and over the years has completely clogged with sediment; and

WHEREAS, the City, in partnership with Cayuga County Parks & Trails, Cayuga County Soil and Water Conservation District, and the Owasco Watershed Lake Association (OWLA) have agreed to provide the financial and technical resources required to clean the drainage pipe system that may improve water quality near the City of Auburn's Raw Water Intake; and

WHEREAS, a Change Order in the amount not to exceed \$65,000 to Finger Lakes Industrial Construction Corporation is required to complete the drainage pipe cleaning; and

WHEREAS, on November 24, 2020, Cayuga County passed Resolution No 369-20 committing \$31,000 towards the work associated with this change order; and

WHEREAS, on November 30, 2020, the OWLA provided the City of Auburn Department of Municipal Utilities with an additional financial commitment in the amount of \$5,000 towards the completion of this project; and

WHEREAS, the total cost of this Change Order is to be charged to the Zebra Mussel/Upper Pump Station capital account (#HF 8330 440 JL) in the amount not to exceed \$65,000.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award Change Order #1 to Finger Lakes Industrial Construction Corporation in the amount not to exceed \$65,000 for additional work for the Zebra Mussel Control System Replacement Project; and

BE IT FURTHER RESOLVED that the Comptroller is hereby authorized and directed to recognize the following revenue sources for this water capital project:

- 1) Increase Zebra Mussel Control Project revenue account HF99.2770.JL by a total of \$36,000; and
- 2) Increase Zebra Mussel Control Project expense HF8330.440.JL by \$36,000.

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents necessary in reference to this change order and project revenues.

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		

FINANCIAL RESOLUTION #120 OF 2020

AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS

By Councilor McCormick

December 17, 2020

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2019-2020 year as outlined in attachment A; and,

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2020-2021 year as outlined in attachment B; and,

WHEREAS, there is \$1,115,076 of general fund - fund balance being requested for these transfers, and \$7,361 of sewer fund – fund balance being 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 2019-2020 fiscal year; and,
2. That the Auburn City Council does hereby authorize the transfers in Attachment B for the 2020-2021 fiscal year; and,
3. 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 Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

Attachment A: 19-20 FY					
12/17/2020					
Amount		Account to		Account From	Reason

\$	186,416	A9060.841	Health Insurance	A909	General Fund - Fund Balance
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\$	26,249	A9010.801	Retirement - General	A909	General Fund - Fund Balance
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\$	58,403	A9710.790	Debt Service - Interest	A909	General Fund - Fund Balance	YE adjustments for budget vs actual
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\$	794,651	A8760.440.C OVID	COVID 19 - Services	A909	General Fund - Fund Balance
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\$	438	A8760.801.C OVID	COVID 19 - Retirement	A909	General Fund - Fund Balance
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\$	48,919	A8760.811.C OVID	COVID 19 - Social Security	A909	General Fund - Fund Balance
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\$	7,361	G9710.790	Sewer Debt Service -Interest	G909	Sewer Fund - Fund Balance
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Attachment B: 20-21 FY			
12/17/2020			
Amount	Account to	Account From	Reason

\$725.00	A1355.220	Assessors - Office Equipment	A1355.110	Assessors - Salary & Wages	Transfer funds to purchase new laptop for Real Property Appraiser
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APPOINTMENT RESOLUTION #121 OF 2020

FOR THE APPOINTMENT OF COMMISSIONERS OF DEEDS

By Councilor Giannettino

December 17, 2020

WHEREAS, the Auburn City Council appoints individuals as Commissioners of Deeds in order to authorize them to take affidavits, depositions and acknowledgments for use in the City, which gives them powers similar to that of a Notary Public; and

WHEREAS, the law for appointment of Commissioners of Deeds is set forth in New York State Executive Law, Section 139, and the Auburn City Code, Section 62-1, which provide that the City Council shall appoint Commissioner of Deeds for a designated term; and

WHEREAS, the law requires that term of each Commissioners of Deeds expire on December 31 of the even-numbered year following appointment; that the appointed person reside or work in the City of Auburn; that the appointed person only administer the Commission within the City; and that the appointed person file an Oath of Office with the City Clerk and with the County Clerk; and

WHEREAS, the proposed list for Commissioners of Deeds is set forth on the list attached hereto and incorporated herein, and includes 34 persons. It is estimated that a total of 50 appointments may be necessary within the next two years.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby appoint the list of persons attached to this Resolution as Commissioners of Deeds pursuant to the authority provided by New York State Executive Law, Section 139, and that said appointments shall be effective from January 1, 2021, and shall continue until December 31, 2022; and

BE IT FURTHER RESOLVED, that the Auburn City Council does hereby determine that the number of Commissioners of Deeds for the City of Auburn shall be a maximum of 50, which is the number of Commissioners of Deeds appointed by the list attached to this Resolution plus additional numbers to be reserved for future necessary appointments.

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		

COMMISSIONERS OF DEEDS

Last Name	First Name	Title	Date Issued	Expiration Date
Androsko	Matthew	Lieutenant, Police Dept.	1/1/2021	12/31/2022
Anthony	Roger	Deputy Police Chief	1/1/2021	12/31/2022
Blanchfield	Brian	Detective, Police Dept.	1/1/2021	12/31/2022
Butler	Shawn	Police Chief	1/1/2021	12/31/2022
Chadwick	Michael	Sergeant, Police Dept.	1/1/2021	12/31/2022
Cunningham	Kathleen	Supreme & County Court	1/1/2021	12/31/2022
Devito	Stephanie	City Resident	1/1/2021	12/31/2022
DeRosa	Sean	Detective, Police Dept.	1/1/2021	12/31/2022
Deyo	Scott	Detective, Police Dep.	1/1/2021	12/31/2022
Deyo	Steven	Lieutenant, Police Dept.	1/1/2021	12/31/2022
Downing	Steve	Code Enforcement Office, City	1/1/2021	12/31/2022
Edmonds	David	Sergeant, Police Dept.	1/1/2021	12/31/2022
Franzcek	Geno	Code Enforcement Office, City	1/1/2021	12/31/2022
Frost	James	Detective, Police Dept.	1/1/2021	12/31/2022
Gilfus	Christine	Sergeant, Police Dept.	1/1/2021	12/31/2022
Gilfus	Gregory	Sergeant, Police Dept.	1/1/2021	12/31/2022
Geer	Patricia	Supreme Court	1/1/2021	12/31/2022
Gonzalez,	Angel	Sergeant, Police Dept.	1/1/2021	12/31/2022
Hare	Matthew	Sergeant, Police Dept.	1/1/2021	12/31/2022
Hicks	Brian	Code Enforcement Office, City	1/1/2021	12/31/2022
King	Kathleen	Cayuga Probation Department	1/1/2021	12/31/2022
LaMay	Coleen	City Clerk s Office	1/1/2021	12/31/2022
Mason	Chuck	City Clerk's Office	1/1/2021	12/31/2022
McPherson	Dawn	Cayuga County Family Court	1/1/2021	12/31/2022
Miller	Rhonda	Secretary to the Mayor	1/1/2021	12/31/2022
Orman	James	Cayuga County Treasurer	1/1/2021	12/31/2022
Platt	Kyle	Captain, Police Dept.	1/1/2021	12/31/2022
Rivers	Adam	Detective, Police Dept.	1/1/2021	12/31/2022
Schattinger	Mark	Captain, Police Dept.	1/1/2021	12/31/2022
Simmons	Melissa	City Clerk s Office	1/1/2021	12/31/2022
Slayton	James	Lieutenant, Police Dept.	1/1/2021	12/31/2022
Smith	James	Sergeant, Police Dept.	1/1/2021	12/31/2022
Spingler	Timothy	Sergeant, Police Dept.	1/1/2021	12/31/2022
Walters	David	Sergeant, Police Dept.	1/1/2021	12/31/2022

APPOINTMENT RESOLUTION #122 OF 2020

APPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW

By Councilor McCormick

December 17, 2020

WHEREAS, New York State Law requires that the City of Auburn maintain an Assessment Review Board by which members are appointed by the Mayor with confirmation by the City Council; and

WHEREAS, there currently exists a vacancy for one position and it is the recommendation of the Mayor that the following person, whom is a resident of the City of Auburn, shall be appointed as a member of the Board for a term of five (5) years, namely:

Richard Tamburrino

; and

WHEREAS, that member, residing in Auburn, New York shall serve the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through January 31, 2025; and

WHEREAS, it is necessary that the Auburn City Council does approve the appointment of Richard Tamburrino for a term of five (5) years to the Board of Assessment Review.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby appoint Richard Tamburrino to be a member of the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through January 31, 2025.

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		

E. Staff Presentations - None

TABLED ITEMS - none

OTHER BUSINESS – none

Second Public To Be Heard: Mayor Quill opened the second Public to be Heard portion of the Council meeting and there were no speakers.

Executive Session -

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

- One matter 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.)

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:40 p.m. Executive session adjourned at 6:41 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:42 p.m..

Minutes submitted by:

Chuck Mason, City Clerk