

**Auburn City Council  
Regular Meeting  
Thursday, April 15, 2021 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 5:00 p.m. via Zoom videoconference 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, 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 DeForest
- City Clerk, Chuck Mason
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- City Comptroller, Rachel Jacobs
- City Engineer, Bill Lupien
- Director of Planning and Economic Development, Jennifer Haines
- Director of Municipal Utilities, Seth Jensen
- Police Lieutenant James Slayton
- Code Enforcement Officer, Brian Hicks
- Assistant to the Mayor and Council, Rhonda Miller

**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 will be held on April 26, 2021 at 7 p.m. and will be held in person at Council Chambers, Memorial City Hall, 24 South Street.

The City of Auburn Transfer Station will host Spring Cleaning Days for Auburn CITY RESIDENTS ONLY.

- Dates: Saturday, April 24, 2021 and Saturday, May 8, 2021
- Hours: 7:00 am - 11:30 a.m.
- Location: City of Auburn Transfer Station (former Landfill), 311 North Division Street
- For more information or questions call: 315-252-6441
- All Rules Will Be STRICTLY ENFORCED Click [here](#) for the complete list of requirements, rules and regulations.

The Auburn Beautification Commission is organizing and Earth Day 2021 Owasco River Clean-up for areas along the Owasco River between the Mill Street Dam and downtown. The event will be held on April 24, 2021 from 10 a.m. through 12 p.m. noon. Volunteers are invited and asked to bring their own work gloves and rakes. This event is also sponsored by Cayuga Climate Action, Auburn Downtown BID and the City of Auburn DPW.

#### **CEREMONIAL PRESENTATIONS –**

**Public to be heard:** Mayor Quill asked the Clerk read the public to be heard rules. The following individual spoke:

#### **Approval of Meeting Minutes – none**

#### **Reports of City Officials**

##### **A. City Manager's Report**

- The City of Auburn is seeking bids for the following projects:
  - A. Waste Water Treatment Plant Biosolids Processing and Drying Project. Biosolids Dryer Equipment – Due April 20.
  - B. Marketing Services for the Historic and Cultural Sites Commission – Due April 16
  - C. Millwork, Casework, and Countertops for the Public Safety Building Project – to be published tomorrow and due April 27. More information on all these projects is available on the City of Auburn webpage under the tab “Bids/RFPs”
- Several city departments have been working to implement our “Building Blocks” software that brings together a variety of data related to individual properties utilizing GIS technology and a number of data sources. After utilizing the platform for a while internally, the platform will soon be made available to the public and will allow access to some information while protecting other confidential information.
- Later tonight and throughout tomorrow morning city crews will be working to replace a large valve at the upper pump station near Emerson Park. The valve is a 1950's vintage and was found to be faulty a couple of weeks ago as crews investigated a noisy pump. Once that valve is replaced work will commence on the pump to determine what repairs are required. Overnight

and early tomorrow morning some residents may experience a slight reduction in pressure but no loss of water.

- This week city staff met to discuss spring and summer events. We are working on rolling out some smaller events later in the season and are monitoring NYS guidance as we develop plans. Some smaller events proposed by local organizations have been approved with modifications while others unfortunately have been denied. We will be postponing the Memorial Day Parade again this year as there is no practical way to limit the crowd size or social distancing recommendations.
- Sales tax up 35% in March compared to 2020
- Sales tax up 9.41% in the first quarter of 2021 compared to 2020
- NYS has informed us that our 2021-22 allocation for CHIPS (Consolidated Local Street and Highway Improvement Program) has increased by \$141,593 to \$755,625; PAVE NY has increased by \$70,050 to \$210,209; and Extreme Winter Recovery has increased by \$49,587 to \$141,678.

## **B. Reports from members of Council**

### **Matters to Come Before Council**

#### **A. State Environmental Quality Review Act Resolutions (SEQR)**

#### **B. Ordinances – FIRST READING**

##### **BOND ORDINANCE #6 OF 2021**

AUTHORIZING THE ISSUANCE OF \$36,000,000 SERIAL BONDS TO  
FINANCE THE COST OF IMPROVEMENTS TO AND EQUIPMENT  
FOR THE CITY WASTEWATER TREATMENT PLANT

BE IT ORDAINED by Council of the City of Auburn, Cayuga County, New York (the “City Council”) as follows:

Section 1. The City of Auburn, Cayuga County, New York (the "City") is hereby authorized to undertake the reconstruction and improvement of the City’s Wastewater Treatment Plant and sewer system including, but not limited to, the construction of a new biosolids dryer and sludge handling facility, construction of a new digester and storage building at the Wastewater Treatment Plant, replacement of manholes and sewer lines, the acquisition and installation of original furnishings, equipment, machinery or apparatus required, costs of surveys, maps, plans and environmental, engineering, feasibility and other design studies, at an estimated maximum cost of \$36,000,000 and to issue an aggregate \$36,000,000 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 objects or purposes is \$36,000,000, said amount is hereby appropriated therefor and the plan for the

financing thereof shall consist of the issuance of \$36,000,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose described in Section 1 is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(3)(l) 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 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 Sewer 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 of the City, with the serial bonds and bond anticipation notes authorized by other bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in 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 Comptroller, the Chief Fiscal Officer of the City.

Section 10. The City Comptroller, as Chief Fiscal Officer of the City, is further authorized to sell all or a portion of the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, to the New York State Environmental Facilities Corporation (the "EFC") in the form prescribed in one or more loan and/or grant agreements (the "Agreements") between the City and the EFC; to execute and deliver on behalf of the City one or more Agreements, Project Financing Agreements, and Letters of Intent with the EFC and to accept the definitive terms of one or more Agreements from EFC by executing and delivering one or more Terms Certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from the EFC for all or a portion of the costs of the expenditures authorized by this Ordinance, and perform the City's obligations under its Bonds or bond anticipation notes delivered to the EFC, the Project Financing Agreements and the Agreements.

Section 11. Any federal or New York State grant funds obtained by the City for the capital purposes described in Section 1 of this Ordinance shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds or to the extent obligations shall not have been issued under this Ordinance, to reduce the maximum amount to be borrowed for such capital purposes.

Section 12. 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 13. 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 14. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to file an application with the New York State Comptroller pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the City.

Section 15. 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 16. This Ordinance is not subject to a mandatory or permissive referendum.

Section 17. The Common 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 18. This Ordinance shall take effect immediately upon its adoption.

**C. Local Laws – none**

**D. Resolutions – none**

**E. Staff Presentations –**

- Office of Planning and Economic Development and Code Enforcement FY 2021-2022 Budget Presentation FY 2021-2022 - Jenny Haines, Director of Planning and Economic Development
- Municipal Utilities FY 2021-2022 Budget Presentation - Seth Jensen, Director of Municipal Utilities
- Fire Department FY 2021-2022 Budget Presentation - Mark Fritz, Fire Chief
- Corporation Counsel FY 2021-2022 - Stacy DeForrest, Corporation Counsel
- City Clerk Budget FY 2021-2022 Presentation - Chuck Mason, City Clerk

**TABLED ITEMS - none**

**OTHER BUSINESS –**

**Mayor Quill**

Thank you. Mr. Dygert. Do you request 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:

- Two matters made confidential by Federal or State law. (Section 4503 of the Civil Practice Law

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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 6:55 p.m. Executive session adjourned at 8:29 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:30 p.m..

Minutes submitted by:

Chuck Mason, City Clerk