

**Auburn City Council  
Regular Meeting  
Thursday, April 22, 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
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Chuck Mason
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- City Comptroller, Rachel Jacobs
- City Engineer, Bill Lupien
- Director of Municipal Utilities, Seth Jensen
- Director of Capital Projects and Grants, Christina Selvek
- Police Lieutenant James Slayton

**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.

## **CEREMONIAL PRESENTATIONS –**

**WHEREAS,** Earth Day is an important celebration that bring special attention to the environment during the month of April; and

**WHEREAS,** the theme for Earth Day 2021 is *Restore Our Earth*™, which focuses on natural processes, emerging green technologies, and innovative thinking that can restore the world’s ecosystems; and

**WHEREAS,** In this way, the theme rejects the notion that mitigation or adaptation are the only ways to address climate change. It is up to each and every one of us to Restore Our Earth not just because we care about the natural world, but because we live on it. We all need a healthy Earth to support our jobs, livelihoods, health & survival, and happiness. A healthy planet is not an option - it is a necessity; and

**WHEREAS,** The City of Auburn promotes a sustainable community through its Comprehensive Plan; and

**WHEREAS,** The City of Auburn has made substantial investments to improve its water delivery system to eliminate water waste from leaks and unaccounted for water use; and

**WHEREAS,** The City of Auburn has made substantial investments to improve its wastewater collection and treatment systems to provide for the protection of water quality and the environment; and

**WHEREAS,** The City of Auburn provides curb side recycling and yard waste collection to reclaim these wastes for reuse; and

**WHEREAS,** It is important for all citizens to help create a sustainable community through sound environmental practices; and

**WHEREAS,** The City wishes to call attention to the importance of protecting the environment and to encourage events and activities that help educate and motivate sustainable practices.

**NOW THEREFORE BE IT RESOLVED** that I, Mayor Michael D. Quill, do hereby proclaim April 22, 2021 to be

## **EARTH DAY**

And encourage all citizens and businesses in Auburn to support sustainable practices and protection of our natural resources, and to participate in environmental events this month.

**In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Twenty Second day of April 2021.**

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

The Mayor introduced Sarah Dibble the Chairperson of the Auburn Beautification Commission who accepted the Earth Day 2021 proclamation. Ms. Dibble announced that the Auburn Beautification Commission along with Cayuga Climate Action, the Auburn Downtown BID and the City have all teamed up to sponsor an Earth Day event on Saturday, April 24, 2021 from 10 a.m. through 12 p.m. noon. The event will be for volunteers to assist with cleaning the areas along the Owasco River in the downtown area and volunteers are asked to meet that day by the Mill Street Dam on the Canal Street side.

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

Richard Tambarino spoke to address traffic in the Lake Avenue area due to a vehicle detour from construction on NYS Route 34 and he expressed concerns he has for an upcoming Lake Avenue area community garage sale being held on May 1, 2021. He also presented a list of possible solutions the City could consider to address the matter.

David Scott, 63 South Street spoke about National Fair Housing Month and National Minority Health Month, Earth Day and National Crime Victims week.

#### **Approval of Meeting Minutes –**

- April 8, 2021 Council Meeting Minutes  
Motion to approve the April 8, 2021 minutes by Councilor Giannettino, seconded by Councilor McCormick. Motion to approve carried 5-0.

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

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

- The City of Auburn is seeking bids for the following projects:
- 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”
- Earlier this week we received some updated vaccination statistics from NYS. The data shows Auburn with a Covid vaccination rate of over 47%.
- This afternoon we received news from NYS Senator John Mannion that the City of Auburn will be receiving approximately \$1.5 million in funding from a NYS Touring Route program targeted towards offsetting the cost of maintaining state owned roadways. We are awaiting final and complete guidance on how those funds can be used but regardless, the additional funding will be helpful to the upkeep of our streets and roadways.
- Next week, among a few other presentations, staff will be explaining the recently passed NYS Adult Recreational Use Marijuana legislation. There is already an abundance of speculation and misinformation in the community and staff will attempt to clarify many of those issues and provide guidance to Council related to the rights and responsibilities of elected officials of cities.

##### **B. Reports from members of Council - none**

**Matters to Come Before Council**

Mayor Quill asked the Council to consider moving the staff presentation to before the Resolutions and Bond Ordinance. Hearing no objections the Mayor introduced the Director of Municipal Utilities, Seth Jensen for the 30% Design Update on the Biosolids Dryer Presentation. Mr. Jensen introduced Eric Muir from Brown and Caldwell who provided the presentation to Council.

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

**SEQR RESOLUTION #6 OF 2021**

**DETERMINING THAT THE AUBURN WASTEWATER TREATMENT PLANT BIOSOLIDS IMPROVEMENT PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT**

By Councilor Cuddy

April 22, 2021

**WHEREAS**, the City of Auburn (the “City”) is the sponsor of a proposed project to upgrade and improve the City’s existing Auburn Wastewater Treatment Plant (“WWTP”), including various repairs, replacements and upgrades of existing equipment and also construction of a new biosolids dryer, sludge handling facility, digesters, and other related equipment, components, or systems (the “Project”); and

**WHEREAS**, the City intends to comply with the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

**WHEREAS**, the City has prepared and completed Parts 1, 2, and 3 of the Full Environmental Assessment Form (“EAF”) for the Project and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance as identified in Section 617.7(c)(1) of the Regulations, which is attached hereto and incorporated herein; and

**WHEREAS**, the New York State Department of Environmental Conservation (“NYSDEC”) is the only other “involved agency” (as the quoted term is defined in the regulations) for this Project; and

**WHEREAS**, correspondence was sent to NYSDEC on March 19, 2021 requesting NYSDEC’s consent to the City acting as lead agency for the review of the Project and providing a copy of the EAF Part 1, and NYSDEC has not objected to the City acting as lead agency; and

**WHEREAS**, the City Council has considered the significance of the potential environmental impacts of the Project and said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore is one which will not have a significant negative impact on the environment.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Auburn that based upon an examination of the EAF and other available supporting information, the knowledge about the area surrounding the Project, and such further investigation of the Project and its potential

environmental impacts, the City Council makes the following findings and determinations with respect to the Project:

1. The Project is classified as an “Unlisted” action, as that term is defined in the Regulations; and
2. The City has completed Parts 2 and 3 of the EAF and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations; and
3. The City hereby approves and adopts the attached EAF for the Project (Parts 1-3 with its supporting written elaboration), which is attached hereto and incorporated herein: and
4. The City hereby authorizes the EAF to be signed and a Negative Declaration to be filed for the Project and will not require the preparation of an environmental impact statement for the Project; and
5. The City Clerk and City staff are authorized to take such additional steps as may be necessary to carry out this Resolution; and
6. That this resolution shall take effect immediately.

Seconded by Councilor McCormick

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

## **B. Ordinances**

By: Councilor Giannettino

### **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.

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		

**C. Local Laws – none**



**D. Resolutions –**

**AWARD RESOLUTION #50 OF 2021**

**AWARDING A BID FOR THE 2021 ROAD IMPROVEMENT PROGRAM**

By Councilor McCormick

April 22, 2021

**WHEREAS**, on March 19, 2021, the Auburn City Council passed Bond Resolution #2 of 2021 to fund the 2021 Road Improvement Program; and

**WHEREAS**, the 2021 Road Improvement Program involves streets to be improved by asphalt resurfacing including partial reconstruction, patching, crack sealing, micro-surfacing, milling the road surfaces, and installing asphalt trueing and leveling and top courses; and

**WHEREAS**, on April 13, 2021, bids were opened for the 2021 Road Improvement Program and the following bids were received:

- |    |   |                 |
|----|---|-----------------|
| 1. | Paul F. Vitale Inc.<br>Auburn, New York     | \$ 1,225,965.00 |
| 2. | Nardozi Companies<br>Geneva, New York       | \$ 1,499,526.25 |
| 3. | Villager Construction<br>Fairport, New York | \$ 1,793,468.00 |

; and

**WHEREAS**, it is necessary that the Auburn City Council award the 2020 Road Improvement Program to the lowest responsible bidder, namely, Paul F. Vitale Inc., which has submitted a low bid of \$1,225,965.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award the contract for the 2021 Road Improvement Program to Paul F. Vitale Inc., the lowest responsible bidder in the amount of \$1,225,965.00; and

**BE IT FURTHER RESOLVED** that the cost of the Resolution in the amount of \$1,225,965.00 is to be charged as follows:

- \$910,965.00 is to be charged to 2021 Road Improvement Program Acct. #HA 5110-440-KR;
- \$ 225,000.00 is to be charged to Sewer Slipline & Manhole Replacement Acct. #HG 8120-440-KB for repairs to pavement, manholes and catch basins;

- \$50,000.00 is to be charged to Revolving Loan Sidewalk Acct. #HA 5497-440-001 for property owner curb & sidewalk installations; and
- \$40,000.00 is to be charged to 2020-21 (City) Sidewalk Program Acct. #HA 5497-440-KJ for installation of ADA accessible corner ramps.

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

Seconded by 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 #51 OF 2021**

**AWARDING A PROFESSIONAL SERVICES CONTRACT FOR THE WATER FILTRATION PLANT IMPROVEMENTS PROJECT**

By Councilor McCormick

April 22, 2021

**WHEREAS**, on March 19, 2020, the Auburn City Council authorized Bond Ordinance #5 of 2020, approving funding for the Water Filtration Plant Improvements Project (the “Project”); and

**WHEREAS**, on January 15, 2021, City staff released a request for proposals for professional engineering services related to design plans, design-related construction administration and inspection services for the Project; and

**WHEREAS**, on February 12, 2021, the City received four (4) responses from various qualified professional engineering services firms; and

**WHEREAS**, City staff reviewed and scored the responses, and the average scores were as follows:

- |                       |             |
|-----------------------|-------------|
| 1) GHD                | Score: 93.8 |
| 2) C.T. Male          | Score: 91.2 |
| 3) Barton & Loguidice | Score: 89.8 |
| 4) MRB Group          | Score: 89.2 |

; and

**WHEREAS**, City staff recommends that GHD of Syracuse, NY, as the highest ranked firm to provide the above mentioned professional engineering services for the Water Filtration Plant Improvements Project; and

**WHEREAS**, now City staff requests that GHD of Syracuse, NY be awarded an initial contract for professional engineering services to provide project management, permitting/approvals, funding assistance, hazardous material assessment, and final construction specifications and plans to rehabilitate the slow sand filtration plant and upgrade the failing clear well at the Water Filtration Plant; and

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award a contract to GHD of Syracuse, NY for professional engineering services for the Project in an amount of \$345,000; and

**BE IT FURTHER RESOLVED** that the Mayor, or appointed designee, is authorized to sign the initial agreement and related documents for the Project on behalf of the City of Auburn; and

**BE IT FURTHER RESOLVED** that the cost of this resolution in the amount of \$345,000.00 is to be charged to the Water Filtration Plant Design Project capital account (#HF-8330-440-JJ).

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		

#### **COUNCIL RESOLUTION #52 OF 2021**

#### **AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDINGS, CHEMUNG CANAL TRUST. v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL., CONCERNING A PARCEL OF REAL PROPERTY LOCATED AT 185 GRANT AVENUE**

By Councilor McCormick

April 22, 2021

**WHEREAS**, in 2017, 2018, 2019 and 2020, Chemung Canal Trust commenced proceedings challenging the property tax assessment of real the property it owns located at 185 Grant Avenue, in the City of Auburn, Auburn City School District, Cayuga County (the “Property”); and

**WHEREAS**, the Property is located along the east side of Grant Avenue between Standart Avenue and McIntosh Drive; and

**WHEREAS**, Assistant Corporation Counsel Nathan J. Garland Esq., appeared in the foregoing proceedings on behalf of the City of Auburn; attorney Rebecca Speno, Esq. appeared and intervened in these proceedings on behalf of Cayuga County; and, attorney Katherine E. Gavett, Esq., appeared and intervened in these proceedings on behalf of the Auburn Enlarged City School District; and

**WHEREAS**, after extensive settlement negotiations, the Parties and their attorneys have agreed that a settlement as outlined in the attached proposed Stipulation of Settlement and Judicial Order would be in the best interests of all parties and would avoid further litigation expense; and

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

**WHEREAS**, the Auburn Enlarged City School District and Cayuga County have already approved or will soon approve, the proposed settlement as outlined in the attached.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby authorize Assistant Corporation Counsel Nathan J. Garland to execute the attached Stipulation of Settlement and Judicial Order, wherein the tax assessment of the property owned by the Petitioner shall be adjusted as set forth therein, and refunds shall issue in the amount set forth therein.

Seconded by Councilor Cuddy

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

**APPOINTMENT RESOLUTION #53 OF 2021**

**APPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW**

By Councilor Giannettino

April 22, 2021

**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 on the Board of Assessment Review 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:

Colleen Locastro

; 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 April 22, 2026; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Auburn City Council does hereby appoint Colleen Locastro to be a member of the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through April 22, 2026.

Seconded by Councilor Cuddy

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

**FINANCIAL RESOLUTION #54 OF 2021**

**AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS**

By Councilor McCormick

**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 A; and,

**WHEREAS**, there is no fund balance being requested for these transfers; and,

**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 2020-2021 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

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

Attachment A: 20-21 FY						
4/22/2021						
Amount	Account to		Account From		Reason	
\$30,000.00	G8130.440	Sew Treatment - Services	G8130.250	Sew Treatment - Equipment	To cover future invoicing from Camden Group for 4A Operator	
\$ 50,000.00	A3410.160	Fire - OT Contractual	A3410.250	Fire - Equipment	Reverse previous budget amendment - not needed due to COVID reimb.	

**E. Staff Presentations – none**

**TABLED ITEMS - none**

**OTHER BUSINESS –**

Councilor Cuddy provided the Council with the following update on a public meeting he attended on April 19, 2021 regarding Cayuga Lake.

NYS DEC Cayuga Lake Draft TMDL Public Information Session

The information session took place via Webex on Monday April 19, 2021 at 5:30pm

Presenters:

Koon Tang from DEC Division of Water

Anthony Prestigiacomo from DEC

In attendance:

Maria Katchmar from DEC (moderator)

Aimee Klinkhammer from DEC

The key takeaways from the presentation and subsequent question and answer session.

- 1.) The Cayuga Lake was divided into four segments
- 2.) The south end of the lake was in most need of the TDML, but the DEC decided to propose a TMDL for the whole lake because each segment influences each other.
- 3.) The majority of the phosphorus comes from non-point sources.
  - a) In 2020 DEC recently updated Cornell's Lake Source Cooling permit therefore it is not explicitly considered as a point source within the purview of this draft TMDL
  - b) The WWTP only accounts for less than 1% of the point source pollution of Cayuga Lake
  - c) The majority of pollution in Cayuga Lake derives from non-point sources.
- 4.) The DEC used a narrative criteria along with Chlorophyll-a (Chl-a) data to warrant a TMDL for Cayuga Lake, and not a numeric criteria (which was a threshold of 20µ/L) that Owasco Lake residents, stakeholders, and advocates were told by the DEC needed to warrant a TMDL.
- 5.) Although the 9E Plans are similar to TMDLs as far a regulatory limitations and oversight. When asked if TMDLs get priority funding from the state. The answer was that having a TMDL is like having "bonus" points when asking for state funds. It was also stated that lakes with TMDL pollution budgets are eligible for Federal funding.



This City Council advocated for a TMDL for Owasco Lake at the time the microcystins breached our water filtration plant. Cayuga County Planning, the Owasco Lake Watershed Management Council and New York State DEC felt that a locally run 9E Plan would be a better fit for Owasco Lake. As I stated back then and I still believe today the 9E Plan is not the opposite or mutually exclusive to a TMDL, in fact it can dovetail into a TMDL. We need to ask ourselves, does Owasco Lake deserve priority treatment from New York State. I believe it does, and a TMDL will recognize our importance in this fight against harmful algal blooms.

Councilor Locastro asked if there was an update on the Public safety Building. The City Manager and the Director of Capital Projects and Grants, Christina Selvek provided an update on some of the most recent activity at the construction site.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:17 p.m..

Minutes submitted by:

Chuck Mason, City Clerk