

**Auburn City Council
Regular Meeting
Thursday, February 7, 2019 6:00 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 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Mayor Quill and Councilors McCormick, Giannettino, Cuddy and Carabajal were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Comptroller, Rachel Jacobs
- Director of Planning and Economic Development, Jennifer Haines
- Police Chief, Shawn Butler
- Assistant Police Chief, Roger Anthony
- Director of Municipal Utilities, Seth Jensen

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

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

4. Public Announcements

The City Clerk read the announcements.

5. Ceremonial Presentations and Proclamations

The City Clerk read a proclamation from the office of Mayor Quill naming **Black History Month, February 2019**. Eli Hernandez representing the Auburn/Cayuga NAACP accepted the proclamation.

6. Public to be Heard – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules. No members of the public spoke.

7. Approval of Meeting Minutes - none

8. Reports of City Officials

A. City Manager's Report

- Staff met this week to discuss the upcoming grant opportunity through NYS know as Local Initiatives Support Corporation (LISC). This is the same grant program that has helped fund a portion of our enhanced Code Enforcement Staffing and Assistant Corporation Counsel for the last two years. The new grant will allow us to continue these programs as well as potentially fund new code enforcement software that will improve efficiency and communication. The new grant is also for two years and the applications are due March 8.
- The Auburn Housing Authority has had an open board member spot and we had an open call for applications for the last few weeks. This is a City Manager appointment. I have appointed Thomas Falicchio to that position. Tom brings years of experience that include work with Planning Boards, Cayuga County Homesite, is currently on the Board of the Boyle Center and Bluefield Manor, and was very involved in the redevelopment of Westlake Ave., Orchard St., and Bluefield Manor.
- The City of Auburn is accepting bid proposals for the replacement of water service lines containing lead as part of a grant funded initiative. Bids are due on March 7, 2019 and details can be obtained through our webpage under the tab "Bids/RFPs."
- The City of Auburn is Requesting Proposals for the replacement of an aging Zebra Mussel Control system on our drinking water intake. RFPs are due February 15, 2019 and details can be obtained through our webpage under the tab "Bids/RFPs".
- The City of Auburn is Requesting Proposals for the Renovation for Water Filtration Plant Facility. RFPs are due February 15, 2019 and details can be obtained through our webpage under the tab "Bids/RFPs".
- The City of Auburn is Requesting Proposals for Sludge Hauling Services from our wastewater treatment facility. RFPs are due February 14, 2019 and details can be obtained through our webpage under the tab "Bids/RFPs".
- Last week I met with staff from DPW, Municipal Utilities, Planning, and Engineering as well as the Cayuga County Soil and Water Conservation District, Peter Kramer from our permaculture park, and Walt Aikman our local tree expert. The purpose was to collaborate on ways to achieve common goals of providing healthy, attractive, and easy to maintain green space. It was a productive meeting that has us focusing on the arterial median from State St. west to the city line and the area of the Owasco River Trail from North St. to Pulsifer Dr. At our next meeting we will discuss Tech Park and some specific city parks. I'm hopeful that we will be able to implement some changes this summer season. We will have a presentation for Council within the next few months to share some ideas and gather further input.
- Over the next few days our Corporation Counsel's Office will be sending tax foreclosure notices out related to approximately 113 properties.

B. Reports from members of Council

- Councilor Cuddy reported that he met with Councilor McCormick and Director of Municipal Utilities Seth Jensen along with representatives of Cayuga County to discuss feedback he had provided on the draft update to the Owasco Lake Watershed Rules and regulations.

- Mayor Quill reported on a meeting that he and other members of the Council attended hosted by Congressman Katko regarding the Route 81 project in Syracuse. The meeting was held at Cayuga Community College on Monday, February 4, 2019.

9. 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 #12 OF 2019
APPROVING THE SUBMISSION OF THE 2019-2020 ANNUAL ACTION PLAN
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

By Councilor McCormick

February 7, 2019

WHEREAS, The City of Auburn is an Entitlement Community for the Community Development Block Grant (CDBG) Program and is required to submit a Five Year Consolidated Plan with an annual statement of objectives and uses of the CDBG Entitlement Program funds; and

WHEREAS, the City of Auburn has prepared the 2019-2020 Annual Action Plan outlining the community development activities, objectives and budget for use of funds; and

WHEREAS, the City of Auburn has held public meetings to solicit participation and input into the preparation of the proposed Annual Action Plan; and

WHEREAS, The City of Auburn Planning Board held a Public Hearing in Council Chambers on November 7, 2018 and the City Council of the City of Auburn, New York held a Public Hearing on January 24, 2019 during the Public Comment period; and

WHEREAS, the City of Auburn published the Notice of the Annual Action Plan on January 8, 2019 to start the local comment period.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York as follows:

1. The 2019-2020 Annual Action Plan is hereby approved; and
2. The Mayor, or his named designee, is hereby authorized and directed to sign the Application for Federal Assistance and submit the 2019-2020 Annual Action Plan to the

U.S. Department of Housing and Urban Development for the CDBG entitlement grant to complete the objectives of the 2019-2020 Annual Action Plan; and

3. The Mayor, or his named designee, is hereby authorized and directed to sign the Funding Approval / Agreement with the U.S. Department of Housing and Urban Development necessary to further the objectives of the 2019-2020 Annual Action Plan and all related Subrecipient and other agreements necessary to further the objectives of the Annual Action Plan; and
4. The City Comptroller's Office is hereby authorized and directed to recognize grant revenue and appropriate funding into the correct departmental budget.

Seconded by Councilor Carabajal

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

APPOINTMENT RESOLUTION #13 OF 2019

APPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW

By Councilor Cuddy

February 7, 2019

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, board member, Chris DeProspero, served a term of service that terminated on September 30, 2018; and

WHEREAS, the Mayor is nominating Chris DeProspero, residing in Auburn, New York to be re-appointed to the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through January 31, 2024; and

WHEREAS, it is necessary that the Auburn City Council does approve the re-appointment of Chris DeProspero 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 Chris DeProspero to be a member of the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through January 31, 2024.

Seconded by Councilor Giannettino

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

APPOINTMENT RESOLUTION #14 OF 2019

APPOINTING MEMBERS OF THE AUBURN HUMAN RIGHTS COMMISSION

By Councilor Carabajal

February 7, 2019

WHEREAS, the City of Auburn has created the Auburn Human Rights Commission pursuant to the General Municipal Law of the State of New York; and

WHEREAS, the term of service for three members of the Commission expired on September 30, 2018 and it is the recommendation of the Human Rights Commission that the following persons, all of whom are residents of the City of Auburn, shall be re-appointed as members of the Commission for a term of three (3) years, namely:

Gilda Brower, Gwendolyn Jones and Joseph Leogrande
; and

WHEREAS, the members shall serve for a term of three (3) years beginning immediately upon approval of this Appointment Resolution.

NOW, THEREFORE, BE IT RESOLVED that the following persons are hereby appointed as members of the Auburn Human Rights Commission for a term of three (3) years, namely:

Gilda Brower, Gwendolyn Jones and Joseph Leogrande

; and

BE IT FURTHER RESOLVED that said appointments are to become effective immediately upon approval of this Appointment Resolution.

Seconded by Councilor Cuddy

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

COUNCIL RESOLUTION #15 OF 2019

AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDING ENTITLED “AUBURN ASSOCIATES, LLC, and HOWELL ABRAMS DEVELOPMENT, LLC. v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL.”, CONCERNING TWO PARCELS OF REAL PROPERTY LOCATED ALONG GRANT AVENUE

By Councilor Giannettino

February 7, 2019

WHEREAS, in 2018 Petitioners Auburn Associates, LLC, and Howell Abrams Development commenced a proceeding challenging the assessment on property they own located in the City of Auburn, Auburn City School District, Cayuga County; and

WHEREAS, the property owned by Auburn Associates, LLC, includes a parcel located at 217 Grant Ave, which is known and designated on the Cayuga County Tax Map as No. 109.64-1-1.1 (the “Plaza”); and

WHEREAS, the property owned by Howell Abrams Development includes a parcel located at 303 Grant Ave RR, which is known and designated on the Cayuga County Tax Map as No.109.48-1-1.2 (the “Parcel”); and

WHEREAS, the Plaza is located along the northeast side of Grant Avenue between Macintosh Drive and John Walsh Boulevard; and

WHEREAS, the Parcel is located along the northeast side of Grant Avenue between John Walsh Boulevard the City line; and

WHEREAS, Assistant Corporation Counsel Nathan J. Garland Esq., appeared in the foregoing proceeding 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

WHEREAS, the Auburn City School District Board of Education has already approved, the proposed settlement as outlined in the attached; and

WHEREAS, the Cayuga County legislature has already approved the settlement as proposed.

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 (1) tax assessment of the properties located at 217 Grant Avenue and 303 Grant Avenue Drive owned by the Petitioners shall be adjusted as set forth therein.

Seconded by Councilor Cuddy

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

COUNCIL RESOLUTION #16 OF 2019

ADOPTING THE SENIOR MANAGEMENT PERSONNEL POLICY

By Councilor McCormick

February 7, 2019

WHEREAS, on January 4, 2018, the Auburn City Council passed Council Resolution No. 10 of 2018, which approved the Senior Management Personnel Policy (the “Policy”) in order to provide fair and competitive compensation to Senior Management Employees, who are not otherwise represented by Collective Bargaining Agreements; and

WHEREAS, this resolution proposes an updated Policy for adoption, which is attached hereto and includes updates to sections for wages, vacation, holidays, sick leave, longevity, health insurance, retirement benefits, and family and medical leave.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby affirm and adopt the Senior Management Personnel Policy, which is attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED that the Mayor, or approved designee, of the City of Auburn is hereby authorized to execute the Senior Management Personnel Policy on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED, that the Senior Management Personnel Policy shall be effective retroactively as of January 1, 2019.

Seconded by Councilor Carabajal

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

AGREEMENT RESOLUTION #17 OF 2019

**APPROVING AN AMENDMENT TO THE COLLECTIVE NEGOTIATIONS
AGREEMENT
BETWEEN THE CITY OF AUBURN AND
THE NEW YORK FINGER LAKES REGION POLICE OFFICERS LOCAL #195**

By Councilor Carabajal

February 7, 2019

WHEREAS, on June 30, 2017, the City of Auburn and the Union representing the New York Finger Lakes Region Police Officers Local #195, entered into a Collective Negotiations Agreement (the “Agreement”), which is in effect until June 30, 2022, subject to any written amendments made thereto; and

WHEREAS, since the parties executed the Agreement, the City of Auburn Police Department has suffered a significant reduction in staffing as a result of ongoing retirements, transfers and difficulties in the recruitment of new officers; and

WHEREAS, given these unusual circumstances, City of Auburn and the Union agreed to reopen the Agreement for the sole and limited purpose of renegotiating the terms of wages and the health insurance incentive; and

WHEREAS, the parties propose to amend the terms of Articles VIII and XXIII of the Agreement, which is attached hereto and incorporated herein; and

WHEREAS, the Union held a meeting of its members on January 30, 2019, and voted in favor of the amendment of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the amendment to the Collective Negotiations Agreement between the City and the New York Finger Lakes Region Police Officers Local #195 and further authorizes the Mayor, City Manager, Corporation Counsel, and Comptroller to sign any documents necessary to carry out the intent of this resolution.

Seconded by Councilor Giannettino

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

FINANCIAL RESOLUTION #18 OF 2019

AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS

By Councilor Giannettino

February 7, 2019

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2018-19 year as outlined in attachment A; and,

WHEREAS, there is no fund balance being used for these transfers.

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 2018-19 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor McCormick

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

Attachment A					
7-Feb-19					
Amount	Account to		Account From		Reason
\$5,807.50	A1420.110	Salaries & Wages	A1420.451	Consulting Fees	Salary increases due to new SMP adoption
\$1,500.00	A1450.450	Fees	A1990.455	Contingency	Increased Board of Election Costs
\$30,000.00	A5142.412	Oper Supp	A1990.455	Contingency	To cover excess salt needed for snow removal
\$2,500.00	A3620.250	Other Equipment	A1990.455	Contingency	Equipment needed for Codes Clean-up Crew
\$10,000.00	A3410.160	Overtime Contr.	A3410.250	Other Equipment	Transfers needed to cover excess overtime for AFD
\$7,000.00	A3410.160	Overtime Contr.	A3410.440	Services	
\$500.00	A3410.160	Overtime Contr.	A3410.210	Furniture & Fixtures	
\$1,000.00	A3410.160	Overtime Contr.	A3410.409	Software Expenses	
\$5,000.00	A3410.160	Overtime Contr.	A3410.460	Travel, Training	

15. STAFF/VENDOR PRESENTATIONS

F. Tabled Items - None

10. Other Business

Councilor Giannettino asked if there could be an update on the 2019 Road Program included on a Council agenda in the near future.

Councilor Carabajal asked about street lighting on William Street. The manager responded that the lighting is old and has experienced electrical failure. The lighting will be replaced in the spring of 2019 when we complete road work on Lincoln Street and William Street as part of the NYS Equal Rights Heritage Center project.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:01 p.m.

Minutes submitted to the City Council on February 14, 2019 by:

Auburn City Council Minutes February 7, 2019

Charles Mason
City Clerk