

**Auburn City Council
Regular Meeting
Thursday, May 16, 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
- Police Chief, Shawn Butler
- Director of Capital Improvement Program and Grants, Christina Selvek
- Director of Planning and Economic Development, Jennifer Haines
- Superintendent of Engineering, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Assistant Comptroller, Theresa Adams
- Fire Chief, Joe Morabito

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.

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 speakers.

7. Approval of Meeting Minutes –

May 2, 2019 Council Meeting Minutes

Motion to approve the May 2, 2019 minutes by Councilor Giannettino, seconded by Councilor Carabajal. Motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- Many of our outdoor projects have been delayed due to the persistent rain. We are expecting that the concrete pour at the North Division St Bridge will happen this Saturday.
- Our seasonal staffing is beginning to ramp up and given some favorable weather we'll be catching up on much needed maintenance of our parks and green spaces.
- The digital scoreboard at Falcon Park is being installed this week and insulation of the buildings is wrapping up.
- Microsurfacing should start up next week, the weather pushed that back about one week.

B. Reports from members of Council

- Councilor Cuddy discussed a recent meeting of the Auburn Industrial Development Authority in which the expansion of the Prison City Brewing Company was under consideration.
- Councilor Giannettino discussed meetings held earlier in the week pertaining to the update of the Rules and Regulations pertaining to the Owasco Lake Watershed.
- Mayor Quill recognized Senior Planner Renee Jenson who received the Terri Bridenbecker Young Professional Award which recognizes an individual who is pursuing excellence in their career. A young professional is a goal-oriented person under the age of 40. The award was presented on May 8, 2019 by the Cayuga County Chamber of Commerce.

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

SEQR RESOLUTION #55 OF 2019

**DETERMINING THAT PROPOSED ACTIVITIES ARE TYPE II ACTIONS
FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL
QUALITY REVIEW ACT**

By Councilor McCormick

May 16, 2019

WHEREAS, the City Council of the City of Auburn, New York (the “City”) is the sponsor of certain proposed capital improvements to the City’s buildings and infrastructure and acquisition of certain equipment and materials, which activities are further described on the attached Exhibit A (the “Project”);

WHEREAS, the City desires to comply with the New York State Environmental Quality Review Act (“SEQRA”), as set forth in Article 8 of the New York State Environmental Conservation Law, and the requirements of the implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

WHEREAS, pursuant to the Regulations, the City has considered the Project in light of the actions included on the Type I list specified in Section 617.4 of the Regulations and in light of the actions included on the Type II list specified in Section 617.5 of the Regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK AS FOLLOWS:

1. The Project constitutes a “Type II action” (as the quoted term is defined in the Regulations) because the activities involved fall within the ambit of one or more of the following actions included on the Type II list specified in 6 NYCRR § 617.5(c)(1), (2), (5), (6), (13), and/or (31):
 - (1) maintenance or repair involving no substantial changes in an existing structure or facility;
 - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes;
 - (5) repaving of existing highways not involving the addition of new travel lanes;
 - (6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
 - (13) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on the list in 6 NYCRR § 617.5; and/or
 - (31) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
2. The Project is not subject to further review under SEQRA.
3. This Resolution shall take effect immediately.

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	

The foregoing Resolution was thereupon declared duly adopted.

B. Ordinances –

BOND ORDINANCE #2 OF 2019

AUTHORIZING THE ISSUANCE OF \$2,000,000 SERIAL BONDS TO FINANCE THE COSTS OF VARIOUS CAPITAL PROJECTS.

By Councilor Cuddy

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

Section 1. The City of Auburn, Cayuga County, New York (the “City”) is hereby authorized to undertake the various capital projects described below (each, a “Project”) at an aggregate estimated maximum cost of \$2,000,000, the estimated maximum cost of each Project as follows:

(a) Department of Public Works - Stump Grinder. The acquisition of original equipment, machinery, apparatus or furnishings, including the replacement of such equipment, machinery, apparatus or furnishings, for a physical public betterment or improvement, including a new stump grinder, at an estimated maximum cost not to exceed \$55,000 and to issue an aggregate \$55,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(b) Department of Public Works – Backhoe/Loader and International Dump Truck. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement the cost of which is \$30,000 or over, including a Cat backhoe/loader and International dump truck, at an estimated maximum cost not to exceed \$275,000 and to issue an aggregate \$275,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(c) 2019-2020 Road Improvement Program. The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading, or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with a single-surface treatment at an estimated maximum cost not to exceed \$685,000 and to issue an aggregate \$685,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(d) City Buildings and Grounds Improvements. The renovation or reconstruction of various city owned buildings, whether or not including grading or improvement of the sites, original furnishings, equipment, machinery or apparatus required for the purposes for which such buildings are to be used at an estimated maximum cost not to exceed \$805,000 and to issue an aggregate \$805,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(e) Department of Public Works - HVAC Replacement. The installation or reconstruction of heating, lighting, plumbing, ventilating, elevator or power plant or system in a building, including the replacement of the HVAC and boiler system at the Department of Public Works, at an estimated maximum cost not to exceed \$180,000 and to issue an aggregate \$180,000 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 \$2,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$2,000,000 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 objects or purposes to Section 11.00(a) of the Local Finance Law are as follows:

<u>Section 1 Subparagraph</u>	<u>Period of Probable Usefulness (Years)</u>	<u>Local Finance Law Section 11.00(a) Paragraph</u>
(a) Department of Public Works - Stump Grinder	5	32
(b) Department of Public Works – Backhoe/Loader and International Dump Truck	15	28
(c) 2019-2020 Road Improvement Program	15	20(c)
(d) City Buildings and Grounds Improvements	25	12(a)(1)
(e) Department of Public Works - HVAC Replacement	10	13

Section 4. Pursuant to Section 107.00(d)(9) 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 City 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 General 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, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the City 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 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 City Comptroller, the Chief Fiscal Officer of the City.

Section 10. 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 11. 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 12. 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 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The 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 15. This Ordinance shall take effect immediately upon its adoption.

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	

BOND ORDINANCE #3 OF 2019

**BOND ORDINANCE OF THE CITY OF AUBURN, CAYUGA
COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF
\$1,645,000 SERIAL BONDS TO FINANCE THE COST OF
IMPROVEMENTS TO THE CITY WATER SYSTEM**

By Councilor McCormick

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 various capital projects described below (each, a "Project") at an aggregate estimated maximum cost of \$1,645,000, the estimated maximum cost of each Project being as follows:

(a) Water Main Replacements: The reconstruction of the City's water supply and distribution system, including, but not limited to, the replacement of water mains, hydrants and valves, the acquisition and installation of original furnishings, equipment, machinery or apparatus required, at an estimated maximum cost of \$1,600,000 and to issue an aggregate \$1,600,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(b) Water Department Maintenance Truck: The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from City water improvements, the cost of which is \$30,000 or more, including, but not limited to, a pick-up truck with plow for the City water system, at an estimated maximum cost of \$45,000 and to issue an aggregate \$45,000 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 \$1,645,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$1,645,000 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 objects or purposes described in Section 1 are as follows:

<u>Section 1 Subparagraph</u>	<u>Period of Probable Usefulness (Years)</u>	<u>Local Finance Law Section 11.00(a) Paragraph</u>
(a) Water Main Replacements	40	1
(b) Water Department Maintenance Truck	15	28

Section 4. Pursuant to Section 107.00(d)(9) 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 General 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
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

BOND ORDINANCE #4 OF 2019

BOND ORDINANCE OF THE CITY OF AUBURN, CAYUGA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,295,000 SERIAL BONDS TO FINANCE THE COST OF IMPROVEMENTS TO THE CITY SEWER SYSTEM

By Councilor Giannettino

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 various capital projects described below (each, a "Project") at an aggregate estimated maximum cost of \$1,295,000, the estimated maximum cost of each Project being as follows:

(a) Sewer System Improvements: The reconstruction and improvement of the City's Wastewater Treatment Plant and sewer system including, but not limited to, the replacement of settled sewage pumps 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 \$1,250,000 and to issue an aggregate \$1,250,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(b) Sewer Department Maintenance Truck. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing snow and ice from City sewer improvements, the cost of which is \$30,000 or more, including, but not limited to, a pick-up truck with plow for the City Wastewater Treatment Plant, at an estimated maximum cost of \$45,000 and to issue an aggregate \$45,000 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 \$1,295,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$1,295,000 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 objects or purposes described in Section 1 are as follows:

<u>Section 1 Subparagraph</u>	<u>Period of Probable Usefulness (Years)</u>	<u>Local Finance Law Section 11.00(a) Paragraph</u>
(b) Sewer System Improvements	40	4
(b) Sewer Department Maintenance Truck	15	28

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 General 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 Carabajal

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

C. Local Laws – None

D. Resolutions

APPOINTMENT RESOLUTION #56 OF 2019

**REAPPOINTING MEMBERS TO THE
AUBURN HISTORIC RESOURCES REVIEW BOARD**

By Councilor McCormick

May 16, 2019

WHEREAS, the Auburn City Code, Chapter 178 entitled “Historic Preservation” was established “to protect the many structures and landscape features having special character or historic interest to the City of Auburn,” and has declared, as a matter of public policy, that “the protection, enhancement, perpetuation and use of improvements and/or landscape features of special character or history be preserved as a public necessity and required in the interest and welfare of the people of Auburn”; and

WHEREAS, Section 178-4 of the Auburn City Code requires that members of the Historic Resources Review Board be appointed by the Mayor and approved by Council; and

WHEREAS, there are currently two existing board members whose terms have expired as of May 6, 2019 and reappointments are necessary; and

WHEREAS, it is recommended that the following persons be reappointed for a three year term expiring May 6, 2022:

James Hutchinson
Linda Frank

City of Auburn Resident
City of Auburn Resident

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK that the following persons shall be reappointed to the Historic Resources Review Board with a term expiring May 6, 2022:

James Hutchinson
Linda Frank

City of Auburn Resident
City of Auburn Resident

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

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	

AGREEMENT RESOLUTION #57 OF 2019

**AUTHORIZING AN AGREEMENT WITH THE
AUBURN YMCA-WEIU FOR THE OPERATION OF THE CASEY PARK POOL**

By Councilor McCormick

May 16, 2019

WHEREAS, since 2009 the City of Auburn (the “City”) and the Auburn YMCA-WEIU (the “Y”), have entered into lease agreements so that the Y could provide services and staffing for programming at the Casey Park Pool during the summer seasons; and

WHEREAS, the 2018 Lease Agreement between the City and the Y ended on August 26, 2018, and the parties would like to enter in a new proposed agreement for the 2019 summer season; and

WHEREAS, under the proposed agreement, which is attached and incorporated herein, the term will commence on June 22, 2019 and shall terminate on August 25, 2019; and

WHEREAS, under the proposed agreement the City will pay the Y the sum of \$63,000 in full satisfaction of all personnel and expenses incurred by the Y, including payroll costs for staffing, and the City will continue to supply pool chemicals and maintain the pool and premises; and

WHEREAS, the proposed agreement allows the Y to request use of Casey Park's fields and facilities for summer camps and programs so long as timely notification of the requests are given and do not interfere with the City's current programs for the use of these fields and facilities.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the attached Lease Agreement between the City and the Auburn YMCA-WEIU; and

BE IT FURTHER RESOLVED that the City shall pay to the Auburn YMCA-WEIU for the services provided the sum of \$63,000 for the term of this agreement; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign any and all documents necessary to finalize the contract.

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	

**COUNCIL RESOLUTION #58 of 2019
CHANGING THE COUNCIL MEETING CALENDAR
FOR THE SUMMER MONTHS**

By Councilor Cuddy

May 16, 2019

WHEREAS, the Rules and Procedure of the Auburn City Council state that the Council will meet on the first four Thursdays of each month at Memorial City Hall, Auburn, New York; and

WHEREAS, due to a professional commitment, a member of Council has requested that the Council change the start time of the June 6, 2019, City Council meeting from 6:00 p.m. to 5:00 p.m.; and

WHEREAS, the Rules and Procedure also state that Council meeting start times will commence at 5:00 p.m. beginning the meeting following the adoption of the annual budget through the summer months until Labor Day; and

WHEREAS, the Rules and Procedures also state that for months containing a fifth Thursday, the Council shall pass a resolution to determine if a fifth meeting of the month will be held or not held; and

WHEREAS, the month of May 2019 contains five Thursdays, and the Council shall schedule a special work session meeting for May 30, 2019, commencing at 6:00 p.m. to receive a presentation on and then celebrate the completion of Phase I of the Owasco River Greenway Trail Project; and

WHEREAS, the 4th of July holiday falls on a Thursday and the Council shall reschedule its meeting for the first Thursday of July to Tuesday, July 2, 2019 commencing at 5:00 p.m.; and

WHEREAS, the month of August 2019 contains five Thursdays and the Council shall cancel the Council meeting scheduled for August 29, 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby make the above stated changes to the Council meeting calendar for the months of May through August 2019; and

BE IT FURTHER RESOLVED that the City Clerk shall notify the public of the change in the Council meeting calendar as set forth herein.

Seconded by Councilor Giannettino

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

STAFF/VENDOR PRESENTATIONS

10. Other Business

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:56 p.m.

Minutes submitted to the City Council on June 6, 2019 by:

Charles Mason
City Clerk