

**Auburn City Council  
Regular Meeting  
Thursday, May 30, 2019 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 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.**

Swearing in for the Auburn Police Department Promotions - Shawn Butler, Chief of Police and Mayor Michael D. Quill

**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.

Tim Lattimore, 63 South Street. Mr. Lattimore shared with the Council and with the newspaper reporter a list of items he has for the Owasco Lake Watershed Rules and Regulations update.

**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**

- A portion of Fitch Avenue that was damaged following last year's road program repairs was repaved this week.

**B. Reports from members of Council**

- Councilor Giannettino discussed Memorial Day weekend events and complemented City staff for their organizing efforts.
- Councilor McCormick discussed a meeting she attended with business and non for profit representatives of the City's west end in which they discussed organizing themselves similar to how the downtown area is organized as a business improvement district.
- Mayor Quill discussed the may 29<sup>th</sup> public meeting that City planning staff held at the Bradford Street playground. The meeting was well attended by residents in that neighborhood.

**9. Matters to Come Before Council**

**A. State Environmental Quality Review Act Resolutions (SEQR) - none**

**B. Ordinances – FIRST READING OF BOND ORDINANCES 5 of 2019 and 6 OF 2019**

**BOND ORDINANCE # 5 OF 2019**

AUTHORIZING THE ISSUANCE OF \$2,465,800 SERIAL BONDS TO FINANCE THE COSTS OF IMPROVEMENTS TO THE CITY LANDFILL.

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 \$2,465,800, the estimated maximum cost of each Project as follows:

(a) Department of Public Works – Transfer Station/Solid Waste Vehicles. 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 four (4) Trailers, two (2) tractors, a Roll-off Container, a Loader and a Skid Steer Loader, at an estimated maximum cost not to exceed \$1,200,000 and to issue an aggregate \$1,200,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose; and

(b) Construction of City Transfer Station. The acquisition or construction of a city owned landfill transfer station, whether or not including grading or improvement of the sites, original furnishings, equipment, machinery or apparatus required for the purposes for which such building is to be used at an estimated maximum cost not to exceed \$1,265,800 and to issue an aggregate \$1,265,800 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 \$2,465,800, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$2,465,800 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 – Transfer Station/Solid Waste Vehicles	15	28
(b) Construction of City Transfer Station	30	11(a)(1)

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 \_\_\_\_\_

### **BOND ORDINANCE #6 OF 2019**

BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF \$380,000 SERIAL BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR MAINTAINING CITY IMPROVEMENTS.

BE IT ORDAINED by Council of the City of Auburn, New York as follows:

Section 1. The City of Auburn, New York (the "City") is hereby authorized to undertake the purchase of equipment to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, including two (2) refuse collection packers for the City Department of Public Works at an estimated maximum cost of \$380,000 and to issue an aggregate \$380,000 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 object or purpose is \$380,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$380,000 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 is fifteen (15) years pursuant to paragraph 28 of Section 11.00(a) of the Local Finance Law.

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 to 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 \_\_\_\_\_

**C. Local Laws – None**

**D. Resolutions - None**

**STAFF/VENDOR PRESENTATIONS**

**Owasco River Trail presentation by Christina Selvek, Director of Capital Improvement Program and Grants.** Ms. Selvek presented a recap of Phase I of the project which is now complete. Following the meeting the members of Council will convene at the new boardwalk overlook of the Owasco River on Loop Road to have a ribbon cutting ceremony.

**10. Other Business**

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:34 p.m.

Minutes submitted to the City Council on June 20, 2019 by:

Charles Mason  
City Clerk