

**Auburn City Council
Regular Meeting
Thursday, October 17, 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, Cuddy, Giannettino, and Carabajal were all present.

The following City Staff was present for the regular meeting:

- Acting City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Comptroller, Rachel Jacobs
- Police Chief, Shawn Butler
- Director of Municipal Utilities, Seth Jensen
- Superintendent of Engineering, William Lupien
- 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.

Tim Lattimore spoke about issues pertaining to Auburn and Cayuga County.

7. Approval of Meeting Minutes

October 3, 2019 Council Meeting Minutes

Motion to approve the October 3, 2019 minutes carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- Work on the rail road tracks near the North Division St. Bridge will continue through this weekend. Drivers should expect that the intersection of Columbus/North Division St and Clark St will be closed to all traffic from Friday through Sunday. Crews will again be working 24hours a day to complete the necessary rail crossing replacement. This work is being conducted by a contractor of the railroad and while the city and the railroad do our best to coordinate these projects, the railroad has no obligation to conform to our desired schedules.
- The water main replacement project along Pulsifer Dr. began today and will include some traffic restrictions and occasional closures. The impacted area will be from the Densmore intersection to the State Dam area and along Swift St, down Throop Ave to the corner of Densmore. There is also gas line work being conducted in this same area by a NYSEG contractor.

B. Reports from members of Council

9. Matters to Come Before Council

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

B. Ordinances – None

C. Local Laws – None

D. Resolutions -

AWARD RESOLUTION #119 OF 2019 AWARDING A CONTRACT FOR A BIOSOLIDS DRYER EVALUATION STUDY

By Councilor Cuddy

October 17, 2019

WHEREAS, the City of Auburn is experiencing substantial increases to its operating budget for removal of existing unstable sludge from the City of Auburn Wastewater Treatment Facility; and

WHEREAS, the City of Auburn has contracted with professional engineering firms to perform an evaluation of alternatives associated with additional sludge treatment options and found that the most cost effective alternative recommended is to conduct further feasibility analysis associated with sludge drying; and

WHEREAS, the treatment of sludge by means of drying will provide a Class A sludge which is much more cost effective to remove; and

WHEREAS, the City released a Request for Proposals (RFP) for the purpose of hiring a design firm who specializes in the implementation and study of sludge drying equipment; and

WHEREAS, on July 30, 2019 proposals were opened for bio-solids dryer evaluation study services, with submissions received from the following firms:

Rank	Firm Name	Address	Score
1	Brown & Caldwell	327 W. Fayette St. #409; Syracuse, NY 13202	85
2	Wendel	6707 Brooklawn Pkwy. Suite 3; Syracuse, NY 13211	83.9
3	GHD	285 Delaware Ave #500; Buffalo, NY 14202	80.7
4	Hunt/Cederwood	100 Hunt Center; Horseheads, NY 14845	58.8

and;

WHEREAS, all firms responding to the Request for Proposal are qualified; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby award the contract for a Bio-solid Dryer Evaluation Study to Brown and Caldwell, in the amount of \$37,000, the cost of which is to be charged to Account #HG 8130 440 JI.

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	

**COUNCIL RESOLUTION #120 OF 2019
ADOPTING AN AMENDED REVOLVING LOAN PROGRAM**

By Councilor McCormick

October 17, 2019

WHEREAS, in 1997 the City of Auburn implemented a Sewer and Water Line Repair Program to provide a way for city residents to pay for the cost of repairs to their sewer lateral and/or water service; and

WHEREAS, under this Program, the cost of the work is placed onto the real property tax bill and paid over a five-year period at 6% interest; and

WHEREAS, City staff is recommending that the Program be modified to include City customers who are required to install appropriate backflow preventers; and

WHEREAS, under the State and Local laws, commercial businesses and certain residential properties are required to install, maintain, and test appropriate backflow prevention equipment, and the cost to do so can be substantial; and

WHEREAS, amending the Sewer and Water Line Repair Program will provide a way for property owners to finance the necessary work for backflow prevention so that they can be in compliance with the State and Local laws.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the Amended Revolving Loan Fund Sewer and Water Line Repair/Replacement Program, which is attached hereto and incorporated herein; and

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

Seconded by Carabajal

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

AGREEMENT RESOLUTION #121 OF 2019

AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF AUBURN AND THE COUNTY OF CAYUGA POLICE AND SHERIFF'S AGENCIES

By Councilor Cuddy

October 17, 2019

WHEREAS, the City of Auburn has historically entered into a Mutual Aid Assistance Agreement with Cayuga County for the purpose of providing outside service by and between local police agencies, pursuant to New York General Municipal Law Sections 209-m and 119-O; and

WHEREAS, mutual aid agreements provide a mechanism whereby agencies can quickly obtain emergency assistance in the form of personnel, equipment, materials, and other associated services prior to, during, and after an incident; and

WHEREAS, the existing agreement between the City and the County was last signed in 2016, and both parties would like to enter into the proposed Mutual Aid Assistance Agreement, attached hereto and incorporated herein; and

WHEREAS, The Cayuga County Legislature will review for approval, the attached Mutual Aid Agreement at a future Legislature meeting.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the Mutual Aid Assistance Agreement between the City of Auburn and the County of Cayuga, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor, City Manager and Chief of Police are authorized to sign any and all documents in order to finalize the agreement.

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	

AGREEMENT RESOLUTION #122 OF 2019

AUTHORIZING A SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH SIEMENS INDUSTRY, INC

By Councilor Giannettino

October 17, 2019

WHEREAS, on May 14, 2013, the City of Auburn entered into a Performance Contracting Agreement (the “PCA”) with Siemens Industry, Inc. for the purpose of designing and installing equipment at the Mill Street Generation Facility (the “Mill Street Dam”) that would allow for the generation and sale of hydroelectric power; and

WHEREAS, over the last seven years, the City has worked with Siemens to resolve various issues involved in automating and optimizing the equipment so that the parties could reach a point of substantial completion for the project; and

WHEREAS, as a part of the project completion, the parties have agreed to execute a Settlement Agreement and Mutual Release, which is attached hereto and incorporated herein; and

WHEREAS, this Settlement Agreement resolves all outstanding disputes between the parties and includes (a) a reimbursement to the City in the amount of \$10,564.65 for costs associated with SCADA and electrical work at the Mill Street Dam; (b) a payment to the City in the amount of \$70,000 for issues concerning meter service classification; and (c) a price adjustment to be credited to the City in the amount of \$12,000 for Year One of the performance assurance program; and

WHEREAS, the proposed Settlement Agreement would be in the best interests of all parties and would avoid further costs and litigation expense.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the following:

- 1) a Settlement Agreement and Mutual Release with Siemens Industry, Inc., which is attached hereto and incorporation herein; and
- 2) authorizing the City Comptroller to recognize the settlement agreement reimbursement and revenue into the City Budget Accounts entitled Power Utility Refunds (E99.2701) in the amount of \$10,564.65 and Power Utility Revenue (E99.2770) in the amount of \$70,000; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in order to carry out the foregoing settlement and this Resolution.

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 #123 OF 2019

**CANCELING THE COUNCIL MEETING ON THE FIFTH THURSDAY OF
OCTOBER 2019**

By Councilor Cuddy

October 17, 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, 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 October 2019 contains five Thursdays and the Council shall cancel the Council meeting scheduled for October 31, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby make the above stated changes to the Council meeting calendar for the month of October 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 Carabajal

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

Tabled Items - none

STAFF/VENDOR PRESENTATIONS

15.A. 2020 Census - Tina Hanford of US Census Bureau

15.B. Code Enforcement Clean Up Crew Update - Jenny Haines, Director, Office of Planning and Economic Development

10. Other Business –

Executive Session. Councilor Cuddy made a motion to enter Executive Session, seconded by Councilor Carabajal. Council voted to enter an executive session regarding the following matters:

Two matters pertaining to the sale, lease or acquisition of real property.

One matter pertaining to potential litigation.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 7:07 p.m. Executive session adjourned at 7:29 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:45 p.m.

Minutes submitted to the City Council on October 24, 2019 by:

Charles Mason
City Clerk