

**Auburn City Council
Regular Meeting
Thursday, December 19, 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
- Assistant Corporation Counsel, Nate Garland
- Director of Municipal Utilities, Seth Jensen
- Director of Planning and Economic Development, Jennifer Haines
- Planner, Holly Glorr
- Superintendent of Public Works, Mike Talbot
- 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.

Ann Bunker and Melina Carnicelli. Former member of City Council Ann Bunker and former member of City Council and Mayor Melina Carnicelli spoke to recognize Councilor Dia Carabajal at her final City Council meeting of her term of service. A presentation was made to Councilor Carabajal and Councilor Carabajal spoke to thank everyone that attended. Councilor McCormick also spoke to thank Councilor Carabajal for her service.

Gary Swan from the Roofers Local 195 - United Union of Roofers, Waterproofers & Allied Workers spoke to support the construction of the proposed public safety facility.

David Anthony Scott, 63 South Street and CEO of New Batavia, LLC, spoke regarding statistics that have been presented at previous Council meetings regarding the impediments to fair housing report.

Mike Zank. Mr. Zank is a member of the City of Auburn Civil Service Commission and he spoke in his position as a member of the Cayuga County Labor Council to support the construction of the proposed public safety facility.

Tim Donovan spoke regarding graffiti that appears in various locations throughout the City. He hopes the City can come up with efforts to discourage and crack down on graffiti.

Sean Corcoran, President of the Auburn Firefighters Local Union spoke to support the construction of the new public safety facility.

Ryan Guerette, member of the Auburn Firefighters Local Union spoke to support the construction of the new public safety facility.

7. Approval of Meeting Minutes

December 12, 2019 Council Meeting Minutes

Motion to approve the November 12, 2019 minutes carried 3-0. Councilor McCormick voted present. Mayor Quill voted present.

8. Reports of City Officials

A. City Manager's Report

- The Cayuga County Soil and Water Conservation District completed some drainage improvement work on the North side of York St. near North Division. They are also working with businesses on the South side to plan for improvements there in the future. We appreciate the Soil and Water Conservation District's willingness to work with us to find a solution to flooding issue in that area as well as the cooperation of each of the local businesses by providing access to complete the work.
- Earlier today the Governor's office made an announcement regarding recipients of the 2019 NYS Consolidating Funding Application. Among the 17 projects funded within Auburn and Cayuga County was the City's second year Market NY application for \$150,000.00 to go towards tourism promotion and marketing of Auburn and the NYS Equal Rights Heritage Center.
- We have received 136 proposals for 113 North St. and will need to work through them to identify which proposal ultimately wins Council's approval for the sale and renovation of this property.
- On December 17th, Governor Cuomo announced grants for the 2019 NYS Environmental Facilities Corporation Water Infrastructure Improvement (WIIA) grants for all of NY state. In Central NY, 15 projects were funded that included the City of Auburn's Zebra Mussel Control Project at the northern tip of Owasco Lake. This project has an estimated

total cost of \$902,000 with \$541,200 from WIIA grants. This will allow the City to progress from the Design and Engineering Phase to Construction this Spring 2020.

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 #142 OF 2019
AWARDING A CONTRACT FOR PARK SIGNAGE DESIGN DEVELOPMENT**

By Councilor McCormick

December 19, 2019

WHEREAS, the City of Auburn completed a Parks Master Plan in 2016, with one of the recommendations being to develop a uniform park signage plan; and

WHEREAS, on September 24, 2019, the City released a Request for Proposals (RFP) for the purpose of hiring a qualified firm for the purpose of developing a design for park signage; and

WHEREAS, on October 1, 2019 proposals were opened for park signage design development, with submissions received from the following firms:

- Environmental Design & Research, (Score 85.5)
Landscape Architecture, Engineering, Environmental Services, D.P.C.
217 Montgomery Street, Suite 1000
Syracuse, NY 13202
- Bergmann (Score 84.75)
280 East Broad Street, Suite 200
Rochester, NY 14604
- A&M Graphics (Score 81.25)
202 Grant Ave
Auburn, NY 13021

and;

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

WHEREAS, the term of the contract will run through June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby award the contract for Park Signage Design Development to Environmental Design & Research, Landscape Architecture, Engineering, Environmental Services, D.P.C., in the amount of \$20,000.00, the cost of which is to be charged to Account #A8020.459.

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	

FINANCIAL RESOLUTION #143 OF 2019

ACCEPTING A GIFT OF FUNDS FROM NUCOR STEEL, INC. FOR THE PURCHASE OF AN INTELLIGENT TRAINING SYSTEM (“I.T.S”) FIRE EXTINGUISHING DEMONSTRATION UNIT

December 19, 2019

By Councilor McCormick

WHEREAS, Nucor Steel grew from a single joist manufacturer in the 1960’s into North America’s largest recycler and the world’s most sustainable steelmaker today; and,

WHEREAS, Nucor Steel is located in the area of fire protection provided by the Auburn Fire Department; and,

WHEREAS, Nucor Steel would like to give funding to the City of Auburn Fire Department for the purchase of an Intelligent Training System (“I.T.S.”) Fire Extinguisher Demonstration Unit, which will be used by the AFD in training relating to fire prevention for city residents as well as Nucor staff; and,

WHEREAS, upon acceptance of this gift, the City agrees to contribute \$1,000 to the total cost of this item which is \$7,632.00 and will be responsible for the maintenance and upkeep of the Fire Extinguisher Demonstration Unit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that it does hereby accept a gift of \$6,632.00 from Nucor Steel towards the purchase

of a Fire Extinguisher Demonstration Unit with thanks and appreciation for longstanding service to the community and its support in the departments fire prevention efforts.

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 #144 OF 2019

**AUTHORIZING AMENDMENT NO. 1 TO THE MUNICIPAL COOPERATION
AGREEMENT FOR SEWER SERVICE TO WHOLESALE CUSTOMERS**

By Councilor Cuddy

December 19, 2019

WHEREAS, on December 21, 2017, the City of Auburn (hereinafter referred to as the “City”) and the Towns of Sennett, Owasco and Fleming (collectively the “Towns”), entered into a Municipal Cooperation Agreement for Sewer Service to Wholesale Customers (the “Agreement”), which is attached hereto for reference; and

WHEREAS, the Agreement set the wholesale sewer rate in the amount of \$2.78 per 100 cubic feet for a term of three (3) years, which automatically renews on December 31, 2019; and

WHEREAS, based upon a review of wholesale sewer costs and the methodology set forth in the Agreement, the parties now propose Amendment No. 1, which is attached hereto and incorporated herein; and

WHEREAS, Amendment No. 1 of the Agreement updates the wholesale sewer rate in the amount of \$2.85 per 100 Cubic feet, effective January 1, 2020, and includes the Town of Aurelius as a party to the Agreement, effective as of March 1, 2020; and

WHEREAS, the Towns of Aurelius, Sennett, Fleming and Owasco, by their duly appointed representatives, have approved Amendment No 1 to the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve Amendment No. 1 to the Municipal Cooperation Agreement for Sewer Service To Wholesale Customers, which sets the wholesale sewer unit rate at the amount of \$2.85 per 100

Cubic feet as of January 1, 2020, and includes the Town of Aurelius as a party to the Agreement as of March 1, 2020; and

BE IT FURTHER RESOLVED that the Auburn City Council hereby authorizes the Mayor, or appointed designee, to duly execute Amendment No to the Agreement and any other documents necessary to carry out the purposes of this resolution.

Seconded by Giannettino

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

COUNCIL RESOLUTION #145 OF 2019

AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDINGS ENTITLED “RODNEY AND CHERYL BARBER v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL.”, CONCERNING THE REAL PROPERTY LOCATED ALONG FITCH AVENUE

By Councilor Giannettino

December 19, 2019

WHEREAS, in Rodney and Cheryl Barber, commenced proceedings challenging the property tax assessment for a parcel of real the property they own located at 10 Fitch Avenue, in the City of Auburn, Auburn City School District, Cayuga County; and

WHEREAS, the real property owned by the Barbers at 10 Fitch Avenue is known and designated as (the “Property”); and

WHEREAS, the Property is located along the south side of Fitch Avenue between South Street and the southeast corner of Fort Hill Cemetery; and

WHEREAS, Assistant Corporation Counsel, Nathan J. Garland Esq., appeared in the foregoing proceedings on behalf of the City of Auburn and Rebecca Speno, Esq. appeared and intervened in these proceedings on behalf of Cayuga County and the Auburn Enlarged City School District Board of Education did not intervene; and

WHEREAS, the matter was referred to Kevin Cox, Esq. as referee, who issued a report valuing the property at approximately \$351,871; 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 Cayuga County Legislature has already approved the proposed settlement as outlined in the attached; and

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 property owned by the Petitioners shall be adjusted as set forth therein, (2) refunds shall issue in the amount set forth therein, and (3) the City's pro rata share of the referee's fee shall be paid.

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	

Tabled Items - none

STAFF/VENDOR PRESENTATIONS

10. Other Business –

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

- One matter pertaining to the sale, lease or acquisition of real property.
- One matter pertaining to the employment history of a particular individual.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 7:54 p.m. Mayor Quill invited Councilor-elect Locastro to join the Council in the Executive Session and the Councilor-elect did attend.

Executive session adjourned at 8:29 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:30 p.m..

Minutes submitted to the City Council on January 7, 2020 by:

Charles Mason
City Clerk