

**Auburn City Council  
Regular Meeting  
Thursday, January 2, 2020 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 Michael Quill and Councilors Debra McCormick, Jimmy Giannettino, Terry Cuddy and Tim Locastro 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 - None**

**5. Ceremonial Presentations and Proclamations.**

**The City Clerk read the following proclamation...**

WHEREAS, Solomon Northup was born a free person in the year 1807 in Schroom, New York, now Minerva, New York, and lived for many years in Saratoga Springs, New York; and  
WHEREAS, In 1841 Solomon Northup was recruited by two men to work as a musician in the circus and made a trip to Washington, D.C. to begin his work as a fiddler; and  
WHEREAS, Upon his arrival in Washington, Solomon Northup was sold to slave trader James H. Birch by the name of Platt Hamilton, conveyed to Richmond, Virginia and then delivered by ship to New Orleans, Louisiana, where he was sold by trader Theophilus Freeman to William P. Ford; and

WHEREAS, Solomon Northup would spend the next twelve years in slavery in the Bayou Boeuf plantation region of Central Louisiana's Red River Valley; and

WHEREAS, In 1852 then Governor of New York Washington Hunt utilizing Governor Seward's 1840 statute made Henry B. Northup an agent of the State of New York sending Henry to Louisiana with documentation supporting Solomon Northup's status as a free New Yorker; and

WHEREAS, Upon arrival in Louisiana on January 1, 1853 Henry B. Northup hired John P. Waddill, Esquire in search of Solomon Northup; following months of search and legal battle, Solomon Northup's freedom was once again legally obtained in Marksville, Louisiana on January 4, 1853; and

WHEREAS, Solomon Northup returned to the State of New York on January 22, 1853 where he was reunited with his family and together with local writer and lawyer David Wilson, he penned his memoir

"Twelve Years a Slave"; and

WHEREAS, "Twelve Years a Slave" was first published by the Auburn, NY publishing company of

Derby & Miller once located at 107 Genesee Street on July 15, 1853, and the book becoming a best-seller with more than 25,000 copies sold in its first year and nearly 30,000 copies published in its first four years.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the City Council and Citizens of Auburn, on the 167th anniversary of the day that Solomon Northup re-obtained his freedom do hereby proclaim January 4, 2020 as,

Solomon Northup Freedom Day

in the City of Auburn, and encourage all Citizens to observe this day by recognizing this unique story and its significant contribution to our status as History's Hometown.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Second day of January 2020.

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Michael D. Quill, Mayor  
City of Auburn, New York

**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.

Dan Orzechowski spoke to urge the Council to create a sustainability/conservation commission for the City.

## **7. Approval of Meeting Minutes - none**

## **8. Reports of City Officials**

### **A. City Manager's Report**

- The ice rink at Casey Park has been experiencing some undesirable behavior over the last two weekends, typically very late in the evening. In an effort to create more individual accountability and restore the community's support and patronage of Casey Park, we are implementing some new rules at the rink. A photo ID will be required for entry (driver's license,

school ID), those attendees who are not old enough to have one of these will need to be accompanied by an adult. In exchange for renting skates, skaters will be required to leave their shoe or shoes until they leave the facility. We have also implemented a uniformed police officer on high attendance evenings along with closing down at 9pm rather than 10pm.

- On Saturday approximately 50 candidates for our open police officer positions will take part in a physical fitness evaluation that will be conducted by our City of Auburn Civil Service Commission.
- On January 13, our Auburn Civil Service will be conducting a workshop in cooperation with Cayuga Works at Cayuga Community College from 9-11am.
- Next week is a work session and I'd like to put the following items on the agenda to help Council prepare for voting the following week Jan. 16.:
  - City Council Rules and Procedures
  - The 2020-21 Budget Development Calendar
  - The City of Auburn Investment Policy
  - The City of Auburn Procurement and Surplus Policy
  - The proposed 2020 Senior Management Policy

## **B. Reports from members of Council**

### **9. Matters to Come Before Council**

#### **A. State Environmental Quality Review Act Resolutions (SEQR)**

##### **SEQR RESOLUTION #1 OF 2020**

##### **CLASSIFYING the NEW SHARED SERVICES PUBLIC SAFETY BUILDING PROJECT AS A Type I Action UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT and ISSUING A NEGATIVE DECLARATION FOR THE PROJECT**

By Councilor Cuddy

**WHEREAS**, the City is considering a project to create a new shared services public safety building on a vacant parcel in the City, where the AFD would be relocated, together with other emergency services including those provided by Cayuga County (the "Project"); and

**WHEREAS**, the Project is an action subject to review under the State Environmental Quality Review Act ("SEQRA"), as set forth at Article 8 of the New York State Environmental Conservation Law, and the implementing regulations set forth at 6 NYCRR Part 617, as amended (the "Regulations"); and

**WHEREAS**, on November 7, 2019, the City Council for the City of Auburn ("City Council") passed SEQRA Resolution No. 124 of 2019, which declared its intent to act as lead agency for

purposes of conducting a coordinated review of the Project under SEQRA, and preliminarily classified the Project as a Type I action; and

**WHEREAS**, the City has prepared and completed Parts 1, 2, and 3 of a Full Environmental Assessment Form (“FEAF”) for the Project, and compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance as identified in Section 617.7(c)(1) of the Regulations, which is attached hereto and incorporated herein; and

**WHEREAS**, on November 8, 2019, the City Council sent correspondence to the involved and interested agencies for the Project, providing information about the Project along with the FEAF Part 1 and requesting their comments about the Project’s potential environmental impacts; and

**WHEREAS**, the City Council has received no objections from the involved agencies for this Project’s SEQRA review; and

**WHEREAS**, the City Council has considered the significance of the potential environmental impacts of the Project and said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore, is one which will not have a significant negative impact on the environment.

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

1. The Project be classified as a “Type I” action, as the quoted term is defined in the Regulations; and
2. That a NEGATIVE DECLARATION for the proposed Project be issued in full compliance with the New York State Environmental Conservation Law and the New York State Quality Review Act; and
3. That the City Clerk and City staff are authorized to take such additional steps as may be necessary to carry out this Resolution; and
4. That this Resolution shall take effect immediately.

Seconded by Councilor Giannettino

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

The foregoing Resolution was thereupon declared duly adopted.

**B. Ordinances**

**BOND ORDINANCE #1 OF 2020**

**BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE  
ISSUANCE OF \$10,000,000 SERIAL BONDS TO FINANCE THE COST OF THE  
CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING.**

By Councilor McCormick

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 construction of a new public safety building, whether or not including grading or improvements of the site, original furnishings, equipment, machinery or apparatus required for the purposes for which such building is to be used, at an estimated maximum cost of \$10,000,000 and to issue an aggregate \$10,000,000 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 \$10,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$10,000,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; PROVIDED, HOWEVER, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of Bonds to be issued pursuant to this Ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty (30) years pursuant to paragraph 11(a)(1) 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 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 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 Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

The foregoing Bond Ordinance #1 of 2020 was thereupon declared duly adopted.

**C. Local Laws – none**

**D. Resolutions -**

**AGREEMENT RESOLUTION #2 OF 2020**

**AUTHORIZING CHANGE ORDER #1 TO POPLI DESIGN GROUP FOR THE NYS  
EQUAL RIGHTS HERITAGE CENTER PROJECT**

By Councilor Cuddy

January 2, 2020

**WHEREAS**, on January 18, 2018, the Auburn City Council authorized Agreement Resolution #18 of 2018, which awarded Popli Design Group the contract for construction administration and inspection services of the NYS Equal Rights Heritage Center Project in the amount of \$482,200; and

**WHEREAS**, the City of Auburn was previously awarded \$10 million from the Upstate Revitalization Initiative, as well as \$500,000 from NYS Department of Transportation, towards the NYS Equal Rights Heritage Center project which included highway and right-of-way improvements along Lincoln and William Streets; and

**WHEREAS**, the City of Auburn was unable to procure a construction contractor until July 2019 for the highway improvement portion of the NYS Equal Rights Heritage Center project, and construction did not begin until the fall of 2019; and

**WHEREAS**, Change Order #1 to the professional services agreement with Popli Design Group in the amount of \$50,000 is now required to cover additional construction administration and inspection services costs due to construction work extending through June 2020; and

**WHEREAS**, the cost of this Resolution is to be charged to the Welcome Center capital account #HA 1620-440-IM in the amount of \$50,000, which is eligible for 100% reimbursement under the NYS Upstate Revitalization Initiative grant.



**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award Change Order #1, in the amount of \$50,000 to Popli Design Group for additional construction administration and inspection services of the NYS Equal Rights Heritage Center Project; and,

**BE IT FURTHER RESOLVED** that the cost of this Resolution shall be charged to the Welcome Center capital account #HA 1620-440-IM; and

**BE IT FURTHER RESOLVED** that the Mayor, or appointed designee, is hereby authorized to execute any and all necessary agreements and reimbursement requests on behalf of the City of Auburn for said project.

Seconded by Councilor Giannettino

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

**Tabled Items - none**

#### **STAFF/VENDOR PRESENTATIONS**

Activity and Bar Graph Reports for November 2019 – City Manager Jeff Dygert reviewed.

#### **10. Other Business –**

Councilor Giannettino asked for an update on matters at the City downtown parking garage. The City Manager and members of Council discussed the matter.

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:36 p.m..

Minutes submitted to the City Council on January 9, 2020 by:

Charles Mason  
City Clerk

Auburn City Council Minutes January 2, 2020

On January 16, 2020 a motion to approve the minutes of the January 2, 2020 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Cuddy.

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

*I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 2<sup>nd</sup> day of January, 2020 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: January 17, 2020*