

**Auburn City Council  
Regular Meeting  
Thursday, April 7, 2022 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 5:00 p.m. from the City Council Chambers, 24 South St. Auburn, NY by Councilor Giannettino.

**ROLL CALL** – The City Clerk called the roll. Mayor Quill and Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro were all present.

**The following City Staff was present for the meeting:**

- City Manager, Jeff Dygert
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Chuck Mason
- Director of Planning and Economic Development, Jenny Haines
- Director of Municipal Utilities, Seth Jensen
- Assistant Technical Director of Municipal Utilities, Tim O'Brien
- Fire Chief, Mark Fritz
- Director of Operations for Auburn City Ambulance, Kezia Sullivan
- City Engineer, William Lupien

**Pledge of Allegiance to the Flag** – Mayor Quill led the Pledge of Allegiance.

**Moment of Silent Prayer or Reflection** – Mayor Quill asked for a moment of silent prayer.

**Public Announcements**

**CEREMONIAL PRESENTATIONS –**

**Public to be heard:** Mayor Quill asked the Clerk to read the public to be heard rules. The following individuals spoke:

James Udall spoke regarding a matter pertaining to City owned land located on Osborne Street.

Andrew Miller spoke regarding issues pertaining to Owasco Lake.

**Approval of Meeting Minutes –**

March 10, 2022 Council Meeting Minutes

Motion to approve the March 10, 2022 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 5-0.

March 17, 2022 Council Meeting Minutes

Motion to approve the March 17, 2022 minutes by Councilor Locastro, seconded by Councilor Kent. Motion to approve carried 5-0.

March 24, 2022 Council Meeting Minutes

Motion to approve the March 24, 2022 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 5-0.

**Reports of City Officials**

**City Manager's Report –**

- Coronavirus State and Local Recovery Funds (CSLFRF) applications for small business recovery funds are available on the City of Auburn webpage. Eligible expense categories include grants to mitigate financial hardship, rehabilitation of commercial properties or other improvements, business incubators, and start up or expansion assistance, and enhanced support to microbusinesses. There is a maximum of \$40,000 per applicant and applications are due April 30. The application process is on-line only. If potential applicants have questions or need assistance, they should contact Daniel Szabo at the Cayuga Economic Development Agency (CEDA). As of today we have received 5 completed applications and there are 18 in progress.
- Earlier this week Planning Staff and I met with representatives from Auburn Community Hospital to discuss neighborhood resident concerns about the impact of the proposed cancer treatment center on parking. The ACF staff indicated that as part of their due diligence and in response to these concerns they are having a parking study conducted to better understand and address neighborhood concerns.
- Last Thursday employees of the Verizon line and field service crew operation on Hardenburgh Ave. conducted a clean-up of the Mill St Dam area as part of their corporate community outreach efforts. They collected 20 bags of trash and one shopping cart.
- In anticipation of sewer, storm sewer, and road work to be conducted along East Hill, our Municipal Utilities department has begun reaching out to businesses in the area to assess their current and future needs. Work in the area will begin this spring and we intend to communicate frequently with local business and property owners to avoid issues and minimize the project's impact on daily operations.
- The city is currently accepting proposals for services related to the mandated safety inspection of Mill St. Dam. Proposals are due April 13.

**Reports from members of Council**

**Matters to Come Before Council**

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

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**

**RESOLUTION # 1 of 2022**

**DETERMINING THAT THE CASEY PARK SKATEPARK PROJECT IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT**

By Councilor Giannettino

April 7, 2022

**WHEREAS**, the City of Auburn (the “City”) intends to improve and expand the City’s existing skate park (the “Project”), located at Casey Park, 150 North Division Street, Auburn, New York; and

**WHEREAS**, the Project will include improvements such as removal of the existing skatepark equipment, excavation of existing asphalt, and installation of a new poured-in-place concrete skatepark; and

**WHEREAS**, the City intends to comply with the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

**WHEREAS**, the City has prepared and completed Parts 1, 2, and 3 of the Short Environmental Assessment Form (“EAF”) 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**, 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 impacts(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 that based upon an examination of the Short Environmental Assessment Form and other available supporting information, the knowledge about the area surrounding the Project, and such further investigation of the Project and its potential environmental impact, the City Council makes the following findings and determinations with respect to the Project:

1. The City Council hereby approves and adopts the Short Environmental Assessment Form for the Project (Parts 1-3 with its supporting written elaboration), which is attached hereto and incorporated herein;
2. The Project is hereby classified as an “Unlisted” action, as the quoted term is defined in the Regulations; and
3. The City hereby issues a Negative Declaration for the Project, and will not require the preparation of an environmental impact statement for the Project; and
4. That the City Clerk and City staff are authorized to take such additional steps as may be necessary to carry out this Resolution; and

5. That this Resolution shall take effect immediately.

Seconded by Councilor Cuddy

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

**B. Ordinances – none**

**C. Local Laws – none**

**D. Resolutions –**

**COUNCIL RESOLUTION #31 OF 2022**

**AGREEMENT RESOLUTION #35 OF 2022**

**AUTHORIZING CHANGE ORDER #1 TO CRANE-HOGAN STRUCTURAL SYSTEMS INC.  
FOR THE LINCOLN STREET PARKING GARAGE REHABILITATION PROJECT**

By Councilor Kent

April 7, 2022

**WHEREAS**, on July 1, 2021, the City Council passed Award Resolution #86 of 2021, awarding a project for rehabilitation of the Lincoln Street Parking Garage to Crane-Hogan Structural Systems Inc. in the amount of \$2,155,040.00; and

**WHEREAS**, Change Order #1 in the amount of \$798,000 involving various structural and architectural improvements is now required to complete this project and extend the useful life of the parking garage; and

**WHEREAS**, the Change Order work will involve additional repairs and/or replacement of concrete flooring, re-bars, and tendons.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby award the Change Order #1 in the amount of \$798,000 to Crane-Hogan Structural Systems Inc. for the Lincoln Street Parking Garage Rehabilitation Project; and

**BE IT FURTHER RESOLVED** that the cost of the Resolution in the total amount of \$798,000.00 is to be charged to the Welcome Center Project capital account #HA1620.440.IM; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents necessary in reference to the award of this Change Order.

Seconded by Cuddy

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

#### **AGREEMENT RESOLUTION #36 OF 2022**

#### **AUTHORIZING CHANGE ORDER #3 TO POPLI DESIGN GROUP FOR THE NEW YORK STATE EQUAL RIGHTS HERITAGE CENTER PROJECT**

By Councilor Giannettino

April 7, 2022

**WHEREAS**, on April 8, 2021, the Auburn City Council authorized Agreement Resolution #46 of 2021, which awarded Popli Design Group Change Order #2 for professional services related to Construction Inspection Services for the Lincoln Street Parking Garage Improvements (the “Project”) in the amount of \$150,000; and

**WHEREAS**, the City of Auburn was previously awarded \$10 million from the Upstate Revitalization Initiative towards the Project;

**WHEREAS**, the City has completed all of the construction of the NYS Equal Rights Heritage Center and finished all related property and highway improvements, except for those needed to complete the remaining capital improvements to the downtown parking garage, which serves as the visitor parking for the NYS Equal Rights Heritage Center; and

**WHEREAS**, Change Order #3 to the Agreement with Popli Design Group in the amount of \$40,000 is now required to cover additional professional services costs for construction work extending through September 1, 2022 for the Project; 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 \$40,000 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 #3, in the amount of \$40,000 to Popli Design Group for additional professional services related to the Lincoln Street Parking Garage Improvements and the NYS Equal Rights Heritage Center Projects; 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 Cuddy

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

**COUNCIL RESOLUTION #37 of 2022**

**AUTHORIZING THE ADOPTION OF THE 2021 CAYUGA COUNTY, NEW YORK  
HAZARD MITIGATION PLAN UPDATE**

By Councilor Giannettino

April 7, 2022

**WHEREAS**, the City of Auburn within Cayuga County, New York has exposure to natural hazards that increase the risk to life, property, environment and the local economy; and

**WHEREAS**, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 established new requirements for pre- and post-disaster hazard mitigation programs; and

**WHEREAS**, a coalition of Cayuga County municipalities including the City of Auburn was formed to pool resources and create consistent mitigation strategies throughout Cayuga County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability of the impacts of natural hazards, develops a mitigation strategy, and creates a plan for implementing, evaluating and revising this strategy.

**NOW, THEREFORE, BE IT RESOLVED** by the Auburn City Council that the City of Auburn adopts in its entirety the 2021 Cayuga County Hazard Mitigation Plan Update (the “Plan”) as this jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to the City of Auburn; and

**BE IT FURTHER RESOLVED** that the City of Auburn will use the adopted and approved portions of the Plan to guide pre-and-post disaster mitigation and coordinate strategies identified in the Plan with other planning programs and continue its support of the Mitigation Planning Committee; and

**BE IT FURTHER RESOLVED** that the City of Auburn will promote and incorporate mitigation planning as a component of governmental operations and provide an update of the Plan in conjunction with the County no less than every five (5) years.

Seconded by Locastro

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

### **COUNCIL RESOLUTION #38 of 2022**

#### **ADOPTING THE RETAIL WATER RATE**

By Councilor Cuddy

April 7, 2022

**WHEREAS**, a rate study was completed by GHD and the Department of Municipal Utilities in the spring of 2021 and a new rate structure was determined; and

**WHEREAS**, in the fiscal year 2021-2022 no rate adjustment was adopted and approximately \$303,000.00 in water fund balance was required to balance the water fund budget; and

**WHEREAS**, it is necessary to set a new water rate structure to support the ongoing operation and maintenance of all water fund assets; and

**WHEREAS**, this rate will fully support the system operation maintenance, asset repair and replacement, system improvements, debt service and reserve requirements; and

**WHEREAS**, the new proposed retail rate schedule will generate enough revenue to finance the upcoming five-year Capital Improvement Program through a blended cash and conventional bonding approach instead of a pay as you go cash payment approach; and

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve a new retail quarterly water rate of \$3.35 per hundred cubic feet and a new retail monthly water rate of \$2.99 per hundred cubic feet to be effective May 1, 2022; and

**BE IT FURTHER RESOLVED** the retail monthly water rate shall be increased from \$2.99 per hundred cubic feet to \$3.35 per hundred cubic feet to be effective May 1, 2023.

Seconded by Councilor Kent

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

**E. Staff Presentations –**

City Manager Jeff Dygert presented his first draft of the City Fiscal year 2022-2023 proposed city budget. The Council also received department budget presentations from Departments of Municipal Utilities, Planning, Code Enforcement, Engineering, Public Works and City Clerk.

**TABLED ITEMS - none**

**OTHER BUSINESS –**

**Second Public to be Heard:**

Tonya Udall spoke regarding a matter pertaining to City owned land located on Osborne Street.

**Executive Session:**

Councilor Cuddy made a motion to enter Executive Session, seconded by Councilor Locastro.

Council voted to enter an executive session regarding the following matters:

Two matters pertaining to sale or lease of real property.

Two matters pertaining to collective bargaining.



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Four separate matters made confidential by federal law due to attorney client privilege.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 8:14 p.m. Executive session adjourned at 9:40 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 9:41 p.m..

Minutes submitted by: Chuck Mason, City Clerk