

**Auburn City Council
Regular Meeting
Thursday, April 14, 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
- Corporation Counsel, Stacy DeForrest
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Chuck Mason
- Director of Planning and Economic Development, Jenny Haines
- Robert Gauthier, City Treasurer
- 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. No speakers.

Approval of Meeting Minutes – none

Reports of City Officials

City Manager's Report –

Reports from members of Council

Matters to Come Before Council

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

B. Ordinances – FIRST READING

BOND ORDINANCE #1 OF 2022

**AUTHORIZING THE ISSUANCE OF \$2,345,000 SERIAL BONDS TO
FINANCE THE COSTS OF VARIOUS CAPITAL PROJECTS**

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 \$2,345,000, the estimated maximum cost of each Project as follows:

(a) Fleet Vehicles for Public Works and Codes Departments. The purchase of equipment and vehicles to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, including two (2) ten-wheel dump trucks, three (3) fleet vehicles having a seating capacity of less than 10 persons, and a solid waste refuse packer at an estimated maximum cost not to exceed \$775,000 and to issue an aggregate \$775,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(b) Equipment for Municipal Utilities Department. The purchase of equipment for the Water and Sewer Department of the City, the cost of which is \$30,000 or more, including one (1) backhoe and one (1) excavator, at an estimated maximum cost not to exceed \$370,000 and to issue an aggregate \$370,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose;

(c) Equipment for Fire Department- Turnout Gear. The purchase of equipment to be used for personal protective equipment, the cost of which is \$30,000 or more for the City Fire Department at an estimated maximum cost not to exceed \$240,000 and to issue an aggregate \$240,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(d) 2022-2023 Road Improvement Program. The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, fencing, grading, or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with a single-surface treatment at an

estimated maximum cost not to exceed \$800,000 and to issue an aggregate \$800,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose; and

(e) City Buildings & Grounds Improvements. The renovation or reconstruction of the scale house located at the Auburn Landfill, whether or not including grading or improvement of the site, original furnishings, equipment, machinery or apparatus required for the purposes for which such buildings are to be used at an estimated maximum cost not to exceed \$160,000 and to issue an aggregate \$160,000 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 objects or purposes is \$2,345,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$2,345,000 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 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 – (2) Dump Trucks	15	28
(b) Department of Public Works- Refuse Packer	15	28
(c) Staff Vehicles	3	77
(d) 2022-2023 Road Improvement Program	15	20(c)
(d) Buildings & Grounds Improvements	25	12(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 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.

C. Local Laws – none

D. Resolutions –

COUNCIL RESOLUTION #39 OF 2022

SUPPORTING THE SCHWEINFURTH ART CENTER WITH ITS APPLICATION FOR A DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT – ECONOMIC DEVELOPMENT INITIATIVE GRANT

By Councilor Giannettino

April 14, 2022

WHEREAS, the Schweinfurth Art Center located at 205 Genesee Street in Auburn is a non-profit gallery and multi-arts facility that offers a wide array of exhibits, programs, art classes and workshops for children, teens and adults in our community; and

WHEREAS, the art center contributes significantly to our community's quality of life and is a prominent tourist attraction within the Central and Finger Lakes regions of our state, and

WHEREAS, the art center is a participating member of the City's Historic and Cultural Sites Commission; and

WHEREAS, together with the Cayuga Museum of History and Art, the Schweinfurth Art Center is investing in the largest awarded project of the City of Auburn's Downtown Revitalization Initiative (DRI) grant program, the \$3.75 million project known as the West End Arts Campus that received a DRI grant award of \$1.9 million towards the project; and

WHEREAS, the City's Five Year Consolidated Plan for the Community Development Block Grant (CDBG) Program includes the Census Tracts that are identified by the U.S. Department of Housing and Urban Development (HUD) as eligible for CDBG investment, based on the fact that more than 51% of residents in these census tracts are low or moderate income, and census tract 421, where both the Schweinfurth Art Center and the Cayuga Museum are located, is included in this list, and, is also the Qualified Census Tract for investment of the City's American Rescue Plan (ARPA) funding; and

WHEREAS, the City has further supported the West End Arts Campus project with allocations of \$250,000 each to the Schweinfurth Art Center and Cayuga Museum to support their respective portions of the project; and

WHEREAS, this spring Congressman John Katko has made available Community Project Funding Request opportunities for Fiscal Year 2023 and the Schweinfurth Art Center will be applying for a Department of Housing and Urban Development- Economic Development Initiative (EDI) grant of \$350,000 for their part of the West End Arts Campus project; and

WHEREAS, the Schweinfurth Art Center's investment in the West End Art's Campus will bring revitalization to the city's western gateway to downtown, as well as, the neighborhood located in census tract 421 which has been identified as the Qualified Census Tract for investment of the city's ARPA funding making this project a high priority for our city.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Auburn, New York:

1. That the City Council of the City of Auburn strongly supports the Schweinfurth Art Center with its Community Project Funding Request for Fiscal Year 2023 to Congressman John Katko for a Department of Housing and Urban Development- Economic Development Initiative (EDI) grant of \$350,000 for their part of the West End Arts Campus project; and
2. The City Clerk shall forward a certified copy of this resolution to the Schweinfurth Art Center to include the resolution in its grant application.

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		

E. Staff Presentations –

- **Finance FY 2022-2023 Budget Presentation by Robert Gauthier, Treasurer**
- **Fire Department 2022-2023 Budget Presentation by Mark Fritz, Fire Chief**
- **Auburn City Ambulance 2022-2023 Budget Presentation by Kezia Sullivan, Director of Operations**
- **Auburn Police Department 2022-2023 Budget Presentation by James Slayton, Police Chief**
- **Corporation Counsel 2022-2023 Budget Presentation by Stacy DeForrest, Esq., Corporation Counsel and Nate Garland, Assistant Corporation Counsel**
- **City Manager FY 2022-2023 Budget Presentation by Jeff Dygert, City Manager**

TABLED ITEMS - none

OTHER BUSINESS –

- Councilor Cuddy asked Council that a presentation be scheduled for a local citizens group named Auburn Community Cats. Council members agreed.
- Councilor Giannettino made remarks about the recently adopted NYS budget. The budget did not contain any increase of AIM funding which is the unrestricted State aid the City of Auburn receives annually from the State. The Councilor asked the Council if they would be willing to send a letter to the Governor expressing disappointment on this matter. Council members agreed they would be willing to support such a letter.

Second Public to be Heard: No speakers

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:35 p.m..

Minutes submitted by: Chuck Mason, City Clerk