

**Auburn City Council
Regular Meeting
Thursday, July 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 Mayor Quill.

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
- City Clerk, Chuck Mason
- Corporation Counsel, Stacy DeForrest
- Asst. Corporation Counsel, Nate Garland
- Comptroller, Rachel Jacobs
- Police Chief, Jim Slayton
- Fire Chief, Mark Fritz
- 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 –

Summer event calendar was mailed out to all city residents. Summer concerts and movies start this week at city parks and the new summer recreation program with CNY Sports begins July 11, 2022.

CEREMONIAL PRESENTATIONS – none.

Public to be heard: Mayor Quill asked the Clerk to read the public to be heard rules.

Andrea from 6976 Owasco Road spoke about the Purple Lancers summer camp being offered to community youth this summer with lessons being offered at Hoopes Park and the pavilion at the Town of Owasco playground.

Approval of Meeting Minutes –

June 16, 2022 Council Meeting Minutes

Motion to approve the June 16, 2022 minutes by Councilor Cuddy, seconded by Councilor Giannettino.

Motion to approve carried 5-0.

June 23, 2022 Council Meeting Minutes

Motion to approve the June 23, 2022 minutes by Councilor Giannettino, seconded by Councilor

Locastro. Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

Reports from members of Council - none

Matters to Come Before Council

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

B. Ordinances – none

C. Local Laws – none

D. Resolutions –

**FINANCIAL RESOLUTION #75 OF 2022
AUTHORIZING VARIOUS OPERATING AND
CAPITAL BUDGET TRANSFERS**

By Councilor Cuddy

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2021-2022 year as outlined in attachment A; and,

WHEREAS, there is no fund balance being requested for these transfers; and,

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

1. That the Auburn City Council does hereby authorize the transfers in Attachment A for the 2021-2022 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

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Seconded by Councilor Cuddy

Attachment A: 21-22 FY					
5/19/2022					
Amount	Account to		Account From		Reason
\$12,699.84	A3120.140	APD – Holiday	A3120.841	APD – Health Insurance	Direct result of operating expenses incurred throughout year
\$2,483.66	A3120.140.CECIT	APD – Holiday City Events			
\$5,753.99	A3120.150	APD – Overtime			
\$556.05	A3120.150.COURT	APD – Court OT			
\$1,357.53	A3120.166	APD – Shift Diff 4p – 12a			
\$1,448.46	A3120.167	APD – Shift Diff 12a – 8a			
\$15,000	A1305.110	Finance – Salaries	A9060.841	Health Insurance	Fiscal Year end clean up

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\$837	A1305.811	Finance – SS & Medicare	A1305.450	Finance – Fees	to cover unbudgeted expenses related to employee retirement cashouts
\$615	A1305.801	Finance - Retirement			
\$5,800	A1305.110	Finance – Salaries	A1305.451	Finance – Cons Fees	
\$2,200	A1305.110	Finance – Salaries	A1305.460	Finance – Travel	
\$1,700	A1305.110	Finance – Salaries	A1305.450	Finance – Fees	
\$1,250	A1305.110	Finance – Salaries	A1305.440	Finance - Services	
\$550	A1355.110	Assessor - Salaries	A1355.482	Assessor – Maint/Rep	Cover funds previously transferred out of salary to cover Overtime related to reval
\$810			A1355.481	Assessor – Fuel	
\$675			A1355.460	Assessor – Travel	
\$300			A1355.440	Assessor – Services	
\$350			A1355.430	Assessor – Other Util	
\$400			A1355.411	Assessor – Off Supplies	
\$61			A1355.412	Assessor – Oper Supp	
\$20	G8130.801	Sew Treat - Retirement	G8130.412	Sew Treat – Oper supp	Fiscal Year end clean up related to OT for significant wet weather events over the summer and cover “on-call” phone expenditures
\$5,500	G8130.841	Sew Treat – Health Ins	G8130.412	Sew Treat – Oper supp	
\$260	G8130.842	Sew Treat - Dental	G8130.412	Sew Treat – Oper supp	
\$2,500	F8340.841	Water Distr. – Health ins	F8340.250	Water Distr. – Oth equip	
\$9,000	F8340.110	Water Distr. – Wages	F8340.250	Water Distr. – Oth equip	
\$4,500	G8120.841	San Sewers – Health Ins	G8120.440	San Sewers - Services	
\$6,000	G8120.150	San Sewers - Overtime	G8120.412	San Sewers – Oper Supp	
\$30,000	G8120.110	San Sewers - Wages	G1990.455	Sewer - Contingency	

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\$500	E8240.811	Hydro – SS & Medicare	E8240.250	Hydro – Oth equip	
\$110	E8240.841	Hydro – Health Ins	E8240.250	Hydro – Oth equip	
\$5	E8240.845	Hydro – Vision Ins	E8240.250	Hydro – Oth equip	
\$3,000	CL8161.420	Refuse Coll - Gas	CL8161.110	Refuse Coll - Wages	Fiscal Year end clean up related to operating cost increases
\$3,000	CL8161.425	Refuse Coll - Electric	CL8161.110	Refuse Coll - Wages	
\$20,000	CL8161.481	Refuse Coll - Fuel	CL8161.110	Refuse Coll - Wages	
\$3,600	CL8161.811	Refuse Coll – SS/Med	CL8161.110	Refuse Coll - Wages	
\$2,200	CL8161.841	Refuse Coll – Health Ins	CL8161.110	Refuse Coll - Wages	
\$1,600	EM8171.841	Xfer Stat – Health Ins	EM8171.110	Xfer Stat - Wages	
\$1,700	A5110.811	Street Maint – SS/Med	A5110.110	Street Maint - Wages	
\$3,500	A7110.811	Parks – SS/Med	A7210.130	Falcon Park – Part Time	
\$732.19	A1420.110	Corp Counsel – Wages	A1420.440	Corp Counsel Services	Fiscal Year end clean up to cover unbudgeted salary increase
\$361.89	A1420.110	Corp Counsel – Wages	A1420.450	Corp Counsel – Fees	
\$1,589.83	A1420.110	Corp Counsel – Wages	A1420.801	Corp Counsel – Retirement	
\$1,685.67			A9060.841	Health Insurance	
\$1,009.00			A1990.455	Contingency	
\$9,156.73	A3410.420	Fire – Gas	A3410.160	Fire – OT Contractual	Fiscal Year end clean up related to operating cost increases
\$3,410.40	A3410.425	Fire – Electric			
\$7,467.00	A3410.481	Fire - Fuel			
\$88.67	A1430.110	Civil Service – Wages	A1430.412	Civil Service – Oper Supplies	Fiscal Year end clean up
\$1,991	A1930.453	Judgements – Settlements	A1990.455	Contingency	Cover appraisal for Chemung

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					Canal Property for settlement
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	Ayes	Noes	Excused
Councilor Kent	X		
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

AWARD RESOLUTION #76 OF 2022

AWARDING A BID FOR THE E. GENESEE ST./JOHN ST. PAVING PROJECT

By Councilor Kent

July 7, 2022

WHEREAS, on June 17, 2021, the Auburn City Council passed Grant Acceptance Resolution #74 of 2021 authorizing the acceptance of a NYS Transportation Touring Route Fund Grant which included funding for the E. Genesee Street/John Street Paving Project; and

WHEREAS, the E. Genesee Street/John Street Paving Project involves the milling and paving of E. Genesee St. between the Genesee St. Bridge and Fulton St. and also the milling and paving of John St. between E. Genesee St. and the Arterial East and this project also includes the installation of storm sewer laterals, improvements to corner sidewalk ramps, repairs and improvements to utility road patches, and adjustments and repairs of manholes and catch basins; and

WHEREAS, on June 28, 2022, bids were opened for the E. Genesee St./John St. Paving Project and the following bids were received:

- | | | |
|----|---|----------------------------------|
| 1. | Paul F. Vitale Inc.
Auburn, New York | \$ 850,200.00 (corrected amount) |
| 2. | Barrett Paving Materials, Inc.
Liverpool, NY | \$ 878,412.00 |
| 3. | Sealand Contractors Corp.
Rush, NY | \$ 1,270,000.00 |

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4. Seneca Stone Corp. \$ 1,300,000.00
Seneca Falls, NY

; and

WHEREAS, it is necessary that the Auburn City Council award the E. Genesee St./John St. Paving Project to the lowest responsible bidder, namely, Paul F. Vitale Inc., which has submitted a low bid of \$850,200.00;

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contract for the E. Genesee St./John St. Paving Project to Paul F. Vitale Inc., the lowest responsible bidder in the amount of \$850,200.00; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$850,200.00 is to be charged to the 21-22 Touring Route account #HA 5110-440-KV; and

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

Seconded by Councilor Giannettino

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

AWARD RESOLUTION #77 OF 2022

AWARDING BIDS FOR THE AUBURN WATER FILTRATION PLANT IMPROVEMENTS

By Councilor Cuddy

July 7, 2022

WHEREAS, on November 9, 2021, the Auburn City Council passed Bond Resolution #7 of 2021 to fund the cost of improvements to the City water system; and

WHEREAS, the Auburn Water Filtration Plant Improvements involves complete restoration of the 1914 slow sand filtration plant including but not limited to bypass finished water piping, clear well tank rehabilitation, HVAC upgrades, lighting upgrades, valve replacement, architectural building improvements, sand process cleaning improvements and access upgrades within the facility; and

WHEREAS, on June 21, 2022, bids were opened for the Auburn Water Filtration Plant Improvements and the following bids were received:

Contract No. 1 - General

- | | | |
|----|---|----------------|
| 1. | M.A. Bongiovanni Inc.
Syracuse, New York | \$4,399,000.00 |
| 2. | Bouley Associates, Inc.
Auburn, New York | \$6,947,000.00 |

Contract No. 2 – Electrical

- | | | |
|----|--|--------------|
| 1. | J&E Electric, Inc.
Auburn, New York | \$908,300.00 |
|----|--|--------------|

Contract No. 3 – Mechanical

- | | | |
|----|--|--------------|
| 1. | King & King Mechanical, Inc.
Auburn, New York | \$120,483.00 |
| 2. | AFT Mechanical, LLC
Elmira, New York | \$134,000.00 |
| 3. | Siracusa Mechanical, Inc.
Auburn, New York | \$173,252.00 |

; and

WHEREAS, it is necessary that the Auburn City Council award the Auburn Water Filtration Plant Improvements to the lowest responsible bidders; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contracts for the Auburn Water Filtration Plant Improvements to M.A. Bongiovanni., the lowest responsible bidder in the amount of \$4,399,000.00 for Contract No.1, to J&E Electric, Inc, the lowest responsible bidder in the amount of \$908,300.00 for Contract No. 2, and King & King Mechanical, Inc, the lowest responsible bidder in the amount of \$120,483.00 for Contract No. 3; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the aggregate amount of \$5,427,783.00 is to be charged to the Water Filtration Plant Design Project Acct. #HF 8330-440-JJ;

BE IT FURTHER RESOLVED that the Mayor or designee is authorized to sign any and all documents necessary in reference to the award of this bid.

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		

AGREEMENT RESOLUTION #78 OF 2022

AUTHORIZING CHANGE ORDER #2 TO GHD FOR THE WATER FILTRATION PLANT IMPROVEMENTS PROJECT

By Councilor Cuddy

July 7, 2022

WHEREAS, on April 22, 2021, the Auburn City Council authorized Award Resolution #51 of 2021, which awarded GHD a professional services contract to complete design services related to the slow sand filtration plant and clear well upgrades for the Water Filtration Plant Improvement Project (the “Project”) in the amount of \$345,000; and

WHEREAS, on November 4, 2021, the Auburn City Council approved Change Order #1 to the agreement with GHD in the amount of \$31,700 to cover additional professional services costs for design work and bidding services for the Project; and

WHEREAS, Change Order #2 to the agreement with GHD in the amount of \$241,000 is required to cover additional professional services costs associated with construction phase services such as specification and equipment approvals, construction meetings, periodic construction inspection, concrete inspection and testing, asbestos air monitoring and integration of electronic control equipment for the Project; and

WHEREAS, the cost of this Resolution is to be charged to the Water Filtration Plant Design Project capital account #HF 8330-440-JJ in the amount of \$241,000.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award Change Order #2, in the amount of \$241,000 to GHD for additional professional services related to the Project; and,

BE IT FURTHER RESOLVED that the cost of this Resolution shall be charged to the Water Filtration Plant Design Project capital account #HF 8330-440 JJ; 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 Kent

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

AGREEMENT RESOLUTION #79 OF 2022

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT
PROCEEDINGS CONCERNING A PARCEL OF REAL PROPERTY LOCATED AT 81
GENESEE STREET KNOWN AS LATTIMORE HALL**

By Councilor Giannettino

July 7, 2022

WHEREAS, for the tax years of 2020 and 2021, Lattimore Hall WCBB commenced proceedings challenging the property tax assessment of real the property it owns located at 81 Genesee Street, in the City of Auburn, Auburn City School District, Cayuga County, designated as the “Property”; 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, attorney Katherine E. Gavett, Esq., appeared and intervened in these proceedings on behalf of the Auburn Enlarged City School District; 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 Auburn City School District Board of Education and the Cayuga County legislature have already approved or will soon approve, 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

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Settlement and Judicial Order, wherein the tax assessment of the property owned by the Petitioner shall be adjusted as set forth therein, and (2) refunds shall issue in the amount set forth therein.

Seconded by Locastro

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

E. Staff or Vendor Presentations

TABLED ITEMS - none

OTHER BUSINESS –

Second Public to be Heard. None

Executive Session:

Councilor Kent made a motion to enter Executive Session, seconded by Councilor Giannettino.

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

- Two matters made confidential under attorney client privilege.
- One matter pertaining to collective bargaining.
- Two matters pertaining to the employment history of a particular individual.

The motion to enter executive session carried 4-0. The Council entered Executive Session at 5:59 p.m. Executive session adjourned at 8:02 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:03 p.m..

Minutes submitted by: Chuck Mason, City Clerk