

**Auburn City Council  
Regular Meeting  
Thursday, July 21, 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
- Director of Capital Projects and Grants, Christina Selvek
- 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.

Steven Bazarnik of 71 Washington Street spoke to address the City Council on the recent increase in the refuse collection fee and its impact on city residents that live on a fixed income.

**Approval of Meeting Minutes –**

July 7, 2022 Council Meeting Minutes

Motion to approve the July 7, 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 –**

**AGREEMENT RESOLUTION #80 OF 2022**

**AUTHORIZING AN AGREEMENT WITH  
WEGMAN'S FOOD MARKET'S INC. FOR PARKING**

By Councilor Giannettino

July 21, 2022

**WHEREAS**, the City of Auburn has historically leased underutilized parking spaces located on the south side of Genesee Street between Loop Road and South Street to Wegman's Food Markets, Inc. ("Wegman's"); and

**WHEREAS**, the existing lease agreement terminates on July 31, 2022, and the parties would like to enter into a new agreement; and

**WHEREAS**, under the proposed agreement, which is attached hereto and incorporated herein, Wegman's will pay the City the sum of \$1,500 for eight (8) designated parking spaces for a six (6) month term commencing on August 1, 2022, and ending on January 31, 2023; and

**WHEREAS**, Wegman's has approved the proposed Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve an Agreement between the City of Auburn and Wegman’s Food Markets, Inc., which is attached hereto and incorporated herein; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign any and all documents in order to finalize the agreement.

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 #81 OF 2022**

**AUTHORIZING A TEMPORARY EASEMENT AGREEMENT AND AN INDEMNITY AND HOLD HARMLESS AGREEMENT WITH COMMUNITY COMPUTER SERVICE, INC.**

By Councilor Cuddy

July 21, 2022

**WHEREAS**, the City is the owner of a municipal parking garage (the “Parking Garage”) located in Downtown Auburn on Lincoln Street; and

**WHEREAS**, the Parking Garage is currently under renovation and will be closed from Monday, July 25, 2022, through Friday, August 5, 2022, due to construction; and

**WHEREAS**, during the closure of the Parking Garage, Community Computer Service, Inc. has graciously offered to provide parking spaces to the City at its properties located at 19 N. Green Street, 1-3 Hulbert Street, 5 Hulbert Street, and 7-9 Hulbert Street, on the condition that the City duly execute a Temporary Easement Agreement and, also, an Indemnity and Hold Harmless Agreement; and

**WHEREAS**, the Temporary Easement Agreement and Indemnity and Hold Harmless Agreement are attached hereto and incorporated herein for City Council consideration.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby express its thanks and appreciation to Community Computer Service, Inc., for assisting the City with its parking needs during the renovation of the Parking Garage; and

**BE IT FURTHER RESOLVED** that the Auburn City Council does hereby approve a Temporary Easement Agreement, and, also, an Indemnity and Hold Harmless Agreement with

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Community Computer Service, Inc., together with all of the terms and conditions set forth therein, which are attached hereto and incorporated herein; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to sign the Agreements and any and all documents necessary to carry out this Resolution.

Seconded by Councilor Locastro

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

**AGREEMENT RESOLUTION #82 OF 2022**

**APPROVING A COLLECTIVE BARGAINING AGREEMENT  
BETWEEN THE CITY OF AUBURN AND  
THE AUBURN ASSISTANT FIRE CHIEF'S ASSOCIATION LOCAL 4021**

By Councilor Cuddy

July 21, 2022

**WHEREAS**, the current Collective Bargaining Agreement by and between the City of Auburn and the Union representing the Auburn Assistant Fire Chief's Association Local 4021 expired on June 30, 2022; and

**WHEREAS**, the City of Auburn and the Union representing Auburn Assistant Fire Chief's Association Local 4021 have engaged in extensive negotiations in order to reach a new Collective Bargaining Agreement, effective July 1, 2022, which sets forth all of the terms, conditions and obligations of the parties, and is attached hereto and incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council has reviewed the terms of a new Collective Bargaining Agreement between the City and the Auburn Assistant Fire Chief's Association Local 4021, and does hereby approve those terms and authorizes the Mayor, City Manager, Corporation Council, and Comptroller to sign the agreement.

Seconded by Councilor Locastro

	Ayes	Noes	Excused
Councilor Kent	X		
Councilor Giannettino	X		
Councilor Cuddy	X		

Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

**GRANT RESOLUTION #83 OF 2022**

**AUTHORIZING A GREEN INNOVATIVE GRANT PROGRAM APPLICATION TO NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION**

By Councilor Giannettino

July 21, 2022

**WHEREAS**, in May 2022, the Office of the Governor of New York announced the availability of \$15 million in water quality grant funding for infrastructure improvement projects; and

**WHEREAS**, through the New York Consolidated Funding Application (CFA) the Environmental Facilities Corporation (NYS EFC) has released request for proposals for Green Innovative Grant Program Funding, for which municipalities are eligible to apply; and

**WHEREAS**, the Department of Municipal Utilities proposes to submit a funding application for a collection system Infiltration & Inflow (I&I) detection project, which, if awarded, will provide for the installation of equipment designed to identify I&I issues within the City's sewer system; and

**WHEREAS**, the Infiltration & Inflow Detection Project would consist of the installation of temporary and permanent flow meters to track wet weather flows along the City's sewer interceptors that will provide data to inform the prioritization of future sewer separations; and

**WHEREAS**, the proposed project is estimated to cost of \$240,000 with a local match requirement of 25% or \$60,000, consisting of funds from the existing CSO Facilities capital account #HG 8130.440 KE, through budget amendment from Sewer Fund Balance; and

**WHEREAS**, since the City of Auburn does not currently have the funding to pay for 100% of the Infiltration & Inflow Detection Project and it is necessary to obtain New York State grant funding assistance from the Green Innovative Grant Program.

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

1. That the Mayor, or appointed designee, is authorized to submit a Green Innovative Grant Program (GIGP) application to NYS EFC in the amount not to exceed \$240,000 in total project costs; and
2. That if awarded GIGP funds, the Mayor or appointed designee is authorized to accept the grant funds and sign any and all agreements, documents and reimbursements in association with the grant project; and
3. That if awarded GIGP funds, the City Comptroller is authorized to increase the capital project budget for the CSO Facility account HG 8130.440 KE by the State Grant amount of \$180,000

with the remaining local match amount being transferred from Sewer Fund Balance to the existing capital account; and

4. That this resolution shall take effect immediately upon its adoption.

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 #84 OF 2022**

**AUTHORIZING CHANGE ORDER #1 TO PEAK CONSTRUCTION GROUP FOR THE  
AUBURN PUBLIC SAFETY BUILDING PROJECT**

By Councilor Kent

July 21, 2022

**WHEREAS**, the Auburn City Council authorized Bond Ordinance #1 of 2020 to finance construction costs of the Auburn Public Safety Building; and

**WHEREAS**, on August 20, 2020 City Council authorized Award Resolution #84 in the amount of \$3,966,165 to Peak Construction Group, LLC, for the General Construction of the Auburn Public Safety Building; and

**WHEREAS**, during construction a field allowance of \$204,680.93 was utilized under the general construction contract for a total current contract of \$4,170,845.93; and

**WHEREAS**, a Change Order to the original contract is necessary with PEAK Construction Group, LLC for field work scope changes as well as supply and commodity pricing changes during COVID-19 in the amount of \$100,000 to complete the project.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby authorize Change Order #1 in the amount of \$100,000 to PEAK Construction Group, LLC, for additional costs incurred during building and site construction; and

**BE IT FURTHER RESOLVED** that the cost of the Resolution in the amount of \$100,000 is to be charged to the Public Safety Building Capital Account #HA 1620 440 PSB.

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 or Vendor Presentations - none**

**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:

- One matter made confidential under attorney client privilege.

The motion to enter executive session carried 4-0. The Council entered Executive Session at 5:49 p.m. Executive session adjourned at 7:02 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:03 p.m..

Minutes submitted by: Chuck Mason, City Clerk