

**Auburn City Council
Regular Meeting
Thursday, February 16, 2023 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 and Councilor Terry Cuddy were present. Councilor Tim Locastro was excused.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Stacy Tamborinno
- Comptroller, Rachel Jacobs
- Police Chief, James Slayton
- Director of Planning and Economic Development, Jennifer Haines
- Superintendent of Public Works, Mike Talbot
- Director of Municipal Utilities, Seth Jensen
- Fire Chief, Mark Fritz
- Senior Planner, Renee Jensen

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 –

The next meeting of the City Zoning Board of Appeals will be held on Monday, February 27, 2023 at 7pm in the Council Chambers, Memorial City Hall, 24 South Street, Auburn.

Ceremonial Presentations – none

Public to be heard – none

Approval of Meeting Minutes – none

Reports of City Officials

City Manager’s Report –

- The City of Auburn is currently accepting bids for the construction of the Casey Park Skate Park. Bids are due March 15.
- We have also released a Request For Proposals (RFP) for Deferred Compensation Plan Administration. Those responses are due back March 17.
- Earlier today there was a transfer main break inside our Waste Water Treatment Facility. The facility was shut down for a while our crews made the necessary repairs.
- Earlier this week staff from the city, county, and representatives from several agencies met again to continue discussions and planning related to Micron Housing needs and opportunities. City staff is putting together an RFP for a housing study that we feel could help inform future housing decisions related to reuse, new development, and neighborhood revitalization.
- Today, city staff from various departments met as we do every month to discuss problem properties negatively impacting neighborhoods. We will be putting together a plan to target unregistered vehicles city-wide as well as a plan to address distressed neighborhoods that will include notifications of violations, an opportunity to clean up properties, follow up enforcement and guidance on available resources to address codes issues.

Reports from members of Council –

Matters to Come Before Council

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

B. Ordinances –

BOND ORDINANCE #2 OF 2023

AMENDING AND RESTATING BOND ORDINANCE NUMBER 6 OF 2021, ADOPTED BY THE CITY COUNCIL ON APRIL 22, 2021 TO INCREASE THE TOTAL ISSUANCE AUTHORIZATION FROM \$36,000,000 TO \$84,000,000 SERIAL BONDS TO FINANCE THE COST OF IMPROVEMENTS TO AND EQUIPMENT FOR THE CITY WASTEWATER TREATMENT PLANT

By Councilor Cuddy

WHEREAS, the City of Auburn, Cayuga County, New York (the “City”), desires to amend and restate Bond Ordinance Number 6 of 2021 heretofore adopted by City Council on April 22, 2021, entitled, “AUTHORIZING THE ISSUANCE OF \$36,000,000 SERIAL BONDS TO FINANCE THE COST OF

IMPROVEMENTS TO AND EQUIPMENT FOR THE CITY WASTEWATER TREATMENT PLANT” (the “Original Ordinance”), to increase the authorized therein from \$36,000,000 to \$84,000,000.

BE IT ORDAINED by Council of the City of Auburn, Cayuga County, New York (the “City Council”) as follows:

Section 1. The City of Auburn, Cayuga County, New York (the "City") is hereby authorized to undertake the reconstruction and improvement of the City’s Wastewater Treatment Plant and sewer system including, but not limited to, the construction of a new biosolids dryer and sludge handling facility, construction of a new digester and storage building at the Wastewater Treatment Plant, replacement of manholes and sewer lines, the acquisition and installation of original furnishings, equipment, machinery or apparatus required, costs of surveys, maps, plans and environmental, engineering, feasibility and other design studies, at an estimated maximum cost of \$84,000,000 and to issue an aggregate \$84,000,000 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 objects or purposes is \$84,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$84,000,000 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 object or purpose described in Section 1 is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(3)(l) 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 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 Sewer 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 of the City, with the serial bonds and bond anticipation notes authorized by other bond Ordinances previously or hereafter adopted by the Common 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 Comptroller, the Chief Fiscal Officer of the City.

Section 10. The City Comptroller, as Chief Fiscal Officer of the City, is further authorized to sell all or a portion of the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, to the New York State Environmental Facilities Corporation (the "EFC") in the form prescribed in one or more loan and/or grant agreements (the "Agreements") between the City and the EFC; to execute and deliver on behalf of the City one or more Agreements, Project Financing Agreements, and Letters of Intent with the EFC and to accept the definitive terms of one or more Agreements from EFC by executing and delivering one or more Terms Certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from the EFC for all or a portion of the costs of the expenditures authorized by this Ordinance, and perform the City's obligations under its Bonds or bond anticipation notes delivered to the EFC, the Project Financing Agreements and the Agreements.

Section 11. Any federal or New York State grant funds obtained by the City for the capital purposes described in Section 1 of this Ordinance shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds or to the extent obligations shall not have been issued under this Ordinance, to reduce the maximum amount to be borrowed for such capital purposes.

Section 12. 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 13. 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 14. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to file an application with the New York State Comptroller pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the City.

Section 15. 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 16. This Ordinance is not subject to a mandatory or permissive referendum.

Section 17. The Common 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 18. This Ordinance 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		

ORDINANCE #3 OF 2023:

REPEALING \$3,200,000 UNEXPENDED AUTHORIZATION OF THAT CERTAIN BOND ORDINANCE #1 OF 2020 OF THE CITY OF AUBURN, CAYUGA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$10,000,000 SERIAL BONDS TO FINANCE THE COST OF CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING

By Councilor Kent

February 16, 2023

WHEREAS, at a meeting of the Council of the City of Auburn, Cayuga County, New York (the “City”), convened on January 2, 2020, the City Council, by a favorable vote of not less than two-thirds (2/3) voting strength of all the members of the City Council, authorized construction of a new public safety building at an estimated maximum cost of \$10,000,000 and the issuance of \$10,000,000 serial bonds pursuant to the Local Finance Law and a bond ordinance (the “Bond Ordinance”); and

WHEREAS, of the \$10,000,000 in serial bonds authorized to be issued in connection with the Construction of a New Public Safety Building, pursuant to the Bond Ordinance, \$3,200,000 has not been issued to date as the City has secured State grant funding; and

WHEREAS, pursuant to the provisions of Section 41.00 of the Local Finance Law, the City Council is authorized to repeal a bond ordinance to the extent indebtedness has not been issued; and

WHEREAS, the City Council desires to repeal the Bond Ordinance to the extent that indebtedness authorized pursuant thereto has not been issued.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Auburn, Cayuga County, New York (the “City Council”) as follows:

SECTION 1. The City Council hereby repeals and revokes the City’s authority to issue indebtedness under the Bond Ordinance, to the extent that \$3,200,000 of indebtedness authorized pursuant thereto has not been issued made with respect thereto.

SECTION 2. Pursuant to Section 41.00 of the Local Finance Law, the City Council confirms that \$3,200,000 of the original amount of indebtedness authorized to be issued pursuant to the Bond Ordinance has not been contracted to be issued or made subject to encumbrance and authorization of the City Council to issue said amount of indebtedness pursuant to the Bond Ordinance is hereby repealed and revoked; and

SECTION 3. This resolution shall take effect immediately upon its adoption.

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		

ORDINANCE #4 OF 2023:

REPEALING \$5,550,000 UNEXPENDED AUTHORIZATION OF THAT CERTAIN BOND ORDINANCE #7 OF 2020 OF THE CITY OF AUBURN, CAYUGA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$6,575,000 SERIAL BONDS TO FINANCE THE COST OF THE RECONSTRUCTION AND RESURFACING OF SOUTH STREET

By Councilor Giannettino

February 16, 2023

WHEREAS, at a meeting of the Council of the City of Auburn, Cayuga County, New York (the “City”), convened on December 3, 2020, the City Council, by a favorable vote of not less than two-thirds (2/3) voting strength of all the members of the City Council, authorized reconstruction and resurfacing of South Street at an estimated maximum cost of \$6,575,000 and the issuance of \$6,575,000 serial bonds pursuant to the Local Finance Law and a bond ordinance (the “Bond Ordinance”); and

WHEREAS, of the \$6,575,000 in serial bonds authorized to be issued in connection with the Reconstruction and Resurfacing of South Street, pursuant to the Bond Ordinance, \$5,550,000 has not been issued to date as the City has secured Federal and State grant funding; and

WHEREAS, pursuant to the provisions of Section 41.00 of the Local Finance Law, the City Council is authorized to repeal a bond ordinance to the extent indebtedness has not been issued; and

WHEREAS, the City Council desires to repeal the Bond Ordinance to the extent that indebtedness authorized pursuant thereto has not been issued.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Auburn, Cayuga County, New York (the “City Council”) as follows:

SECTION 1. The City Council hereby repeals and revokes the City’s authority to issue indebtedness under the Bond Ordinance, to the extent that \$5,550,000 of indebtedness authorized pursuant thereto has not been issued made with respect thereto.

SECTION 2. Pursuant to Section 41.00 of the Local Finance Law, the City Council confirms that \$5,550,000 of the original amount of indebtedness authorized to be issued pursuant to the Bond Ordinance

has not been contracted to be issued or made subject to encumbrance and authorization of the City Council to issue said amount of indebtedness pursuant to the Bond Ordinance is hereby repealed and revoked; and

SECTION 3. This resolution shall take effect immediately upon its adoption.

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		

C. Local Laws – none

D. Resolutions –

**COUNCIL RESOLUTION # 21 of 2023
APPROVING THE SUBMISSION OF THE
2023-2024 ANNUAL ACTION PLAN FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

By Councilor Kent

February 16, 2023

WHEREAS, The City of Auburn is an Entitlement Community for the Community Development Block Grant (CDBG) Program and is required to submit a Five Year Consolidated Plan with an annual statement of objectives and uses of the CDBG Entitlement Program funds; and

WHEREAS, the City of Auburn has prepared the 2023-2024 Annual Action Plan outlining the community development activities, objectives and budget for use of funds; and

WHEREAS, The City of Auburn has held public meetings to solicit participation and input into the preparation of both the proposed Consolidated Plan and Annual Action Plan; and

WHEREAS, The City of Auburn held a Public Hearing in Council Chambers on November 1, 2022 and the City Council of the City of Auburn, New York held a Public Hearing on February 9, 2023 during the Public Comment period; and

WHEREAS, The City of Auburn published the Notice of the 2023-2024 Annual Action Plan on January 17, 2023, to start the local comment period; NOW

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

1. The City Council does hereby approve the 2023-2024 Annual Action Plan; and
2. The City Council does hereby authorize the Mayor to sign the Application for Federal Assistance and submit the 2023-2024 Annual Action Plan to the U.S. Department of Housing and Urban Development for the CDBG entitlement grant to complete the objectives of the 2023-2024 Annual Action Plan; and
3. The City Council does hereby authorize and direct the Mayor to sign the Funding Approval / Agreement with the U.S. Department of Housing and Urban Development necessary to further the objectives of the 2023-2024 Annual Action Plan and all related subrecipient and other agreements necessary to further the objectives of the Annual Action Plan; and
4. The City Council does hereby authorize the City Comptroller's Office to recognize grant revenue and appropriate funding into the correct departmental budget.

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 #22 OF 2023

AWARDING BIDS FOR CONSTRUCTION OF THE BIOSOLIDS AND WWTP IMPROVEMENT PROJECT

By Councilor Giannettino

February 16, 2023

WHEREAS, on March 19, 2020, the Auburn City Council authorized Bond Ordinance #4 of 2020, approving \$2,000,000 in funding for the design of the Biosolids Processing & Dryer Improvement Project; and

WHEREAS, on April 22, 2021, the Auburn City Council authorized Bond Ordinance #6 of 2021, approving \$36,000,000 in funding to support further design and construction of the Biosolids & WWTP Improvement Project; and

WHEREAS, on February 16, 2023, the Auburn City Council authorized Bond Ordinance #2 of 2023, amending and restating Bond Ordinance #6 of 2021 to the total issuance of \$84,000,000 in funding to fully fund the construction of the Biosolids & WWTP Improvement Project; and

WHEREAS, 100% Permit and Design plans were completed in October of 2022; and

WHEREAS, in November of 2022, the NYS Department of Environmental Conservation and NYS Environmental Facilities Corporation, received, reviewed and approved the bid documents for General, Mechanical, Plumbing and Electrical Construction; and

WHEREAS, in accordance with municipal bidding requirements the City held an open bidding period beginning November 4th, 2022 extending until 11:30 am on January 20th, 2023; and

WHEREAS, construction bids for the Biosolids and WWTP Improvement Project were opened on January 20th, 2023, and the City received and publicly opened two (2) bids for General Construction, two (2) bids for Mechanical work, 1 bid for Plumbing work and 1 bid for Electrical work with the following as the qualified low bidders:

<u>Contract #1- General Construction</u> MA Bongiovanni, Inc. Syracuse, NY	<u>Base Bid + Add Alt 1 & 2</u> \$50,353,350.00
<u>Contract #2- Mechanical</u> King and King Mechanical, Inc. Auburn, NY	<u>Base Bid</u> \$1,615,828.00
<u>Contract #3- Electrical</u> O'Connell Electric Company, Inc Syracuse, NY	<u>Base Bid + Add Alt 2 & 3</u> \$17,493,070.00
<u>Contract #4-Plumbing</u> Siracusa Mechanical, Inc Auburn, NY	<u>Base Bid + Add Alt 1</u> \$1,455,485.00

;and

WHEREAS, a bid analysis was completed by City Staff and consultant, Brown and Caldwell and they have recommended the award of the aforementioned qualified low bidders for a total construction bid award of \$70,917,733; and

WHEREAS, City staff is recommending a total project award of \$70,917,733 to complete the construction of the Biosolids and WWTP Improvement Project to be located at 35 Bradley Street in the City of Auburn; and

WHEREAS, it is necessary that the Auburn City Council award the following bids for the Biosolids and WWTP Improvement project: (1) to MA Bongiovanni, Inc. in the base bid plus add alternate 1 and 2 in the amount of \$50,353,350 for the General Contract; (2) King and King Mechanical, Inc in the base bid amount of \$1,615,828 for the Mechanical Contract; (3) O’Connell Electric Company, Inc in the base bid plus add alternate 2 and 3 in the amount of \$17,493,070 for the Electrical Contract; and (4) Siracusa Mechanical, Inc. in the base bid amount plus add alternate 1 in the amount of \$1,455,485 for the Plumbing Contract; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve awards for the construction bids to MA Bongiovanni, Inc., King and King Mechanical, Inc, O’Connell Electric Company, Inc., and Siracusa Mechanical, Inc., as set forth herein for the Biosolids and WWTP Improvement project in the total aggregate amount of \$70,917,733, which are contingent upon meeting the stipulations of grant and low interest financing provided by the New York State Environmental Facilities Corporation as well as meeting requirements under NYS Article 15 for Minority/ Women-Owned Business (MWBE) participation; and

BE IT FURTHER RESOLVED, that the cost of the total construction bid awards and construction contingency is to be charged to the Biosolids capital account (#HG8130-440-KM); and

BE IT FURTHER RESOLVED, that the Mayor of the City of Auburn is authorized to execute any and all documents in reference to the award of these construction contracts.

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		

AGREEMENT RESOLUTION #23 OF 2023

AUTHORIZING CHANGE ORDER NO. 3 FOR THE BIOSOLIDS DRYER AND WWTP IMPROVEMENT PROJECT ENGINEERING CONTRACT

By Councilor Giannettino

February 16, 2023

WHEREAS, on January 20, 2022, Auburn City Council passed Council Resolution #14 of 2022 authorizing Change Order No. 2 in the amount of \$977,900 to continue the Biosolids Processing and Wastewater Treatment Plant Improvement Project to 100% design and bid; and

WHEREAS, all prior tasks outlined in the previously approved scope of work with Brown and Caldwell have been completed; and

WHEREAS, additional professional services associated with engineering services during construction, construction administration, and construction inspection are now required; and

WHEREAS, City Staff has reviewed the scope and fee of Change Order No. 3 and recommends that Brown and Caldwell of Syracuse, NY complete the construction administration and inspection, commissioning and closeout tasks for the Biosolids Project as well as an analysis of the WWTP Overflow Retention Facility in the amount not to exceed \$5,412,000.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize Change Order No. 3 to Brown & Caldwell of Syracuse, NY for the aforementioned professional engineering services associated with 100% construction for the Biosolids Dryer and Wastewater Treatment Plant Improvement Project in an amount of \$5,412,000; and

BE IT FURTHER RESOLVED that the Mayor, or appointed designee, is authorized to sign Change Order No. 3 and related documents for the Biosolids Dryer and Wastewater Treatment Plant Improvement Project on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED that the cost of this resolution in the amount of \$5,412,000 is to be charged to the Biosolids Dryer capital account (#HG8130-440-KM).

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		

**FINANCIAL RESOLUTION #24 OF 2023
AUTHORIZING VARIOUS OPERATING AND
CAPITAL BUDGET TRANSFERS**

By Councilor Giannettino

February 16, 2023

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the 2022-2023 fiscal year as outlined in attachment A; and,

WHEREAS, there is no Fund Balance being requested for these transfers.

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 2022-2023 fiscal year; and,
2. 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		

Attachment A: 22-23 FY
2/16/2023

Amount	Account to		Account From		Reason
\$3,000	A1420.451	Corporation Counsel – Consulting Fees	A1420.110	Corporation Counsel - Salaries	For professional Services contract and new desk & chairs for Corp Counsel Office
\$4,000	A1420.210	Corporation Counsel – Furniture & Fixtures			

**LAND SALE RESOLUTION #25 OF 2023
AUTHORIZING THE SALE OF
REAL PROPERTY KNOWN AS 133 GROVE AVENUE EXTENSION**

By Councilor Cuddy

February 16, 2023

WHEREAS, on June 23, 2022, the City of Auburn acquired title to real property commonly known as 133 Grove Avenue Extension (the “Property”) by tax foreclosure; and

WHEREAS, the Property consists of a single-family home, which is located in a residential neighborhood; and

WHEREAS, a Purchase Offer and Sale Contract has been proposed by Zach Prentice, which is attached hereto and incorporated herein, for the purchase of the Property at a price of One Hundred Fifty-One Thousand Dollars (\$151,000); and

WHEREAS, the purchase price being offered is above the fair market value for the Property and Mr. Prentice intends to reside in the Property and make it his home; and

WHEREAS, the Property is a surplus parcel and not needed for City purposes.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn does hereby approve the Purchase Offer and Sale Contract from Mr. Zach Prentice, which is incorporated herein, for the sale of 133 Grove Avenue Extension, for the sum of \$151,000.00, subject to the terms and conditions set forth therein and, also, subject to the following;

- (1) That the City provide only a Quit Claim Deed to the buyer at closing;
- (2) That the buyers be responsible for payment of all title and closing costs necessary to close the transaction;

and,

BE IT FURTHER RESOLVED that the Mayor is authorized to sign the Purchase Offer and Sale Contract together with any and all documents in order to finalize the closing of this sale.

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		

COUNCIL RESOLUTION #26 OF 2023

REQUESTING THE GOVERNOR AND STATE LEGISLATURE TO INCREASE AID AND INCENTIVES TO MUNICIPALITIES (AIM) FUNDING PROPOSED IN THE GOVERNOR’S 2023-2024 NYS BUDGET

By Councilor Giannettino

February 16, 2023

WHEREAS Aid & Incentive to Municipalities (AIM) funding is the unrestricted State aid that cities and villages in New York receive from the State and such aid is distributed annually via the State budget; and

WHEREAS a strong state and local fiscal partnership is essential to generating economic vitality in all regions of our State and the New York State Budget providing AIM funding to the local governments is a critical component of such a partnership; and

WHEREAS in 2011, when David Patterson was Governor, AIM funding was cut significantly by the State Legislature and that year the City of Auburn’s AIM funding was cut by \$329,449.; and

WHEREAS cities, villages and their taxpayers have suffered through multiple years without an increase in AIM funding following that significant cut to the aid in 2011; and

WHEREAS on February 1, 2023 Governor Hochul released her Executive Budget proposal for the State fiscal year 2023-2024 and the proposal held AIM funding for cities and villages at previous year’s levels despite a significant increase in State spending for other programs including a \$3.1 billion increase in school aid; and

WHEREAS just as annual increases in school aid help school districts comply with the New York State tax cap and maintain essential services, municipal governments need and deserve similar annual increases in State aid; and

WHEREAS the fact that the New York State tax cap remains permanent only accentuates the need for annual increases in AIM funding; and

WHEREAS in his final year of sixteen years as Auburn’s mayor it is noted that the State of New York has never provided an increase in AIM funding to cities during Mayor Quill’s four terms of service.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council call upon Governor Kathy Hochul, Senator Rachel May and Assemblyman John Lemondes and all members of the NYS Legislature to increase AIM funding in the 2023-2024 New York State Budget; and

BE IT FURTHER RESOLVED that the City Clerk forward a certified copy of this resolution to the Governor and all of our State representatives.

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 or Vendor Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Second Public to be Heard. none

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