

**Auburn City Council
Regular Meeting
Thursday, April 20, 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. Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Terry Cuddy, Councilor Tim Locastro and Mayor Quill were present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Nate Garland
- Comptroller, Rachel Jacobs
- Director of Planning and Economic Development, Jennifer Haines
- Police Chief, James Slayton
- Deputy Police Chief, Roger Anthony
- Fire Chief, Mark Fritz
- Superintendent of Public Works, Mike Talbot
- Assistant Comptroller, Theresa Adams
- Grants Coordinator, Onea Kloster

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 – The City Clerk read the rules for the Public to be Heard.

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 – none

C. Local Laws – none

D. Resolutions –

COUNCIL RESOLUTION #38 OF 2023

AUTHORIZING THE RELEASE OF COMMITTED FUND BALANCE, NO LONGER NECESSARY IN THE GENERAL FUND, TO UNASSIGNED FUND BALANCE

By Councilor Kent

April 20, 2023

WHEREAS, the City of Auburn currently has committed fund balance reserves listed on its General Fund Balance Sheet as follows:

A 892	GASB 45 Reserve (OPEB)	\$600,000.00
A 893	Worker's Compensation Reserve	\$400,000.00

These reserve accounts were created many years ago due to GASB (Government Accounting Standards Board) Statements issued at that time, however, new GASB statements issued over the past several years have changed where the liabilities are held related to Other Post Employment Benefits (OPEB) and Worker's compensation reserves; and

WHEREAS, There is a separate fund on City of Auburn Balance Sheets for Long-Term debt which house these liabilities mentioned above; and

WHEREAS, the City Comptroller has reviewed the balance sheets and consulted with the City's Auditing Firm, Insero CPAs, who have determined that it is not necessary or advisable to carry these reserves in both funds and this action requires council resolution to uncommit the general fund reserves mentioned above which would increase the unassigned general fund, fund balance by \$1M which can be utilized for other general fund governmental purposes.

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 release of committed funds above and authorized the Comptroller to transfer those funds to A 909 for Unassigned Fund Balance; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Locastro

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

**GRANT RESOLUTION #39 OF 2023
AUTHORIZING A GRANT APPLICATION TO NYSDEC URBAN AND
COMMUNITY FORESTRY – ROUND 16 FUNDING**

By Councilor Cuddy

April 20, 2023

WHEREAS, the New York State Department of Environmental Conservation (DEC) has announced the 2023 Urban & Community Forestry Grant Program, which includes a grant offered for the Tree Planting Project # UCF2; and

WHEREAS, the City of Auburn would like to apply for the Tree Planting Project # UCF2 grant in the amount of \$50,000, requires a 25% match by the City which would be in the amount of \$12,500 and paid out of the City's tree operating budget account; and

WHEREAS, as a requirement of this Program, the applicant must obtain the approval/endorsement of the governing body of its municipality, the Auburn City Council, in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize as follows:

1. That the City is authorized to submit a grant application to the Tree Planting Project #UCF2 in the grant amount of \$50,000, which will require an additional 25% match of \$12,500 and shall be paid out of the City's tree operating budget account A8560.440;
2. That the Mayor, or other appointed designee, is authorized to submit all documents, required for the application of the grants and, upon award notification, execute any and all grant agreements and submit any and all documentation necessary for the grants;
3. That the City Comptroller is authorized to receive and appropriate grant funding into the appropriate departmental accounts;
4. That a certified copy of this Resolution shall be forwarded with the grant application, as required; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

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

AWARD RESOLUTION #40 OF 2023

AWARDING BIDS FOR THE CITY OF AUBURN RESIDENTIAL DEMOLITION PROJECT

By Councilor Kent

April 20, 2023

WHEREAS, the proposed City of Auburn Residential Demolition Project involves asbestos abatement and demolition of five (5) residential city owned properties located at 58 Frances Street, 25 Holley Street, 103 Seymour Street, 107-109 Wall Street and 193 Perrine Ave; and

WHEREAS, on April 13, 2023, bids were opened for the asbestos abatement and demolition bids for the City of Auburn Residential Demolition Project and the following bids were received:

<u>CONTRACTOR</u>	<u>BASE BID</u>
1. Dans Hauling & Demo Inc. Wynantskill, NY 12198	\$ 157,800.00
2. Bronze Contracting, LLC Remsen, NY 13438	\$ 182,150.00
3. Rock Environmental, Inc. Rochester, NY 14621	\$ 183,714.00
4. MJs Contracting Services, Inc. Waterville, NY 13480	\$ 211,750.00
5. Contento Auto Sales, Inc. Cortland, NY 13045	\$ 217,114.00
6. O'Connell Excavation, LLC Weedsport, NY 13166	\$ 220,600.00

;and

WHEREAS, it is necessary that the Auburn City Council award the City of Auburn Residential Demolition Project to the lowest responsible bidder, namely, Dans Hauling & Demo Inc., which has submitted a low bid of \$ 157,800.00;

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contract for the City of Auburn Residential Demolition Project to Dans Hauling & Demo Inc., the lowest responsible bidder in the amount of \$ 157,800.00; 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.

BE IT FURTHER RESOLVED, that the cost of the Resolution in the amount of \$ 157,800.00 is to be charged to the Demolition & Clean-up Capital Project account #HA8760.440.DEMO.

Seconded by Councilor Giannettino

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

GRANT ACCEPTANCE RESOLUTION #41 OF 2023

**AUTHORIZING ACCEPTANCE OF A GRANT FOR THE
CASEY PARK SKATE PARK PROJECT**

By Councilor Cuddy

April 20, 2023

WHEREAS, the City of Auburn is constructing a poured in place concrete skatepark located at Casey Park, 150 North Division Street; and

WHEREAS, the community requested the development of a poured in place concrete skatepark at Casey Park; and

WHEREAS, the City of Auburn worked with Grindline Skateparks, Inc. to design a public poured in place concrete skatepark based on community input; and

WHEREAS, The City of Auburn applied to the Emerson Foundation for funding for the construction of the poured in place concrete skatepark; and

WHEREAS, as a result of the application to the Emerson Foundation, the City of Auburn has been awarded a grant in the sum of \$150,000; and

WHEREAS, the construction and construction inspection cost of the project is \$941,344.50, with \$250,000 funded through Community Development Block Grant; \$250,000

funded through NYS Office of Parks, Recreation and Historic Preservation Environmental Protection Fund; \$40,000 through The Skatepark Project; \$251,344.50 from the American Rescue Plan Act (ARPA) funds; and \$150,000 from the Emerson Foundation Grant; and

WHEREAS, the Mayor of the City of Auburn must be authorized to accept the grant funding and execute all necessary documents in connection therewith prior to commencing the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN AS FOLLOWS:

1. That the Mayor of the City of Auburn is hereby authorized and directed to execute the contract agreement with the Emerson Foundation, submit project documentation, and otherwise act for the Municipality's governing body in all matters related to the project; and
2. That the City Comptroller is authorized to recognize grant revenue in the amount of \$150,000, and to appropriate the funds into the Casey Park Skatepark Project, Capital Account No. HA7143.440.LG; and

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

Seconded by Councilor Giannettino

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

AWARD RESOLUTION #42 OF 2023

AWARDING A BID FOR THE CASEY PARK SKATE PARK PROJECT

By Councilor Cuddy

April 20, 2023

WHEREAS the City of Auburn was awarded funding in the amount of \$250,000 through the NYS Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Program for the construction of the Casey Park Skate Park located at Casey Park, 150 North Division Street; and

WHEREAS, the City of Auburn has been awarded \$40,000 from The Skatepark Project for the construction of the Casey Park Skate Park; and

WHEREAS, the City of Auburn has been awarded \$150,000 from The Emerson Foundation for the construction of the Casey Park Skate Park; and

WHEREAS, the City of Auburn has designated \$251,344.50 from The American Rescue Plan Act for the construction of the Casey Park Skate Park; and

WHEREAS, the Community Development Block Grant Program has designated \$218,351.60 of funding to the construction of the Casey Park Skate Park; and

WHEREAS, the City of Auburn has secured a total of \$909,696.10 in funding for the construction of Casey Park Skate Park.

WHEREAS, on March 22, 2023, bids for the Casey Park Skate Park Project were opened and the following bid was received:

1. Grindline Skateparks, Inc.

Base Bid: \$643,682.85

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Seattle, Washington

Add Alternate #1: \$266,013.25

Add Alternate #2: \$31,648.40

; and

WHEREAS, it is necessary that the Auburn City Council award the Casey Park Skate Park Project contract to the lowest qualified bidder which is Grindline Skateparks, Inc.

WHEREAS, the City of Auburn City Council has funding to award the Casey Park Skate Park base bid amount of \$643,682.85 and Add Alternate #1 amount of \$266,013.25 to Grindline Skateparks, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the Casey Park Skatepark Project contract to Grindline Skateparks, Inc. which is the lowest qualified bidder in the amount of \$909,696.10 and the cost of the project is to be charged to the Casey Park Skate Park Capital Account #HA7143.440.LG; and

BE IT FURTHER RESOLVED that the award is contingent upon the completion of the U.S. Department of Housing and Urban Development's Environmental Review; 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		

AGREEMENT RESOLUTION #43 OF 2023

**AUTHORIZING AN AGREEMENT WITH GREENMAN-PEDERSEN INC. FOR
CONSTRUCTION ADMINISTRATION SERVICES**

By Councilor Cuddy

April 20, 2023

WHEREAS, On February 3, 2022, the Auburn City Council Authorized Council Resolution #20 of 2022 Approving the Submission of the 2022-2023 Annual Action Plan for the Community Development Block Grant Program; and

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WHEREAS, the 2022-2023 Community Development Block Grant Program, approved the expenditure of funds to move forward with the Casey Park Skate Park project, including construction administration services related to the project; and

WHEREAS, the Auburn City Council, authorized the award to Grindline Skateparks Inc., for the construction of a poured in place concrete skatepark; and

WHEREAS, construction administrative services for Casey Park Skatepark project will be completed by the qualified firm GPI, Greenman-Pedersen Inc.; and

WHEREAS, it is now necessary that Greenman-Pedersen Inc. be awarded the contract for the construction administration services portion of the Casey Park Skate Park Project in an amount not to exceed \$11,000.00

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award a contract to Greenman Pedersen Inc., for the construction administration services portion of Casey Park Skate Park in an amount not to exceed \$11,000.00; and

BE IT FURTHER RESOLVED that the Mayor, or appointed designee, is authorized to sign the agreement and all other documents relating to the agreement on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED that the cost of the construction inspection services in the amount of \$11,000.00 is to be charged to the Casey Park Skate Park Capital Account #HA7143.440.LG.

Seconded by Councilor Locastro

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

AGREEMENT RESOLUTION #44 OF 2023

**APPROVING A COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE CITY OF AUBURN AND THE
PROFESSIONAL EMERGENCY MEDICAL TECHNICIANS OF
AUBURN CITY AMBULANCE (PEMTACA)
LOCAL 5379, IAFF, AFL-CIO**

By Councilor Giannettino

April 20, 2023

WHEREAS, the City of Auburn and Professional Emergency Medical Technicians of Auburn City Ambulance (PEMTACA) Local 5379, IAFF, AFL-CIO have engaged in extensive negotiations in

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order to reach a Collective Bargaining Agreement, effective April 21, 2023, 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 Collective Bargaining Agreement, effective April 20, 2023, between the City and PEMTACA, and does hereby approve that Agreement, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor, City Manager, Corporation Council, and Comptroller are hereby authorized to sign the agreement.

Seconded by Councilor Kent

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

AGREEMENT RESOLUTION #45 OF 2023

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CAYUGA COUNTY THE LEASE OF THE CITY COURT IN THE HISTORIC OLD POST OFFICE BUILDING

By Councilor Giannettino

April 20, 2023

WHEREAS, the County of Cayuga (County) owns and maintains space used for various courts of the State of New York that provide space for courtrooms and offices at 157 Genesee Street, commonly referred to as the Historic Old Post Office (HOPO); and

WHEREAS, pursuant to the unification of the various and sundry courts of the state in 1978, the City of Auburn is required by state law to provide space for Auburn City Court to operate; and

WHEREAS, for decades, the City of Auburn (City) has leased space at the HOPO from the County; and

WHEREAS, the existing agreement has been amended since 2008 to the benefit of each party; and

WHEREAS, the New York State Office of Court Administration (OCA) is responsible for the control and functioning of the State Court system at an operational level; and

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WHEREAS, OCA has notified the City that the space currently used for Auburn City Court is inadequate and must be enhanced to bring it into compliance with State standards; and

WHEREAS, the City and County understand that the HOPO City Court must be upgraded to obtain compliance; and

WHEREAS, the City agrees to fund a design study and the County agrees to implement the result of that design in order to obtain compliance; and

WHEREAS, the terms of such agreement are incorporated in an amended lease agreement between the City and County, attached hereto; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve an amendment of the agreement between the City of Auburn and the County of Cayuga and the Mayor hereby is authorized to sign the agreement on behalf of the City, together with any and all documents necessary to carry out this resolution.

BE IT FURTHER RESOLVED that the Auburn City Council does hereby direct the Planning Department to pursue a Design Study to fulfill the City's obligations under 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		

E. Staff or Vendor Presentations –

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 6:47 p.m..

Minutes submitted by: Chuck Mason, City Clerk