

**Auburn City Council
Regular Meeting
Thursday, February 16, 2017 6:00 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 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy, Carabajal, and Mayor Quill were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Director of Planning and Economic Development, Jennifer Haines
- Superintendent of Engineering, William Lupien
- Director of Capital Improvement Program and Grants, Christina Selvek
- Police Chief, Shawn Butler

2. Pledge of Allegiance to the Flag – Mayor Quill led the Pledge of Allegiance.

3. Moment of Silent Prayer or Reflection – Mayor Quill asked for a moment of silent prayer.

4. Public Announcements – none

5. Ceremonial Presentations and Proclamations – none

6. Public to be Heard – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules. None.

7. Approval of Meeting Minutes: None

8. Reports of City Officials

A. City Manager's Report

- The City Manager, Corporation Council and Adam Winslow, General Manager of the Auburn Doubledays attended Minor League baseball University in Florida on February 7-9, 2017.

- There was a recent meeting of the Cemetery Commission and the road conditions at Soule Cemetery was one of the main topics discussed. Staff will be bringing a report on this matter to a future Council meeting.
- The City's Park Master Plan is being awarded a Merit Award from the Upstate Chapter of American Society of Landscape Architects. City staff on this project included Jennifer Haines, Christina Selvek, Tiffany Beebee and Mike Talbot, as well as, the advisory board.

B. Reports from members of Council

Councilor McCormick reported that she and Councilor Carabajal have been meeting with the City Manager and Eli Hernandez, a school board member who also serves as the chair of the local NAACP. They would like to schedule a special meeting of the City, School Board, NAACP and members of the community to discuss the topic of diversity in the community. The proposed date of the meeting is Saturday, March 11, 2017 at 9am to be held at the Auburn High School library.

9. 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 # 20 OF 2017

**APPROVING THE SUBMISSION OF THE 2017-2018 ANNUAL ACTION PLAN
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

By Councilor Giannettino

February 16, 2017

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 2017-2018 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 the proposed Annual Action Plan; and

WHEREAS, The City of Auburn Planning Board held a Public Hearing in Council Chambers on November 1, 2016 and the City Council of the City of Auburn, New York held a Public Hearing on January 26, 2017 during the Public Comment period; and

WHEREAS, the City of Auburn published the Notice of the Annual Action Plan on January 12, 2017 to start the local comment period; and

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

1. The City Council does hereby approve the 2017-2018 Annual Action Plan; and
2. The City Council does hereby authorize the Mayor to sign the Application for Federal Assistance and submit the 2017-2018 Annual Action Plan to the U.S. Department of Housing and Urban Development for the CDBG entitlement grant to complete the objectives of the 2017-2018 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 2017-2018 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 Carabajal

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #20 of 2017 of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in

the Council Chambers, Memorial City Hall, in said city, on the 16th day of February, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: February 17, 2017

FINANCIAL RESOLUTION #21 OF 2017

**AUTHORIZING THE ACCEPTANCE OF GRANT MONIES FROM THE NYS
DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE POLICE PROTECTIVE
EQUIPMENT PROGRAM**

By Councilor McCormick

February 16, 2017

WHEREAS, the City of Auburn Emergency Response Team (“ERT”) is an essential unit within the City of Auburn Police Department (“APD”) specially trained to respond to and safely resolve critical incidents or active shooter events; and

WHEREAS, the APD announced in late 2016 that the ERT was in the process of being reactivated, upon which the 16 officers of the ERT would require updated advanced ballistic helmets, vest plates and patrol rifles in order to continue the high level of service they provide to the community and participate in mutual aid programs with the Cayuga County Sheriff’s Office; and

WHEREAS, in November, 2016, the City of Auburn, in partnership with Cayuga County, submitted a grant application to NYS Division of Criminal Justice Services (“DCJS”) for funding assistance towards the purchase of advanced ballistic helmets, vests and patrol rifles for the APD; and

WHEREAS, in January, 2017, the City of Auburn received notification of funding assistance from the NYS DCJS in the sum of \$46,255 under the Police Protective Equipment Program; and

WHEREAS, the Cayuga County Legislature will serve as the lead agency for the purposes of this funding opportunity and the City of Auburn will be the implementing agency; 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, NEW YORK:**

1. That the Mayor, or approved representative, is authorized to execute any and all documents related to the grant assistance contract, submit project documentation, and otherwise act on all matters related to the project and state assistance; and

2. That the City Comptroller is authorized to recognize grant revenue and appropriate the funds into the State Aid - Department of Criminal Justice Account (#A99.3394); and

3. That the City Comptroller is authorized to increase the Police Department FY 2016-17 equipment expense account (#A3120.250) in the grant award amount of \$46,255 for the acquisition of police protective equipment.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #21 of 2017 of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 16th day of February, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: February 17, 2017
COUNCIL RESOLUTION #22 OF 2017

**SUPPORTING THE ENACTMENT OF STATE LEGISLATION ALLOWING FOR
THE ESTABLISHMENT OF RIDE SHARING TRANSPORTATION NETWORK
COMPANIES IN UPSTATE NEW YORK**

By Councilor Carabajal

February 16, 2017

WHEREAS, under New York State law, popular ride-sharing transportation services, such as Uber and Lyft, are only legally permitted to operate in New York City, providing a fundamental imbalance in economic opportunity and access to cost-effective transportation that benefits New York City while hurting Upstate New York; and

WHEREAS, there is a long-standing and persistent need for alternative methods of transportation for the residents and visitors of Auburn and Cayuga County, to travel within the

region to destinations not easily accessible or served by public transportation such as airports, rail and bus stations; and

WHEREAS, Auburn and Cayuga County have a strong and growing tourism-based economy, with a large percentage of visitors who are accustomed to having access to ridesharing services and who expect that same level of service here in our City and region.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council supports the timely enactment of state legislation that would allow for ride sharing transportation network companies to be established and operated as soon as possible in the City of Auburn and County of Cayuga, as well as throughout the entire Upstate New York region; and,

BE IT FURTHER RESOLVED, that the Auburn City Council does hereby request that the State Legislators representing the City of Auburn and County of Cayuga including, Senator John DeFrancisco, Senator James Seward, Senator Pamela Helming, Assemblyman Gary Finch and Assemblyman Bob Oaks work with their colleagues to ensure approval of such State legislation; and,

BE IT FURTHER RESOLVED, that the City Clerk forward certified copies of this resolution to the State representatives named above.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

AGREEMENT RESOLUTION #23 OF 2017

AUTHORIZING TO FUND CONSTRUCTION PHASES FOR THE W. GENESEE STREET PAVEMENT PROJECT- PIN 375601

By Councilor Cuddy

February 16, 2017

WHEREAS, a Project to design and repave the W. Genesee Street in the City of Auburn, P.I.N. 375601 (the "Project") is eligible for funding under Title 23 US Code, as amended, and the Locally Administered Federal Aid Program (LAFAP) that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and,

WHEREAS, Resolution No. 128 of 2014 approved the Project and authorized execution of a master agreement with the New York State Department of Transportation regarding administration and funding of Design (Phases I-VI) for a total cost of \$225,000; and,

WHEREAS, the City of Auburn desires to advance the above Project by making a commitment of 100% of the first instance payments of the total project costs in the amount of \$225,000 for Design, and \$3,666,000 for the Construction and/or Construction Supervision and Inspection phases for the Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn does hereby approve the Project, and it is hereby

RESOLVED, to approve the project and authorize the City of Auburn to pay in the first instance 100% of the costs of Design, Construction and/ or Construction Supervision and Inspection work for the Project or portions thereof in the amount of \$3,891,000, and it is further

RESOLVED, that the sum of \$706,250 is hereby made available for transfer from the General Fund Transfer to Capital if provided for in the City Budget or through the City's Annual Road Improvement Program to the Capital – W. Genesee Street Pavement account (HA99.2892.HN) to cover the local share cost of participation in the Design, Construction and/ or Construction Supervision and Inspection phase of the Project, and it is further

RESOLVED, that the Construction and/ or Construction Supervision and Inspection phase work be charged to the W. Genesee Street Pavement capital account (#HA5110.440.HN), and it is further

RESOLVED, that in the event the full Federal- and non-Federal share costs of the project exceeds the amount appropriated above, the City of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation, and it is further

RESOLVED, that the Mayor of the City of Auburn be and is hereby authorized to execute all necessary agreements, certifications, and reimbursement requests for Federal Aid/ and/ or New York State Marchiselli Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first-instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

AGREEMENT RESOLUTION #24 OF 2017

**AUTHORIZING TO FUND RIGHT-OF-WAY AND CONSTRUCTION PHASES FOR
NORTH DIVISION STREET BRIDGE PROJECT- PIN 375548**

By Councilor McCormick

February 16, 2017

WHEREAS, a Project to design and reconstruct the North Division Street Bridge in the City of Auburn, P.I.N. 375548 (the “Project”) is eligible for funding under Title 23 US Code, as amended, and the Locally Administered Federal Aid Program (LAFAP) that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and,

WHEREAS, Resolution No. 120 of 2013 approved the Project and authorized execution of a master agreement with the New York State Department of Transportation regarding administration and funding of Design (Phases I-VI) for a total cost of \$580,0000 and ROW Incidentals for a total cost of \$23,800; and,

WHEREAS, the City of Auburn desires to advance the above Project by making a commitment of 100% of the first instance payments of the total project costs in the amount of \$603,800 for Design and ROW Incidentals, and \$3,850,000 for Construction and/or Construction Supervision and Inspection phases for the Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn does hereby approve the Project, and it is hereby

RESOLVED, to approve the project and authorize the City of Auburn to pay in the first instance 100% of the costs of Design, ROW Incidentals, Construction and/ or Construction Supervision and Inspection work for the Project or portions thereof in the amount of \$4,453,800, and it is further

RESOLVED, that the sum of \$210,190 is hereby made available for transfer from the General Fund Transfer to Capital if provided for in the City Budget or through the City’s Annual Road Improvement Program to the Capital – North Division Street Bridge account (HA99.2892.HM) to cover the local share cost of participation in the Design, ROW Incidentals, Construction and/ or Construction Supervision and Inspection phase of the Project, and it is further

RESOLVED, that the Construction and/ or Construction Supervision and Inspection phase work be charged to the North Division Street Bridge capital account (#HA5110.440.HM), and it is further

RESOLVED, that in the event the full Federal- and non-Federal share costs of the project exceeds the amount appropriated above, the City of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation, and it is further

RESOLVED, that the Mayor of the City of Auburn be and is hereby authorized to execute all necessary agreements, certifications, and reimbursement requests for Federal Aid/ and/ or New York State Marchiselli Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first-instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

AGREEMENT RESOLUTION #25 OF 2017

**AUTHORIZING TO FUND CONSTRUCTION PHASES FOR NORTH HUNTER
BROOK BRIDGE REPLACEMENT PROJECT- PIN 375598**

By Councilor McCormick

February 16, 2017

WHEREAS, a Project to design and reconstruct two (2) bridges over the North Hunter Brook in the City of Auburn, P.I.N. 375598 (the "Project") is eligible for funding under Title 23 US Code, as amended, and the Locally Administered Federal Aid Program (LAFAP) that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and,

WHEREAS, Resolution No. 129 of 2014 approved the Project and authorized execution of a master agreement with the New York State Department of Transportation regarding administration and funding of Design (Phases I-VI) for a total cost of \$189,000 and,

WHEREAS, the City of Auburn desires to advance the above Project by making a commitment of 100% of the first instance payments of the total project costs in the amount of \$189,000 for Design, and \$1,562,000 for the Construction and/or Construction Supervision and Inspection phases for the Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn does hereby approve the Project, and it is hereby

RESOLVED, to approve the project and authorize the City of Auburn to pay in the first instance 100% of the costs of Design, Construction and/ or Construction Supervision and Inspection work for the Project or portions thereof in the amount of \$1,751,000, and it is further

RESOLVED, that the sum of \$149,550 is hereby made available for transfer from the General Fund Transfer to Capital if provided for in the City Budget or through the City's Annual Road Improvement Program to the Capital – North Hunter Brook Culvert account (HA99.2892.HO) to cover the local share cost of participation in the Design, Construction and/ or Construction Supervision and Inspection phase of the Project, and it is further

RESOLVED, that the Construction and/ or Construction Supervision and Inspection phase work be charged to the North Hunter Brook Culvert capital account (#HA5110.440.HO), and it is further

RESOLVED, that in the event the full Federal- and non-Federal share costs of the project exceeds the amount appropriated above, the City of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation, and it is further

RESOLVED, that the Mayor of the City of Auburn be and is hereby authorized to execute all necessary agreements, certifications, and reimbursement requests for Federal Aid/ and/ or New York State Marchiselli Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first-instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Giannettino

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

F. Staff/Vendor Presentations

10. Other Business

Executive Session. Councilor McCormick made a motion to enter Executive Session, seconded by Councilor Giannettino. Council voted to enter an executive session regarding the following matters:

1. One matter pertaining to the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. (NYS Open Meetings Law Article 7, Section 105)

The motion to enter executive session carried 5-0. Councilors McCormick, Giannettino, Cuddy, Carabajal and Mayor Quill all voting aye. The Council entered Executive Session at 7:10 p.m. Executive session adjourned at 7:55 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:56 p.m.

Minutes submitted to the City Council on March 2, 2017 by:

Charles Mason
City Clerk

On February 9, 2017 a motion to approve the minutes of the February 16, 2017 Auburn, NY City Council meeting was made by Councilor , seconded by Councilor .

	Ayes	Noes
Councilor McCormick		
Councilor Giannettino		
Councilor Cuddy		

Councilor Carabajal		
Mayor Quill		
Carried and Adopted		

I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 2nd day of March, 2017 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: