

**Auburn City Council  
Regular Meeting  
Thursday, December 16, 2021 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, Councilor Deb McCormick, 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
- Corporation Counsel, Stacy DeForrest
- City Clerk, Chuck Mason
- Director of Capital Projects and Grants, Christina Selvek
- Fire Chief, Mark Fritz
- Police Chief, James Slayton
- 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**

The week of Monday, December 20, 2021 is Christmas week and trash and recycling will be picked up one day early in the City of Auburn for all residents.

The Christmas Week Schedule is as follows:

- If your pick-up day is usually Tuesday, you will be picked up on Monday, December 20
- If your pick-up day is usually Wednesday, you will be picked up on Tuesday, December 21
- If your pick-up day is usually Thursday, you will be picked up on Wednesday, December 22
- If your pick-up day is usually Friday you will be picked up on Thursday, December 23
- Also there will be no leaf / yard waste pick up on Monday, December 20, 2021.

The week of Monday, December 27, 2021 is New Year's Day week and trash and recycling will be picked up one day early in the City of Auburn for all residents.

The New Year's Week Schedule is as follows:

- If your pick-up day is usually Tuesday, you will be picked up on Monday, December 27
- If your pick-up day is usually Wednesday, you will be picked up on Tuesday, December 28
- If your pick-up day is usually Thursday, you will be picked up on Wednesday, December 29
- If your pick-up day is usually Friday you will be picked up on Thursday, December 30
- Also there will be no leaf / yard waste pick up on Monday, December 27, 2021.

Complete information about curbside trash and recycling pick-up for the City of Auburn may be found online at: [www.AuburnNY.gov/Streamline](http://www.AuburnNY.gov/Streamline)

### *Christmas Tree Recycling – Cayuga County Trade-A-Tree Program*

Cayuga Recycles, a program of the Cayuga County Planning Department, in conjunction with the Cayuga County Soil and Water Conservation District and Cornell Cooperative Extension of Cayuga County, is sponsoring the annual “Trade-A-Tree” program in Cayuga County. Bring in your “used” (real) Christmas tree after the holidays, and they will give you a certificate for a tree seedling to be picked up in the spring! Old trees will be chipped into mulch to be used on county projects, rather than taking up space in landfills. A White Spruce seedling will be given out to anyone who redeems their certificate on May 6, 2022, at the Annual Conservation District Spring Tree & Shrub Sale.

Trees must be free of decorations, tinsel, wraps or any other foreign objects. Trees will be accepted at the Natural Resource Center, 7413 County House Road, Auburn, NY during the following hours:

December 27-29, 2021 from 8 AM – 3:30 PM.

December 30, 2021 from 8 AM – 12 noon.

January 3-7, 2022 from 8 AM – 3:30 PM.

January 10-14, 2022 from 8 AM – 3:30 PM

For more information, please visit their website at [www.cayugaswcd.org](http://www.cayugaswcd.org) or call the Cayuga County Soil and Water Conservation District at (315)252-4171, ext. 4, or stop by their office located on County House Road in Sennett, Monday - Friday from 7:30 AM - 4:00 PM.

### **CEREMONIAL PRESENTATIONS –**

**Public to be heard:** Mayor Quill asked the Clerk to read the public to be heard rules. The following individual spoke: David Scott, 63 South Street, discussed that an Operation New Dawn remembrance day presentation will take place at 10 a.m. Saturday, Dec. 18, in the parking lot of Memorial City Hall, 24 South St., Auburn. The presentation will be given on the 10th anniversary of the conclusion of Operation New Dawn. The presentation will raise awareness of the Iraq and Afghanistan Veterans Association and the Minority Veterans Association.

### **Approval of Meeting Minutes - None**

### **Reports of City Officials**

#### **A. City Manager’s Report –**

- We received notice this week of our awards under the Consolidated Funding Application (CFA) process. The City of Auburn will receive \$250k for our Casey Park Skate Park project, \$300k for

marketing of the NYS Equal Rights Heritage Center. While not a direct city project, the Seward House will receive \$500k for the restoration of their out buildings.

- Yesterday we received notice of our successful application to the Bridge NY program. We will receive \$4.662 million towards the rehabilitation of the Lake Ave. Bridge.
- As part of the 2022-2023 CDBG Action Plan, the City of Auburn will be allocating funding in the amount of \$120,000 for human service activities. The competitive application is available on the City's website. Grant amounts will be awarded at a minimum of \$3,000.00 and maximum of \$15,000.00 depending on program needs. The application deadline is Wednesday, January 5, 2022 by 4pm. Please feel free to contact Renee Jensen, Senior Planner at 315-253-3513 or [rjensen@auburnny.gov](mailto:rjensen@auburnny.gov) with any questions.

**B. Reports from members of Council**

Councilor Cuddy provided an update on the Public Meeting that was held for the design of a new Casey Park Skatepark on December 15, 2021. The meeting was very well attended and participants were very enthusiastic about the upcoming new project as well as maintaining some elements of the existing skatepark. Councilor Giannettino also attended this meeting.

**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 #121 OF 2021**

**AUTHORIZING AN AGREEMENT WITH THE CAYUGA ECONOMIC DEVELOPMENT AGENCY (CEDA) FOR THE SMALL BUSINESS RECOVERY PROGRAM WITH AMERICAN RESCUE PLAN ACT FUNDS**

By Councilor Giannettino

December 16, 2021

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law allocating \$350 billion in direct financial relief for State and Local governments; and

**WHEREAS**, on May 10, 2021, the US Department of Treasury issued the Interim Final Rule providing guidance on the allowable uses of funds in association with responding to the public health emergency, negative economic impacts within the community, public sector revenue loss, premium pay for essential workers and infrastructure investments; and

**WHEREAS**, the City of Auburn was allocated \$21,395,055 in ARPA funding and received 50% of the total allocation in May 2021; and

**WHEREAS**, on August 19, 2021 the Auburn City Council authorized Resolution #98 of 2021 allocating \$500,000 of ARPA funds to support a local small business program that would assist existing and start-up businesses within the City of Auburn that have been negatively impacted as a result of the COVID-19 public health emergency; and

**WHEREAS**, under section 602(c)(3) of ARPA, the City may transfer funds to a private non-profit entity for the purposes of meeting the goals of ARPA and the Interim Final Rule; and

**WHEREAS**, the City has determined that contracting with the Cayuga Economic Development Agency (CEDA) located in Auburn, NY would provide efficiencies in the delivery and administration of the Small Business Recovery Program.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF AUBURN:**

1. Authorizes the Mayor of the City of Auburn, or a designated representative, to execute the agreement, a copy of which is attached hereto and incorporated herein; and to take all necessary steps required to complete this agreement; and
2. That this resolution shall take effect immediately upon its approval and adoption.

Seconded by Councilor Cuddy

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

**COUNCIL RESOLUTION #122 OF 2021**

**AUTHORIZING THE AUBURN FIRE DEPARTMENT TO APPLY FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR PORTABLE (HANDHELD) EMERGENCY RADIO EQUIPMENT**

By Councilor McCormick

December 16, 2021

**WHEREAS**, the City of Auburn Fire Department has the opportunity to apply for funding through the FEMA Assistance to Firefighters Grant program (the “FEMA AFG”), which would be used to replace the Department’s Portable (Handheld) Emergency Radio Equipment; and

**WHEREAS**, the Portable (Handheld) Emergency Radio Equipment would replace current equipment that is over ten years old and is longer supported by the manufacturer; and

**WHEREAS**, the Portable (Handheld) Emergency Radio Equipment will meet NFPA 1802: Standard on Two-Way, Portable RF Voice Communications Devices for use by Emergency Services Personnel in the Hazard Zone, allowing for improved communications at all emergency incidents, increasing the safety of our firefighting personnel; and

**WHEREAS**, the City of Auburn Fire Department is interested in applying for FEMA AFG funding to cover the cost of \$241,035 for the purchase of replacement Portable (Handheld) Emergency Radio Equipment; and

**WHEREAS**, this FEMA AFG application will, if awarded, cover up to 90% of the Portable (Handheld) Emergency Radio Equipment, requiring the City of Auburn to match 10% or \$24,103.50 in general funds; and

**WHEREAS**, the current City of Auburn Fire Department budget does not contain sufficient funds to replace the Portable (Handheld) Emergency Radio Equipment, so it is necessary to apply for funding assistance from the FEMA AFG program.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK:**

1. That the Auburn Fire Chief is authorized to execute any and all forms or applications necessary to complete the grant application;
2. That the Mayor, or authorized representative, upon notice of the funding award, is authorized to execute a FEMA AFG contract and any reimbursement forms or other necessary documents to complete the project;
3. That the City Comptroller’s Office is authorized and directed to create a city expense and revenue capital account to track project finances; and
4. This resolution takes effect immediately upon its approval and adoption.

Seconded by Councilor Giannettino

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

**LAND SALE RESOLUTION #123 OF 2021**

**AUTHORIZING THE SALE OF  
REAL PROPERTY KNOWN AS 25-27 DELEVAN STREET**

By Councilor McCormick

December 16, 2021

**WHEREAS**, on May 28, 2019, the City of Auburn acquired title to real property commonly known as 25-27 Delevan Street (the “Property”) by tax foreclosure; and

**WHEREAS**, the Property is approximately 45.5 ft. x 90 ft. and consists of a vacant lot; and

**WHEREAS**, the adjacent property owners, Mr. Christopher Molloy and Lawrence Aldrich have proposed a Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, for the purchase of the Property at a price of Three Thousand Dollars (\$3,000); and

**WHEREAS**, Mr. Molloy and Mr. Aldrich intend to divide the property equally and use their halves for the purpose of creating off-street parking next to their homes; and

**WHEREAS**, it is recommended that the Auburn City Council approve the sale of the Property to Mr. Molloy and Mr. Aldrich, since 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 Christopher Molloy and Lawrence Aldrich, which is incorporated herein, for the sale of 25-27 Delevan Street, for the sum of \$3,000.00, subject to the conditions that the buyers receive a Quit Claim Deed from the City; 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
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

**COUNCIL RESOLUTION #124 OF 2021**

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT  
PROCEEDINGS 1979 SENECA, INC. v. BOARD OF ASSESSMENT REVIEW OF THE  
CITY OF AUBURN ET AL., CONCERNING A REAL PROPERTY LOCATED ALONG  
STATE STREET**

By Councilor Locastro

December 16, 2021

**WHEREAS**, in 2021, Petitioners, 1979 Seneca, Inc. commenced a proceeding challenging the assessment on property located in the City of Auburn, Auburn City School District, Cayuga County; and

**WHEREAS**, the property owned by 1979 Seneca, Inc. located at 213 State Street is known and designated as (the “Property”); and

**WHEREAS**, the Property is located on the northwest corner of the intersection of State and Perrine Streets; 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 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 Settlement and Judicial Order, wherein the tax assessment of the property located at 213 State Street shall be adjusted and refunds shall issue as set forth therein.

Seconded by Councilor McCormick

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

**E. Staff Presentations – none**

**TABLED ITEMS - none**

**OTHER BUSINESS –**

Councilor Cuddy - Yes, I just wanted to follow up on some of the, I guess, efforts on my part and to let the city manager and colleagues on council know the group TNR has reached out to me as to, you know,

their interest in what they've been doing, in organizing to help with the cat situation. At the same time the Plant Animal Life Sciences assistant teacher reached out to me and said that, that at BOCES there have been clinics that have done the spaying neutering there, and it has been successful in the past and they may be able to help TNR, I guess, facilitate and coordinate some clinics that can be educational to the students there and work with vets to make it, you know, to make, I guess, it work for everybody. So I just wanted to let you know that I've been doing a little bit of work to help that and, and, you know, at some point, the group may come to the city, you know, just to kind of, you know, see, show what they're doing and see how we can help, but ultimately, things seem to be moving in that direction. But I just wanted to give you an update from my, from my kind of on the ground perspective.

**Executive Session:**

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

- Four separate matters pertaining to the sale, lease or acquisition of real property.
- One matter regarding the employment history of a particular individual.
- One matter regarding a collective bargaining agreement.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:41 p.m. Executive session adjourned at 7:25 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:26 p.m..

Minutes submitted by: Chuck Mason, City Clerk