

**Auburn City Council
Regular Meeting
Thursday, March 4, 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. via Zoom videoconference from the City Council Chambers, 24 South St. Auburn, NY by Mayor Quill. The meeting was held by videoconference due to the COVID-19 pandemic.

ROLL CALL – The City Clerk called the roll. Councilor Deb McCormick, Councilor Jimmy Giannettino, Councilor Terry Cuddy, Councilor Tim Locastro and Mayor Quill were all present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForest
- City Clerk, Chuck Mason
- Police Chief, Shawn Butler
- Fire Chief, Mark Fritz
- City Engineer, Bill Lupien
- Director of Planning and Economic Development, Jennifer Haines
- Police Lieutenant James Slayton

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 –

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change, and have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways ; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and

WHEREAS, three friends and neighbors in mid-nineteenth century Auburn, New York—Harriet Tubman, Frances Seward, and Martha Coffin Wright—were crucially important in their collective contributions to the abolition of slavery, the Underground Railroad, the early women’s rights movement, and the Civil War, and remain leading examples of striving toward our nation’s purpose to form a more perfect union; and

WHEREAS, women have served as elected officials within the City of Auburn, the first Woman Mayor serving from 2000-2004 and five women have served as City Councilors in recent years; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

WHEREAS, this year’s Women’s History Theme is *Valiant Women of the Vote: Refusing to be Silenced*. This theme captures the spirit of these challenging times. It reflects our deepening understanding and shines a light on the important roles of multicultural suffragists and voting rights activists. And ensures that these women continue to be recognized and honored for refusing to allow their voices to be silenced, even by a pandemic; and

NOW, THEREFORE, BE IT RESOLVED that, I, Michael D. Quill, Mayor of the City of Auburn, on behalf of the members of City Council and the community of Auburn, New York hereby proclaim that March 2021 is designated as

Women’s History Month

in the City of Auburn, and encourage all of our citizens to observe **March as Women’s History Month** with appropriate programs, celebrations, ceremonies, and activities.

**In witness whereof I have hereunto
set my hand and caused the seal of
the City of Auburn to be affixed
this Fourth day of March 2021.**

Michael D. Quill, Mayor
City of Auburn, New York

WHEREAS, Harriet Tubman was born into slavery as Araminta Ross in Bucktown, near Cambridge, Maryland in 1822; and

WHEREAS, Harriet escaped from slavery in 1849 to eventually settle in Philadelphia, where she was introduced to William Still – the “Station Master of the Underground Railroad” and began her mission as one of their conductors; and

WHEREAS, Harriet Tubman became known as the “Moses of her people” after making many trips leading several slaves to freedom in Canada, along the Underground Railroad; and

WHEREAS, following her escape from slavery she joined with the Union Army and served as a nurse, scout, cook and spy in the Civil War; and

WHEREAS, following the war she met Secretary William H. Seward and his wife Frances here in Auburn, through whom she contracted seven acres of land on South Street to build a home for herself and other family members; and

WHEREAS, in 1896 she purchased an additional twenty-five adjoining acres to her home, including a frame house that would become known as her Home for the Aged to expand her charitable work providing for poor, sick and elderly formerly enslaved people; and

WHEREAS, over the 50 years that she lived in Auburn she took everything she earned and gave it back in service to others and she fought for racial and gender equality with civil rights and suffrage activism; and

WHEREAS, on the 10th day of March 1913, Harriet Tubman departed for eternal life and was laid to rest with full military honors at Fort Hill Cemetery in Auburn, New York; and

WHEREAS, today her home and property in Auburn are registered as a National Historic Landmark; and

WHEREAS, in 1998 this site was designated as part of the National Park Service’s National Underground Railroad Network to Freedom; and

WHEREAS, on December 19, 2014 President Barack Obama signed the National Defense Authorization Act (NDAA) which included creating the Harriet Tubman National Historical Park which will protect in perpetuity sites associated with Tubman in Cambridge, Maryland and Auburn, New York; and

WHEREAS, on January 10, 2017 the U.S. Interior Secretary signed the establishment of the Harriet Tubman National Historical Park officially making the Auburn site the 414th unit of our National Park Service; and

WHEREAS, Harriet Ross Tubman is an inspiration to many people, as her life's work fighting for freedom and equality makes her one of our Nation's greatest historical figures, and it is therefore fitting that people everywhere pay tribute to this significant American champion of freedom.

NOW THEREFORE BE IT RESOLVED that I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the members of City Council and citizens of Auburn, do hereby proclaim the 10th day of March, 2021, as **HARRIET TUBMAN DAY** in the City of Auburn, New York.

In witness whereof I have hereunto
set my hand and caused the seal of the
City of Auburn to be affixed this
Fourth day of March 2021.

Michael D. Quill, Mayor
City of Auburn, New York

Approval of Meeting Minutes –

- February 18, 2021 Council Meeting Minutes
Motion to approve the February 18, 2021 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 5-0.

Reports of City Officials

A. City Manager's Report

- The City of Auburn is currently accepting bids for the following projects:
 - A. Kitchen equipment for the new Public Safety Building, due March 9
 - B. State Street Plaza Construction Inspection Services, due March 5
 - C. Landfill Final Closure and Leachate System Modifications, due March 17. More information on these projects is available on the City of Auburn webpage under the tab "Bids/RFPs".
- Auburn Police Department has been awarded a research grant to collaborate with Cayuga Counseling Services and Dr. Alison Marganski of LeMoyne College to conduct a study on the effectiveness of the Victim Advocate Program.
- Falcon Park is being prepared for the 2021 season. The Cayuga Community College teams are slated to begin practice next week for the softball program and in about two weeks for their soccer program. Next week Falcon Park will also host a double header baseball game between St. John Fisher and Clarkson. The park is becoming a very highly sought after venue for a variety of sports and their calendar is rapidly filling up.

- City staff will be assisting with mobile vaccination clinics next Mon., Tues., and Wed. The Cayuga County Health Department has also established a semi-permanent vaccine site at the Finger Lakes Mall. We continue to collaborate with the Auburn Housing Authority, Booker T. Washington Center, several local churches, and other community organizations to spread the word and assist in getting eligible people into clinics. This week we were happy to accept some assistance from the Auburn High School Z-Club to make phone calls and register residents.

B. 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 #30 of 2021

AUTHORIZING THE CONVEYANCE OF A PORTION OF THE MELONE VILLAGE PUBLIC HOUSING PROJECT BY THE AUBURN HOUSING AUTHORITY TO MELONE VILLAGE III HOUSING DEVELOPMENT FUND COMPANY, INC., AS NOMINEE FOR MELONE VILLAGE III LIMITED PARTNERSHIP

By Councilor Giannettino

March 4, 2021

WHEREAS, the Auburn Housing Authority (the “Authority”) is the owner of certain real property and improvements located at 20 Thornton Avenue, in the City of Auburn (the “City”), County of Cayuga, New York (the “Project”), consisting of 56 residential rental units situated in eight (8) residential buildings (plus a one-story building containing the former administrative offices of the Authority) and comprising a portion of the former Melone Village public housing project; and

WHEREAS, the City, the Authority and the State of New York, acting by and through the State Commissioner of Housing and Community Renewal, have heretofore executed a certain Consolidated Contract for Loan and Subsidy, NYS-49(82)(153), as amended (the “Loan and Subsidy Contract”), which pertains to the Project; and

WHEREAS, the physical condition of the Project has become dilapidated and deteriorated over time, yet the Authority does not have sufficient resources available to remedy such dilapidation and deterioration; and

WHEREAS, the Authority desires to redevelop and rehabilitate the Project, which is the third and final phase of the rehabilitation of the former Melone Village public housing project, in order to provide the current residents of the Project and others with improved, safe, decent and affordable housing; and

WHEREAS, upon completion of the rehabilitation, the Project shall contain 62 residential rental units situated in 9 residential buildings (inclusive of the rehabilitated one-story former administrative building), and shall be known as Melone Village III; and

WHEREAS, the Authority is undertaking the rehabilitation of the Melone Village II project (portion of Project NYS-49), which is anticipated to be completed by June 2021 and which is also subject to the Loan and Subsidy Contract; and

WHEREAS, the Authority completed the rehabilitation of the Melone Village I project (Project NYS-82), which is also subject to the Loan and Subsidy Contract, in 2019; and

WHEREAS, the Authority completed the rehabilitation of the Brogan Manor project (Project NYS-153), which is also subject to the Loan and Subsidy Contract, in 2016; and

WHEREAS, the infusion of private enterprise and private capital are essential components to such redevelopment and the continued success and long-term viability of the Project; and

WHEREAS, the Authority has indicated that the transfer of Melone Village III by the Authority to Melone Village III Housing Development Fund Company, Inc., as nominee for Melone Village III Limited Partnership, is necessary in order for the Project to obtain the benefits of Federal low-income housing tax credits and to otherwise accomplish the redevelopment of the Melone Village III project; and

WHEREAS, in accordance with the terms and provisions of Section 58-b of the Public Housing Law of New York State, a sale or lease by a housing authority of all or a portion of a project in order to obtain the benefits of any Federal program of assistance for low-income housing is subject to the approval of the Commissioner of the New York State Division of Housing and Community Renewal and the local legislative body;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Auburn, New York, that the sale of Melone Village III by the Authority to Melone Village III Housing Development Fund Company, Inc., as nominee for Melone Village III Limited Partnership, is hereby authorized and approved, which sale shall be upon such terms and conditions as the Authority may deem appropriate; and be it further

RESOLVED that, in connection with such conveyance, the Mayor of the City of Auburn is hereby authorized to execute and deliver, on behalf of the City, an amendment to the Loan and Subsidy Contract (the "Amendment"), materially in conformance with the form of same annexed hereto as Exhibit "A" and made a part hereof, with such modifications or additions as the Mayor may deem necessary or appropriate; and be it further

RESOLVED that the Mayor of the City of Auburn is hereby authorized and directed to take any and all actions and execute any and all documents or instruments that may be necessary or desirable to carry out the intent of the foregoing resolutions; and be it further

RESOLVED, that the foregoing resolutions shall take effect immediately.

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		

AGREEMENT RESOLUTION #31 of 2021

AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE CITY OF AUBURN, MELONE VILLAGE III HOUSING DEVELOPMENT FUND COMPANY, INC. AND MELONE VILLAGE III LIMITED PARTNERSHIP

By Councilor Giannettino

WHEREAS, the Council of the City of Auburn (the “City”), by Agreement Resolution #34 of 2017, resolved to exempt certain real property (the “Property”) currently owned by the Auburn Housing Authority (“Housing Authority”) and improved by an affordable housing complex commonly known as Melone Village (the “Project”) from real property taxes to the extent authorized by Section 577 of the Private Housing Finance Law of the State of New York (“PHFL”) upon the conveyance of such Property by the Housing Authority to a to-be-formed New York not-for-profit corporation created as a housing development fund company under Article XI of the PHFL (“HFDC”), as to record ownership, and a to-be-formed New York limited partnership (“Partnership”), as to beneficial ownership, for the purpose of rehabilitating the Project; and

WHEREAS, the City Council further resolved, by Agreement Resolution #34 of 2017, that the Mayor of the City is authorized to enter into a PILOT Agreement with respect to the Property providing for annual payments in lieu of taxes to be paid to the City as set forth in the PILOT Agreement presented to the Council for approval; and

WHEREAS, following the adoption of Agreement Resolution #34 of 2017, the Housing Authority determined it necessary to rehabilitate the Project in three phases and, therefore, it was requested, and the City Council, by Agreement Resolution #126 of 2018, resolved that the City enter into two separate PILOT Agreements with respect to the Property: one for Melone Village II located at 89 Clymer Street f/k/a 20 Thornton Avenue (Section 122.35, Block 1, Lot 2.2 (f/k/a p/o Lot 2), and one for Melone Village III located at 20 Thornton Avenue (Section 122.35, Block 1, Lots 2.1 and 2.1-1 (f/k/a p/o Lot 2); and

WHEREAS, Melone Village III shall constitute a “housing project” as defined in the PHFL; and

WHEREAS, fee title to Melone Village III shall be transferred to an HFDC that is a “housing development fund company” as the term is defined in Section 572 of the PHFL, and Section 577 of the PHFL authorizes the City Council to exempt Melone Village III from real property taxes.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby confirms that Melone Village III shall be exempt from real property taxes to the extent authorized by Section 577 of the PHFL and approves

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the proposed PILOT Agreement for Melone Village III in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement; and it is

FURTHER RESOLVED, that the Mayor of the City of Auburn is hereby authorized, on behalf of the City of Auburn, to execute and deliver the foregoing PILOT Agreement at such time as the HDFC and the Partnership, which shall hold nominal and beneficial title, respectively, to the real property which is the subject of such agreement, are formed; and it is

FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Councilor Cuddy

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

AGREEMENT RESOLUTION #32 OF 2021

**AUTHORIZING A RENTAL AGREEMENT WITH
AUBURN BASEBALL INC.**

By Councilor Locastro

March 4, 2021

WHEREAS, the City of Auburn has a long history with the sport of baseball; and

WHEREAS, Abner Doubleday, an Auburn native, has been widely credited with inventing the sport of baseball; and

WHEREAS, the City of Auburn was home to the first office of the National Association of Professional Baseball Leagues (NAPBL), which was established in 1901 and still exists to this day; and

WHEREAS, Auburn's Falcon Park, which is a multipurpose facility located at 130 N. Division Street, Auburn, New York, has been home to numerous professional Minor League Baseball teams; and

WHEREAS, in the early 1990's, the Houston Astros Major League team chose to transfer its Minor League Baseball franchise to the City of Auburn, and, since then, the City has created a limited liability company known as Auburn Community Baseball, LLC (ACB) to oversee the business and operation of the Minor League Baseball franchise in Auburn; and

WHEREAS, in 2021, as a result of negotiations between Major League Baseball and Minor League Baseball, the City of Auburn's Minor League franchise has ultimately been eliminated; and

WHEREAS, regardless of this change in circumstances, the City of Auburn still feels that it is important to provide high quality baseball in the community; and

WHEREAS, in order to continue to support high quality baseball in Auburn, the City has negotiated the proposed Rental Agreement with Auburn Baseball, Inc., which is a privately owned and operated business that would like to use Falcon Park for its collegiate wood bat baseball team within the Perfect Game League; and

WHEREAS, pursuant to the terms of the Rental Agreement, Auburn Baseball, Inc., will have access to Leo Pinckney Field at Falcon Park for a term of three (3) years in order to conduct its business, and will be scheduled so as to not interfere with the City's existing agreement with Cayuga Community College; and

WHEREAS, pursuant to the terms of the Rental Agreement, the City will receive annual rents from Auburn Baseball, Inc. in the amounts of \$10,000, \$12,500, and \$13,000, respectively, with the first payment due on June 1, 2021; and

WHEREAS, the proposed Rental Agreement will take effect immediately upon its execution and expire at the end of the 2023 baseball season.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve a Rental Agreement with Auburn Baseball, Inc., which is attached hereto and incorporated herein, which includes a three-year term during which rent will paid to the City for use of Falcon Park in the annual amounts of \$10,000, \$12,500, and \$13,000, respectively; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the agreement with Auburn Baseball, Inc., and any and all documents necessary to carry out this Resolution; and

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

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 #33 OF 2021

**AUTHORIZING THE SALE OF A PORTION OF REAL PROPERTY AT
1 STATE STREET**

By Councilor Giannettino

March 4, 2021

WHEREAS, the City of Auburn owns a vacant parcel located at 1 State Street (the “Property”), which is also known as the former site of the Kalet’s Building; and

WHEREAS, in 1994, the City acquired the Property by tax foreclosure and, ultimately, funded the demolition of the Kalet Building in 2011 as a part of a plan to transfer the property to Cayuga County for the development of a performing arts center; and

WHEREAS, when the performing arts center project did not come to fruition, the property title was transferred back to the City in 2015; and

WHEREAS, since that time the City determined that the Property should be used as a public space and hired Bergmann Associates to design the Property for community use (the “Project”); and

WHEREAS, as a part of this process, the City reached out to the community members at large for input on the design of the Project, but, also, reached out to individuals who owned properties adjacent to this Project so that the needs of their businesses could be considered and taken into account; and

WHEREAS, this resolution seeks approval of a proposed Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, which would transfer a 71x20 ft. portion of 1 State Street, which is referenced on the Survey herein as “Parcel No. 2”, to one of the adjacent property owners, Mr. Joseph Camardo, Jr.; and

WHEREAS, Mr. Camardo owns property at 127 Genesee Street, which is immediately southwest of 1 State Street and is proposing this transfer so that he can provide off-street parking for his building, which would benefit his business on the first floor and, also, residential tenants on the upper floors; and

WHEREAS, pursuant to the proposed Contract, Mr. Camardo has agreed as follows: (1) to upgrade and improve Parcel No. 2 for use as parking; (2) to maintain and upkeep the same in perpetuity; (3) to provide all easements requested by the City for its project at 1 State Street; and (4) to pay all title and closing costs in connection with the transaction.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn hereby authorizes the sale of a parcel of land that is a part of 1 State Street and known and referenced as “Parcel No. 2,” pursuant to a Purchase Offer and Sale Contract, attached hereto and incorporated herein, to Mr. Joseph Camardo, Jr.; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in order to finalize the closing of this real estate transaction.

Seconded by McCormick

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

APPOINTMENT RESOLUTION #34 OF 2021

**CONFIRMING AN APPOINTMENT TO THE
AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY**

By Councilor McCormick

March 4, 2021

WHEREAS, in accordance with Title 15, Section 2304 of the New York State Public Authorities Law, the Mayor recommends appointments to the Auburn Industrial Development Authority (AIDA) with said appointment to be approved by City Council; and

WHEREAS, in accordance with said Public Authorities Law, AIDA Board membership must include specific fields representing labor, business, industry and education, two of the members shall be members of the common council of the City, and three of the members are at large board members; and

WHEREAS, there has been one resignation from the AIDA board, from a member that served in an at large board position; and

WHEREAS, the Mayor is recommending for appointment to this vacated position Ms. Katie MacIntyre, residing in the City of Auburn.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council confirms the appointment of Katie MacIntyre residing in the City of Auburn, NY to the Auburn Industrial Development Authority Board for a term to commence immediately and last through January 15, 2024; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Seconded by Councilor Cuddy

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	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 –

TABLED ITEMS - none

OTHER BUSINESS –

Mayor Quill

Thank you. Mr. Dygert. Do you request executive session?

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:24 p.m..

Minutes submitted by:

Chuck Mason, City Clerk