

**Auburn City Council
Regular Meeting
Thursday, October 7, 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 Mayor Quill.

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

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- Asst. Corporation Counsel, Stacy FeForrest
- City Clerk, Chuck Mason
- City Engineer, Bill Lupien
- Comptroller, Rachel Jacobs
- Police Chief, James Slayton
- Fire Chief, Mark Fritz

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 Zoning Board of Appeals meeting for the City of Auburn will be held on Monday, October 25, 2021 at 7 pm and will be held in the Council Chambers of Memorial City Hall, 24 South Street.

From the City of Auburn Electrical Board of Examiners, 24 South St. Auburn, NY 13021 (315) 255-4111. **NOTICE OF SEMI-ANNUAL INTERVIEW AND EXAM FOR ELECTRICAL LICENSE.** Applications for Electrical Licenses must be filed in person at the October 13, 2021 meeting, 5:00 pm in the City Hall Council Chambers at 24 South St. 1st Floor, Auburn, NY. The exam will be held November 10, 2021 at 5:00 p.m. at this same location. Applications can be obtained at the Code Enforcement Office in City Hall or on the city website at www.auburnny.gov under the Code Enforcement Department.

Mark your calendars for October 23, 2021 for the City Parks and Recreation Department and the Auburn

Doubledays Homerun Halloween event to be held that evening at Falcon Park for the children of the community.

City of Auburn Community Development Block Grant - 2022-2023 Program Year Community

Input The City of Auburn is looking for community input on distributing Federal Community Development Block Grant funds to help low to moderate income city residents and areas. Funding priorities are based on community input from public meetings and survey responses.

- An In Person Meeting will be held on Tuesday, October 19, 2021 from 2:00 - 3:00pm at the City Council Chambers of City Hall at 24 South Street, Auburn.
- A Virtual Meeting will be held on Monday, October 25, 2021 from 6:30-7:30pm via Zoom. To Pre-Register for this meeting please email emailing Senior Planner Renee Jensen at rjensen@auburnny.gov.
- There will also be a community survey available for residents to complete. To fill out a survey go to: <https://www.surveymonkey.com/r/AuburnCDBG2022>

If you have questions or need any further information please contact the Office of Planning and Economic Development by phone at 315-253-3513 or by email at rjensen@auburnny.gov

CEREMONIAL PRESENTATIONS –

Public to be heard: Mayor Quill asked the Clerk read the public to be heard rules. The following individual spoke:

Carr Magel, Dunning Avenue spoke regarding a dispute he has had with charges levied against his property and are now on his property tax bill.

Approval of Meeting Minutes

September 30, 2021 Council Meeting Minutes

Motion to approve the September 30, 2021 minutes by Councilor Cuddy, seconded by Councilor Giannettino. Motion to approve carried 4-0. Councilor McCormick abstained.

Reports of City Officials

A. City Manager's Report

- The microsurfacing and paving projects around the city ran into a minor setback this week as the contractor had a piece of equipment breakdown resulting in the need to reallocate some equipment and delaying those operations for a day or two.
- Our annual audit is scheduled to begin the week of October 18. We expect the auditors to be here at City Hall for around two weeks.

B. Reports from members of Council

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances – none

C. Local Laws – none

D. Resolutions –

LAND SALE RESOLUTION #107 OF 2021

**AUTHORIZING THE SALE OF REAL
PROPERTY LOCATED AT 296 STATE STREET**

By Councilor Cuddy

October 7, 2021

WHEREAS, on November 5, 2000, the City of Auburn acquired title to 1.5 acres of commercial real property located at 296 State Street (the “Property”) through a tax foreclosure; and,

WHEREAS, FEAST Kitchen, LLC (“FEAST”), has proposed a Purchase Offer and Sale Contract (the “Contract”), attached hereto and incorporated herein, which offers to purchase the Property from the City for Eight Thousand Dollars (\$8,000) together with all of the costs associated with developing and improving this Property with a commercial business facility; and,

WHEREAS, the City has notified the property owners on each side of the Property of this transaction and understands that FEAST is currently working cooperatively with one of the neighbors so that the proposed development is considerate of any outstanding concerns; and,

WHEREAS, it is recommended that the Auburn City Council approve the Contract proposed by FEAST on the following conditions: (1) that the City provide only a Quit Claim Deed to the buyer at closing; (2) that the buyer pay for all title and closing costs; (3) that the development comply and adhere to all Planning Board site plan approvals; and (4) that the deed contain a right of reversion, stating that if the proposed development fails to comply with site plan approvals or fails to be completed within two (2) years, then title to the property shall revert back to the City.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn does hereby approve the Purchase Offer and Sale Contract, attached hereto and incorporated herein, for the sale of real property located at 296 State Street to FEAST Kitchen, LLC, for the price of \$8,000 together with all of the costs of improvements and development of the property, and subject to the following conditions:

- (1) That the City provide only a Quit Claim Deed to the buyer at closing;

(2) That the buyer be responsible for payment of all title and closing costs;

(3) That the Property development comply and adhere to all Planning Board site plan approvals;
and

(4) That the Quit Claim deeds include a right of reversion, stating that if the proposed development fails to comply with site plan approvals or fails to be completed within two (2) years, then title to the property shall revert back to the City.

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 Councilor McCormick

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

COUNCIL RESOLUTION #108 OF 2021

**AUTHORIZING SALE OF SURPLUS VEHICLES AND EQUIPMENT PURSUANT TO THE
2021 CITY OF AUBURN PROCUREMENT AND SUPPLUS POLICY**

By Councilor McCormick

October 7, 2021

WHEREAS, on January 7, 2021, the City Council of the City of Auburn passed Council Resolution No. 6 of 2021, which adopted a City of Auburn Procurement and Surplus Policy (the “Procurement Policy”); and

WHEREAS, the Procurement Policy requires that the sale of surplus vehicles and equipment with an estimated value of \$1,000 or more be approved by City Council; and

WHEREAS, a list of City owned surplus vehicles, equipment, and other items, which have outlived their useful life or are no longer necessary or useful to the City, are attached hereto in Exhibit A; and

WHEREAS, it is in the best interest of the City to dispose of the equipment and vehicles set forth in Exhibit A through a direct sale with Milton Cat in order to obtain the best value for them.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Auburn hereby authorizes the sale of the City-owned vehicles and equipment set forth in Exhibit A attached hereto in accordance with the 2021 City of Auburn Procurement and Surplus Policy.

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		

EXHIBIT A

SOLID WASTE

- Caterpillar Dozer Model D6T
 - Machine serial number: HTZ00646
 - Engine serial number: SYE13774

E. Staff Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Mayor Quill

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

Councilor McCormick made a motion to enter Executive Session, seconded by Councilor Cuddy.

Council voted to enter an executive session regarding the following matters:

- One matter pertaining to potential litigation
- One matter made confidential by Federal or State law. (Section 4503 of the Civil Practice Law and Rules which establishes that a confidential communication between attorney and client shall be privileged. Pursuant to this section, Council will be receiving legal advice from its attorney which fulfills the requirement provided in Section 108(3) of the Public Officers Law allowing

this exemption.)

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:20 p.m. Executive session adjourned at 6:30 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:31 p.m..

Minutes submitted by:

Chuck Mason, City Clerk