

**Auburn City Council
Regular Meeting
Thursday, March 3, 2022 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 Ginny Kent, 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

CEREMONIAL PRESENTATIONS –

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

Approval of Meeting Minutes –

February 10, 2022 Council Meeting Minutes

Motion to approve the February 10, 2022 minutes by Councilor Cuddy, seconded by Councilor Locastro. Motion to approve carried 5-0.

February 17, 2022 Council Meeting Minutes

Motion to approve the February 17, 2022 minutes by Councilor Giannettino, seconded by Councilor Kent. Motion to approve carried 5-0.

Reports of City Officials

A. 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 –

LOCAL LAW #1 OF 2022

ENACTING THE ADOPTION OF SECTION 458-b OF THE REAL PROPERTY TAX LAW PROVIDING FOR COLD WAR VETERANS EXEMPTION FROM REAL PROPERTY TAXES AND ELIMINATION OF THE 10 YEAR LIMIT

By Councilor Giannettino

March 3, 2022

WHEREAS, the State of New York has enacted legislation, Section §458-a of the Real Property Tax Law authorizing an exemption from real property taxes for real property owned by persons who rendered military service to the United States during declared periods of wartime; and

WHEREAS, the State of New York has enacted legislation, Section §458-b of the Real Property Tax Law authorizing an exemption from real property taxes for real property owned by person who rendered military service to the United States during the Cold War (defined as September 2, 1945 to December 26, 1991) provided such property meets the requirements set forth in the law; and

WHEREAS, on March 28, 1991, the City of Auburn adopted Local Law #2 of 1991 enacting the adoption of the Veterans Exemption pursuant to RPTL §458-a, which allowed for veterans of certain defined theatres of war to apply for a property tax exemption; and

WHEREAS, on January 3, 2013, the City of Auburn adopted Local Law #2 of 2013 enacting the adoption of the Cold War Exemption pursuant to RPTL §458-b which expanded the class of individuals able to seek an exemption, and at that time the exemption carried a 10 year term limit; and

WHEREAS, New York State RPTL §§458-b and has since then been amended to allow a local option to eliminate the 10 year term limit; and

WHEREAS, New York State RPTL §§458-a and 458-b have since then been amended to expand the application of the exemptions to apply to LGBTQ+ veterans who were less than honorably discharged based on their status; and

WHEREAS, it would be beneficial if the City of Auburn were to opt to eliminate this 10 year limit and expand the class of veterans eligible for this exemption; and

WHEREAS, Local Law No. 1 of 2022, attached hereto and incorporated herein, proposes to update Chapter 265 of the City Code to achieve such goals; and

WHEREAS, the passage of Local Law No. 1 of 2022, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

WHEREAS, subject to City Council approval, a public hearing was held on February 17, 2022, concerning the repealing of sections of Local Law No. 2-1991; and

NOW THEREFORE BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 182 of the City Code entitled “Veteran’s Exemption:”

1. Article III, Sections 265(24);

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2022, attached and incorporated herein, which replaces the following Articles and Sections of Chapter 265 of the Auburn City Code entitled “Veteran’s Exemption”:

1. Article III, Sections 265(24)(a)
2. Article III, Sections 265(24)(b);

and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect immediately upon the filing of a certified copy of the local law with the New York Secretary of State.

Seconded by Councilor Cuddy

	Ayes	Noes
Councilor Kent	X	
Councilor Giannettino	X	

Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

CHAPTER 265 TAXATION

ARTICLE III. VETERAN'S EXEMPTION

§ 265(24) Purpose-Definitions and Term

~~The purpose of this article is to reduce the maximum veterans exemption allowable pursuant to § 458-a of the Real Property Tax Law of the State of New York.~~

(a) Veteran: ‘Veteran’ shall mean an individual who has served in the United States Armed Forces and related entities as defined in Real Property Tax Law Sections 458-a and 458-b.

(b) Term: exemptions authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners.

STATE OF NEW YORK)
) SS.:
COUNTY OF CAYUGA)

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the “City”), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the “Council”), held on the 3rd day of March, 2022, including the Local Law #1 of 2022 contained therein, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 4th day of March, 2022.

Charles Mason, Clerk
City of Auburn, Cayuga County, New York

D. Resolutions –

**GRANT ACCEPTANCE RESOLUTION #25 OF 2022
ACCEPTING THE NYS OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION'S (OPRHP) ENVIRONMENTAL PROTECTION FUND (EPF)
FOR CASEY PARK SKATE PARK**

By Councilor Cuddy

March 3, 2022

WHEREAS, that The City of Auburn applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under Title 9 of the Environmental Protection Act of 1993 for the purpose of funding the Casey Park Skate Park; and

RESOLVED, that the City of Auburn is authorized and directed to accept these grant funds in an amount not to exceed \$250,000 for the project described in the grant application; and

RESOLVED, that the City of Auburn is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Casey Park Skate Park;

RESOLVED, that the City of Auburn is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Mayor

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	
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**LAND SALE RESOLUTION #26 OF 2022
AUTHORIZING THE SALE OF
REAL PROPERTY KNOWN AS 180 STATE STREET**

By Councilor Kent

March 3, 2022

WHEREAS, on June 4, 2019, the City of Auburn acquired title to real property commonly known as 180 State Street (the “Property”) by tax foreclosure; and

WHEREAS, the Property is approximately .32 acres and consists of a parking lot; and

WHEREAS, the adjacent property owner, Geoffrey Ford has proposed a Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, for the purchase of the Property at a price of Five Thousand Dollars (\$5,000); and

WHEREAS, Mr. Ford intends to use approximately 25% of the lot for off-street parking for use by his tenants in the adjacent property and change the remaining 75% of the lot into a green space and garden; and

WHEREAS, 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 Mr. Geoffrey Ford, which is incorporated herein, for the sale of 180 State Street, for the sum of \$5,000.00, subject to the terms and conditions set forth therein; 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 Locastro

	Ayes	Noes
Councilor McCormick	X	

Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

APPOINTMENT RESOLUTION #27 OF 2022

APPOINTING MEMBERS TO THE BOARD OF ASSESSMENT REVIEW

By Councilor Locastro

March 3, 2022

WHEREAS, New York State Law requires that the City of Auburn maintain an Assessment Review Board by which members are appointed by the Mayor with confirmation by the City Council; and

WHEREAS, there currently exist vacancies on the board and it is the recommendation of the Mayor that the following person, whom are residents of the City of Auburn, shall be appointed as members of the Board for a term of five (5) years, namely:

Denise Pellegrino;
Marcus Babb;
Gary Christopher Porten; and

WHEREAS, these members, residing in Auburn, New York shall serve the Board of Assessment Review for a term of five (5) years commencing immediately and lasting through March 3, 2027; and

WHEREAS, it is necessary that the Auburn City Council does approve the appointment of Denise Pellegrino, Marcus Babb and Gary Christopher Porten for a term of five (5) years to the Board of Assessment Review.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby appoint Denise Pellegrino, Marcus Babb and Gary Christopher Porten to be members of the Board of Assessment Review each for a term of five (5) years commencing immediately and lasting through March 3, 2027.

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	

APPOINTMENT RESOLUTION #28 OF 2022

**ENDORSING THAT A MEMBER BE APPOINTED TO THE BOARD OF DIRECTORS OF
THE CAYUGA COUNTY WATER AND SEWER AUTHORITY**

By Councilor Kent

March 3, 2022

WHEREAS, the Cayuga County Water and Sewer Authority (CCWSA) is a governmental agency constituting a public benefit corporation and its purpose is to serve the people of the County. The Authority ensures the health and welfare of the County by providing and protecting the water and wastewater services to the County district.; and

WHEREAS, the CCWSA is governed by a nine member Board of Directors and there are currently vacancies on the board; and

WHEREAS, the Auburn City Council is desirous of endorsing appointment of Mayor Michael D. Quill as a director of the board of the Cayuga County Water and Sewer Authority.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby endorse the appointment of Mayor Michael D. Quill to the Cayuga County Water and Sewer Authority Board of Directors.

Seconded by Councilor Cuddy

	Ayes	Noes	Present
Councilor Kent	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 –

Executive Session:

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

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

Two matters pertaining to the sale, lease or acquisition of real property; and

One matter regarding the employment history of a particular individual.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:34 p.m. Executive session adjourned at 6:41 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:42 p.m..

Minutes submitted by: Chuck Mason, City Clerk