

**Auburn City Council
Regular Meeting
Thursday, September 8, 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 and 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
- City Clerk, Chuck Mason
- Corporation Counsel, Stacy Tamburrino
- Director of Planning and Economic Development, Jennifer Haines
- Director of Capital Projects and Grants, Christina Selvek
- City Engineer, Bill Lupien
- Deputy Police Chief, Roger Anthony

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 –

- Final summer event calendar was shared by the City Clerk. This included that the CNY Tomatofest will be held in downtown Auburn on Saturday, September 10, 2022.
- The Cayuga County Electronics Recycling Event has been scheduled for Saturday, October 1, 2022. Residents need to pre-register to participate. Information is available at www.auburnny.gov

CEREMONIAL PRESENTATIONS -

WHEREAS, twenty-one years ago this month, nearly three thousand innocent men, women, and children lost their lives in attacks meant to terrorize our Nation. America witnessed one of the darkest days it had seen in years; and

WHEREAS, today we pay tribute to loved ones, friends, family, fellow citizens, and all who died on September 11, 2001 out in the field in Southwestern Pennsylvania, in the steel of the twin towers of the World Trade Center, and the wreckage and flames of the United States Pentagon; and

WHEREAS, we remember the sacrifice of strangers and first responders who rushed into darkness to carry others from danger. No matter where we came from, what God we prayed to, or what race or ethnicity we were, we were united as one American family; and

WHEREAS, with over two decades that this terrible tragedy occurred, our country and world have changed in so many ways. America will forever remember where we were, what we were doing, and who we were with at the time of the attacks; and

WHEREAS, Today, we can honor those we lost by building a Nation worthy of their memories. We can recall how Americans of every station joined together to support the survivors in their hour of need and to heal our Nation in the years that followed by carrying on their legacy of courage and compassion, and to move forward together as one people; and

WHEREAS, Congress has designated September 11 of each year as, “Patriot Day” and has requested the observance of September 11 as an annually recognized “National Day of Service and Remembrance”; and

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, proclaim the day, September 11, 2022 as

PATRIOT DAY & DAY OF SERVICE AND REMEMBRANCE

And invite the citizens of Auburn to participate in community service in honor of those our Nation lost as a result of the terrorist attacks on September 11, 2001, by uniting in the same extraordinary way we came together after the attacks.

**In witness whereof I have hereunto set
my hand and caused the seal of the City
of Auburn to be affixed this Eleventh
day of September 2022.**

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

Public to be heard: Mayor Quill asked the Clerk to read the public to be heard rules. Mr. Andrew Bishop spoke regarding topics pertaining to the City addressing overgrown landscaping on Osborne Street.

Approval of Meeting Minutes –

August 25, 2022 Council Meeting Minutes

Motion to approve the August 25, 2022 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

- The city is accepting bids for Supervisory Control and Data Acquisition (SCADA) general services. Bids are due back September 23.
- The City is accepting bids for tree trimming, removal, and stump grinding services. Bids are due back Sept. 15.
- Testing of the raw water at the filtration plant has shown traces of microcystin. The Powder Activated Carbon System (PAC) is in operation and our finished water has been testing with no microcystin.
- A couple of weeks ago the water department responded to Standart Woods to investigate a high water consumption situation. During their investigation they discovered an unrelated but serious condition with a sanitary sewer main in the area. A significant portion of sewer main along the brook had been exposed by erosion and exists in an unstable position. Our crews are working to replace and relocate the main while coordinating with the County Soil and Water Authority to restore and fortify the washed away bank area.

Reports from members of Council –

- Councilor Cuddy reported that he had participated in review of applications from non profit organizations in the City for funding allocated as part of the City's American Rescue Plan Act (ARPA) funding. The City staff involved had the process very well organized.

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR) -

SEQR Resolution #3 of 2022 Issuing a Negative Declaration for Amending Chapter 305 of the Auburn City Code Entitled "Zoning"

Motion to table by Mayor Quill, seconded by Councilor Locastro. The motion to table carried 5-0. This will be rescheduled for a Public Hearing at the October 4, 2022 6:30 p.m. meeting of the City Planning Board and for City Council consideration at the Thursday, October 6, 2022 5 p.m. City Council meeting.

B. Ordinances –

Ordinance #2 of 2022 Amending Chapter 305 of the City of Auburn Code Entitled "Zoning"

Motion to table by Mayor Quill, seconded by Councilor Kent. The motion to table carried 5-0. This will be rescheduled for a Public Hearing at the October 4, 2022 6:30 p.m. meeting of the City Planning Board and for City Council consideration at the Thursday, October 6, 2022 5 p.m. City Council meeting.

C. Local Laws –

D. Resolutions –

**COUNCIL RESOLUTION #95 OF 2022
SUPPORTING THE REDEVELOPMENT OF THE OLYMPIA TERRACE
APARTMENT COMPLEX**

By Councilor Giannettino

September 8, 2022

WHEREAS, in 1948 the Auburn Housing Authority was created by the City of Auburn in order to promote adequate, affordable housing, economic opportunity and a suitable living environment free from discrimination; and

WHEREAS, the Auburn Housing Authority owns and manages the 50-unit Olympia Terrace public housing complex, which has served low and moderate income households in the City of Auburn since it was constructed in 1980; and

WHEREAS, Olympia Terrace is in need of substantial rehabilitation if it is going to continue to provide low and moderate income households in the City of Auburn with safe, adequate, and affordable housing; and

WHEREAS, Olympia Terrace plays a central role in meeting the demand for affordable housing in the City of Auburn and the community desires that Olympia Terrace be rehabilitated in lieu of developing affordable replacement housing; and

WHEREAS, rehabilitation will improve safety, enhance the neighborhood, and improve the overall quality of life for the residents of Olympia Terrace while ensuring a stable stock of affordable housing in the City of Auburn; and

WHEREAS, the City Council, by separate resolution, has authorized a 40-year PILOT Agreement to ensure that Olympia Terrace is economically viable and to promote affordable housing in the City of Auburn.

NOW THEREFORE, BE IT RESOLVED that the City Council supports the efforts of the Auburn Housing Authority and AHA Development Corporation to secure State assistance in furtherance of the Olympia Terrace redevelopment effort; and

BE IT FURTHER RESOLVED, that the redevelopment of Olympia Terrace is consistent with and fulfills objectives set forth in the City of Auburn's Community Development Block Grant Five Year Consolidated Plan, Community Development Block Grant Annual Action Plan, and the Comprehensive Plan.

Seconded by Councilor Cuddy

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

COUNCIL RESOLUTION #96 OF 2022

AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE CITY OF AUBURN, OLYMPIA TERRACE HOUSING DEVELOPMENT FUND COMPANY, INC. AND OLYMPIA TERRACE LIMITED PARTNERSHIP AND AUTHORIZING THE CONVEYANCE OF THE PROPERTY (AS DEFINED HEREIN) BY THE AUBURN HOUSING AUTHORITY

By Councilor Giannettino

September 8, 2022

WHEREAS, the City of Auburn (the “City”) desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons of low-income; and

WHEREAS, Olympia Terrace Limited Partnership, a New York limited partnership (the “Partnership”), and Olympia Terrace Housing Development Fund Company, Inc., a New York not-for-profit corporation formed pursuant to Article XI New York State Private Housing Finance Law (the “HDFC”), have identified property located at 2 Olympia Avenue, City of Auburn, County of Cayuga, State of New York, as described in Exhibit “A” attached hereto (the “Property”), for the purpose of rehabilitating a current housing development known as Olympia Terrace (the “Project”), containing fifty (50) dwelling units, with the intent to preserve and maintain adequate and sanitary affordable housing for persons of low-income in the City; and

WHEREAS, the Partnership has been formed for the purpose of providing residential rental accommodations for persons of low-income; and **WHEREAS**, the HDFC will acquire fee title to the Property, as nominee for the Partnership, and will convey its equitable and beneficial interests in the Property to the Partnership in furtherance of the development and rehabilitation of the Project; and

WHEREAS, the HDFC’s and the Partnership’s plan for the use of the Property constitutes a “housing project” as such term is defined in the Private Housing Finance Law of the State of New York (“PHFL”); and

WHEREAS, the HDFC 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 the Project from real property taxes; and

WHEREAS, the HDFC is, or will be, on the commencement date of the PILOT Agreement contemplated herein, the general partner of the Partnership; and

WHEREAS, the Partnership and the HDFC will be willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the City as set forth in the PILOT Agreement presented to this City Council for approval; 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 2 project in order to obtain the benefits of any Federal program of assistance for low-income housing is subject to the approval of the local legislative body.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby (i) exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL, (ii) approves the proposed PILOT Agreement by and among the City, the Partnership and the ``HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement and (iii) approves of the conveyance of the Property and the Project from Auburn Housing Authority to the HDFC; and

BE IT FURTHER RESOLVED, that the Mayor of the City is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the City; and

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

Seconded by Councilor Kent

EXHIBIT A

Description of the Property

PARCEL 1:

All that tract or parcel of land situate in the City of Auburn, County of Cayuga, and State of New York, described as follows:

BEGINNING in the northerly street line of Olympia Avenue at a point South 74° 00 min. West, a distance of 230.90 feet, from a stone monument in said northerly street line of Olympia Avenue and the westerly street line of State Street; THENCE, North 20° 02 min. West, a distance of 282.0 feet to a point; THENCE, North 69° 58 min. East, a distance of 47.0 feet, to a point; THENCE, North 20° 02 min. West, a distance of 165.30 feet to the northerly line of Olympia Terrace; THENCE North 87° 22

min. West, along the n a distance of 161.30 feet to the northwest corner of Olympia Terrace; THENCE Southerly at an interior angle of 90° 19' 08" with the last described line, 2° 57 min.08" West, along the Westerly line of Olympia Terrace, a distance of 495.90 feet to the northerly street line of Olympia Avenue; THENCE on a curve to the left, along a radius of 924.93 feet, an arc distance of 243.60 feet to a point of tangent in said northerly street line; THENCE North 74° 00 min. East, along said northerly street line, a distance of 57.60 feet to the place of beginning.

FOR INFORMATION ONLY, NOT INSURED: Containing 2.45 acres of land.

PARCEL 2:

All that tract or parcel of land situate in the City of Auburn, County of Cayuga, and State of New York, described as follows: BEGINNING at a stone monument at the intersection of the westerly street line of State Street, and the northerly street line of Olympia Avenue; THENCE South 74° 00 min. West, along said northerly street line of Olympia Avenue, a distance of 230. 90 feet to a point. THENCE North 20° 02 min. West, a distance of 282. 0 feet to a point; THENCE North 69° 58 min. East, a distance of 47. 0 feet to a point; THENCE North 20° 02 West, a distance of 165.30 feet to the northerly line of Olympia Terrace; THENCE South 87° 22 min. East, a distance of 28.0', to an angle point in said northerly line; THENCE North along an interior angle of 192° 04' with the last described line, 80° 34 min. East, along said northerly line, a distance of 199.0 feet to the westerly street line of State Street; THENCE Southerly along an interior angle of 95° 22' with the last described line and South 14° 48 min. East, along said westerly street line of State Street, a distance of 417.90 ft. to the place of beginning.

FOR INFORMATION ONLY, NOT INSURED: Containing 2.32 acres of land

PARCEL 3:

ALL that certain plot or parcel of land, situate in the City of Auburn, County of Cayuga and State of New York, BEGINNING in the west line of State Street at a point where the dividing line between the properties of C. A. Koenig and Fred W. Cook and Margaret T. Cook, (which said dividing line was established by agreement between John Meyer, F. A. Weddigen, Johanna W. Weddigen, his wife and Sarah L. Chappell, October 8, 1906, recorded November 5, 1906 in the Cayuga County Clerk's office in Book 37 of City Deeds at Page 512) intersects said street line; THENCE northerly along the west line of State Street 79.60 feet to a stone monument set in the west line of State Street; THENCE westerly S 74°00' West to the point of tangency in the southerly street line of Olympia Avenue; THENCE westerly along a radius of 984.93', an arc distance of 266.26 feet to a point; THENCE south 2° 57' 08" West a distance of 19. 78' to a point on the south line of lands of the Auburn Housing Authority; THENCE easterly along the said south line of the Auburn Housing Authority 366.6 feet more or less to a point; THENCE northerly at an interior angle of 77° 17' 32" with the last described line and along an east line of said Auburn Housing Authority 79. 97 feet to a point; THENCE southeasterly at an exterior angle of 75° 35' 32" with the last described line and along the south line of said Auburn Housing Authority 206. 55 feet to the place of beginning; said last described line making an interior angle of 71° 54' with the first above described line and

FOR INFORMATION ONLY, NOT INSURED: containing 0. 57 acres of land, more or less.

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

**COUNCIL RESOLUTION # 97 of 2022
AUTHORIZING A PUBLIC HEARING FOR THE
2022 RESTORE NY GRANT APPLICATION AND PROPERTY ASSESSMENT LIST**

By Councilor Locastro

September 8, 2022

WHEREAS, the City of Auburn intends to apply to Empire State Development (ESD) for \$1,750,000 in grant funding through the Restore NY Communities Initiatives to assist with the rehabilitation of 22 E. Genesee Street, located on the southside of East Hill; and

WHEREAS, Empire State Development requires the City to hold a Public Hearing to solicit public comment regarding the Grant Application and the Property Assessment List, which will be published in the local newspaper for three consecutive days.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Auburn, New York that it hereby authorizes a Public Hearing to be held before the City Council of the City of Auburn, New York, on Thursday, September 15th, 2022 at 5:00pm, at City Council Chambers, 1st floor, Memorial City Hall, Auburn, New York, regarding the 2022 Restore NY Grant Application and the Property Assessment List; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing State and local requirements.

Seconded by Councilor Giannettino

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

COUNCIL RESOLUTION #98 of 2022

**AUTHORIZING A PUBLIC HEARING FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN AMENDMENT**

By Councilor Kent

September 8, 2022

BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize that a Public Hearing be held before the City Council of the City of Auburn, New York, on the 15th day of September, 2022 at 5:00pm concerning the Program Year 2022 Community Development Block Grant Annual Action Plan Amendment.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing State and local requirements.

Seconded by Councilor Giannettino

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

AGREEMENT RESOLUTION #99 OF 2022

**AUTHORIZING A FIRST AMENDMENT TO THE AGREEMENT WITH THE
AUBURN ENLARGED CITY SCHOOL DISTRICT FOR STUDENT RESOURCE
OFFICERS AND SPECIAL PATROL OFFICERS**

By Councilor Giannettino

September 8, 2022

WHEREAS, on June 17, 2021, the City Council of the City of Auburn passed Agreement Resolution No. 79 of 2021, authorizing an Agreement (the “Agreement”) between the City of Auburn and the Auburn Enlarged City School District (“AECSD”); and

WHEREAS, the Agreement provides for the staffing of Student Resource Officers (“SRO”) and Special Patrol Officers (“SPO”) from the Auburn Police Department within the Auburn City Schools; and

WHEREAS, due to an ever increasing concern for the safety and welfare of the students within the schools, the parties wish to amend the Agreement to provide AECSD with two additional full-time SPO positions; and

WHEREAS, now the parties would like to enter into a first Amendment to the Agreement for this purpose, which is attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve Agreement Amendment No. 1 with the Auburn Enlarged City School District, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor, or his named designee, is authorized to sign any and all documents in order to carry out the purposes of this resolution.

Seconded by Councilor Locastro

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

E. Staff or Vendor Presentations

TABLED ITEMS - none

OTHER BUSINESS –

Second Public to be Heard. No speakers.

Executive Session:

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

- Two matters 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.)
- One matter pertaining to collective bargaining.
- One matter pertaining to the sale, lease or acquisition of City owned real property.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:31 p.m. Executive session adjourned at 6:57 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:58 p.m..

Minutes submitted by: Chuck Mason, City Clerk