

**Auburn City Council  
Regular Meeting  
Thursday, October 6, 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
- Deputy Director of Planning and Community Development, Steve Selvek
- Deputy Police Chief, Roger Anthony
- Director of Municipal Utilities Seth Jensen

**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 City Civil Service Commission will hold its next meeting on Monday, October 10, 2022 at 6:30 pm at the third floor conference room at Memorial City Hall, 24 South Street.
- The City Historic Resources Review Board will hold its next meeting on Tuesday, October 11, 2022 at 7 pm at Council Chambers at Memorial City Hall, 24 Sout Street.
- The Seymour Public Library District will hold a public hearing on its proposed 2023 operating budget at 5 p.m. Friday, October 7, 2022. The meeting will be held at Seymour Library, 176-178 Genesee St., Auburn. The proposed budget for 2023 calls for a tax levy of \$924,000, an increase of \$60,000 over the tax levy currently in place. A copy of the proposed budget is attached and is available at the library and on our website.
- Seymour Public Library District will conduct a trustee election and referendum on its proposed 2023 budget on Friday, October 28, 2022. Absentee Ballots are available. Applications for absentee ballots may be applied for at Seymour Public Library during its regular hours, Monday

through Wednesday, 9 a.m. to 7 p.m., Thursday and Friday, 9 a.m. to 6 p.m., and Saturday 9 a.m. to 5 p.m. More information on the absentee ballot process can be found on the library's website. If you have questions, please call Lisa Carr, Director, at 315-252-2571, ext. 425.

- **ELECTRICAL BOARD MEETING NOTICE: NOTICE OF SEMI-ANNUAL INTERVIEW AND EXAM FOR ELECTRICAL LICENSE** - Applications for Electrical Licenses must be filed in person at the October 12, 2022 meeting, 5:00 pm in the City Hall Council Chambers at 24 South St. 1st Floor, Auburn, NY. The exam will be held November 9, 2022 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](http://www.auburnny.gov) under the Code Enforcement Department page.
- City of Auburn Parks & Recreation and the Auburn Doubledays present Homerun Halloween 2022 to be held on Saturday, October 22, 2022 beginning at 5:30 - 7:30 pm at Falcon Park on N. Division Street in Auburn. Presenting sponsor is Hematology-Oncology Associates of CNY. The rain date will be Sunday, October 23, 2022 at the same time. Free admission; Free Cider & Donuts; Free Trick or Treat Bags; Bounce House; Face Painting; Balloon Artistry with Jeff the Magic Man; Special Halloween Guests; Food & Beverage Concessions also will be available; Fireworks; & more!
- City of Auburn, NY Transfer Station Fall Cleaning Days 2022
  - CITY RESIDENTS ONLY
  - All Rules Will Be STRICTLY ENFORCED
  - Date #1 Saturday, October 29, 2022
  - Date #2 Saturday, November 5, 2022
  - Hours: 7:00 am - 11:30 a.m.
  - Location: City of Auburn Transfer Station, 311 North Division Street
  - For more information or questions call: 315-252-6441
- Requirements/Rules/Regulations:
  - City residents will need to deliver the material directly to Auburn Transfer Station
  - No transfer station permits will be required in order to participate.
  - Driver's license and vehicle registration will be required as proof of residency for participation (the address on both must match and will be strictly enforced).
  - No trailers, no box vans, no u-hauls and all loads MUST BE TARPED.
  - All garbage must be containerized (can or bag) NO EXCEPTIONS.
- Materials That Will Be Accepted At NO COST To City Residents
  - GARBAGE, RECYCLING, MATTRESS/BOX SPRING, BRUSH/YARD WASTE, and FURNITURE.
  - Yard waste/brush in brown leaf bags. (Plastic bags are no longer acceptable for this material).
  - Car tires (accepting 4 tires per residence).
- Materials That Will Be Accepted AT COST To City Residents
  - FREON CONTAINING UNITS \$45.00 EACH (Refrigerators, Air Conditioners, Dehumidifiers).
  - ELECTRONICS (LIMIT 2) \$20.00 EACH (Computer, Monitor,

Microwave, DVD, VCR, Printer, TV's).

- Materials That WILL NOT Be Accepted at the Transfer Station Fall Clean-up Days are as follows:
  - HAZARDOUS WASTE;
  - ASBESTOS;
  - MOTOR OIL;
  - LIQUID WASTE;
  - FLUORESCENT TUBES;
  - GREASE;
  - SOLVENTS;
  - PAINT;
  - COOKING OIL.
- Registration for the Cayuga County Household Hazardous Waste Collection event that will be held on Saturday, October 29, 2022 is now open. Pre-registration for this event is now open and information has been added to the City website.

**CEREMONIAL PRESENTATIONS** – The City Clerk read the Proclamation naming Fire Prevention Week in the City of Auburn. Mayor Quill presented to Fire Chief Mark Fritz and Chief Fritz addressed the Council.

**Public to be heard:** Mayor Quill asked the Clerk to read the public to be heard rules. No speakers.

**Approval of Meeting Minutes –**

September 29, 2022 Council Meeting Minutes

Motion to approve the September 29, 2022 minutes by Councilor Giannettino, seconded by Councilor Kent. Motion to approve carried 5-0.

**Reports of City Officials**

**City Manager's Report –**

- Testing of the raw water at the filtration plant has shown decreasing levels of microcystin. The Powder Activated Carbon System (PAC) is in operation but is being dialed back, and our finished water has been testing with no microcystin.
- Introduced Michael Miller, Executive Director of Cayuga Economic Development Agency (CEDA). Mr. Miller addressed the Council.

**Reports from members of Council – none**

**Matters to Come Before Council**

**A. State Environmental Quality Review Act Resolutions (SEQR) - none**  
**SEQR RESOLUTION #3 OF 2022**

**ISSUING A NEGATIVE DECLARATION FOR  
AMENDING CHAPTER 305 OF THE AUBURN CITY CODE ENTITLED “ZONING”**

By Councilor Giannettino

October 6, 2022

**WHEREAS**, Chapter 305 of the Auburn City Code, which is entitled “Zoning,” has been adopted by the Auburn City Council in accordance with the City’s Comprehensive Plan; and

**WHEREAS**, Chapter 305 establishes building and land use regulations intended to promote public health, safety, and welfare; and

**WHEREAS**, is has become necessary to revise portions of Chapter 305 to respond to new and developing land uses within the City; and

**WHEREAS**, Auburn City Council, together with City staff, wish to ensure that the zoning code is easy to use by improving the organization of the Chapter 305; and

**Whereas**, a review of the above Type 1 Action has been made in full compliance with Article 8 of the New York Conservation Law and the New York State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, said review has resulted in a reasoned determination that the proposed action will NOT result in any large and important impact(s) and, therefore, is one which will not have a significant negative impact on the environment;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Auburn, as Lead Agency, that a NEGATIVE DECLARATION for the proposed action be prepared in full compliance with Article 8 of the New York State Environmental Conservation Law.

Seconded by Kent

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

**B. Ordinances –**

**ORDINANCE # 2 OF 2022**

**AMENDING CHAPTER 305 OF THE AUBURN CITY CODE ENTITLED “ZONING”**

Auburn City Council Meeting, October 6, 2022

By Councilor Locastro

October 6, 2022

**WHEREAS**, on February 15, 2018, the Auburn City Council enacted and established the Ordinance which adopted Chapter 305 of the Auburn City Code entitled “Zoning”; and

**WHEREAS**, is has become necessary to revise portions of Chapter 305 to respond to new and developing land uses within the City; and

**WHEREAS**, Auburn City Council, together with City staff, wish to ensure that the zoning code is easy to use by improving the organization of the Chapter 305; and

**WHEREAS**, a public hearing was held on October 4, 2022 in front of the Auburn City Planning Board; and

**WHEREAS**, City staff recommends adoption of the amendments to Chapter 305, which are attached and incorporated herein.

**NOW, THEREFORE, BE IT ORDAINED** that the City Council of the City of Auburn does hereby adopt Ordinance #2 of 2022 amending Chapter 305 of the Auburn City Code entitled “Zoning”; and

**BE IT FURTHER ORDAINED**, that the amendments to Chapter 305 of the Auburn City Code shall take effect immediately.

Seconded by Councilor Kent

Councilor Giannettino made a motion to add the following change to the zoning code, motion was seconded by Councilor Locastro. Political signs may not be placed more than ~~30~~ 45 days before the election day and must be taken down ~~24 hours~~ by 5 days after the election day has been completed.

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

Vote to approve Ordinance #2 of 2022 as amended	Ayes	Noes	Excused
Councilor Kent	X		
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

**C. Local Laws – none**

**D. Resolutions –**

**AGREEMENT RESOLUTION #109 OF 2022**

**AUTHORIZING A MUNICIPAL COOPERATION AGREEMENT WITH THE CAYUGA  
COUNTY HEALTH CONSORTIUM**

By Councilor Giannettino

October 6, 2022

**WHEREAS**, New York General Municipal Law, Article 5G, authorizes municipal corporations to enter into cooperative agreements for the performance of functions in which they could engage individually, and, Sections 92-a and 119-o authorize the purchase of health insurance, group health plans and the joint administration of a health plan; and,

**WHEREAS**, in 2017 the City of Auburn joined as a participating member in the Cayuga County Health Insurance Consortium (the “Consortium”), which is a group that includes the County of Cayuga, Cayuga Community College, and Cayuga County Soil and Water Conservation District; and,

**WHEREAS**, the Consortium provides health insurance benefits to the enrollees of all of its participants and operates under a Municipal Cooperation Agreement, which will expire on December 31, 2022; and,

**WHEREAS**, the participants now wish to enter an updated Municipal Cooperation Agreement, which shall take effect on January 1, 2023 and last for a term of three (3) years, which is attached hereto and incorporated herein; and,

**WHEREAS**, the Agreement provides revisions to Sections P and O in order to clarify the terms relating to withdrawal of any participant and termination and dissolution of the Consortium; and,

**WHEREAS**, the terms of the Municipal Cooperation Agreement has been reviewed and approved by the Board of Directors of the Consortium, which includes two representatives from each participating governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby authorize the Mayor of the City of Auburn to enter into the Municipal Cooperation Agreement, attached hereto, with Cayuga County, Cayuga Community College and the Cayuga County Soil and Water Conservation District, for the Cayuga County Health Consortium.

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		

**AGREEMENT RESOLUTION #110 OF 2022**

**AUTHORIZING AMENDMENT NO. 2 TO THE MUNICIPAL COOPERATION AGREEMENT  
FOR SEWER SERVICE TO WHOLESALE CUSTOMERS**

By Councilor Cuddy

October 6, 2022

**WHEREAS**, on December 21, 2017, the City of Auburn (hereinafter referred to as the “City”) and the Town of Sennett, the Town of Owasco and the Town of Fleming (collectively the “Towns”), entered into a Municipal Cooperation Agreement for Sewer Service to Wholesale Customers (the “Agreement”); and

**WHEREAS**, on December 5, 2019, City and the Towns entered into Amendment No. 1 of the Agreement, whereby the Town of Aurelius was added as a party to the Agreement and the wholesale sewer rate was updated; and

**WHEREAS**, city staff proposes the approval of Amendment No. 2, which is attached hereto and incorporated herein, which adds and includes the Cayuga County Water and Sewer Authority as a fifth party to the Agreement; and

**WHEREAS**, the Town of Aurelius, Town of Sennett, Town of Fleming and Town of Owasco, have by their duly appointed representatives, have voted to approve the inclusion of the Cayuga County Water and Sewer Authority to the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby approve Amendment No. 2 to the Municipal Cooperation Agreement for Sewer Service To Wholesale Customers, which includes the Cayuga County Water and Sewer Authority as a party to the Agreement as of October 1, 2022; and

**BE IT FURTHER RESOLVED** that the Auburn City Council hereby authorizes the Mayor, or appointed designee, to duly execute any and all documents necessary to carry out the purposes of this resolution.

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		

**E. Staff or Vendor Presentations - none**

**TABLED ITEMS - none**

**OTHER BUSINESS –**

- Councilor Giannettino asked if Council could receive an update on the Schine Theater as the developer attended a City Council meeting in June 2022 and told the Council there would be an update and progress in the fall.
- Councilor Cuddy discussed communication he has received from a neighbor of the Byrne Dairy store. City Manager will follow up with the neighbor.

**Second Public to be Heard.** No speakers.

**Executive Session:**

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

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

- Two matters pertaining to sale or lease of real property.
- One matter made confidential due to attorney client privilege.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:46 p.m. Executive session adjourned at 7:18 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:19 p.m..

Minutes submitted by: Chuck Mason, City Clerk