

Auburn City Council Meeting, August 17, 2023

**Auburn City Council
Regular Meeting
Thursday, August 17, 2023 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. Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Terry Cuddy and Councilor Tim Locastro were present. Mayor Quill was excused.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Nate Garland
- Deputy Police Chief, Tim Spingler
- Fire Chief, Mark Fritz
- City Engineer, William Lupien

Pledge of Allegiance to the Flag – Councilor Locastro led the Pledge of Allegiance.

Moment of Silent Prayer or Reflection – Councilor Locastro asked for a moment of silent prayer.

Public Announcements – summer event calendar events were read.

Ceremonial Presentations – none

Public to be heard: The City Clerk read the rules for Public To Be Heard and there were no speakers.

Approval of Meeting Minutes –

July 27, 2023 Council Meeting Minutes

Motion to approve the July 27, 2023 minutes by Councilor Giannettino, seconded by Councilor Cuddy.
Motion to approve carried 4-0.

August 3, 2023 Council Meeting Minutes

Motion to approve the August 3, 2023 minutes by Councilor Kent, seconded by Councilor Giannettino.
Motion to approve carried 4-0.

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Reports of City Officials

City Manager's Report – none

Reports from members of Council – none

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR) – none

B. Ordinances – none

C. Local Laws – none

D. Resolutions –

AGREEMENT RESOLUTION #86 OF 2023

**AUTHORIZING AN ENCROACHMENT AGREEMENT BETWEEN THE CITY AND AN
OWNER OF REAL PROPERTY**

By Councilor Kent

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WHEREAS, the City of Auburn maintains an easement along the Owasco River to the north of real property located at 144-146 Osborne Street; and

WHEREAS, said easement was granted to the City via an Easement Agreement recorded with the Cayuga County Clerk on June 30, 1997, Book 962 of Deeds at Page 313 (the “Easement Area”);

WHEREAS, fencing which is owned and maintained by the City (the “City Fence”) encroaches on said real property beyond the Easement Area; and

WHEREAS, an asphalt driveway exists and is maintained by the owners of real property located at 144-146 Osborne Street (the “Driveway”) which extends 1.2’ beyond the property boundary line to the west and encroaches onto property owned by the City (the “City Property”)

WHEREAS, pursuant to the Encroachment Agreement attached hereto and incorporated herein, (“the Agreement”) the City hereby grants the property owner the right to continue to maintain the Driveway as currently situated on the City Property, provided the same is maintained in good working order, with regular repairs and maintenance being performed at the property owner’s own cost and expense; and

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WHEREAS, pursuant to the Agreement, the property owner grants to the City the right to continue to maintain the City fence in its present location on the Property, so long as the City maintains the fence in good working order, with regular repairs and maintenance being performed by the City as needed; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the Agreement between the City of Auburn owners of real property located at 144-146 Osborne Street; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in order to finalize the agreement.

Seconded by Councilor Cuddy

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

AGREEMENT RESOLUTION # 87 OF 2023

**AUTHORIZING A LEASE AGREEMENT WITH THE CORNELL COOPERATIVE
EXTENSION OF CAYUGA COUNTY FOR THE USE OF SPACE AT THE NEW YORK
STATE EQUAL RIGHTS HERITAGE CENTER TO OPERATE A TASTE NY MARKET**

By Councilor Cuddy

August 17, 2023

WHEREAS, the New York State Equal Rights Heritage Center (the “ERHC”) located at 25 South Street is owned and operated by the City of Auburn; and

WHEREAS, the City of Auburn and the Cornell Cooperative Extension of Cayuga County (aka “CCCE”) have negotiated the terms and conditions of a proposed lease agreement, which is attached hereto, whereby CCCE will lease space at the ERHC for the purpose of operating a Taste NY market; and

WHEREAS, pursuant to the proposed lease agreement, the CCCE will lease space at the ERHC for a term of one (1) year commencing on April 1, 2023, and ending on March 31, 2024; and

WHEREAS, pursuant to the proposed lease agreement, the City shall receive rent in the amount of \$6,000 for the term of the lease; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve a Lease Agreement with the Cornell Cooperative Extension of Cayuga County, whereby the City will lease space at the New York State Equal Rights Heritage Center to the CCCE for a term of one (1) year,

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together with all of the terms and conditions set forth in the Lease Agreement, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the Lease Agreement with the Cornell Cooperative Extension of Cayuga County, and any and all documents necessary to carry out this Resolution.

Seconded by Councilor Kent

	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 –

- Councilor Cuddy asked if the City Manager could look into activating the water fountains at City parks.
- Councilor Kent asked if a future Council agenda could schedule an update on downtown parking changes that will go into effect on October 1, 2023.

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

- One matter made confidential under attorney client privilege due to potential litigation.

The motion to enter executive session carried 4-0. The Council entered Executive Session at 5:28 p.m. Executive session adjourned at 7:00 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:01 p.m..

Minutes submitted by: Chuck Mason, City Clerk