

## **Auburn City Council Meeting, October 5, 2023**

**Auburn City Council  
Regular Meeting  
Thursday, October 5, 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. Mayor Quill and Councilor Ginny Kent, Councilor Jimmy Giannettino and Councilor Tim Locastro were present. Councilor Terry Cuddy was excused.

#### **The following City Staff was present for the meeting:**

- City Manager, Jeff Dygert
- Deputy City Clerk, Coleen Lamay
- Corporation Counsel, Nate Garland
- Police Chief, Greg Gilfus
- Fire Chief, Marc Fritz
- Director of Planning and Economic Development, Jennifer Haines
- Grants Coordinator, Onea Kloster

**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 meeting of the City Historic Resources Review Board meeting will be held on Tuesday, October 10, 2023 at 7 p.m. and the meeting will be held in Council Chambers, Memorial City Hall, 24 South Street.

The Cayuga County Fall Electronic Collection Event Information has been announced and is as follows:

Who: Cayuga County Residents ONLY

What: HOUSEHOLD ITEMS ONLY. No businesses or commercial items will be accepted.

When: October 7, 2023, 8:30am — 12:15pm

Where: To be announced with your registration

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WE WILL NOT BE ACCEPTING FREON CONTAINING MATERIALS, FLUORESCENT LIGHT BULBS, OR BATTERIES AT THIS EVENT. Fluorescent light bulbs and batteries can be brought to our HHW Event on October 21, 2023. To see options for Freon appliance recycling, click [here](#). To see a flyer with more details on the accepted/not accepted items for this event, see attached flyer or click [here](#).

Fall E-recycle Pre- Registration link: <https://form.jotform.com/Sunnking/cayuga-october-2023> Spaces are limited. Please register early. Questions? Call Sunnking at (585) 637-8365 or email them at [office@sunnking.com](mailto:office@sunnking.com)

### **Ceremonial Presentations –**

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

**WHEREAS**, home fires killed more than 2,800 people in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 338,000 home fires; and

**WHEREAS**, cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020; and

**WHEREAS**, two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

**WHEREAS**, more than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

**WHEREAS**, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

**WHEREAS**, Auburn, NY residents should turn pot handles toward the back of the stove; always keep a lid nearby when cooking; keep a three-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking; and

**WHEREAS**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**WHEREAS**, working smoke alarms cut the risk of dying in reported home fires almost in half; and

**WHEREAS**, Auburn NY first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

**WHEREAS**, Auburn NY residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

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**WHEREAS**, the 2023 Fire Prevention Week<sup>TM</sup> theme, “*Cooking safety starts with YOU. Pay attention to fire prevention<sup>TM</sup>*,” effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

**NOW THEREFORE**, I, Michael D. Quill, Mayor of the City of Auburn, NY, do hereby proclaim **October 8–14, 2023**, as

### **FIRE PREVENTION WEEK**

throughout this City, and I urge all the people of Auburn, to check their kitchens for fire hazards and use safe cooking practices during Fire Prevention Week 2023, and to support the many public safety activities and efforts of Auburn, NY fire and emergency services.

Mayor Quill presented the National Fire Week Proclamation to Fire Chief Fritz.

**Public to be heard:** The City Clerk read the rules for Public To Be Heard and the following individuals spoke: Tim Lattimore of 63 South Street spoke and stated that he attended the Chamber of Commerce dinner and at his table he heard that the City was not doing a sufficient job with providing advanced public notice on road construction, he said the City should provide public notice to businesses.

**Approval of Meeting Minutes – none**

### **Reports of City Officials**

#### **City Manager’s Report –**

- There was a public meeting to gather input on a future project to refresh the Wall St. Playground. The meeting took place at the playground on Wednesday October 4. Approximately 35 neighborhood residents attended and were able to view several conceptual designs and features. They were able to score each design and feature and also contribute their suggestions. This neighborhood input will be used to develop next step designs.
- This week staff hosted a meeting with Cayuga County Social Services and our local homeless outreach coordinator to discuss various topics related to the homeless population and those squatting in vacant and condemned homes. County Social Services works directly with these individuals and families and is in close communication with our police and code enforcement departments. The primary focus of this particular meeting was the change in seasons and the onset of cold weather that impacts the actions Social Services can, and in some cases, must take with the drop in temperatures.
- Last week we gave a rather lengthy presentation on our housing situation including challenges and method we employ to maintain and improve our neighborhoods. We didn’t spend much time discussing the police department’s recent GIVE initiative. We frequently see a connection between nuisance complaints and suspected or known criminal activity at particular addresses. Chief Slayton is here to briefly explain the GIVE initiative.
- Today, several city staff participated in a meeting conducted by Camoin Associates. Camoin has been commissioned by Central NY Regional Economic Development to develop strategic visioning and plans for CNY to better respond to both commercial and residential development.

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We were joined by CEDA staff and board members, our counterparts from Cayuga County Planning, staff from Cayuga County Tourism, and a few local business owners.

- This morning Christina Selvek, our Director of Capital Projects and Grants, and Jenny Haines, our Director of Planning and Economic Development had another productive meeting with Alstom representatives and their realtor. These meetings have been occurring every two weeks as all parties work through the first phases of returning the Bombardier property to productive use. As a general reminder, the property is still privately owned and controlled, with city staff and CEDA providing assistance within our scopes of authority.

**Reports from members of Council – none**

**Matters to Come Before Council**

### **A. State Environmental Quality Review Act Resolutions (SEQR)**

#### **SEQRA RESOLUTION #4 OF 2023**

#### **DETERMINING TYPE II ACTIONS UNDER SEQRA FOR LEAD SERVICE LINE INVENTORY**

By Councilor Giannettino

October 5, 2023

**WHEREAS**, the City Council of the City of Auburn, New York (the “City”) is the sponsor of a lead service line inventory project that intends to identify and locate all the unknown lead service lines in the City and use this information to create a lead service line inventory and purchase a new vehicle (the “Project”); and

**WHEREAS**, the City desires to comply with the New York State Environmental Quality Review Act (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), with respect to the Project; and

**WHEREAS**, Section 617.5 of the Regulations establishes a list of Type II actions that have been determined not to have a significant impact on the environment and are not subject to further review; and

**WHEREAS**, § 617.5 (c) 18 states “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”; and § 617.5 (c) 25 “Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials”.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Auburn that:

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1. The proposed action corresponds with the parameters identified in § 617.5 (c) 18 and § 617.5 (c) 25 of the Regulations; and
2. The Lead Service Line Inventory constitutes a "Type II Action" under 6 NYCRR § 617.5 and no further action under the SEQR Act and the Regulations is required; and
3. This resolution shall take effect immediately.

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		

**B. Ordinances – none**

**C. Local Laws – none**

**D. Resolutions**

**LAND SALE RESOLUTION #95 OF 2023  
AUTHORIZING THE SALE OF A PORTION OF  
REAL PROPERTY KNOWN AS 18 NORTH DIVISION STREET**

By Councilor Kent

October 5, 2023

**WHEREAS**, on May 18, 2023, the City of Auburn acquired title to the real property commonly known as 18 North Division Street (the “Property”) by tax foreclosure; and

**WHEREAS**, the Property consists of a pole barn structure, as well as property that runs along both sides of Owasco River, and is located in a commercial area; and

**WHEREAS**, the City desires to retain ownership of the portion of the property that runs along both sides of the Owasco River, and only sell the pole barn structure; and

**WHEREAS**, the proposed purchaser, Richard S. Banas, desires to purchase the pole barn structure to utilize for storage; and

**WHEREAS**, a Purchase Offer and Sale Contract has been proposed by Richard S. Banas, which is attached hereto and incorporated herein, for the purchase of the Property at a price of Sixty-Six Thousand Ten Dollars (\$66,010.00); and

**WHEREAS**, the Property is a surplus parcel and not needed for City purposes.

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**NOW, THEREFORE, BE IT RESOLVED** that the City of Auburn does hereby approve the Purchase Offer and Sale Contract from Richard S. Banas, which is incorporated herein, for the sale of a portion of 18 North Division Street, for the sum of \$66,010.00, subject to the terms and conditions set forth therein and, also, subject to the following;

- (1) That the City provide only a Quit Claim Deed to the buyers at closing;
- (2) That the buyers be responsible for payment of all title and closing costs necessary to close the transaction;

**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, and direct staff to record the sale proceeds into revenue account A99.2660 - Sale of Real Property.

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		

**LAND SALE RESOLUTION #96 OF 2023  
AUTHORIZING THE SALE OF  
REAL PROPERTY KNOWN AS 138 SOUTH STREET**

By Councilor Giannettino

October 5, 2023

**WHEREAS**, on June 2, 2023, the City of Auburn acquired title to the real property commonly known as 138 South Street (the "Property") by tax foreclosure; and

**WHEREAS**, the Property consists of a single-family home, which is located in a residential neighborhood; and

**WHEREAS**, on September 13, 2023, the City listed the Property for sale with the Real Estate Agency, as its real estate broker; and

**WHEREAS**, Josephine and Richard Stankus have proposed a cash Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, for the purchase of the Property at a purchase price of Seventy-Five Thousand Dollars (\$75,000); and

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**WHEREAS**, Mr. and Mrs. Stankus have represented that they intend to renovate and restore the Property in order to live there as their primary residence; and

**WHEREAS**, the Property is a surplus parcel and not needed for City purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Auburn that the Purchase Offer and Sale Contract from Josephine and Richard Stankus, which is attached hereto and incorporated herein, for the sale of 138 South Street, for the sum of \$75,000.00, be approved, subject to the terms and conditions set forth therein and, also, subject to the following;

- (1) That the City provide only a Quit Claim Deed to the buyer at closing;
- (2) That the buyer be responsible for all title, survey and closing costs necessary to close the transaction;
- (3) That the buyer be required to obtain any and all permits necessary to renovate the Property within a reasonable timeframe from the date of closing, and that all renovations and/or construction at the Property be completed within a reasonable timeframe from the date of closing; and
- (4) That the deed transferred to the buyer shall include a reversionary clause to provide that if the buyer fails to satisfy the conditions relating to the renovation of the Property within a reasonable timeframe after the closing, then title and ownership of the Property shall automatically and immediately revert back to the City.

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 and direct staff to record the sale proceeds into revenue account A99.2660 - Sale of Real Property.

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		

**LAND SALE RESOLUTION #97 OF 2023  
AUTHORIZING THE SALE OF  
REAL PROPERTY KNOWN AS 2 BEACH AVENUE**

By Councilor Locastro

October 5, 2023

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**WHEREAS**, on May 18, 2023, the City of Auburn acquired title to the real property commonly known as 2 Beach Ave. (the “Property”) by tax foreclosure; and

**WHEREAS**, the Property consists of a single-family home, which is located in a residential neighborhood; and

**WHEREAS**, on September 13, 2023, the City listed the Property for sale with the Real Estate Agency, as its real estate broker; and

**WHEREAS**, Barry Leader has proposed a cash Purchase Offer and Sale Contract, which is attached hereto and incorporated herein, for the purchase of the Property at a purchase price of Fifty-Five Thousand Dollars (\$55,000.00); and

**WHEREAS**, Mr. Leader has represented that he intends to renovate and restore the Property in order to re-sell it; and

**WHEREAS**, the Property is a surplus parcel and not needed for City purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Auburn that the Purchase Offer and Sale Contract from Barry Leader, which is attached hereto and incorporated herein, for the sale of 2 Beach Avenue, for the sum of \$55,000.00, be approved, subject to the terms and conditions set forth therein and, also, subject to the following;

- (1) That the City provide only a Quit Claim Deed to the buyer at closing;
- (2) That the buyer be responsible for all title, survey and closing costs necessary to close the transaction;
- (3) That the buyer be required to obtain any and all permits necessary to renovate the Property within thirty (30) days from the date of closing, and that all renovations and/or construction at the Property be completed within one year from the date of closing; and
- (4) That the deed transferred to the buyer shall include a reversionary clause to provide that if the buyer fails to satisfy the conditions relating to the renovation of the Property within one year of the closing, then title and ownership of the Property shall automatically and immediately revert back to the City.

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 and direct staff to record the sale proceeds into revenue account A99.2660 - Sale of Real Property.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor Kent	X		



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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**

**Second Public to be Heard:**

Dr. Richard Stankus of South Street spoke to thank the Council and the City for accepting the offer for the sale of property on South Street, he thanked Jennifer Haines for her work with the Historic Resources Review Board and he discussed the life of Gino Alberici and expressed his condolences to the Alberici family on the passing of Mr. Alberici.

Tim Donovan spoke on behalf of the Rotary Club that will recognize Mayor Quill for his service as mayor at a lunch meeting of the Rotary Club to be held on Tuesday, October 10<sup>th</sup> at the Auburn Public Theater.

**OTHER BUSINESS – none**

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 5:41 p.m..

Minutes submitted by: Coleen LaMay, Deputy City Clerk