

Auburn City Council Meeting, November 2, 2023

**Auburn City Council
Regular Meeting
Thursday, November 2, 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, Councilor Terry Cuddy and Councilor Tim Locastro were present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Nate Garland
- Police Chief, Jim Slayton

Pledge of Allegiance to the Flag – Mayor Quill welcomed local Cub Scouts to lead the Pledge of Allegiance.

Moment of Silent Prayer or Reflection – Mayor Quill asked for a moment of silent prayer.

Public Announcements –

Cub Scout Leader Seth Jensen introduced scouts and the scouts presented to the City Council information they had prepared about hunger in Auburn. The scouts were working on a Scouting for Food Canned Food drive in which all the food they collect will benefit Auburn food pantries.

Ceremonial Presentations –

Public to be heard: The City Clerk read the rules for Public To Be Heard and the following individuals spoke:

Christine DeChick, 9 Pimm Avenue. Spoke regarding the property next store to her property. There are issues with their back fence that is falling. Codes Department is aware and has issued violations in the past. She shared pictures with the Council.

Tim Lattimore, 63 South Street, it was interesting to see that the Boy Scouts tried to get into the front door and it was locked. The topic of homelessness and hunger, the council does not realize the lines are getting longer and things need to change and we will have that happen at the first of the year.

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Thomas Cool, Barber Street. Spoke regarding the Codes Department doing inspections on property he owns at 1 Barber Street for a Certificate of Occupancy and he stated he does not want the Codes Officers in the building. He thinks some items such as doors on bedrooms is government overreach. His tenants do not want Code Inspectors in the house either. He read from the U. S. Constitution. He discussed a conversation that he had with the City's Assistant Corporation Counsel.

Jackie Reilley, 31 Elizabeth Street. She spoke to discuss the Certificate of Occupancy and she appreciates the inspection because it allows her to make sure her tenants are keeping things in compliance. She owns many properties in the City. She thinks the fees associated are not steep.

James Udall, Osborne Street. Does not agree with 3 minute time limit of Public to be Heard. Discussed matters pertaining to political campaigning with local city elections. The Mayor had to gavel the speaker and the Police Chief spoke with the speaker. The Mayor allowed him one additional minute to speak and he discussed local political campaigning.

Pam O'Cusick, 120 Chapman Avenue. Spoke regarding matters pertaining to dogs on Chapman Avenue. She is still waiting for response from City officials.

Approval of Meeting Minutes –

October 19, 2023 Council Meeting Minutes

Motion to approve the October 19, 2023 minutes by Councilor Kent, seconded by Councilor Giannettino. Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

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 -

LAND SALE RESOLUTION #100 OF 2023 AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS 35 BURT AVENUE

By Councilor Kent

November 2, 2023

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WHEREAS, on June 27, 2023, the City of Auburn acquired title to the real property commonly known as 35 Burt Avenue (the “Property”) by tax foreclosure; and

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

WHEREAS, Timothy Reilly and James Reilly 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 Forty-Five Thousand Dollars (\$45,000.00); and

WHEREAS, Timothy Reilly and James Reilly have represented that they intend to renovate and restore the Property in order to rent 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 Timothy Reilly and James Reilly, which is attached hereto and incorporated herein, for the sale of 35 Burt Avenue, for the sum of \$45,000.00, 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
Councilor Kent	X	
Councilor Giannettino	X	
Councilor Cuddy	X	

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Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

AGREEMENT RESOLUTION #101 OF 2023

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH CBN SYRACUSE LLC FOR THE LEASE OF SPACE ON CITY OWNED PROPERTY**

By Councilor Giannettino

November 2, 2023

WHEREAS, the City of Auburn (City) owns and maintains a radio tower located at 86 Osborne Street (Tower) upon which telecommunications equipment may be located to facilitate the transmission of signals required by both public and private entities; and

WHEREAS, CBN Syracuse, LLC (CBN) is a provider of wireless internet services and is desirous to obtain space on the tower to facilitate the same; and

WHEREAS, the frequencies by which CBN provides internet service will not interfere with the wireless services provided by any other tower tenants; and

WHEREAS, there exists ample space on the tower and ground to site the necessary equipment; and

WHEREAS, CBN retained a firm to conduct a structural analysis of the project and the same was reviewed by the Superintendent of Engineering; and

WHEREAS, CBN employs staff to facilitate customer participation in the federal Affordable Connectivity Program, which brings low or no cost internet service to City residents; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve an agreement between the City of Auburn and CBN Syracuse, LLC pursuant to the terms of the agreement between the parties which is attached to this Resolution, and the Mayor hereby is authorized to sign the agreement on behalf of the City, together with any and all documents necessary to carry out this resolution.

Seconded by Councilor Kent

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

COUNCIL RESOLUTION #102 OF 2023

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**AUTHORIZING CHANGES TO THE CITY COUNCIL MEETING CALENDAR DUE TO THE
THANKSGIVING HOLIDAY**

By Councilor Locastro

November 2, 2023

WHEREAS, the rules and procedures of the Auburn City Council require that the Auburn City Council meet on the first four Thursdays of each month at 5 p.m. to conduct regular business; and

WHEREAS, the month of November 2023 contains five Thursdays and that the fourth Thursday in November, namely November 23, 2023, is the Thanksgiving Holiday; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council hereby approves the Council meeting scheduled for Thursday, November 23rd at 5:00 p.m. is canceled and a City Council meeting will be scheduled for the fifth Thursday of November, being Thursday, November 30, 2023 beginning at 5:00 p.m.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby requested to notify the public of the changes in the Council meeting calendar as set forth herein.

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	

E. Staff or Vendor Presentations – none

TABLED ITEMS – none

Second Public to be Heard:

OTHER BUSINESS – none

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Executive Session: Councilor Giannettino 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 the sale or lease of real property.
- One matter pertaining to potential litigation.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:43 p.m. Executive session adjourned at 6:59 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:00 p.m..

Minutes submitted by: Chuck Mason, City Clerk