

Auburn City Council Meeting, December 14, 2023

**Auburn City Council
Regular Meeting
Thursday, December 14, 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
- Assistant Corporation Counsel, Tim Brennan
- City Comptroller, MaryBeth Leeson
- Police Chief, Jim Slayton
- Director of Planning and Economic Development, Jennifer Haines
- Director of Capital Improvement Program and Grants, Christina Selvek
- 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 of Auburn Historic Resources Review Board will not have a meeting in December due to no applications to go before the board.

Ceremonial Presentations –

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

Approval of Meeting Minutes –

November 30, 2023 Council Meeting Minutes

Motion to approve the November 30, 2023 minutes by Councilor Kent, seconded by Councilor Giannettino. Motion to approve carried 4-0. Councilor Cuddy abstained.

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Reports of City Officials

City Manager's Report –

- The City of Auburn, New York is seeking proposals for dog control and kennel services within the municipal boundaries of the municipality for the year 2024 with an option to renew annually for two additional years. Complete proposals should be submitted by Friday, December 15, 2023 by 12:00 noon to the Office of the City Clerk, first floor, Memorial City Hall, 24 South Street, Auburn, NY 13021. To view the complete Request for Proposals visit the City website at www.auburnny.gov/bids

Reports from members of Council –

- Councilor Cuddy reported of the most recent Micron Workforce Development Committee Meeting that he attended.
- Councilor Kent reported on a Diversity, Equity and Inclusion seminar that she attended at the Auburn Public Theater coordinated by the Auburn Downtown BID.

Matters to Come Before Council

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

B. Ordinances – none

C. Local Laws – none

D. Resolutions –

FINANCIAL RESOLUTION #110 OF 2023 AUTHORIZING VARIOUS OPERATING TRANSFERS

By Councilor Giannettino

December 14, 2023

WHEREAS, the City of Auburn staff is requesting an operating budget transfers for the 2023-2024 fiscal year as outlined in attachment A; and,

WHEREAS, there is Fund Balance being requested for these transfers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York:

1. That the Auburn City Council does hereby authorize the transfers in Attachment A for the 2023-2024 fiscal year; and,

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2. That this resolution shall take effect immediately upon its adoption.

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		

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Amount	Account to		Account From		Purpose
5,000.00	A3120.140.CEREI	Holiday Pay - Community Events	A99 1530	APD Reimbursements	Wegmans, School
7,000.00	A8020.130	Planning Temp Part Time	A99 2814	Transfer from CD - CDBG Admin	Intern funded through CDBG
5,000.00	A3120.166	Shift Differential - 4P-12A	A99.1530	APD Reimbursements	Wegmans, School
5,000.00	A3120.167	Shift Differential - 12A-8A	A99.1530	APD Reimbursements	Wegmans, School
70,000.00	A3120.150.CEREI	OT - Community Events - Reimb	A99.1530	APD Reimbursements	Wegmans, School
1,805.00	A3120.440.GIVE	Services - Give Grant	A3120.150.GIVE	Overtime	Grant approved transfer
30,000.00	A3120.150.GOVTS	OT - Gov Traffic Safety	A99.1530	APD Reimbursements	
Transfer from Fund Balance					
17,500.00	A1305.451	Finance - Consulting Fees			Audit Fee
8,000.00	A1364.430	Acq Properties - Other Utilities			NYSEG costs prior to shut off
45,000.00	A1364.440	Acq Properties - Services			Additional work to prep for sale
50,000.00	A1440.110	Salaries			Retirement payouts
15,000.00	A1930.453	Judgements & Settlements			Tax certiori
5,000.00	A3120.150.CECIT	OT - Community Events			Additional OT
2,500.00	A3120.440.NNO	Services			Accidentally removed from original budget
2,300.00	A3620.130	Codes - Temporary Part Time			
55,000.00	A3620.110	Codes - Salary & Wages			Anticipated retirement
45,000.00	A4540.140	Holiday Pay - Community Events			Staffing
70,000.00	A4540.150	Overtime			Staffing
(50,000.00)	A4540.110	Salaries			Staffing
5,000.00	A6410.458	City Beaut - BID			Budgeting error
167,479.00	A9015.803	Fire Retirement			Invoice was more than anticipated
7,100.00	A9010.801	Retirement General			Invoice was more than anticipated
314,266.00	A9710.790	Interest			Budgeting error
(110,295.00)	A9710.690	Principal			Budgeting error
103,000.00	A9730.690	Principal			Budgeting error
368,750.00	A9730.790	Interest			Budgeting error
(578,000.00)	A99 4089	Fed Aid, ARPA			Workforce funds
(542,600.00)	A909	Fund Balance			
55,000.00	F8310.110	Salary & Wages			Retirement
37,500.00	F8340 440	Transmission/Distribution Services			Roof - Logan St
1,500.00	F9010.801	Retirement General			Invoice was higher than anticipated
(19,500.00)	F9710.690	Principal			Budgeting Error
32,000.00	F9710.790	Interest			Budgeting Error
240,000.00	F9730.790	Interest			Budgeting Error
22,200.00	F9730.895	Debt Admin			Budgeting Error
(368,700.00)	F909	Fund Balance			
37,500.00	G8120 440	Sanitary Sewers Services			Roof - Logan Street
7,500.00	G9010.801	Retirement - General			Invoice was higher than anticipated
21,329.00	G9730.690	Principal			Budgeting Error
413,225.00	G9730.790	Interest			Budgeting Error
30,000.00	G9730.895	Sewer Debt Admin			Budgeting Error
(198,130.00)	G99 2710	BAN Premium			Budgeting Error
(311,424.00)	G909	Fund Balance			

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**FINANCIAL RESOLUTION #111 OF 2023
AUTHORIZING OPERATING BUDGET TRANSFER
FOR AN AMBULANCE VEHICLE**

By Councilor Kent

December 14, 2023

WHEREAS, the City of Auburn staff is requesting an operating budget amendment for the 2023-2024 fiscal year, increasing

A4540 230 Ambulance – Vehicles in the amount of \$234,673

WHEREAS, the City of Auburn staff has identified a vehicle that will allow for the department to continuously have four (4) ambulances in service

WHEREAS, the City of Auburn staff has determined that call volumes are supporting the demand for a four (4) ambulance rotation

WHEREAS, there is Fund Balance being requested for the transfer

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York:

3. That the Auburn City Council does hereby authorize the transfer listed above for the 2023-2024 fiscal year; and,
4. That this resolution shall take effect immediately upon its adoption.

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		

AWARD RESOLUTION #112 OF 2023

AWARDING A BID FOR THE WATER AND SEWER MAINTENANCE BUILDING ROOF

By Councilor Giannettino

December 14, 2023

WHEREAS, the City of Auburn Water and Sewer Maintenance Garage located at 28 Logan Street is in need of a new roof; and

WHEREAS, on December 14, 2023, Auburn City Council approved Financial Resolution #110 of 2023 which included transferring funding to support the cost of this roof replacement; and

WHEREAS, on November 14, 2023, bids were opened for the Water and Sewer Maintenance Building Roof (the Project) and the following bids were received:

- | | |
|----------------------------------|----------------|
| 1) WCA Roofing & Sheet Metal Co. | \$74,895.00 |
| 2) Apple Roofing Corp | \$88,694.00 |
| 3) Titan Roofing, Inc. | \$107,400.00 |
| 4) J&B Installations, Inc. | \$110,750; and |

WHEREAS, it is necessary that the Auburn City Council award the Project to the lowest responsible bidder, namely, WCA Roofing & Sheet Metal Co., which has submitted a low bid of \$74,895.00;

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award the contract for the Project to WCA Roofing & Sheet Metal Co., the lowest responsible bidder in the amount of \$74,895.00; and

BE IT FURTHER RESOLVED that the cost of the Resolution in the amount of \$74,895.00 is to be charged as follows:

- \$37,447.50 is to be charged to F8340 440 Transmission/Distribution Services;
- \$37,447.50 is to be charged to G8120 440 Sanitary Sewers Services; and

BE IT FURTHER RESOLVED that the Mayor or designee is authorized to sign any and all documents necessary in reference to the award of this bid.

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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	

E. Staff or Vendor Presentations –

- Consideration of a State of NY Home Rule Request on Hotel Occupancy Tax - Presentation by City Clerk Chuck Mason (see attached presentation)

TABLED ITEMS – none

Second Public to be Heard: none

OTHER BUSINESS – none

Public to be heard:

- David Steigerwald of N. Seward Avenue spoke regarding he is skeptical of Auburn as a tourist city and has concerns about the ability to produce the electricity needed for the proposed Micron facility.
- Pam Okussick of Chapman Avenue spoke to discuss the ambulance and had questions for the City about the public safety facility and the ambulance, police and fire departments.
- Karen Kuhl, Executive Director of Cayuga County Office of Tourism, spoke regarding the proposed hotel occupancy tax.

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 possible under attorney client privilege. The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:50 p.m. Executive session adjourned at 6:50 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:51 p.m..

Minutes submitted by: Chuck Mason, City Clerk

Consideration of Implementing a Hotel Occupancy Tax

City of Auburn, New York

What is Hotel Occupancy Tax?

A hotel occupancy tax is a tax placed on each nights' stay at a hotel, motel, or, Air B&B-style rental.

Hotel Occupancy Tax at the County Level in New York State

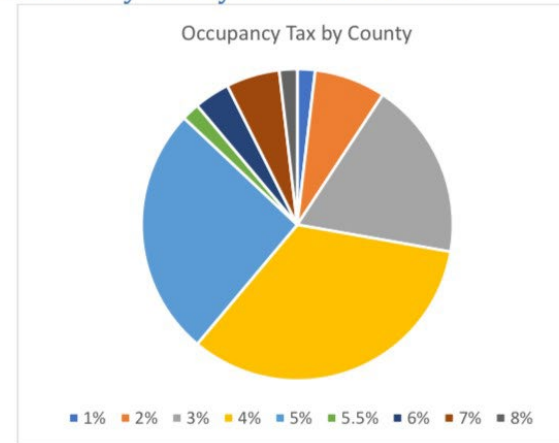


Occupancy Tax Report

Created by: Cayuga County Convention and Visitors Bureau

The following is a report relating to the occupancy tax in New York State, specifically tracking the impact that occupancy tax increases may have on Cayuga County and individual municipalities that would consider implementing additional occupancy tax.

Occupancy tax rate by county in New York State



The chart above reflects the current occupancy tax rate in 55 of the 63 counties in New York State. As the chart reflects, approximately 50% of these counties have an occupancy tax of 3% or 4%. Cayuga County's 5% occupancy tax is already a bit higher than 50% of the counties in the state. The highest occupancy tax rate is 8% in Richmond County which is in Staten Island. There's only one county in the state at that rate, and then a couple that are at 5.5%, 6% and 7%. These counties makeup about 20% of the highest occupancy taxes in the state. Another quarter is at 5%, which is where Cayuga County is currently at.

Above Data Provided by Cayuga County Office of Tourism

Cayuga County has had a hotel occupancy tax since the 1990's. This county tax has been 5% for several years and is collected by the County Treasurer. The tax revenue is used to fund the Cayuga County Convention and Visitors Bureau.

Hotel occupancy taxes are becoming more common as alternatives to property tax to allow generation of revenue for municipalities.

In 2023 Governor Hochul signed several home rule legislation request bills that allowed municipalities to implement their own hotel occupancy tax.

Hotel Occupancy Tax rates for Cities in New York State (other than NYC)

City of Beacon	5%	2023
City of Canandaigua	3%	
City of Geneva	3%	
City of Hudson	4%	
City of Ithaca	5%	
City of New Rochelle	3%	
City of Newburgh	5%	2023
City of Peekskill	3%	
City of Port Jervis	3%	
City of Poughkeepsie	5%	2023
City of Rye	3%	
City of Saratoga Springs	5%	
City of White Plains	3%	
City of Niagara Falls	5%	

Above data collected by City of Auburn City Clerk

Hotel Occupancy Tax rates for Towns in New York State

Town of Cornwall	5%	2023
Town of Dewitt	2%	2023
Town of Greenburgh	3%	
Town of Lockport	5%	
Town of Mount Pleasant	3%	
Town of Wallkill	5%	
Town of Woodbury	5%	
Town/Village of Goshen	5%	
Town/Village of Skaneateles	5%	2023

Above data collected by City of Auburn City Clerk

Hotel Occupancy Tax rates for Villages in New York State

Village of Briarcliff Manor	3%	
Village of Cold Spring	5%	
Village of Harrison	3%	
Village of Mamaroneck	3%	
Village of Mount Kisco	3%	
Village of Nyack	3%	
Village of Port Chester	3%	
Village of Ryebrook	3%	
Village of Skaneateles	5%	2023
Village of Sleepy Hollow	3%	
Village of Tuckahoe	3%	
Village of Weedsport	7%	2023

Above data collected by City of Auburn City Clerk

Total Hotel Occupancy Tax Rates for Cities/Villages close to Auburn

City of Ithaca: 5% City + 5% Tompkins County = 10%

City of Canandaigua: 3% City + 3% Ontario County = 6%

City of Geneva: 3% City + 3% Ontario County = 6%

Town/Village of Skaneateles: 5% Village + 7% Onondaga County = 12%

Village of Weedsport: 7% Village + 5% Cayuga County = 12%

Above data collected by City of Auburn City Clerk

Cayuga County 5% Hotel Occupancy Tax Revenue collected in the City Auburn

Hotel Tax Revenue (City of Auburn only)

Hotels	2022	2021	2020	2019	2018
1st qtr	\$ 54,187.72	\$ 62,863.28	\$ 42,208.09	\$ 44,948.85	\$ 47,118.41
2nd qtr	\$ 113,544.73	\$ 92,471.09	\$ 30,324.41	\$ 87,091.37	\$ 86,971.69
3rd qtr	\$ 178,576.30	\$ 144,862.13	\$ 91,101.77	\$ 139,390.20	\$ 133,141.37
4th qtr	\$ 106,197.50	\$ 88,109.65	\$ 79,046.84	\$ 79,795.96	\$ 80,235.40
Hotel total	\$ 452,506.25	\$ 388,306.15	\$ 242,681.11	\$ 351,226.38	\$ 347,466.87
Airbnb total	\$ 167,779.59	\$ 156,445.06	\$ 96,062.95	\$ 65,414.76	\$ 30,791.16
(whole County)					

*Above Data Collected by City of Auburn Comptroller,
provided by the Cayuga County Treasurer's Office*

What would a City of Auburn Hotel Occupancy Tax Generate for Revenue?

- Hotel annual estimated at \$452,000. + Airbnb estimated at \$48,000. = \$500,000. at 5%
- Every 1% of hotel occupancy tax = \$100,000 estimated in revenue

How to Implement a City of Auburn Hotel Occupancy Tax?

- Requires NYS Legislature Home Rule Request Legislation.
- Process starts with a letter from the City asking our State Representatives to start the Home Rule Process
- State Senate and State Assembly will introduce Home Rule Request Bills
- Once State Bills are introduced, City Council Resolution of Support for those bills would be voted on by the City Council.
- By the end of the State Legislative session in June 2024, the State Senate and State Assembly would need to adopt the Home Rule Request Bills
- Summer/Fall 2024, Home Rule Request Bill would need to be signed into law by the Governor
- When all of the above is completed the City of Auburn City Council would need to adopt a Local Law to Establish a Hotel Occupancy Tax
- If all of the above can happen by November 2024, the City Hotel Occupancy Tax could take effect January 1, 2025.
- City Treasurer would register local hotels in December 2024 and collect payments quarterly.
- First quarter payments from hotels would be due in April 2025.



Next Steps

Questions 