

**Auburn City Council  
Regular Meeting  
Thursday, October 15, 2015 6:00PM  
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 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

**1. Roll Call** – The City Clerk called the roll. Councilors McCormick, Camardo, Cuddy, and Ruzicka, and Mayor Quill were all present.

**The following City Staff was present:**

- City Manager, Doug Selby
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Comptroller, Laura Wills
- Director of Capital Projects and Grants, Christina Selvek
- Director of Planning and Economic Development, Jenny Haines
- Assistant Corporation Counsel, Stacey DeForest

**2. Pledge of Allegiance to the Flag** – Mayor Quill led the Pledge of Allegiance.

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

**4. Public Announcements** –

The City Clerk read the following announcements:

A. Solarize Cayuga is a part of the Solarize CNY Program, helping to make Solar Power more accessible and affordable for our community. We invite you to learn more about how Solar Power can work for you, your family or your business, by attending one of our Workshop:

Solarize Workshop – Auburn High School Saturday, October 17. 10:00 am - 12:00 pm. Auburn High School Auditorium, 250 Lake Ave, Auburn

B. Residents of Auburn are invited to attend a public meeting that will focus on future development of area surrounding the Owasco River. The City of Auburn Office of Planning and Economic Development will be holding a public meeting to discuss a new initiative to strategically plan the future for the next phase of Owasco River/Downtown revitalization. The new initiative, to be known as ‘Auburn SPARKS’ will set out to solicit community participation

in planning for the designated section of the City's center and is funded as part of the NYS Brownfield Opportunity Area Program. The introductory meeting will be held on Tuesday, October 20, 2015 from 6pm-8pm at the Hilton Garden Inn at 74 State Street in Auburn. Meeting attendees will be able to learn more about the 'Auburn SPARKS' revitalization effort including its purpose, the study area boundaries and the NYS Brownfield Opportunity Area Program. More information on the 'Auburn SPARKS' initiative can be found at [www.auburnsparks.com](http://www.auburnsparks.com) or by contacting Renee Jensen, Community Development Planner for the City of Auburn by phone at 315-255-4115 or by email at [rjensen@auburnny.gov](mailto:rjensen@auburnny.gov)

#### **5. Ceremonial Presentations and Proclamations**

The City Clerk read a proclamation from the Office of Mayor Michael D. Quill naming the month of October 2015 as Sensory Processing Disorder Awareness month in the City of Auburn. The Mayor then presented the proclamation to Kara Georgi and her son Michael. Ms. Georgi addressed the Council.

**6. Public to be Heard** – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

Kara Walter, 15 Case Avenue

Ms. Walter spoke to address a proposed location of a cell phone tower by Verizon at a location in the City's Technology Park. She spoke of concerns that she and her neighbors have with the proposal. She asked Council to change City Code so that neighboring residents of such projects would be notified with adequate notice rather than the one day notice she received by mail from the City. She urged everyone to oppose the proposal.

Kevin Lawton, 66 Standart Avenue

Mr. Lawton spoke to address a proposed location of a cell phone tower by Verizon at a location in the City's Technology Park. His mother in law resides at 17 Case Ave. He addressed many concerns that he has with the proposal. He stated that the Council should consider adopting a cell tower ordinance, something that many other municipalities have on the books.

#### **Tim Lattimore, 63 South Street, Cayuga County Legislator for District 13**

Legislator Lattimore stated that Michael Georgi was wearing a nice sweater. He stated that he was not in favor of going over the tax cap. He discussed trying to have local governments work together to achieve savings on health costs. He mentioned that a local television show he appeared on was taken off the air, he stated Mr. Rossi had the program shut down. He stated there is a fairness doctrine that political candidates should have fair and equal time on local media sources.

#### **Alyssa Lawton, 66 Standart Avenue**

Ms. Lawton spoke to address a proposed location of a cell phone tower by Verizon at a location in the City's Technology Park. Her mother resides at 17 Case Ave. She discussed that there are no laws in Cayuga County that regulate the location of cell towers. She wants the public to be aware that she will be working on establishing cell tower regulations in the Auburn and Cayuga County area.

The Mayor asked that Corporation Counsel Rossi address the matter of media on the local Auburn Regional Media Access (ARMA) being removed from being viewed on the station. Mr. Rossi stated that he had received a complaint and that he contacted the Chair of the ARMA Board of Directors, Bob Penefeather about the matter. He advised Mr. Penefeather that the ARMA Board was not for profit agency and that media political in nature being sponsored by the ARMA channel may put the board in violation of their not for profit status. He stated he made the recommendation based on the protection of ARMA as a taxpayer funded public entity and that he would have made the recommendation regardless of the political personalities involved.

Councilor McCormick asked if there would be follow up with Case Avenue residents that spoke. The Mayor reported that he had met with representatives of the Case Avenue neighborhood with Andrew Fish, Director of the Cayuga Economic Development Agency and James Dacy, Chair of the Auburn Industrial Development Authority (AIDA). He stated there is a lot of information that needs to be presented and that the AIDA representatives will be working on getting the information to the neighbors.

## **7. Approval of Meeting Minutes:**

### **A. October 8, 2015, City Council meeting minutes.**

Motion to approve by Councilor Cuddy, seconded by Councilor McCormick.

The motion to approve the minutes of October 8, 2015 carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

## **8. Reports of City Officials**

### **A. City Manager's Report**

- The annual City audit will be presented to the Council on Thursday, November 12, 2015. This is 2 weeks later than the Manager hoped to schedule the presentation, however, the auditors need more time to complete their review.
- He reported that building demolition of a building on the corner of N. Division Street and Wall Street was completed.

### **B. Reports from members of Council – None**

## **9. Matters to Come Before Council**

### **A. State Environmental Quality Review Act Resolutions (SEQR)-None**

### **B. Ordinances - None**

### **C. Local Laws – None**

### **D. Resolutions**

#### **D1. SEQR Resolution #108 of 2015 Accepting the Auburn Planning Board as Lead Agency for the SEQRA Review of an Unlisted Action at 50-60 Wallace Avenue**

By Councilor McCormick, seconded by Councilor Camardo, October 15, 2015.

WHEREAS, the City of Auburn Planning Board has received a subdivision application and an associated petition for a zoning amendment to rezone a portion of real property from I: General Industrial to R-2: Multi-family Residential at 50-60 Wallace Avenue; and

WHEREAS, the Auburn Planning Board has declared its intent to act as Lead Agency for the environmental review of this Unlisted Action and has initiated a coordinated review; and

WHEREAS, the Auburn City Council is an Involved Agency under SEQRA with respect to granting approval of the proposed zoning amendment to rezone a portion of said real property from I: General Industrial to R-2: Multi-family Residential; and

WHEREAS, as part of these proceedings, the Auburn City Council reviews the Short Environmental Assessment Form submitted by the applicant and further provides the Auburn Planning Board with any potential impacts of the proposed action for consideration under SEQRA.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Auburn, New York, that the Auburn City Council hereby has no objection to the Auburn Planning Board acting as Lead Agency under SEQRA and directs staff to provide applicable Council comments to the Auburn Planning Board for consideration in their environmental review of the proposed project. The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D2. Council Resolution #109 Changing a Meeting Time from 6:00 p.m. to 4:00 p.m. on October 22, 2015**

By Councilor McCormick, Seconded by Councilor Camardo, October 15, 2015.

WHEREAS, the Auburn City Council, by Charter, meets on Thursday of each week at 6:00 p.m. at Memorial City Hall, Auburn, New York; and

WHEREAS, the time for the regular meeting scheduled for Thursday, October 22, 2015 will be changed from 6:00 p.m. to 4:00 p.m. due to a presentation to be made by the Mayor regarding the municipal services and economic climate of the City of Auburn to a group in a neighboring community; and

WHEREAS, the subsequent meetings will return to the Thursday of each week thereafter at its usual time of 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby change the time for the Council Meeting scheduled for Thursday, October 22, 2015 at 6:00 p.m. to 4:00 p.m.; and

BE IT FURTHER RESOLVED that all subsequent meetings of the City Council shall be held on Thursday of each week at City Council Chambers at Memorial City Hall, 24 South Street, Auburn, New York unless modified by further resolution of the City Council and it is directed that the City Clerk shall notify the public of the change in the meeting date as set forth herein.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D3. Council Resolution #110 of 2015 Authorizing the Sale of Property at 64 Cottage Street**

By Councilor Camardo, seconded by Councilor Cuddy, October 15, 2015.

WHEREAS, the City of Auburn has acquired title and ownership to a house and lot situated at 64 Cottage Street, Auburn, New York; and

WHEREAS, Habitat For Humanity has contacted the City and is desirous of obtaining ownership of the property through a negotiated purchase/sale; and

WHEREAS, Habitat For Humanity has offered the sum of \$26,000 in order to obtain title for the property and make it part of its program to obtain residential premises and convey the property to families which they evaluate and screen in order to allow a long-term commitment for families to reside at the premises; and

WHEREAS, the City has contacted adjoining property owners and no one else is interested in obtaining title to the premises and said premises are surplus property no longer needed for City purposes.

NOW THEREFORE BE IT RESOLVED that the Auburn City Council does accept an offer in the amount of \$26,000 to sell property at 64 Cottage Street, Auburn, New York to Habitat For Humanity; and

BE IT FURTHER RESOLVED that the Auburn City Council declares that said property is surplus property no longer needed for City purposes and does authorize the Mayor to sign all necessary documents in order to convey the property to Habitat For Humanity.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D4. Agreement Resolution #111 of 2015 Authorizing the Mayor to Enter Into an Agreement With the U.S. Geological Survey, United States Department of the Interior**

By Councilor Ruzicka, seconded by Councilor Camardo, October 22, 2015.

WHEREAS, the City of Auburn and the U.S. Geological Survey have entered into an agreement for the operation of the stage station on Owasco Lake and the continuous discharge station on Owasco Lake Outlet; and

WHEREAS, the agreement period is from October 1, 2015 to September 30, 2016 and it is required to have a signed agreement in place prior to the commencement of the project activity; and

WHEREAS, the work performed is in the amount of \$22,880, of which \$6,860 is to be contributed by the U.S. Geological Survey and \$16,020 is to be contributed by the City of Auburn; and

WHEREAS, the expenditures are necessary to cover all of the costs of the necessary field and analytical work to collect the data, namely the maps, records and reports resulting from the program which is necessary in connection with the management of Owasco Lake levels.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to enter into an agreement for a period of time commencing October 1, 2015 to September 30, 2016 with the

U.S. Geological Survey, U.S. Department of the Interior for a Joint Funding Agreement for water resources investigation for Owasco Lake whereby the total expenditure is in the amount of \$22,880 of which \$6,860 is contributed by the U.S. Geological Survey and \$16,020 is to be contributed by the City of Auburn and the Comptroller is authorized to contribute the City of Auburn's share as designated.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D5. Financial Resolution #112 of 2015 Authorization to Make a Lump Sum Payment on Amortized Pension Costs**

By Councilor Cuddy, seconded by Councilor McCormick, October 15, 2015.

WHEREAS, the City amortized pension costs for the fiscal years ended June 30, 2014 and 2015 for the police and fire retirement systems, and

WHEREAS, the City's unaudited results show that the general fund has a surplus for the fiscal year ended June 30, 2015, and

WHEREAS, the City, in an effort to reduce debt and interest costs desires to make a lump sum repayment in the amount of \$750,000 against the 2014 and 2015 amortization amounts which will result in a lifetime savings of interest of approximately \$130,000 and reduce annual payments by approximately \$100,000.

NOW THEREFORE BE IT RESOLVED, the Auburn City Council does hereby authorize an increase to the police (A3120.802) and fire (A3410.803) retirement expenditures for fiscal 2015 in the amount of \$375,000 each for a total of \$750,000 to make a lump sum repayment of the 2014 amortization with the balance reducing the principal on the 2015 amortization.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D6. Council Resolution #113 of 2015 Adoption of the FY 2015-2019 Capital Improvement Program (CIP)**

By Councilor Cuddy, seconded by Councilor McCormick, October 15, 2015

WHEREAS, the City of Auburn, New York is authorized and empowered under the New York General Municipal Law- Article 5- §99-G to "undertake the planning and execution of a capital program"; and

WHEREAS, the Auburn City Council desires to implement a Capital Improvement Program (CIP) to provide for the maintenance and improvement of public infrastructure in support of the City's vision and goals outlined in the City Comprehensive Plan and other adopted planning documents; and

WHEREAS, the Auburn City Council finds that it is in the best interest of the City to adopt and approve the Capital Improvement Program for Fiscal Years 2015 through 2019 to ensure that the City achieves its desired outcomes for a prosperous and sustainable community.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK:

1. That the City hereby adopts and enacts the FY 2015 through 2019 Capital Improvement Program; and

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

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**D7. Council Resolution #114 of 2015 Authorizing the Preparation and Release of a Request for Proposals for 1-7 State Street**

By Councilor McCormick, seconded by Councilor Cuddy, October 15, 2015

WHEREAS, the City of Auburn is the owner of land at 1-7 State Street in Downtown Auburn; and

WHEREAS, Council Resolution #179 of 2009 authorized the sale of 1-7 State Street to the County of Cayuga to provide a performing arts center for use by Cayuga Community College with financial support of the State University of New York; and

WHEREAS, in June of 2014 the project of intended use of the property as stated in Council Resolution #179 of 2015 was terminated by the parties involved; and

WHEREAS, in July of 2015 the Cayuga County Legislature voted to return ownership of the 1-7 State Street property to the City of Auburn; and

WHEREAS, upon obtaining the deed to the property the City of Auburn solicited comments from the public asking interested individuals to send their thoughts about the future use of 1-7 State Street to the City. The public comment period included a public meeting that was held on September 23, 2015 at the Auburn Public Theater and written comments were received by the City through September 30, 2015; and

WHEREAS, upon conclusion of the public comment period and taking into consideration all comments received about the property's potential future use the City Council desires to direct the City Manager to prepare and release a request for proposals for future development of 1-7 State Street in downtown Auburn and it is desired that the request for proposals process be concluded by the end of the year 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK AS FOLLOWS:

1) That the Auburn City Council does hereby authorize the City Manager to prepare and release a Request for Proposal for future development of property at 1-7 State Street; and

2) That the request for Proposals shall be issued by November 15, 2015 with a return date to the City of December 31, 2015; and

3) That this resolution shall take effect immediately upon its adoption.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

**E. Tabled Legislation – None**

**F. Staff/Vendor Presentations**

## 10. Other Business

A. Councilor Camardo talked about issues pertaining to the location of a cell phone tower in the City's Technology Park. He stated that he had attended the most recent Planning Board meeting and spoke. He thinks that any project the City undertakes that there be community support. He believes the neighbors in the Case Avenue area need to have their concerns listened to. He asked the City Manager to look into the fact that the Planning Board is supposed to notify the City Council in the event of such actions that they will be taken and he asked that the manager look into checking to see if the Council was notified on this matter. He also asked the Manager to report on whether alternate sites in the area of the landfill or the City Wastewater Treatment Facility be looked into. Councilor Ruzicka about issues pertaining to the location of a cell phone tower in the City's Technology park. He also wanted to know about alternate locations that may have been looked into. He stated that he did not receive a specific letter notifying him of the Planning Board consideration of the project. The entire Council then proceeded to discuss the cell tower issue. Mayor Quill stated he would request the Manager to invite AIDA and CEDA officials to attend a future Council meeting to discuss the project.

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

1. Discussion on one matter pertaining to the sale or lease of City-owned property. (NYS "The Open Meeting Law", Article 7, Section 105-H)

The motion to enter executive session carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka, and Mayor Quill all voting aye. The Council entered Executive Session at 7:11 p.m. Executive session adjourned at 7:43p.m.

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:44 p.m.

Minutes submitted to the City Council on October 16, 2015 by:

Charles Mason  
City Clerk

On October 22, 2015 a motion to approve the minutes of the October 15, 2015 Auburn, NY City Council meeting was made by Councilor Camardo, seconded by Councilor McCormick.



Auburn City Council Minutes October 15, 2015

|                     | Ayes | Noes |
|---------------------|------|------|
| Councilor McCormick | x    |      |
| Councilor Camardo   | x    |      |
| Councilor Cuddy     | x    |      |
| Councilor Ruzicka   | x    |      |
| Mayor Quill         | x    |      |
| Carried and Adopted | x    |      |

*I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 15th day of October, 2015 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: October 23, 2015*