

**Auburn City Council  
Regular Meeting  
Thursday, March 17, 2016 6:00 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 6:00PM in the City Council Chambers 24 South St. Auburn NY by Councilor Cuddy.

**1. Roll Call** – The City Clerk called the roll. Councilors Giannettino, Cuddy, and Carabajal were all present. Councilor McCormick and Mayor Quill were excused.

**The following City Staff was present:**

- City Manager, Doug Selby
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Director of Planning and Economic Development, Jennifer Haines
- Director of Municipal Utilities, Vicky Murphy

**2. Pledge of Allegiance to the Flag** – Councilor Cuddy led the Pledge of Allegiance.

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

**4. Public Announcements** –

The City Clerk read the following announcements:

A. Please **SHARE** this important announcement:

Attention City of Auburn residents, the week of March 21st trash pick-up will be 1 day earlier than your normal pick-up day due to the Good Friday/Easter holiday.

If your normal pick-up day is:

- Tuesday = you'll be picked up Monday
- Wednesday = you'll be picked up Tuesday
- Thursday = you'll be picked up Wednesday
- Friday = you'll be picked up Thursday
- There will be no pick-up on Friday because City government is closed in observance of the Good Friday/Easter Holiday.

Please share this news with your friends and neighbors. For more information visit [www.AuburnNY.gov/Streamline](http://www.AuburnNY.gov/Streamline)

**B. Public Announcement from the Office of the Assessor**

The 2016 Tentative Assessment Role for the City of Auburn has been published. The role is available on the City website [www.AuburnNY.gov](http://www.AuburnNY.gov) and may be viewed at the Assessor's Office at Memorial City Hall, 24 South Street, Auburn. Memorial City Hall will be open additional hours for public viewing of the Tentative Assessment Roll on the following dates:

After Hours Public Viewing Dates & Times:

- Thursday, March 24, 2016 from 6pm – 8pm
- Saturday, March 26, 2016 from 8am - Noon

Also, The Board of Assessment Review has announced it will meet on the following Dates & Times:

- Wednesday, March 30, 2016 6pm – 8pm
- Thursday, March 31, 2016 1pm – 5pm
- Friday, April 1, 2016 9am – 1pm
- Saturday, April 2, 2016 9am – Noon

C. The next meeting of the Auburn Local Development Agency will be held on Tuesday, March 22nd at 9:00 a.m. The meeting will be held at the Chamber of Commerce building, 2 State, Street in downtown Auburn.

D. Due to the construction activities for the City of Auburn Water Filtration Plant & Lower Pumping Station Improvements Project, the roadway portion of Osborne Street and Pulsifer Drive between Silver Avenue and Crescent Avenue will be closed starting Monday, March 28, 2016 until about July 11, 2016. Also, the portion of Swift St. between Throop Avenue and the Osborne St./Pulsifer Drive intersection will be restricted to Local Traffic Only during this time period. For more information please contact: William Lupien, Superintendent of Engineering for the City of Auburn at [wlupien@auburnny.gov](mailto:wlupien@auburnny.gov) or by phone: 315-255-4129.

**5. Ceremonial Presentations and Proclamations**

The Clerk read a Proclamation from the Office of Mayor Michael D. Quill naming March 17, 2016 as St. Patrick's Day in the City of Auburn.

**6. Public to be Heard** – Councilor Cuddy opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules. The following members of the public spoke:

William Jacobs, Cottage Street

Mr. Jacobs is a former member of the City Council, he spoke regarding the stop light at the corner of State Street and Cottage Street. He suggested the light be turned to a 4 way stop because the two way stop that it is currently set at creates difficulty for drivers. He also discussed the City requiring brown paper bags for leaf pick-up and stated he has observed such bags ripping when they are soaked in the rain, he suggests that City crews have rakes and shovels on the trucks so that they can clean the City streets if the bags break when being picked up. He also wished City Manager Selby a happy retirement and thanked him for his service to the City.

Laurel Auchampaugh, Martin Road, Town of Owasco

Ms. Auchampaugh spoke regarding the Auburn Schine Theater and she encouraged the City to take a look at conditions of the building.

**7. Approval of Meeting Minutes:**

**A. March 10, 2016, City Council meeting minutes.**

Motion to approve by Councilor Giannettino, seconded by Councilor Carabajal.

The motion to approve the minutes of March 10, 2016 carried 3-0. Councilors Giannettino, Cuddy, and Carabajal all voting aye.

**8. Reports of City Officials**

**A. City Manager's Report**

- He discussed an update on the New York State budget process which was received earlier in the week from the New York Conference of Mayors (NYCOM). The report provided a breakdown of the three different budget proposals in Albany: the Governor's, the Assembly's and the Senate's. The deadline for the State to adopt a final State budget is April 1, 2016.

**B. Reports from members of Council**

- Councilor Giannettino reported that he attended the fundraising event that was held in downtown Auburn on March 12, 2016. He stated that Mr. Wenzel was appreciative of the mayoral proclamation. On Tuesday, March 15<sup>th</sup> he attended the Auburn SPARKS meeting. On Wednesday, March 16<sup>th</sup> he attended the Wednesday morning roundtable event that featured a presentation on the Harriet Tubman National Historical Park from Michael Caldwell, Northeast Regional Director of the National Park Service the most recent Heroin Epidemic Action League (HEAL) meeting. He also reported on the most recent Historic Sites Commission meeting that he attended.
- Councilor Carabajal reported on an event she attended on Friday, March 12, 2016 at the Plastics Technology Lab at Cayuga Community College with the Lt. Governor of New York State.

**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. FINANCIAL RESOLUTION #42 OF 2016**

**AMENDING THE CITY OF AUBURN FEE SCHEDULE**

By Councilor Giannettino

March 17, 2016

**WHEREAS**, the City of Auburn annually adopts a Fee Schedule at the same time that the main budget for the upcoming fiscal year is adopted; and

**WHEREAS**, the City has been approving an increasing number of special events that are being held on City streets and rights-of-way which require the closure of these public spaces to normal traffic and parking, and, in addition, the City Manager has instituted a permitting system in order to provide a consistent and uniform process for reviewing and approving the permit applications; and

**WHEREAS**, the permitting process involves staff time in the City Manager's Office, Department of Public Works, Auburn Fire Department and Auburn Police Department reviewing the applications and working with the applicants on the logistics of the events and specifying special conditions that assure that events are conducted in a safe and orderly manner and are in compliance with State Liquor Laws, City Codes and other various other State laws; and

**WHEREAS**, these events have a positive impact in helping revitalize downtown and are enjoyed by both residents and visitors but consume staff resources, affect parking revenues and restrict access to public rights-of-way; and

**WHEREAS**, these event applications and other fees need to be revised and updated in order to attempt to offset the cost of staff time to process and approve permits and cover staff costs associated with street closure and cleanup activities; and

**WHEREAS**, attached hereto and made a part hereof are a list of revised fees to amend and add to the City of Auburn Fee Schedule and it is necessary that the Auburn City Council approve the same.

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby approve the amendment and approval of increased fees attached hereto to be added to the City of Auburn Fee Schedule.

Seconded by Councilor Cuddy

Councilor Giannettino made a motion to table Financial Resolution #42 of 2016

	Ayes	Noes	Absent
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Carabajal	X		
Mayor Quill			X
Tabled	X		

*I do hereby certify that the foregoing is a correct copy of the vote to table for Council Resolution #42 of 2016 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 17<sup>th</sup> day of March, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: March 18<sup>th</sup>*

**D2. COUNCIL RESOLUTION #43 OF 2016**

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDING, AUBURN ASSOCIATES, LLC v. CITY OF AUBURN ET AL., CONCERNING THE REAL PROPERTY LOCATED AT 191 GRANT AVENUE**

By Councilor Giannettino

March 17, 2016

**WHEREAS**, on June 23, 2014, and June 15, 2015, Auburn Associates, LLC (“Auburn Associates”) commenced proceedings challenging the real property tax assessments on the property it owns located at 191 Grant Avenue, Auburn, New York (the “Property”); and

**WHEREAS**, the Property is currently assessed for \$228,500, and Auburn Associates has claimed a reduction of this assessment to \$75,000; and

**WHEREAS**, a review of the income method of valuation of the Property shows an estimated current fair market value of the Property to be \$100,000, and a review of the sales comparison method of valuation shows an estimated fair market value of the Property to be \$150,000; and

**WHEREAS**, New York Real Property Tax Law, Section 302(1), requires that all property be valued according to its existing condition, not its potential use; and

**WHEREAS**, the attorneys at Bond, Schoneck & King, PLLC (“BSK”) have appeared and intervened on behalf of the City of Auburn and Cayuga County in these proceedings; and

**WHEREAS**, the attorneys at BSK have reviewed and analyzed the Property valuation with the City of Auburn and Cayuga County; and

**WHEREAS**, the Parties to these proceedings have agreed that a reduction of the Property’s assessment to a value of \$125,000 would be in the best interests of all parties and would avoid further litigation expense; and

**WHEREAS**, the Cayuga County Legislature must also approve the settlement as proposed;

**NOW THEREFORE BE IT RESOLVED** that the Auburn City Council does hereby authorize the attorneys at Bond, Schoneck, & King, PLLC, to accept a settlement agreement with Auburn Associates, LLC, wherein (1) the tax assessment for the real property located at 191 Grant Avenue, Auburn, New York, shall be reduced to \$125,000; and (2) refunds shall be paid to Auburn Associates, LLC, for the 2014/2015, and 2015/2016 tax years from the Judgments and Settlement Account No. A1930.453 in an amount not to exceed \$3,000.

Seconded by Councilor Carabajal

	Ayes	Noes	Absent
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Carabajal	X		
Mayor Quill			X
Carried and Adopted	X		

*I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #43 of 2016 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 17<sup>th</sup> day of March, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: March 18<sup>th</sup>*

**D3. COUNCIL RESOLUTION #44 of 2016  
CHANGING COUNCIL MEETING DATES DUE TO THE EASTER HOLIDAY**

By Councilor Giannettino

March 17, 2016

**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 Council’s Rules and Procedures state that the Council shall meet the first four Thursdays of each month and during months containing a fifth Thursday, the Council shall pass a resolution to determine if a fifth meeting of the month will be held or not held.; and

**WHEREAS**, the regular City Council meeting scheduled for Thursday, March 24, 2016 is Holy Thursday and the City will be closed for business the following day due to the Good Friday holiday; and

**WHEREAS**, due to the Easter holidays the Council is desirous of cancelling the regularly scheduled Work Session meeting of Thursday, March 24, 2016 and re-schedule the meeting to the fifth Thursday of the month which is Thursday, March 31, 2016, said meeting to commence at 6:00 p.m.; and

**WHEREAS**, the subsequent meetings will return to the first four Thursdays of each month thereafter at the usual start time of 6:00 p.m.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby reschedule the Council meeting scheduled for Thursday, March 24, 2016 at 6:00 p.m. to Thursday, March 31, 2016 at 6:00 p.m.; and

**BE IT FURTHER RESOLVED** that all subsequent meetings of the City Council shall be held on the first four Thursdays of each month 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 dates as set forth herein.

Seconded by Councilor Carabajal

	Ayes	Noes	Absent
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Carabajal	X		
Mayor Quill			X
Carried and Adopted	X		

*I do hereby certify that the foregoing is a correct copy of the vote for Council Resolution #44 of 2016 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 17<sup>th</sup> day of March, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk Date: March 18<sup>th</sup>*

**E. Tabled Legislation – None**

**F. Staff/Vendor Presentations - None**

**10. Other Business**

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:40 p.m.

Auburn City Council Minutes March 17, 2016

Minutes submitted to the City Council on March 18, 2016 by:

Charles Mason  
City Clerk

On April 7, 2016 a motion to approve the minutes of the March 17, 2016 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Carabajal.

	Ayes	Noes
Councilor McCormick	Abstain	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	Abstain	
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 17<sup>th</sup> day of March, 2016 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: April 8, 2016*