

**Auburn City Council
Regular Meeting
Thursday, August 16, 2018 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 5:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

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

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- City Comptroller, Shawn Butler
- Police Chief, Shawn Butler
- Superintendent of Engineering, William Lupien
- Fire Chief, Joe Morabito

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

5. Ceremonial Presentations and Proclamations –

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.

David Taralla, owner of Bee Line Auto on Seminary Avenue. Discussed the new parking striping that has been placed on Seminary Avenue and that it will have a negative impact on his business.

Anna Taralla. Discussed the new parking striping that has been placed on Seminary Avenue and that it will have a negative impact on her son's Bee Line Auto business.

7. Approval of Meeting Minutes –

August 2, 2018 Council Meeting Minutes

Motion to approve the August 2, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 4-0. Mayor Quill voted present.

8. Reports of City Officials

A. City Manager's Report

- The final layer of pavement on Genesee St and South St in downtown is tentatively scheduled to be installed from Monday, August 27 through Wednesday, August 29. The work is dependent on favorable weather and will occur in the evenings to reduce impact on local businesses.
- The North Division St Bridge removal is about 75% complete and should wrap up very soon. The contractor was forced to move out of the river as flows needed to increase this week due to the rain.

B. Reports from members of Council –

Councilor Cuddy discussed a meeting that he attended earlier in the week on Monday, August 13, 2018 regarding Cayuga County's 9 Element Plan for the Owasco lake Watershed.

9. Matters to Come Before Council

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

B. Ordinances - None

C. Local Laws – None

D. Resolutions

**COUNCIL RESOLUTION #122 OF 2018
AUTHORIZING A PUBLIC HEARING FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2016-2017, 2017-2018 AND 2018-2019 ANNUAL ACTION PLAN AMENDMENTS**

By Councilor Carabajal

August 16, 2018

BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize that a Public Hearing be held before the City Council of the City of Auburn, New York, on the 23rd day of August 2018 at 5:00pm at City Council Chambers, 1st floor, Memorial City Hall, Auburn, New York concerning the proposed 2016-2017, 2017-2018, and 2018-2019 Community Development Block Grant Action Plan Amendments.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing State and local requirements.

Seconded by Councilor Giannettino

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

AGREEMENT RESOLUTION #123 OF 2018

**AUTHORIZING A LEASE AGREEMENT WITH
THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR USE OF
THE NEW YORK STATE EQUAL RIGHTS HERITAGE CENTER**

By Councilor Carabajal

August 16, 2018

WHEREAS, the New York State Equal Rights Heritage Center (the “ERHC”) is currently under construction at 25 South Street in downtown Auburn and will be owned and operated by the City of Auburn after opening in October of 2018; and

WHEREAS, the City of Auburn and the Downtown Business Improvement District (the “BID”) have negotiated the terms and conditions of a proposed lease agreement, which is attached hereto, whereby the BID will lease space at the ERHC; and

WHEREAS, pursuant to the proposed lease agreement, the BID will lease space at the ERHC for a term of five (5) years, commencing on January 1, 2019, and ending on December 31, 2023, with the option to renew for an additional five year term thereafter; and

WHEREAS, pursuant to the proposed lease agreement, the City shall receive rent in the amount of \$12,000 annually for the first two years, and \$13,000 annually for the last three years of the initial term of the lease; and

WHEREAS, the Board of Directors for the BID reviewed, voted and approved the proposed lease agreement on July 24, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve a Lease Agreement with the Downtown Business Improvement District, whereby the City will lease space at the New York State Equal Rights Heritage Center to the BID for a term of five (5) years in exchange for rent in the amount of \$12,000 annually for the first two years of the term, and \$13,000 annually for the last three years of the term, together with all of the terms and conditions set forth in the Lease Agreement, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the Lease Agreement with the Downtown Business Improvement District, and any and all documents necessary to carry out this Resolution.

Seconded by Councilor McCormick

| | Ayes | Noes | Abstain |
|-----------------------|------|------|---------|
| Councilor McCormick | | | X |
| Councilor Giannettino | X | | |
| Councilor Cuddy | X | | |
| Councilor Carabajal | X | | |
| Mayor Quill | | | X |
| Carried and Adopted | X | | |

AGREEMENT RESOLUTION #124 OF 2018

**AUTHORIZING A LEASE AGREEMENT WITH
THE CAYUGA COUNTY CONVENTION AND VISITORS BUREAU INC. FOR USE OF
THE NEW YORK STATE EQUAL RIGHTS HERITAGE CENTER**

By Councilor Giannettino

August 16, 2018

WHEREAS, the New York State Equal Rights Heritage Center (the “ERHC”) is currently under construction at 25 South Street in downtown Auburn and will be owned and operated by the City of Auburn after opening in October of 2018; and

WHEREAS, the City of Auburn and the Cayuga County Convention and Visitors Bureau, Inc. (the “Tourism Office”) have negotiated the terms and conditions of a proposed lease agreement, which is attached hereto, whereby the Tourism Office will lease space at the ERHC; and

WHEREAS, pursuant to the proposed lease agreement, the Tourism Office will lease space at the ERHC for a term of five (5) years, commencing on January 1, 2019, and ending on December 31, 2023, with the option to renew for an additional five year term thereafter; and

WHEREAS, pursuant to the proposed lease agreement, the City shall receive rent in the amount of \$12,000 annually for the first two years, and \$13,000 annually for the last three years of the initial term of the lease; and

WHEREAS, the Board of Directors for the Tourism Office reviewed, voted and approved the proposed lease agreement on August 7, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve a Lease Agreement with the Cayuga County Convention and Visitors Bureau, Inc., whereby the City will lease space at the New York State Equal Rights Heritage Center to the Tourism Office for a term of five (5) years in exchange for rent in the amount of \$12,000 annually for the first two years of the term, and \$13,000 annually for the last three years of the term, together with all of the terms and conditions set forth in the Lease Agreement, which is attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the Lease Agreement with the Cayuga County Convention and Visitors Bureau, Inc., and any and all documents necessary to carry out this Resolution.

Seconded by Councilor Cuddy

| | Ayes | Noes | Abstain |
|-----------------------|------|------|---------|
| Councilor McCormick | X | | |
| Councilor Giannettino | X | | |
| Councilor Cuddy | X | | |
| Councilor Carabajal | X | | |
| Mayor Quill | X | | |
| Carried and Adopted | X | | |

**COUNCIL RESOLUTION #125 OF 2018
SUPPORTING THE REDEVELOPMENT OF THE MELONE VILLAGE
APARTMENT COMPLEX**

By Councilor McCormick

August 16, 2018

WHEREAS, the Auburn Housing Authority was created by the City of Auburn in 1948 to promote adequate, affordable housing, economic opportunity and a suitable living environment free from discrimination; and

WHEREAS, the Auburn Housing Authority owns and manages the 118-unit Melone Village public housing complex, which has served low and moderate income households in the City of Auburn since it was constructed in 1955; and

WHEREAS, Melone Village has received few meaningful improvements since it was built and is in substantial need of substantial rehabilitation if it is going to continue to provide low and moderate income households in the City of Auburn with safe, adequate, and affordable housing; and

WHEREAS, Melone Village plays a central role in meeting the demand for affordable housing in the City of Auburn and the community desires that Melone Village be rehabilitated in lieu of developing affordable replacement housing; and

WHEREAS, rehabilitation will improve safety, enhance the neighborhood, and improve the overall quality of life for the residents of Melone Village while ensuring a stable stock of affordable housing in the City of Auburn; and

WHEREAS, the City Council, by separate resolution, has authorized 40-year PILOT Agreements to ensure that Melone Village is economically viable and to promote affordable housing in the City of Auburn.

NOW, THEREFORE, BE IT RESOLVED that the City Council supports the efforts of the Auburn Housing Authority and AHA Development Corporation to secure State assistance in furtherance of the Melone Village redevelopment effort; and

BE IT FURTHER RESOLVED that the redevelopment of Melone Village is consistent with and fulfills objectives set forth in the City of Auburn’s Community Development Block Grant Second Annual Action Plan, The 10-Year Plan to End Homelessness, and the Comprehensive Plan.

Seconded by Councilor Carabajal

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

AGREEMENT RESOLUTION #126 OF 2018

AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE CITY OF AUBURN, MELONE VILLAGE II HOUSING DEVELOPMENT FUND COMPANY, INC. AND MELONE VILLAGE II LIMITED PARTNERSHIP

By Councilor Carabajal

Date: August 16, 2018

WHEREAS, the Council of the City of Auburn (the “City”), by Agreement Resolution #34 of 2017, resolved to exempt certain real property (the “Property”) currently owned by the Auburn Housing Authority (“Housing Authority”) and improved by an affordable housing complex commonly known as Melone Village (the “Project”) from real property taxes to the extent authorized by Section 577 of the Private Housing Finance Law of the State of New York (“PHFL”) upon the conveyance of such Property by the Housing Authority to a to-be-formed New York not-for-profit corporation created as a housing development fund company under Article XI of the PHFL (“HFDC”), as to record ownership, and a to-be-formed New York limited partnership (“Partnership”), as to beneficial ownership, for the purpose of rehabilitating the Project; and

WHEREAS, the City Council further resolved, by Agreement Resolution #34 of 2017, that the Mayor of the City is authorized to enter into a PILOT Agreement with respect to the Property providing for annual payments in lieu of taxes to be paid to the City as set forth in the PILOT Agreement presented to the Council for approval; and

WHEREAS, following the adoption of Agreement Resolution #34 of 2017, the Housing Authority determined that it was necessary to rehabilitate the Project in three phases and, therefore, is requesting that the City enter into two separate PILOT Agreements with respect to the Property: one for Melone Village II located at 20 Thornton Avenue (Section 122.35, Block 1, part of Lot 2), and one for Melone Village III located at Garrow Street (Section 122.35, Block 1, part of Lot 2); and

WHEREAS, Melone Village II shall constitute a “housing project” as defined in the PHFL; and

WHEREAS, fee title to Melone Village II shall be transferred to an HFDC that is a “housing development fund company” as the term is defined in Section 572 of the PHFL, and Section 577 of the PHFL authorizes the City Council to exempt Melone Village II from real property taxes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn hereby confirms that the Project, as divided into Melone Village II and Melone Village III, shall be exempt from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement for Melone Village II in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Auburn is hereby authorized, on behalf of the City of Auburn, to execute and deliver the foregoing PILOT Agreement at such time as the HDFC and the Partnership, which shall hold nominal and beneficial title, respectively, to the real property which is the subject of such agreement, are formed; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Councilor McCormick

| | Ayes | Noes | Abstain |
|-----------------------|------|------|---------|
| Councilor McCormick | X | | |
| Councilor Giannettino | X | | |
| Councilor Cuddy | X | | |
| Councilor Carabajal | X | | |
| Mayor Quill | X | | |
| Carried and Adopted | X | | |

AGREEMENT RESOLUTION #127 of 2018

AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE CITY OF AUBURN, MELONE VILLAGE III HOUSING DEVELOPMENT FUND COMPANY, INC. AND MELONE VILLAGE III LIMITED PARTNERSHIP

By Councilor Giannettino

Date: August 16, 2018

WHEREAS, the Council of the City of Auburn (the “City”), by Agreement Resolution #34 of 2017, resolved to exempt certain real property (the “Property”) currently owned by the Auburn Housing Authority (“Housing Authority”) and improved by an affordable housing complex commonly known as Melone Village (the “Project”) from real property taxes to the extent authorized by Section 577 of the Private Housing Finance Law of the State of New York (“PHFL”) upon the conveyance of such Property by the Housing Authority to a to-be-formed New York not-for-profit corporation created as a housing development fund company under Article XI of the PHFL (“HFDC”), as to record ownership, and a to-be-formed New York limited partnership (“Partnership”), as to beneficial ownership, for the purpose of rehabilitating the Project; and

WHEREAS, the City Council further resolved, by Agreement Resolution #34 of 2017, that the Mayor of the City is authorized to enter into a PILOT Agreement with respect to the Property providing for annual payments in lieu of taxes to be paid to the City as set forth in the PILOT Agreement presented to the Council for approval; and

WHEREAS, following the adoption of Agreement Resolution #34 of 2017, the Housing Authority determined that it was necessary to rehabilitate the Project in three phases and, therefore, is requesting that the City enter into two separate PILOT Agreements with respect to the Property: one for Melone Village II located at 20 Thornton Avenue (Section 122.35, Block 1, part of Lot 2), and one for Melone Village III located at Garrow Street (Section 122.35, Block 1, part of Lot 2); and

WHEREAS, Melone Village III shall constitute a “housing project” as defined in the PHFL; and

WHEREAS, fee title to Melone Village III shall be transferred to an HFDC that is a “housing development fund company” as the term is defined in Section 572 of the PHFL, and Section 577 of the PHFL authorizes the City Council to exempt Melone Village III from real property taxes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn hereby confirms that the Project, as divided into Melone Village II and Melone Village III, shall be exempt from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement for Melone Village III in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Auburn is hereby authorized, on behalf of the City of Auburn, to execute and deliver the foregoing PILOT Agreement at such time as the HDFC and the Partnership, which shall hold nominal and beneficial title, respectively, to the real property which is the subject of such agreement, are formed; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Councilor Carabajal

| | Ayes | Noes | Abstain |
|-----------------------|------|------|---------|
| Councilor McCormick | X | | |
| Councilor Giannettino | X | | |
| Councilor Cuddy | X | | |
| Councilor Carabajal | X | | |
| Mayor Quill | X | | |
| Carried and Adopted | X | | |

**LAND SALE RESOLUTION #128 OF 2018
AUTHORIZING THE SALE OF PROPERTY AT HENRY DRIVE REAR**

By Councilor McCormick

August 16, 2018

WHEREAS, the City of Auburn had previously acquired title to real property commonly known as 10 Henry Drive Rear (the “Property”); and

WHEREAS, the Property is a triangular, land-locked parcel known and designated on the Cayuga County Tax Map as No. 122.44-1-72, which cannot be accessed by the City and is a liability for the City to maintain; and

WHEREAS, pursuant to the City’s Land Sale Policy, the City notified the twelve (12) property owners who own parcels adjacent to the Property of the City’s desire to sell 10 Henry Drive Rear; and

WHEREAS, James and Maryanne Blair, the owners of 4 Henry Drive, and Robert Spinelli, the owner of 30 Westwood Drive, were the only residents who responded as interested in purchasing 10 Henry Drive Rear; and

WHEREAS, Mr. & Mrs. Blair and Mr. Spinelli agreed to have the Property surveyed and divided between them and so that they could each purchase a portion of the same; and

WHEREAS, the purchasers have agreed to pay all closing costs, including survey costs, together with the sum of One Hundred Dollars (\$100.00) for each respective portion of the triangular parcel; and

WHEREAS, it is necessary that the Auburn City Council approve the transfer since the surplus parcel of land at 10 Henry Drive Read is no longer needed for City purposes.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn does hereby approve the transfer of a parcel of land commonly known as 10 Henry Drive Rear to James and Maryanne Blair and Robert Spinelli for the sum of \$200.00 together with all closing costs to be paid by the purchasers; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents in order to finalize the closing of this real estate transaction.
Seconded by Councilor Giannettino

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

E. Staff/Vendor Presentations –

F. Tabled Items – None

10. Other Business

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 5:57 p.m.

Minutes submitted to the City Council on September 6, 2018 by:

Charles Mason
City Clerk

On September 6, 2018 a motion to approve the minutes of the August 16, 2018 Auburn, NY City Council meeting was made by Councilor Giannettino, seconded by Councilor Carabajal.

| | Ayes | Noes |
|-----------------------|------|------|
| 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 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 16th day of August, 2018 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: September 7, 2018