

**Auburn City Council  
Regular Meeting  
Thursday, December 20, 2018 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 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
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Charles Mason
- Comptroller, Rachel Jacobs
- Police Chief, Shawn Butler
- Director of Public Works, Mike Talbot

**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 announcements.

**5. Ceremonial Presentations and Proclamations** – None

**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. No members of the public spoke.

**7. Approval of Meeting Minutes** - none

**8. Reports of City Officials**

**A. City Manager's Report**

- The water line improvement project along North St. and down York St is substantially complete. The new water main is in place and has been tested and certified. Work to replace the sidewalk will resume as weather permits.
- The City is accepting bids to reroof the clubhouses at Falcon Park. The bid information is available on the city webpage starting today and bids are due by Jan. 4, 2019.
- The demolition of Chet's Cleaners on the corner of State Street and Pulaski Street is underway.
- Congratulations to Auburn Police Chief Shawn Butler on his successful completion of eleven weeks of Leadership Training at the National FBI Academy. Welcome back Chief.

**B. Reports from members of Council**

- Councilor Carabajal discussed the Auburn Downtown Revitalization Initiative Local Planning Committee meeting and Public Workshop that was held on Tuesday, December 18, 2018 at the Auburn Holiday Inn. She stated there was great participation from the public and encouraged everyone to plan to attend the next Public Workshop that will be held on January 8, 2019 at the Booker T. Washington Center, 23 Chapman Avenue.

**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 #156 OF 2018**

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDING, XYLEM, INC. v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL., CONCERNING A PARCEL OF REAL PROPERTY LOCATED ALONG GOULDS DRIVE**

By Councilor Cuddy

December 20, 2018

**WHEREAS**, in 2017 and 2018 Petitioner Xylem, Inc. (“Xylem”) commenced proceedings challenging the assessment on property it owns located at 1 Goulds Drive in the City of Auburn (the “Property”); and

**WHEREAS**, Assistant Corporation Counsel Nathan J. Garland Esq., appeared in the foregoing proceedings on behalf of the City of Auburn, and Rebecca Speno, Esq. appeared and intervened in these proceedings on behalf of Cayuga County; and, attorney Katherine E. Gavett, Esq., appeared and intervened in these proceedings on behalf of the Auburn Enlarged City School District; and

**WHEREAS**, after extensive settlement negotiations, the Parties and their attorneys propose that the Stipulation of Settlement and Judicial Order, attached hereto and incorporated herein, would be in the best interests of all parties and would avoid further litigation expense; and

**WHEREAS**, the Auburn City School District Board of Education has already approved, or will contemporaneously approve, the proposed settlement as outlined in the attached; 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 Assistant Corporation Counsel Nathan J. Garland to execute the attached Stipulation of Settlement and Judicial Order, wherein the tax assessment of the property located at 1 Goulds Drive owned by the Petitioner shall be adjusted as set forth therein.

Seconded by Councilor McCormick

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

**COUNCIL RESOLUTION #157 OF 2018**

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDING, NELSON ASSOCIATES, INC. v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL., CONCERNING A PARCEL OF REAL PROPERTY LOCATED AT 188 GRANT AVENUE**

By Councilor Giannettino

December 20, 2018

**WHEREAS**, in 2017 and 2018 Petitioner Nelson Associates, Inc. (“Nelson Associates”) commenced proceedings challenging the assessment on real property it owns located at 188 Grant Avenue in the City of Auburn (the “Property”); and

**WHEREAS**, Assistant Corporation Counsel Nathan J. Garland Esq., appeared in the foregoing proceeding on behalf of the City of Auburn; Rebecca Speno, Esq. appeared and intervened in these proceedings on behalf of Cayuga County; and, attorney Katherine E. Gavett, Esq., appeared and intervened in these proceedings on behalf of the Auburn Enlarged City School District; and

**WHEREAS**, after extensive settlement negotiations, the Parties and their attorneys propose that the Stipulation of Settlement and Judicial Order, attached hereto and incorporated herein, would be in the best interests of all parties and would avoid further litigation expense; and

**WHEREAS**, the Auburn City School District Board of Education has already approved, or will contemporaneously approve, the proposed settlement as outlined in the attached; 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 Assistant Corporation Counsel Nathan J. Garland to execute the attached Stipulation of Settlement and Judicial Order, wherein the tax assessment of the property located at 188 Grant Avenue owned by the Petitioner shall be adjusted as set forth therein.

Seconded by Councilor McCormick

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

**COUNCIL RESOLUTION #158 OF 2018**

**AUTHORIZING SETTLEMENT OF THE REAL PROPERTY TAX ASSESSMENT PROCEEDING, LEE PUBLICATIONS, INC. v. BOARD OF ASSESSMENT REVIEW OF THE CITY OF AUBURN ET AL., CONCERNING A PARCEL OF REAL PROPERTY LOCATED ALONG DILL STREET**

By Councilor Cuddy

December 20, 2018

**WHEREAS**, in 2017 and 2018 Petitioner Lee Publications, Inc. (“Lee Publications”) commenced proceedings challenging the assessment on property it owns located at 25 Dill Street in the City of Auburn (the “Property”); and

**WHEREAS**, Assistant Corporation Counsel Nathan J. Garland Esq., appeared and intervened in the foregoing proceeding on behalf of the City of Auburn; Rebecca Speno, Esq. appeared and intervened on behalf of Cayuga County; and, attorney Katherine E. Gavett, Esq., appeared on behalf of the Auburn Enlarged City School District; and

**WHEREAS**, after trial and extensive settlement negotiations, the Parties and their attorneys propose that the Stipulation of Settlement and Judicial Order, attached hereto and incorporated herein, would be in the best interests of all parties and would avoid further litigation expense; and

**WHEREAS**, the Auburn City School District Board of Education has already approved, or will contemporaneously approve, the proposed settlement as outlined in the attached; 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 Assistant Corporation Counsel Nathan J. Garland to execute the attached Stipulation of Settlement and Judicial Order, wherein the tax assessment of the real property located at 25 Dill Street owned by the Petitioner shall be adjusted as set forth therein.

Seconded by Councilor McCormick

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

**LAND SALE RESOLUTION #159 OF 2018  
AUTHORIZING THE SALE OF REAL PROPERTY AT 171 COTTAGE STREET**

By Councilor Giannettino

December 20, 2018

**WHEREAS**, the City of Auburn owns approximately 1.7 acres of real property commonly known as 171 Cottage Street (the “Property”); and

**WHEREAS**, the Property is known and designated on the Cayuga County Tax Map as No. 115.34-1-37.1, and is land-locked and is a liability for the City to maintain; and

**WHEREAS**, pursuant to the City’s Land Sale Policy, the City notified the twenty-two property owners who own parcels adjacent to the Property of the City’s desire to sell it; and

**WHEREAS**, Jeff Salvage, the owner of 140 Perrine Avenue, was the only resident who responded as interested in purchasing a portion of the Property; and

**WHEREAS**, the purchaser has agreed to pay all closing costs, including survey costs, together with the sum of Five Hundred Dollars (\$500.00) for the requested portion of the Property; and

**WHEREAS**, it is necessary that the Auburn City Council approve the transfer since the surplus parcel of land at 171 Cottage Street 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 171 Cottage Street to Jeff Salvage for the sum of \$500.00 together with all closing costs to be paid by the purchaser; 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 McCormick

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

**COUNCIL RESOLUTION #160 OF 2018**

**AUTHORIZING CHANGES TO THE CITY COUNCIL MEETING CALANDAR IN THE MONTH OF DECEMBER 2018**

By Councilor Giannettino

December 20, 2018

**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 6 p.m. to conduct regular business; and

**WHEREAS**, the fourth Thursday of the month of December 2018, December 27, 2018 is a work session meeting and the Council would like to change the meeting start time so that the meeting will commence at 12:00 p.m. (noon) rather than 6 p.m..

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby change the start time of the Auburn City Council meeting scheduled for Thursday, December 27, 2018 to 12:00 p.m. (noon); 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 McCormick

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

## 15. STAFF/VENDOR PRESENTATIONS

### F. Tabled Items

#### APPOINTMENT RESOLUTION #153 OF 2018

#### FOR THE APPOINTMENT OF COMMISSIONERS OF DEEDS

By Councilor Giannettino

December 20, 2018

**WHEREAS**, the Auburn City Council appoints individuals as Commissioners of Deeds in order to authorize them to take affidavits, depositions and acknowledgments for use in the City, which gives them powers similar to that of a Notary Public; and

**WHEREAS**, the law for appointment of Commissioners of Deeds is set forth in New York State Executive Law, Section 139, and the Auburn City Code, Section 62-1, which provide that the City Council shall appoint Commissioner of Deeds for a designated term; and

**WHEREAS**, the law requires that term of each Commissioners of Deeds expire on December 31 of the even-numbered year following appointment; that the appointed person reside or work in the City of Auburn; that the appointed person only administer the Commission within the City; and that the appointed person file an Oath of Office with the City Clerk and with the County Clerk; and

**WHEREAS**, the proposed list for Commissioners of Deeds is set forth on the list attached hereto and incorporated herein, and includes 35 persons. It is estimated that a total of 50 appointments may be necessary within the next two years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Auburn City Council does hereby appoint the list of persons attached to this Resolution as Commissioners of Deeds pursuant to the authority provided by New York State Executive Law, Section 139, and that said appointments shall be effective from January 1, 2019, and shall continue until December 31, 2020; and

**BE IT FURTHER RESOLVED**, that the Auburn City Council does hereby determine that the number of Commissioners of Deeds for the City of Auburn shall be a maximum of 50, which is the number of Commissioners of Deeds appointed by the list attached to this Resolution plus additional numbers to be reserved for future necessary appointments.

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	

Commissioner of Deeds:

- Androsko Matthew Sergeant, Police Dept.
- Anthony Roger Deputy Police Chief
- Anthony Michele Cayuga County Office Building
- Blanchfield Brian Detective, Police Dept.
- Brazee James City Resident
- Butler Shawn Police Chief
- Casper Paul Captain, Police Dept.
- Church Lawrence APD Clerk
- Cooper Christopher Detective, Police Department
- Cunningham Kathleen Supreme & County Court
- Dann Gregory Sergeant, Police Dept.
- Devito Stephanie City Resident
- Deyo Steven Sergeant, Police Dept.
- DiVietro Joseph Sergeant, Police Dept.
- Downing Steve Code Enforcement Office, City
- Gilfus Christine Sergeant, Police Dept.
- Gosline Donald Sergeant, Police Dept.
- Geer Patricia Supreme Court
- Hicks Brian Code Enforcement Office, City
- Kalet Meagan Detective Police Department



- King Kathleen Cayuga Probation Department
- LaMay Coleen City Clerk's Office
- Marteney Susan City Resident
- Mason Chuck City Clerk's Office
- McLoughlin Stephan Sergeant, Police Dept.
- McPherson Dawn Cayuga County Family Court
- Miller Rhonda Secretary to the Mayor
- Moore James Captain, Police Dept.
- Orman James Cayuga County Treasurer
- Pausley Lane Code Enforcement Office
- Platt Kyle Lieutenant, Police Dept.
- Schattinger Mark Captain, Police Dept.

## 10. Other Business

Councilor Cuddy asked if the City's Skateboard Park located at Casey Park could be looked into for possible upgrades and asked if it could be considered that it could possibly be a project included in the upcoming Community Development Block Grant plan.

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:

Two matters pertaining to the sale, acquisition or lease of real property.

One matter regarding the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:28 p.m. Executive session adjourned at 7:52 p.m.

**Adjournment:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:53 p.m.

Minutes submitted to the City Council on January 17, 2019 by:

Charles Mason  
City Clerk

On January 17, 2019 a motion to approve the minutes of the December 20, 2018 Auburn, NY City Council meeting was made by Councilor Cuddy, seconded by Councilor Giannettino.

Auburn City Council Minutes December 20, 2018

	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 20th day of December, 2018 and that the City Council approved such by the vote listed above.*

*Charles Mason, City Clerk      Date: January 18, 2019*