

**Auburn City Council
Regular Meeting
Thursday, November 3, 2022 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. Councilor Ginny Kent, Councilor Jimmy Giannettino Councilor Terry Cuddy and Councilor Tim Locastro and Mayor Quill were all present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Tamburrino
- Police Chief, James Slayton

Pledge of Allegiance to the Flag – Councilor Kent led the Pledge of Allegiance.

Moment of Silent Prayer or Reflection – Councilor Kent asked for a moment of silent prayer.

Public Announcements –

- City of Auburn, NY Transfer Station Fall Cleaning Days 2022
 - CITY RESIDENTS ONLY
 - All Rules Will Be STRICTLY ENFORCED
 - Date #2 Saturday, November 5, 2022
 - Hours: 7:00 am - 11:30 a.m.
 - Location: City of Auburn Transfer Station, 311 North Division Street
 - For more information or questions call: 315-252-6441
- Requirements/Rules/Regulations:
 - City residents will need to deliver the material directly to Auburn Transfer Station
 - No transfer station permits will be required in order to participate.
 - Driver's license and vehicle registration will be required as proof of residency for participation (the address on both must match and will be strictly enforced).
 - No trailers, no box vans, no u-hauls and all loads MUST BE TARPED.

- All garbage must be containerized (can or bag) NO EXCEPTIONS.
- Materials That Will Be Accepted At NO COST To City Residents
 - GARBAGE, RECYCLING, MATTRESS/BOX SPRING, BRUSH/YARD WASTE, and FURNITURE.
 - Yard waste/brush in brown leaf bags. (Plastic bags are no longer acceptable for this material).
 - Car tires (accepting 4 tires per residence).
- Materials That Will Be Accepted AT COST To City Residents
 - FREON CONTAINING UNITS \$45.00 EACH (Refrigerators, Air Conditioners, Dehumidifiers).
 - ELECTRONICS (LIMIT 2) \$20.00 EACH (Computer, Monitor, Microwave, DVD, VCR, Printer, TV's).
- Materials That WILL NOT Be Accepted at the Transfer Station Fall Clean-up Days are as follows:
 - HAZARDOUS WASTE;
 - ASBESTOS;
 - MOTOR OIL;
 - LIQUID WASTE;
 - FLUORESCENT TUBES;
 - GREASE;
 - SOLVENTS;
 - PAINT;
 - COOKING OIL.

Saturday, November 5, 2022 is Community Tree Planting Day. This event is organized by the Grow Auburn's Trees group and the City's Department of Public Works. Volunteers are welcome and needed for this event. Volunteers should meet at 8 am on November 5th at the Permaculture Park on Garrow Street to participate.

Mayor Quill announced this week that the public is cordially invited to participate in this year's Veterans Day Service and Day of Remembrance honoring the brave men and women of our armed forces, past and present, for their dedication and service to our Nation. Family members and friends are encouraged to attend. The Veterans day Service , Friday, November 11, 2022 at 11:00 AM to be held at Veterans Memorial Park 170 Genesee Street, Auburn, New York. Master of Ceremonies: Terry Winslow, U.S. Coast Guard Veteran; and Guest Speaker: Retired Major Kevin Swab, Director of Cayuga County Veteran Service Agency. Please note that this year's service will be held outdoors at Veteran's Memorial Park rain, snow or shine. We will not be relocating inside this year.

Downtown Auburn BID's 35th Annual Holiday Parade will be Saturday, November 26, 2022 at 6PM in downtown Auburn. Following the parade there will be the community tree lighting ceremony in front of Memorial City Hall.

The next City of Auburn Historic Resources Review Board meeting will be held on Tuesday, November 8, 2022 at 7:00 p.m. at Council Chambers, Memorial City Hall, 24 South Street.

CEREMONIAL PRESENTATIONS – none

Public to be heard: no speakers.

Approval of Meeting Minutes –

October 27, 2022 Council Meeting Minutes

Motion to approve the October 27, 2022 minutes by Councilor Giannettino, seconded by Councilor Locastro. Motion to approve carried 3-0. Councilor Cuddy and mayor Quill voted present.

Reports of City Officials

City Manager's Report –

- Testing of the raw water at the filtration plant yesterday showed no detectable microcystin. The Powder Activated Carbon System (PAC) is in operation but is being dialed back. We will continue to test until we have consistent repeated non-detect results.
- Staff has developed a Request for Proposals for Architectural and Engineering services for upgrades to the Auburn Police and Auburn Ambulance Headquarters Buildings. Due Nov. 10.
- The City is accepting bids on the following:
 - An electric skid steer for the Waste Water Treatment Plant, due November 4.
 - General Sewer and Water Repair Services, due Nov. 4.
 - Consulting and Staffing Support Services for the Waste Water Treatment Plant, due Nov. 4.
 - Large Valves, due Nov. 4.
 - Electric Variable Frequency Drives, due Nov.4.
 - RFP for geothermal and HVAC services for all city buildings, due Nov. 16.
 - Sidewalk update
 - Genesee and John St. update
- DPW will soon take delivery of a new street sweeper, the unit was approved nearly three years ago and supply chain issues continue to push back availability.
- Today we received approval from NYSDEC of the 100% design docs for the Biosolids WWTP upgrades. We expect the construction bid documents to be available as soon as tomorrow.

Reports from members of Council –

Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR) -

B. Ordinances – none

**C. Local Laws – First Reading – the City Clerk read the proposed Local Law # 3 of 2022.
LOCAL LAW #3 OF 2022**

**REPEALING AND REPLACING SECTIONS OF CHAPTER 178 OF THE
AUBURN CITY CODE ENTITLED “HISTORIC PRESERVATION”**

By Councilor _____

November 10, 2022

WHEREAS, on March 28, 1991, the Auburn City Council enacted and established Local Law No. 2-1991 as Chapter 178 of the Auburn City Code entitled “Historic Preservation,” pursuant to New York State Municipal Home Rule Law Section 10(1)(ii)(a)(11); and

WHEREAS, on April 6, 2017, the Auburn City Council enacted and established Local Law No. 1-2017 repealing and replacing Chapter 178 of the Auburn City Code entitled “Historic Preservation”; and

WHEREAS, the Historic Preservation Chapter created the Historic Resources Review Board “HRRB” and empowers the same to review applications of property owners to determine the historical appropriateness of certain proposed changes to the exterior of a structure; and

WHEREAS, the HRRB, after a public hearing, shall administratively issue or deny a Certificate of Appropriateness to an applicant allowing or prohibiting the proposed changes; and

WHEREAS, certain sections of the Historic Preservation Chapter regarding the procedure by which an aggrieved applicant may appeal a decision of the HRRB are not in keeping with the procedure and custom all other City Boards and relief made available by the New York State Civil Practice Laws and Rules; and

WHEREAS, it is necessary for the purposes of efficiency and clarity to make uniform the sections of the City Code which allow for an applicant to exhaust his or her administrative remedies at the city board level; and

WHEREAS, it is possible to achieve such uniformity by amending the language in the relevant sections of Chapter 178 of the City Code to conform with the relevant sections of the City Code regarding the other various boards of the City of Auburn; and

WHEREAS, Local Law No. 3 of 2022, attached hereto and incorporated herein, proposes to update Chapter 178 of the City Code to achieve such uniformity; and

WHEREAS, the passage of Local Law No. 3 of 2022, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

WHEREAS, subject to City Council approval, a public hearing will be held on November 1, 2022, concerning the repealing of sections of Local Law No. 1-2017 and the enactment of Local Law No. 3 of 2022.

NOW, THEREFORE, BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2-1991, which was originally passed as Chapter 44 of the City Code entitled “Historic Preservation:”

1. Section 178-13
2. Section 178-18

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 3 of 2022 attached and incorporated herein, which replaces the following Sections of Chapter 178 of the Auburn City Code entitled “Historic Preservation”:

1. Section 178-13
2. Section 178-18

and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect immediately upon the filing of a certified copy of the local law with the New York Secretary of State.

Seconded by Councilor _____

CHAPTER 178 HISTORIC PRESERVATION

§ 178-13 Certificate of appropriateness public notice requirements and approval.

D.

Denial or delay of certificate; ~~appeal to City Council~~. If the Board determines that a certificate of appropriateness should not be issued, or that a delayed certificate or a certificate contingent upon specific structural performance should be issued, the Board shall notify the applicant in writing of such determination. Such notice shall advise the applicant of ~~his or her right to appeal such determination to the City Council in accordance with~~ **the appellate provisions contained in § 178-18.**

E.

Building permits not to be granted without certificate. Unless the action of the Board is reversed by ~~the City Council~~ or a court of competent jurisdiction, the Building Inspector shall refuse to grant a building

permit, sign, demolition permit or other permit for any historic landmark or district where a certificate of appropriateness has been denied or has expired due to the applicant's failure to commence work as described in Subsection C.

§ 178-18 Appeals.

~~Any person aggrieved by a ruling or determination of the Board may appeal to the City Council, which may reverse or affirm the action of the Board or remand to the Board with instructions. In ruling upon an appeal, the Council must consider the same evidence and be guided by the same criteria as used by the Board in rendering its decision. A decision to reverse the Board's action will require the affirmative vote of a majority of the City Council members.~~ The decision of the Historic Resources Review Board shall be immediately filed in the office of the City Clerk and be a public record. The Historic Resources Review Board's decision shall constitute the exhaustion of an aggrieved applicant's administrative remedies.

D. Resolutions –

**COUNCIL RESOLUTION #113 OF 2022
AUTHORIZING A PUBLIC HEARING FOR
LOCAL LAW #3 HISTORIC PRESERVATION**

By Councilor Giannettino

November 3, 2022

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 10th day of November, 2022 at 5:00pm concerning the Historic Preservation Local Law #3.

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 Locastro

	Ayes	Noes
Councilor Kent	X	

Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

COUNCIL RESOLUTION #114 OF 2022

**AUTHORIZING THE SALE OF SURPLUS VEHICLES AND EQUIPMENT PURSUANT TO
THE 2022 CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor Cuddy

November 3, 2022

WHEREAS, on January 6, 2022, the City Council of the City of Auburn passed Council Resolution No. 4 of 2022, which adopted a City of Auburn Procurement and Surplus Policy (the “Procurement Policy”); and

WHEREAS, the Procurement Policy requires that the sale of surplus vehicles and equipment with an estimated value of \$1,000 or more be approved by City Council; and

WHEREAS, a list of City owned surplus vehicles, equipment, and other items, which have outlived their useful life or are no longer necessary or useful to the City, are attached hereto in Exhibit A; and

WHEREAS, it is in the best interest of the City to dispose of the equipment and vehicles set forth in Exhibit A through an auction in order to obtain the best value for them.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Auburn hereby authorizes the sale of the City-owned vehicles and equipment set forth in Exhibit A attached hereto in accordance with the 2022 City of Auburn Procurement and Surplus Policy.

Seconded by Councilor Kent

	Ayes	Noes	Excused
Councilor Kent	X		
Councilor Giannettino	X		
Councilor Cuddy	X		

Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

COUNCIL RESOLUTION #115 OF 2022

**AUTHORIZING CHANGES TO THE CITY COUNCIL MEETING CALANDAR DUE TO THE
THANKSGIVING HOLIDAY**

By Councilor Cuddy

November 3, 2022

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 5 p.m. to conduct regular business; and

WHEREAS, the month of November 2022 contains four Thursdays and that the fourth Thursday in November, namely November 24, 2022 is the Thanksgiving Holiday; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council hereby approves the Council meeting scheduled for Thursday, November 24th at 5:00 p.m. is canceled.

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 Giannettino

	Ayes	Noes
Councilor Kent	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and Adopted	X	

DPW Auction List

#78, 2009 JCB backhoe, JCB3CXPCC91617596

Scaffolding from parking garage repair

Old paint machine, 1998 Kawasaki, JK1AFCC10XB506994

Casey Park

#124, 1979 Ford tractor, C647125

Sewer Dept.

#137, 2010 Chevrolet 3500 dump, 1GB6KZBKXAF135755

#171, 2019 Ford van, 1FTYE1YM0KKA09953

Landfill

2002 Ford Excursion, 1FMNU41L92EC23875 – this originally came from the fire dept.

#57, 2006 International, dump truck, 1HTWZAHRX6J237691

LF-113, 1996 Ford, backhoe, A438187

Fire Dept.

2002 Spartan pumper 4S7AT40962C042318

Code Enforcement

Old #302 VIN 1FAHP2M80DG184966 Ford

Old #303 VIN 1FAHP2MK0EG185953 Ford

Old #305 VIN 1FAHP2MK9FG122691 Ford

Old #306 VIN 2G1WD5EM0B1151735 Chevy

Municipal Utilities

Belt Dewatering Press Manufacturing, Inc.

Greenwich, NY 12834 Gravity Belt

Model 2M GBT Serial No. 876-2-96

Sewer Drag Machine (to be sold together as one unit)

Sewer Rodding Equipment Co. Culver City, CA90231

SPERCO-FLEX Model 30HP-PI Serial LB-H30-911817

SPERCO-FLEX Model 30HP-PI Serial LB-H30-911818

10 Buckets & misc. parts

Concrete mixer M-B-W, Inc. Slinger, WI 53086 Model MM90 Serial No. 705099

Auto Seal Pressure Sealer (folding machine) Model FD1500 Serial No. KK 102249

Police Department

3 Front Sentina Prisoner Cages (Ford Explorer)

3 Rear Sentina Prisoner Cages (Ford Explorer)

4 Sets of Sentina rear window bars (Ford Explorer)

3 Sentina Prisoner Cages (Ford Taurus)

9 sets of Sentina rear window bars (Ford Taurus)

1 Ray Allen K-9 kennel (Ford Explorer)
5 Lund Consoles
4 Lund Arm rests
1 Steel trunk organizer (Ford Crown Victoria)
1 Sound Off 48'' Light Bar
3 Whelen 48'' Light Bars
Various led lights used as grille light, trunk lights, speakers, etc.
2 Siren/light control boxes

2013 Ford Taurus	1FAHP2M85DG158170
2012 Chevrolet Impala	2G1WD5E34C1152119
2012 Chevrolet Impala	2G1WD5E39C1152326
2011 Chevrolet Impala	2G1WD5EM0B1151735
2009 Chevrolet Impala	2G1WB57N691149140
2013 Ford Taurus	1FAHP2M80DG184966
2015 Ford Taurus	1FAHP2MK2FG122693
2014 Ford Taurus	1FAHP2MK0EG185953
2010 Chevrolet Impala	2G1WD5EM9A1129327
2015 Ford Taurus	1FAHP2MK9FG122691
2008 Lexus R35	2T2HK31U28C093181
2003 Ford Explorer	1FMZU72K03ZB59681
2004 Cadillac Escalade	1GYEK63N94R271225
2010 Land Rover LR2	SALFR2BNZAH205325
2009 Mercedes Benz C30	WDDGF81X29R056141
2003 Suzuki Vitara	2S3TD52V136102864
2000 Dodge Dakota	1B7GL22Z5YS685674
2009 Honda Civic	2HGFG12649H537395
2003 Dodge Dakota	1D7HG12X23S377006
2010 Dodge Avenger	1B3CC4FB2AN102734
2008 Chrysler 300	2C3KA63H28H273544
2014 GMC Terrain (Gold)	2GKFLVEK5E6203784

E. Staff or Vendor Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Second Public to be Heard. No speakers.

Executive Session:

Auburn City Council Meeting, November 3, 2022

Councilor Giannettino 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 confidential due to attorney client privilege.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:20 p.m. Executive session adjourned at 6:30 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:31 p.m..

Minutes submitted by: Chuck Mason, City Clerk