

**Auburn City Council
Regular Meeting
Thursday, November 10, 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:

- Acting City Manager, Jennifer Haines
- City Clerk, Chuck Mason
- Assistant Corporation Counsel, Nate Garland
- Police Chief, James Slayton

Pledge of Allegiance to the Flag – In recognition of the 247th Marine Corps Birthday celebrated on November 10th Mayor Quill asked Corporal Dale Bush to lead the Pledge of Allegiance.

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

Public Announcements –

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.

CEREMONIAL PRESENTATIONS –

- WHEREAS,** this month of November, the United Way of Cayuga County and the City of Auburn celebrate the inaugural fundraising campaign that ran for ten days between elections and Thanksgiving in 1922, raising \$83,403 to support 19 City of Auburn health and human service charities; and
- WHEREAS,** the 2022-23 United Way of Cayuga County Campaign, launched in September of this year, is being led, once again, by Team Nucor whose Co-chairs include Mark Carr, Katie Amar-Fox, Rob Baier, Amber Eilertsen, Cord Heine, and Blake Turner, who have accepted the challenge to raise \$800,000 to support our neighbors; and
- WHEREAS,** the 32 distinct and different United Way of Cayuga County funded programs within 22 Member Agencies served more than 46,600 City of Auburn and Cayuga County residents throughout all stages of life—61 percent were seeking food stability, energy assistance, shelter, transportation, childcare, and more; and
- WHEREAS,** your United Way of Cayuga County works tirelessly to meet the everchanging needs of our community through the launch of two new initiatives—the first being a Community Building Mini-Grant which is available year-round for grants up to \$1,000 for organizations serving Cayuga County residents for emerging or emergent program needs to ensure the well-being of our community; and
- WHEREAS,** the second new United Way of Cayuga County initiative is a Student United Way pilot program made possible via a collaboration with Auburn High School by offering a campus-based club, led by and for students with United Way guidance to develop leadership skills, knowledge of community issues, and how they can advance common good in our community; and
- WHEREAS,** the 2022-23 Campaign theme ***Powerful Partnerships*** is an opportunity to acknowledge and thank the individuals and organizations who have supported the United Way of Cayuga County over the last century while encouraging all Cayuga County residents to make a gift to ensure brighter futures for our friends, families, and neighbors.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, do hereby acknowledge the 100th United Way of Cayuga County Campaign season by proclaiming, **Thursday, November 10, 2022** as

UNITED WAY of CAYUGA COUNTY DAY

in the City of Auburn and encourage all Citizens to continue supporting the United Way of Cayuga County and their mission to improve lives through mobilizing the caring power of our community.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this tenth day of November 2022.

Michael D. Quill, Mayor
City of Auburn, New York

Mayor Quill introduced Kathryn Dennis, Executive Director and Julisa Stone, Campaign and Marketing Manager to accept the United Way 100th Year 2022 Kickoff Proclamation. The United Way then made a presentation which included representatives from the American Red Cross, the SCAT Van and NUCOR Steel.

Mayor Quill opened the Public Hearing for LOCAL LAW #3 OF 2022 REPEALING AND REPLACING SECTIONS OF CHAPTER 178 OF THE AUBURN CITY CODE ENTITLED “HISTORIC PRESERVATION” There were no speakers.

Public to be heard: Dr. Walt Aikman reported on the success of the Community Tree Planting Day held on November 5, 2022. He also reported that the State of New York Department of Environmental Conservation has approved the draft Auburn Community Forestry Plan and he asked the Council to approve the final draft document at a future Council meeting.

Approval of Meeting Minutes – no minutes.

Reports of City Officials

City Manager’s Report –

- Municipal Utilities (John West) – MU staff spoke with Eileen O'Connor at the Health Department earlier this week, and we are done with the HAB sampling for the season unless we see something in water that concerns us. Our internal sampling is showing the HAB activity winding down. We will continue to treat the water with carbon for another week and possibly shut the system down at that time. We will keep you updated if anything changes.
- Tree Planting DPW – For spring and fall plantings this year, there were 175 trees planted, with the spring planting focused on the west side of town, and the fall planting was a little more wide spread. Both plantings we did try to target the areas that we removed a lot of ash trees. CDBG – The CDBG Tree Planting program, with the services of a contractor, is in the process of planting 100 trees in the Standart Avenue area. Engineering – Volunteers planted 26 Trees on Road Program Streets. In addition 34 more will be planted as follows: South Street (6), West Garden St. (5), Perrine St. and Lansing St. (21), and, St Francis Playground (2). Also, 30 Trees to be planted by CSI as part of the Sidewalk programs and 15 trees to be planted by Vitale with Road Program. This makes a TOTAL of 380 TREES!
- Fall Clean Up Days at the City Transfer Station were a success again this year. (see attached summary sheets)
- AFD Station 1 functioned as a polling place on Tuesday. Members worked to ensure citizens had what was needed (water, chairs, etc.) as they waited in line to vote.
- AFD - Two Platoons started NYSOFFPC Confined Space Rescue Training this week. The members completed training on their two days shifts this week and will complete the training on their two day shifts next week. The Fire Department is not only the Confined Space Rescue Team for all City Departments, but also provides that service for several area industrial, manufacturing and utility businesses.

- AFD CPR instructors taught and certified 26 staff Xylem employees in CPR/AED and First Aid in the AFD Station 1 Training Room today.

Reports from members of Council – none

Matters to Come Before Council

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

B. Ordinances – none

C. Local Laws –Local Law # 3 of 2022 will be scheduled for final City Council consideration at the November 17, 2022 City Council meeting.

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 – none

E. Staff or Vendor Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Mayor Quill let the members of the City Council know that following his 15 years of service as Mayor he has made the decision to not run for re-election in 2024 and he will retire at the end of his term of

Auburn City Council Meeting, November 10, 2022

service on December 31, 2024. Members of Council and acting City Manager spoke to thank the mayor for his many years of service.

Second Public to be Heard. No speakers.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 5:45 p.m..

Minutes submitted by: Chuck Mason, City Clerk

October 29, 2022 Fall Clean Up	VEHICLES	ELECTRONICS	FREON	TIRES	YARD WASTE	TONNAGE	
7-8 AM	19	4	2	14	0		
8-9 AM	11	1	0	10	1		
9-10 AM	20	5	1	5	1		
10-11 AM	12	0	0	18	0		
11-11:30AM	4	0	0	0	0		
TOTALS	66	10	3	47	2	5.08	
\$		\$200	\$135				Total Revenue \$335

Expenses

5.08 tons of trash @ \$35... \$ 177.80

1 Foreman @ 5.75hrs..... \$ 328.27

2 Laborers @ 10hrs..... \$ 302.40

2 Drivers @ 10hrs.....\$ 394.80

Clerk @ 5.25hrs \$ 235.94

Fuel 60gal (6 gal/hour/truck) @ \$4.02..... \$ 241.20

Total..... \$ 1,680.41

November 5, 2022 Fall Clean Up	VEHICLES	ELECTRONICS	FREON	TIRES	YARD WASTE	TONNAGE	
7-8 AM	13	2	0	8	1		
8-9 AM	17	4	1	11	0		
9-10 AM	15	1	0	3	0		
10-11 AM	8	1	0	1	0		
11-11:30AM	8	0	1	16	0		
TOTALS	61	8	2	39	1	5.12	
\$		\$160	\$90				Total Revenue \$250

Expenses

5.12 tons of trash @ \$35... \$ 179.20

1 Foreman @ 5.25hrs..... \$ 299.72

2 Laborers @ 10hrs..... \$ 209.86

2 Drivers @ 10hrs.....\$ 332.63

Clerk @ 5.25hrs \$ 174.68

Fuel 60gal (6 gal/hour/truck) @ \$4.02..... \$ 241.20

Total..... \$ 1,437.29