

**Auburn City Council
Regular Meeting
Thursday, November 17, 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, Stacy Tamburrino
- Police Chief, James Slayton
- Director of Municipal Utilities, Seth Jensen

Pledge of Allegiance to the Flag –Mayor Quill led the Pledge of Allegiance.

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

Public Announcements –

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 week of Monday, November 21, 2022 is Thanksgiving week and trash and recycling will be picked up one day early in the City of Auburn for residents that have a regular pick-up day between Tuesday and Thursday.

The Thanksgiving Week Schedule is as follows:

- If your pick-up day is usually Tuesday, you will be picked up on Monday, November 21
- If your pick-up day is usually Wednesday, you will be picked up on Tuesday, November 22
- If your pick-up day is usually Thursday, you will be picked up on Wednesday, November 23
- There will be no pick-up on Thanksgiving Day, Thursday, November 24

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- If your pick-up day is usually Friday there is no change, you will be picked up on Friday, November 25

Also, there will be no leaf / yard waste pick up on Monday, November 21, 2022 due to the Thanksgiving holiday week.

Complete information about curbside trash and recycling pick-up for the City of Auburn may be found online at:

www.AuburnNY.gov/Streamline

Public to be heard: none

Approval of Meeting Minutes –

November 3, 2022 Council Meeting Minutes

Motion to approve the November 3, 2022 minutes by Councilor Kent, seconded by Councilor Cuddy.

Motion to approve carried 5-0.

November 10, 2022 Council Meeting Minutes

Motion to approve the November 10, 2022 minutes by Councilor Locastro, seconded by Councilor Cuddy. Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

Reports from members of Council – Councilor Giannettino reported on a hockey tournament organized by the Auburn Icehawks he attended at the Casey Park Recreation Facility that was for Veterans. The event honored local veterans with a ceremony and funds raised as part of the Veterans Cup Tournament were donated to Veterans.

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 Giannettino

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 Cuddy

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.**

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

D. Resolutions –

AGREEMENT RESOLUTION #116 OF 2022

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR SUPERVISORY
CONTROL AND DATA ACQUISITION (SCADA) SERVICES**

By Councilor Giannettino

November 17, 2022

WHEREAS, in accordance with the City of Auburn procurement policy, the City of Auburn Staff issued a Request for Proposals to solicit professional SCADA services firms to provide SCADA related services for the City of Auburn on an annual basis; and

WHEREAS, on September 23, 2022 the City of Auburn received proposals from three (3) qualified professional SCADA service firms; and

WHEREAS, the various staff from the City of Auburn Department of Municipal Utilities reviewed and scored the proposals against the criteria outlined in the RFP; and

WHEREAS, the scoring criteria used to rank each firm was;

- 1) Company Qualifications (40 points)
- 2) Experience of Firm (30 points)
- 3) Cost (30 points),

for a total possible score of 100; and

WHEREAS, the following average score of the review process was as follows

- | | |
|------------------------|-------------|
| 1) Odyssey Controls | Score: 95.3 |
| 2) Plant IQ | Score: 88.0 |
| 3) Woodward and Curran | Score: 85.0 |

; and

WHEREAS, it is necessary to enter into an agreement with the highest ranking firm, Odyssey Controls for the next year with the option to add four (4) additional years if both parties agree to the terms of the arrangement ; and

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the City to enter into an agreement with Odyssey Controls of Bergen, NY for professional SCADA services; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents authorized by this resolution.

Seconded by Councilor Cuddy

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

E. Staff or Vendor Presentations – none

TABLED ITEMS - none

OTHER BUSINESS –

Second Public to be Heard. No speakers.

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Executive Session:

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

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:34 p.m. Executive session adjourned at 6:44 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:45 p.m..

Minutes submitted by: Chuck Mason, City Clerk