

**Auburn City Council  
Regular Meeting  
Thursday, January 26, 2023 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. Mayor Quill and Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Tim Locastro and Councilor Terry Cuddy were present.

**The following City Staff was present for the meeting:**

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Assistant Corporation Counsel, Nate Garland
- Police Chief, James Slayton
- Director of Capital Projects and Grants, Christina Selvek
- Grants Coordinator, Onea Kloster
- Director of Municipal Utilities, Seth Jensen
- Fire Chief, Mark Fritz

**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 –**

Public notice from the Cayuga County Health Department:

Lead is a toxic metal that when disturbed can cause harmful effects, especially in children. Cayuga County has many older homes. This means there is a chance that your children may have been exposed to lead through lead paint, soil or other household sources.

If you reside in an older home or apartment, are pregnant and/or have children under 7 years old, you are eligible for a FREE home lead risk assessment. During an assessment, we will test chipping and peeling paint for lead and teach you how to protect yourself and your children from being exposed to lead.

Any household that schedules an assessment in the month of January will be entered in a drawing to win a HEPA vacuum and other household cleaning supplies!

Call the Cayuga County Health Department today to schedule your free home lead risk assessment. (315) 253-1560

**Ceremonial Presentations –**

Mayor Quill welcomed Police Chief James Slayton and conducted a ceremonial swearing in for the Auburn Police Department's newest Police Officer Josh Ovitt. Chief Slayton then addressed the members of Council and the public.

**Public to be heard –**

Andrew Bishop spoke regarding concerns he had with the city.

**Approval of Meeting Minutes – none**

**Reports of City Officials**

**City Manager's Report –**

- City staff made a presentation to the County Legislature this week to introduce a frame work for expanding City Court space at the Historic Post Office Building. The building is owned by Cayuga County and the City of Auburn has leased space for many years to house City Court. The NYS Office of Court Administration has been applying growing pressure on us to provide expanded space for the operation for nearly ten years. The recent move of the County WIC program out of the building affords us the most economical option for providing the requisite space and meets the guidelines of NYS OCA. Our next step will be to release an RFP for firms to design the space to NYS OCA standards.
- Staff from various city departments met with our local NYS DOT representatives this week to discuss several local projects and maintenance concerns related to roadways such as the arterial and North St.

**Reports from members of Council –**

**Matters to Come Before Council**

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

**B. Ordinances – FIRST READING**

**AMENDING SECTIONS OF CHAPTER 213 OF THE  
AUBURN CITY CODE ENTITLED "NUISANCES"**

By Councilor \_\_\_\_\_

February 16, 2023

**WHEREAS**, On February 27, 1997, the City Council of the City of Auburn by Ordinance No. 10 of 1997 adopted as Chapter 213 of the Auburn City Code entitled "Nuisances," pursuant to New York State Municipal Home Rule Law Section 10(1)(ii)(a)(11); and

**WHEREAS**, on May 27, 2004, the Auburn City Council by Ordinance No. 7 of 2004, added section 213-3 of the Nuisance Chapter Auburn City Code entitled “Definitions”; and

**WHEREAS**, on November 3, 2005, by Ordinance No. 15 of 2005, and on October 7, 2010, by Ordinance No. 11 of 2010 the Auburn City Council by Ordinance No. 7 of 2004, added to the subsection of section 213-3 entitled “Public Nuisance”; and

**WHEREAS**, the City Council of the City of Auburn acknowledges that it is appropriate for certain forms of commerce to be regulated by licensure; and

**WHEREAS**, the City Council of the City of Auburn recognizes that operating a business subject to federal, state, and local licensure absent the same can create uncertainty and confusion among the public so as to be detrimental to the health, safety and welfare of the people of the City of Auburn; and

**WHEREAS**, it is necessary for the purposes of efficiency, clarity and public safety to discourage such unlawful behavior; and

**WHEREAS**, Ordinance No. 1 of 2023, attached hereto and incorporated herein, proposes to update Chapter 213 of the City Code to achieve such goals by adding the Operation of Unlicensed Business” to the definition of “Public Nuisance” as defined in Section 213-3; and

**WHEREAS**, the passage of Ordinance No. 1 of 2023, 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 February 9, 2023, concerning and the enactment of Ordinance No. 1 of 2023.

**NOW, THEREFORE, BE IT ENACTED** that the Auburn City Council does hereby repeal the following sections of Ordinance No. 10 of 1997, which was originally passed as Chapter “Nuisances.”

1. Section 213-3

and,

**BE IT FURTHER ENACTED** that the Auburn City Council does hereby adopt Ordinance No. 1 of 2023 attached and incorporated herein, which replaces the following Sections of Chapter 213 of the Auburn City Code entitled “Nuisances”:

1. Section 213-3

and,

**BE IT FURTHER ENACTED** that the foregoing repeal and adoption shall take effect immediately.

Seconded by Councilor \_\_\_\_\_

**C. Local Laws – none**

**D. Resolutions –**

**AGREEMENT RESOLUTION #16 OF 2023**

**AUTHORIZING THE CITY OF AUBURN TO SETTLE CLAIMS AGAINST OPIOID MANUFACTURER TEVA, AND ENTER INTO A STATEWIDE SHARING AGREEMENT TO MAXIMIZE AND EXPEDITE SAID SETTLEMENT**

By Councilor Giannettino

January 26, 2023

**WHEREAS**, On July 26, 2022, Teva, a generic drug manufacturer announced a \$4.35 billion global opioid settlement agreement (“Teva Global Agreement”). The proposal calls for Teva to pay up to \$3.7 billion in cash over 13 years and provide what Teva estimates as \$1.2 billion worth of the opioid overdose reversal drug naloxone.; and

**WHEREAS**, the City of Auburn has been harmed by Teva in its role as a manufacturer of opiates in the various and sundry ways concomitant to the Opioid Epidemic; and

**WHEREAS**, the settlement and sharing agreement negotiated by the City’s attorneys will provide some remedy to those harms; and

**WHEREAS**, to access those remedies in their entirety, the City must formally accept the settlement and enter into a statewide sharing agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that Mayor Michael Quill is authorized to execute the required legal documents, attached hereto and incorporated herein, to achieve such an outcome.

Seconded by Councilor Locastro

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

Mayor Quill	X		
Carried and Adopted	X		

**E. Staff or Vendor Presentations –**

**Combined Sewer Overflow (CSO) Facility Rehabilitation and Sewer Separation Project  
Presentation by Seth Jensen, Director of Municipal Utilities**

On January 5, 2023 City Council adopted Grant Acceptance Resolution #2 of 2023 Accepting Grant Funds From The NYS Environmental facilities Corporation For the Combined Sewer Overflow Facility and Sewer Separation Improvement Project.

The purpose of this Project is to make improvements to the four CSO treatment facilities located at various points along the Owasco River, the storage and release facility, and to perform sewer separation in targeted areas of the City where direct stormwater is contributing to the City's sanitary sewer system. The City anticipates these projects will greatly reduce the environmental impacts associated with sewer discharge to the Owasco River during wet weather events. The project also has the potential to create capacity within the sewer collection system to allow for future economic development.

**TABLED ITEMS - none**

**OTHER BUSINESS –**

**Second Public to be Heard.**

Tim Lattimore, 63 South Street spoke on matters pertaining to Owasco Lake.

Executive Session: Councilor Giannettino made a motion to enter Executive Session, seconded by Councilor Locastro. Council voted to enter an executive session regarding the following matters:

- One matter pertaining to the sale or lease of real property.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:59 p.m. Executive session adjourned at 6:36 p.m.

**ADJOURNMENT:** By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:37 p.m..

Minutes submitted by: Chuck Mason, City Clerk