

Auburn City Council Meeting, June 8, 2023

**Auburn City Council
Regular Meeting
Thursday, June 8, 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. Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Terry Cuddy, Councilor Tim Locastro and Mayor Michael D. Quill were present.

The following City Staff was present for the meeting:

- City Manager, Jeff Dygert
- City Clerk, Chuck Mason
- Corporation Counsel, Nate Garland
- Police Chief, James Slayton
- Fire Chief, Mark Fritz
- Assistant Comptroller, Theresa Adams

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 –

Ceremonial Presentations –

Public to be heard: The City Clerk read the rules for Public To Be Heard and the following individuals spoke: Edith Love spoke regarding issues she has experienced on Franklin Street.

Mayor Quill opened the Public Hearing for LOCAL LAW #1 OF 2023 - AMENDING SECTIONS OF THE “HOUSING STANDARDS” CHAPTER OF THE AUBURN CITY CODE

Justin Huffman of the Huffman Law Firm spoke representing Grillo Properties and Petco opposed to the proposed Local Law #1 of 2023 due to the public hearing nor the local law being properly listed on the June 8, 2023 City Council agenda until mid-afternoon on June 8, 2023. He believes there has not been sufficient notice provided for the public to be heard on the local law.

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Approval of Meeting Minutes –

June 1, 2023 Council Meeting Minutes

Motion to approve the June 1, 2023 minutes by Councilor Kent, seconded by Councilor Giannettino.

Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

Reports from members of Council –

Matters to Come Before Council

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

B. Ordinances – none

C. Local Laws –

LOCAL LAW #1 OF 2023

AMENDING SECTIONS OF THE “HOUSING STANDARDS” CHAPTER OF THE AUBURN CITY CODE

By Councilor _____

July 20, 2023

WHEREAS, On March 28, 1991, by Local Law No. 2 of 1991, the City Council of the City of Auburn adopted Ch. 27 of the 1991 Code of the City of Auburn entitled “Housing Standards”; and

WHEREAS, Section 182-75 of the Housing Standards chapter provides direction for judicial review of governmental acts made thereunder; and

WHEREAS, it is optimal for the purposes of efficiency, clarity and certainty that the Housing Standards Chapter and provide an avenue for grievances to be heard administratively; and

WHEREAS, the City of Auburn Nuisance Abatement Committee meets regularly, holds administrative hearings and maintains general subject matter jurisdiction over housing matters; and

WHEREAS, Local Law No. 1 of 2023, attached hereto and incorporated herein, proposes to update Chapter 182 of the City Code to achieve such goals by adding an administrative appellate process to the Housing Standards Chapter and placing the same within the purview of the Nuisance Abatement Committee; and

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NOW, THEREFORE, BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Local Law No. 2 of 1991, “Housing Standards”

1. Section 182-75

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Local Law No. 1 of 2023 attached and incorporated herein, which replaces the following Sections of Chapter 182 of the Auburn City Code entitled “Housing Standards”:

1. Section 182-75

and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect upon its filing with the New York Secretary of State.

§ 182-75 **Administrative and Judicial review.**

- a) Any person or persons jointly or severally aggrieved by any final order **or administrative fee issued or imposed** by the Housing Code Inspector may ~~seek to have such order reviewed by the Supreme Court in the manner prescribed by Article 78 of the Civil Practice Law and Rules and as otherwise provided for in the laws of the State of New York~~ **seek an administrative review of the same before the Nuisance Abatement Committee.**
- b) **The aggrieved party shall initiate an administrative review by submitting a written request for administrative review to the Office of the City Manager along with a copy of the order or fee notice seeking to be appealed from within 14 days of receipt of the same.**
- c) **The Nuisance Abatement Committee shall meet on a quarterly basis to hear appeals, at which time the aggrieved party or their counsel shall be granted the opportunity to present arguments on his or her own behalf to the Nuisance Abatement Committee.**
- d) **Pursuant to the City Code of Auburn section §213-5 the Nuisance Abatement Committee shall possess the authority to make a determination as to reverse, modify, or affirm the final order or administratively imposed fee of the Housing Code Inspector.**
- e) **Any person or persons jointly or severally aggrieved by any final order of the Nuisance Abatement Committee shall be deemed as exhausting all available administrative remedies and may seek to have such order reviewed by the Supreme Court in the manner prescribed by Article 78 of the Civil Practice Law and Rules and as otherwise provided for in the laws of the State of New York.**

D. Resolutions – none

E. Staff or Vendor Presentations –

- CEDA Update - Michael Miller, Executive Director CEDA
- Auburn Police Department and City Ambulance Building Renovation Update - Timothy Bivens, Architect at Barton & Loguidice
- Auburn Police Department Presentation on Light Bulbs for the Community - James Slayton, Police Chief

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TABLED ITEMS - none

OTHER BUSINESS – none

Second Public to be Heard. None

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 made confidential under attorney client privilege.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 6:23 p.m.

Executive session adjourned at 7:01 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:02 p.m..

Minutes submitted by: Chuck Mason, City Clerk