

Auburn City Council Meeting, July 13, 2023

**Auburn City Council
Regular Meeting
Thursday, July 13, 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
- Superintendent of Public Works, Mike Talbot
- Falcon Park, Brian Rhodes
- Summer Recreation Program, Meg Gremler
- Department of Municipal Utilities, Sam Granato

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 –

Notice is hereby given that the Auburn City Council has called a public hearing to be held on Thursday, July 13, 2023 beginning at 5:00 p.m. regarding Local Law #1 of 2023 Amending Sections of the "Housing Standards" Chapter of the Auburn City Code. This public hearing will be held during the regular City Council meeting in the Council Chambers at Memorial City Hall, 24 South Street, first floor, Auburn, NY 13021. Mayor Quill opened the Public Hearing. There were no speakers.

Ceremonial Presentations – none

Public to be heard: The City Clerk read the rules for Public To Be Heard and there were no speakers.

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Approval of Meeting Minutes –

June 15, 2023 Council Meeting Minutes

Motion to approve the June 15, 2023 minutes by Councilor Giannettino, seconded by Councilor Cuddy.

Motion to approve carried 5-0.

June 22, 2023 Council Meeting Minutes

Motion to approve the June 22, 2023 minutes by Councilor Kent, seconded by Councilor Locastro.

Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

- The city of Auburn Civil Service Office has announced the following exams:
 - Police Officer – Entry Level Exam Sept. 9, must sign up by Aug. 10
 - Keyboard Specialist – Exam Aug 26, must sign up by July 28
- The City Manager invited Sam Granato from the Department of Municipal Utilities to speak with the City Council a status update on the Chlorine Dioxide generator for the Upper Pumping Station.

Since the summer of 2022, the Water Filtration Staff has researched alternative treatments for zebra mussel control. While our current treatment of Sodium Hypochlorite is effective at controlling the zebra mussels, the dosing of sodium hypochlorite presents some problems, disinfection by-products being the biggest concern.

After careful deliberation, and visiting other local Water Treatment Works, the Filtration Staff selected Chlorine Dioxide as the best option going forward in December of 2022. Chlorine Dioxide, unlike Sodium Hypochlorite, does not form disinfection by-products. It also is appreciably more effective at eliminating zebra mussels. It also has other fringe benefits like oxidation of iron and manganese; elimination of biofilm in the distribution system; and it's effective against parasites like Cryptosporidium and Giardia.

In May of 2023 an RFP was sent out and International Dioxide was the winning bidder. Chlorine Dioxide, unlike Sodium Hypochlorite, must be generated on-site. There are a few different ways to generate ClO₂. Filtration staff, after visiting other Treatment Works, and consulting the local DOH, selected the three-chemical generator for its inherent efficiency and safety. All the chemicals used to generate ClO₂ are NSF 61 certified.

At present, International Dioxide has provided most of the requested documentation to our local DOH. There were a few additional documents that were requested by the local DOH, which they will have by the week of the 16th of July. Once the documents are submitted, the Health Department will approve of the system as it stands. This will then be presented to City Council for a vote.

Reports from members of Council –

Matters to Come Before Council

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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

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,

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

Seconded by Councilor _____

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

§ 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 –

E. Staff or Vendor Presentations –

- Summer Parks Program Presentation - Brian Rhodes, Public Works and Meg Gremli, Parks Program Director

TABLED ITEMS - none

OTHER BUSINESS – none

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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:

- Two matters pertaining to the sale of real property.
- One matter made confidential under attorney client privilege.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:56 p.m. Executive session adjourned at 7:31 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:32 p.m..

Minutes submitted by: Chuck Mason, City Clerk