

**MINUTES OF THE COMMON COUNCIL  
DECEMBER 16, 2014**

A meeting of the Common Council of the City of Oneida, NY was held on the sixteenth day of December, 2014 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

The Meeting was called to order by Mayor Alden M. Smith

**PRESENT:** Councilors Brahim Zogby, Michael Bowe, Erwin Smith, James Chamberlain and Thomas Simchik

**ABSENT:** Councilor Helen Acker

**ALSO PRESENT:** City Attorney Nadine Bell  
City Clerk Susan Pulverenti  
City Engineer Jon Rauscher  
Comptroller Linda Pease  
Fire Chief Kevin Salerno  
Public Safety Commissioner Michael Kaiser  
Supervisor John Reinhardt

**OLD BUSINESS**

Councilor Zogby questioned the status of the monies coming to the City from the County relative to the Oneida Indian Nation, and the Mayor said \$101K has been authorized by Resolution of the County. The Mayor said there is ongoing discussion of the parcels left off the list and the outside fire district and hydrants, and he will continue working with the County to sort out the additional \$60K to cover those items. The Mayor clarified this related to the \$3.2M the County is expected to receive from the Oneida Indian Nation next year, not the \$11.2M lump sum the County already received. Joe Magliocca, Oneida, said that the City of Oneida has close to the lion's share (percentage wise) of properties and is getting \$100K out of \$3M; it seems like someone forgot to carry the "1".

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

**RESOLVED**, that the minutes of the regular meeting December 2, 2014 and special meetings of November 24, 2014, November 25, 2014 and December 1, 2014 are hereby approved as presented.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

Councilor Simchik complimented the City Clerk on the detailed minutes.

Moved by Councilor Simchik

Seconded by Councilor Chamberlain

**RESOLVED**, that Warrant No. 24, checks and ACH payments in the amount of \$250,688.22 as audited by the Voucher Committee, are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

Moved by Councilor Chamberlain

Seconded by Councilor Bowe

**RESOLVED**, that Check No. 52016 in the amount of \$29.97 (Oneida Office Supply) as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

## MONTHLY REPORTS

### **RESOLUTION 14-280**

Moved by Councilor Chamberlain  
Seconded by Councilor Simchik

**RESOLVED**, that the monthly reports from the Chamberlain, City Clerk, City Engineer, Director of Planning and Development, Fire Chief, Police Chief, and Recreation Director are hereby received and placed on file.

Ayes: 5  
Nays: 0  
Absent: 1 (Acker)

#### **MOTION CARRIED**

Councilor Smith asked about the disconnection of the City's fire alarm system and the Fire Chief said 20 out of 70 are off. Chief Salerno said letters are sent quarterly to remind customers that they have until December of next year to make other arrangements.

## ZONING CHANGE REQUEST

### **RESOLUTION 14-281**

Moved by Councilor Smith  
Seconded by Councilor Chamberlain

**RESOLVED**, that a letter from HP Hood LLC, 252 Genesee Street, Oneida requesting a zoning change for a portion of their property located at 252 Genesee Street (SBL No. 038.56-1-36) be hereby received and placed on file, **and be it further**

**RESOLVED**, that said request be forwarded to the Planning Commission.

Ayes: 4  
Nays: 0

Absent: 1 (Acker)  
Abstain: 1 (Bowe) Councilor Bowe said everything was done allegedly before his time, so he would like to find out what is going on.

#### **MOTION CARRIED**

James Coulthart, Oneida said he would like to rise in opposition of this item being placed for consideration of the zoning commission. He said he lives in the neighborhood where HP Hood is expanding and said he finds it curious that they are requesting a zoning change from residential when that has already happened. They have a grading truck onsite and razed the old Kime's building and said he has serious concerns as to the vetting process that was done by the zoning commission. He asked for the minutes from the zoning commission where this was considered. He also questioned what kind of public consideration there would be for a buffer zone, sound abatement, and Allen Park. Mr. Coulthart asked what provisions were made for water use with the increased productivity and utilization of our septic treatment plant. He said when Hood leaves, it will be the taxpayers who are stuck paying for a septic treatment plant that probably will not have the useful life it would have had if used by citizens and other commercial entities in the area. He said he seriously questions whether this request should even be considered and asked what mechanisms he has to fight it.

The Mayor asked Mr. Coulthart to itemize his list of concerns and send it to him, so he can address each issue. The Mayor said this request is being forwarded to the Planning Commission for consideration and their next meeting is January 15, 2015. He recommended that Mr. Coulthart attend the Planning Commission meeting to share his concerns. The City Engineer said sewer and water issues are being addressed; however, HP Hood has not come before the Planning Commission for this zoning change request as of yet.

The City Attorney said a zoning map amendment requires a Local Law, public hearing and passage of the law, so this will ultimately be back to the Council for approval after the Planning Commission makes their recommendation. He questioned why the building was demolished and graded to park semis when they didn't have permission to do so. The City Engineer said they had a demolition permit through the Codes office, adding that excavation/grading is part of that permit. Councilor Bowe suggested speaking to Planning Director Cassie Rose. Councilor Bowe said Ms. Rose told him that so far everything Hood has done has been approved by the Planning Commission. The Mayor reiterated the need for a list of specific concerns. Mr. Coulthart said everyone enjoys Allen Park and he has serious concerns with kids

playing there.

**LETTER OF ENGAGEMENT FOR YEAR ENDED 2014 AUDIT SERVICES**

**RESOLUTION 14-282**

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

**RESOLVED** to authorize the Mayor to sign the Engagement Letter from D’Arcangelo & Co., LLP, 200 E. Garden St. PO Box 4300, Rome NY 13442-4300 for the year ended December 31, 2014 Audit of the City’s financial statements in an amount not to exceed \$19,500.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

**AUTHORIZE MEDICARE PART B REIMBURSEMENT PAYMENTS TO RETIREES**

Discussion ensued on Item Number 4 to authorize Medicare Part B retirement reimbursement payments to all retirees with Councilor Zogby questioned the wording of the resolution. The City Attorney said the Resolution can be amended to add “regardless of union or non-union affiliation”, if that is the intent of the Resolution. The City Clerk said this is the same Resolution voted on previously, and it was written by a former City Attorney. Councilor Zogby said he would like a separate resolution for those not affiliated with a union at another meeting. The City Clerk said a motion would be needed to amend the Resolution. The Mayor said the City reimburses our retirees for their Medicare Part B premium and added that this was an expectation they would be receiving this when they retired. Past precedent is that those not affiliated with a union receive the same benefit. The Mayor said going forward in the union contracts this administration is negotiating a clause that future retirees will not receive this benefit because of the costs involved. The Mayor said there is significant legal precedent speaking to this issue. He said that we shouldn’t be balancing our future budgets on the backs of those retirees. Councilor Smith said that the non-affiliated retirees are department heads, who followed CSEA contracts. The City Attorney said to add the words “regardless of union or non-union affiliation” after “all eligible retirees” and read aloud the proposed amended resolution. A vote was taken with two in favor, one opposed and two abstentions. Councilor Zogby said there are members of the Council who are participants in this reimbursement who are now voting on their own reimbursement, and the Mayor immediately replied that they had abstained. The City Attorney then explained the difference of a Councilor abstaining from the vote versus recusing themselves from a vote, noting there are differences of opinion on this. The Mayor said the City Attorney’s explanation was important for the Council to have before the vote. The Council decided to move this item to the end of the agenda for further discussion and a vote.

**ADOPT LOCAL LAW NO. 9 OF 2014 TO AMEND CHAPTER 9  
TITLED “ALCOHOLIC BEVERAGES”**

**RESOLUTION 14-283**

Moved by Councilor Zogby

Seconded by Councilor Simchik

**RESOLVED**, that a Local Law No.9 to amend Chapter 9 of the City Code titled “Alcoholic Beverages” to impose penalties for offenses be hereby adopted as follows:

**A LOCAL LAW AMENDING CHAPTER 9, TITLED “ALCOHOLIC BEVERAGES,” OF THE CODE OF THE CITY OF ONEIDA TO IMPOSE THE PENALTIES FOR OFFENSES OF CHAPTER 9**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 9 of the Code of the City of Oneida (hereinafter “Code”), titled “Alcoholic Beverages,” to impose penalties for offenses within the City of Oneida, as follows:

**SECTION 1.**

So that a new Section 3 shall be added to Chapter 9 of the Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 9-3. Penalties for offenses.

A violation of this chapter shall constitute a violation punishable by a fine of not more than Two Hundred and Fifty Dollars (\$250.00), imprisonment for not more than fifteen (15) days, or both

such fine and imprisonment.”

**SECTION 2. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

Councilor Zogby – Yes  
Councilor Bowe – Yes  
Councilor Smith – Yes  
Councilor Acker – Absent  
Councilor Chamberlain – Yes  
Councilor Simchik – Yes

**MOTION CARRIED**

**ADOPT LOCAL LAW NO. 10 OF 2014 TO AMEND CHAPTER 85 TITLED “JUNKYARDS”  
TO IMPOSE PENALTIES FOR OFFENSES OF CHAPTER 85**

**RESOLUTION 14-284**

Moved by Councilor Zogby  
Seconded by Councilor Smith

**RESOLVED**, that Local Law No. 10 of 2014 to amend Chapter 85 of the City Code titled “Junkyards” to impose penalties for offenses be hereby adopted as follows:

**A LOCAL LAW AMENDING CHAPTER 85, TITLED “JUNKYARDS,”  
OF THE CODE OF THE CITY OF ONEIDA TO IMPOSE PENALTIES  
FOR OFFENSES OF CHAPTER 85**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 85 of the Code of the City of Oneida (hereinafter “Code”), titled “Junkyards,” to impose penalties for offenses within the City of Oneida, as follows:

**SECTION 1.**

So that a new Section 15 shall be added to Chapter 85 of the City Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 85-15. Penalties for offenses.

A violation of this chapter shall constitute a violation punishable by a fine of not more than Two Hundred and Fifty Dollars (\$250.00), imprisonment for not more than fifteen (15) days, or both such fine and imprisonment. Each week that such violation shall continue, shall be deemed a separate offense.”

**SECTION 2. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

Councilor Zogby – Yes  
Councilor Bowe – Yes  
Councilor Smith – Yes  
Councilor Acker – Absent  
Councilor Chamberlain – Yes  
Councilor Simchik – Yes

**MOTION CARRIED**

**ADOPT LOCAL LAW NO. 11 TO AMEND CHAPTER 151 TITLED “STREETS, SIDEWALKS,  
AND PUBLIC PLACES” TO IMPOSE PENALTIES FOR OFFENSES OF CHAPTER 151**

**RESOLUTION 14-285**

Moved by Councilor Zogby  
Seconded by Councilor Bowe

**RESOLVED**, a Local Law No. 11 of 2014 to amend Chapter 151 of the City Code titled “Streets, Sidewalks, and Public Places” to impose penalties for offenses be hereby adopted as follows:

**A LOCAL LAW AMENDING CHAPTER 151, TITLED “STREETS,**

**SIDEWALKS AND PUBLIC PLACES,” OF THE CODE OF THE CITY OF ONEIDA  
TO IMPOSE PENALTIES FOR OFFENSES OF CHAPTER 151**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 151 of the Code of the City of Oneida (hereinafter “Code”), titled “Streets, Sidewalks and Public Places,” to impose penalties for offenses within the City of Oneida, as follows:

**SECTION 1.**

So that a new Section 4 shall be added to Chapter 151 of the Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 151-4. Penalties for offenses.

Any person violating any of the provisions of this Article shall, upon conviction thereof, be subject to a fine of not more than Two Hundred and Fifty Dollars (\$250.00) or imprisonment for not more than fifteen (15) days, or to both such fine and imprisonment.”

**SECTION 2.**

So that current §§ 151-4 through 151-18 shall be renumbered §§ 151-5 through 151-19.

**SECTION 3. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

- Councilor Zogby – Yes
- Councilor Bowe – Yes
- Councilor Smith – Yes
- Councilor Acker – Absent
- Councilor Chamberlain – Yes
- Councilor Simchik – Yes

**MOTION CARRIED**

**AMUSEMENT DEVICE LICENSE APPLICATION**

**RESOLUTION 14-286**

Moved by Councilor Chamberlain  
Seconded by Councilor Simchik

**RESOLVED**, to approve the 2015 Amusement Device License National Entertainment Network LLC, 325 Interlocken Parkway B, Broomfield CO 80021.

- Ayes: 5
- Nays: 0
- Absent: 1 (Acker)

**MOTION CARRIED**

**BUDGET TRANSFERS**

**RESOLUTION 14-287**

Moved by Councilor Chamberlain  
Seconded by Councilor Simchik

**RESOLVED**, to approve the following budget transfers:

	FROM	BALANCE	T0	BALANCE
\$15,506.00	001.0001.0884 (Reserve for Debt Service)	\$25,494	001.9710.0600 (Debt Service Principal)	\$170,506
\$1,751.48	001.0001.0884 (Reserve for Debt Service)	\$23,742.52	001.9710.0700 (Debt Service Interest)	\$20,791.22

*To appropriate reserve money from sale of Kallet Parking Lot to pay down bond for the purchase of parking lot that was issued in 2003)*

\$431,520.85	003.8110.0201 (Gas Monitoring)	0	003.9950.0900 (Transfer to Capital)	\$431,520.85
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*To move GHD Contract for Gas Monitoring to a multi-year capital project.*

\$1,020.00	001.3310.0101 (Traffic Salaries)	\$8,766.04	001.5010.0101 (DPW Admin Salaries)	\$4,268.40
\$11.00	001.3310.0101 (Traffic Salaries)	\$8,755.04	001.3620.0101 (Code Salaries)	\$4,219.60
\$1.00	001.1680.0400 (Tech Other)	\$7,513.77	001.1680.0101 (Tech Salaries)	\$1,764.29
\$6,500	001.8020.0101 (Planning Salaries)	\$5,400	001.3120.0101 (Police Salaries)	\$111,966.67
\$1,615	001.1315.0403 (Compt. Contracts)	0	001.1315.0101 (Compt. Salaries)	\$5,729.47
\$1,484.43	001.1620.0404 (Postage)	\$1,569.90	001.1620.0401 (Building National Grid)	\$6,174.08
\$1,071.04	001.7140.0409 (Rec Equip & Repair)	\$1,143.57	001.7140.0401 (Rec. Hig and Allen National Grid)	\$2,794.79
\$1,180.67	001.7140.0300 (Rec. Mat & Supplies)	\$0	001.7140.0401.2031 (Rec Armory National Grid)	\$3,521.50
\$164.49	001.7140.0409 (Rec. Equip Repair & Maint)	\$979.18	001.7140.0401.2031 (Rec. Armory National Grid)	\$3,685.99
\$4,000.00	001.1355.0101 (Assessor Salaries)	\$6,693.09	001.7140.0401.2031 (Rec. Armory National Grid)	\$7,685.99
\$2,000.00	001.1680.0400 (Tech. Other)	\$5,513.77	001.7140.0401 (Rec. Higginbotham & Allen)	\$4,794.79
\$5,000.00	001.1364.0400 (Property Acquired Costs)	\$162.98	001.5182.0401 (Street Lights)	\$10,312.98
\$2,000.00	001.7140.0103 (Rec. Maint. Salaries)	\$6,164.00	001.5182.0401 (Street Lights)	\$12,312.98
\$4,200.00	001.8170.0300 (Dam Maint)	0	001.1620.0401 (Buildings National Grid)	\$4,200.00
\$3,800.00	001.9050.0803 (Unemployment)	\$6,904.00	001.1620.0401 (Buildings National Grid)	\$8,000.00
\$3,000.00	001.1680.0400 (Tech. Tech)	\$2,513.77	001.3120.0101 (Police Salaries)	\$109,466.67
\$4,828.00	001.3120.0104 (Police Holiday)	0	001.3120.0101 (Police Salaries)	\$114,294.67
\$3,467.00	001.3120.0105 (Police Vacation)	0	001.3120.0101 (Police Salaries)	\$117,761.67
\$7,023.00	001.3120.0108 (Police STEP)	0	001.3120.0101 (Police Salaries)	\$124,784.67
\$2,000.00	001.3120.0300 (Police Mat & Supplies)	\$1,079.34	001.3120.0101 (Police Salaries)	\$126,784.67
\$2,500.00	001.3120.0403 (Police Contracts)	\$2,140.10	001.3120.0101 (Police Salaries)	\$129,284.67
\$2,000.00	001.3120.0413 (Police Training)	\$325.00	001.3120.0101 (Police Salaries)	\$131,284.67

*Year-end transfers*

\$1,590	002.8300.0436 (Water Contingency)	\$12,648.00	002.8300.0324 (Water Meters & Parts)	\$1,868.00
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*Emergency purchase*

*Balances as of 12/10/2014*

Ayes: 5  
Nays: 0  
Absent: 1 (Acker)  
**MOTION CARRIED**

**DESIGNATE EMERGENCY PURCHASE**

**RESOLUTION 14-288**

Moved by Councilor Smith  
Seconded by Councilor Simchik

**WHEREAS**, information has been found that the 2” meter servicing a customer is not properly working and is unrepairable, **and**

**WHEREAS**, it is necessary to order a meter from a supplier so that the existing non-operational meter can be replaced, **and**

**WHEREAS**, a delay in ordering the meter will impede the installation of a working meter at this facility, **and**

**WHEREAS**, as funds are not available in account 002.8300.0324 and a budget transfer has been approved, **now therefore be it**

**RESOLVED**, that the Common Council designate this purchase an emergency in accordance with Section IX of the City of Oneida Purchasing Policy, **and be it further**

**RESOLVED**, that the Water Superintendent be authorized to order said meter from the sole source manufacturer’s supplier EJ Prescott.

Ayes: 5  
Nays: 0  
Absent: 1 (Acker)  
**MOTION CARRIED**

The Mayor said during the month of December purchasing is restricted to keep a handle of spending.

**CAPITAL PROJECT FOR WWTP GAS MONITORING AND BIOGAS FLARE**

**RESOLUTION 14-289**

Moved by Councilor Smith  
Seconded by Councilor Simchik

**RESOLVED** to authorize the Purchasing Agent to advertise for bids for the Gas Monitoring and Biogas Flare Capital Project at the WWTP, **and be it further**

**RESOLVED**, to authorize the City Engineer proceed with said Capital Project for the Gas Monitoring and Biogas Flare at the WWTP and expend funds in the amount of \$431,520.85.

Ayes: 5  
Nays: 0  
Absent: 1 (Acker)  
**MOTION CARRIED**

**DUE PROCESS HEARING REQUEST**

**RESOLUTION 14-290**

Moved by Councilor Smith  
Seconded by Councilor Simchik

**RESOLVED** that an e-mail request from Cheryl A. Kenyon Morgan, 244 Liberty St. Apt. 2, Oneida NY for a due process hearing prior to the termination of water service be hereby received and placed on file.

Ayes: 5  
Nays: 0  
Absent: 1 (Acker)  
**MOTION CARRIED**

Cheryl Kenyon Morgan said she is planning on moving into a new apartment on January 1, 2014, but it will take a few days to accomplish that. She asked for an extension from the turn-off date of December 29, 2014. She said that once she moves out the building will be vacant; there will be no utilities or gas. She said there is a notice-to-vacant sign on apartment three, which has been handled by the codes office and she is unaware if anyone is there now. She said that she has paid the current water bill and will pay the final water bill. The Mayor said that he will give Ms. Morgan that consideration and requested that the City Clerk inform the Water Superintendent that the water is not to be turned off until after Ms. Morgan has moved out.

## **AUTHORIZE MEDICARE PART B REIMBURSEMENT PAYMENTS TO RETIREES**

### **RESOLUTION 14-291**

Moved by Councilor Bowe  
Seconded by Councilor Simchik

**RESOLVED**, that the City Comptroller be, and hereby is authorized and directed, throughout the period from January 1, 2015 to December 31, 2015, to make payments to all eligible retired City employees, regardless of union or non-union affiliation, for reimbursement of the cost of Medicare Part B coverage in accordance with the provisions regarding such reimbursement as set forth in the current contracts of CSEA, Inc., Local 1000 AFSCME and Oneida Paid Firefighters Association Local 2692.

Councilor Zogby – No  
Councilor Bowe – Yes  
Councilor Simchik - Yes

**MOTION CARRIED**

The City Attorney said the issue of recusal versus abstention is something that has been debated and there are a lot of different opinions. She said the interpretation from NYCOM (New York Conference of Mayors) is if you recuse yourself; you remove yourself entirely from the process. If you abstain, you are participating in the process, but choosing not to cast a vote. She said that is why, if you abstain, you are in effect casting a no vote, because you are still part of the process of those who could vote. City Attorney Bell said the way the City Charter in Section 3.4 relative to the passage of Resolutions reads, “a Resolution is passed by an affirmative vote of at least a majority of those of the Council then in office present and voting”. She said with five Councilor’s present tonight, if two Councilor’s recuse themselves from the vote; we now have three Councilors present and voting and in order for the Resolution to pass, two would have to be in favor. If two Councilors choose to abstain, there are five people present and voting, and you would need three to vote in favor for a Resolution to pass. In response to a question from Councilor Bowe, the City Attorney said that by recusing yourself, you have reduced the quorum that is necessary; you are not considered present and voting. Councilor Chamberlain said he wanted it on record that he prefers to wait for a full complement of Council members to vote on this. The Mayor said this discussion is not about the merits of the Resolution, but about whether or not they can participate. The City Attorney said the problem lies with the way the Charter reads; “present and voting”. Councilor Zogby asked for a ten minute recess before the Council votes.

The Mayor recessed the meeting at 7:18 p.m. and reconvened at 7:33 p.m.

The Mayor said that what challenges us is that there are three former City employees sitting on this Council, and therefore from time-to-time that can be of issue. The Mayor said the two individuals who have chosen to recuse themselves are receiving the benefit that is being voted on. The Mayor said they are here to represent their constituency, but half the City ends up being not represented. The Mayor said this will need to be addressed moving forward. The City Clerk read aloud the amended Resolution, which was moved by Councilor Bowe and seconded by Councilor Simchik.

The original motion to open discussion was made by Councilor Simchik and seconded by Councilor Smith. Councilors Smith and Chamberlain returned to the chambers after the vote was taken and the Mayor informed the Councilors that the motion passed.

### **NEW BUSINESS**

Councilor Zogby said he would like to make two comments about these evenings proceedings. He said that Mr. Coulthart’s remarks are not lost upon him especially regarding communications from the City to our residents. He said it is our duty to inform our residents the best we can and be as transparent as possible. He said there is difficulty with our new website, which has been improved, however when attempting to find the minutes and agendas of the various City commissions and boards, it is very difficult to get that information. He said the City needs to be more vigilant in getting more information on the website. The Mayor said he will look into it.

Councilor Zogby said whenever Laws and Resolutions are crafted; we make a huge mistake in simply taking a Resolution that has been previously passed and simply re-stamping with today's date. He said the Council has no understanding of the intent of that Resolution when it was previously prepared and said we should prepare Resolutions that go forward to protect our citizens. Councilor Zogby said we need to be cautious with crafting Resolutions and presenting them to this body without knowing exactly what our intention is with that Resolution.

The City Clerk said the tentative agenda goes to the department heads on Wednesday, and on Friday morning, the agenda goes out to the press and Common Council. It is also placed on the website at that time. She said any Council member can contact her about any Resolution, and if they would like it changed, certainly that can be looked at. Councilor Bowe concurred and said that he had spoken to the City Clerk about a particular Resolution.

Barbara Buehner, Oneida, said that as a teacher/semi driver for three years, Mr. Coulthart's comments really got to her. She said that family members of hers retired from Oneida Limited and she sees the damage to the City caused by losing Oneida Limited. Ms. Buehner said we need HP Hood and with respect to Mr. Coulthart's comment regarding that they are going to leave; there are no indicators that is going to happen. We need this business in Oneida and said she has seen the loss of revenue to central New York. She said we need the semis; without trucks, America stops. The Mayor said everyone has a right to their opinions, but said he strongly agrees that we need viable businesses in our community and HP Hood is one of them. He said we welcome the expansion, but we also want to lessen the impact and not have noise issues affecting our neighborhoods.

Walt West, Oneida, said he agreed with many of the comments the Mayor made at the last budget meeting. He said we need to start investing in Oneida, and said he doesn't see where we have much more room for cuts to the budget; it appears the valve is as tight as it is going to get. People need to stop with opposition to new companies coming into our City, as we need the revenue and the people need the income, so we can support a commercial base large enough to get our sales tax back where it is supposed to be. Mr. West said that buffer zones can be placed to lessen the impact of noise and said there are lands in the outside district that can be developed that will have very little impact on residential areas. He said we need to come together and start investing in our community or we are going to lose our community. Mr. West said our City motto is "A bit of America at its best" and he believes the whole population needs to start living up to that motto.

Motion to adjourn by Councilor Bowe

The regular meeting is hereby adjourned at 7:45 p.m.

**CITY OF ONEIDA**

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Susan Pulverenti, City Clerk