

**MINUTES OF THE COMMON COUNCIL
JULY 7, 2015**

A meeting of the Common Council of the City of Oneida, NY was held on the seventh day of July, 2015 at 6:35 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

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: Assessor Lonnie Stedman
City Attorney Nadine Bell
City Chamberlain Nancy Andrews
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Linda Pease
Director of Parks and Recreation Lucas Griff
Director of Planning and Development Cassie Rose
Fire Chief Kevin Salerno
Police Chief David Meeker
Public Safety Commissioner Mike Kaiser
Supervisor John Reinhardt

PUBLIC HEARING – ORDINANCE TO AMEND ZONING MAP

RESOLUTION 15-144

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the Public Hearing on an Ordinance to amend the Zoning Map on the parcel (SBL# 37.14-1-16) located on Route 5 adjacent to the corporate line and Xena Holdings LLC (Nye) property from R-1 (Residential) to C (Commercial) be hereby opened at 6:36 p.m.

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

MOTION CARRIED

APPEARANCES: None

Moved by Councilor Smith
Seconded by Councilor Zogby

RESOLVED, that the Public Hearing on the proposed Ordinance to amend the Zoning Map on parcel SBL# 37.14-1-16 be hereby closed at 6:37 p.m.

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

MOTION CARRIED

OLD BUSINESS

Solar Energy Initiative

Mayor Smith said he has received notice from National Grid that there will be a four to six week delay with the completion of the interconnection agreement for the City's solar project, as there are a large number of solar projects currently being submitted. The Mayor said the interconnection agreement with National Grid is the last step before construction begins.

Planning Director Acclamation

Mayor Smith said he attended a ground breaking for the Stoneleigh Housing Project on Warner Street. Councilors Chamberlain and Simchik attended as well. Mayor Smith said there were some very complimentary things said about the cooperation of this City and County to bring about this significant project. The Mayor said he wants to submit for the record a letter received from Donna Bonfardeci of the Kinderhook Development LLC. He read the letter aloud, which gave accolades to the tireless efforts of Planning Director Cassie Rose for her dedication, research of historical facts, and knowledge of environmental laws, planning procedures and City codes, and remarked that they found Ms. Rose's steady guidance at each stage to be amazing. Ms. Bonfardeci's letter continued by stating that the efforts and professionalism exhibited by Ms. Rose did not go unnoticed by their professionals. The Mayor gave kudos to Planning Director Cassie Rose, who received a round of applause.

Phelps Street Debris Cleanup

The bids have been received and the cleanup is moving forward.

Civil Engineer Tech

Mayor Smith said the interviews have been completed for the Civil Engineer Tech position in the City Engineer's office. He said some very well qualified people have applied, and a decision will be made by Friday.

Upstate Revitalization Initiative

Mayor Smith stated there would be a public participation event at the Kallet Civic Center on Thursday, July 9, 2015 at 5:30 p.m. The Mayor said the fact that this is being held here in Oneida, when all the other events have been held in Syracuse, sends a strong message about our engagement and participation in that process. He commended Kipp Hicks, Madison County IDA, for his efforts to bring that about. The Mayor said they will be asking for input from members of the public in order to assist the Central NY Regional Economic Development Council in building a plan for \$500 Million in economic development funding from New York State.

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, that the minutes of the regular meeting of June 16, 2015 are hereby approved as presented.

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

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, that Warrant No. 13, checks and ACH payments in the amount of \$718,829.02 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

**ADOPT LOCAL LAW NO. 1 OF 2015 TO ESTABLISH A NEW CHAPTER TITLED
“PROHIBITION REGARDING THE SALE AND POSSESSION OF SYNTHETIC DRUGS AND
OTHER SIMILAR SUBSTANCES OR COMPOUNDS”**

RESOLUTION 15-145

Moved by Councilor Smith
Seconded by Councilor Bowe

RESOLVED, that the Common Council of the City of Oneida does hereby enact and ordain that the Code of the City of Oneida (hereinafter “Code”) is hereby amended to include a new Chapter titled “Prohibition Regarding the Sale and Possession of Synthetic Drugs and Other Similar Substances or Compounds,” to ban the sale and possession of synthetic cannabinoids and other similar synthetic substances within the City of Oneida, which shall read as follows:

SECTION 1. DEFINITIONS.

As used in this Section, “Synthetic Drug” means any product, whether described as tobacco, potpourri, herbs, incense, spice, aromatic, bath salts, synthetic marijuana, synthetic stimulant or any combination thereof, and whether marketed for the purpose of being ingested otherwise marketed which includes, but is not limited to one or more of the following hallucinogenic substances:

1. 1-Pentyl-3-(1-naphthoyl) indole; some trade or other names: JWH-018; or
2. 1-Butyl-3-(1-naphthoyl) indole; some trade or other names: JVVH-073; or
3. 1-[2-(4-morpholinyl) ethyl]-3-(1-naphthoyl) indole; some trade or other names: JWH-200; or
4. 5-(1.1-dimethyloctyl)-2-[1R,3S]-3-hydroxycyclohexyl[-phenol; some trade or other names: CP 47, 497; or
5. 5-(1.1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl] -phenol; some trade or other names: cannabicyclohexanol; CP-47, 497 C8 homologue; or
6. 4-methylmethcathinone (Mephedrone); or
7. 3, 4-methylenedioxypropylvalerone (MDPV); or
8. 3,4-Methylenedioxymethcathinone, commonly known as Methylone; or
9. 3-Methoxymethcathinone; or

10. 3-Fluoromethcathinone; or
11. 4-Fluoromethcathinone;
12. Any substance prohibited in an Order for Summary Action in the Matter of the Sale and Distribution of Synthetic Cannabinoids issued by the New York State Department of Health, dated March 28, 2012, and any similar Order subsequently issued by the State of New York Department of Health;
13. Any substance prohibited under federal law pursuant to the “Synthetic Drug Abuse Prevention Act of 2012”;
14. Any synthetic drug analog which shall mean a substance containing the following:
 - a. The chemical structure of which is substantially similar to the chemical structure of a synthetic drug as described above; or
 - b. Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a synthetic drug as described above; or
 - c. Which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a synthetic drug as described above.
15. In order to prevent the creation, possession and use of the drug commonly known as “Water” the unauthorized use of embalming fluid or similar compounds is hereby prohibited within the City of Oneida with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this Chapter embalming fluid means any chemicals or substances manufactured primarily for use by licensed funeral directors, undertakers or embalmers, or registered residents, to prepare, disinfect or preserve, either hypodermically, arterially or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

SECTION 2. PROHIBITION.

1. No person shall sell, offer for sale, give away, barter, exchange or otherwise furnish or provide any synthetic drug as defined herein and by any applicable federal or state law in the City of Oneida, New York.
2. No person shall be in the possession of any synthetic drug as defined herein and by any applicable federal or state law within the City of Oneida, New York, unless said synthetic drug is expressly prescribed to said person by a physician, psychiatrist or person otherwise duly licensed and authorized to prescribe medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.

SECTION 3. PENALTIES.

Any person who violates the provisions of this Chapter shall be guilty of an unclassified misdemeanor punishable by a fine of up to one thousand dollars (\$1,000.00) and/or imprisonment

of up to one (1) year, or a civil penalty of one thousand dollars (\$1,000.00) to be recovered by the City of Oneida in a civil action or proceeding.

SECTION 4. SEVERABILITY.

In the event that any section, paragraph, sentence, clause or phrase of this Chapter is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this Chapter shall be deemed severable from the Chapter and shall in no way affect the validity of the rest of this Chapter.

SECTION 5. 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

RESOLUTION AND DECLARATION OF OFFICIAL INTENT TO LEASE THREE POLICE VEHICLES – CAPITAL PROJECT 15-2

RESOLUTION 15 - 146

Moved by Councilor Zogby

Seconded by Councilor Chamberlain

Lessee: City of Oneida

Principal Amount Expected To Be Financed: \$138,983.75

WHEREAS, the above Lessee is a political subdivision of the state in which Lessee is located (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable Law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

Brief Description of Property: Three (3) Ford Explorer Police Interceptor Vehicles with police equipment

WHEREAS, First Niagara Leasing, Inc. ("Lessor") is expected to act as the Lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Lessee:

Section I. The Lessee hereby determines that it has critically evaluated the financing alternatives available to it pursuant to 2 NYCRR Section 39.2 and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

The specific reason for such determination is that entering into such Equipment Leases results in a lower overall cost to the Lessee. Execution of the Equipment Leases will not cause the Lessee to be in violation of the limits contained in paragraph of subdivision 6 of Section 109-b of the General Municipal Law.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the "Project") and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. The Mayor (an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. The Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee or indebtedness under the Constitution or laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is three (3) years.

Section 8. It is hereby determined the term of the Equipment Leases authorized by this resolution will not be in excess of three (3) years.

Section 9. The Governmental Body has determined that the Project is a Type II action that will not have a significant effect on the environment, and therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

Section 10. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purposed of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 11. BANK QUALIFIED: LESSEE CERTIFIES THAT IT HAS DESIGNATED THIS LEASE AS A QUALIFIED TAX-EXEMPT OBLIGATION IN ACCORDANCE WITH SECTION 265(b)(3) OF THE CODE, THAT IT HAS NOT DESIGNATED MORE THAN \$10,000,000 OF ITS OBLIGATIONS AS QUALIFIED TAX-EXEMPT OBLIGATIONS IN ACCORDANCE WITH SUCH SECTION FOR THE CURRENT CALENDER YEAR AND THAT IT REASONABLY ANTICIPATES THAT THE TOTAL AMOUNT OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY LESSEE DURJNG THE CURRENT CALENDER YEAR WILL NOT EXCEED \$10,000,000.

Section 12. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 13. This resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or Section 109b of the General Municipal Law.

Section 14. This Resolution shall take effect immediately upon its adoption and approval.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

MOTION CARRIED

PETITION OPPOSING CONSTRUCTION OF A SECTION OF THE ONEIDA RAIL TRAIL

RESOLUTION 15-147

Moved by Councilor Smith

Seconded by Councilor Bowe

RESOLVED, that a petition from concerned citizens and taxpayers in the City of Oneida opposing the construction of the Oneida Rail Trail section on or adjacent to the backyards on the south side of Birchwood Drive be hereby received and placed on file.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

MOTION CARRIED

ADVERTISE FOR BIDS – CAPITAL PROJECT 15-1 – KALLET ROOF REPLACEMENT

RESOLUTION 15-148

Moved by Councilor Simchik
Seconded by Councilor Zogby

RESOLVED, to authorize the Purchasing Agent to advertise for bids for the furnishing of all labor and material necessary for Capital Project 15-1 Kallet Civic Center Roof Replacement.

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

MOTION CARRIED

Complete bid documents (201 pages) can be found on the City website.

CANVASS BIDS – TREE & STUMP REMOVAL AND TREE TRIMMING

RESOLUTION 15-149

Moved by Councilor Zogby
Seconded by Councilor Chamberlain

WHEREAS, the lowest bid meeting specifications for Tree & Stump Removal and Tree Trimming in the amount of \$35,395.00 was received from American Arborist, 1624 W. Elm St., Oneida NY, **and**

WHEREAS, the 2015 budgeted amount for Tree & Stump Removal and Tree Trimming is \$28,000.00, **now therefore be it**

RESOLVED, to accept the lowest bid meeting specifications from American Arborist, 1624 W. Elm St., Oneida NY, authorize the Mayor to sign any and all documents related to said bid, and further authorize the City Engineer to expend funds up to \$28,000.00.

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

MOTION TABLED

Councilors questioned why the authorization to expend funds was less than the amount of the bid. The City Engineer said a rough estimate of previous years is provided of what they typically or have historically done for a season. He said only \$28K was budgeted, so only \$28K would be allowed to be spent, noting this is what has been done in the past. After a brief discussion, the Council decided they needed more information, and the City Attorney said she would look into it. The Council agreed to table the Resolution to get further information. The original motion to open discussion was moved by Councilor Bowe and seconded by Councilor Simchik.

CANVASS BIDS – CAPITAL PROJECT 15 -10 PAVING PROGRAM

RESOLUTION 15-150

Moved by Councilor Bowe
Seconded by Councilor Simchik

RESOLVED, to accept the lowest bid meeting specifications from Ocuto Blacktop & Paving, 846 Lawrence Street, Rome NY 13440 in the amount of \$176,543.60 for the City's paving program, authorize the Mayor to sign any and all documents related to said bid, and further authorize the City Engineer to expend funds up to the programmed amount.

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

City Engineer Jon Rauscher said hot mix is being used.

CANVASS BIDS – CUSTOM RESCUE TRUCK WITH EXTRICATION EQUIPMENT

RESOLUTION 15-151

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, to accept the lowest bid meeting specifications from HAR-ROB Fire Apparatus, 5089 Whirlybird Lane, East Syracuse NY 13057 in the amount of \$179,798.00 for a custom rescue truck with extrication equipment, authorize the Mayor to sign any and all documents related to said bid, and further authorize the Fire Chief to expend funds up to \$179,798.00.

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

Mayor Smith said he is pleased to announce that the Fire Department has received a grant to purchase Scott air packs.

CANVASS BIDS – BUILDING DEBRIS REMOVAL 120 PHELPS STREET

RESOLUTION 15-152

Moved by Councilor Simchik
Seconded by Councilor Chamberlain

RESOLVED, to accept the lowest bid meeting specifications from Sullivan Contracting, 9362 Paris Hill Road, Sauquoit NY 13456 in the amount of \$158,900.00 to remove the building debris at 120 Phelps Street, Oneida NY, authorize the Mayor to sign any and all documents related to said bid, and further authorize the City Engineer to expend funds up to \$158,900.00.

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

BUDGET TRANSFERS AND BUDGET AMENDMENT

RESOLUTION 15-153

Moved by Councilor Simchik
Seconded by Councilor Smith

RESOLVED, to approve the following budget transfers:

<i>Amount</i>	<i>From</i>	<i>Balance</i>	<i>To</i>	<i>Balance</i>
\$15,506.00	001.001.0210 (Kallet Parking Lot Reserve)	\$8,236.52	001.9710.0600 (Debt Service Principal)	\$348,582
\$1,189.38	001.001.0210 (Kallet Parking Lot Reserve)	\$7,047.14	001.9710.0700 (Debt Service Principal)	\$63,579.79
(To Use Reserve to Pay down Kallet Parking Lot Bond)				
\$4,798.00	001.3410.0200 (Fire Equipment)	\$17,967.00	110.3410.0200 (Fire Rescue Truck)	\$120,798.00
(To approve increase in capital project for Rescue truck from \$175,000.00 to \$179,798.00)				
\$34,822.98	001.3310.0101 (Traffic Salaries)	0	001.5110.0101 (Street Maintenance Salaries)	\$153,046.53
\$107,849.88	001.5132.0101 (Outside Highway Salaries)	0	001.5110.0101 (Street Maintenance Salaries)	\$260,896.41
\$5,216.75	001.5142.0101 (Snow and Ice Salaries)	0	001.5110.0101 (Street Maintenance Salaries)	\$266,113.16
\$46.07	001.8140.0101 (Storm Sewer Salaries)	0	001.5110.0101 (Street Maintenance Salaries)	\$266,159.23
\$123,370.90	001.8200.0101 (Green Waste Pickup Salaries)	0	001.5110.0101 (Street Maintenance Salaries)	\$389,530.13
\$1,012.00	001.5132.0102 (Outside Highway Overtime)	0	001.5110.0102 (Street Maintenance Overtime)	\$13,011.90
\$1,432.56	001.5142.0102 (Snow and Ice Overtime)	0	001.5110.0102 (Street Maintenance Overtime)	\$14,444.46
\$700.00	001.8200.0102 (Green Waste Pickup Overtime)	0	001.5110.0102 (Street Maintenance Overtime)	\$15,144.46
(To combine Engineer's departmental salary and overtime accounts for various departments into one)				
\$3,200.50	003.8110.0436 (Sewer Contingency)	\$4,964.97	003.8110.0441 (Sewer Liability Ins)	\$10,645.00

(To cover the 2015-2016 liability insurance charges)

BALANCES AS OF June 26, 2015

RESOLVED, to approve the following budget amendment:

\$500.00	001.0017.1520 (Police Reports)	\$11,443.74	001.3120.0300 (Police Supplies)	\$11,526.81
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Ayes: 5
Nays: 0
Absent: 1 (Acker)

MOTION CARRIED

City Engineer Jon Rauscher said that he internally tracks his department salaries and they will be individually broken down at budget time.

DECLARE EXCESS PROPERTIES

RESOLUTION 15-154

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, that the City of Oneida Common Council does hereby declare the following parcels to be “excess properties” and therefore eligible to be for sale:

- SBL #37.-1-62.23 - Lowes Drive, 4.95 acres of Commercial property
- SBL #45.-2-3 - 2376 Upper Lenox Avenue, Residential property
- SBL #30.64-1-48 - 237 E. Railroad Street, Residential property
- SBL #30.71-2-18 - 210 Liberty Street, Residential property

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

MOTION CARRIED

PURCHASE OFFER FOR 237 E. RAILROAD STREET

RESOLUTION 15-155

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that a purchase offer from Denise L. Haldenwang, 1027 Sweatman Avenue, Oneida NY for property located at 237 E. Railroad Street, Oneida NY (SBL # 30.64-1-48) in the amount of \$11,000.00 be hereby received and placed on file.

Ayes: 4
Nays: 0
Abstain: 1 (Bowe)
Absent: 1 (Acker)

MOTION CARRIED

After a brief discussion, the Mayor and Council decided to discuss this offer in Executive Session.

CITY OF ONEIDA POLICIES

RESOLUTION 15-156

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that the following annual policies be affirmed:

- Network & Internet Acceptable Use Policy
- Computer System Security Breach and Notification Policy
- Backup and Recovery Policy
- Cellular Telephone Policy
- Purchasing Policy and Procedures
- Capital Assets and Depreciation Policy
- Reimbursable Expense Policy
- Disposal, Sale and Handling of Abandoned Motor Vehicles
- Municipal Credit Card Policy
- Investment Policy
- Voucher Submittal Policy

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

MOTION CARRIED

ZONING ORDINANCE AMENDMENT – SOLAR PROJECTS

RESOLUTION 15-157

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, to receive and place on file a positive recommendation from the Planning Commission for a Zoning Ordinance Amendment that will expedite the permitting process for all roof-mounted solar installations meeting the criteria set by NYS, and further authorize a public hearing on said Zoning Ordinance Amendment be scheduled for July 21, 2015 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

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

MOTION CARRIED

AGREEMENT FOR ENERGY EFFICIENCY STUDY

RESOLUTION 15-158

Moved by Councilor Simchik
Seconded by Councilor Smith

RESOLVED, that the Mayor be authorized to sign an agreement with Wendel Energy Services LLC, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville NY 14221, as part of the NYSERDA Flexible Technical Assistance Services Program, for an Energy Efficiency Study of potential Energy Conservation Measures for the Waste Water Treatment Plant, Municipal Building and street lighting in the amount of \$19,459.00.

Ayes: 5

Nays: 0
Absent: 1 (Acker)
MOTION CARRIED

The City Engineer said this study will address ongoing issues at the WWTP with the aeration systems, the belt press for solids handling, and pumps that were damaged during the flood event. The DEC has been pushing the City to make some improvements. These are all projects that the City is planning to do, and currently there is a NYSERDA incentive with half the cost being paid for by NYSERDA. Mr. Wendel, Wendel Energy Services, stated that said this is a cost shared grant, whereby half the cost is paid directly by NYSERDA, so the City doesn't have to come up with the whole cost up front and wait for reimbursement. This study will be paid for from the sewer fund, because all the efficiencies gained will be at the treatment plant.

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 15-159

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, that per Resolution 08-180 adopted by the Common Council on August 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

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

The City Clerk stated the Fire Department received a purchase offer for the Fire Department's 2000 Ford F450 Rescue truck in the amount of \$25K. The proposed Resolution would be to receive and place on file and accept the offer from the Oran Fire Department, Oran IA. The Fire Chief said this was listed with a nationwide broker, and he highly recommends the sale. Councilor Bowe moved to table the proposed Resolution, Councilor Smith seconded and the Council agreed to further discuss this matter in Executive Session.

NEW BUSINESS

City Website

Mayor Smith said recently our City website received a high rating for its website, which was better than most cities. He said that Val Peterson, Office Technology, is working on making some of the recommended changes and continuing modifications to receive a higher score this year.

Kallet Civic Center

Mayor Smith said that he has received a letter from the Kallet Civic Center Board of Directors that he would like put on the record. He said they would like a joint work session with the Council, and a special meeting was scheduled for July 14, 2015 at 6:30 p.m. in the Common Council Chambers. The City Clerk will notice the special meeting.

Adirondack Challenge

Mayor Smith said he was invited to and will be attending the Governor's Adirondack Challenge in Indian Lake NY.

Mosquito Program

Councilor Chamberlain said he wanted to stress how important the mosquito program is to the City. The mosquito counts are 5,000 in 24 hours, which is way above normal. He asked the Council to remember this at budget time. The City Engineer said they are okay budget wise. The Mayor said the City is spraying, but there is a lot of standing water because of all the rain, and he reiterated that the mosquito counts are very high.

EXECUTIVE SESSION

RESOLUTION 15-160

Moved by Councilor Chamberlain
Seconded by Councilor Zogby

RESOLVED, that the meeting is hereby adjourned to Executive Session at 7:15 p.m. for the purpose of discussing the proposed acquisition, sale or lease of real property.

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

MOTION CARRIED

PRESENT: Mayor, Councilors, City Clerk, City Attorney, City Assessor

Discussion was held relating to the proposed acquisition, sale or lease of real property.

Moved by Councilor
Seconded by Councilor

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 7:40 p.m.

Ayes:
Nays:
Absent: 1 (Acker)

MOTION CARRIED

The Mayor informed the audience and press that there probably would be action taken after Executive Session on some of these matters.

APPROVE SALE OF FIRE DEPARTMENT'S 2000 FORD F450 RESCUE TRUCK

RESOLUTION 15-161

Moved by Councilor Zogby
Seconded by Councilor Smith

WHEREAS, on July 7, 2015, an offer to purchase the City of Oneida Fire Department's 2000 Ford F450 Rescue was received from the Oran Fire Department, Oran IA in a maximum amount of \$25,000, **and**

WHEREAS, it is the strong recommendation of Fire Chief Kevin Salerno to accept said offer and complete the transaction, **now therefore be it**

RESOLVED, that the Purchase Offer in a maximum amount of \$25,000.00 from the Oran Fire Department, 24690 Pleasant Street, Oran IA 50664-7603 for the City of Oneida Fire Department's 2000 Ford F450 Rescue Truck/Extrication Equipment be hereby received and placed on file, **and be it further**

RESOLVED, that the Common Council hereby approves the sale of the City of Oneida Fire Department's 2000 Ford F450 Rescue Truck/Extrication Equipment in accordance with the purchase offer to the Oran Fire Department, 24690 Pleasant Street, Oran IA 50664-7603.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

MOTION CARRIED

APPROVE SALE – TAX MAP NO. 30.71-2-18 - 210 LIBERTY STREET

RESOLUTION 15-162

Moved by Councilor Bowe

Seconded by Councilor Smith

WHEREAS, the City owned parcel SBL# 30.71-2-18 located at 210 Liberty Street, Oneida was declared to be "excess property" thereby eligible for sale at the July 7, 2015 Common Council meeting by Common Council Resolution, and

WHEREAS, a Purchase Offer from James J. Campany, PO Box 207, 106 W. Elm Street, Oneida NY 13421 for said City owned parcel Tax Map No. 30.71-2-18 located 210 Liberty Street for the price of demolition and clean-up costs was received by the City Assessor on July 6, 2015, now therefore be it

RESOLVED, that the Purchase Offer from James J. Campany, PO Box 207, 106 W. Elm Street, Oneida NY 13421, for said City owned parcel Tax Map No. 30.71-2-18 located 210 Liberty Street for the price of demolition and clean-up costs be hereby received and placed on file, and be it further

RESOLVED, that the City of Oneida Common Council hereby approves the sale of said City parcel #30.71-2-18 located at 210 Liberty Street, Oneida NY 13421 to James J. Campany, PO Box 207, 106 W. Elm Street, Oneida NY 13421 for the cost of the demolition and clean-up of said property; **and be it further**

RESOLVED, that the existing structure located at 210 Liberty Street, Oneida NY 13421 be demolished with the entire cost for said demolition, clean-up and any other costs associated with said demolition to be borne by James Campany, **and be it further**

RESOLVED, that the City Attorney is hereby authorized to prepare any and all documents relative to the sale of said property for execution by the Mayor with the closing and filing costs to be paid by the City of Oneida, because the price of demolition/clean-up exceeds the market value.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

MOTION CARRIED

APPROVE SALE – TAX MAP NO. 30.64-1-48 – 237 E. RAILROAD STREET

RESOLUTION 15-163

Moved by Councilor Smith
Seconded by Councilor Simchik

WHEREAS, the City owned parcel SBL# 30.64-1-48 located at 237 E. Railroad St., Oneida was declared to be “excess property” thereby eligible for sale at fair market value at the July 7, 2015 Common Council meeting by Common Council Resolution, **and**

WHEREAS, because of the poor, deteriorated condition of the residential structure situated on the 237 E. Railroad St., Oneida, the property’s current market value of \$11,000.00 is based on the current cost report; **and**

WHEREAS, a Purchase Offer from Denise L. Haldenwang, 1027 Sweatman Ave., Oneida NY for said City owned parcel Tax Map No. 30.64-1-48 located 237 E. Railroad St., Oneida in the amount of \$11,000.00 was received by the City Assessor on June 17, 2015, **and**

WHEREAS, said the Purchase Offer from Denise L. Haldenwang, 1027 Sweatman Ave., Oneida NY 13421, for said City owned parcel Tax Map No. 30.64-1-48 located 237 E. Railroad Street for the price of \$11,000.00 was received and placed on file at the July 7, 2015 Common Council meeting, **now therefore be it**

RESOLVED, that the City of Oneida Common Council hereby approves the sale of said City parcel #30.64-1-48 located at 237 E. Railroad Street, Oneida NY 13421 to Denise L. Haldenwang, 1027 Sweatman Ave., Oneida NY 13421 for the amount of \$11,000.00, the fair market value, plus any closing costs and filing fees, **and be it further**

RESOLVED, that the City Attorney is hereby authorized to prepare any and all documents relative to the sale of said property for execution by the Mayor.

Ayes: 4
Nays: 0
Abstain: 1 (Bowe)
Absent: 1 (Acker)

MOTION CARRIED

NEW BUSINESS

Disputed Fees

Mayor Smith said there are a couple of items he would like to have cleared up. There were some communications from Mr. Kingsley who has criticized the fees for fire inspections, which are done every three years. This is the first time his building has been inspected with the new fees in place, and he didn’t have the cost of the inspections written into his leases. Mayor Smith said that Chief Hudson originally set up the fee schedule, and it was amended by the Council per Chief Myer’s recommendations. After discussion, which included non-profits, square footage issues, the costs per year, and time involved to do inspections, the Council determined that Mr. Kingsley’s invoice will remain, as it was fairly billed. The Council requested that Fire Chief Salerno review the inspection fees billed for larger facilities and report to the Council his comments and/or recommendations.

Mayor Smith said the Dale Carlson, Sherrill NY appeared before the Council several weeks ago relative to late fees assessed for not obtaining a building permit and for not picking up the building permit for work being done at his rental property at 343 Williams St., Oneida. He said that the Codes Enforcement Officer prepared a statement relative to this issue that was provided to the Council. After a brief discussion, the Council agreed to refund Mr. Carlson a portion of the late fees. The City Clerk will prepare the voucher for the Mayor's signature. The Council requested that the late fee amounts be noticed in the building permit application provided to applicants, as well as posted on the City website.

REFUND OF LATE FEE

RESOLUTION 15-164

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that a late fee payment in the amount of \$100.00 for building permit No. 3011 dated December 8, 2014 be hereby refunded to Dale Carlson, 124 W. Campbell Avenue, Sherrill NY 13461 owner of rental property at 343 Williams Street, Oneida NY.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

MOTION CARRIED

July 21st Council Meeting

Councilor Bowe stated that he will not be at the July 21st Council meeting, as they are going on a family vacation before his daughter leaves for a tour of duty in Africa with the Peace Corps.

Motion to adjourn by Councilor Bowe

The meeting is hereby adjourned at 8:15 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk