

**MINUTES OF THE COMMON COUNCIL
SEPTEMBER 5, 2017**

A regular meeting of the Common Council of the City of Oneida, NY was held on the fifth day of September, 2017 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Leo Matzke

PRESENT: Councilors Alan Cohen, Erwin Smith, Helen Acker,
James Chamberlain, and Thomas Simchik

ABSENT: Councilor Mike Bowe

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
Fire Chief Kevin Salerno
Assistant Fire Marshal Dennis Fields
Recreation Director Luke Griff
Supervisor John Reinhardt
Supervisor Joe Magliocca

OLD BUSINESS

Update - 507 Stone Street

Assistant Fire Marshal Dennis Fields said that he checked this property shortly before the meeting, and there hasn't been any progress in the last four weeks. Mayor Matzke said that the Council has been more than fair with Mr. Kistner. He said that one repair quote has been received, and the Council briefly discussed getting additional quotes. Fire Chief Kevin Salerno said that per the Purchasing Policy, three quotes must be obtained for any projects over \$2,999.

507 STONE STREET – OBTAIN QUOTES

RESOLUTION 17-244

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Property Manager is hereby directed to obtain two additional quotes for the repairs (corrective action) ordered by the Common Council pursuant to Oneida City Code Chapter 34, Article III, Unsafe Buildings and Collapsed Structures at the property located at 507 Stone Street.

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

MOTION CARRIED

Update - 112 Madison Street

The Mayor commented on the amount of the quote, and the City Clerk said that the quote for repairs was from a visual standpoint only, as he could not get inside the building. She said that he was provided with the structural engineering report, but it is difficult to produce an accurate estimate without actually seeing the problem. The Mayor said that the Assessor told him that when the wall was built, it was never attached to the facility, and the Assistant Fire Marshal concurred. Assistant Fire Marshal Fields said that this is not the original wall. He said this wall was built in the 80's and was never tied into the floor system, which gives it no lateral stability.

The Council and City Attorney discussed pursuing a search warrant to gain access to the building for the purpose of obtaining three quotes for repairs. City Attorney Bell said that she would coordinate with the Property Manager in an attempt to have all the quotes prepared on the same day/time with one search warrant.

112 MADISON STREET – SEARCH WARRANT TO OBTAIN QUOTES

RESOLUTION 17-245

Moved by Councilor Acker
Seconded by Councilor Chamberlain

RESOLVED, that the City Attorney is hereby directed to seek a search warrant for the purpose of accessing the property located at 112 Madison Street to obtain three quotes for the repairs (corrective action) ordered by the Common Council pursuant to Oneida City Code Chapter 34, Article III, Unsafe Buildings and Collapsed Structures.

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

Update - 216 E. Elm Street

Mayor Matzke said that the quote received for the porch at 216 E. Elm Street is to replace the wrap-around porch, and a discussion ensued. Assistant Fire Marshal Dennis Fields said that the large porch is not a requirement of the City Code, and they do not require what is not needed. The Council discussed building a smaller stoop-style porch and stairs rather than the large porch.

216 E. ELM STREET – OBTAIN QUOTES

RESOLUTION 17-246

Moved by Councilor Acker
Seconded by Councilor Cohen

RESOLVED, that the Property Manager is hereby directed to obtain three quotes for the repairs (corrective action) ordered by the Common Council pursuant to Oneida City Code Chapter 34, Article III, Unsafe Buildings and Collapsed Structures at the property located at 216 E. Elm Street, **and be it further**

RESOLVED, that said quotes shall allow for the demolition and removal of any portion of the unsafe porch structure, and replacement of the porch with a small stoop (approximately 36” square) and appropriate stairs, so as to comply with any safety requirements currently in place.

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

Update - 212 Bates Avenue

Keith Young, Counsel for the Bank of America, said that he wanted to reassure the Council that they are continuing with the process, but need approval for the internal repairs on the property. He said that the external work was approved and has been done. Attorney Young asked that the Council provide a 45-day extension to mid-October to have everything done. He explained that they are seeking approval from a management level at the bank for the inside repairs. Assistant Fire Marshal Fields said the property still has not been foreclosed on, and normally the bank does not touch the former owner’s personal property until after foreclosure. Attorney Young said that he didn’t know why the foreclosure process is taking so long.

**GRANT AN EXTENSION OF CORRECTIVE ACTION TO BE TAKEN
FOR THE PROPERTY LOCATED AT 212 BATES STREET**

RESOLUTION 17-247

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Common Council hereby grants an extension of 45 days for the repairs (corrective action) to be completed at the property located at 212 Bates Avenue as ordered by the Common Council pursuant to Oneida City Code Chapter 34, Article III, Unsafe Buildings and Collapsed Structures.

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

Update - 181 Main Street

Assistant Fire Marshal Dennis Fields said that the property owner of 181 Main Street has complied with the order to repair the exterior of the property, but added that there are a couple interior issues to be addressed. He said that the back roof has been repaired. He said that there was some rust on the metal

flooring, which is a minor issue. He said that on the south end of the building, there are some holes at the foundation level and snow could blow in through there. Assistant Fire Marshal Fields said that he doesn't know if the interior repairs have been completed, because he hasn't been inside the building. He said that he has not had any luck with contacting the property owner. The City Attorney said that she will reach out to the property owner to coordinate an inspection and if unsuccessful, the Council can opt to seek a search warrant at the next meeting.

Update – 117 E. Sands Street

In response to a question from the Assistant Fire Marshall, City Attorney Nadine Bell said that she has reached out to the property owner's attorney, who was unaware that there is a judgement against the property. Attorney Bell said that the property owner's attorney said he would contact his client, and he will let her know the outcome.

Moved by Councilor Chamberlain
Seconded by Councilor Smith

RESOLVED, that the minutes of the regular meeting of August 15, 2017 are hereby approved as presented.

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

MOTION CARRIED

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the minutes of the special meeting minutes of August 29, 2017 are hereby approved as presented.

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

MOTION CARRIED

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, that Warrant No. 19, checks and ACH payments in the amount of \$1,140,131.74 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 (Bowe)

MOTION CARRIED

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that checks in the amount of \$6,761.33 (City Attorney) 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 (Bowe)

MOTION CARRIED

ADOPT LOCAL LAW NO. 3 OF 2017 – AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

RESOLUTION 17-248

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that the Common Council of the City of Oneida, Madison County, State of New York, pursuant to the Authority vested in it by law does hereby enact, ordain and hereby adopts Local Law No. 3 of 2017 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-C as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Oneida to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Oneida, County of Madison, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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

MOTION CARRIED

**ADOPT ORDINANCE 17-01 AMENDING CITY CODE PROVISIONS OF
CHAPTER 190 ZONING PERTAINING TO SIGNS AND
OFF STREET PARKING AND LOADING**

RESOLUTION 17-249

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, that the Common Council of the City of Oneida, Madison County, State of New York, pursuant to the Authority vested in it by law does hereby enact, ordain and hereby adopts Ordinance 17-01 amending the City of Oneida Code provisions of Chapter 190 Zoning - §190-5 Definitions, §190-15 Sign Requirements and §190-16 Off Street Parking and Loading as follows:

**CHAPTER 190 – ZONING
ORDINANCE 17-01**

§190-5 Definitions.

SIGN – Any graphic device erected or represented upon or as part of a building, structure or use of land which directs attention or conveys a message pertaining to a person, institution, organization or business and is visible from the public right-of-way or the exterior of the building, structure or use. Each such graphic display surface shall be considered a “sign.”

SIGN, DIGITAL – Any sign that advertises or otherwise communicates using LCD, LED, plasma or other digital imaging medium.

SIGN, FEATHER FLUTTER – Any sign consisting of a portable, vertical banner, in varying lengths, in the shape of a teardrop or narrow rectangle that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

§190-15 Sign requirements.

A.

Purpose. This section is intended to permit only those signs which are:

(1)

Legible in the circumstances in which they are meant to be seen;

(2)

Compatible with their surroundings;

(3)

Appropriate to the type of activity to which they pertain; and

(4)

Expressive of the identity of individual proprietors and of the community as a whole.

B.

Application. The location, placement, installation, alteration, or extension of any sign, other than an exempt sign as hereinafter defined, shall require a sign permit and certificate of compliance in accord with the requirements set forth in this section. Exempt signs include traffic-control signs including "entrance," "exit," and "parking," signs on private property other than those permitted to advertise a business on the premises; posted/no trespassing signs; official notices of hazard or safety precaution; personal signs identifying residential occupancy; political signs; temporary signs (see definition in § **190-5**); display signs; and any flag, emblem, or insignia of a nation, state, municipality, or school not in connection with a commercial use.

[Amended 5-5-2009 by Ord. No. 09-03]

C.

General requirements in all districts.

(1)

All signs shall be constructed of durable material, and maintained in good condition.

(2)

The back or reverse side of a single-sided sign visible from any public right-of-way shall be finished in an appropriate manner which shall include a backing similar to the facing.

(3)

No sign in any district shall be erected within, or project into, a public right-of-way or shall project across a lot line except where such sign is attached to and does not project more than 48 inches from the face of the building.

(4)

No lights or string of lights will be used for the purpose of advertising, displaying, or otherwise attracting attention to the premises when not part of a sign or approved street or outdoor lighting.

(5)

Mobile signs are prohibited.

(6)

Fences, outbuildings and accessory structures shall not be considered in the tabulation of linear feet of the principal building, and such structures shall not be made part of any sign.

(7)

No sign shall physically or visually impair vehicular or pedestrian traffic by design, illumination, color, or placement.

(8)

All construction fixtures, wiring, and installations shall conform to the New York State Fire Prevention and Building Code where applicable.

(9)

All wiring to freestanding signs shall be underground.

(10)

Any sign for a business, service or activity no longer in existence at that location shall be removed within thirty (30) days from the date of the discontinuation and any wall, surface or other area from which such sign is removed shall be restored so that no remnant of the sign is visible. One thirty (30) day extension may be granted by the Code Enforcement Officer.

(11)

All temporary signs (see definition in § **190-5**) may be erected within 15 days before event and shall be removed within 15 days of completion of action advertised.

(12)

Freestanding signs. No freestanding sign shall be more than 24 feet in height as measured at the edge of road surface which it fronts, or 20 feet as measured from ground level at the base of the sign, whichever shall permit the greatest height. A freestanding sign which is more than 36 square feet shall not be closer than 100 feet to any other freestanding sign which is more than 36 square feet.

(13)

Wall signs. Wall signs shall be attached to the wall or face of the building and shall not extend more than 24 inches from such wall or face, nor shall they project above the roofline.

(14)

Roof signs. A roof sign shall not exceed 40% of the roof area, and shall not project above the roofline.

(15)

Projecting signs. A projecting sign shall have a clear distance from the sidewalk or ground level of at least eight feet to the bottom of the sign, and a maximum distance of 12 feet to the top of the sign. The sign may project no more than 48 inches from the building to which it is attached unless otherwise limited by this section. Projecting signs shall not exceed 8 square feet.

(16)

Double-faced signs. A sign which is designed to be viewed from two directions and the two faces are not more than 36 inches wide at any point and are either parallel or at not more than a thirty-degree-angle to one another shall be considered to be one sign for the purpose of this section.

(17)

Window signs. Permanent window signs shall not exceed 15% of the area of the window in which they are displayed and temporary window or display signs shall not exceed 25% of the window area and in no case shall the total sign area exceed 40% of the window area.

(18)

Double-frontage buildings. Commercial buildings which front on two parallel public streets and provide customer access from both streets, shall be considered to have two front faces for the purposes of this section.

(19)

Existing billboards or other signs shall be allowed to remain until ownership of the signs changes hands as long as they are maintained in good repair. Any such sign or billboard frame which has not been used for sixty days shall be considered not in use and must be taken down. One sixty-day extension may be granted by the Building Inspector/Code Enforcement Officer upon written application stating the reason therefor.

(20)

Seasonal ground-mounted banners are allowed with an approved permit, from May 1st through October 31st, on subject premises, with a maximum of 2 banners per parcel.

(21)

Contractor and/or service signs – 1 sign per lot, on premise, maximum 6 square feet, must be removed within 15 days after service is complete.

(22)

Election signs – August 1st through 15 days after election; maximum of 32 square feet, placement per 190-15 C 3.

(23)

Sandwich signs – Allowed in Downtown Commercial zone only; must be removed daily at close of business; not to exceed 2'x3', 1 sandwich sign per business.

(24)

Digital Signs – Digital signs shall require review and approval by the Sign Review Board prior to the issuance of a sign permit. The message or display on any digital sign shall not change more than two (2) times per minute.

(25)

Feather Flutter Signs – Feather flutter signs shall require review and approval by the Code Enforcement Officer. Feather flutter signs are permitted from May 1 through October 31. A maximum of 2 feather flutter signs are permitted per business.

D.

District requirements. Signs shall be permitted according to established zoning districts as follows:

(1)

In the R-1, R-2, R-3, R-P, and MD-P Residential Districts the following shall be permitted:

(a)

One nameplate, identification of permitted home business, or professional sign not to exceed three square feet in R-3; no signage allowed in R-1, R-2.

[Amended 5-5-2009 by Ord. No. 09-03]

(b)

One institutional, religious, or organization identification sign not to exceed 16 square feet.

(c)

A sign advertising the sale or development of a tract of land. The size of this sign shall not exceed 16 square feet and not more than one sign shall be placed upon the tract along any single highway frontage.

(d)

When a use variance has been granted in the above districts, one sign will be allowed with a 16 square foot maximum.

(2)

In A and N-C Districts, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection **D(1)** above, except that Subsection **D(1)(a)** shall have a maximum size of six square feet instead of three.

(b)

One principal business sign for business or commercial uses not to exceed 32 square feet.

(3)

In the C-S District, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection **D(1)** above.

(b)

A maximum of two institutional, business, service signs with a combined area not to exceed two square feet per linear foot of the front face of the principal building or 50 square feet, whichever is less.

(c)

One accessory sign for each separate incorporated business or service in a building or complex, provided that such sign(s) shall not exceed, either singularly or in combination, a maximum of six square feet, and that any sign(s) be attached to the principal building or sign.

(4)

In C, L-I and M-I Districts, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection **D(1)** above.

(b)

A maximum of three business signs with a combined area not to exceed two square feet per linear foot of the front of the building, or 100 square feet, whichever is larger.

[Amended 5-5-2009 by Ord. No. 09-03]

(c)

One accessory sign for each separate incorporated business or service in a building or complex providing such sign(s) shall not exceed, either singularly or in combination, a maximum of six square feet and they shall be attached to the principal building or sign.

E.

For sale or lease signs:

(1)

Signs denoting property or buildings “for sale,” “public auction,” “real estate auction,” “building sale,” and other similarly worded signs, in R-1, R-2, R-3, R-P and N-C Zones of the City of Oneida shall not exceed four square feet in area if single-faced, or six square feet in area if double-faced. In all other zoning districts, they shall not exceed a total of 32 square feet in area. The signs shall be placed so that the top of the sign will not be more than four feet above ground level. The signs shall be placed only in the front yard or part of the property offered for sale and shall be no closer than 10 feet to the sidewalk if one exists, and no closer than 10 feet to the curb or edge of the road if no sidewalk exists. If the ten-foot distance cannot be adhered to, the sign shall then be placed in front of the building on the subject property only, as close as possible to the foundation line. No such signs shall be placed on any City property or right-of-way.
[Amended 4-18-2006 by Ord. No. 06-01; 5-5-2009 by Ord. No. 09-03]

(2)

Signs denoting "for rent," "for lease," "vacancy," or "to let" in R-1, R-2, R-3, R-P and N-C Zones shall not exceed four square feet in area. In all other zoning districts, they shall not exceed a maximum of 32 square feet. All signs shall be placed directly in front of the building or property affected, as close as possible to the foundation, but in no case farther than five feet from the foundation, if possible, and shall have a maximum height of four feet from the ground level to top of sign. No such sign shall be placed on any City property or right-of-way.
[Amended 4-18-2006 by Ord. No. 06-01; 5-5-2009 by Ord. No. 09-03]

(3)

All signs set forth in Subsection E(1) and (2) shall be removed within a reasonable time after the property has been sold, leased or is no longer marketed. No directional signs indicating property "for sale," "public auction," "real estate auction," or "building sale" shall be permitted except at intersections of dead-end streets. The size of directional signs shall not exceed three square feet in area. No directional or open house signs shall be permitted on any City property or right-of-way.
[Amended 5-5-2009 by Ord. No. 09-03]

(4)

Open house signs shall be subject to the limitations stated above for "for sale" signs and at Subsection E(3).

F.

Existing signs:

(1)

All signs in existence on the effective date of this section shall, within 90 days thereof, be registered with the Building Inspector/Code Enforcement Officer on a form supplied by the City. A record of all existing signs shall be compiled by the Code Enforcement Officer, and the owner, tenant, or lessee of any nonconforming sign shall be notified in writing.

(2)

All nonconforming signs existing and erected prior to the effective date of this amendment may continue as long as maintained in good repair and not altered in design, color, message or otherwise. Upon the termination of the business by the owner or replacement of the sign by said owner, all subsequent signs at such location shall conform to the provisions of this chapter.

(3)

Upon the determination of the Building Inspector/Code Enforcement Officer that a sign is in need of repair, a notice of violation shall be sent to the owner of the sign. The owner shall have 30 days in which to comply. An extension of compliance time may be granted for one additional thirty-day period. No such extension shall be granted except on written application stating the reasons therefor.

G.

Administration:

[Amended 2-3-2009 by Ord. No. 09-01]

(1)

An application for a sign permit shall be filed with the Building Inspector/Code Enforcement Officer on a form supplied by the City.

(2)

Within five days of filing, the Building Inspector/Code Enforcement Officer shall determine if the sign application is in compliance with the dimensional requirements of this section. If the proposed sign is in compliance, the application shall be referred to the Sign Review Board.

(3)

If the proposed sign is not in compliance, the Building Inspector/Code Enforcement Officer shall disapprove the application and the applicant shall be so notified in writing. Further, the applicant shall be notified of the right to make an application to the Zoning Board of Appeals for a variance. The Zoning of Board of Appeals will review the variance application and make a determination as to the variance application.

(4)

The Sign Review Board shall review and approve, approve with modifications, or disapprove the application within 45 days of receipt from the Building Inspector/Code Enforcement Officer. The applicant shall be notified in writing of the Board's decision. Review by the Sign Review Board shall relate exclusively to the design of the proposed sign.

(5)

A certificate of compliance shall be issued by the Building Inspector/Code Enforcement Officer upon completion of any sign in full compliance with its approved application. A temporary certificate of compliance may be issued at the discretion of the Building Inspector/Code Enforcement Officer.

H.

Sign Review Board. The Sign Review Board shall consist of seven members to be appointed by the Mayor and confirmed by the Common Council for three-year term with initial members to be staggered so that three expire after one year; two after two years and two after three years.

§190-16. Off-street parking and loading.

- A. (5) Within the Inside Corporation District, outdoor parking or storage of boats and other vehicles used primarily for recreational purposes, motor homes, trailers, vehicle transport, construction trailers, utility trailers, and PODS® (portable on-demand storage units), in any residential district or on any lot used for residential purposes, shall be confined to the rear or side yard, and said parking shall not be within 10 feet of any lot line for a period exceeding 14 days in any calendar year. On a corner lot, such outdoor parking is allowed on the front yard not designated as the 911 address, and adequate screening in the form of plantings, fencing or other visual separation must be approved by the Planning Director or Code Enforcement Officer.

190 Attachment I

TABLE B: LOT DEVELOPMENT STANDARDS

District	Use	Min Lot Size	Min Rear Yard
R-1	One-family dwelling	13,500 sq ft	40

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

MOTION CARRIED

REAPPOINTMENTS - BOARD OF ASSESSMENT REVIEW & SIGN REVIEW BOARD

RESOLUTION 17-250

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, to approve the Mayor's reappointment of Charles Pendleton to the Board of Assessment Review for a five-year term, **and be it further**

RESOLVED, to approve the Mayor's reappointments of John Dunn and David Scholl to the Sign Review Board for three year terms.

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

MOTION CARRIED

UNCOLLECTABLE INVOICE - WATER

RESOLUTION 17-251

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

WHEREAS, Progressive Specialty Insurance Company, 6055 Parkland Blvd. EM24, Mayfield Height OH was sent an invoice in the amount of \$420.41 for damage to a hydrant by insured driver William G. Coon III on February 1, 2014 on North Willow Street in the City of Oneida; **and**

WHEREAS, on September 12, 2014 Progressive indicated that they were unable to find valid coverage for the insured and the balance remains unpaid; **and**

WHEREAS, the Common Council at the June 6, 2017 meeting requested that the driver of the vehicle, William G. Coon III, be invoiced for the damages caused to said fire hydrant, **and**

WHEREAS, William G. Coon III was invoiced at his last known address by the Water Department Billing Clerk on June 7, 2017 with said invoice being returned to the City of Oneida Water Department on July 11, 2017 by the US Post Office as unclaimed, **and**

WHEREAS, the Water Department Billing Clerk mailed a second invoice to William G. Coon III at his last known address on July 12, 2017 with said second notice unanswered, **now therefore be it**

RESOLVED, by the Common Council of the City of Oneida, that invoice 2014 50/0017853 in the total amount of \$420.41 be hereby deemed uncollectable, requiring no further action for collection purposes and removed from receivables.

Ayes: 5

Nays: 0

Absent: 1 (Bowe)

MOTION CARRIED

Councilor Chamberlain said that he did some investigative work by calling Progressive Insurance 17 times only to get a busy signal, and he also noted that he could not locate Mr. Coon. He gave kudos to the Water Department for trying to locate him.

PROPOSED LOCAL LAW
TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM
IN THE CITY OF ONEIDA

RESOLUTION 17-252

Moved by Councilor Chamberlain

Seconded by Councilor Cohen

RESOLVED, that a proposed Local Law to establish a Sustainable Energy Loan Program in the City of Oneida, be hereby received and placed on file; **and be it further**

RESOLVED, that a Public Hearing on said proposed Local Law to establish a Sustainable Energy Loan Program be hereby scheduled for September 19, 2017 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida NY.

Ayes: 5

Nays: 0

Absent: 1 (Bowe)

MOTION CARRIED

NEW BUSINESS

Mayor Matzke commended the Upstate Independent Drum and Bugle Corps, the City's hometown band sponsored by the American Legion, on their award winning season representing the community throughout the state.

Mayor Matzke commended the Police Department for their efforts in making Honorary Police Officer Jordan Barahmeh's day such a success.

Mayor Matzke said that there will be a ceremony in honor of 9-11 at City Hall on Monday, September 11, 2017 at 7:00 p.m. He asked that candles be placed around the flagpole in front of City Hall.

Gary Reisman, Oneida, inquired about the position/hiring of a City Administrator. The Mayor said that he is in favor of a City Administrator. Mayor Matzke said that while he was ill, the funding was used for a full-time Deputy Comptroller. The Mayor said that this has worked out very well, and the Deputy Comptroller will be taking on additional tasks formerly done by the Civil Service Officer. He said that this will be a savings to the City, as the Civil Service Officer is now part-time.

Councilor Acker said that the Kallet Lease will need to be discussed at the next meeting, as it expires this month. She noted that she would not be in attendance at the next meeting.

Councilor Acker said that she has new information on the whereabouts of William G. Coon III and asked that Resolution 17-247 be rescinded, as collection may be possible.

UNCOLLECTABLE INVOICE – WATER – RESOLUTION RESCINDED

RESOLUTION 17-253

Moved by Councilor Acker
Seconded by Councilor Chamberlain

WHEREAS, Councilor Helen Acker stated that she has new information on the potential whereabouts of William G. Coon III, **now therefore be it**

RESOLVED, by the Common Council of the City of Oneida, that Resolution 17-247 relating to invoice 2014 50/0017853 in the total amount of \$420.41 be hereby rescinded, as the possibility has arisen to collect the outstanding funds.

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

MOTION CARRIED

Mayor Matzke said that the Council will be going into Executive Session to discuss the proposed sale or lease of real property and two personnel matters. He said that action may be taken thereafter.

EXECUTIVE SESSION

RESOLUTION 17-254

Motioned by Councilor Chamberlain
Seconded by Councilor Acker

RESOLVED, that the meeting is hereby adjourned to Executive Session at 7:10 p.m. for the purpose of discussing the proposed sale or lease of real property and personnel matters in the Recreation Department and DPW.

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

MOTION CARRIED

PRESENT: Mayor, Councilors, City Clerk, Recreation Director (Councilor Acker recused herself and left the room)

Discussion was held regarding a personnel matter.

PRESENT: Mayor, Councilors, City Clerk

Discussion was held regarding a personnel matter.

PRESENT: Mayor, Councilors, City Clerk

Discussion was held regarding the proposed sale or lease of real property.

Motioned by Councilor Simchik
Seconded by Councilor Chamberlain

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 8:20 p.m.

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

MOTION CARRIED

The Mayor said that there will be no action taken at this time.

Motion to adjourn by Councilor Acker

The regular meeting is hereby adjourned at 8:27 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk