MINUTES OF THE COMMON COUNCIL
JANUARY 7, 2020

A meeting of the Common Council of the City of Oneida, NY was held on the seventh day of January, 2020 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 Helen Acker

PRESENT: Councilors Carrie Earl, Michael Bowe, James Coulthart, Michelle Kinville, Brandee DuBois and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
Comptroller Lee Ann Wells
Fire Chief Dennis Fields
Police Chief Paul Thompson
Public Safety Commissioner Kevin Salerno
Supervisor Mary Cavanaugh
Supervisor Matt Roberts
Supervisor Joe Magliocca
Supervisor Joe Ostrander

DEPUTY MAYOR NOMINATIONS

The Mayor asked for nominations for Deputy Mayor. Councilor Brandee DuBois nominated Councilor Tom Simchik, and the nomination was seconded by Councilor Michelle Kinville. Mayor Acker asked if there were any other nominations and there were not. Councilor Simchik was unanimously approved by the Council as the Deputy Mayor.

OLD BUSINESS

Randy Jones, W. Elm Street, congratulated the newly elected officials. He said that he hopes the City will start once again to address the vacant and abandoned properties in Oneida. He said that there is a house across the street from his property that is abandoned with trees falling through the roof and numerous cats residing there. City Attorney Nadine Bell said that the property was sold by the City with certain conditions, and the property owner did not satisfy his end of the agreement. She said that the property owner came to the Council and asked to give the property back. Attorney Bell said that the City is willing to take the property back; however, the multiple letters she has sent to the property owner have gone unanswered, and the phone numbers she was provided have been disconnected. Councilor Brandee DuBois said that she will reach out to the property owner.

Randy Jones questioned another vacant property down the road from him, and the City Attorney said that this property is tied up in Federal Court. She said the former property owner doesn't believe the City has the right to take back his property if he doesn't pay his taxes. She said that the merit of the claim does not matter; it still has to be addressed. Attorney Bell said that we need to receive a clear directive from the Court before we can resell that property.

Randy Jones mentioned another property on the corner of Willow and Elm that is in disarray and has been for quite some time. He suggested trying to help, not punish, this property owner to get him back on

track. Councilor DuBois said that particular property owner is currently working on the interior of his property to make that liveable before moving onto the exterior of the home.

Moved by Councilor Simchik
Seconded by Councilor Coulthart

RESOLVED, that the minutes of the regular meeting December 17, 2019 and special meeting of December 31, 2019 are hereby approved as presented.

Ayes: 6
Nays: 0
MOTION CARRIED

Moved by Councilor Bowe
Seconded by Councilor Earl

RESOLVED, that Warrant No. 1, checks and ACH payments in the amount of $349,701.87 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6
Nays: 0
MOTION CARRIED

ORGANIZATIONAL RESOLUTION

RESOLUTION 20-01

Moved by Councilor Simchik
Seconded by Councilor Coulthart

RESOLVED, that the Organizational Resolution for the year 2020 consisting of the following is hereby approved:

1. Regular meetings for the City of Oneida for the year 2020 shall be held in Council Chambers, Oneida Municipal Building, 109 North Main Street, Oneida, New York at 6:30 o'clock P.M. on the first and third Tuesday of each month, and if any of said Tuesdays shall fall on a holiday, then in such event, the Common Council shall agree on a date to reschedule.

2. The Oneida Dispatch is hereby designated as the official newspaper in the City of Oneida.

3. The City of Oneida funds for the year 2020 shall be kept and retained in the following banks:

- NBT Bank, Oneida, NY - special capital accounts and other current accounts
- Community Bank, Oneida, NY- special reserve accounts and other current accounts

4. There shall be one bond, which covers all employees, and the limit is $350,000 worth of coverage per loss.

Ayes: 6
Nays: 0
MOTION CARRIED

Councilor Coulthart questioned if the Dispatch had hired a new reporter, and the Mayor said that they are working on it. Mayor Acker said that the City will stay with the Oneida Dispatch as the City's official newspaper for now.

VOUCHER COMMITTEES

RESOLUTION 20-02

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, that pursuant to Section 5.22 B of the City Charter, voucher committees shall be as follows:

Councilor Coulthart and Councilor DuBois – First Council meeting
Councilor Bowe and Councilor Earl – Second Council meeting

Ayes: 6
Nays: 0
MOTION CARRIED

ORDER OF SUCCESSION FOR COUNCILORS

RESOLUTION 20-03

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, that the order of succession of the members of the Common Council pursuant to Section 3.0 (2.10) of the City Charter shall be as follows:

Mayor Helen Acker
Deputy Mayor Thomas Simchik
Councilor Michael Bowe
Councilor James Coulthart
Councilor Brandee DuBois
Councilor Carrie Earl
Councilor Michelle Kinville

Ayes: 6
Nays: 0
MOTION CARRIED

SCRAP METAL SALE

RESOLUTION 20-04

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, to authorize the Department of Public Works, Waste Water Treatment Plant, Water Department, Fire Department, Police Department and Recreation Department to sell scrap metal at a fair market price, as accumulated, for the remainder of the year.

Ayes: 6
Nays: 0
MOTION CARRIED

AGREEMENT – YEAR ENDING DECEMBER 31, 2019 AUDIT

RESOLUTION 20-05

Moved by Councilor Simchik
Seconded by Councilor Bowe

RESOLVED, to authorize the Mayor to sign the agreement with Bonadio & Co., LLP, Certified Public Accountants, 432 North Franklin Street, #60, Syracuse NY 13204 to audit the City's financial statements for the year ended December 31, 2019.

Ayes: 6
Nays: 0
MOTION CARRIED

AMUSEMENT DEVICE LICENSE

RESOLUTION 20-06

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, that the 2020 Amusement Device License for Nichols Vending, Inc., 115 Genesee Street, Oneida NY for machines located at Bec's Ivy Grill, Dunn's Grill, Jacks or Better, Olcott Hotel and the Oneida Movieplex be hereby approved.

Ayes: 6
Nays: 0
MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 20-07

Moved by Councilor Simchik
Seconded by Councilor Bowe

2019 Budget Adjustments

RESOLVED, to approve the following 2019 Budget Amendment/Transfers

$ 375.00	001.9010.0806.0000	001.7530.0400.0000
	ERS Retirement	PAC 99

To reallocate 2019 additional funds to cover 1/6 ($15,874.18) of Franchise Fee Received ($95,245.13)

2020 Budget Adjustments

RESOLVED, to approve the following 2020 Budget Amendment/Transfers

$ 15,000.00	002.0002.0912.0000	002.8300.0319.0000
	Water Fund Balance	Water General Maintenance

To allocate funds in 2020 budget that were budgeted in 2019 but not used for purchase of pumps

Ayes: 6
Nays: 0
MOTION CARRIED

Comptroller Lee Ann Wells said that the City received more revenue than expected and therefore has to pay a little more to PAC 99.

A RESOLUTION ADOPTING THE "CITY OF ONEIDA DESIGN STANDARDS AND GENERAL GUIDELINES FOR SMALL CELL WIRELESS TELECOMMUNICATION FACILITIES"

RESOLUTION 20-08

Moved by Councilor Simchik
Seconded by Councilor Bowe

WHEREAS, the City of Oneida Common Council has recently adopted a Local Law titled "A Local Law Creating Chapter 145, Titled 'Small Cell Wireless Deployment Requirements' of the Code of the City of Oneida"; and

WHEREAS, the Common Council desires to regulate the deployment of small cell wireless communication facilities throughout the City in conformance with the guidance and rules set forth in the Declaratory Ruling and Third Report and Order, known as FCC 18-133 or "Order," as issued by the Federal Communications Commission ("FCC"), which allow local governments to impose aesthetic requirements and safety considerations upon small cell wireless communications facilities and, to accomplish this, desires to adopt the "City of Oneida Design Standards and General Guidelines for Small Cell Telecommunications Facilities," as previously distributed and incorporated herein; and

WHEREAS, it is in the public interest to adopt the "City of Oneida Design Standards and General Guidelines for Small Cell Telecommunications Facilities;" and

WHEREAS, adoption of the "City of Oneida Design Standards and General Guidelines for Small Cell Telecommunications Facilities" has been determined to be a Type II action and will have no significant adverse effect on the environment, pursuant to 6 N.Y.C.R.R. Part 617.

NOW, THEREFORE, BE IT RESOLVED, that the City of Oneida Common Council hereby adopts the following:

CITY OF ONEIDA
Design Standards and General Guidelines
For Small Cell Telecommunications Facilities

These Standards and General Guidelines were adopted by the City of Oneida Common Council on December 3, 2019, pursuant to Chapter 145 Section 2.3(d) of the City of Oneida City Code, relating to the placement of small cell wireless facilities in the City of Oneida.

A. General Design Guidelines.

(1) Compliance. All Communications Facilities shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, the City of Oneida City Code, and any other applicable local, state, and federal rules and regulations.

(2) Underground Utilities. All service lines to the proposed Communications Facility shall be underground if all other utilities in the immediate area are also underground.

(3) Power and Fiber Optic Supply.

a. Independent Power Source Required. Communications Facilities subject to a License Agreement may not use the same power source providing power for the existing facilities original to the purpose of the Support Structure, unless specifically authorized by the owner of the Support Structure and approved by the City Engineer. An independent power source must be contained within a separate conduit on the existing Support Structure.

b. Providers shall coordinate, establish, maintain and pay for all power and communication connections with private utilities.

(4) Wiring, Cables and Conduit Requirements.

a. All wiring and cables must be housed within the steel or other metal Support Structure pole and extended vertically within a flexible conduit. In non-steel or solid Support Structures, all wiring and cables must be appropriately protected and covered with a material that matches the non-steel or solid Support Structure so as not to be visible from public view.

b. Above-ground wires, cables, connections and conduits are prohibited, except as specified in this Design Guideline Manual based on the Support Structure.

c. Spools and/or coils of excess fiber optic or coaxial cables or any other wires shall not be stored on the Pole except completely within the approved enclosures or cabinets.

(5) Lighting. Lighting associated with Communications Facilities is prohibited, except when incorporated into new or existing approved decorative poles. Any internal lights associated with electronic equipment must be shielded from public view.

(6) Signage. Signage is prohibited on all Communications Facilities and Support Structures, including stickers, logos, and other non-essential graphics and information unless required by the FCC.

(7) Work Permits. All Providers must obtain a work permit from the City for any activity described in Chapter 145 of the Code.

(8) Public Safety Communications. Small Wireless Facilities shall not interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by the occupants of nearby properties.

B. Existing Support Structures.

(1) Collocation Encouraged. The collocation of Communications Facilities on existing Poles, Towers and Support Structures is strongly encouraged to minimize the extent of intrusion of redundant Support Structures within the Public ROW or on private property.

(2) Structural Integrity of Existing Support Structures.

a. The City shall not authorize any attachments to City-owned infrastructure, Pole, Tower or Support Structure that negatively impacts the structural integrity of said infrastructure, Pole, Tower or Support Structure.

b. The City may condition approval of the Collocation on replacement or modification of the Communications Facility at the Provider's cost if the City determines that replacement or modification is necessary for compliance with the construction and/or safety standards of the City. A replacement or modification of the Communications Facility shall conform to the applicable design guideline(s) and the City's applicable specifications for the type of structure being replaced. The City shall retain ownership of a replacement Support Structure.

(3) Maximum Permitted Height. For an existing Communications Facility, the Antenna and any associated shroud or concealment material which are permitted to collocate at the top of the existing Support Structure shall not increase the height of the existing Support Structure by more than five (5) feet or a total of thirty-five (35) feet from grade.

(4) Reserved Space. The City may reserve space for future public safety or transportation uses in the Public ROW or on a Pole, Tower or Support Structure owned by the City in accordance with an approved plan in place at the time an Application is filed.

a. A reservation of space shall not preclude placement of a Pole or the Collocation of a Communications Facility.

b. If replacement of the City's Pole or Support Structure is necessary to accommodate the Collocation of the Communications Facility and the future use, the Provider shall pay for the replacement of the Pole or Support Structure and shall design and construct the replacement Pole or Support Structure in a manner that is able to accommodate the future use.

C. New Pole, Tower or Support Structures.

(1) Location.

a. Required Setbacks.

1. The centerline of a new Pole, Tower or Support Structure shall be installed in alignment with existing street trees and other poles along the same Public ROW whenever possible.

2. In no case shall a new Pole, Tower or Support Structure be located less than what is required in the License Agreement from any of the road-way/face of curb, sidewalk, or shared use path as measured to the nearest part of the Support Structure.

3. New Poles, Towers or Support Structures shall be located a minimum of six (6) feet from any permanent object, structure or existing lawful encroachment into the Public ROW, or as determined in the License Agreement.

4. Support Structures for Small Wireless Facilities located outside of the Public ROW shall be set back from the property line of the lot on which it is located a distance equal to not less than the total height of the facility, including the Support Structure, as measured from the highest point of such Support Structure to the finished grade elevation of the ground on which it is situated, plus 10% of such total height. The Planning Commission may reduce such setback requirements based upon consideration of lot size, topographic conditions, adjoining land uses, landscaping, and other forms of screening and/or structural characteristics of the proposed Support Structure.

b. Required Spacing. A minimum of 300 linear feet between Poles, Towers, Support Structures or Communication Facilities is required. To the extent feasible, any new or replacement Pole, Tower or Support Structure constructed in the Public ROW shall be located at the property line between two (2) residentially zoned properties and not in the direct line of site from the front of a residential structure.

(2) Maximum Permitted Height.

a. For a new Support Structure in a Neighborhood Commercial District, Downtown Commercial District, General Commercial District, Community Services District, Light Industrial District or Manufacturing-Industrial District, the overall height of the Pole, Tower and Support Structure and any collocated Antennas shall not be more than forty feet (40') in height above established grade measured at the base of the Support Structure.

b. The City shall limit the maximum permissible height of wireless Pole, Tower or Support Structure in residential zones, including any Residential

Planned District and Mobile Dwelling Planned District, to not more than thirty-five feet (35') in height above established grade measured at the base of the structure.

(3) Design Requirements.

a. Shape and Dimensions. All new Poles, Towers or Support Structures shall be constructed of solid hot-dipped galvanized steel and shall be round with the Pole shaft tempered in diameter from the base to the top with a maximum of twelve (12) inches at the base.

b. Aesthetics. In appropriate locations and districts, decorative poles shall be used to complement the existing character of the surrounding area.

c. Transformer Base. All new Poles, Towers or Support Structures shall include a one-piece cast aluminum allow transformer base in a breakaway design, consistent with engineering standards subject to the Engineer for the City's review and approval.

d. Foundation/Footer.

1. All new Poles, Towers or Support Structures shall be supported with a reinforced concrete foundation or footer that is designed by a professional engineer, subject to the Engineer for the City's review and approval.

2. Anchor bolts must be constructed from steel (high strength) per ATSM A36, threaded (J-Type/L-Type), hot dip galvanized steel per ODOT CM Item No. 711.02, and in a strength and diameter recommended by a professional engineer, subject to the Engineer for the City's review and approval.

3. All anchor bolts must be concealed from public view with an appropriate Pole boot or cover, powder coated to match the Pole, Tower or Support Structure.

e. Color. New Poles, including decorative poles, Towers or Support Structures, including the breakaway transformer base, shall have a powder coated finish in dark earth tone colors such as dark green, dark brown, gray, or black, consistent with the color of other Poles, Towers or Support Structures in the immediate vicinity, unless other colors are approved by the City.

(4) Multiple Requests. If multiple requests are received by the City to install two (2) or more Poles, Towers or Support Structures that result in the violation of the applicable spacing requirements outlined herein, or to collocate two (2) or more Communications Facilities on the same Pole, Tower or Support Structure, the City may resolve conflicting requests through whatever reasonable and nondiscriminatory manner it deems appropriate.

(5) Alternate Location. The City reserves the right to propose an alternate location to any proposed location of a new Pole, Tower or Support Structure, that is within one hundred feet (100') of the proposed location or within a distance that is equivalent to the width of the Public ROW in or on which the new structure is proposed, whichever is greater, which the Provider shall use if it has the right to do so on reasonable terms and conditions and the alternate location does not impose technical limits or significant additional costs.

(6) Waiver.

a. A Provider may seek a waiver from the Planning Commission of the undergrounding or alternative location requirements for the placement of a new Pole, Tower or Support Structure to support Communications Facilities if the Provider is unable to achieve its service objective using a Communications Facility under the following circumstances:

1. From a location in the Public ROW where the prohibition does not apply;
2. In a utility easement the Provider has the right to access; or
3. In or on other suitable locations or structures made available by the City subject to reasonable rates, fees, and terms.

b. The City shall process waivers in a reasonable and nondiscriminatory manner that does not have the effect of prohibiting the provision of Wireless Services.

D. Antenna.

(1) Location. All Antenna to be installed on new or existing Poles, Towers or Support Structures shall be mounted to the top of the Pole, Tower or Support Structure and aligned with the centerline of the Pole, Tower or Support Structure, unless otherwise agreed to by the City based on the specific context and characteristics of the Communications Facility.

(2) Size. Each Antenna shall be located entirely within an enclosure of not more than three (3) cubic feet in volume or, in the case of an Antenna that has exposed elements, the Antenna and all of its exposed elements could fit within an enclosure of not more than twelve (12) cubic feet in volume.

(3) Design.

a. Shape. Antennas shall be cylindrical in shape or shall be located entirely within a cylindrical canister or shroud.

b. Color. Exposed Antennas and Antenna enclosures shall match the color specifications of the Pole, Tower or Support Structure, unless other colors are approved by the City.

E. Small Wireless Facilities Installed on Support Structures.

(1) Size. Exclusive of the Antenna, all wireless equipment associated with the Communications Facility shall not cumulatively exceed twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

(2) Equipment Enclosures. All Communications Facilities mounted to Poles, Towers or Support Structures or located on the ground shall be fully contained within enclosures or cabinets.

(3) Required Clear Height. All Communications Facilities mounted to a Pole, Tower or Support Structure shall provide a minimum of ten (10) feet of clear space on the Pole as measured from established grade to the lowest point of any facility/equipment cabinets or concealment apparatus mounted to the Pole, Tower or Support Structure.

(4) Maximum Horizontal Offset from Support Structure. Communications Facility equipment cabinets or enclosures shall not extend more than ten (10) inches beyond the Pole, Tower or Support Structure centerline in all directions.

(5) Design.

a. Cabinet or Enclosure Shape. Communications Facility equipment cabinets or enclosures shall be rectangular in shape, with the vertical dimensions being greater than the horizontal. Generally, the cabinet or enclosure shall be no wider than the maximum diameter of the Support Structure.

b. Installation. All Pole mounted equipment cabinets or enclosures must be installed as flush to the Pole as possible. Any installation brackets connecting the cabinets or enclosure to the Pole shall not extend more than two (2) inches from the Pole and shall include metal flaps (or wings) to fully conceal the gap between the cabinet and Pole.

c. Color. Cabinets or enclosures shall match the color specification of the Pole, Tower and/or Support Structure, unless other colors are approved by the City.

F. Ground Mounted Small Wireless Facilities.

(1) Location.

a. Required Setbacks.

1. Ground mounted Small Wireless Facilities shall be located no less than required in the License Agreement from the road-way/face of curb, sidewalk, or shared use path as measured to the nearest part of the cabinet or enclosure.

2. Ground mounted Communications Facilities and associated required screening or shrouding shall be located a minimum of six (6) feet from any permanent object or existing lawful encroachment into the Public ROW.

(2) Size. All Communications Facility equipment shall not cumulatively exceed twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

(3) Maximum Permitted Height. The maximum height for ground mounted Communications Facilities shall not exceed two and one-half (2 ½) feet as measured from established grade at the base of the facility.

(4) Equipment Enclosures Required. All ground mounted Communications Facilities shall be fully contained within enclosures or cabinets.

(5) Design Requirements.

a. Concealment. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching the materials of the Support Structure, unless other materials are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations. Landscaping concealing equipment

enclosures shall be planted in such quantity and size such that 100% screening is achieved within two (2) years of installation.

b. Concrete Pad or Slab. In accordance with state and local standards approved by the Code Enforcement Officer.

c. Breakaway Design. All objects placed within the Public ROW shall feature breakaway design.

d. Color. Ground mounted Communication Facility cabinets and enclosures shall have a powder coated finish in dark earth tone colors such as dark green, dark brown, gray, or black, unless other colors are approved by the City.

G. Construction and Safety Requirements.

(1) Approval of the collocation, replacement or modification of a Pole, Tower or Support Structure is conditioned upon the Provider's assumption of costs if the City determines such is necessary for compliance with its written construction or safety standards.

(2) Prevention of failures and accidents. Any Provider who owns a Communications Facility sited in the Public ROW or upon City-owned property shall at all times employ ordinary and reasonable care and shall install, maintain and use nothing less than the best available technology for preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.

(3) Compliance with fire safety and FCC regulations. Communications Facilities, wires, cables, fixtures, and other equipment shall be installed and maintained in compliance with the requirements of the National Electric Code, all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property, public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

(4) Wind and Ice. All Communications Facilities shall be designed to withstand the effects of wind gusts and ice to the standard designed by ANSI, as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA-222, as amended).

(5) Surety bond or equivalent financial tool for cost of removal. All Providers shall procure and provide to the City a renewable bond, or shall provide proof of an equivalent financial mechanism, which may include a funds set-aside and a letter of credit, to ensure compliance with all provisions of these Standards and Guidelines. The renewable bond or equivalent financial method shall cover the cost to remove unused or abandoned Small Wireless Facilities or damage to City property caused by a Provider or its agent for each Communications Facility which the Provider installs in the Public ROW or upon City-owned property.

Said Provider shall also hold the City and/or its agent(s) harmless in the event any action by the City and/or its agent(s) negligently or recklessly disrupts, destroys, and incapacitates the small cell facility or wireless support structure situated in the Public ROW or City-owned property in accordance with these Design Guidelines and Standards.

H. Indemnify and Hold City Harmless. Any Provider who owns or operates a Communications Facility or a Pole, Tower or Support Structure in the Public ROW or upon City-owned property shall, to the fullest extent permitted by law, indemnify, protect, defend, and hold

the City and its elected officials, officers, employees, agents, and volunteers harmless from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, product performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said facility. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fee, consultants' fees and expert witness fees are included in those costs that are recoverable by the City"; and it is further

RESOLVED, that said "City of Oneida Design Standards and General Guidelines for Small Cell Wireless Telecommunication Facilities" may be amended from time-to-time by resolution of the Common Council.

Ayes: 6
Nays: 0
MOTION CARRIED

City Attorney Nadine Bell said that the Council recently adopted a Local Law titled Small Cell Wireless Deployment Requirements to regulate the deployment of small cell wireless communication facilities in the City's right of way. She said this Resolution adopts the policy (City of Oneida Design Standards and General Guidelines for Small Cell Telecommunications Facilities) for the City to impose aesthetic requirements and safety considerations upon small cell wireless communications facilities. She added that the design standard guidelines, as set forth in the Local Law and this policy, will allow for placement of the utility cabinets underground. She said that this policy is based on the guidelines/standards that have been recommended on a national level for municipalities. She said that they have been adopted by many other municipalities. Attorney Bell said that because this is in the form of a Resolution, not a Local Law, the policy can be modified by another Resolution at a later date if the Council so desires. Councilor Coulthart explained that if the City didn't pass the Local Law and this Policy, we would have had no say in the deployment of these wireless telecommunication facilities within the City. In response to a question from Randy Jones, the City Attorney reviewed the deployment of 5G technology.

NEW BUSINESS

Supervisor Joe Magliocca said that the County had their organizational meeting today, and the committee assignments were made by Supervisor John Becker. He said that he would provide the Mayor and Council a list after the meeting. Councilor Acker commended Supervisor Mary Cavanaugh on her appointment to the Government Operations Committee.

Supervisor Magliocca said that 2020 is going to be the "Year of the Veteran" with a presentation to be given at every Board Meeting.

Mayor Acker congratulated the new Supervisors, and they received a round of applause.

Proposed Solar Array – Leasing Property from the City

Jerry Leone, Civil Engineer and Program Manager, Labella Associates, Rochester NY said that his client is interested in leasing property from the City of Oneida to develop and install a community solar array. Mr. Leone displayed a map denoting three adjoining parcels adjacent to Oneida Healthcare Center and another of the old City landfill. He said that a community solar project could be placed at either of those sites, and further stated that this presentation is just to gauge the City's interest. He explained that that project would be served remotely and done through National Grid. Mr. Leone said that it would combine

the solar array with a battery storage component. He said that the DEC is supportive with old landfill sites to be repurposed. Mr. Leone said that he is not in a position to discuss the financial aspects at this point, and a discussion ensued. In response to several questions, he said that a lease can be structured in a variety of ways, although he noted that this is purely an investigation at this point, and he doesn't have any specific details at this time.

Councilor Coulthart asked if the old landfill property would interfere with the Rail Trail plans. Supervisor Magliocca said that the Rail Trail is made up of the access road to the old landfill to Middle Road, noting that National Grid owns the entrance to the access road, and the City owns the Middle Road access. He said that the Regional Planning Board is already working with the City on the Empire State Trail to get out to the Mansion House and suggested speaking with them about this project as well. He said there are a lot of "what if's" involved with this whole site. City Engineer Eric Schuler said that the area of land by OHC encompasses the Higinbotham Dam and Auxiliary storage, and the City must follow strict maintenance guidelines with the Federal Government. He said that parcel would be off the table with respect to leasing. City Engineer Schuler said that old landfill site is the City's green waste area.

Jill Christian Lynch asked that the Council stop going into the idea of solar by piecemeal. She said that she strongly encourages the Council to look at the idea of a committee to create some guidelines for solar coming to Oneida, noting that the City should be more thoughtful about maintenance, monitoring, actual benefits, etc. She said that we need to protect our community, while bringing solar in a smart way to our community. Supervisor Magliocca said that other towns/villages have active land use regulations for solar, and perhaps the City should consider this.

Feral Cat Problem in the City

Brian Bortree, 444 Leonard St., asked if the City will be addressing the feral cat problem. He said that the neighbors on both sides of his property are feeding these cats. Mr. Bortree said that he has been a vet tech for 40 years and feeding these feral cats also brings the skunks, who are known to carry the rabies virus. He noted that he had nine cats in his backyard yesterday morning. Councilor Coulthart said that this is a health issue that needs to be addressed. Councilor Earl said that feral cats are in every Ward and agreed with the need to tackle this problem. Mayor Acker said that we can check with other municipalities to see how they handle this issue.

West Elm Street Greenhouse Project

Randy Jones said that there is a mud problem on West Elm Street from the trucks coming out of the Greenhouse project. The City Engineer said that he has addressed this issue with the company on multiple occasions, but it is a constant loop… they clean it up, and then days later, the road is muddy again.

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 7:35 p.m.

CITY OF ONEIDA

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Susan Pulverenti
City Clerk