

**MINUTES OF THE COMMON COUNCIL
JULY 2, 2019**

A meeting of the Common Council of the City of Oneida, NY was held on the second day of July, 2019 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, Michael Bowe, James Coulthart, Helen Acker, James Chamberlain, and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Eric Schuler
Fire Chief Dennis Fields
Police Chief Paul Thompson
Recreation Director Luke Griff
Supervisor Joe Magliocca
Supervisor John Reinhardt

OLD BUSINESS

216 East Elm Street

Larry Bavo, Oneida, once again expressed his discontent with the City's lack of action with 216 W. Elm Street, which is next to his property. He requested that the property owner be ticketed and fined. She said that she is intending to meet with the Fire Marshal next week to get the unsafe structure petition signed and filed, but it would still be up to the Court to make the final decision. Attorney Bell advised against fines, as they do not necessarily work, noting that if the resident doesn't pay the fine, the City could eventually end up with the property. The Mayor said that he agrees that this shouldn't have taken so long, but that is the reality, and we are working to correct this.

Harboring Chickens in the Inside District

Melissa Mannix, Stone Street, presented the Council with petitions signed by 23 more people who are agreeable to change the Ordinance to allow for chickens to be harbored in the inside district. After a lengthy discussion, the Council said they would take another look at this issue and opted to schedule an "informal hearing" on this matter for August 20, 2019 at 6:30 p.m. to try to determine what the public as a whole wants. Ms. Mannix questioned if she still had to go to court for the ticket she received for being in violation of the City Ordinance. The Mayor said yes, and the City Attorney said that we cannot carve out an exemption.

PETITION TO ALLOW FOR HARBORING CHICKENS IN THE INSIDE DISTRICT

RESOLUTION 19-171

Moved by Councilor Bowe
Seconded by Councilor Acker

RESOLVED, that the petitions hand delivered to the Common Council by Melissa Mannix regarding changing the Ordinance to allow for chickens to be harbored in the inside district be hereby received and placed on file

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Simchik
Seconded by Councilor Chamberlain

RESOLVED, that the minutes of the regular meeting of June 18, 2019 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Cohen
Seconded by Councilor Simchik

RESOLVED, that Warrant No. 13 checks and ACH payments in the amount of \$373,984.88, 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

Moved by Councilor Chamberlain
Seconded by Councilor Cohen

RESOLVED, that checks in the amount of \$465.75 (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
Abstain: 1 (Bowe)

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 19-172

Moved by Councilor Chamberlain
Seconded by Councilor Coulthart

RESOLVED, that the budget transfers/amendments be hereby approved:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$1,000.00	001.0001.0912.0000 General Fund Balance	001.1430.0400.0000 Civil Service Expenses
	<i>(To allocate funds to Random DOT Drug and Alcohol Testing)</i>	
\$3,596.71	001.0001.0912.0000	001.1620.04032.0002

General Fund Balance Contracts – Justice Center
(To allocate funds for security lock related work at the Justice Center)

Ayes: 6

Nays: 0

MOTION CARRIED

ZONING MAP AMENDMENT – SCHEDULE PUBLIC HEARING (tabled)

RESOLUTION 19-173

Moved by Councilor Bowe

Seconded by Councilor Acker

WHEREAS, a written request from Russell Blanchard, 6470 Creek Rd., Oneida, NY 13421 requesting a zone change from R-P (Residential Planned) to C (Commercial) on the parcel formerly owned by Capozzi's Realty LLC (SBL# 38.69-1-11) located at 409 Genesee Street was received and placed on file and referred to the City of Oneida Planning Commission Zoning Board of Appeals (PCZBA) by the Common Council on May 21, 2019, pursuant to Resolution 19-146, **and**

WHEREAS, the PCZBA recommended approval of the proposed zoning map amendment at their June 27, 2019 meeting, **and**

WHEREAS, having received a request for such zone change amendment and the recommendation of the PCZBA, the Common Council hereby introduces an Ordinance to amend the Zoning Map of the City of Oneida to change the designation of certain property located at 409 Genesee Street (SBL # 38.69-1-11) from R-P (Residential Planned) to C (Commercial); **and**

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of an ordinance in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Ordinance; **now therefore be it**

RESOLVED, that there are no other involved agencies, the Common Council shall act as lead agency for the purposes of conducting an environmental review pursuant to SEQRA, and that the enactment of the proposed Ordinance is a Type I Action; **and it is further**

RESOLVED, that a Public Hearing on an Ordinance amending the Zoning Map of the City of Oneida to change the Zoning designation for said property located at 409 Genesee Street (SBL# 38.69-1-11) being zoned R-P (Residential Planned) to C (Commercial) in the City of Oneida be scheduled for July 18, 2019 at 6:30 p.m. in the Common Council Chambers, 109 N. Main St., Oneida, or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Ayes: 6

Nays: 0

MOTION TABLED

Councilor Bowe said that there are two different phases, with the first portion being the commercial part right off of Rt. 5, suggesting that portion be zoned first. He said that he has requested a map, but has not received it yet. Mike DeBottis, Oneida, questioned the proposed Resolution, and a discussion amongst the Mayor, City Attorney and City Clerk ensued. The City Attorney said that rather than amend the

Resolution, it would be better for the Council to “Table” the Resolution, and it could be received/filed at the next meeting. Donald Skinner, Oneida, said that there is now a 50’ buffer on the Deerfield Drive side, but the residents on the other side by the Princeton Park condos didn’t get anything. The Mayor said this is not the night for those questions. Jill Christian Lynch said that the Mayor just said he received a report from County Planning, and she didn’t receive a copy of that report through the FOIL process. The Mayor said that he just opened it today. The original motion to open discussion was moved by Councilor Cohen and seconded by Councilor Coulthart.

AMEND THE 2019 CITY OF ONEIDA BUDGET – SALARY SCHEDULE

RESOLUTION 19-174

Moved by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, that the 2019 City of Oneida Budget be hereby amended in the Salary Schedule portion to decrease the Laborer/CDL positions from 3 to 2 and to increase the Laborer positions from 2 to 3.

Ayes: 6

Nays: 0

MOTION CARRIED

NEW BUSINESS

Larry Bavo, Oneida, said that he had a question about billing, and Councilor Acker said she explained the answer to his question to the building owner, and Mr. Bavo said that he was there at the time. She responded to Mr. Bavo that he just didn’t like the answer he was given.

City Engineer Eric Schuler said that the City’s new all-wheel drive plow truck was delivered the end of last week almost a year after ordering it.

Councilor Bowe gave congrats to Women’s National Soccer League for making it to the finals.

PRESENTATION TO POLICE DEPARTMENT FOR 125TH ANNIVERSARY

Mayor Matzke presented Chief Paul Thompson with a Proclamation for the 125th Anniversary of the Oneida Police Department. Mayor Matzke said that with the adoption of the new Village Charter, the Police Department was formed on or about July 1, 1894 with Chief Daniel Sanford and four patrolmen. He said that the first station was a 12’ by 18’ wooden building on Vanderbilt Ave with two desks and two cells, with the Department obtaining their first a patrol car in 1916. He went on to name the Police Chiefs over the years, noting that the Murphy’s, both father and son, had a 39 year reign over the department until 1973, when “Bud” Yeman, John McClellan, Cliff Hopkins, David Meeker respectively all served as Chief, along with our current Police Chief Paul Thompson. The Mayor said that in 1968, the Department increased to 22 officers and moved into the Municipal Building and was housed there until 2009 when they moved across the street to the new Oneida Justice Center. He said that currently the Department has 23 officers and multiple vehicles, which are used by the various department employees. The Mayor congratulated the department on this most distinguished occasion and extended his gratitude and honor to the men and women of the Oneida Police Department for their hard work and dedication to the City and its safety. A round of applause was given by the Council and members of the audience to the Police Department.

Police Chief Thompson said that over all those years, the Department was never more than a stone's throw away from where they are located now. He said that it feels good to part of this legacy and serve this community. Chief Thompson said that the next 125 years is a long way off, but he hopes that the legacy of service to the City and its residents remains the same. Another round of applause was given, and Chief Thompson invited everyone to have some cupcakes and brownies to celebrate the occasion.

Motion to adjourn by Councilor Bowe

The regular meeting is hereby adjourned at 7:20 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk