MINUTES OF THE COMMON COUNCIL
MARCH 3, 2020

A meeting of the Common Council of the City of Oneida, NY was held on the third day of February, 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, and Michelle Kinville

ABSENT: Councilors Brandee DuBois and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Eric Schuler
Comptroller Lee Ann Wells
Fire Chief Dennis Fields
Police Chief Paul Thompson
Public Safety Commissioner Kevin Salerno
Recreation Director Luke Griff
Supervisor Mary Cavanaugh
Supervisor Joe Magliocca

PUBLIC HEARING – ORDINANCE AMENDMENTS

RESOLUTION 20-49

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, that the Public Hearing on proposed Ordinance amendments to amend Chapter 190 Zoning, Section 190-14 relating to aboveground pool fencing and to amend Chapter 159 Swimming Pools, Section 159-3 relating to swimming pool fees be hereby opened at 6:31 pm.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

APPEARANCES

The City Clerk said that the Planning Director reminded her that although we are just cleaning up the code by changing the 46 to 48 inches, all changes to Zoning have to go to the PCZBA. The Clerk said that once we have the needed approvals, the proposed Ordinance amendments will be brought to the Council for adoption.

Moved by Councilor
Seconded by Councilor

RESOLVED, that Public Hearing on the proposed Ordinances be hereby closed at 6:33 pm.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

OLD BUSINESS - None

Moved by Councilor Bowe
Seconded by Councilor Earl

RESOLVED, that the minutes of the regular meeting of February 18, 2020 are hereby approved as presented.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, that Warrant No. 5, checks and ACH payments in the amount of $3,458,981.14 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

Moved by Councilor Earl
Seconded by Councilor Kinville

RESOLVED, that checks in the amount of $12,669.75 (City Attorney) as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 3
Nays: 0
Abstain: 1 (Bowe)
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

CANVASS AND APPROVE BIDS – SENSUS WATER METERS

RESOLUTION 20-50

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, that the lowest bid meeting specifications for Low Lead Sensus Water Meters in the amount of $23,041.40 is hereby awarded to CORE & MAIN, 2220 State Route 5, Utica NY 13502.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

CANVASS AND APPROVE BIDS

RESOLUTION 20-51

Moved by Councilor Bowe
Seconded by Councilor Earl

RESOLVED, that the lowest bid meeting specifications for hydrants received from FERGUSON WATERWORKS, 6040 Drott Drive, East Syracuse, NY 13057 in the amount of $18,665.00 be hereby approved, **and be it further**

RESOLVED, that the lowest bid meeting specifications for ductile iron pipe, fittings, valves, and miscellaneous received from CORE & MAIN, 2220 State Rt. 5, Utica NY 13502 in the amount of $58,716.95 be hereby approved.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

LEASE AGREEMENTS

RESOLUTION 20-52

Moved by Councilor Bowe
Seconded by Councilor Kinville

RESOLVED, to authorize the Purchasing Agent to proceed with three Leases through Enterprise Fleet Management for Police vehicle replacements with the payments for said leases to be transferred from the General Fund Vehicle Reserve Fund.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

The Comptroller said these are through the Vehicle Reserve line, and the budget transfer to be approved next.

BUDGET TRANSFER/AMENDMENT

RESOLUTION 20-53

Moved by Councilor Bowe
Seconded by Councilor Coulthart

RESOLVED, to approve the following budget transfer/amendment:

2020 Budget Adjustments

		From	*To*
$	22,700.00	001.0001.0889.0000	001.9785.0600.0001
		Vehicle Reserve	Principle on Lease-Police

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

APPROVE CONTRACTS WITH NATIONAL GRID

RESOLUTION 20-54

Moved by Councilor Earl
Seconded by Councilor Bowe

WHEREAS, the City of Oneida has received a proposed "Agreement for Purchase and Sale of Street Lights" and a proposed "License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures" relating to the City's purchase and operation of street lighting fixtures within the City from Niagara Mohawk Power corporation, doing business as National Grid (collectively referred to herein as "the Agreements").

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ONEIDA that the City entering into the Agreements and carrying out the actions contemplated therein constitutes a Type II Action for purposes of the New York State Environmental Quality Review Act ("SEQRA"). The action contemplated is to acquire ownership of existing street lighting fixtures and then convert the light fixtures themselves to new energy saving LED units which will remain, pursuant to the license agreement, on existing poles that will continue to be owned by National Grid. As such, the action is considered and declared to be a Type II Action pursuant to paragraphs (2), (25) and (26) of Section 617.5, subsection (c), of the SEQRA regulations, **and it is hereby further**

RESOLVED that the Agreements are hereby approved subject to final approval by the attorney for the City of any amendments made to the Agreements, and that the Mayor is hereby authorized and directed, on behalf of the Common Council, to execute said Agreements, along with such other documents as may be necessary and/or advisable to carry out the intentions of the Agreements and this resolution.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

City Attorney Nadine Bell said that years ago, the Common Council passed a Resolution authorizing the Mayor's execution of an agreement with National Grid for the purchase and sale of street lights. She said that National Grid has since changed the agreements the City must enter into and now wants a new Resolution authorizing the execution of such new agreements. She noted that the changes to the agreement are internal and do not affect the costs, equipment, etc. Attorney Bell said that in speaking

with National Grid, a broader resolution was recommended, whereby preventing the need for the City to pass future Resolutions should National Grid choose to change the agreements again.

The City Engineer said that this should have been done last year, but National Grid is continually dragging its feet and unfortunately, it is out of our hands. The City Attorney said that if National Grid continues to delay this, she will reach out to the PSC directly, as there are specific time-frames that should be met. The City Engineer, in response to a question, said that an inventory of all street lights will be prepared, and the lights will be replaced with modern LED lighting. He said that the City will enter into a service contract with an entity that handles that type of work. Engineer Schuler added that we will have the capability to brighten or dim the lights.

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 20-55

Moved by Councilor Bowe
Seconded by Councilor Kinville

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: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

SALE OF REAL PROPERTY AT 202 NORTH MAIN STREET TO CENTER STREET RESIDENTIAL LLC AMENDING RESOLUTION 19-218

RESOLUTION 20-56

Moved by Councilor Bowe
Seconded by Councilor Coulthart

WHEREAS, the City of Oneida Common Council at the October 1, 2019 meeting approved Resolution 19-218 accepting a Purchase offer from Paul Marco, 155 Madison Street, Oneida and further approving the sale of City owned real property situated at 202 N. Main Street, Oneida, known as Tax Map No. 30.63-2-75 to Paul Marco in the amount of $3,000, plus closing costs and filing fees, **and**

WHEREAS, the sale of the property has not been finalized, and a request has been received from Paul Marco asking that the sale of the property situated at 202 N. Main Street, Oneida to be to his company, Center Street Residential LLC, rather than him personally, **now therefore be it**

RESOLVED, that the City of Oneida Common Council hereby amends Resolution 19-218 approving the sale of City owned real property situated at 202 N. Main Street, Oneida, known as Tax Map No. 30.63-2-75 to Center Street Residential LLC under the same terms and conditions.

Ayes: 4
Nays: 0
Absent: 2 (DuBois, Simchik)
MOTION CARRIED

City Attorney Nadine Bell said that on October 1, 2019, the Common Council authorized the sale of the property situated at 202 N. Main Street to Paul Marco. Mr. Marco has requested that the sale of the property be listed to his company, Center Street Residential LLC, rather than to himself personally. Attorney Bell said that the Council would have to waive the rule and amend the original resolution.

NEW BUSINESS

Former Councilor Al Cohen reminded everyone that the vote on the library's budget and trustee is open until 9:00 pm.

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 6:53 p.m.

CITY OF ONEIDA

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Susan Pulverenti
City Clerk