

**MINUTES OF THE COMMON COUNCIL
MAY 21, 2019**

A meeting of the Common Council of the City of Oneida, NY was held on the twenty-first day of May, 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 Deputy Mayor James Chamberlain

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

ABSENT: Mayor Leo Matzke, Councilor Michael Bowe

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
Recreation Director Luke Griff
Supervisor Joe Magliocca
Supervisor Mary Cavanaugh
Supervisor John Reinhardt

OLD BUSINESS

Councilor Cohen said that the Relay for Life is this Saturday at Vet's Field, and he challenged the Council to each put in \$20 to this worthy cause, stating he would match that amount.

Mike DeBottis, Oneida, said that they have petitions from 29 adjoining property owners who oppose the proposed zone change at 409 Genesee Street and asked that they be received and placed on file.

**RECEIVE PROTEST PETITIONS REGARDING ZONE CHANGE REQUEST FOR
409 GENESEE STREET**

RESOLUTION 19-144

Moved by Councilor Acker
Seconded by Councilor Chamberlain

RESOLVED, that protest petitions from the property owners immediately adjacent to the property located at 409 Genesee Street, Oneida, expressing opposition to the request for a zoning change to commercial on said property at 409 Genesee Street be hereby received and placed on file.

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

MOTION CARRIED

SUPERVISORS REPORT

Madison County Supervisor Mary Cavanaugh said the Board passed a resolution to oppose the Driver's License Access and Privacy Act, which would amend the state's vehicle and traffic law and limit what information about an applicant the DMV can share with law enforcement and immigration officials. Supervisor Cavanaugh said the Board of Supervisors is looking into "Driver's Only" licenses for undocumented immigrants, which would not be able to be used for identification purposes. She said that Connecticut is currently the only state that has this program. She also commended the DMV staff for increasing revenue over the past year, noting that the DMV is doing some great work. With respect to solid waste, Supervisor Cavanaugh said that the County opted out of the paper bag fee.

Supervisor Cavanaugh reminded everyone that the grand reopening of the Madison County Courthouse is this Saturday, May 25th starting at 11:00 a.m. and culminating with fireworks at 9:00 p.m. She said that a ribbon cutting will take place at 6:00 p.m. that evening. Supervisor Reinhardt added that this 110th anniversary celebration will have guided/unguided touring of the new ADA compliant court facility, live music, food and fireworks during the celebration. Supervisor Magliocca said the entire court house has been refurbished with modern efficiencies and looks remarkable.

Supervisor Magliocca said that there is a free shredding event and also a textile collection event on June 8th at the County landfill. He said that the County is preparing to ask the legislature to make it a law that the County receives the full percentage in host funds for the casinos in Madison County. Supervisor Magliocca said the Madison County Planning Department took first place in the "Reimagine the Canals" competition about a year ago, and they have now been authorized to expend the funds for this new project.

Moved by Councilor Cohen
Seconded by Councilor Coulthart

RESOLVED, that the minutes of the special meeting of May 6, 2019 and regular meeting of May 7, 2019 are hereby approved as presented.

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

MOTION CARRIED

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that Warrant No. 10 checks and ACH payments in the amount of \$299,382.57, 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 \$11,370.38 (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

ORDINANCE AMENDMENT – CHAPTER 147 SOLID WASTE

RESOLUTION 19-145

Moved by Councilor Acker
Seconded by Councilor Cohen

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 adopt Ordinance 19-03 amending Chapter 147 Solid Waste §147-3 Collection and disposal generally as follows:

§ 147-3 Collection and disposal generally.

A. All garbage shall be kept in covered dumpsters or covered cans. All other refuse or ashes and materials of like character must be kept in suitable heavy duty plastic bags, covered dumpsters or receptacles. Cans and receptacles other than bags shall have two handles to carry and a close-fitting cover. No can or bag shall exceed 50 pounds in weight. No can, bag or other receptacle filled with or holding garbage, rubbish or other material shall at any time, within the established inside district, be placed or kept on ground level of any premises at any point nearer the street line fronting such premises than the rear line of the main building, except on the designated curbside collection day provided for herein.

Councilor Cohen: Yes
Councilor Bowe: Absent
Councilor Coulthart: Yes
Councilor Acker: Yes
Councilor Chamberlain: Yes
Councilor Simchik: Yes
MOTION CARRIED

RECEIVE AND FILE LETTER & ZONING CHANGE REQUEST
409 GENESEE STREET RUSSELL BLANCHARD

RESOLUTION 19-146

Moved by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, that a letter from Russell and Katrina Blanchard dated May 12, 2019 introducing themselves, explaining their family history in Oneida, and their plans for 409 Genesee Street be hereby received and placed on file, **and be it further**

RESOLVED, that a zone change request from Russell Blanchard, 6470 Creek Rd., Oneida, NY for the property located at 409 Genesee Street be hereby received and placed on file, **and be it further**

RESOLVED, that said request be referred to the Planning Commission Zoning Board of Appeals.

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

MOTION CARRIED

Deputy Mayor Chamberlain said that the new request is being received by the Council and passed onto the Planning Commission Zoning Board of Appeals for their recommendation, and there is no public comment at this time. He said that at a later date the public may comment at the Public Hearing, which will be held after the PCZBA's recommendation has been received. Jill Christian Lynch, Oneida, asked if a public hearing by the PCZBA will be scheduled. The City Clerk said only if the Council approves the zoning map amendment, and the property owner goes before the Board for site plan. Mrs. Lynch asked if the PCZBA has to have a public hearing relative to providing their recommendation on the zone change request, and the City Attorney said no, that is not something that is subject to a public hearing.

MONTHLY REPORTS

RESOLUTION 19-147

Moved by Councilor Acker
Seconded by Councilor Chamberlain

RESOLVED, that the monthly reports from the Chamberlain, City Clerk, Comptroller, City Engineer, Fire Department, Recreation Department and Police Department be hereby received and placed on file.

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

MOTION CARRIED

GRANT APPLICATION

RESOLUTION 19-148

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, that the City Engineer be hereby authorized to submit a grant application for the Water Quality Improvement Project (WQIP) Program.

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

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 19-149

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, to approve the following budget transfers/amendments:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$796.66	001.0001.0912.0000 General Fund Balance	001.1620.0403.0001 Building Contracts
<i>(To allocate funds to cover contract maintenance costs for municipal building through December 2019)</i>		
\$405.75	001.0001.0912.0000 General Fund Balance	001.1620.0403.0002 Building Contracts-Justice Ctr.
<i>(To allocate funds to cover contract maintenance costs for the Justice Center through December 2019)</i>		
\$5,000.00	001.0022.2665.0000 Sale of Equipment	001.9785.0600.0002 DPW Lease
<i>(To re-allocate funds received from the sale of equipment to cover the new DPW lease vehicle)</i>		
\$21,500.00	001.0022.2665.0000 Sale of Equipment	001.0001.0889.0000 General Vehicle Reserve
<i>(To re-allocate funds received from the sale of equipment to the General Fund Vehicle Reserves)</i>		

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

MOTION CARRIED

NEW BUSINESS

Councilor Acker said that voting on the Oneida School Budget is ongoing until 9:00 p.m. tonight at the high school or Durhamville elementary school. She reminded everyone that the Memorial Day tribute and parade is this Friday evening starting at 6:15 p.m. in Triangle Park.

Councilor Coulthart said that on Thursday, May 8th he attended a meeting with Councilor Acker, Police Chief Thompson, the OCSD Superintendent, North Broad Street principal, and BOCES educator along with several other community leaders to discuss what the police force does and initiate a dialog about how policing is done in the City of Oneida with those who are interested. Councilor Acker said this is to explore the needs for a community relations non-advisory board. She said that the Police Department currently has bike/foot patrols, a mock DWI event at the high school, unlocks people's cars when they lock their keys inside, interns from high school and college, and Youth Court, which is the oldest in New York State. She added that they are also doing the bike rodeo and Oneida Area Public Safety Day on June 1st. She said that the Oneida Police do a lot in the City, and she wants the community to know about it. Councilor Coulthart said that he will keep everyone informed as they move forward.

Deputy Mayor Chamberlain said that the Council has a planned Executive Session to discuss the proposed sale or lease of real property, and the Council will take a five minute break before doing so.

EXECUTIVE SESSION

RESOLUTION 19-150

Motioned by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that the meeting is hereby adjourned to Executive Session at 6:55 p.m. to relating to the proposed sale or lease of real property.

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

MOTION CARRIED

PRESENT: Councilors, City Clerk, City Attorney, Comptroller, City Engineer
1. Discussion relating to the proposed sale or lease of real property.

PRESENT: Councilors, City Clerk, City Attorney, Comptroller
2. Discussion relating to the proposed sale or lease of real property.

Motioned by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 8:37 p.m.

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

MOTION CARRIED

RESOLUTION 19-151

Moved by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, to authorize the City's purchase of the property known as Tax ID# 037.00-1-8, consisting of approximately 3.15 acres of vacant land, situated between Hubbard Place and real property owned by Curtin Dairy, LP, from the Wampsville Fire Department for the amount of \$7,200.00, **and be it further**

RESOLVED, that the City Attorney is hereby authorized to prepare the conveyance documents, an abstract and any other documents required to effectuate said purchase by the City.

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

MOTION CARRIED

Motion to adjourn by Councilor Acker
The regular meeting is hereby adjourned at 8:42 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk