

**MINUTES OF THE COMMON COUNCIL
JANUARY 5, 2016**

A meeting of the Common Council of the City of Oneida, NY was held on the fifth day of January, 2016 at 6:35 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, Erwin Smith, Helen Acker, James Chamberlain, and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Chamberlain Nancy Andrews
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Linda Pease
Director of Parks and Recreation Lucas Griff
Director of Planning and Development Cassie Rose
Fire Chief Kevin Salerno
Police Chief David Meeker
Supervisor John Reinhardt
Supervisor Joseph Magliocca

OLD BUSINESS

Mayor Matzke thanked Supervisors Joe Magliocca and John Reinhardt for attending the meeting. The Mayor also thanked former Councilor Brahim Zogby for his years of service.

Councilor Acker stated that a Letter of Intent has been received from FEMA, which states that FEMA intends to give a grant to the City to purchase homes in the flats. The letter was received 12/21/15 and has to be publicized for thirty days. Councilor Acker said no further information is available at this time. Mayor Matzke said a committee will be formed to keep communications open.

Phillip Hubbard, 442 Washington Street, expressed his concerns over the proposed Local Law to regulate residential parking on lawns that was introduced at the last Council meeting. Mr. Hubbard stated that he has a daughter Jamie, who was disabled in a car accident eight years ago, and her care requires home health aides at their house overnight. He said parking is a problem, as the driveway is not large enough to accommodate his family vehicles and those of the overnight health aides. He said they have to park on the lawn, but noted he maintains the lawn and understands about eyesores because of that kind of parking. He asked that this type of situation be taken into consideration when looking at the proposed law, adding that he would be happy to explain in detail what they go through. Mayor Matzke said their story is one of courage. He thanked Mr. Hubbard for his comments and asked that he provide his phone number to Councilor Smith and the City Clerk.

Jill Christian Lynch, 1083 Evergreen Valley Drive, welcomed Mayor Matzke and Councilor Cohen to the City government. She said she is a representative of the neighborhood and asked that the Mayor investigate the legality of the former Mayor signing a lease at \$1.00 per year, which is well below fair market value. She said that is in direct violation of the City Charter. Mayor Matzke said groSolar will be meeting with the Council to get them up to speed and notification will be made of the meeting. The Mayor said that he cannot say much at this time, noting regrettably to Mrs. Lynch that we are on opposite

sides of the court case. The Mayor said everyone agrees it is a good project, but we need to see how we will move forward.

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the minutes of the regular meeting of December 15, 2015, and special meeting of December 29, 2015 are hereby approved as presented.

Ayes: 5
Nays: 0
Abstain: 1 (Cohen)

MOTION CARRIED

Moved by Councilor Chamberlain
Seconded by Councilor Smith

RESOLVED, that Warrant No. 1, checks and ACH payments in the amount of \$276,002.35 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

Mayor Matzke thanked Councilor Simchik for taking the duty of this warrant upon himself.

DEPUTY MAYOR NOMINATIONS

Mayor Matzke asked for nominations for Deputy Mayor. Councilor Acker thanked the Council for allowing her to be Deputy Mayor for the past two years and said that it is time to pass the torch. Councilor Acker nominated Councilor James Chamberlain, and the nomination was seconded by Councilor Smith. Mayor Matzke asked if there were any further nominations, and there were none. The Mayor called for a vote, and the Council unanimously approved the nomination of Councilor Chamberlain.

VOUCHER COMMITTEES

RESOLUTION 16-01

Moved by Councilor Acker
Seconded by Councilor Simchik

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

Councilor Acker and Councilor Smith - First Council meeting
Councilor Cohen and Councilor Bowe - Second Council meeting

BE IT FURTHER RESOLVED, that backup for said voucher committees shall be as follows:

Councilor Chamberlain – First Council meeting
Councilor Simchik – Second Council meeting

Ayes: 6
Nays: 0

MOTION CARRIED

ORGANIZATIONAL RESOLUTION

RESOLUTION 16-02

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that the Organizational Resolution for the year 2016 consisting of the following is hereby approved:

1. Regular meetings for the City of Oneida for the year 2016 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 2016 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

Ayes: 6
Nays: 0

MOTION CARRIED

ORDER OF SUCCESSION FOR COUNCILORS

RESOLUTION 16-03

Moved by Councilor Acker
Seconded by Councilor Bowe

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 Leo Matzke
Deputy Mayor James Chamberlain
Councilor Erwin Smith
Councilor Thomas Simchik
Councilor Helen Acker

Councilor Michael Bowe
Councilor Alan Cohen

Ayes: 6
Nays: 0

MOTION CARRIED

SCRAP METAL

RESOLUTION 16-04

Moved by Councilor Bowe
Seconded by Councilor Acker

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

MEMORANDUM OF UNDERSTANDING – CITY ATTORNEY

RESOLUTION 16-05

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign a Memorandum of Understanding by and between the City of Oneida and Nadine C. Bell for service and compensation as the Attorney for the City of Oneida.

Ayes: 6
Nays: 0

MOTION CARRIED

Mayor Matzke said the Department Heads have spoken very highly of City Attorney Bell, and the City Attorney returned the compliment.

**ZONING MAP AMENDMENT – POSITIVE RECOMMENDATION FROM
PLANNING COMMISSION – 368 LENOX AVENUE**

RESOLUTION 16-06

Moved by Councilor Chamberlain
Seconded by Councilor Acker

WHEREAS, at the December 15, 2015 meeting, the Common Council per Resolution 15-287 received and placed on file a letter and site plan map from Todd Schaal, MEID, LLC, 1341

Middle Rd., Oneida NY 13421 requesting a zone change from Light Industrial to Commercial on a portion of the parcel located at 368 Lenox Ave., Oneida, **and**

WHEREAS, said zone change request was referred to the Planning Commission for discussion at the December 17, 2015 meeting, **now therefore be it**

RESOLVED, that a Positive Recommendation from the Planning Commission for the Zoning Map Amendment on the property located at 368 Lenox Ave., Oneida, NY owned by David Labrecque to change a portion of the zoning of SBL# 30.78-1-53.2 and 38.22-1-44 from Light Industrial to Commercial be hereby received and placed on file, **and be it further**

RESOLVED, that a public hearing on said Zoning Map Amendment be hereby scheduled for January 19, 2015 at 6:30 p.m. in the Common Council Chambers, 109 N. Main St. Oneida NY.

Ayes: 6

Nays: 0

MOTION CARRIED

ZONING ORDINANCE AMENDMENT
POSITIVE RECOMMENDATION FROM PLANNING COMMISSION
ZONING CHAPTER 190-§16 – OFF STREET PARKING AND LOADING A.5 - CORNER LOTS

RESOLUTION 16-07

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that a Positive Recommendation from the Planning Commission for a proposed Zoning Ordinance Amendment to address outdoor parking or storage of boats and other vehicles used primarily for recreational purposes, motor homes, trailers, etc. on corner lots in the City be hereby received and placed on file as follows:

Zoning – Chapter 190-§16 – Off-street parking and loading. A. (5)

Outdoor parking or storage of boats and other vehicles used primarily for recreational purposes, motor homes, trailers, vehicle transports, 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 or storage 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 Commission.*

Ayes: 6

Nays: 0

MOTION CARRIED

Mayor Matkze said communication has been a problem, and there will be some changes forthcoming in the next few weeks to address that issue.

NEW BUSINESS

Mayor Matzke said a loyal and supportive friend to the City has been lost with the passing of Dr. James Brod.

Kelly Lewin, 616 Deerfield Drive, inquired as to how the City's new brine system was working. City Engineer Jon Rauscher said the City has an Intermunicipal Agreement with the NYS DOT for 5 cents per gallon, which is much cheaper than putting down rock salt at \$50 a ton. He said they have been out two times, and it takes all day with one truck and two tanks of solution to cover the entire City with the brine (22% salt solution). This is done pre-storm to reduce cohesion between the snow and roads. He said he is networking with other communities such as Hamilton and Canastota, who are also using this system. City Engineer Rauscher said they are still tweaking the system, and this is a to-be-continued effort.

Motion to adjourn by Councilor Acker

The regular meeting is hereby adjourned at 6:55 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk