

**MINUTES OF THE COMMON COUNCIL
NOVEMBER 18, 2014**

A meeting of the Common Council of the City of Oneida, NY was held on the eighteenth day of November, 2014 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 Alden M. Smith

PRESENT: Councilors Brahim Zogby, Michael Bowe, Erwin Smith, Helen Acker, James Chamberlain and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Linda Pease
Director of Parks & Recreation Lucas Griff
Fire Chief Kevin Salerno
Police Chief David Meeker
Public Safety Commissioner Michael Kaiser

PUBLIC HEARING AND PRESENTATION OF THE CLIMATE ACTION PLAN

Mayor Smith welcomed Amanda Sopchak, Energy Planner with the Central New York Regional Planning and Development Board. Ms. Sopchak explained the project summary and timelines involved with the project. She explained the Greenhouse Gas inventory findings from 2010 both for government emissions and community emissions. Ms. Sopchak showed charts comparing the City of Oneida's Community Greenhouse Gas Inventories with other local communities, noting that most had high transportation emissions. The Strategy Summary Document, which is long and technical, and Climate Action Plan, which is a shorter version and easier to read, have a target year of 2025 with the prospect of a 20% municipal operations reduction and 15% community reduction. The top three Emission Reduction Strategies for Municipal are energy efficient retrofits, installing solar PV, and conversion to hybrid vehicles. Ms. Sopchak said these are recommendations only. The top three Emission Reduction Strategies for Community are expanding bicycling infrastructure, conversion to hybrid vehicles, and increase in telecommuting. Ms. Sopchak used the Town of Preble to explain the energy efficiencies of retrofits, noting the small town saved \$7,400 in utility costs in two years. She explained the Solarize Madison program that was launched in the spring of 2012 and said this program would be a benefit to the City. The next steps include the adoption of the Climate Action Plan, the promotion of the plan and project development and plan implementation. She said with the adoption, the City gets a priority in terms of receiving grant funding. The Mayor thanked Ms. Sopchak for her presentation.

PUBLIC HEARING – MISCELLANEOUS UTILITY BILLING

RESOLUTION 14-251

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Public Hearing for the City of Oneida Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes be hereby opened at 6:56 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

APPEARANCES: None

Councilor Acker said the amount of \$54,874.51 will be relieved onto the 2015 tax roll.

Moved by Councilor Smith

Seconded by Councilor Chamberlain

RESOLVED, that the Public Hearing on said utility billings be hereby closed at 6:57 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

PUBLIC HEARING – 2015 MAYOR’S BUDGET

RESOLUTION 14-252

Moved by Councilor Acker

Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the Mayor’s 2015 Budget be hereby opened at 6:58 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

APPEARANCES

Mayor Smith asked that those who would like to speak to please come to the microphone, state their name and where they live.

Fred Cianfrocco said he owns multiple properties in the City of Oneida, but does not live in Oneida. Mr. Cianfrocco said the City needs to decide that we can’t have everything and needs to cut back on spending from now on. He said that the City is talking about replacing a fire truck with a broken frame, but said the City already replaced that truck with the broken frame, yet we did not retire that truck. Mr. Cianfrocco said the truck was ordered in 2009, but not received until 2011. The Council approved the purchase of a replacement fire truck and then had the old truck repaired. He said the frame on the truck has been repaired, and he has never heard of a frame repair not being certified or guaranteed. He quoted a 2009 article in the Oneida Dispatch and inquired if it was the same truck. Councilor Smith said that it is not the same truck, and Mr. Cianfrocco said “yes, it is the same truck that has been repaired, and is being used again to add another fire truck”. He said he didn’t like it when we were told that we needed another fire truck and then later being told that a new building to house that new fire truck was also now needed. He said the City has to work within the 2% cap, adding that it is not going to be easy, but it can be done.

Steve Lowell, President of the John R. Deschamps Sr. PBA reiterated the PBA’s concerns about budget cuts, adding that they have the same safety concerns. He noted critical incidents going on at the same time, and the use of inadequate and unsafe police cars. He thanked the Council for their investigations in to how these concerns can be addressed.

Tonya Bailey, Oneida inquired if a new budget was available with all the discussions/changes that have

been made so far. The Acting Mayor said they are still in discussions. Councilor Bowe said there are a few departments left to go through.

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the Public Hearing on Mayor's 2015 Budget be hereby closed at 7:05 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

OLD BUSINESS

Councilor Acker congratulated Water Superintendent Art Smolinski and City Engineer Jon Rauscher on the Fish Creek Crossing Project, which was completed and came in under budget. The City Engineer said this was a good project, and the Water Superintendent worked very diligently on it. Mayor Smith added that he was very pleased with the outcome of this project, which will safely bring our water supply into the City. Councilor Bowe said even after the change orders approved at the last meeting, the project still came in under budget.

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the minutes of the regular meeting November 5, 2014 and special meeting of November 10, 2014 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Chamberlain
Seconded by Councilor Zogby

RESOLVED, that Warrant No. 22, checks and ACH payments in the amount of \$839,604.69 as audited by the Voucher Committee, are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Simchik
Seconded by Councilor Chamberlain

RESOLVED, that Check No. 51847 in the amount of \$25.60 (Oneida Office Supply) 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
Abstain: 1 (Acker)

MOTION CARRIED

SPECIAL EVENT APPLICATION

RESOLUTION 14-253

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that the following Special Event Application be hereby approved:

Oneida YMCA 2ND Annual Turkey Trot
Oneida YMCA Dolphins
701 Seneca St., Oneida NY 13421
Event Date: November 23, 2014

Ayes: 6
Nays: 0

MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 14-254

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that the monthly reports from the Chamberlain, City Clerk, Comptroller, City Engineer, Director of Planning and Development, Fire Chief, Police Chief, and Recreation Director are hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Acker questioned what “total septage” was on the Chamberlain’s report, and the City Engineer said it is the fees collected when private haulers drop off waste.

Councilor Acker thanked Chief Meeker for being down on his overtime costs, even though there has been a 20% increase in felonies. She acknowledged a letter of recognition from the Canastota Police Chief thanking Officer Lenning and Officer Warner for assisting the Canastota Police with an armed robbery. Councilor Acker commended the two officers for doing a great job.

Councilor Acker gave kudos to Fire Chief Salerno for the good job with the Bennett Street structure fire.

Councilor Acker inquired if any more sales tax monies had come in, and the Comptroller said the amount in her report is up to the first payment in November. Sales tax is currently down \$51K from the projection, but the holiday season is upon us.

**ADOPT LOCAL LAW NO. 8 OF THE YEAR 2014 TO REPEAL CHAPTER 169, SECTION 26
OF THE CITY CODE RELATING TO THE MAXIMUM NUMBER OF TAXICABS
PERMITTED IN THE CITY**

RESOLUTION 14-255

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, that Local Law No. 8 of 2014 is hereby adopted as follows:

**A LOCAL LAW REPEALING CHAPTER 169, SECTION 26
OF THE CODE OF THE CITY OF ONEIDA**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 169 of the Code of the City of Oneida (hereinafter "Code"), titled "Taxicabs," to abolish the maximum number of taxicabs permitted in the City of Oneida, as follows:

SECTION 1.

So that Chapter 169, Section 26 of the Code, titled "Maximum Number," which regulated the number of taxicabs to be licensed for operation within the City of Oneida, is hereby repealed in its entirety and the limitation of the number of taxicabs is hereby discontinued.

SECTION 2. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

Councilor Zogby – Yes
Councilor Bowe – Yes
Councilor Smith – Yes
Councilor Acker – Yes
Councilor Chamberlain – Yes
Councilor Simchik – Yes

MOTION CARRIED

The Mayor said this Local Law is to remove language abolishing the number of taxicabs permitted in the City to allow free market competition. The Mayor said this is to let the marketplace determine what is viable for our community.

MISCELLANEOUS UTILITY BILLING

RESOLUTION 14-256

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes in the amount of \$54,874.51 be hereby inserted into the 2014 assessment roll to be relieved into the 2015 tax roll.

Ayes: 6
Nays: 0

MOTION CARRIED

The spreadsheet is available in the City Clerk's office for review.

BUDGET TRANSFERS AND REPLACEMENT OF A

SMALL DUMP TRUCK FOR WATER DEPARTMENT

RESOLUTION 14-257

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, to approve the following budget transfers:

AMOUNT	FROM	BALANCE	TO	BALANCE
\$2,400	001.3650.0400 (Building Demo)	\$6,217.65	001.1620.0403 (Building Contracts)	\$4,175.98
\$2,977	001.3120.0101 (Police Salaries)	\$307,213.61	001.3120.0300 (Police Supplies)	\$7,365.99
\$17,500	002.8300.0436 (Water – Contingency)	\$14,238	002.8300.0200 (Water – Equipment)	\$60,421.50

Purchase new tasers for the police department (Meeker)
Move money to contracts for buildings (Rauscher)
Replace small dump truck for water department (Smolinski)
Balances are as of October 24, 2014

BE IT FURTHER RESOLVED, that the Water Superintendent is hereby authorized to purchase the replacement small dump truck off State Contract PC66589 in 2014.

Ayes: 6
Nays: 0

MOTION CARRIED

LIQUOR LICENSE NOTIFICATION

RESOLUTION 14-258

Moved by Councilor Zogby
Seconded by Councilor Acker

RESOLVED, that the application notice for an On-Premises Alcoholic Beverage License from Mateo Donato, LLC, Chesterfield's Tuscan Oven, 1184 Glenwood Plaza, Oneida NY 13421 be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

ONEIDA MEMORIAL ASSOCIATION

RESOLUTION 14-259

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that a letter from Sally West, President of the Oneida Memorial Association requesting that the City continue its same contribution in the amount of \$1,500 for the Memorial Day festivities to be held on May 22, 2015 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**COMMUNITY OPPOSITION TO THE REMOVAL OF THE TRAFFIC SIGNAL
AT THE INTERSECTION OF WALNUT STREET AND RT. 365A**

RESOLUTION 14-260

Moved by Councilor Smith

Seconded by Councilor Acker

WHEREAS, the New York State Department of Transportation is undertaking a project in the City of Oneida on State Route 365A between Walnut Street and Willow Street, **and**

WHEREAS, the stated objective of the project, number 203906, is to improve traffic flow, and pedestrian safety and reduce the number of accidents, **and**

WHEREAS, the City of Oneida Common Council held a public hearing on the proposed project on October 21, 2014, which includes the removal of a traffic signal at the intersection of Walnut Street and State Route 365A, **and**

WHEREAS, all residents and other interested parties attending the aforementioned public hearing who spoke stated opposition to the removal of the traffic signal at the intersection of Walnut Street and State Route 365A, **and**

WHEREAS, the City of Oneida Traffic Safety Advisory Board has recommended that the traffic signal at the intersection of Walnut Street and State Route 365A not be removed, **now therefore be it**

RESOLVED, that the City of Oneida Common Council authorizes the Mayor to sign and transmit to the New York State Department of Transportation, Senator David Valesky, and Assemblyman William Magee, a letter stating the opposition of the community to the removal of the traffic signal at the intersection of Walnut Street and State Route 365A.

Councilor Zogby – No

Councilor Bowe – No

Councilor Smith – Yes

Councilor Acker – Yes

Councilor Chamberlain – Yes

Councilor Simchik – No

Mayor Alden Smith – Yes (Mayor Smith voted to break the tie)

MOTION CARRIED

Mayor Smith said he was absent from the meeting when this item was tabled. Councilor Zogby said he requested the table, as he feels that we are asking our State representatives to voice opposition to a proposal, when we have no idea of what is being proposed. Councilor Zogby said many residents feel strongly that the 30-year old light should remain, however, there have been improvements in transportation safety, and the State has some jurisdiction to comply with the law. He said he prefers a

letter is sent asking the DOT to continue with their proposal of what they plan to do, and then let the residents weigh in on the pros or cons. He said he would like to see what is proposed by the DOT before the City states they are against removing the light.

Councilor Bowe said one of the years studied was a year the area was under water. He said he preferred it be studied longer and to look at more options. He said it would be nice to urge the DOT that more research should be done.

City Engineer Jon Rauscher said he has not received any final paperwork from the DOT as of yet, however, the NYS DOT will be scheduling a public meeting on December 4, 2014 at 6:30 p.m. at City Hall to present the Lenox Avenue Project designs and answer questions of the public.

Public Safety Commissioner Mike Kaiser provided a timeline of events starting six months ago when the Traffic Safety Board first discussed this internally, and they decided to let the DOT know that the Traffic Safety Board was not in favor of the removal of the traffic light. Subsequently, he said he approached the Mayor and asked for a public hearing, which was held a couple weeks ago. Everyone that spoke expressed their disapproval of the light being removed. Commissioner Kaiser said this letter summarizes the feeling of the community that the light should remain and asked that it be voted on. He said the City has an obligation to let the NYS DOT know what the residents have told us, and that is essentially what this letter would do.

Councilor Chamberlain said it will not hurt to send the letter, as it relays the message of how the community feels.

Councilor Acker said being the 4th Ward Councilor she has received numerous calls about the light and not one person is in favor of removing the light. She said she supports the Mayor on sending the letter.

Mayor Smith said that after listening to the rules, regulations and processes that the DOT is using to review this, he said they too are encumbered by the mandate to follow the law. Our opinion isn't going to have a great deal of impact; however, he does not see any negatives with sharing with them how most of our residents feel. He said although we have not seen all the data at this point, there is not any overwhelming reason not to share with them our perceptions of the community's reaction.

PURCHASE REQUISITIONS

RESOLUTION 14-261

Moved by Councilor Zogby
Seconded by Councilor Chamberlain

RESOLVED, that as of November 19, 2014 to November 30, 2014 purchase requisitions of more than \$100 must be approved by the Mayor or Deputy Mayor.

Councilor Zogby – Yes
Councilor Bowe – No
Councilor Smith – No
Councilor Acker – No
Councilor Chamberlain – No
Councilor Simchik – No

MOTION FAILED

Councilor Smith said he is not for this. He said that Department Heads are hired to do a job and to put a budget together for January to December.

The Mayor said in December this is done as a matter of routine and said this is to limit the amount of PO's being generated, so that it is easier to bring things to a close for the end of the year. In that light, the Mayor said we are only talking about six additional work days in the month, so it is, what's the big deal vs. are we really going to accomplish that much.

Councilor Zogby said the Purchasing Policy has the Comptroller reviewing all the vouchers to the end of the year and said the Mayor can oversee any spending through the end of November.

The Comptroller suggested the dates in the Resolution being changed to start the 19th adding that purchase orders came in during the day and she didn't approve them because this was on the agenda for tonight. She said any contracts have already been approved by virtue of the contract, and Councilor Smith said they still require a purchase order and asked what was included and what was not included. Councilor Bowe said possibly a purchase order would have to be held if the Mayor or Deputy Mayor were unavailable. Leo Matzke, Oneida, asked the Mayor why he would want to get involved in that process, and the Mayor responded that he didn't say he did.

The City Clerk said this was first done in 2012, when the budget discussions were going on. A Resolution was put forth to have the Mayor or Deputy Mayor approve all purchases over \$100 from Oct 15 to Nov 30. City Clerk Pulverenti said that department heads budget for a year and they know what and when they have to purchase something. She added that every purchase was approved during that period and the Mayor concurred that he did not remember disapproving any of the PO's.

Leo Matzke, Oneida, said that you assign Department Heads to do a job, and now you are saying they don't have the expertise to do that job.

Councilor Acker said when Mr. Zogby spoke with her about this, they were looking at saving every penny of the budget for 2015 and that was the basis for this Resolution. Councilor Acker said she heard from several Department Heads about what a nightmare this actually is. Councilor Zogby said there is some merit to this and had he thought about it earlier, he would have done it in October. He said that in the last two months of the year there seems to be an acceleration of spending.

Councilor Bowe said we have people in charge of departments for a reason. The Mayor said for purposes of clarification, department heads can only spend what is in their budgets for a specific purpose, and they have been authorized to use that money. That does not mean that they always use every penny, things come up and come in a little cheaper. It does not mean the Department Heads can take that extra money and use it for something else, it doesn't work that way. The Mayor said when there is a request to move money; it has to go on the agenda in the form of a Resolution explaining why they are moving it and what they are going to use the funds for.

Leo Matzke, Oneida, said this assumes that department heads are going to do erroneous spending, but department heads have to stay within their budgets.

Councilor Chamberlain said the start date should be changed to November 19, 2014, in case the motion passes and the Council agreed.

MESSINGER STREET INSPECTION BY FIRE MARSHALL – PULLED FROM AGENDA

RESOLUTION 14-

Moved by Councilor
Seconded by Councilor

RESOLVED that an Inspection Report from DC Dennis Fields, Assistant Fire Marshall stating an inspection of Messenger Street has been completed and the presence of demolition debris on the public roadway possesses a significant danger to the public be hereby received and placed on file, **and be it further**

RESOLVED, that a Hearing be held by the City of Oneida Common Council on Tuesday, December 2, 2014 at 6:30 p.m. in the Council Chambers, 109 N. Main Street, Oneida NY.

Ayes:

Nays:

ITEM PULLED FROM AGENDA

Mayor Smith said the debris has been moved from the public roadway allowing for traffic to flow in a normal fashion. The Mayor said we are all aware of what happened on Phelps Street. The Mayor said he is trying to work with those property owners and their insurance companies trying not to add any additional heat to what is a very difficult and financially taxing situation. He said it was his desire to have that property cleaned up before winter, but when dealing with insurance companies, we understand the hardships that those owners are facing with not being paid for something they thought they were paying insurance for. The Mayor said he is hopeful it will be cleaned up soon, because he doesn't want to put additional stress on an already stressful situation, and he certainly doesn't want to have to use taxpayer money to clean it up. In response to a question, the Mayor said part of the process since day one is that the debris has to be treated as if there is asbestos in it. City Engineer Jon Rauscher said the Department of Labor oversees asbestos regulations and their field inspectors were contacted immediately when the building came down. The Mayor said when a building is demolished or falls down; testing is not done by any of those agencies. They make an assumption that there is asbestos in the debris, and it has to be treated accordingly.

PROPOSED LOCAL LAW TO AMEND CHAPTER 9 TITLED "ALCOHOLIC BEVERAGES"

RESOLUTION 14-262

Moved by Councilor Smith

Seconded by Councilor Simchik

RESOLVED, that a Local Law to amend Chapter 9 of the City Code titled "Alcoholic Beverages" to impose penalties for offenses be hereby received and placed on file, **and be it further**

RESOLVED, that a public hearing on said proposed Local Law be scheduled for December 2, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

Ayes: 6

Nays: 0

MOTION CARRIED

**CITY OF ONEIDA
PROPOSED LOCAL LAW**

**A LOCAL LAW AMENDING CHAPTER 9, TITLED "ALCOHOLIC
BEVERAGES," OF THE CODE OF THE CITY OF ONEIDA
TO IMPOSE THE PENALTIES FOR OFFENSES OF CHAPTER 9**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter

9 of the Code of the City of Oneida (hereinafter “Code”), titled “Alcoholic Beverages,” to impose penalties for offenses within the City of Oneida, as follows:

SECTION 1.

So that a new Section 3 shall be added to Chapter 9 of the Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 9-3. Penalties for offenses.

A violation of this chapter shall constitute a violation punishable by a fine of not more than Two Hundred and Fifty Dollars (\$250.00), imprisonment for not more than fifteen (15) days, or both such fine and imprisonment.”

SECTION 2. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

PROPOSED LOCAL LAW TO AMEND CHAPTER 85 TITLED “JUNKYARDS”

RESOLUTION 14-263

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that a Local Law to amend Chapter 85 of the City Code titled “Junkyards” to impose penalties for offenses be hereby received and placed on file, **and be it further**

RESOLVED, that a public hearing on said proposed Local Law be scheduled for December 2, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

Ayes: 6

Nays: 0

MOTION CARRIED

**CITY OF ONEIDA
PROPOSED LOCAL LAW**

**A LOCAL LAW AMENDING CHAPTER 85, TITLED “JUNKYARDS,”
OF THE CODE OF THE CITY OF ONEIDA TO IMPOSE PENALTIES
FOR OFFENSES OF CHAPTER 85**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 85 of the Code of the City of Oneida (hereinafter “Code”), titled “Junkyards,” to impose penalties for offenses within the City of Oneida, as follows:

SECTION 1.

So that a new Section 15 shall be added to Chapter 85 of the City Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 85-15. Penalties for offenses.

A violation of this chapter shall constitute a violation punishable by a fine of not more than Two Hundred and Fifty Dollars (\$250.00), imprisonment for not more than fifteen (15) days, or both such fine and imprisonment. Each week that such violation shall continue, shall be deemed a separate offense.”

SECTION 2. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

PROPOSED LOCAL LAW TO AMEND CHAPTER 151
TITLED “STREETS, SIDEWALKS, AND PUBLIC PLACES”

RESOLUTION 14-264

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that a Local Law to amend Chapter 151 of the City Code titled “Streets, Sidewalks, and Public Places” to impose penalties for offenses be hereby received and placed on file, **and be it further**

RESOLVED, that a public hearing on said proposed Local Law be scheduled for December 2, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

Ayes: 6

Nays: 0

MOTION CARRIED

CITY OF ONEIDA
PROPOSED LOCAL LAW

**A LOCAL LAW AMENDING CHAPTER 151, TITLED “STREETS,
SIDEWALKS AND PUBLIC PLACES,” OF THE CODE OF THE CITY OF ONEIDA
TO IMPOSE PENALTIES FOR OFFENSES OF CHAPTER 151**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Chapter 151 of the Code of the City of Oneida (hereinafter “Code”), titled “Streets, Sidewalks and Public Places,” to impose penalties for offenses within the City of Oneida, as follows:

SECTION 1.

So that a new Section 4 shall be added to Chapter 151 of the Code, which shall be titled “Penalties for offenses” and which shall read, in its entirety, as follows:

“§ 151-4. Penalties for offenses.

Any person violating any of the provisions of this Article shall, upon conviction thereof, be subject to a fine of not more than Two Hundred and Fifty Dollars (\$250.00) or imprisonment for not more than fifteen (15) days, or to both such fine and imprisonment.”

SECTION 2.

So that current §§ 151-4 through 151-18 shall be renumbered §§ 151-5 through 151-19.

SECTION 3. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

PREVENTATIVE MAINTENANCE AGREEMENT

RESOLUTION 14-265

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED to authorize the Mayor to sign a Preventative Maintenance Agreement with Power Generation & Industrial Engines, Inc., 8927 Tyler Rd., Bridgeport NY 13030 in the amount of \$379.76 for the generator at the City of Oneida Justice Center.

Ayes: 6
Nays: 0

MOTION CARRIED

The City Engineer said the Maintenance Mechanic is pleased with the costs and service provided. Councilor Bowe inquired if any other price quotes were received, noting that while this is a small amount; sometimes it is beneficial to get other quotes.

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 14-266

Moved by Councilor Acker
Seconded by Councilor Zogby

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: 6
Nays: 0

MOTION CARRIED

PROFESSIONAL ENGINEERING SERVICES PROPOSAL

RESOLUTION 14-268

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign a Professional Engineering Services Proposal with Barton & Loguidice, 290 Elwood Davis Road, Box 3107, Syracuse NY 13220 for the development of Construction Contract Documents for the removal and replacement of the existing steam boiler system at the Kallet Civic Center.

Ayes: 6
Nays: 0

MOTION CARRIED

The City Engineer said this is for the Kallet Civic Center boiler because it is an emergency situation, and added that Barton & Loguidice did a 2004 study and are up to speed on the project.

Joe Magliocca, Oneida, said a well-respected local contractor came in and hooked up the temporary heat unit at the Kallet. He said there are three steam boilers at 1.1M BTU. Mr. Magliocca said the contractor said that a replacement steam boiler unit is going to look exactly like the one that is currently there. The contractor said there would be no efficiency, and the City would get greater efficiency by converting to a hot water system. Mr. Magliocca said to pay Barton & Loguidice \$16K to overlook this project is a waste of money, when the City is going to have a contractor install a like unit anyway.

City Engineer Jon Rauscher said the Purchasing Policy requires that the City put together bid documents for the boiler, so the City has to have an engineer come in to put together the specs. He added that Barton & Loguidice was asked to look at converting to a hot water system, but it over what the Grant amount would be and would take considerably longer, as far as design time. He said it can be done and he could get a cost, but it would take longer and the Kallet is on temporary heat right now.

NEW BUSINESS

Redistricting of Ward Boundaries

Councilor Zogby commended the City Clerk for the redistricting informational packet provided to the Mayor and Council for the budget meetings. He said the redistricting has not been done in the City in over 30 years, and the Wards need to be reapportioned. Councilor Zogby said the research shows that Oneida County has the mapping software needed for changing the lines and requested the Mayor or Council authorize the City Clerk to reach out and see who would be willing to do this to move forward. He said this wouldn't take place until 2016, because you cannot do this during an election year of the Council.

Councilor Bowe asked the City Clerk if this was a Charter Review Committee recommendation and what the costs involved would be. The City Clerk said redistricting was recommended by the Charter Committee. She said that Oneida County would have to be contacted to see if their Planning Department is willing to do this project, and if so, how much they would charge the City. The additional fees would include the City Attorney time to write the Local Law, notices of public hearings and publications. The City Clerk said there would be a referendum required, if the boundary line changes affect the City's County Supervisors who are elected based on the Wards, as the mapping has to be done per the Law.

Councilor Acker said this is an excellent idea, however, Ward 4 will possibly change next year because of the State's Buyout Program and questioned if the Council should wait and see what happens with the program and then redistrict. The Mayor said there is real merit in having this conversation and we should look at the process and who will be doing it. The Mayor said the City Clerk's report was very well done and said that the City should explore how the process works and how we might best utilize doing this is the best interest of our constituents. A template would be created and available for administrations down the road. The City Clerk said she will check on this further. The City Clerk added that there is a benefit of having an independent planner from another county doing the mapping, as it alleviates any political perceptions that could be derived.

Kallet Civic Center Boiler

Joe Magliocca, Oneida, said the City Engineer said the Purchasing Policy is driving this process with the boiler at the Kallet, but he said the Council could declare an emergency. He said that one quote came in for \$25K. The Comptroller said the City has to follow the law. Mr. Magliocca said the City is looking at replacing the exact same boiler; it is out with the old and in with the new. He said that it is crazy to pay

Barton & Loguidice to look at it and say “yes, that will work”. He said instead of spending that extra grant money on Barton & Loguidice, it could be used to repair the ceiling stains and to plaster and paint. Mr. Magliocca said the money could be spent elsewhere, and by calling it an emergency, the City can get around that State law.

The City Engineer said that what Barton & Loguidice would not be just replacing in kind, they are using an assessment done in 2004, so it is not just a plug and play; it will be designed and specked out.

Climate Action Plan

Al Cohan, Oneida, member of the Climate Action Committee, said that the Climate Action Plan needs to be adopted. He said that adopting the plan doesn’t mean everything has to be done, but the City will have the added availability of State Aid when it is adopted. The Mayor said this will be on the agenda to formally adopt, as there are all kinds of good reasons to do so.

The Mayor said that he and the City Engineer are looking at developing a significant solar energy project for the City and briefly explained some of the particulars. He said the City spends a lot of money on energy, and if we can get renewable energy from the sun and not spend a lot of money to do it, we would be making a real investment for future generations.

Motion to adjourn by Councilor Acker

The meeting is hereby adjourned at 8:13 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk