

**MINUTES OF THE COMMON COUNCIL  
DECEMBER 29, 2015**

A special meeting of the Common Council of the City of Oneida, NY was held on the twenty-ninth day of December, 2015 at 3:00 p.m. o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Alden Smith

PRESENT: Councilors Brahim Zogby, Erwin Smith, Helen Acker,  
and James Chamberlain

ABSENT: Councilors Mike Bowe and Thomas Simchik

ALSO PRESENT: City Clerk Susan Pulverenti  
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  
Public Safety Commissioner Mike Kaiser  
Water Superintendent Art Smolinski

Moved by Councilor Chamberlain  
Seconded by Councilor Acker

**RESOLVED**, that Warrant No. 25 checks and ACH payments in the amount of \$734,753.76, 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 (Bowe, Simchik)

**MOTION CARRIED**

**AWARD PRESENTATION TO PUBLIC SAFETY COMMISSIONER MICHAEL KAISER**

Mayor Smith presented Public Safety Commissioner Mike Kaiser with a Certificate of Appreciation in grateful recognition of his leadership, expertise and dedication, as the City of Oneida Public Safety Commissioner for the past two years. A standing ovation was given to the Commissioner. Commissioner Kaiser commended and thanked both the Police Chief and Fire Chief. Councilor Acker expressed her gratitude for the Commissioner's diligence and stated it was a pleasure to work with him for the past two years.

**2016 TAX WARRANT**

**RESOLUTION 15-298**

Moved by Councilor Smith  
Seconded by Councilor Chamberlain

**RESOLVED**, that the tax warrant for the year 2015 herewith in all respects is hereby approved and issued, and the City Chamberlain is hereby authorized to proceed with the collection of taxes for the year 2016, **and be it further**

**RESOLVED**, that pursuant to Section 5.8 of the City Charter, there shall be levied and raised on the taxable real estate property of the entire City, in manner from and to the extent heretofore authorized and directed by the Common Council the necessary sums of money for the estimates and disbursements for the year 2016, constituting the budget for the City of Oneida, as the same has been heretofore adopted and approved, and the tax of the several amounts for the different funds of the City, constituting said budget, to be computed at the ratios and upon the different property in said budget and levy set forth.

Ayes: 4

Nays: 0

Absent: 2 (Bowe, Simchik)

**MOTION CARRIED**

**2016 WATER RATES & WATER SERVICE CHARGES**

## **RESOLUTION 15-299**

Moved by Councilor Acker  
Seconded by Councilor Chamberlain

**RESOLVED**, that the 2016 Water Rates and Water Service Charges, attached hereto, be approved.

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

Water Superintendent Art Smolinski said the minimum charge is going up \$0.50, and the water rates are going from \$3.25 to \$3.35 per 100 cu. ft.

## **CANVASS & APPROVE CHEMICAL BIDS**

### **RESOLUTION 15-300**

Moved by Councilor Acker  
Seconded by Councilor Smith

**RESOLVED**, that the lowest bid meeting specifications for liquid caustic soda in the amount of \$14,954.70 from Surpass Chemical Co. Inc., PO Box 4165, Albany NY 12204 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for liquid zinc orthophosphate and liquid polyphosphate in the amount of \$25,125.00 from Shannon Chemical Corp. 602 Jeffers Circle 116, Exton PA 19341 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for aluminum sulfate in the amount of \$39,300.00 from Holland Company Inc., 153 Howland Ave., Adams MA 01220 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for liquid chlorine and sodium hypochlorite in the amount of \$19,405.32 from Slack Chemical Co., Inc. 465 S. Clinton Street, PO Box 30, Carthage NY 13619 is hereby approved.

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

## **AMUSMENT DEVICE LICENSES**

### **RESOLUTION 15-301**

Moved by Councilor Chamberlain  
Seconded by Councilor Smith

**RESOLVED**, that the following 2016 Amusement Device Licenses be hereby approved:

- Pepi's Pizza, 228 Genesee St., Oneida NY 13421
- National Entertainment Network LLC, 325 Interlocken Parkway B, Broomfield CO 80021
- Neil's Vending LLC, 6734 Strain Rd., Munnsville NY 13409

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

## **BUDGET TRANSFERS AND AMENDMENTS**

### **RESOLUTION 15-302**

Moved by Councilor Acker  
Seconded by Councilor Smith

**RESOLVED**, to approve the following budget transfers:

<b>AMOUNT</b>	<b>FROM:</b>	<b>TO:</b>
\$200	001.7140.0403.2018 (Recreation Youth Flag Football)	001.7140.0403.2003 (Recreation MUNY Basketball)
\$4,582.50	001.1420.0410 (Attorney Litigation)	001.1420.0411 (Attorney Contract Negotiation and Employment Matters)
\$2,000	001.1620.0404 (Buildings Postage)	001.1620.0401 (Buildings National Grid)
\$550	001.7140.0403.2018 (Rec Flag Football)	001.7140.0403 (Rec Contracts – Elevator)
\$800	003.8110.0411 (Vehicle Maintenance)	003.8110.0303 (Gas, Oil)
\$3,400	001.1910.0400 (Insurance)	001.3620.0101 (Codes Salary)
\$900	001.9060.0805 (Health Insurance)	001.1620.0101 (Buildings Salaries)
\$150	001.9060.0805 (Health Insurance)	001.1680.0101 (Tech Salaries)
\$1.00	001.1410.0105 (Clerk Vacation Buyback)	001.1410.0101 (Clerk Salaries)
\$5,300	001.3120.0101 (Police Salaries)	001.3120.0102 (Police Overtime)
\$3,000	001.3410.0102 (Fire Overtime)	001.3410.0101 (Fire Salaries)
\$25,000	001.9060.0805 (Health Insurance)	001.5110.0101 (DPW Salaries)
\$2,300	001.9060.0805 (Health Insurance)	001.8020.0101 (Planning Salaries)
\$6,000	001.7140.0103 (Recreation Maint Sal)	001.7140.0101 (Recreation Sal)
\$2,659.76	001.9011.0807 (Police & Fire Ret)	001.9010.0806 (Employees Ret)
\$164.55	001.1910.0400 (Insurance)	001.9010.0806 (Employees Ret)
<i>(To cover costs of previous transfers out)</i>		
\$200	001.3410.0201 (Fire EMS Equipment)	001.3410.0317 (Fire Clothing)
\$900	001.9060.0805 (Health Insurance)	001.1620.0101 (Buildings Salaries)
\$150	001.9060.0805 (Health Insurance)	001.1680.0101 (Tech Salaries)
\$150	001.9060.0805 (Health Insurance)	001.3010.0101 (Public Safety Commissioner Salary)
\$3,500	001.9060.0805 (Health Insurance)	001.3620.0101 (Codes Salaries)
\$26,000	001.9060.0805	001.5110.0101

	(Health Insurance)	(DPW Salaries)
\$3,000	001.9060.0805 (Health Insurance)	001.8020.0101 (Planning Salaries)
\$5,000	003.8110.0110 (W. Elm St. San. Sewer Sal)	003.8110.0101 (Sewer Sal.)
\$2,200	003.8110.0110 (W. Elm St. San. Sewer Sal)	003.8110.0102 (Sewer OT)
\$3,500	003.8110.0106 (Sewer Sick Leave Buyback)	003.8110.0102 (Sewer Overtime)
\$15,000	003.8110.0401 (Sewer Utilities)	003.8110.0400 (Sewer Pretreatment)
\$4,000	002.8300.0114 (Water Out of Title)	002.8300.0101 (Water Salaries)
\$1,000	002.8300.0436 (Water Contingency)	002.8300.0101 (Water Salaries)
\$1,250	002.8300.0436 (Water Contingency)	002.8300.0102 (Water Overtime)
\$68.87	001.3120.0201 (Pol. Mat & Supplies)	001.9950.0900 (Transfer to Cap new police cars)
\$5,000	001.5110.0404 (DPW Rentals)	001.5110.0403 (DPW Contracts)

*(Year-end transfer closeouts)*

**BE IT FURTHER RESOLVED**, to approve the following budget amendment:

\$1,800	001.0022.2660 (Sale of Property)	001.1364.0404 (Property Acquired Water Bills)
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*(Balance of Water Bills for Property Acquired)*

\$51,700.76	001.9785.0600 (Lease Payments Cars)	001.0024.5031.3120 (Lease Payment Revenue Cars)
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Ayes: 4

Nays: 0

Absent: 2 (Bowe, Simchik)

**MOTION CARRIED**

**APPOINTMENT TO RECREATION COMMISSION**

**RESOLUTION 15-303**

Moved by Councilor Zogby

Seconded by Councilor Smith

**RESOLVED**, that the Common Council hereby approves the Mayor's appointment of Bradford Myatt, 565 Stoneleigh Rd., Oneida NY to the Recreation Commission for a three-year term.

Ayes: 4

Nays: 0

Absent: 2 (Bowe, Simchik)

**MOTION CARRIED**

Mayor Smith said the terms for the Recreation Commission end in December, and there was a vacancy on the Commission. The Mayor said Mr. Myatt was recommended by the Recreation Director and Councilor Zogby, and he will be a good addition to the Commission. Councilor Acker concurred.

**ACCEPT DONATION TO FACILITATE NATIONAL HISTORIC DISTRICT  
NOMINATION FOR CITY CENTER**

## RESOLUTION 15-304

Moved by Councilor Smith  
Seconded by Councilor Chamberlain

**WHEREAS**, in an effort to revitalize and improve the economy and aesthetics of the Oneida City Center, the City of Oneida Mayor, working with the City of Oneida Planning Director, has undertaken efforts to have the City Center registered as a National Historic District; **and**

**WHEREAS**, to facilitate the application for the National Historic District Nomination, the City of Oneida wishes to retain the professional services of In Site Architecture, LLP; **and**

**WHEREAS**, the City of Oneida Planning Director has received an offer of funds, from an individual who wishes to remain anonymous, in the amount of \$15,000 to cover the cost of such professional services; **and**

**WHEREAS**, the City of Oneida Common Council does hereby desire to enter into the Agreement for Professional Services with In Site Architecture, LLP, in the form attached hereto and made a part hereof, and wishes to accept the aforementioned anonymous donation.

### **NOW, THEREFORE, BE IT**

**RESOLVED**, that the Common Council does hereby authorize the Mayor to enter into the Agreement with In Site Architecture, LLP, for professional services relative to the National Historic District Nomination for Oneida City Center; **and be it further**

**RESOLVED**, that the Common Council, on behalf of the City of Oneida, does further accept a donation of funds, in the amount of \$15,000, from a donor who wishes to remain anonymous, which funds shall exclusively be used to pay for the professional fees to be provided by In Site Architecture, LLP, as contemplated herein.

Ayes: 4  
Nays: 0  
Absent: 2 (Bowe, Simchik)

### **MOTION CARRIED**

Mayor Smith said he is very excited with the group of people on the OC3 Committee (Oneida City Center Committee). The Mayor said this donation underscores the significant work put into the revitalization efforts of what was formerly called downtown, adding that the potential benefits are huge.

## **PROPOSED LOCAL LAW TO REGULATE RESIDENTIAL PARKING**

### RESOLUTION 15-305

Moved by Councilor Acker  
Seconded by Councilor Smith

**RESOLVED**, that a proposed Local Law to amend Chapter 190 of the City Code, titled Zoning to regulate residential parking be hereby received and placed on file, and be it further

**RESOLVED**, to refer said proposed Local Law to the Planning Commission for their recommendations.

Ayes: 4  
Nays: 0  
Absent: 2 (Bowe, Simchik)

### **MOTION CARRIED**

## **A LOCAL LAW TO AMEND CHAPTER 190, TITLED “ZONING,” OF THE CODE OF THE CITY OF ONEIDA TO REGULATE RESIDENTIAL PARKING**

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapter 190 of the Code of the City of Oneida (hereinafter “Code”), titled “Zoning,” to regulate residential parking as follows:

### **SECTION 1.**

So that Section 190-16(A) of the City of Oneida Zoning Regulations, titled "Off-street parking and loading," is hereby amended by adding three (3) new subparagraphs, numbered "7," "8" and "9," which shall read, in their entirety, as follows:

"(7) Off-street parking spaces in residential districts shall consist of a parking strip, driveway, garage or combination thereof, and shall be located adjacent to such building or garage structure on the premises they are intended to serve. No parking shall be permitted on lawn or landscaped areas and in no case shall more than forty percent (40%) of any front yard in a residential district, situated within the inside tax district, be used for parking. Except in circumstances wherein there exists a shared driveway, a minimum three (3) foot wide lawn or landscape strip shall be required between the edge of pavement and all property lines.

(8) Limitations on Repairs of Vehicles. The use of required parking areas for vehicle repair is prohibited, except when conducted on a residentially used property subject to the following conditions:

(1) All vehicles being worked on outside of an enclosed building shall be on an approved driveway surface, and shall be licensed and operable;

(2) Routine maintenance procedures conducted outside of an enclosed building on a residentially used lot shall only be permitted on a licensed vehicle that is owned or leased by the owner or tenant of the principal dwelling or their immediate family members;

(3) Inoperable and unlicensed vehicles in the process of being restored and vehicle parts, shall be stored inside an enclosed building; and

(4) Nothing in this Section is intended to prohibit emergency service on vehicles at any time.

(9) Seasonal Parking. A vehicle removed from service on a seasonal basis may be parked in the rear yard of a residential lot for no longer than six (6) months. If the vehicle is to be unused for longer than six (6) months, it shall be parked inside an enclosed building."

## **SECTION 2.**

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

Mayor Smith said he was glad to see this brought forth by Councilor Zogby, and it is his hope that the next administration will take a look at this. The Mayor said many people turn their front yards into mud bogs by parking vehicles on the lawn. Councilor Smith said some are an eyesore to the community.

Councilor Acker said thank you very much to the Mayor for his tenure.

Mayor Smith wished everyone a happy and prosperous New Year.

Motion by Councilor Acker

The meeting is hereby adjourned at 3:15 p.m.

CITY OF ONEIDA

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Susan Pulverenti, City Clerk