

**MINUTES OF THE COMMON COUNCIL  
MARCH 3, 2015**

A meeting of the Common Council of the City of Oneida, NY was held on the third day of March, 2015 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 Mayor Alden M. Smith

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

ABSENT: Councilor Helen Acker

ALSO PRESENT: City Attorney Nadine Bell  
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  
Public Safety Commissioner Michael Kaiser  
Supervisor John Reinhardt

**OLD BUSINESS**

*NYS DOT Rt. 365A Project*

Councilor Smith said that he is not pleased with the proposed elimination of 23 parking spaces on Lenox Avenue between Main and Broad. He also expressed dissatisfaction that sidewalks would not be installed on Lenox Avenue up to Walmart. City Engineer Rauscher said that this project started as a traffic light project and has morphed into a larger project. The DOT has stated they will not be including sidewalks in this project. This has been discussed at the Traffic Safety Board meetings, and there are a few solutions, such as, getting long term parkers off the street during the day. Mayor Smith said downtown parking issues will be frequently revisited as the City continues to develop further.

*Updates from Mayor Smith*

*Hotel Oneida, Redistricting, Fluoride, Codes, Signs, HP Hood, and Solar Energy Project*

Mayor Smith said he had a second meeting with the Hotel Oneida representative, and things are moving along.

Mayor Smith said a second meeting has been held with the Oneida County Department of Planning regarding redistricting and some preliminary work is being done. He said the numbers seem askew because of the polls, but they are not that far off; Ward 1-2196, Ward 2-2195, Ward 3-1809, Ward 4-1437, Ward 5-1800, Ward 6-1980. The recommendation is no more than a 5% to 10% fluctuation, and he said the biggest discrepancies are with Wards 1 (15.4%), 2 (15.34%) and 4 (-24%), which will grow with the issues with the buyout. The Mayor said we will continue to move forward with redistricting, adding that an intermunicipal agreement with projected costs is being prepared.

The Mayor asked the Council to give some more thought to the fluoride issue to decide where they want to go with this matter. He said there has been a public hearing, and folks have been weighing in.

Mayor Smith said that meetings with Councilor Chamberlain to discuss restructuring the codes/housing codes offices and with Public Safety Commissioner Kaiser to review the current sign ordinance are ongoing.

The Mayor said the HP Hood project is moving forward. The concerns are being addressed and recommendations are being made to mediate the neighborhood impacts.

The Mayor said another meeting relating to the solar energy project contract is being held tomorrow.

Moved by Councilor Smith  
Seconded by Councilor Simchik

**RESOLVED**, that the minutes of the regular meeting of February 17, 2015 are hereby approved as presented.

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

**MOTION CARRIED**

Moved by Councilor Smith  
Seconded by Councilor Chamberlain

**RESOLVED**, that Warrant No. 5, checks and ACH payments in the amount of \$357,217.24 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 (Acker)

**MOTION CARRIED**

Moved by Councilor Chamberlain  
Seconded by Councilor Smith

**RESOLVED**, that Check No. 52545 in the amount of \$1,491.17 (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  
Absent: 1 (Acker)

**MOTION CARRIED**

**RESOLUTION OF INTENTION**  
**TO UNDERTAKE IMPROVEMENT PROJECT ON FITCH STREET**

**RESOLUTION 15-45**

Moved by Councilor Smith  
Seconded by Councilor Bowe

**RESOLVED**, that a petition from a property owner on Fitch Street requesting an extension of the water main to service their property was received and placed on file on February 17, 2015, **and be it further**

**RESOLVED**, that the City of Oneida Common Council hereby declares their intention to undertake an improvement project consisting of a water main extension from the end of the water main on Fitch Street to the intersection of West Elm Street, a distance of approximately 700 feet, at a total estimated cost of \$37,326.89, **and be it further**

**RESOLVED**, that the total estimated cost of said Fitch Street water main extension project shall be paid as follows: 25% to be paid by the City as a whole and 75% to be paid by the benefitting property owners, excluding expenses associated with installation of new water services, **and be it further**

**RESOLVED**, that a public hearing shall be held by the Common Council on the aforementioned improvement project at 6:30 o'clock p.m. on the seventh day of April, 2015 in the Council Chambers, 109 N. Main St., Oneida, NY for any person(s) wishing to be heard on said project.

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

**MOTION CARRIED**

Mayor Smith said this project is to extend the water line to the new townhouses being built on Fitch Street.

**ADVERTISE FOR BIDS – HYDRANTS, PIPES & MATERIALS**

**RESOLUTION 15-46**

Moved by Councilor Zogby  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the Purchasing Agent to advertise for bids for hydrants, pipes and materials for the Water Department.

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

**MOTION CARRIED**

**WATER DEPARTMENT SPRINKLER POLICY**

## RESOLUTION 15-47

Moved by Councilor Smith  
Seconded by Councilor Simchik

**RESOLVED**, that per the recommendation of the City of Oneida Water Board, the Common Council does hereby approve the following Water Department Policy:

Policy for Installation of Sprinkler Systems in One – and Two – Family Dwellings  
and Manufactured Homes, “13D Systems”.

1. This policy shall only apply to One-and Two-family dwellings and manufactured homes.
2. Sprinklers are permitted to be connected to the domestic service after the water meter, Single Service Line Systems.
3. Separate fire services in accordance with the City of Oneida Water Department Rules and Regulations are permitted for One- and Two-family dwellings, Dual Service Line System. Annual Fee applies.
4. No pumps shall be permitted off a single service line system. Pumps connected to a dual service line system shall be protected with appropriate backflow device and testing.
5. No “Antifreeze sprinkler systems” are permitted off the single service line systems. Dual Service line systems with antifreeze shall incorporate the appropriate backflow and testing required in accordance with City of Oneida Water Department Rules and Regulations.
6. The meter shall be sized for domestic uses only, and not include flows necessary to supply sprinkler system. Sprinkler shall be designed to include pressure losses of positive displacement (PD) type meter. No meter upsizing.
7. No Leak Adjustments due to discharge, leak or break in sprinkler system.
8. The City will not be liable for water shut off. The water service termination letter will be modified to mention that the fire sprinkler system will become inactive once water service is terminated, or homes where the water supply has been shut-off are deemed uninhabitable and occupants are not permitted in the dwelling.
9. Backflow device and testing shall be in accordance with the City of Oneida Water Department Rules and Regulations.
10. Record Keeping – The City of Oneida Water Department will not be responsible for record keeping for single service line systems.
11. Fire Department connections will not be permitted on single service line systems.

**BE IT FURTHER RESOLVED**, that this policy shall take effect immediately.

Ayes: 5

Nays: 0  
Absent: 1 (Acker)  
**MOTION CARRIED**

**ZONING MAP AMENDMENT – SCHEDULE PUBLIC HEARING**

**RESOLUTION 15-48**

Moved by Councilor Simchik  
Seconded by Councilor Smith

**WHEREAS**, a written request from Stephen R. Pelkey, Director of Operations, on behalf of HP Hood LLC, 252 Genesee Street, Oneida NY 13421 requesting a zone change from R-2 (Residential) to L-I (Light Industrial) on the parcel formerly known as Kime’s property (SBL# 38.56-1-36) located off Broad Street on the northern boundary of the HP Hood, LLC property was received and placed on file and referred to the Planning Commission by the Common Council on December 16, 2015; **and**

**WHEREAS**, the City of Oneida Planning Commission at their February 19, 2015 meeting, reviewed the Short Environmental Assessment Form and determined that the proposed action, which, in its non-segmented entirety, includes a zone change, site plan review and area variance relief for a proposed fence and silos, was an Unlisted Action and further concluded that such will not have a significant adverse effect on the environment; **and**

**WHEREAS**, the City of Oneida Planning Commission having duly considered the applicant’s proposal, unanimously recommended approval of the zoning map amendment; **and**

**WHEREAS**, having received a request for such zoning map amendment and the recommendation of the Planning Commission, the Common Council hereby introduces an Ordinance to amend the Zoning Map of the City of Oneida to change the designation of certain property as being L-I (Light Industrial); **and**

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of an ordinance in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Ordinance; **now therefore be it**

**RESOLVED**, that the Common Council hereby adopts, ratifies and reaffirms the SEQRA determination rendered by the Planning Commission on February 19, 2015, thus satisfying the requirements of 6 NYCRR Part 617 and concluding the environmental review process; **and it is further**

**RESOLVED**, that a Public Hearing on an Ordinance amending the Zoning Map of the City of Oneida to change the Zoning designation for said property being zoned R-2 (Residential) to L-I (Light Industrial) in the City of Oneida be scheduled for March 17, 2015 at 6:30 p.m. in the Common Council Chambers, 109 N. Main St., Oneida, or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Ayes: 5  
Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

“An Ordinance Amending the Zoning Map of the City of Oneida to Change the Zoning Designation for Certain Property from Being Zoned Residential (R-2) to Light Industrial (L-I) in the City of Oneida”

Be it ordained by the City of Oneida Common Council, as follows:

Section 1. The Zoning Map of the City of Oneida, as provided for in Section 190-9 of the Code of the City of Oneida, shall be amended to change the zoning use designation of certain lands situated off Broad Street, identified as Tax Map Parcel No. 38.56-1-36, from Residential (R-2) to Light Industrial (L-I), as such zoning districts are defined and regulated pursuant to the provisions of Chapter 190 of the Code of the City of Oneida.

Section 2. The parcel of land, which shall be the subject of said zone change total approximately 2.0 acres, is designated as Tax Map Parcel No. 38.56-1-36, and is situated off Broad Street on the northern boundary of the HP Hood, LLC property.

Section 3. The City of Oneida Zoning Map shall be amended and shall incorporate the change of zoning classification, as herein provided.

Section 4. This Ordinance shall become effective immediately upon publication in the official newspaper.

Mayor Smith said this Resolution is to receive and place on file and schedule the public hearing. The public will be given ample time to speak on this issue at the public hearing on March 17, 2015.

**CANVASS BIDS – KALLET CIVIC CENTER BOILER REPLACEMENT**

**RESOLUTION 15-49**

Moved by Councilor Smith  
Seconded by Councilor Bowe

**WHEREAS**, the lowest bid meeting specifications for the Kallet Civic Center Boiler Replacement in the amount of \$49,448.00 was received from H.J. Brandeles Corporation, 300 Lafayette Street, Utica, NY 13502, **and**

**WHEREAS**, Barton & Loguidice, 290 Elwood David Rd, Syracuse NY has reviewed said bid document and recommends that the City of Oneida proceed with the Kallet Civic Center Boiler Replacement Contract No.1-Mechanical Construction with the apparent low bidder, H.J. Brandeles Corporation, **now therefore be it**

**RESOLVED**, to accept the lowest bid meeting specifications from H.J. Brandeles Corporation, 300 Lafayette Street, Utica, NY 13502 in the amount of \$49,448.00, **and be it further**

**RESOLVED**, to authorize the City Engineer to proceed with Capital Project 15-1 Kallet and Armory Capital Improvements, and further authorize the City Engineer to expend funds in the amount of \$49,448.00 for the Kallet Civic Center Boiler Replacement.

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

**MOTION CARRIED**

Mayor Smith said he is happy to see this moving along, as opposed to the emergency situation that has been going on at the Kallet.

**CANVASS BIDS – WASTEWATER TREATMENT PLANT IMPROVEMENTS**  
**GENERAL CONSTRUCTION – ELECTRICAL & INSTRUMENTATION**  
**GAS MONITORING AND BIOGAS FLARE PROJECT**

**RESOLUTION 15-50**

Moved by Councilor Simchik  
Seconded by Councilor Bowe

**WHEREAS**, the lowest bid meeting specifications for Miscellaneous Wastewater Treatment Plant Improvements – General Construction (Gas Monitoring and Biogas Flare Project) in the amount of \$78,300.00 was received from Stephen Miller General Contractors, Inc. PO Box 291, Mayfield NY 12117, **and**

**WHEREAS**, the lowest bid meeting specifications for Miscellaneous Wastewater Treatment Plant Improvements – Electrical & Instrumentation (Gas Monitoring and Biogas Flare Project) in the amount of \$145,378.00 was received from O’Connell Electric Co., 301 Stoutenger Street, East Syracuse, NY 13057, **and**

**WHEREAS**, GHD Consulting Services, Inc., One Remington Drive, Cazenovia NY has reviewed said bid documents and recommends that the City of Oneida proceed with the Miscellaneous Wastewater Treatment Plant Improvements – General Construction with the apparent low bidder, Stephen Miller General Contractors, Inc., and further recommends that the City of Oneida proceed with the Miscellaneous Wastewater Treatment Plant Improvements – Electrical & Instrumentation with the apparent low bidder, O’Connell Electric Co., **now therefore be it**

**RESOLVED**, to accept the lowest bid meeting specifications for Miscellaneous Wastewater Treatment Plant Improvements – General Construction (Gas Monitoring and Biogas Flare Project) in the amount of \$78,300.00 received from Stephen Miller General Contractors, Inc. PO Box 291, Mayfield NY 12117 and authorize the City Engineer to expend funds in the amount of \$78,300.00, **and be it further**

**RESOLVED**, to accept the lowest bid meeting specifications for Miscellaneous Wastewater Treatment Plant Improvements – Electrical & Instrumentation (Gas Monitoring and Biogas Flare Project) in the amount of \$145,378.00 received from O’Connell Electric Co., 301 Stoutenger Street, East Syracuse, NY, and authorize the City Engineer to expend funds in the amount of \$145,378.00.

Ayes: 5  
Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

The City Engineer said this is a code upgrade for the health and safety of the workers. The co-gen operation is not as reliable as it used to be, so a flare is being installed as a means to burn off methane produced by the digester.

**AGREEMENT FOR GIS SOFTWARE AND TECHNICAL SUPPORT**

**RESOLUTION 15-51**

Moved by Councilor Zogby

Seconded by Councilor Simchik

**RESOLVED**, that the Mayor is hereby authorized to sign a five-year agreement by and between the City of Oneida and Cartegraph Systems, Inc., 3600 Digital Drive, Dubuque, Iowa 52003 for asset management GIS software and technical support in the amount of \$41,750.00.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

The City Engineer said that he has been working with Val Peterson, (IT) on this upgrade to the current Cartegraph software used by the traffic department. This will now give the City a GIS component. City Engineer Rauscher said they went to some different user groups and demos, and this software will fit our needs.

**RESOLUTION OF INTENTION  
TO UNDERTAKE WEST ELM STREET INFRASTRUCTURE PROJECT**

**RESOLUTION 15-52**

Moved by Councilor Smith

Seconded by Councilor Zogby

**RESOLVED**, that the City of Oneida has been awarded funding from Empire State Development to construct the West Elm Street Infrastructure Project, **and be it further**

**RESOLVED**, that the City of Oneida Common Council passed a Resolution of Support for the West Elm Street Infrastructure Project on January 28, 2014; **and be it**

**RESOLVED**, that the City of Oneida Common Council hereby declares their intention to undertake said infrastructure project consisting of a water main extension and associated improvements from the end of the existing water main in West Elm Street at the outside district boundary to 1,091 feet east of the Village of Wampsville, a distance of approximately 9,250 linear feet, at a total estimated cost of \$610,000, **and be it further**

**RESOLVED**, that the City of Oneida Common Council hereby declares their intention to undertake said infrastructure project consisting of a sanitary sewer main extension and associated

improvements from the end of the existing sanitary sewer main located on the City-owned abandoned rail bed approximately 2,600 feet west of North Willow Street to the City of Oneida boundary limits on West Elm Street a distance of approximately 9,500 linear feet at a total estimated cost of \$1,100,000, **and be it further**

**RESOLVED**, that the total cost of said infrastructure project shall be paid per City of Oneida Charter Article VI Assessments for Local Improvements - Section 6.1; County and City Funding; and allocated grant funding, **and be it further**

**RESOLVED**, that a public hearing shall be held by the Common Council on the aforementioned improvement project at 6:30 o'clock p.m. on the seventh day of April, 2015 in the Council Chambers, 109 N. Main St., Oneida, NY for any person(s) wishing to be heard on said project.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

The Mayor said this major investment project is to bring water and sewer to approximately 850 acres of undeveloped land on West Elm Street. The Mayor said we have been fortunate to receive a grant for \$1M, \$200K from the County and \$200K from the City's revolving loan fund that will support this project, leaving \$300K to be borne by the benefiting property owners. The Mayor said there will be a lot of time and effort involved with bringing this to fruition. Councilor Chamberlain said the Water Department employees will be doing the Fitch Street water main extension, but this project will be contracted out, and the City Engineer concurred.

### **KALLET CIVIC CENTER INTERIOR RENOVATIONS**

#### **RESOLUTION 15-53**

Moved by Councilor Chamberlain

Seconded by Councilor Erwin

**RESOLVED**, to authorize the Greater Oneida Kallet Civic Center Board of Director's to proceed with minor interior renovations at the Kallet Civic Center facility.

Ayes: 5

Nays: 0

Absent: 1 (Acker)

**MOTION CARRIED**

Councilor Smith said he is in favor of this renovation project, as the current kitchen is quite small. He questioned moving the office upstairs and asked if they would be in compliance with the Americans with Disabilities Act. The Mayor said as long as accommodations are made to meet on the ground floor, the spirit of access is met. Greg Meyers, Oneida resident and Kallet Board member, said walls will come down to enlarge the kitchen and make storage areas for the caterer. He said a small reception area is planned for downstairs to meet with prospective clients, along with a door bell type messaging system to the director's office.

#### **NEW BUSINESS**

Mayor Smith said the NYS Deputy Comptroller will be visiting City Hall tomorrow at 1:00 p.m.

The Mayor it was brought to his attention that the flag poles at Vet's Field and Triangle Park have been without flags, and it was interpreted that the Mayor and Council were being disrespectful. The Mayor said that he gets his back up when someone questions his patriotism, and he spoke of his father serving during WWII in the Pacific. The Mayor said the flag pole at Triangle Park is broken, and because of the high snow, the traffic department was not able to reach the pole. The Fire Department will attempt the repair in the morning. As far as the flag at Vet's Field, it has been the long practice of not putting up the flag during the winter months because proper lighting is not available. The Mayor said he has requested looking into solar spotlights to respectfully display the flag year round.

The Mayor thanked Madison County Supervisor Reinhardt, Wards 1, 2, & 3, for being in attendance at 16 of 24 Council meetings last year.

Motion to adjourn by Councilor Bowe

The meeting is hereby adjourned at 7:03 p.m.

CITY OF ONEIDA

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Susan Pulverenti, City Clerk