

**MINUTES OF THE COMMON COUNCIL  
MAY 17, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the seventeenth day of May, 2016 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 Leo Matzke

**PRESENT:** Councilors Alan Cohen, 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  
Fire Chief Kevin Salerno  
Recreation Director Luke Griff  
Supervisor John Reinhardt  
Supervisor Joe Magliocca

Mayor Matzke said it is sad to see that Oneida Office Supply is closing.

**PUBLIC HEARING – ORDINANCE AMENDMENT - CHAPTER 190-§15**

**RESOLUTION 16-94**

Moved by Councilor Bowe  
Seconded by Councilor Smith

**RESOLVED**, that the Public Hearing on a proposed Ordinance Amendment to amend Chapter 190-Zoning §15-Sign Requirements to increase from 2 to 3 the number of signs allowed per business in Commercial, Downtown Commercial, Manufacturing Industrial and Light Industrial Zones be hereby opened 6:33 p.m.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**APPEARANCES:** None

Moved by Councilor Bowe  
Seconded by Councilor Smith

**RESOLVED**, that the Public Hearing on the proposed Zoning Ordinance Amendment be hereby closed at 6:34 p.m.

Ayes: 6

Nays: 0

**MOTION CARRIED**

OLD BUSINESS - None

**SUPERVISOR'S REPORTS**

*Supervisor Carinci*

Mayor Matzke read aloud highlights from Supervisor Carinci's report, because he was unable to attend tonight's meeting. The Mayor relayed that Mr. Carinci said the unemployment rate in Madison County is very low at around 5% and that Supervisor Carinci has contacted the Governor with respect to being named Host County, as the City could use more funding to offset potential property taxes to be lost due to the Buyout Program. Mr. Carinci also asked that Supervisor Magliocca be commended for his involvement with the Rail Trail, noting that these trails are making a positive effect. The Mayor said that it was in today's paper about the proposed new facility for Wanderers Rest to be located in Oneida. Mayor Matzke said the Council received a copy of Supervisor Carinci's report.

*Supervisor Reinhardt*

Supervisor Reinhardt said a Public Hearing on a Local Law permitting a tax cap override was held on May 17, 2016, and then the Local Law was adopted to be utilized should the need arise. He said the County increased their budget to pay the additional \$30K mandated by NYS for the District Attorney's salary increase and for additional work on the Court Street bridge replacement in the amount of \$78K. Supervisor Reinhardt said the County's Purchasing Agent has desks, chairs and other surplus items for sale. He said the County has filled four full-time Sheriff's Department positions for road patrol. Supervisor Reinhardt stated that Madison County is the only county not sharing in gaming revenue from the machines at the Yellow Brick Road Casino and two SavOn's. He said they worked with Senator Valesky and Assemblyman Magee on the recently passed legislation naming Madison County as a Host County, and he is hoping that the Governor will be signing the law soon. Supervisor Reinhardt said a meeting will be scheduled with Jim Zecca, Director of the County's Department of Solid Waste, regarding the sizeable amount of debris to be brought to the landfill from the demolition of properties in the Buyout Program.

Moved by Councilor Bowe  
Seconded by Councilor Cohen

**RESOLVED**, that the minutes of the regular meeting of May 3, 2016 are hereby approved as presented.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Moved by Councilor Cohen  
Seconded by Councilor Bowe

**RESOLVED**, that Warrant No. 10, checks and ACH payments in the amount of \$161,550.72, 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**

Moved by Councilor Cohen  
Seconded by Councilor Bowe

**RESOLVED**, that Check No. 55337 in the amount of \$27.00 (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**

### MONTHLY REPORTS

#### **RESOLUTION 16-95**

Moved by Councilor Smith  
Seconded by Councilor Bowe

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

**RESOLVED**, that the 2015 Oneida Water 102<sup>nd</sup> Annual Report be hereby received and placed on file.

Ayes: 6  
Nays: 0  
**MOTION CARRIED**

Councilor Bowe said to City Engineer Rauscher that it was reflective of the mild winter with only 40% of the snow and ice budget being used so far, noting that normally 60% would have been used by this time. Councilor Simchik asked the City Engineer to commend the Water Superintendent for his annual report. Councilor Smith said sales tax is up.

### CITY OF ONEIDA POLICIES

#### **RESOLUTION 16-96**

Moved by Councilor Chamberlain  
Seconded by Councilor Simchik

**RESOLVED**, that the following annual policies be affirmed:

- Network & Internet Acceptable Use Policy
- Computer System Security Breach and Notification Policy
- Backup and Recovery Policy
- Cellular Telephone Policy
- Capital Assets and Depreciation Policy
- Reimbursable Expense Policy

Disposal, Sale and Handling of Abandoned Motor Vehicles  
Municipal Credit Card Policy  
Investment Policy  
Voucher Submittal Policy

Ayes: 6

Nays: 0

**MOTION CARRIED**

**SELL SURPLUS ITEMS ON E-BAY**

**RESOLUTION 16-97**

Moved by Councilor Bowe  
Seconded by Councilor Smith

**RESOLVED**, to authorize the Purchasing Agent to sell the following surplus items on eBay subject to a reserve bid, as determined by the scrap value:

- 1994 Freightliner Fire Engine  
(Vehicle has cracked frame and will not pass NYS Inspection)
- Miscellaneous Fire Equipment  
(Hurst tool, various adapters, exhaust fan, etc. equipment that will not be transferred to the new apparatus)

Ayes: 6

Nays: 0

**MOTION CARRIED**

A brief discussion ensued relative to selling the fire engine as scrap metal and setting a reserve bid, which would be the value of the vehicle if it were to be sold for scrap. City Engineer Jon Rauscher said that he has no need for the engine or transmission. Fire Chief Salerno said that he would get an estimate of how much the scrap value would be, and the Mayor and Council agreed that the Resolution be amended to include setting a reserve price for the bidding process.

The original motion to open the dialogue was moved by Councilor Smith and seconded by Councilor Bowe.

**CANVASS AND APPROVE BIDS**

**RESOLUTION 16-98**

Moved by Councilor Bowe  
Seconded by Councilor Simchik

**RESOLVED**, that the lowest bid meeting specifications for hydrants received from Martisco Corporation, 107 Terminal Road East, Liverpool NY 13088 in the amount of \$8,921.35 be hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for ductile iron pipe, fittings, valves, and miscellaneous received from HD Supply Waterworks, 2220 State Rt. 5, Utica NY 13502 in the amount of \$59,070.11 be hereby approved.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**FARMERS MARKET**

**RESOLUTION 16-99**

Moved by Councilor Simchik

Seconded by Councilor Bowe

**RESOLVED**, that the Oneida Farmers Market LLC be hereby authorized to hold the annual Farmer's Market in Clinch Park on Oneida Street behind Thompson's Appliance and Furniture Store on Thursdays beginning June 2, 2016 through October 27, 2016.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Mayor Matkze said the City will not be co-sponsoring the Farmer's Market and will not be providing insurance, as requested in the Oneida Farmers Market LLC's letter. The barricades will be provided to close off the street. The Mayor said the market is planning on expanding this year.

**BUDGET AMENDMENT & BUDGET TRANSFERS**

**RESOLUTION 16-100**

Moved by Councilor Smith

Seconded by Councilor Bowe

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

<b><u>AMOUNT</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
\$7,047.14	001.0001.0231 Sale of Kallet Parking Lot Debt Service	001.9710.0600 Principal Debt Service

*(To appropriate the last portion of the Sale of the Kallet Parking Lot funds for payment of the Bond)*

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

<b><u>AMOUNT</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
\$1,500.00	001.5142.0315 Snow and Ice Removal	001.7140.0425 Downtown Flowers

	Salt and Sand	
\$18,000.00	003.8110.0436 Sewer Contingency	003.8110.0400 Sewer Contracts
\$3,630.33	003.8110.0411 Sewer Vehicle Maintenance	003.9950.0900 Sewer Transfer to Capital For Vehicles

*(Contributions to the downtown flowers and beautification; increase sewer contracts for WWTP capacity study for loading analysis; and increase WWTP Vehicle Capital Project amount)*

Ayes: 6

Nays: 0

**MOTION CARRIED**

**WASTE WATER TREATMENT SIGNIFICANT INDUSTRIAL USER MONITORING AND ENFORCEMENT RESPONSE PLAN**

**RESOLUTION 16-101**

Moved by Councilor Smith  
Seconded by Councilor Bowe

**RESOLVED**, that Enforcement Response Guide for the Industrial Pretreatment Program for the Waste Water Treatment Plant be hereby approved in accordance with the City of Oneida Code Chapter 139-Sewers, Part 3-Sewer Use, §139-20-Enforcement Response Plan.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**AMEND CAPITAL PROJECT 16-03 - WWTP VEHICLE AND EQUIPMENT REPLACEMENT PROGRAM**

**RESOLUTION 16-102**

Moved by Councilor Bowe  
Seconded by Councilor Simchik

**WHEREAS**, the Common Council per Resolution 16-57, March 15, 2016, authorized the City Engineer to proceed with Capital Project 16-03 WWTP Vehicle and Equipment Replacement Program, expend funds up to programmed amount, and authorize the Mayor to sign any documents relative to said Capital Project, **now therefore be it**

**RESOLVED**, that Capital Project 16-03 WWTP Vehicle and Equipment Replacement Program be hereby amended to expend additional funds in the amount of \$3,630.33 for a total Capital Project amount of \$78,630.33.

Ayes: 6

Nays: 0

**MOTION CARRIED**

In response to a question, City Engineer Rauscher said this is for the quad-cab Chevy truck, which is already in the budget.

**CAPITAL PROJECT 16-05 – ANNUAL STREET RECONSTRUCTION AND RESURFACING**

**RESOLUTION 16-103**

Moved by Councilor Smith

Seconded by Councilor Chamberlain

**RESOLVED**, that the City Engineer be hereby authorized to proceed with Capital Project 16-05 Annual Street Reconstruction and Resurfacing - NYS DOT CHIPS Funding, **and be it further**

**RESOLVED**, to authorize the Purchasing Agent to advertise for bids for pavement resurfacing and street reconstruction for said Capital Project 16-05, **and be it further**

**RESOLVED**, to authorize the City Engineer to expend funds for Capital Project 16-05 in the programmed amount of \$358,363.49.

Ayes: 6

Nays: 0

**MOTION CARRIED**

The Mayor said the City Engineer has prepared the list a streets to be resurfaced. City Engineer Jon Rauscher said additional monies are forthcoming from PAVE NY; however, the funding has not been officially received.

**CONSULTING AGREEMENT**

**RESOLUTION 16-104**

Moved by Councilor Bowe

Seconded by Councilor Acker

**RESOLVED**, to authorize the Mayor to sign a Consulting Agreement with Computel Consultants, PO Box 35, Earlville NY 13332 to examine the City's municipal gross receipts tax payments.

Ayes: 6

Nays: 0

**MOTION CARRIED**

The Comptroller said the City has used this firm for audits in the past and cited various examples. She said she received another quote; however, they wanted 50% of any funds recovered, and Computel is at 40%. Mayor Matzke said this doesn't cost the City any money.

**NEW BUSINESS**

Councilor Acker said that the school budget voting is today until 9:00 p.m. at Oneida High School or Durhamville Elementary School.

Mayor Matzke said the public is invited to attend the DOT's public hearing here at City Hall regarding the proposed sidewalk on the north side of Lenox Avenue from Sayles Street to Walmart on Thursday, June 2, 2016 at 6:30 p.m.

Councilor Mike Bowe read aloud a proclamation naming May 15 through May 20 as Public Works Week in the City of Oneida, encouraging all citizens to pay tribute to the City's public works professionals, engineers, supervisors and employees to recognize the substantial contributions they have made to our City's health, safety, comfort and quality of life. Mayor Matzke said many times the DPW is under recognized.

Mayor Matzke acknowledged William Butler in the audience and said he would call him when his request would be on the agenda, noting that this is part of a bigger picture in terms of what is to be done with the policies in the Water Department.

Councilor Smith said the Memorial Day Parade Services will be held at Triangle Park at 6:30 p.m. on May 27<sup>th</sup> with the parade immediately following. He said this is the biggest parade the Memorial Association has ever had with eight bands, twelve floats and many marching units. Councilor Smith said that Jim Tuggey has been working with students at North Broad Street School, and they will hold up placards of the individual names of the City's veterans, as they are announced during the ceremony at Triangle Park. He also said that taps will be played at City Hall at one point during the parade and there are a couple of other surprises as well.

Supervisor Joe Magliocca thanked the Mayor for his gracious words at the Ribbon Cutting Ceremony for the Oneida Rail Trail on May 6<sup>th</sup>.

Motion by Councilor Chamberlain

The regular meeting is hereby adjourned at 7:01 p.m.

**CITY OF ONEIDA**

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Susan Pulverenti, City Clerk