

**MINUTES OF THE COMMON COUNCIL
AUGUST 2, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the second day of August, 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 Deputy Mayor James Chamberlain

PRESENT: Councilors Michael Bowe, Erwin Smith, Helen Acker,
and James Chamberlain

ABSENT: Mayor Leo Matzke, Councilors Alan Cohen and Thomas
Simchik

ALSO PRESENT: Assistant Fire Chief Dennis Fields
City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Linda Pease
Director of Parks and Recreation Luke Griff
Supervisor Joseph Magliocca

Deputy Mayor Chamberlain asked for a moment of silence for the heroes in our own lives and in honor of former Oneida Police Detective James Eddy who recently passed away.

PUBLIC HEARING
PROPOSED LOCAL LAW – PROPERTY TAX CAP LEVY

RESOLUTION 16-139

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the proposed Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c be hereby opened at 6:33 p.m.

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

APPEARANCES: None

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the proposed Local Law authorizing a property tax levy be hereby closed at 6:33 p.m.

Ayes: 4

Nays: 0
Absent: 2 (Cohen, Simchik)

MOTION CARRIED

OLD BUSINESS - None

Moved by Councilor Bowe
Seconded by Councilor Smith

RESOLVED, that the minutes of the regular meeting of July 19, 2016 are hereby approved as presented.

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

MOTION CARRIED

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that Warrant No. 15, checks and ACH payments in the amount of \$316,463.94, 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 (Cohen, Simchik)

MOTION CARRIED

ADOPT ORDINANCE AMENDMENT – CHAPTER 139 SEWERS

RESOLUTION 16-140

Moved by Councilor Smith
Seconded by Councilor Bowe

RESOLVED, that the Common Council of the City of Oneida does hereby enact and ordain the Ordinance to amend the City Code Chapter 139 Sewers, Part 3; Article VIII, §139-66 and §139-68 regarding lateral construction as follows:

§139-66 Building and street laterals

A. Building lateral/street lateral connection.

(1) The connection of the building lateral to an existing street lateral shall be made at the property line. Except as provided under §§ 139-38 and 139-39, if a street lateral has not previously been provided, the street lateral will be constructed from the existing public sewer to the property line, by the City of Oneida, at the owner's expense. The street lateral shall be installed with a properly sealed and covered cleanout to grade located at the property line. The cleanout shall terminate in a metal box imbedded in concrete.

§ 139-68 Connection inspection.

A. The applicant for the building lateral permit shall notify the City Engineer when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the City Engineer.

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

**STANDARDIZED NOTICE FORM - ON-PREMISES ALCOHOLIC BEVERAGE LICENSE –
ONEIDA LEGION POST 169**

RESOLUTION 16-141

Moved by Councilor Acker

Seconded by Councilor Smith

RESOLVED, that the Standard Notice Form for Providing 30-Day Advanced Notice to a Municipality to be filed with the NYS Liquor Authority for an On-Premises Alcoholic Beverage License renewal from Oneida Legion Post 169, 398 North Main Street, Oneida NY be hereby received and placed on file.

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

DOG LICENSE FEE SCHEDULE

RESOLUTION 16-142

Moved by Councilor Acker

Seconded by Councilor Bowe

WHEREAS, the Wanderers' Rest Humane Association has requested standardized Impoundment Fees for all Madison County Towns and the City of Oneida, **now therefore be it**

RESOLVED, that the City of Oneida Dog License Fee Schedule be hereby adopted as follows:

DOG LICENSING:

- Spayed or neutered: \$11.00 + NYS Surcharge \$1.00
(Total Yearly License Fee \$12.00)
- Unspayed or unneutered: \$25.00 + NYS Surcharge \$3.00
(Total Yearly License Fee \$28.00)
- License Tag Replacement Fee: \$5.00

IMPOUNDMENTS

- First Impoundment: \$40.00
- Second Impoundment: \$50.00 (of a dog within a 1-year period) + \$3.00 a day boarding after 24 hours
- Third Impoundment: \$100.00 (of a dog within a 1-year period) + \$3.00 a day boarding after 24 hours

BE IT FURTHER RESOLVED that said Dog License Fee Schedule shall take effect on September 1, 2016.

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

PURCHASING POLICY

RESOLUTION 16-143

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the City of Oneida does hereby adopt the amended Purchasing Policy and Procedures.

Ayes: 4
Nays: 0
Absent: 2 (Cohen, Simchik)
MOTION TABLED

TRANSPORTATION LEASE AGREEMENT

RESOLUTION 16-144

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, to authorize the Mayor to sign a Transportation Lease Agreement with the Oneida City School District for the purpose of transporting senior citizens to the New York State Fair on Monday, August 29, 2016.

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

Recreation Director Griff said the Rec Department has been providing this service for many years.

**BUDGET TRANSFERS/AMENDMENTS & CLOSE CAPITAL PROJECT 14-4 – BULLET
PROOF VESTS AND CAPITAL PROJECT 15-1 – KALLET AND ARMORY CAPITAL
IMPROVEMENTS**

RESOLUTION 16-145

Moved by Councilor Smith
Seconded by Councilor Bowe

RESOLVED, to close out Capital Project 14-4 Bullet Proof Vests and Capital Project 15-1 Kallet and Armory Capital Improvements, and approve the following budget transfers:

<u>AMOUNT:</u>	<u>FROM:</u>	<u>TO:</u>
\$649.04	001.3120.0102 Police Overtime	001.9950.0900 Transfer to Capital

(To transfer funds to cover the cost of bullet proof vests not reimbursed through the grant and close out Capital Project 14-4 Bullet Proof Vests)

\$9,935.51	103.9901.0900 Transfer to General Fund	001.0024.5031.7521 Transfer from Capital
------------	---	---

(To close out Capital Project 15-1 Kallet and Armory Capital Improvements)

\$9,000.00	003.8110.0331 WWTP Pump Stations	003.8110.0200 WWTP Equipment
------------	-------------------------------------	---------------------------------

(To transfer funds for influent motor repair)

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

WAIVER OF FIRE DEPARTMENT ALARM PERMIT LATE FEE

RESOLUTION 16-146

Moved by Councilor Acker
Seconded by Councilor Smith

WHEREAS, Randy Jones, A & R Storage, 648 Fitch Street, Oneida NY was assessed an Alarm Permit Late Fee for non-payment of the annual Alarm Permit for the year 2015, per the Oneida Fire Department Fee Schedule adopted December 5, 2012 (Resolution 12-319), **and**

WHEREAS, this was the first time in 16 years of business that Randy Jones, A & R Storage, 648 Fitch Street, Oneida NY neglected making the alarm permit fee payment, because of an oversight during the revision of the City's alarm program, **now therefore be it**

RESOLVED, that a letter from Randy Jones, A & R Storage, 648 Fitch Street, Oneida NY relating to 2015-2016 Alarm Permit Fees be hereby received and placed on file, **and be it further**

RESOLVED, that the Common Council does hereby waive the late fee of \$200.00 for the 2015 Alarm Permit for Randy Jones, A & R Storage, 648 Fitch Street, Oneida NY, **and be it further**

RESOLVED, that the Alarm Permit Fees for the years 2015 and 2016 shall be a total of \$40.00 (\$20.00 per year).

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

AMEND CAPITAL PROJECT 16-05 - ANNUAL STREET RECONSTRUCTION AND RESURFACING (CHIPS FUNDING)

RESOLUTION 16-147

Moved by Councilor Smith

Seconded by Councilor Acker

WHEREAS, the Common Council, per Resolution 16-103 on May 17, 2016, authorized the City Engineer to proceed with Capital Project 16-05 Annual Street Reconstruction and Resurfacing (CHIPS funding), 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 16-05 Annual Street Reconstruction and Resurfacing (CHIPS funding) be hereby amended to include additional funds received from the NYS DOT Pave New York Program in the amount of \$59,143.00 for a total Capital Project amount of \$417,506.00 and further authorize the expenditure of funds up to the amended programmed amount.

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

CITY OF ONEIDA AMERICAN WITH DISABILITIES ACT (ADA) TRANSITION PLAN

RESOLUTION 16-148

Moved by Councilor Acker

Seconded by Councilor Bowe

RESOLVED, that the City of Oneida's interim American with Disabilities Act (ADA) Transition Plan be hereby received and placed on file.

Ayes: 4

Nays: 0

Absent: 2 (Cohen, Simchik)

MOTION CARRIED

City Engineer Jon Rauscher said this is a self-evaluation to identify non-ADA compliant City owned pedestrian facilities and set up a schedule/budget for the improvements. As an example, the City Engineer said they need to upgrade curb cuts to the current ADA standards.

NEW BUSINESS

Yard Sale Signs

Vicki Arnold, Oneida, said because it is yard sale season, people attach signs to the telephone poles and the signs remain after the sale is over and end up littering our streets. She asked if something could be done to ensure the signs are removed. Councilor Acker said that the Council will look into this.

Solar Project

Jill Christian Lynch, Oneida, inquired if there was an update to the progress of GroSolar. City Attorney Nadine Bell said GroSolar is doing a title search on the property. City Engineer Jon Rauscher said GroSolar has submitted an application to National Grid for the interconnection. In response to a question, Engineer Rauscher said GroSolar will have an environmental consultant assess the property, but he is not aware if anything has been done yet.

Motion to adjourn by Councilor Smith

The regular meeting is hereby adjourned at 6:45 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk