

**MINUTES OF THE COMMON COUNCIL  
JANUARY 2, 2018**

A meeting of the Common Council of the City of Oneida, NY was held on the second day of January, 2018 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

**DEPUTY MAYOR NOMINATIONS**

In the absence of the Mayor, the City Clerk asked for nominations for Deputy Mayor. Councilor Acker nominated Councilor Jim Chamberlain with Councilor Simchik seconding the motion. The City Clerk asked if there were any further nominations, and there were none. The Council voted and Councilor Chamberlain was unanimously named Deputy Mayor.

The meeting was called to order by Deputy Mayor Chamberlain

PRESENT: Councilors Alan Cohen, James Coulthart, Helen Acker, James Chamberlain, and Thomas Simchik

ABSENT: Councilor Mike Bowe, Mayor Leo Matzke

ALSO PRESENT: City Attorney Nadine Bell  
City Clerk Susan Pulverenti  
Comptroller Lee Ann Wells  
Fire Chief Kevin Salerno  
Assistant Fire Chief Dennis Fields  
Police Chief Paul Thompson  
Supervisor Joe Magliocca  
Supervisor Tom Boylan

**OLD BUSINESS**

*Solar Project*

Deputy Mayor Chamberlain said that the Oneida Solar Project achieved commercial operation on December 29, 2017 and has begun generation of clean energy for the City of Oneida.

*Miscellaneous Matters*

Councilor Acker asked if anything has been done with respect to the proposed chicken ordinance, and the City Attorney said no, there is not a draft circulating at this point. Deputy Mayor Chamberlain said that the City Clerk prepared a booklet of the multiple items that need addressing by the Council this year and sample ordinances relating to chickens are in that booklet. Councilor Cohen said that the Council should get together to prioritize the booklet items.

Moved by Councilor Acker  
Seconded by Councilor Cohen

**RESOLVED**, that the minutes of the regular meeting of December 19, 2017 and special meetings of December 12, 2017 and December 29, 2017 are hereby approved as presented.

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

**MOTION CARRIED**

Moved by Councilor Cohen  
Seconded by Councilor Acker

**RESOLVED**, that Warrant No. 1, checks and ACH payments in the amount of \$284,186.17 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 (Bowe)

**MOTION CARRIED**

**ORGANIZATIONAL RESOLUTION**

**RESOLUTION 18-01**

Moved by Councilor Acker  
Seconded by Councilor Simchik

**RESOLVED**, that the Organizational Resolution for the year 2018 consisting of the following is hereby approved:

1. Regular meetings for the City of Oneida for the year 2018 shall be held in Council Chambers, Oneida Municipal Building, 109 North Main Street, Oneida, New York at 6:30 o'clock P.M. on the first and third Tuesday of each month, and if any of said Tuesdays shall fall on a holiday, then in such event, the Common Council shall agree on a date to reschedule.
2. The Oneida Dispatch is hereby designated as the official newspaper in the City of Oneida.
3. The City of Oneida funds for the year 2018 shall be kept and retained in the following banks:
  - NBT Bank, Oneida, NY - special capital accounts and other current accounts
  - Community Bank, Oneida, NY- special reserve accounts and other current accounts
4. There shall be one bond, which covers all employees, and the limit is \$350,000 worth of coverage per loss.

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

**MOTION CARRIED**

#### **VOUCHER COMMITTEES**

##### **RESOLUTION 18-02**

Moved by Councilor Acker  
Seconded by Councilor Simchik

**RESOLVED**, that pursuant to Section 5.22 B of the City Charter, voucher committees shall be as follows:

Councilor Coulthart and Councilor Simchik – First Council meeting  
Councilor Acker and Councilor Cohen – Second Council meeting

**BE IT FURTHER RESOLVED**, that backup for said voucher committees shall be as follows:

Councilor Bowe – First and Second Council meetings

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

**MOTION CARRIED**

#### **ORDER OF SUCCESSION FOR COUNCILORS**

##### **RESOLUTION 18-03**

Moved by Councilor Acker  
Seconded by Councilor Cohen

**RESOLVED**, that the order of succession of the members of the Common Council pursuant to Section 3.0 (2.10) of the City Charter shall be as follows:

Mayor Leo Matzke  
Deputy Mayor James Chamberlain  
Councilor Thomas Simchik  
Councilor Helen Acker  
Councilor Michael Bowe  
Councilor Alan Cohen  
Councilor James Coulthart

Ayes: 5

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

**SCRAP METAL**

**RESOLUTION 18-04**

Moved by Councilor Cohen  
Seconded by Councilor Acker

**RESOLVED**, to authorize the Department of Public Works, Waste Water Treatment Plant, Water Department, Fire Department, Police Department and Recreation Department to sell scrap metal at a fair market price, as accumulated, for the remainder of the year.

Ayes: 5  
Nays: 0  
Absent: 1 (Bowe)  
**MOTION CARRIED**

**A LOCAL LAW TO AMEND ARTICLE V, SECTION 5.24  
OF THE CITY OF ONEIDA CHARTER**

**RESOLUTION 18-05**

Moved by Councilor Acker  
Seconded by Councilor Simchik

**RESOLVED**, that a proposed Local Law to amend Article V, Section 5.24 of the City of Oneida Charter be hereby received and placed and file, **and be it further**

**RESOLVED**, that a Public Hearing on said Local Law to amend the City Charter be scheduled for January 16, 2018 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida NY.

Ayes: 5  
Nays: 0  
Absent: 1 (Bowe)  
**MOTION CARRIED**

**CITY OF ONEIDA  
PROPOSED LOCAL LAW**

**A LOCAL LAW TO AMEND ARTICLE V, SECTION 5.24  
OF THE CITY OF ONEIDA CHARTER**

Be it enacted by the Common Council of the City of Oneida, that this local law amends the Oneida City Charter in the following manner:

**SECTION 1.**

So that Chapter C. Charter; Article V. Budget and Financial Administration; §5.24 Assessor; shall be amended to read, in its entirety, as follows:

The City of Oneida shall have one Assessor appointed by the Mayor for an indefinite term, which office of Assessor ~~shall be full-time and~~ shall be classified in the competitive class of the civil service. ~~He~~ The Assessor may also be employed in any other position by the City not incompatible with the office of Assessor. ~~He~~ The Assessor shall meet all of the minimum qualification standards as required by the Real Property Tax Law. Except as otherwise provided in this Charter, ~~he~~ the Assessor shall possess all the powers and duties of an Assessor as provided in the Real Property Tax Law.

**SECTION 2.**

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

**PROPOSED ORDINANCE AMENDING THE CITY OF ONEIDA CODE PROVISIONS  
OF CHAPTER 33 BUILDING CODE ADMINISTRATION AND ENFORCEMENT,  
ARTICLE II §33-4 BUILDING PERMITS, B (1)**

**RESOLUTION 18-06**

Moved by Councilor Cohen  
Seconded by Councilor Coulthart

**RESOLVED**, that a proposed Ordinance to amend Article II, Section 33-4 Building Permits, B(1) of the City of Oneida Code be hereby received and placed and file, **and be it further**

**RESOLVED**, that a Public Hearing on said Ordinance Amendment be scheduled for January 16, 2018 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida NY.

**ORDINANCE AMENDMENT  
18-**

**Chapter 33. Building Code Administration and Enforcement**

**Article II.** Building Code, Energy Code, Fuel Gas Code, Mechanical Code, Plumbing Code and Residential Code

**§ 33-4. Building permits.**

**B. Exemptions.** No building permit shall be required for work in any of the following categories:

**(1)** Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided ~~the gross floor area is less than 144 square feet (13.38 square meters)~~ the floor area is not greater than 120 square feet (11 m<sup>2</sup>);

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

**MOTION CARRIED**

**GRANTMASTERS INC. AGREEMENT  
2017 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM**

**RESOLUTION 18-07**

Moved by Councilor Acker  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the Mayor to sign an agreement with Grantmasters Inc., 4523 Porter Center Road, Lewiston NY 14092 for grant writing services in an amount not to exceed \$2,600 relating to the 2017 Assistance to Firefighters Grant Program application to replace the Fire Department's SCBA Air Compressor.

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

**MOTION CARRIED**

**SURPLUS ITEMS**

**RESOLUTION 18-08**

Moved by Councilor Cohen  
Seconded by Councilor Coulthart

**RESOLVED**, to authorize the sale of four (4) surplus Goodyear tires (size 124-11R24.5) listed for sale on eBay to Adam J. Tornatore for the total amount of \$200.00 (\$50 per tire).

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

**MOTION CARRIED**

**AMUSMENT DEVICE LICENSES**

**RESOLUTION 18-09**

Moved by Councilor Acker  
Seconded by Councilor Coulthart

**RESOLVED**, that the following 2018 Amusement Device Licenses be hereby approved:

- Neil's Vending LLC, 6734 Strain Rd., Munnsville NY 13409
- Pepi's Pizza Inc., 228 Genesee Street, Oneida NY 13421

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

**MOTION CARRIED**

**MEMORANDUM OF AGREEMENT – JOHN R. DESCHAMPS SR. PBA**

**RESOLUTION 18-10**

Moved by Councilor Cohen  
Seconded by Councilor Coulthart

**RESOLVED**, to authorize the Mayor to sign the Memorandum of Agreement between with the John R. Deschamps Sr. PBA for the period between January 1, 2018 and December 31, 2021.

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

**MOTION CARRIED**

Councilor Simchik thanked Councilors Acker and Chamberlain for their efforts with the negotiations.

**NEW BUSINESS**

*First Night Fireworks*

Deputy Mayor Chamberlain said that the New Year's Eve fireworks display was awesome. He said that even with the cold temperatures, there were many people outside enjoying the fireworks. Councilor Acker said that the finale was really nice.

Motion to adjourn by Councilor Cohen

The regular meeting is hereby adjourned at 6:42 p.m.

CITY OF ONEIDA, NEW YORK

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Susan Pulverenti, City Clerk