

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
JANUARY 18, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the 18th day of January, 2022 at 6:30 p.m. at the Common Council Chambers, 109 N. Main, Oneida, NY 13421.

The meeting was called to order by Mayor Helen Acker

<u>Attendees</u>	Present	Absent	Arrived Late
Mayor Acker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Reisman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Rossi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Supervisors

Matt Roberts	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Cavanagh	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joe Magliocca	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brandee DuBois	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Also Present

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Fire Chief Dennis Fields	<input type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Parks & Rec Director Luke Griff	<input type="checkbox"/>
City Engineer Jeff Rowe	<input checked="" type="checkbox"/>	Police Chief John Little	<input checked="" type="checkbox"/>
Codes Director Bob Burnett	<input checked="" type="checkbox"/>	Public Safety Com. Kevin Salerno	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC COMMENT None

OLD BUSINESS

Councilor Laureti stated that he would like to revisit the Code Inspection Fee schedule that had been discussed previously under the former Council and advised that he would like to open this discussion back up and see what the new Council's thoughts were. Councilor Laureti briefly discussed the Inspection Fee Schedule and issues landlords had with it and advised that he had sent an email to Council prior to the meeting providing information on this topic. The Mayor asked if Councilor Laureti would like this discussion at a future meeting to allow time for new Council members to familiarize themselves with the prior discussions or to have the discussion tonight. He inquired as to the proper procedure regarding this, and the City Attorney advised that this was not a matter for Executive Session, but suggested that this should be put on the Agenda for a future Council meeting, noting that any changes made to the fee schedule would need to be done in the Common Council Chambers by resolution. She stated that this would not be done through a Local Law and was not the same procedure as a Local Law. Attorney Bell advised that the way the Fee Schedule is written in the Code, it is stated that the amount of the fee is established by Common Council from time to time by resolution, noting that it is up to Council how they wish to address this discussion-through a regular meeting or emails, which would be subject to FOIL (Freedom of Information Law). It was decided that this discussion will be put on the Agenda for the next meeting of February 1, 2022.

SUPERVISOR'S REPORT

The Mayor advised that none of the supervisors were able to attend the meeting tonight, but she was asked to report that the County tax revenue continues to be strong.

Moved by Councilor Kinville
Seconded by Councilor Reisman

RESOLVED, that the minutes of the Special meeting of December 30, 2021 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Kinville
Seconded by Councilor Rossi

RESOLVED, that the minutes of the Regular meeting of January 4, 2022 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Kinville
Seconded by Councilor Rossi

RESOLVED, that Warrant No. 2, checks and ACH payments in the amount of \$3,516,024.85 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6

Nays: 0

MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 22-13

Moved by Councilor Kinville
Seconded by Councilor Reisman

RESOLVED, that Monthly Reports from the City Clerk, City Engineer, Codes Department, Comptroller, Fire Department, Parks and Recreation Department and Police Department are hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

ADOPT A LOCAL LAW TO AMEND CHAPTER 180 OF THE CODE OF THE CITY OF ONEIDA TO DESIGNATE BENNETT ROAD FOR THE USE AND OPERATION OF SNOWMOBILES

RESOLUTION 22-14

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled "A Local Law to Amend Chapter 180 of the Code of the City of Oneida to Designate Bennett Road for the Use and Operation of Snowmobiles" was presented and introduced at a Regular Meeting of the Common Council of the City of Oneida held on December 21, 2021; and

WHEREAS, a public hearing was held on such proposed local law on January 4, 2022 by the Common Council of the City of Oneida and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final

form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of the Proposed Local Law has previously been determined to be an unlisted action for purposes of environmental review under SEQRA, an environmental impact statement (EIS) was not required, and a negative declaration was issued on December 21, 2021 pursuant to the State Environmental Quality Review Act (SEQR) determining that this action will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact Local Law No. 1 as follows:

"CITY OF ONEIDA

**A LOCAL LAW TO AMEND CHAPTER 180 OF THE CODE OF
THE CITY OF ONEIDA TO DESIGNATE BENNETT ROAD
FOR THE USE AND OPERATION OF SNOWMOBILES**

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapters 180 of the Code of the City of Oneida, as follows:

SECTION 1. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2.

So that Section 180-48(B) of the City of Oneida Code is hereby amended to include a new Subsection (8), which shall read, in its entirety, as follows:

"(8) Bennett Road, between the boundary line of Madison County and Harden Street."

SECTION 3. EFFECTIVE DATE.

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

Councilor Reisman	YES
Councilor Laureti	YES
Councilor Rossi	YES
Councilor Kinville	YES
Councilor Pagano	YES
Councilor Simchik	YES

MOTION CARRIED

AMEND SNOWMOBILE TRAIL MAP

RESOLUTION 22-15

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, pursuant to Section 180-48 of the Oneida City Code, it is the responsibility of the City of Oneida Common Council to designate such City streets within the City of Oneida where the use and operation of snowmobiles on the shoulder and inside bank thereof as authorized by the Parks, Recreation and Historic Preservation Law of the State of New York is permitted, **and**

WHEREAS, on December 21, 2021 a Local Law was introduced to amend Chapter 180 of the Code of the City of Oneida to designate Bennett Road for the use and operation of snowmobiles, and a Public Hearing was held on January 4, 2022, with no opposition to this amendment, **and**

WHEREAS, upon the subsequent enactment of Local Law No. 1 of 2022, the City of Oneida Common Council has officially designated Bennett Road as part of the snowmobile trail system in the Inside District of the City of Oneida, **and**

WHEREAS, having designated Bennett Road as part of the snowmobile trail system in the Inside District of the City of Oneida, the City of Oneida Common Council does desire to approve an amended "City of Oneida Inside District Snowmobile Trail Map," as prepared by the City Engineer, a copy of which is attached hereto and incorporated hereof, in accordance with Section 180-58 of the City Code to accurately depict the designated snowmobile trail as amended to include Bennett Road, **now therefore be it**

RESOLVED, that the City of Oneida Common Council does hereby approve the amended "City of Oneida Inside District Snowmobile Trail Map," as prepared by the Oneida City Engineer, which shall include Bennett Road, and which official snowmobile trail map shall hereafter be on file in the office of the City Clerk.

Ayes: 6
Nays: 0

MOTION CARRIED

DISCUSSION: The City Attorney explained that the City Code not only has an area that acknowledges or designates certain roads as part of the trail system; there is also a separate section that says that there shall be an official Snowmobile Trail Map that the Council by resolution adopts. She stated that this is the map that reflects the designation to include Bennett Road. She advised that it was not redundant, but that Council needed to first designate the road and then change the map to reflect that.

ORDER OF SUCCESSION

RESOLUTION 22-16

Moved by Councilor Reisman
Seconded by Councilor Kinville

RESOLVED, that the order of succession of the members of the Common Council pursuant to Chapter C, Article II-Officers and Elections, Section 3.0 (2.10) of the City Charter shall be as follows:

Mayor Helen B. Acker
Deputy Mayor Michelle Kinville
Councilor Thomas Simchik
Councilor Steve Laureti
Councilor Gary Reisman Jr.
Councilor Richard Rossi
Councilor William Pagano

Ayes: 6
Nays: 0
MOTION CARRIED

AMUSEMENT DEVICE LICENSE

RESOLUTION 22-17

Moved by Councilor Kinville
Seconded by Councilor Rossi

RESOLVED, to approve the 2022 Amusement Device License application from Neil's Vending LLC, 6734 Strain Rd., Munnsville, NY 13409 for machines located at the Owls Club, American Legion, Elk's Club and Oneida Towers.

Ayes: 6
Nays: 0
MOTION CARRIED

**AGREEMENT - BRIDGES A/K/A MADISON COUNTY COUNCIL ON ALCOHOLISM AND
SUBSTANCE ABUSE, INC.**

RESOLUTION 22-18

Moved by Councilor Kinville
Seconded by Councilor Simchik

RESOLVED, that the Mayor is hereby authorized to sign the 2022 annual agreement with

BRIDGES a/k/a Madison County Council on Alcoholism and Substance Abuse, Inc. for the Employee Assistance Program in the amount of \$2,394.00.

Ayes: 6

Nays: 0

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 22-19

Moved by Councilor Kinville
 Seconded by Councilor Rossi

2022 Budget Adjustments

RESOLVED, to approve the following 2022 & 2021 Budget Amendment/Transfers

	<u>To</u>		<u>From</u>
\$ 750.00	001.8664.0414.0000		001.8664.0102.0000
	Codes Clothing Allowance		Codes Overtime

To re-allocate funds to cover uniform needs

2021 Budget Adjustments

\$ 12,920.54	003.8110.0412.0000		003.0003.0912.0000
	Madison County Landfill		Sewer Fund Balance
<i>To allocate funds to cover December biosolids</i>			
\$ 150.00	001.1355.0101.0000	\$ (50.00)	001.1355.0400.0000
	Assessor Salary		Assessor Materials & Supplies
		\$ (100.00)	001.1355.0300.0000
			Assessor Certiori
\$ 1,606.09	001.1620.0101.0000		001.1620.0402.0000
	Buildings Salary		Buildings Telephone
\$ 339.72	001.1620.0102.0000		001.1620.0402.0000
	Buildings Overtime		Buildings Telephone

\$ 33,017.78	001.3120.0101.0000 Police Salaries		001.5110.0101.0000 DPW Salaries
\$ 2,080.29	001.3310.0101.0000 Traffic Salaries		001.4068.0101.0000 Mosquito Salaries
\$ 10,101.24	001.3410.0102.0000 Fire Overtime	\$ (1,382.95)	001.3410.0407.0000 Fire Chief's Expense
		\$ (8,070.87)	001.3410.0408.0000 Fire New Hire Expense
		\$ (647.42)	001.3410.0413.0000 Fire Training
\$ 265.00	001.5132.0101.0000 Central Garage Salaries		001.5110.0101.0000 DPW Salaries
\$ 210.00	001.5132.0102.0000 Central Garage Overtime		001.5110.0101.0000 DPW Salaries
\$ 210.00	001.8020.0101.0000 Planning Salaries		001.8020.0400.0000 Planning Contracts

To re-allocate funds for payroll 12/20-12/31/21 paid on 1/6/22

Ayes: 6

Nays: 0

MOTION CARRIED

STANDARD WORKDAY RESOLUTION

RESOLUTION 22-20

Moved by Councilor Rossi

Seconded by Councilor Pagano

RESOLVED, that the Common Council hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the Record of Activities maintained and submitted by these officials to the Clerk of this body:

Name	SS#	(Last four digits) Reg #	Title	Term begins and end dates	Standard Workday	Records of Activity Results	Not submitted	Pay Frequency	Tier I
Thomas Simchik	****	5085	Councilor	01/01/2022 12/31/2023	6		X	bi-monthly	

Ayes: 5
Nays: 0
Abstain: 1 (Simchik)
MOTION CARRIED

AGREEMENT-CITY HISTORIAN

RESOLUTION 22-21

Moved by Councilor Simchik
Seconded by Councilor Pagano

RESOLVED, to authorize the Mayor to sign the Agreement with the City Historian, Kathy Erdo, as per the 2022 City of Oneida Budget.

Ayes: 6
Nays: 0
MOTION CARRIED

MEMORANDUM OF UNDERSTANDING-CITY ATTORNEY

RESOLUTION 22-22

Moved by Councilor Reisman
Seconded by Councilor Kinville

RESOLVED, to authorize the Mayor to sign a Memorandum of Understanding by and between the City of Oneida and Nadine C. Bell for service and compensation as the attorney for the City of Oneida for the term ending December 31, 2022.

Ayes: 6
Nays: 0
MOTION CARRIED

ADVERTISE FOR BIDS

RESOLUTION 22-23

Moved by Councilor Simchik
Seconded by Councilor Kinville

RESOLVED, the Purchasing Agent be authorized to advertise for bids for the year 2022 for City Stump Removal Services.

Ayes: 6

Nays: 0

MOTION CARRIED

AGREEMENT-YEAR ENDING DECEMBER 31, 2021 AUDIT

RESOLUTION 22-24

Moved by Councilor Pagano
Seconded by Councilor Kinville

RESOLVED, to authorize the Mayor to sign the Agreement with Bonadio & Co., LLP, Certified Public Accountants, 432 North Franklin Street, #60, Syracuse, NY 13204 to audit the City's financial statements for the year ended December 31, 2021.

Ayes: 6

Nays: 0

MOTION CARRIED

AUTHORIZE SALE-2005 GENERATOR AND TRANSFER SWITCH

RESOLUTION 22-25

Moved by Councilor Pagano
Seconded by Councilor Kinville

RESOLVED, to authorize the sale of a 2005 generator and transfer switch that were replaced at the Waste Water Treatment Plant to the Village of Clinton at fair market value equivalent to \$13,000 (\$10,000-generator/\$3,000-transfer switch).

Ayes: 6

Nays: 0

MOTION CARRIED

DISCUSSION: The Mayor stated that this was a good thing, as the City was not sure what they could do with the existing generator whence the new one was installed. The City Engineer advised that the existing generator will be replaced by a new generator, and this was a surplus that the City no longer needed that could benefit another community. The Mayor noted that the Village of Clinton was having difficulty getting parts for their aged generator that was similar to this, and as a result, the City got \$13,000, and they got a generator that they could use.

NEW BUSINESS: None

EXECUTIVE SESSION

RESOLUTION 22-26

Moved by Councilor Kinville
Seconded by Councilor Pagano

RESOLVED, that the meeting is hereby adjourned to Executive Session at 6:55 p.m. for the purpose of discussion regarding tentative contract negotiations with the Oneida Paid Fire Fighters Association.

Ayes: 6

Nays: 0

MOTION CARRIED

PRESENT: Mayor, Council, Comptroller, Public Safety Commissioner

Discussion was held regarding tentative contract negotiations with the Oneida Paid Fire Fighters Association.

Moved by Councilor Reisman
Seconded by Councilor Kinville

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 7:05 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 22-27

Moved by Councilor Kinville
Seconded by Councilor Pagano

RESOLVED, that per Resolution 08-180 adopted by the Common Council on August 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

Ayes: 6

Nays: 0

MOTION CARRIED

ONEIDA PAID FIRE FIGHTERS ASSOCIATION MEMORANDUM OF AGREEMENT

RESOLUTION 22-28

Moved by Councilor Rossi
Seconded by Councilor Kinville

RESOLVED, that the Common Council hereby approves the Memorandum of Agreement by and between the City of Oneida and the Oneida Paid Fire Fighters Association Local 2692 IAFF, AFL-CIO for the period from January 1, 2022 through December 31, 2024, as ratified by the Union.

Ayes: 6

Nays: 0

MOTION CARRIED

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 7:07 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk