

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
FEBRUARY 1, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the first day of February, 2022 at 6:30 pm at the City of Oneida Common Council Chambers, 109 N. Main Street, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>6:31PM</u>

Supervisors

Matt Roberts	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>
City Chamberlain Anna Hood	<input checked="" type="checkbox"/>	Parks & Rec Director Luke Griff	<input type="checkbox"/>
City Clerk Sandy LaPera	<input type="checkbox"/>	Police Chief John Little	<input type="checkbox"/>
City Engineer Jeff Rowe	<input checked="" type="checkbox"/>	Public Safety Com. Kevin Salerno	<input checked="" type="checkbox"/>
Codes Director Bob Burnett	<input checked="" type="checkbox"/>	Deputy City Clerk Andrea Hitchings	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>		

Call to Order/Pledge of Allegiance/Roll Call

PROCLAMATION: John Perretta Day

Proclamation

City of Oneida - Office of the Mayor

WHEREAS, John Perretta is concluding his membership on, and his term as, Chairman of the City of Oneida Water Board; **and**

WHEREAS, John Perretta has served with distinction on the Water Board for almost twenty-seven years, the last twenty-one of which were as Chairman; **and**

WHEREAS, during his tenure on the Water Board, John Perretta has participated in, and overseen, a number of significant improvements in the Water System and its service to the City of Oneida and surrounding communities; **and**

WHEREAS, John Perretta's twenty-seven years of volunteer service to our community have been marked by honor, integrity, dedication and selflessness; **now therefore**

I, **Helen B. Acker**, Mayor of the City of Oneida do hereby proclaim February 1, 2022 as;

John Perretta Day

in the City of Oneida, and I ask others to join in thanking John for his service and dedication to the City and wish him the best of luck in his future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Oneida on this 1st day of February.

Mayor Helen B. Acker

PUBLIC COMMENT: No Public Comments made. Received and placed on file correspondence from resident Pat Thorpe regarding Code Fees.

OLD BUSINESS: None

COUNCIL DISCUSSION: Code Inspection Fees:

Mayor Acker began the discussion about the Code Inspection Fees with interjection about the City of Oswego and stated how that municipality is like ours, and they instituted the \$150 fee. She reminded Council that approximately 51% of Oneida is rental properties and takes up a lot of our time and resources and to please consider this. She further stated that the institution of this fee has proved very successful for Oswego and asked that Council also consider this information when making their decisions. She reminded all in attendance that (regarding the Code Fees) there would not be any decisions made tonight, and there is only going to be discussion. The Mayor then invited Council to begin their discussions on this matter.

Councilor Laureti started the discussion by stating that Council had received complaints a few months ago that the fees are excessive, and that landlords feel that Codes should tackle the nuisance properties instead of the landlords that follow the law. Councilor Laureti further stated the landlords feel that now is not the time to raise the fee with the supply chain and COVID issues many are experiencing. Councilor Laureti added that the flip side of this is that we have not raised fees since 1990, so this needs to be taken into consideration too. Councilor Laureti then asked the other Council Members for their thoughts and input. Councilor Simchik stated that this was done to stop the no calls and no shows for the inspections. Councilor Simchik added that this was one of the reasons for the increase, and further stated that if someone does not show for the inspection, they should still get charged. Councilor Laureti agreed this is fair statement. Councilor Rossi added that he believes there is already a no-show fee in addition to the inspection fee. Councilor Laureti added that we need to consider a separate no-show fee and that we meet in the middle and compromise. Councilor Laureti suggested an amount of \$75 for the inspection and \$75 no-show fee. Councilor Laureti further stated that the landlords that show-up have a valid point that their fee is the same as those that do not maintain their property. Councilor Rossi stated that the reinspection fee should probably be more since you were already non-compliant.

Councilor Reisman feels that the fees are something that needs to be looked at, but he does not have that magic number right now. Councilor Reisman further added that something he has been thinking about is getting input from the landlords and that maybe forming a side committee or board similar to others we have now is warranted to address Codes issues. Attorney Bell stated that there is the option of special committees and that there is language in the Charter for special/standing committees and how they are appointed, and this has been done in the past for Feral Cats and Solar. Councilor Reisman feels that this committee is more of a long-term commitment and that in answer to Councilor Laureti's question on the amount, we can have input from Oneida citizens on the board to determine the fee. The Mayor added that we did have input when we held the Open Comment about this issue, and there were a lot of comments considered at that time. Councilor Laureti added that from what he has heard, they are not opposed to an increase, it is just the amount. Attorney Bell stated that for Standing Committees in the past, the Mayor will have a Committee proposed and then Council will approve it. Councilor Simchik questioned the purpose of this committee, and if we were only forming the Committee to determine the fees to which Councilor Reisman responded, no, it would be a committee to work with us, not just on the fees, but for Code items in general. Councilor Reisman added this would ensure we are all on the same

page. Councilor Laureti added that instead of an “us versus them” mentality, we would work together to figure out and resolve the issues. Councilor Pagano added that it has been 30 years since an increase, it is long overdue and that everyone understands that it does need to be changed, it is just the amount. Councilor Rossi stated that he checked with a few other municipalities about how they work the fees, and he stated that Utica does a tiered system based on the number of units. Councilor Laureti explained that, for the tiered system, Utica charges a flat rate for 6-10 units and then for every unit after that, it changes.

Mayor Acker asked for clarification on the suggested Codes Committee’s purpose and wanted to be sure she was understanding that Council is looking to re-look at the inspection fees and would like to have her consider putting a committee together to address Codes issues. The Mayor addressed Councilor Simchik directly for his thoughts on this issue, to which he responded that he does think we should re-look at the fee structure, but as far as re-visiting codes and forming a committee, he thinks we are mixing two things that should not be addressed as one. The Mayor agreed, and she added having a Codes Committee would be a separate Committee from the fee discussion. Chief Fields addressed Council and reminded Council to be aware that all they can do, as a body, is set the fee and that they are not able to change the Code, and any committee that may be formed needs to be aware that the codes are set by the State, and they cannot change that.

Councilor Laureti added that within the next 2 weeks, Council will come up with a consensus on the fee and have it placed on the agenda. To this statement, the Mayor questioned if Council wants a committee to establish the fee or if they will discuss the fee without a proposed Codes Committee. Councilor Laureti responded no, no Committee will be formed to establish the fee. She then questioned what the purpose of the committee would be, to which Councilor Reisman replied he was just speaking in general terms when he brought up the idea for a Codes Committee. The Mayor reiterated the committee would be separate from setting the fees. Council then commented that they, as a body, would work on setting the fee. Councilor Reisman added that what prompted this is that he has heard directly from landlords about this. Mayor Acker questioned how many landlords contacted him about the fee, to which Councilor Reisman responded he heard from 2-3 in the last week and a half. Mayor Acker stated she is curious how many landlords we have and how many are complaining about it and how many are ok with it. Councilor Pagano added that he also heard complaints before joining Council and added that he thinks that once they hear it has been 30 years since an increase they should be understanding of an increase in general. Mayor Acker then stated that Council should discuss the fee amongst themselves and to let us know once they make a decision, so it can be placed on the Council Meeting Agenda. The Mayor asked if anyone has further comments or discussion to which there were no comments, and the Council discussion on Code Fees was concluded.

Moved by Councilor Pagano
Seconded by Councilor Rossi

RESOLVED, that the minutes of the regular meeting of January 18, 2022 are hereby approved as presented.

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

MOTION CARRIED

Moved by Councilor Simchik
Seconded by Councilor Rossi

RESOLVED, that Warrant No. 3, checks and ACH payments in the amount of \$655,893.90 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5
Nays: 0
Absent: 1 (Kinville)
MOTION CARRIED

DESIGNATE POLLING PLACES FOR 2022

RESOLUTION 22-29

Moved by Councilor Reisman
Seconded by Councilor Pagano

RESOLVED, that the polling places in the City of Oneida for 2022 are hereby designated as follows:

WARD 1-1	St. Paul's United Methodist Church-551 Sayles St.
WARD 2-1	St. Paul's United Methodist Church-551 Sayles St.
WARD 3-1	Kallet Civic Center. 159 Main St.
WARD 4-1	Kallet Civic Center. 159 Main St.
WARD 5-1	Kallet Civic Center. 159 Main St.
WARD 6-1	Kallet Civic Center. 159 Main St.

Ayes: 5
Nays: 0
Absent: 1 (Kinville)
MOTION CARRIED

BUDGET TRANSFER/WATER FUND

RESOLUTION 22-30

Moved by Councilor Reisman
Seconded by Councilor Rossi

WHEREAS, by Resolution duly adopted on April 7, 1992, the City has established a Capital Reserve Fund to finance the cost of construction or reconstruction of water treatment and transmission facilities, pursuant to General Municipal Law, Section 6-c, **and**

WHEREAS, pursuant to said Resolution, the City Comptroller has deposited monies of this reserve fund in a separate bank account known as the Water Reserve Fund, **now therefore be it**

RESOLVED, that the City Comptroller is hereby authorized to transfer \$119,351.17 from the Water Fund to the Water Reserve Fund.

Ayes: 5

Nays: 0

Absent: 1 (Kinville)

MOTION CARRIED

AMUSEMENT DEVICE LICENSE

RESOLUTION 22-31

Moved by Councilor Simchik

Seconded by Councilor Reisman

RESOLVED, to approve the Amusement Device License application for National Entertainment Network LLC, 246 S. Taylor Ave., Suite 200, Louisville, CO 80027 to operate machines at Wal-Mart #2444, 1294 Upper Lenox Ave., Oneida, NY 13421.

Ayes: 5

Nays: 0

Absent: 1 (Kinville)

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 22-32

Moved by Councilor Reisman

Seconded by Councilor Rossi

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

2022 Budget Adjustments

To

From

\$ 28,000.00 001.3410.0103.0000 \$ 87,000.00 001.0001.0912.0000
Fire Retirement General Fund Balance

\$ 44,400.00 001.3410.0101.0000
Fire Salaries

\$ 1,000.00 001.3410.0112.0000
Fire Personal Leave

\$ 3,000.00 001.3410.0102.0000
Fire Overtime

\$ 7,000.00 001.3410.0104.0000
Fire Holiday Pay

\$ 3,600.00 001.3410.0109.0000
Fire Training

To allocate funds for contract effective 1/1/22

\$ 3,000.00 001.3310.0406.0000 001.0001.0912.0000
Traffic Safety Board Expenses General Fund Balance

To allocate funds for requests from the Traffic Safety Board

\$ 3,000.00 001.1355.0403.0000 001.1355.0101.0000
Assessor Contracts Assessor Salary

To re-allocate funds for contract payment of retired Aide to assist until position is filled

2021 Budget Adjustments

\$ 2,500.00 001.1315.0403.0000 001.1990.0400.0000
Audit Services General Fund Contingency

To allocate funds for audit services for 207A tax reporting

Ayes: 5
Nays: 0
Absent: 1 (Kinville)
MOTION CARRIED

NEW BUSINESS: None

EXECUTIVE SESSION

RESOLUTION 22-33

Motioned by Councilor Reisman

Seconded by Councilor Simchik

RESOLVED, that the meeting is hereby adjourned to Executive Session at 6:53 p.m. to seek advice of Counsel.

Ayes: 5

Nays: 0

Absent: 1 (Kinville)

MOTION CARRIED

PRESENT:

1. Discussion to seek advice of Counsel

Motioned by Councilor Rossi

Seconded by Councilor Reisman

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 8:07 p.m.

Ayes: 5

Nays: 0

Absent: 1 (Kinville)

MOTION CARRIED

Motion to adjourn by Councilor Simchik

The regular meeting is hereby adjourned at 8:08 p.m.

CITY OF ONEIDA

Andrea Hitchings, Deputy City Clerk