

**MINUTES OF THE COMMON COUNCIL  
REGULAR MEETING  
APRIL 19, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the nineteenth day of April, 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>	<b>Present</b>	<b>Absent</b>	<b>Arrived Late</b>
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 checked="" type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Police Chief John Little	<input checked="" type="checkbox"/>
City Engineer Jeff Rowe	<input checked="" type="checkbox"/>	Public Safety Com. Kevin Salerno	<input checked="" type="checkbox"/>
Codes Director Bob Burnett	<input type="checkbox"/>	Recreation Director Luke Griff	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Recreation Coordinator Justin Acker	<input checked="" type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC COMMENT

AARON BROWKA (5282 Brookfield Rd., Lee Center, NY 13363)

Mr. Browka read a prepared letter to encourage the Council and the Mayor to opt out of retail cannabis sales for the City of Oneida, stating that he was concerned about the sale of marijuana for four reasons:

1. He is concerned that the first licenses will be given to people who have had prior convictions regarding marijuana when it was illegal, commenting that the State should not give preference to people who previously showed disregard for the law.
2. Concern over marijuana use among teenagers and young adults- as a public-school teacher, he stated that he is concerned over the message that is sent to students when the governments promote and benefit from marijuana sales. He believes that one of the purposes of government is to promote the general welfare and not to promote the use of a gateway drug. He stated that teenagers that are of high school age are impressionable, and adults should set a good example by not encouraging the use of marijuana.
3. Concern over people driving under the influence of marijuana, stating that marijuana impacts the ability to operate motor vehicles and puts other people in danger
4. Concern about property values near marijuana dispensaries and consumption establishments, citing a recent study from the State of Washington, whereby sale prices of homes within 36 hundredths of a mile decreased by 3-4%.

He concluded by saying that the City of Oneida offers many opportunities for individuals for businesses and community establishments and wants to keep Oneida a positive place for people to work and live.

OLD BUSINESS

None

SUPERVISORS REPORT

VIA EMAIL

Supervisor Matt Roberts provided an update stating that sales tax revenue continues to trend at 15-20% above 2021, which is great for the citizens of Madison County. He also noted that the Rural Broadband Project was moving forward and is expected to be completed within 2 years. He advised that the City needs to stay close to the County with the project, as it will be a great lever to bring investment, businesses and residents to the City.

Supervisor Mary Cavanagh provided an update through email to the City Clerk advising that the County recognized "Public Health Week" at the last Board meeting and praised their public health employees for all their hard work over the past 2 years, stating that they could not thank them enough for everything they have done and for going above and beyond during the pandemic.

Moved by Councilor Kinville  
Seconded by Councilor Simchik

**RESOLVED**, that the minutes of the regular meeting of April 5, 2022 are hereby approved as presented.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

Moved by Councilor Kinville  
Seconded by Councilor Simchik

**RESOLVED**, that Warrant No. 8, checks and ACH payments in the amount of \$1,376,728.05 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 22-61**

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, Planning Department and Police Department are hereby received and placed on file.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

#### **ADOPT LOCAL LAW TO AMEND CHAPTER 139 OF THE CODE OF THE CITY OF ONEIDA TO ALLOW FOR THE UPDATING OF SEWAGE DISPOSAL CHARGES**

#### **RESOLUTION 22-62**

Moved by Councilor Kinville  
Seconded by Councilor Pagano

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled "A Local Law to Amend Chapter 139 of the Code of the City of Oneida to Allow for the Updating of Sewage Disposal Charges" was presented and introduced at a Regular Meeting of the Common Council of the City of Oneida held on March 15, 2022; and

**WHEREAS**, a public hearing was held on such proposed local law on April 5, 2022 and 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 March 15, 2022 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. 4 of 2022 as follows:

**"A LOCAL LAW TO AMEND CHAPTER 139 OF THE CODE OF  
THE CITY OF ONEIDA TO ALLOW FOR THE UPDATING OF SEWAGE DISPOSAL CHARGES**

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapter 139 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 139-8(A)(1) of the City of Oneida Code is hereby amended to read in its entirety, as follows:

"The sewage disposal charges, for other than significant industrial uses, to be paid by the owner, tenant or occupant of each lot of parcel which may be connected with or may use the sewage disposal system and to whom a bill shall be rendered for water furnished by the Water Department of the City of Oneida or whose sewage is otherwise metered or measured, shall be in accordance with such a rate as may be

established from time to time by resolution of the Common Council. A sewage meter shall be installed at the request of either the consumer or the City Engineer's office, the expense thereof to be borne by the consumer."

**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**

**STANDARD WORKDAY RESOLUTION**

**RESOLUTION 22-63**

Moved by Councilor Pagano  
 Seconded by Councilor Kinville

**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 provided to the City Clerk:

Name	(Last four digits) SS#	(Last four digits) Reg #	Title	Term begin and end dates	Standard Workday	Records of Activity Results	Not submitted	Pay Frequency	Tier I
Richard Rossi	****	****	Councilor	Jan 1, 2022- Dec 31, 2023	6	1.389		bi-monthly	

Ayes: 5  
 Nays: 0  
 Abstain: 1 (Rossi)  
**MOTION CARRIED**

**NEW BUSINESS**

The Mayor advised that she had a meeting with some of the department heads and that she was starting a program for the City called "Operation Walk Oneida", and every Wednesday at 10:00 a.m. for an hour

they are going to go through the City, starting downtown and working their way out to meet business owners and residents. She stated that this is a positive thing and will allow them the opportunity to meet some of the department heads. She noted that this is a friendly program, not intended to tell business owners what they should do or to address code violations. She advised that Police Chief John Little, Fire Chief Dennis Fields, City Engineer Jeff Rowe and Planning Director Chris Henry would accompany her. She stated that if any Council members were interested in joining them as they go through their ward, they were welcome to do so, and she would love to have them. The first walk will take place on Wednesday, April 27 at 10:00 a.m.

Recreation Director Luke Griff advised that the Easter Egg Hunt that was originally scheduled for Saturday, April 16 was canceled and has been re-scheduled for this Saturday, April 23, with set up at 9:00 a.m. and the egg hunt at 11:00. He asked that if anyone would like to volunteer to help with this event, to please be at Allen Park at 9:00 a.m.

**EXECUTIVE SESSION**

**RESOLUTION 22-64**

Motioned by Councilor Kinville  
Seconded by Councilor Reisman

**RESOLVED**, that the meeting is hereby adjourned to Executive Session at 6:40 p.m. to seek advice of Counsel and to discuss a personnel issue.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

**PRESENT:**  Mayor  City Attorney  Comptroller  Councilors  Councilors Absent: N/A

Personnel Issue: Police Chief-John Little  
Public Safety Commissioner-Kevin Salerno

Seek Advice of Counsel: Recreation Director-Luke Griff  
Recreation Coordinator-Justin Acker  
William DiPaola

1. Discussion was held to seek advice of Counsel and to discuss a personnel issue

Motioned by Councilor Kinville  
Seconded by Councilor Simchik

**RESOLVED**, that Executive Session is hereby adjourned to the regular meeting at 7:53 p.m.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 7:54 p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk