

**MINUTES OF THE COMMON COUNCIL  
REGULAR MEETING  
MAY 17, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the seventeenth day of May, 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Cavanagh	<input checked="" type="checkbox"/>	<input 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"/>	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 checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

**PROCLAMATION  
CAROL MADONIA DAY**

Accepting: Robert Bennett (Brother)  
Jim Tuggy  
Heather Tallman

# *Proclamation*

## *City of Oneida - Office of the Mayor*

**WHEREAS**, Carol Madonia has always been known as a person of tremendous kindness, compassion, and dedication, not only to the children of North Broad Street Elementary School, but to her friends, family and community; **and**

**WHEREAS**, being born, raised, and active her entire life in the City of Oneida, Carol Madonia was able to make a difference in the lives of many. By being a member of the Oneida City School District, St. John's Episcopal Church, and by creating her own network, Carol Madonia provided the necessary resources to help and support the needs of the community. Often this meant she provided these means depending solely on herself; **and**

**WHEREAS**, Carol Madonia executed leadership in many avenues of her life. She was a caring sister, devoted daughter, and a matriarch to her family, as well as the members of the North Broad family. She was also a dependable friend, a counselor, and a compassionate human being to anyone. She had an intuitive ability to deliver warmth, empathy, humor, or firm truth depending on each unique situation; **now therefore**

I, **Helen B. Acker**, Mayor of the City of Oneida do hereby proclaim May 17, 2022 as;

## *Carol Madonia Day*

in the City of Oneida, and I ask others to join in celebrating Carol's life and the memories and legacy she leaves behind.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affix the official seal of the City of Oneida on this 17th day of May, 2022.

---

Mayor Helen B. Acker

## **PUBLIC COMMENT**

None

## **OLD BUSINESS**

Mayor Acker commented that what she was sharing was appropriate, as Carol Madonia had worked for North Broad Street Elementary School for so long and stated that last Friday the City shared the celebration of Arbor Day with the 5<sup>th</sup> grade students who had walked from the school to Vets Field where they helped plant 2 trees, along with her, Luke Griff, Justin Acker and Don Thorna from the Parks and Recreation Department, as well as members of the DPW. She stated that they did a fantastic job and were very enthusiastic, noting that she had received a couple of letters from the kids advising how much they loved the trees and how they were going to try and be good stewards for the community.

Mayor Acker advised that there will be meeting for the DRI held at the Kallet at 6:30 p.m. on Wednesday, May 18, which will be open to the public. She encouraged all to attend to see what projects are being presented to the State from the citizens of Oneida and to give input.

## **SUPERVISOR'S REPORT**

Supervisor Mary Cavanagh discussed the Madison County Mental Health Survey and how the results of the survey were available on-line. She stated that because of these results, the County will be creating 5 new positions similar to a School Resource Officer, noting that one of those positions will be in Oneida, one in Cazenovia, one in Hamilton and 2 in Chittenango. She advised that this is Phase I of the program, and this will be a 50/50 split between the ARPA funds and the schools. They are working on Phase II, as a few other school districts are still working through the process, noting that this is basically a satellite mental health office right in the schools. She advised that this employee would be travelling between buildings. Currently, they are designing the spaces in each school to adhere to the requirements of New York State. She commented that Madison County is, she believed to be, one of 2 counties doing this program. The Mayor thanked Supervisor Cavanagh for providing the information and Madison County, noting that this was a great program and very much needed in the City.

Supervisor Matt Roberts discussed that in Finance Ways and Means, they have been working on a Rural Broadband Project, which is very important to the City of Oneida also. He advised that ECC Technologies out of Prattsburgh, NY is going to be working with the County, stating that they are in the final phases of signing a contract with an engineer to design this and that Madison County will own the fiber when it is done, noting that it has a 30-year life span. He advised that the County could have bonded for this project, but because they have the funds, they are going to pay \$3.4M up front, saving the taxpayers between one half to one million dollars just in interest. He stated that ECC will pay for all the maintenance, and the County will receive \$10 per customer on the fiber. He stated that this was important for the City of Oneida, because the fiber would come down Lenox Ave, and go up either Broad or Main Street and head south. The City would be able to hook up to this, describing it as infrastructure for the technology we would need to draw people to our community. He encouraged everyone to come to the DRI meeting on Wednesday to learn more about this project, noting that it will help the underserved rural customers south of the City.

Supervisor Roberts also addressed sales tax, which he stated continues to be strong. He noted that in 2020 the tax revenue year to date for the County was \$8.6M, in 2021, \$10.2M, and so far, this year, \$12M. This money is being invested back into projects, which allows the County to avoid bonding. City Attorney Bell inquired if there is any correlation between the increase in sales tax revenue and inflation, stating that there is often more sales tax to be generated off increased prices. Supervisor Roberts responded that although some of this is due to inflation, the majority is due to on-line sales and that tax revenue is being spread out to where it belongs. He also stated that car sales are up, which is contributing to this as well. Mayor Acker thanked Supervisor Roberts for providing this information.

**Clerk's Note:** For further information on the Rural Broadband Project, please contact Supervisor Roberts at [matt.roberts@madisoncounty.ny.gov](mailto:matt.roberts@madisoncounty.ny.gov) or visit <https://muninetworks.org/content/cheers-madison-county-effort-bring-fiber-farm-and-beyond>.

For further information on the Madison County Health Survey, please visit: <https://www.madisoncounty.ny.gov/2783/Mental-Health-Task-Force> or contact Supervisor Cavanagh at [mary.cavanagh@madisoncounty.ny.gov](mailto:mary.cavanagh@madisoncounty.ny.gov).

Moved by Councilor Kinville  
Seconded by Councilor Reisman

**RESOLVED**, that the minutes of the regular meeting of May 3, 2022 are hereby approved as presented.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**RESOLVED**, that Warrant No. 10, checks and ACH payments in the amount of \$2,153,296.06 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 22-72**

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 (March/April), Planning Department and Police Department are hereby received and placed on file.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**AUTHORIZATION-FALL FEST 2022-DISTRIBUTION AND CONSUMPTION OF WINE AND ALCOHOLIC BEVERAGES AND WAIVER OF INSURANCE REQUIREMENTS FOR VENDORS**

**RESOLUTION 22-73**

Moved by Councilor Kinville

Seconded by Councilor Rossi

**WHEREAS**, pursuant to Section 9-11 of the Oneida City Code, the possession or consumption of alcohol is permitted on City-owned property if properly authorized by the City of Oneida Common Council; **and**

**WHEREAS**, pursuant to Section 112-7 of the Oneida City Code, all special events within the City of Oneida require a liability insurance policy in the amount of \$1,000,000.00 with the City of Oneida named as an additional insured; **and**

**WHEREAS**, the John R. Deschamps Sr., Police Benevolent Association, an employee organization representing the full-time, permanent police officers of the Oneida Police Department, and the Oneida City Parks and Recreation Department is sponsoring a "Fall Fest" to be held on October 1, 2022, with a rain date of October 8, 2022, during the hours of 12:00 p.m. and 4:00 p.m., on property owned by the City of Oneida located at 223 Mott Street; **and**

**WHEREAS**, the Fall Fest is intended to provide a celebration that is recreational in nature for City residents and serves to improve the quality of life for residents; **and**

**WHEREAS**, as part of the Fall Fest activities, wines and alcoholic beverages will be available for purchase by the public and vendors will be present offering alcohol, food, and merchandise for sale; **and**

**WHEREAS**, it is the desire of the Common Council to promote public interest and participation in community events and to allow sales of alcohol, food, and merchandise by vendors, subject to a waiver of the aforementioned insurance requirements; **now, therefore be it**

**RESOLVED**, that the City of Oneida Common Council does hereby authorize the distribution and consumption of wine and alcoholic beverages in a restricted area of 223 Mott Street during the

hours of the Fall Fest on October 1, 2022, with a rain date of October 8, 2022; **be it further**

**RESOLVED**, that the City of Oneida Common Council does permit such distribution and sales of wine and alcoholic beverages by private vendors upon application to the City of Oneida Clerk; **be it further**

**RESOLVED**, that the Common Council does further waive the obligation of vendors participating in the Fall Fest from providing the required liability insurance policy, subject to the execution of a waiver provided by the City of Oneida Clerk.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**SPECIAL EVENT – JESSICA’S HEROES FOUNDATION INC. 5K RUN/WALK**

**RESOLUTION 22-74**

Moved by Councilor Kinville

Seconded by Councilor Reisman

**RESOLVED**, to approve the Special Event Application for Jessica’s Heroes Foundation Inc. 5K Run/Walk to be held on September 24, 2022 contingent upon the following:

- Submission of insurance, which shall require the approval of the City Attorney, at least 30-days prior to the event
- Submission of proof from BOCES that Criminal Justice Students will be used for traffic control, at least 30-days prior to the event
- Submission of proof of sufficient volunteers, at least 30-days prior to the event
- Notification to residents that streets will be closed (*Do not place flyers in mailboxes*)
- COVID-19 concerns to be reviewed at least 30-days prior to the event
- Follow-up with City Clerk 45-days prior to the event

Ayes: 6

Nays: 0

**MOTION CARRIED**

**CAPITAL PROJECT 22-3 HIGINBOTHAM BROOK FINAL DESIGN PHASE**

**RESOLUTION 22-75**

Moved by Councilor Pagano  
Seconded by Councilor Kinville

**RESOLVED**, to authorize the City Engineer to proceed with Capital Project 22-3 Higinbotham Brook Final Design Phase and expend funds up to the budgeted amount of \$55,000 for said Capital Project, **and be it further**  
**RESOLVED**, that the Mayor is hereby authorized to sign any/all documents related to Capital Project 22-3 Higinbotham Brook Final Design Phase.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

DISCUSSION: City Engineer Rowe advised that this is the final design phase of work related to this project, noting that there have been previous evaluations that were done and inspection reports, but this is a continuation with the final design and preparation of contract documents.

#### **BUDGET TRANSFERS/AMENDMENTS**

#### **RESOLUTION 22-76**

Moved by Councilor Kinville  
Seconded by Councilor Simchik

#### **2022 Budget Adjustments**

**RESOLVED**, to approve the following 2022 Budget Amendment/Transfers

	<u>To</u>	<u>From</u>
\$ 55,000.00	030.5110.0409.0000 2022 Higinbotham Brook Final Design	030.0030.0912.0000 ARPA Fund Balance

*To allocate funds from the ARPA funds to cover final design phase.*

\$ 25,000.00	030.8110.0401.0000 Emergency Sewer Repair	030.0030.0912.0000 ARPA Fund Balance
--------------	--	---

*Emergency repair needed for Main & Phelps, collapsing sewer main*

Ayes: 6  
Nays: 0

**MOTION CARRIED**

**SPECIAL COMMITTEE-CITY ADMINISTRATOR/CITY MANAGER**  
**RESOLUTION 22-77**

Moved by Councilor Rossi  
Seconded by Councilor Kinville

**WHEREAS** pursuant to Section 3.11.B. of the Charter of the City of Oneida, the Mayor may designate and appoint, subject to approval by the Common Council, a special committee consisting of residents of the City to make studies, investigations, recommendations and reports on any subject or matter properly before the Common Council, **and**

**WHEREAS**, the Common Council of the City of Oneida concludes it would be desirable to have organized forums for discussions by committees of city residents, **now therefore be it**

**RESOLVED**, that the Common Council of the City of Oneida hereby approves the creation of a City Administrator/City Manager Committee to determine the City's need for a City Administrator/City Manager, **and be it further**

**RESOLVED**, that said committee shall comply with the Open Meetings Law, be authorized to meet, hold hearings, and provide advice and recommendations with respect to its particular committee assignment to the Mayor and the Common Council, **and be it further**

**RESOLVED**, that the members of the City Administrator/City Manager Committee shall be Kelly Lewin, Maureen Mosack, Brahim Zogby, James Betro, Brian Bortree, Ralph Jordan, Mark Flynn and Recording Secretary, Andrea Hitchings.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**MEMORANDUM OF UNDERSTANDING-CSEA**

**RESOLUTION 22-78**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**RESOLVED**, that the Memorandum of Understanding between the City of Oneida and the CSEA City of Oneida Unit 735100 Madison County Local 827, as ratified by the union, be hereby approved.

Ayes: 6  
Nays: 0  
**MOTION CARRIED**

**NEW BUSINESS**

Councilor Rossi stated that they were having a Spring Clean-Up Event on Sunday, May 22<sup>nd</sup>, at 10:00 a.m., and garbage bags and bottled water would be provided. Anyone who is interested in participating should meet at his barber shop at 115 E. Railroad Street.

**EXECUTIVE SESSION**

**RESOLUTION 22-79**

Motioned by Councilor Kinville  
Seconded by Councilor Reisman

**RESOLVED**, that the meeting is hereby adjourned to Executive Session at 6:49 p.m. to discuss a personnel matter and to seek advice of Counsel.

Ayes: 6  
Nays: 0  
**MOTION CARRIED**

**PRESENT:** Mayor Acker, Councilors, City Attorney Nadine Bell, Comptroller Lee Ann Wells, City Chamberlain Anna Hood, Police Chief John Little and Public Safety Commissioner Kevin Salerno

Discussion was held regarding a personnel matter and to seek advice of Counsel.

Motioned by Councilor Kinville  
Seconded by Councilor Simchik

**RESOLVED**, that Executive Session is hereby adjourned to the regular meeting a 8:00 p.m.

Ayes: 6  
Nays: 0  
**MOTION CARRIED**

**WAIVE RULE TO ACCEPT AGENDA ITEMS**

**RESOLUTION 22-80**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**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**

**RELEASE, DISCHARGE, OR COMMUTE CITY/COUNTY TAXES FOR REAL PROPERTY-374 WASHINGTON AVENUE, ONEIDA, NY (TAX MAP NO. 38.23-1-40)**

**RESOLUTION 22-81**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**RESOLVED**, pursuant to Section 5.44 of the Oneida City Charter, the Common Council does hereby exercise its discretion to release, discharge, or commute city/county taxes for real property located at 374 Washington Avenue, Tax Map No. 38.23-1-40, for the years 2013 and 2014, in the amount of \$1,710.66, which includes the taxes owed and interest incurred.

Ayes: 5

Nays: 1 (Simchik)

**MOTION CARRIED**

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 8:02 p.m.

**CITY OF ONEIDA**

---

Sandra LaPera, City Clerk