

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
JULY 20, 2021**

A meeting of the Common Council of the City of Oneida, NY was held on the twentieth day of July, 2021 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

Attendees	Present	Absent	Arrived Late
Mayor Acker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Earl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Coulthart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor DuBois	<input type="checkbox"/>	<input checked="" 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 Ostrander	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joe Magliocca	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ALSO PRESENT:

City Attorney Nadine Bell, City Clerk Sandy LaPera, City Engineer Jeff Rowe, Comptroller Lee Ann Wells, Police Chief John Little, Codes Director Bob Burnett, Public Safety Commissioner Kevin Salerno

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC HEARING-LOCAL LAW NO. 8-AMEND CHAPTER 147 TO FURTHER REGULATE SOLID WASTE

RESOLUTION NO. 21-118

Moved by Councilor Earl
Seconded by Councilor Coulthart

RESOLVED, that the Public Hearing creating Local Law No. 8 to amend Chapter 147 of the Code of the City of Oneida to further regulate solid waste is hereby opened at 6:35 pm.

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

The Mayor acknowledged receipt of two correspondences received from residents through email opposing Proposed Local Law No. 8 to be made part of the record of the Public Hearing:

- John Rogers, Seneca St., Oneida
- Paulette Loomis, Cleveland Ave., Oneida

APPEARANCES

LINDA BAILEY
Lenox Ave., Oneida

Ms. Bailey acknowledged that she had just heard about the proposed changes and is against this. She feels there should be better enforcement of the existing laws and regulations and that this would be harder on the older people due to the time, especially in the winter months. She feels that those who are not adhering currently should be cited and fined, and that although there is a need to regulate, the City should better enforce what we already have in place.

LORI BUTLER
Cleveland Ave., Oneida

Ms. Butler stated that she only was speaking to ask a couple of questions: 1.) how will this be enforced, and 2.) how will the public be made aware of this. The Mayor noted that usually questions are not answered on Public Comment night, but asked Codes Director Burnett if he would like to respond. Codes Director Bob Burnett advised that if this Local Law was passed, residents would have a month before citations would be issued. He stated that the notification of the change would be made in local papers, social media and the City Website. He also mentioned that warnings would be given prior to being cited. Codes Director Burnett advised that the 9pm time frame was already in place, and that the only change was to remove the statement in Paragraph 147-4, that says the garbage may be placed in plastic bags. The Codes Department is requesting that all trash be put in garbage cans with tethered lids.

BOB BRITTON
Oneida

Mr. Britton stated that he was against this, as it would affect a lot of seniors who would have to purchase trash cans, which would be costly. He feels the City has other things to worry about, and that the elderly could not do this, especially with the 9pm time.

Mayor Acker stated that although most did not realize it, the time has always been 9pm, but that this is something that can be discussed by Council.

CLOSE PUBLIC HEARING-AMEND CHAPTER 147 TO FURTHER REGULATE SOLID WASTE

RESOLUTION NO. 21-119

Moved by Councilor Earl
Seconded by Councilor Kinville

RESOLVED, that the Public Hearing amending Chapter 147 of the Code of the City of Oneida to further regulate solid waste be hereby closed at 6:45pm.

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

PUBLIC COMMENT: None
OLD BUSINESS: None
SUPERVISOR'S REPORT: None

Moved by Councilor Coulthart
Seconded by Councilor Simchik

RESOLVED, that the minutes of the regular meeting of July 6, 2021 are hereby approved as presented.

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

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, that Warrant No. 14, checks and ACH payments in the amount of \$1,267,235.74 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 (DuBois)
MOTION CARRIED

Councilor Coulthart advised that he would be voting in favor this time, as Biosolids was not included in this voucher run.

MONTHLY REPORTS

RESOLUTION 21-120

Moved by Councilor Earl
Seconded by Councilor Kinville

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

Ayes: 5

Nays: 0

Absent: 1 (DuBois)

MOTION CARRIED

DISCUSSION: Councilor Coulthart questioned when the new Account Clerk would be starting in the Recreation Department. He was advised by Mayor Acker that the new person started on Monday (7/19). Councilor Coulthart also noted that the Mayor had been given a tour of the Greenhouse and stated that he was interested in touring the facility as well. The Mayor stated that she was invited to tour the facility and that they were only allowing 1-2 people at a time, she believed due to Covid. She advised that she would inquire about this next week and asked the other Councilors if they would like to take the tour as well. She noted that it would probably be two different tours though due to the limitations.

There was discussion about the potential flooding at the mini brook and that this needs to be addressed. Councilor Coulthart thanked the Mayor for taking the time to view the site and meet with concerned residents. He acknowledged that although this might not be able to be addressed now due to equipment issues and manual labor availability, perhaps cleanup could be addressed in incremental segments over time. City Engineer Rowe advised that he would review this with his staff.

Councilor Coulthart also asked Police Chief Little to provide updates on Police Reform initiatives. Chief Little stated that the policies are being updated on a step by step basis and that it is time intensive and difficult to get into schools for training during the summer months, as it is a busy time of year, and the department is limited on how many officers can be absent.

Councilor Earl stated that she was excited to see more activity at the Kallet and rental fees coming in, citing dance recitals as an example. Mayor Acker noted that the Kallet was one of the few facilities that was open during Covid and that that helped.

Mayor Acker also advised that even though there are only 6-7 lifeguards on staff at the pool, it is open and moving forward with activities.

LEASE AGREEMENTS

RESOLUTION 21-121

Moved by Councilor Simchik
Seconded by Councilor Earl

RESOLVED, to authorize the Purchasing Agent to proceed with two leases through Enterprise Fleet Management for two (2) 2021 Toyota Corollas, **and be it further**

RESOLVED, to authorize the Comptroller to transfer \$4,000 from the General Fund Vehicle Lease Reserve Account to fund the 2021 lease year.

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

LIQUOR LICENSE APPLICATION

RESOLUTION 21-122

Moved by Councilor Earl
Seconded by Councilor Kinville

RESOLVED, that written notification providing 30-day advanced notice to a local municipality or community board for the filing of a renewal application for an on-premises Alcoholic Beverage License by the Order of Owls Nest 1606, 130 Vanderbilt Ave., Oneida NY 13421 be hereby received and placed on file.

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

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 21-123

Moved by Councilor Coulthart
Seconded by Councilor Earl

RESOLVED, to approve the following Budget Transfers/Amendments:

2021 Budget Adjustments

RESOLVED, to approve the following 2021 Budget Amendment/Transfers

\$ 4,000.00	001.0001.0889.0000	001.9785.0600.0004
	General Vehicle Reserve	Principle on Lease-Codes

To allocate funds to enter 2 new leases for Codes Dept

Ayes: 5

Nays: 0

Absent: 1 (DuBois)

MOTION CARRIED

INTERMUNICIPAL WASTEWATER SERVICE AGREEMENT

RESOLUTION 21-124

Moved by Councilor Kinville

Seconded by Councilor Earl

RESOLVED, to authorize the Mayor to sign an Intermunicipal Wastewater Service Agreement with Madison County for treatment of the sanitary sewage to be generated by the County facilities and (eventually) the Otto Shortell Middle School.

Ayes: 3

Nays: 2 (Earl/Coulthart)

Absent: 1 (DuBois)

MOTION CARRIED

DISCUSSION: City Attorney Bell provided background information on the Agreement, stating that it was brought to her attention by Jim Hughes, who is an attorney at the County. She stated that this is for sanitary sewer treatment to be provided to the County facilities and eventually the Otto Shortell Middle School. The reason for this being presented now, even though the Wastewater Treatment Plant has not yet been completed, is that the County is applying for grant money for the infrastructure cost. As part of the grant writing process, they were asked to produce an Intermunicipal Wastewater Service Agreement demonstrating their ability to hook up. It was her understanding that the plans have not been finalized as far as specific design, and that this would be a year to two out. The City Engineer confirmed that based on the reports he has received, construction would be in 2024.

City Engineer Rowe was asked to review the agreement for the technical parts, as well as a consultant from an outside engineering firm who is familiar with what the City currently has, as well as what is being proposed, to ensure that they were comfortable with the terms. Under the terms, any additional users would have to be approved by the City Engineer and would all be subject to Intermunicipal Agreements.

Currently, if and when the school would connect, they would have to enter into an agreement whereby they would indemnify and hold harmless the City. Attorney Bell advised County Attorney Hughes that this was bad timing and that she anticipated some questions and discussions. She stated that according to the consultant, the amount requested is a "drop in the bucket" for the capacity of the new plant and would be minimal. Attorney Bell discussed the indemnification language and noted that this was coming to Council now because of the Grant writing process. The Mayor noted that this was needed so that the County could get the grant that they would not otherwise get without an Intermunicipal Agreement.

Councilor Coulthart commented that the County has capability now and is already dealing with their sewage. It was noted by the City Attorney that they had an onsite septic system but are not hooked up to a public sanitary sewer system. City Attorney Bell stated that she did not know if their current system needs upgrades or if there are problems, etc. Councilor Coulthart stated that the City is currently paying for biosolids to be taken to the landfill and that the citizens/taxpayers of Oneida would be bearing part of the cost of this as well. He noted that in the Ramboll Report there were notable incidents that led to the upgrade at the Wastewater Treatment Plant. Councilor Coulthart suggested that this be tabled due to concerns he has in hopes of getting a more favorable resolution, siting the term of the agreement and the fact that the City does not get to approve any plans. He questioned why they are negotiating with Otto Shortell Middle School and the Oneida City School Board, as they are a separate entity. City Attorney Bell stated that although they were their own separate entity, this would be a future connection, and that this agreement would accommodate the amount of sewage to be generated, but that they were not a named party to this agreement. She stated that they would need to apply and that future use of the system would have to be approved by the City Engineer. The Mayor stated that they were figuring in the amount necessary for the school, but that they would need to enter into a separate agreement with the City. Councilor Coulthart referenced HP Hood and their figures and how this is affecting the taxpayers of Oneida as well.

Councilor Simchik clarified that the building of the plant was being paid for by all users and not specifically the taxpayers of the City. He stated that this was being paid for out of the Wastewater Budget, which included all users such as Verona, commercial businesses etc. Councilor Simchik questioned Engineer Rowe as to whether or not this would be size sufficient if the Village decides to put in a sanitary sewer system-would they be able to carry it? City Engineer Rowe stated that they looked at this and found that sewer service would be too expensive, but the facilities would be large enough to handle it if in the future they could find additional funding. City Attorney Bell reiterated that all applications will be bound by indemnifications that were explicitly acknowledged. City Engineer Rowe did not have concerns that the City would have review privileges and not approval privileges for the preparation of the engineering reports, plans and specifications. The City Attorney advised that the Agreement did have language that requires such documents to comply with current design standards and be approved by regulatory agencies.

NEW BUSINESS

The Mayor commended Fire Chief Fields who was a co-organizer of the 9/11 Memorial Stair Climb held on Friday 7/16 at the Carrier Dome to honor and remember heroes of September 11. Chief Fields organized this event alongside the Hartsdale Fire Chief, who is retiring this year. Chief Fields will take over this role next year as the organizer on his own. They were able to raise over \$1,100 for the National Fallen Firefighters Foundation, which includes multiple programs for all types of health issues associated with 9/11. She noted that 343 firefighters lost their lives on 9/11, and 250 since then have succumbed to side effects as a result of being there. She also acknowledged and thanked Firefighters Jon Wasicki and Andrew

Cooney and Lieutenant Dennis Relyea for their participation in this event as well and stated that she hoped for more participation next year.

Councilor Coulthart again thanked Mayor Acker for coming out to the “near to flooding” of the mini brook and provided a proposal of a project that he would like the City to consider participating in. This is to establish a NYS Thruway interchange in the northern part of Oneida. He noted that there was a previous proposal in the 1970’s that never got developed. He noted that with there no longer being a need for toll booths and some of the extra structures of the old plans associated with toll booths; it is possible, as the only city in the county to do this. He described the points listed in the attached proposal, including the history and potential benefits. Councilor Coulthart stated that he would start to make contacts next week to Senator Schumer’s office, Senator Rachel May and Assemblyman John Salka, as well as the City of Oneida Supervisors. He noted that this would be a multi-year project that would not happen overnight but that it has potential for great things.

Mayor Acker agreed with Councilor Coulthart and advised that she had already met with Senator Joe Griffo on July 8th about this. She stated that with new technology available, the State is looking for multiple areas throughout to open up, and the City is on their radar for this. She commented that she is absolutely in support of this and has talked with Senator May and Assemblyman Salka as well. She advised that this is just the start, and she will share information as she gets it to Council and the public as permitted.

Motion to adjourn by Councilor Kinville

The regular meeting is hereby adjourned at 7:20 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk