

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
AUGUST 16, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the sixteenth day of August, 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 Szczerba	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>6:32</u>

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 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

PUBLIC COMMENT

BOB BRITTON (Oneida)

Bob Britton expressed his concern over the building located at 140 Madison Street that is in danger of collapsing. He stated that he did not feel that it was safe, and the 90-day time frame for action was too long. He felt with winter storms coming, it might collapse sooner, and asked Council what the time frame was for this building to be taken down. He stated that he felt this should be re-looked at and re-evaluated

before someone gets hurt or there is a catastrophe.

The Mayor advised that although normally during public comment time, she and the Council do not make comments back; however, she would respond in this case. She stated that if the company who owns the building does not take it down by September 7, the City will go through the legal process of getting an engineer, an asbestos abatement engineer and another company who can give an estimate for the demolition. She stated that the Fire Department has placed the barrels and roping around the building, and it is in the legal process. She advised that it is being watched on a daily basis to see if there is any danger to the public.

OLD BUSINESS: None
SUPERVISOR'S REPORT: None

APPROVAL OF MINUTES

Moved by Councilor Kinville
Seconded by Councilor Rossi

RESOLVED, that the minutes of the regular meeting of August 2, 2022 are hereby approved as presented.

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

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Kinville

RESOLVED, that Warrant No. 16, checks and ACH payments in the amount of \$1,419,160.98 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 (Laureti)
MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 22-139

Moved by Councilor Rossi
Seconded by Councilor Kinville

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: 5
Nays: 0
Absent: 1 (Laureti)
MOTION CARRIED

DESIGNATE COMMON COUNCIL AS DUE PROCESS HEARING OFFICERS

RESOLUTION 22-140

Moved by Councilor Kinville
Seconded by Councilor Simchik

RESOLVED, that in accordance with the City of Oneida Water Department Rules and Regulations, the Common Council will conduct any due process hearings for termination of water service as per Article XIX. B. 4.

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

**INTRODUCE A LOCAL LAW TO AMEND CHAPTER 172 OF THE ONEIDA CITY CODE
RELATIVE TO THE TRAFFIC SAFETY BOARD-SCHEDULE PUBLIC HEARING**

RESOLUTION 22-141

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, the proposed Local Law has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, the City of Oneida Common Council has the authority to adopt provisions to advance and protect the safety, welfare, and aesthetics of the community; and

WHEREAS, this amendment to the Oneida City Code will make necessary changes to the Traffic Safety Board and its procedures; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA and the Common Council has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Common Council; and

WHEREAS, the Common Council has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that there are no other involved agencies, that the Common Council shall act as lead agency and that the enactment of the proposed Local Law is an unlisted action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that the Common Council has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED AND DETERMINED, that the Common Council shall conduct a public hearing as to the enactment of the proposed Local Law at the Oneida City Hall located at 109 North Main Street, Oneida, New York on September 6, 2022, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED, that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the City of Oneida.

Ayes: 5

Nays: 0

Absent: 1 (Laureti)

MOTION CARRIED

**A LOCAL LAW TO AMEND CHAPTER 172 OF ONEIDA CITY CODE RELATIVE
TO THE TRAFFIC SAFETY BOARD**

Be it enacted by the Common Council of the City of Oneida, as follows:

SECTION 1. Legislative Authority.

This Local Law is enacted pursuant to the provisions of Article 43 of the Vehicle and Traffic Law of the State of New York, as amended, and Municipal Home Rule Law Section 10 of the State of New York.

SECTION 2.

So that Section 172-1 of the Oneida City Code, titled "Purpose," is hereby amended to read, in its entirety, as follows:

"§ 172 -1 PURPOSE.

The Common Council of the City of Oneida find that the reduction of fatal and serious personal injury motor vehicle accidents occurring on the streets, roadways, highways, sidewalks or otherwise within the City of Oneida is vital to the preservation and improvement of the health and safety of the City's residents as well as those who visit and do business in the City. The City finds that the establishment of a Traffic Safety Board is essential to promoting, overseeing and ensuring the safety and security of its streets, roadways, highways, sidewalks, visitors, businesses and residents. A Traffic Safety Board can achieve these goals by engaging in a variety of activities supporting law enforcement agencies to reduce the number of accidents, and fostering cooperation and partnerships between all public and private stakeholders including law enforcement, educators, business leaders and community members."

SECTION 3.

So that Section 172-2(4) shall be deleted in its entirety and Section 172-2(3) of the Oneida City Code shall be amended to read, in its entirety, as follows:

"3. Each member shall be a resident of the City of Oneida and a qualified elector of the City. Each member shall be appointed from the City at large for a term of three (3) years."

SECTION 4.

So that a new Section 172-3(D) of the Oneida City Code is hereby added to read, in its entirety, as follows:

"D. On an annual basis, the Board shall submit a budget proposal for the funds necessary to carry out the purposes of this Chapter, through the Department of Public Works, to the Common Council."

SECTION 5.

So that Section 172-4(4) of the Oneida City Code shall be amended to read, in its entirety, as follows:

"4. To study traffic conditions on streets and highways within the City and analyze reports of accidents and causes thereof, and recommend to the Public Safety Commissioner, Common Council, or appropriate departments or commissions,

such changes in rules, orders, regulations, and existing law as the board may deem advisable.”

SECTION 6. Effective Date.

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

RETIREE HEALTH INSURANCE RENEWAL (2023)

RESOLUTION 22-142

Moved by Councilor Simchik
Seconded by Councilor Kinville

RESOLVED, that the Mayor be authorized to sign the Retiree Health Insurance Renewal Plan for 2023 with Humana Group Medicare Advantage Renewal.

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

LAKE STREET PUMP STATION IMPROVEMENTS

RESOLUTION 22-143

Authorizing Funding for the City of Oneida
Lake Street Pump Station Improvements

Moved by Councilor Kinville
Seconded by Councilor Simchik

Project Description: The City of Oneida is progressing the design and construction of improvements to the Lake Street Pump Station which are needed for reliable operation and are critical to the overall reliability of Oneida’s water system.

Grant Program Application: New York State Water Infrastructure Improvement Act (WIIA) and New York State Intermunicipal Water Infrastructure Grants Program (IMG) Drinking Water

WHEREAS, the City of Oneida is progressing implementation of Lake Street Pump Station Improvements; **and**

WHEREAS, the City of Oneida intends to pursue funding opportunities as available from the NYS Water Infrastructure Improvement Act (WIIA) and NYS Intermunicipal Water Infrastructure Grants Program (IMG) Drinking Water; **and**

WHEREAS, it is the intent of the City of Oneida to be the Applicant of the aforementioned grant funding programs; **and**

WHEREAS, it is the intent of the City of Oneida to comply with the application requirements of the aforementioned grant funding programs; **and**

NOW, THEREFORE, BE IT

RESOLVED, that the City Engineer hereby it authorized to act as Authorized Representative of the Applicant for both the WIIA or IMG grant applications; **and it is further**

RESOLVED, that the City of Oneida hereby authorizes the expenditures necessary to pursue the grants and complete the project; **and it is further**

RESOLVED, that if the City of Oneida is successful in obtaining the grant, that the remaining project funds of up to \$2,000,000 would be expended from the City's Water Fund; **and it is further**

RESOLVED, that this Resolution shall take effect immediately.

Ayes: 5

Nays: 0

Absent: 1 (Laureti)

MOTION CARRIED

COLLECTIVE BARGAINING AGREEMENT (PBA)

RESOLUTION 22-144

Moved by Councilor Kinville

Seconded by Councilor Pagano

RESOLVED, that the Collective Bargaining Agreement by and between the City of Oneida and The John R. Deschamps Sr. PBA (aka Oneida City PBA) for the period of January 1, 2022 through December 31, 2024, as ratified by the union, be hereby approved.

Ayes: 5

Nays: 0

Absent: 1 (Laureti)

MOTION CARRIED

WATER BOARD RECOMMENDATION

RESOLUTION 22-145

Moved by Councilor Kinville

Seconded by Councilor Pagano

WHEREAS, the City of Sherrill (Sherrill-Kenwood Water District), Account No. 52-012002-00, requested that a late fee of \$1,754.34 that was assessed to their May water bill be reversed due an issue with the due date on the April bill; **and**

WHEREAS, the City of Sherrill has a long-standing relationship with the City of Oneida, and the Water Board acknowledged that the date on the April bill was an error on the part of the City of Oneida; **now therefore be it**

RESOLVED, that per the recommendation of the Water Board, the Common Council hereby authorizes that the Sherrill-Kenwood Water District, Account # 52-012002-00, be credited \$1,754.34 for the late fees.

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

WATER BOARD RECOMMENDATION

RESOLUTION 22-146

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, the Village of Vernon, Account No. 52-013002-00, requested a credit in the amount of \$3,629.99 for late fees associated with their May 2022 water bill; **and**

WHEREAS, the Village of Vernon claimed that the bill was never received and that they have never had a late payment in 17 years; **now therefore be it**

RESOLVED, that per the recommendation of the Water Board, the Common Council hereby authorizes that the Village of Vernon, Account # 52-013002-00, be credited \$3,629.99, as a one-time exception for the late fees.

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

WATER BOARD RECOMMENDATION

RESOLUTION 22-147

Moved by Councilor Rossi
Seconded by Councilor Kinville

WHEREAS, Mary Ann Reed, 506 Seneca Street, Oneida, NY, Account No. 11-132001-00 and Account # 11-132101-00, requested refunds in the amounts of \$9.78 and \$8.93 respectively for late fees associated with her March water bills; **and**

WHEREAS, Ms. Reed advised that she pays her water bills through her on-line bill pay and has never had any issues until this instance, whereby the payment did not post to her water bill accounts until after the due date; **now therefore be it**

RESOLVED, that per the recommendation of the Water Board, the Common Council hereby authorizes that Mary Ann Reed, 506 Seneca Street, Oneida, NY 13421 (up/down), Account # 11-132001-00 for \$9.78 and Account # 11-132101-00 for \$8.93, be credited for the late fees assessed to the March 2022 water bill.

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

SUMMER CONCERTS IN THE PARK

RESOLUTION 22-148

Moved by Councilor Kinville
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign various agreements for the 2022 summer Concerts in the Park Program, as they are received, for a total amount not to exceed \$5,000.

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

NEW BUSINESS

The Mayor wished City Engineer, Jeff Rowe, a happy birthday and advised that there would be a 911 Memorial Event on Sunday, September 11 at 10:00 a.m. at City Hall and encouraged all to come.

Motion to adjourn the regular meeting by Councilor Kinville

The regular meeting is hereby adjourned at 6:40 p.m.

**DUE PROCESS HEARINGS-WATER/SEWER BILLS
COMMON COUNCIL CHAMBERS
109 N. MAIN ST. ONEIDA, NY 13421
AUGUST 16, 2022**

Mayor Helen Acker called the Water and Sewer Due Process Hearings to order at 6:49 P.M.

Attendees	Present	Absent	Arrived Late
Mayor Acker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Szczerba	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input checked="" 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"/> _____

ALSO PRESENT: Sandy LaPera, City Clerk and Nadine Bell, City Attorney

The witnesses for each hearing were sworn in by the City Clerk.

CUSTOMER NAME	PROPERTY ADDRESS	OWNER	ACCOUNT #	AMOUNT
Andrea Potter	421 McGuire Street	SAME	05-003001-00	\$ 229.25
Chad Goodier	511 Seneca Street	SAME	12-027001-01	\$ 1,359.43
Christopher Rong/Heather Panzica	240 N. Main Street	Arthur Panzica	03-016001-00	\$ 924.30
Phillip Joseph Dashnau	533 Elizabeth St. 1/2	Anderson Assets	15-127001-00	\$ 1,055.43
Hillary Haskell	609 Valley View Drive	SAME	20-122001-00	\$ 6,937.78
Michael Oeinck	211 S. Willow Street	SAME	07-049001-00	\$ 536.51
Nancy Choquette	326 Stone Street	SAME	08-103001-00	\$ 1,932.72
Ondraya De Los Santos	391 Genesee Street	SAME	22-047001-00	\$ 1,848.76
Pamela Purcell	522 Stone Street	SAME	09-020001-00	\$ 1,015.65
Phillip & Denise Stoddard	580 Elizabeth Street	SAME	15-016001-00	\$ 1,264.99
Riley Havens	116 N. Court Street	SAME	27-059001-00	\$ 784.44
Robert Owen	212 N. Willow Street	SAME	05-030501-00	\$ 734.85

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Andrea Potter-421 McGuire St., Oneida, NY 13421

RESOLUTION 22-149

Moved by Councilor Simchik
Seconded by Councilor Kinville

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Andrea Potter / 421 McGuire St. / 05-03001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate her water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Andrea Potter / 421 McGuire St. appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Andrea Potter</u>		
ADDRESS:	<u>421 McGuire Street</u>		
ACCOUNT #:	<u>05-003001-00</u>		
BILL DATES:	<u>June 2, 2022</u>	AMOUNT:	\$ 229.25

ACTION BY COUNCIL: Extension Granted with Payment in Full

EXTENSION GRANTED UNTIL	<u>August 23, 2022</u>	AMOUNT:	<u>\$ 229.25</u>
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And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

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

MOTION CARRIED

DISCUSSION: Ms. Potter stated that she was present to advise that she was able to pay the full amount and asked if she could put it on a credit card now. The Mayor advised that a payment could not be accepted this evening, as the City Chamberlain's office was closed, but suggested that she pay on-line through the City of Oneida's website. Council agreed to a 7-day extension to allow for processing of the payment.

NOTE: Payment in full was received by the Water Department on August 16, 2022.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Chad Goodier-511 Seneca Street, Oneida, NY 13421

RESOLUTION 22-150

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Chad Goodier / 511 Seneca Street / 12-027001-01 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate his water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Chad Goodier / 511 Seneca Street appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Chad Goodier</u>		
ADDRESS:	<u>511 Seneca Street</u>		
ACCOUNT #:	<u>12-027001-01</u>		
BILL DATES:	<u>September 2020-June 2022</u>	AMOUNT:	\$ 1,359.43
ACTION BY COUNCIL:	<u>Extension Granted with Partial Payments</u>		
EXTENSION GRANTED UNTIL	<u>September 1, 2022</u>	AMOUNT:	\$ 230.00
FURTHER GRANTED UNTIL	<u>September 15, 2022</u>	AMOUNT:	\$ 230.00
FURTHER GRANTED UNTIL	<u>October 1, 2022</u>	AMOUNT:	\$ 230.00
FURTHER GRANTED UNTIL	<u>October 15, 2022</u>	AMOUNT:	\$ 230.00
FURTHER GRANTED UNTIL	<u>November 1, 2022</u>	AMOUNT:	\$ 230.00
FURTHER GRANTED UNTIL	<u>November 15, 2022</u>	AMOUNT:	\$ 209.43
		TOTAL	\$ 1,359.43

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

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

DISCUSSION: Mr. Goodier explained that his wife, who normally paid the bills, was ill and had been in and out of the hospital for the past year. He stated that he was unaware that the payment had not been made, and as he is now the sole provider for his family, he would like an extension. The Council agreed to bi-weekly payments, to be made the first and fifteenth of each month, beginning September 1, 2022 of \$230.00 until paid in full.

DUE PROCESS HEARINGS-WATER/SEWER BILLS

Christopher Rong/Heather Panzica-240 N. Main Street, Oneida, NY 13421

RESOLUTION 22-151

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Christopher Rong and Heather Panzica / 240 N. Main St. / 03-016001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate their water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Christopher Rong / 240 N. Main St. appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Christopher Rong & Heather Panzica</u>		
ADDRESS:	<u>240 N. Main Street</u>		
ACCOUNT #:	<u>03-016001-00</u>		
BILL DATES:	<u>August 2019-June 2022</u>	AMOUNT:	\$ 924.30

ACTION BY COUNCIL: Extension Granted with Partial Payments

EXTENSION GRANTED UNTIL	<u>September 1, 2022</u>	AMOUNT:	\$ 50.00
FURTHER GRANTED UNTIL	<u>September 8, 2022</u>	AMOUNT:	\$ 50.00
FURTHER GRANTED UNTIL	<u>September 15, 2022</u>	AMOUNT:	\$ 50.00
FURTHER GRANTED UNTIL	<u>September 22, 2022</u>	AMOUNT:	\$ 50.00

FURTHER GRANTED UNTIL	September 29, 2022	AMOUNT:	\$	50.00
FURTHER GRANTED UNTIL	October 6, 2022	AMOUNT:	\$	50.00
FURTHER GRANTED UNTIL	October 13, 2022	AMOUNT:	\$	50.00
FURTHER GRANTED UNTIL	October 20, 2022	AMOUNT:	\$	50.00
FURTHER GRANTED UNTIL	October 27, 2022	AMOUNT:	\$	50.00
FURTHER GRANTED UNTIL	November 3, 2022	AMOUNT:	\$	50.00
		TOTAL	\$	500.00

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), any remaining balance will be re-levied to the 2023 taxes.

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

MOTION CARRIED

DISCUSSION: Christopher Rong appeared stating that they were experiencing a hardship due to the fact that he and Heather Panzica had taken in 3 children who had basically been abandoned by their parents. He advised that they applied for assistance through a program (Low Income Household Water Assistance Program-LIHWAP) on July 27, 2022, and had been advised that their application was reviewed and that they qualified. He stated that the process normally takes a few weeks, and he should be hearing something soon. Council agreed to an extension with low partial payments until the program funded his balance.

DUE PROCESS HEARINGS-WATER/SEWER BILLS

Phillip Joseph Dashnau-533 1/2 Elizabeth Street, Oneida, NY 13421

RESOLUTION 22-152

Motion to adjourn by Councilor Simchik
 Secoded by Councilor Kinville

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Phillip Joseph Dashnau / 533 1/2 Elizabeth St. / 15-127001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate his water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Phillip Joseph Dashnau / 533 1/2 Elizabeth St. appeared before the Common Council at the

aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Phillip Joseph Dashnau</u>	
ADDRESS:	<u>533 1/2/ Elizabeth Street</u>	
ACCOUNT #:	<u>15-127001-00</u>	
BILL DATES:	<u>September 2020-June 2022</u>	AMOUNT: \$ 1,055.43
ACTION BY COUNCIL:	<u>Continuation Granted</u>	

RESOLVED, that a continuation of the Due Process Hearing is hereby granted until September 6, 2022, and there will be no termination of service until a determination is made on September 6, 2022.

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

DISCUSSION: Mr. Dashnau advised that he is a tenant at 533 1/2 Elizabeth Street, and it is a 2-family home. The other tenant had moved out without paying their portion, and he did not feel it was right that he was in danger of having his water shut off because of their non-payment. Council agreed that no action would be taken at this time to allow them the opportunity to get more information from the Water Department. It was agreed that Councilor Simchik would obtain the necessary information, and this would be discussed at the next Council meeting on September 6, 2022.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Hillary Haskell-609 Valley View Drive, Oneida, NY 13421

RESOLUTION 22-153

Motion to Adjourn by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Hillary Haskell / 609 Valley View Drive / 20-122001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate her water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Hillary Haskell / 609 Valley View Drive appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Hillary Haskell</u>	
ADDRESS:	<u>609 Valley View Drive</u>	
ACCOUNT #:	<u>20-122001-00</u>	
BILL DATES:	<u>March 2020-June 2022</u>	AMOUNT: \$ 6,937.78
ACTION BY COUNCIL:	<u>Continuation Granted</u>	

RESOLVED, that a continuation of the Due Process Hearing is hereby granted until September 6, 2022, and there will be no termination of service until a determination is made on September 6, 2022.

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

DISCUSSION: Hillary Haskell appeared before Council to advise that she was unaware of how her bill could have gotten so high. She spoke to the Water Department and was advised that she possibly had a leak, so she retained a plumber (Precourt's Plumbing, Heating and Air Conditioning) to investigate. She stated that he was unable to find any issues. Council agreed that the bill was significant and that this indicated a problem. Council agreed to adjourn this until the next Council meeting on September 6 to allow the Water Department the opportunity to check the meter and usage to date so they would have a comparison.

WATER DUE PROCESS HEARINGS-WATER/SEWER BILLS
Michael Oeinck-211 S. Willow Street, Oneida, NY

RESOLUTION 22-154

Moved by Councilor Simchik
Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Michael Oeinck / 211 S. Willow St. / 07-049001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate his water service, based on his correspondence received on August 8, 2022, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Michael Oeinck / 211 S. Willow St. **did not appear** before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME: Michael Oeinck
ADDRESS: 211 S. Willow Street
ACCOUNT #: 07-049001-00
BILL DATES: September 2020-June 2022 **AMOUNT:** \$ 536.51

ACTION BY COUNCIL: Extension Granted with Partial Payments

EXTENSION GRANTED UNTIL	<u>August 26, 2022</u>	<u>\$ 100.00</u>
FURTHER GRANTED UNTIL	<u>September 9, 2022</u>	<u>\$ 100.00</u>
FURTHER GRANTED UNTIL	<u>September 23, 2022</u>	<u>\$ 100.00</u>
FURTHER GRANTED UNTIL	<u>October 7, 2022</u>	<u>\$ 100.00</u>
FURTHER GRANTED UNTIL	<u>October 21, 2022</u>	<u>\$ 136.51</u>
	TOTAL	\$ 536.51

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

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

DISCUSSION: Mr. Oeinck advised through a letter to the Water Department received on 8/8/22 that he would not be able to attend a Due Process Hearing, as he just started a new job working nights, but would like Council to consider a payment arrangement. He stated in his letter that he had been out of work for 2 years due to Covid and having a medical issue and that he just started his new job a month ago. Council agreed to a payment every 2 weeks of \$100 until paid in full, beginning August 26, 2022.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Nancy Choquette-326 Stone Street, Oneida, NY

RESOLUTION 22-155

Motion to adjourn by Councilor Kinville
Seconded by Councilor Simchik

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Nancy Choquette / 326 Stone Street / 08-103001-00 properly requested a Due Process Hearing

before the Common Council to contest the Water Department's decision to terminate her water service, and

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, and

WHEREAS, Nancy Choquette / 326 Stone Street appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Nancy Choquette</u>	
ADDRESS:	<u>326 Stone Street</u>	
ACCOUNT #:	<u>08-103001-00</u>	
BILL DATES:	<u>September 2021-June 2022</u>	AMOUNT: \$ 1,932.72
ACTION BY COUNCIL:	<u>Continuation Granted</u>	

And be it further

RESOLVED, to adjourn the Due Process Hearing pending recommendation from the Oneida City Water Board, and **be it further**

RESOLVED, that failure to appear at the next Water Board meeting on September 13, 2022 at 3:30 p.m., would result in termination of service by the Water Department.

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

DISCUSSION: Nancy Choquette advised that she had spoken to someone in the Water Department previously but was not advised that she should speak to the Water Board. It was determined that she had 2 toilets that were leaking, and she also had an accident last year. The Council agreed to adjourn this hearing pending recommendation from the Water Board and told Ms. Choquette that she had to attend the next meeting of the Water Board regarding a possible leak adjustment. Failure to appear at that meeting would result in her water being shut off.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Ondraya De Los Santos-391 Genesee Street, Oneida, NY

RESOLUTION 22-156

Moved by Councilor Rossi
Seconded by Councilor Kinville

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to

the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Ondraya De Los Santos - 391 Genesee Street, Account No. 22-047001-00, properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate her water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Ondraya De Los Santos - 391 Genesee Street, failed to appear before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Ondraya De Los Santos</u>	
ADDRESS:	<u>391 Genesee Street</u>	
ACCOUNT #:	<u>22-047001-00</u>	
BILL DATES:	<u>June 2021-June 2022</u>	AMOUNT: \$ 1,848.76
ACTION BY COUNCIL:	<u>Failure to Appear</u>	

And be it further

RESOLVED, that the Water Department will proceed with the termination of water service.

Ayes: 5

Nays: 0

Absent: 1 (Laureti)

MOTION CARRIED

DUE PROCESS HEARINGS-WATER/SEWER BILLS

Pamela Purcell-522 Stone Street, Oneida, NY

RESOLUTION 22-157

Motion to adjourn by Councilor Kinville

Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Pamela Purcell / 522 Stone Street / 09-020001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate her water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Pamela Purcell / 522 Stone Street appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Pamela Purcell</u>		
ADDRESS:	<u>522 Stone Street</u>		
ACCOUNT #:	<u>09-020001-00</u>		
BILL DATES:	<u>September 2020-June 2022</u>	AMOUNT:	\$ 1,015.65
ACTION BY COUNCIL:	<u>Continuation Granted</u>		
EXTENSION GRANTED UNTIL	<u>September 20, 2022</u>	TOTAL	\$ 1,015.65

And be it further

RESOLVED, that this hearing will be adjourned until September 20, 2022, and there will be no termination of service at this time.

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

DISCUSSION: Pamela Purcell advised Council that she was a single mother who has been sick for the last year and a half and has a medical procedure scheduled for next week. She noted that she has been working; however, her hours have been limited due to her illness, and she has no means to pay this bill. The Mayor provided her with the name and phone number of the contact provided earlier by Christopher Rong for the Low Income Household Water Assistance Program, and Council agreed to a 30-day extension to allow her time to apply.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Phillip & Denise Stoddard-580 Elizabeth Street, Oneida, NY

RESOLUTION 22-158

Moved by Councilor Rossi
Seconded by Councilor Kinville

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Phillip and Denise Stoddard / 580 Elizabeth St. / 15-016001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate their water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Phillip & Denise Stoddard / 580 Elizabeth St. appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Phillip & Denise Stoddard</u>	
ADDRESS:	<u>580 Elizabeth Street</u>	
ACCOUNT #:	<u>15-016001-00</u>	
BILL DATES:	<u>September 2020-June 2022</u>	AMOUNT: \$ 1,264.99

ACTION BY COUNCIL: Extension Granted with Partial Payments

EXTENSION GRANTED UNTIL	<u>October 15, 2022</u>	<u>\$ 225.00</u>
FURTHER GRANTED UNTIL	<u>November 15, 2022</u>	<u>\$ 225.00</u>
FURTHER GRANTED UNTIL	<u>December 15, 2022</u>	<u>\$ 225.00</u>
FURTHER GRANTED UNTIL	<u>January 15, 2023</u>	<u>\$ 225.00</u>
FURTHER GRANTED UNTIL	<u>February 15, 2023</u>	<u>\$ 225.00</u>
FURTHER GRANTED UNTIL	<u>March 15, 2023</u>	<u>\$ 139.99</u>
	TOTAL	\$ 1,264.99

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

Ayes: 4

Nays: 1 (Simchik)

Absent: 1 (Laureti)

MOTION CARRIED

DISCUSSION: Phillip and Denise Stoddard appeared before Council to advise that they would like to make payment arrangements on their water bill due to hardship. Ms. Stoddard stated that her husband had previously lost his job but was now working. Due an unrelated accident and his arm being in a sling, he is now out of work again for approximately 8 weeks. She stated that she also is not working, as she had to quit her job to home school their daughter who was having health issues. Council agreed to approve partial payments for 6 months, beginning October 15, 2022 until paid in full.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Riley Havens-116 N. Court Street, Wampsville

RESOLUTION 22-159

Moved by Councilor Simchik
Seconded by Councilor Pagano

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Riley Havens / 116 N. Court St. / 27-059001-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate her water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Riley Havens / 116 N. Court St. appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Riley Havens</u>		
ADDRESS:	<u>116 N. Court Street</u>		
ACCOUNT #:	<u>27-059001-00</u>		
BILL DATES:	<u>September 2020-June 2022</u>	AMOUNT:	\$ 784.44
ACTION BY COUNCIL:	<u>Extension Granted with Partial Payments</u>		
EXTENSION GRANTED UNTIL	<u>September 1, 2022</u>		\$ 392.22
FURTHER GRANTED UNTIL	<u>October 1, 2022</u>		\$ 392.22
		TOTAL	\$ 784.44

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

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

DISCUSSION: Riley Havens appeared to advise that she had been unable to pay her water bill due to financial hardship, and now that her situation has improved, she would like to pay the bill in 2 partial payments.

DUE PROCESS HEARINGS-WATER/SEWER BILLS
Robert Owen-212 N. Willow Street, Oneida

RESOLUTION 22-160

Moved by Councilor Kinville
Seconded by Councilor Rossi

WHEREAS, in accordance with Article XIX of the City of Oneida Water Department Rules and Regulations, titled "Termination of Service," the Common Council will, upon receipt of a written request submitted to the Water Superintendent, conduct a Due Process Hearing prior to terminating a customer's water service, **and**

WHEREAS, Robert Owen / 212 N. Willow St. / 05-030501-00 properly requested a Due Process Hearing before the Common Council to contest the Water Department's decision to terminate his/her/their water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 16, 2022 by the City of Oneida Common Council, **and**

WHEREAS, Robert Owen / 212 N. Willow St. appeared before the Common Council at the aforementioned Due Process Hearing, **now therefore be it**

RESOLVED, that the following action has been approved by the Common Council:

NAME:	<u>Robert Owen</u>		
ADDRESS:	<u>212 N. Willow Street</u>		
ACCOUNT #:	<u>05-030501-00</u>		
BILL DATES:	<u>1/1/2017 - 7/25/2022</u>	AMOUNT:	\$ 734.85
ACTION BY COUNCIL:	<u>Extension Granted with Partial Payments</u>		
EXTENSION GRANTED UNTIL	<u>September 15, 2022</u>		\$ 250.00
FURTHER GRANTED UNTIL	<u>October 15, 2022</u>		\$ 250.00
FURTHER GRANTED UNTIL	<u>November 15, 2022</u>		\$ 234.85
		TOTAL	\$ 734.85

And be it further

RESOLVED, that if payment is not received on or before the above adjusted due date(s), then the Water Department will proceed with the termination of water service.

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

MOTION CARRIED

DISCUSSION: Mr. Owen advised that he would like to make payment arrangements, as he was out of work

for a long time and recently started a new job in Syracuse. Council agreed to a 3-month extension with partial payments, beginning September 15, 2022.

Motion to close the hearings by Councilor Kinville

The Due Process Hearings are hereby closed at 8:35p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk