

**MINUTES OF THE COMMON COUNCIL**  
**REGULAR MEETING**  
**SEPTEMBER 5, 2023**

A meeting of the Common Council of the City of Oneida, NY was held on the fifth day of September 2023 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 Deputy Mayor Michelle Kinville

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

**Also Present**

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Fire Chief Scott Jones	<input checked="" type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Police Chief Steve Lowell	<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"/>	Parks & Rec. Director Luke Griff	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>

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Call to Order/Pledge of Allegiance/Roll Call

**PUBLIC COMMENT:**     None  
**OLD BUSINESS:**        None

**APPROVAL OF MINUTES**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

**RESOLVED**, that the minutes of the regular meeting of August 15, 2023, are hereby approved as presented.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

#### **APPROVAL OF WARRANT**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

**RESOLVED**, that Warrant No. 17, checks and ACH payments in the amount of \$479,236.92 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 (Pagano)  
**MOTION CARRIED**

#### **BOARD REAPPOINTMENT-BOARD OF ASSESSMENT REVIEW**

##### **RESOLUTION 23-159**

Moved by Councilor Simchik  
Seconded by Councilor Szczerba

**RESOLVED**, to approve the Mayor's reappointment of Patricia Thorpe, 432 Washington Ave., Oneida, NY 13421 to the Board of Assessment Review for a 5-year term.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

#### **AGREEMENT FOR COURT CLEANING SERVICES AT THE JUSTICE CENTER**

##### **RESOLUTION 23-160**

Moved by Councilor Rossi  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the Deputy Mayor to sign the agreement by and between the New York State Unified Court System, Sixth Judicial District, The Kilmer Building, 31 Lewis Street, Fifth Floor, Binghamton, NY 13901, and the City of Oneida for cleaning services for the interior of the City of Oneida Justice Center, as well as minor and emergency repairs, and preventative building and property maintenance for said facility.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

#### **CELLULAR TELEPHONE ADMINISTRATIVE POLICY**

##### **RESOLUTION 23-161**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

**RESOLVED**, that the Employee Acknowledgement of Receipt and Understanding of the Cellular Telephone Administrative Policy from Codes Enforcement Officer, James Ackerman, be hereby received and placed on file.

**RESOLVED**, that the Telephone Request Form from James Ackerman, pursuant to the City of Oneida Cellular Telephone Policy adopted June 15, 2010, Resolution 10-153 and reaffirmed on May 17, 2016, be hereby approved.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

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

##### **RESOLUTION 23-162**

Moved by Councilor Rossi  
Seconded by Councilor Szczerba

**To**  
**2023 Budget Adjustments**

**From**

\$ 41,105.00	001.0001.0889.0000	001.0022.2665.0000
	General Fund Vehicle Reserve	General Fund Sale of Equipment

*To allocate proceeds of sale of vehicles/equipment at auction to the vehicle reserves*

\$ 5,000.00	001.1420.0411.0000	001.0001.0912.0000
	Legal Labor Services	General Fund Balance

\$ 1,500.00	001.1420.0412.0000	001.0001.0912.0000
	Legal Acquisition of Real Property	General Fund Balance

*To allocate funds for legal services*

\$ 41,000.00	002.8300.0200.0000	002.0002.0912.0000
	Water-Equipment	Water Fund Balance

*To allocate funds for the purchase of a skid steer with tracks for the Water Dept.*

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

#### **LEASE AGREEMENT-ENTERPRISE FLEET MANAGEMENT-CODES**

#### **RESOLUTION 23-163**

Moved by Councilor Rossi  
Seconded by Councilor Laureti

**RESOLVED**, to authorize the Purchasing Agent to proceed with a Lease through Enterprise Fleet Management for a 2023 Chevrolet Silverado 1500 for the Codes Department.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

#### **2023 HOMECOMING DAY PARADE**

#### **RESOLUTION 23-164**

Moved by Councilor Rossi  
Seconded by Councilor Szczerba

**RESOLVED**, to authorize the Deputy Mayor to sign an agreement with Robin Bienkowski, an event organizer, to co-sponsor a Homecoming Parade on September 16, 2023.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

**AGREEMENT-LOGAN CHESEBRO-ONE MAN THE BAND-FALL FEST**

**RESOLUTION 23-165**

Moved by Councilor Simchik  
Seconded by Councilor Szczerba

**RESOLVED**, to authorize the Deputy Mayor to sign an agreement with Logan Chesebro of One Man The Band to provide entertainment at Fall Fest on September 30, 2023, for \$300.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

**SCHEDULE PUBLIC HEARING PER ONEIDA CITY CODE CHAPTER 34, ARTICLE III,  
UNSAFE BULDINGS AND COLLAPSED STRUCTURES**

**RESOLUTION 23-166**

Moved by Councilor Simchik  
Seconded by Councilor Laureti

**RESOLVED**, that the Report of Unsafe Structures, as per Oneida City Code Chapter 34, Article III, Unsafe Buildings and Collapsed Structures, from Brian B. Burkle Jr., Fire Marshal, for property located at 136 Madison Street in the City of Oneida (Tax Map No. 30.72-1-64) is hereby received and placed on file, **and be it further**

**RESOLVED**, that a Public Hearing be scheduled for Tuesday, September 19, 2023, at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida NY 13421 to afford the Common Council the opportunity to issue an order deeming the property to be a "Public Nuisance" and to order corrective action be taken on 136 Madison Street, Oneida, NY.

**DISCUSSION:** City Attorney Bell asked Council to amend the resolution to reflect the date of the first meeting in October to allow her the necessary time to file the notice with the County Clerk's office and to put everyone on notice who owns the property according to the last owner search, which has not yet come back. This will allow time to properly notify everyone under the terms of Chapter 34, including lien holders and mortgagees.

Motion to amend the resolution to schedule the Public Hearing for Tuesday, October 3, 2023, by Councilor Rossi and seconded by Councilor Simchik

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

**AGREEMENT-DRAIN MASTERS, LLC**

**RESOLUTION 23-167**

Moved by Councilor Rossi  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the Deputy Mayor to sign an agreement with Drain Masters, LLC for the acceptance of high strength organic waste at the Wastewater Treatment Plant.

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

**NEW BUSINESS:** None

Motion to adjourn by Councilor Simchik  
Seconded by Councilor Szczerba

Ayes: 5  
Nays: 0  
Absent: 1 (Pagano)  
**MOTION CARRIED**

The regular meeting is hereby adjourned at 6:37 p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk