

**MINUTES OF THE COMMON COUNCIL  
REGULAR MEETING  
SEPTEMBER 19, 2023**

A meeting of the Common Council of the City of Oneida, NY was held on the nineteenth day of September 2023 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Magliocca	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brandee DuBois	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Also Present**

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Fire Chief Scott Jones	<input 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 checked="" type="checkbox"/>	City Chamberlain Anna Hood	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

**PUBLIC COMMENT**

JOE MAGLIOCCA-429 GRAND ST. ONEIDA

Supervisor Magliocca reminded and encouraged Council to be aggressive with the effort to inform the public about the City Manager position that will be on the ballot in November. He encouraged Council to

have public information meetings and to encourage members of the committee that made the recommendation to have a City Manager involved. He stated that the public has many questions that should be addressed that are legitimate questions. He suggested including information in their handouts and mailings, stating that this is a once in a lifetime opportunity that should not be wasted.

JIM CHAMBERLAIN-610 W. ELM ST. ONEIDA

Jim Chamberlain discussed the tragic situation that recently occurred on W. Elm Street, stating that he hoped the Council and Mayor could do something to help the people affected in some way, whether with the permits and fees for when they start to re-build, manpower or trucks, etc. He noted that whatever the City could do, he felt would be greatly appreciated.

ANGEL VARGAS JR.-DOXTATOR RD. DURHAMVILLE

Mr. Vargas stated that he was the co-owner of the Oneida Barber Shop with his son, Rick Rossi. He stated that they recently provided free haircuts in the City for as many participating kids as they could, and it came to his attention that their integrity had been scrutinized by comments made online by members of the Democratic party regarding what was done with the money. He asked Council if these were the views of all the Democrats, including the Committee, who endorsed 2 individuals running for election-naming Wayne Winchell and Margaret Milman-Barris. Mr. Vargas brought up the City Cleanup event that Mr. Rossi recently held, whereby none of the individuals making the comments showed up to participate, also including Mr. Chamberlain, who he stated that he likes and wishes the best for him in the election. He questioned whether this was a political hack or was racially motivated as he is a man of color, as no one questioned the other barber shops that they donated haircuts to. He noted that although he was not a politician, he would like to know answers before people are put on Council.

Mayor Acker advised Mr. Vargas that the City was not in a position to make a comment for what someone else says, as we cannot control that. She advised that because he did ask questions from the Democratic party, and there were 2 people present, she would allow them to respond to possibly answer his questions. Mayor Acker also advised that this is a Council meeting and not a Democrat versus Republican situation, and she does not want to go tit for tat and will not do that.

JIM CHAMBERLAIN-610 W. ELM ST. ONEIDA

Mr. Chamberlain stated that he was an Independent, and that the Democratic Party did endorse him. Regarding the haircut event, Mr. Chamberlain advised that he thought it was great, and he has never said anything bad about it, nor would he. To address comments made pertaining to the City Cleanup, he acknowledged that although he did miss this one, for several years he headed up the Committee for cleanup and actively participated. He concluded by stating that he has never said anything derogatory toward the barber shop or the haircut event.

MARGARET MILMAN-BARRIS-1855 WEST RD. ONEIDA

Mrs. Milman-Barris started off by stating that she thought it was a very political statement that was made by Mr. Vargas. She did not feel it was appropriate to be made at a City Council meeting, and she did not feel it had anything to do with City business. She clarified that she did not have a problem with the haircut event and thought it was nice that the kids got free haircuts. Mrs. Barris advised that if there was a misunderstanding about a Facebook comment, she wished he (Mr. Vargas) would have approached her

in person. Regarding the cleanup, Mrs. Barris advised that she did attend the first cleanup, although she might not have been noticed, and with regard to the racial allegations, she stated she did not have anything to say about that, as it was “beyond the pale” that he (Mr. Vargas) would even say something like that.

#### JOE MAGLIOCCA-429 GRAND ST. ONEIDA

Supervisor Magliocca stated that he was a lifelong Democrat and that he would like to apologize to Mr. Vargas as a Democrat, asking him to respectfully detach the Democratically endorsed candidates from the rest of the Democrats running and the City Democratic Committee and the Democratic Party as a whole, as they are not all evil, despite what might be seen on TV. He apologized that was not able to attend the City cleanup event this year, as he was busy doing other things, noting that they all can't be everywhere at the same time. Mr. Magliocca stated that he did not read the comments and that some things on social media can be overstepped at times, and noted that things are not always perceived as they are intended.

#### RICK ROSSI-COMMON COUNCILOR-ONEIDA

Mr. Rossi stated that none of the statements made came from him, and although he knew his dad was coming to the meeting, he did not know what was going to be said, advising that his dad was his own person.

### **OLD BUSINESS**

Mayor Acker provided an update on the debris cleanup at 140 Madison Street. She stated that cleanup was supposed to start this week, and it did not happen due to an issue with an insurance policy contract. The new start date is October 11<sup>th</sup>, and it will take a couple of days to get this done.

### **SUPERVISOR'S REPORT**

Supervisor Cavanagh advised that at their last Board meeting, Chairman Becker proclaimed the week of September 17 to September 23 as Sheriffs' Week in Madison County, thanking Sheriff Todd Hood for all the hard work he does in the County and in the City.

She also stated that they are in the middle of the budget process at the County, and they are allowed to sit in and listen for three days to all the Department Heads' budgets for the year. She advised that it will be challenging this year because of the FMAP (Federal Medicaid Assistance Program) being held back by New York State and many other things, such as salaries and not having the ARPA Fund to use.

Supervisor Cavanagh also mentioned the RFP for children's programs that are awarded by the Board, which is free money (grant money) from sport's betting, stating that she was not sure if anyone from the City's Parks and Recreation Department was able to attend any of the meetings or submit anything to receive this funding. The Mayor advised that she would check with Director Griff for an update.

Supervisor Joe Magliocca provided an update on the County's Broadband Project. This will eventually be in three phases, and more information can be found on the Madison County website:

(<https://www.madisoncounty.ny.gov/2765/Madison-County-ReConnect-Broadband-Proje>)

He stated that what is holding things up are the pole attachment agreements that have to be negotiated, such National Grid, NYSEG, Verizon, Windstream, Frontier, and others. Empire Access' plan after the initial build-out, is to provide service to communities along the route, stating that Oneida is along the route, and they will be a major competitor for Spectrum and other existing providers, noting that Empire Access is the company that will make this work. In response to a question from the Mayor regarding when this would be completed, Supervisor Magliocca stated that it should be 2-3 years before completion.

#### **APPROVAL OF MINUTES**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**RESOLVED**, that the minutes of the regular meeting of September 5, 2023, are hereby approved as presented.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

#### **APPROVAL OF WARRANT**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**RESOLVED**, that Warrant No. 18, checks and ACH payments in the amount of \$1,157,131.45 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 23-168**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**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**

**WATER BOARD RECOMMENDATION-SAMUEL BROWN-214 BROOKS ST.**

**RESOLUTION 23-169**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**WHEREAS**, Samuel Brown, 214 Brooks St., Oneida, NY- Account No. 16-018001-00 requested a Due Process Hearing to avoid termination of water services on August 15, 2023; **and**

**WHEREAS**, the Common Council approved to suspend termination of water services at the Due Process Hearing until a recommendation was rendered by the City of Oneida Water Board at the next Water Board meeting on September 12, 2023; **and**

**WHEREAS**, Samuel Brown appeared before the Water Board on September 12, 2023, to seek an adjustment to his June 2023 water bill; **and**

**WHEREAS**, the City of Oneida Water Board hereby recommends to the Common Council that the June 2023 water bill be adjusted in accordance with the Leak Adjustment Policy; **now therefore be it**

**RESOLVED**, that Samuel Brown, 214 Brooks St., Oneida, NY, Account No. 16-018001-00, pay \$1,488.04 in full on or before October 31, 2023, which represents all amounts due on account 16-018001-00 (\$1,213.07 adjusted June bill and \$274.97 current bill), or the Water Department is hereby authorized to terminate water service to 214 Brooks St., Oneida, NY 13421.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**BUDGET TRANSFERS/AMENDMENTS**

**RESOLUTION 23-170**

Moved by Councilor Kinville  
Seconded by Councilor Simchik

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

**From**

\$ 5,200.00	001.9785.0600.0004 Vehicle Lease - Codes	001.0001.0889.0000 General Fund Vehicle Reserve
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*To allocate funds to lease agreement for Codes Dept. approved 9/5/23*

\$ 30,000.00	001.3410.0102.0000 Fire Overtime	001.0022.2680.0000 Insurance Recovery
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\$ 30,000.00	001.3410.0101.0000 Fire Salaries	001.0022.2680.0000 Insurance Recovery
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*To re-allocate funds from workers compensation 207A Fire Dept reimbursement to cover overtime & regular shifts*

\$ 20,000.00	001.1420.0410.0000 Legal- Law Litigation	001.0001.0912.0000 General Fund Balance
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\$ 20,000.00	001.1420.0411.0000 Legal- Labor Services	001.0001.0912.0000 General Fund Balance
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*To allocate funds to cover legal expenses for 2023*

\$ 35,000.00	001.3120.0102.0000 Police Overtime	001.0001.0912.0000 General Fund Balance
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*To allocate funds to cover Police overtime expenses for 2023*

Ayes: 6

Nays: 0

**MOTION CARRIED**

**A RESOLUTION TO IMPLEMENT A CLIMATE SMART COMMUNITY TASK FORCE AND APPOINT A CLIMATE SMART COMMUNITY COORDINATOR**

**RESOLUTION 23-171**

Moved by Councilor Kinville  
Seconded by Councilor Rossi

**WHEREAS**, the City of Oneida adopted the New York State Climate Smart Communities Pledge by Resolution on February 6, 2014; **and**

**WHEREAS**, the City of Oneida wishes to obtain Certification under the Climate Smart Communities (CSC) Program by taking proactive steps towards reducing greenhouse gas emissions and adapting to climate change; **and**

**WHEREAS**, a Climate Smart Community Task Force serves as a central body of leadership that promotes and supports climate change mitigation and adaptation strategies within the community and will act as an advisory group to the municipality on any community issues related to climate change; **and**

**WHEREAS**, the CSC Task Force will meet at least twice a year and maintain meeting minutes and attendance records for each meeting; **and**

**WHEREAS**, the CSC Task Force will consist of community members, municipal representatives, and other relevant stakeholders; **and**

**WHEREAS**, a CSC Coordinator is responsible for convening and managing the task force as Chair, serving as a liaison between the CSC task force and the chief executive officer and other officials, and interfacing with the New York State Department of Environmental Conservation on the CSC program as needed, **now therefore be it**

**RESOLVED** that a Climate Smart Community Task Force be initiated with the initial membership list below; **and it is further**

**RESOLVED** that the City of Oneida appoints Christopher Henry of the City of Oneida's Director of Planning and Development as the Climate Smart Community Coordinator.

Initial Membership List for CSC Task Force:

<b>NAME</b>	<b>AFFILIATION</b>
Christopher Henry	City of Oneida
Randy Hirschey	City Resident

Ayes: 6

Nays: 0

**MOTION CARRIED**

## **NEW BUSINESS**

Mayor Acker thanked the Fire Department and the Police Department for their outstanding, exemplary work at the explosion on West Elm Street. She noted that countless lives were saved due to their expertise, guidance, quick action and dedication to their job and training. A standing ovation was received for all involved.

Police Chief Steve Lowell added that as unfortunate and tragic as this event was, it highlighted the

absolute best when all sides come together, mentioning the Police, Fire, DPW, assistance from local partners, and the City in the aftermath, and could not have been better. He stated that he could not be prouder of the City's departments and those that work for the City.

Councilor Rossi thanked Robin Bienkowski and everyone involved from the City for the Homecoming Parade and weekend, which was a great event that brought the whole City together. He stated that hopefully it will be a lasting tradition.

Motion to adjourn by Councilor Kinville  
Seconded by Councilor Pagano

Ayes: 6

Nays: 0

**MOTION CARRIED**

The regular meeting is hereby adjourned at 6:50 p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk