

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
MARCH 5, 2024**

A meeting of the Common Council of the City of Oneida, NY was held on the fifth day of March 2024 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 Mayor Rick Rossi.

| <u>Attendees</u> | Present | Absent | Arrived Late |
|---------------------|-------------------------------------|-------------------------------------|-------------------------------------------|
| Mayor Rossi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| City Manager Selby | <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 Hitchings | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| Councilor Winchell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| Councilor Pagano | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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. Dave Jones | <input checked="" type="checkbox"/> |
| Codes Director Bob Burnett | <input checked="" type="checkbox"/> | Parks & Rec Director Luke Griff | <input checked="" type="checkbox"/> |
| Comptroller Lee Ann Wells | <input checked="" type="checkbox"/> | Other _____ | <input type="checkbox"/> |

Call to Order/Pledge of Allegiance/Roll Call

CEREMONIAL: National Red Cross Month Proclamation

Accepted by Lisa Smith, Executive Director of the Central and Northern New York Chapter and Patrick Powers from the Board of Directors

Mayor Rossi thanked the Red Cross for all they do for our City.

Proclamation

City of Oneida - Office of the Mayor

WHEREAS, the tradition of proclaiming March as American Red Cross month began in 1943 by President Franklin D. Roosevelt and has continued throughout the years to recognize how the Red Cross helps people throughout the country and around the world, **and**

WHEREAS, each year for the month of March, the City of Oneida honors those in our community who dedicate their time through volunteer work, giving blood or making a financial donation to the Red Cross, **and**

WHEREAS, here in the City of Oneida, local families have relied on volunteers from the Central and Northern New York **Chapter for comfort and hope while coping with home fires and other local disasters. Volunteers have supported local families in other ways too by** providing lifesaving blood, teaching skills that save lives, and supporting military, veterans, and their families, **and**

WHEREAS, this lifesaving work is vital to strengthening our community's resilience. Nearly 200 years since the birth of American Red Cross founder Clara Barton, we dedicate this month of March to all those who continue to advance her noble legacy, **and now therefore**

I, **Rick Rossi, Mayor** of the City of Oneida do hereby proclaim March 2024 as;

American Red Cross Month

in the City of Oneida, and I ask others to join in their commitment to care for people in need.

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Oneida on this 5th day of March 2024.

Rick Rossi, Mayor

OLD BUSINESS

COUNCIL DISCUSSION ON THE HARBORING OF HENS

Councilor Hitchings indicated that the proposed local law was still in a rough draft stage and had received considerable feedback. She proposed moving forward by forming a committee or holding special meetings to address the local law, expressing a preference for a committee with a specific timeline. Councilor Hitchings acknowledged they were overwhelmed with information, clarified that they were not experts on hens, and expressed a willingness to enlist the help of those with expertise.

Councilor Laureti suggested that the committee should include members from both sides and agreed that there should be a timeline to avoid prolonging the process. Councilor Simchick confirmed that the committee's purpose would be to tweak the local law and not to decide whether or not to allow it.

Councilor Hitchings mentioned that she currently has three individuals supporting the harboring of hens who are willing to be on the committee. Mayor Rossi suggested that each Councilor select someone from their ward, ensuring a mix of pro and against individuals for representation. It was decided that this selection process should be completed before spring, and the formation of the committee and any revisions should take no more than a few weeks to a month.

The City Clerk mentioned that she would need to include the formation of the committee on an agenda for Council approval, along with the list of names of those participating. It was determined that the committee would consist of 7 members tasked with tweaking the local law. The revised law would then be reintroduced based on the committee's recommendations, followed by a second public hearing and a subsequent vote.

MAYOR'S REPORT

Mayor Rossi announced that the Grand Opening for his new barbershop school open house will be held on March 16th at 2:00 p.m. at 115 E. Railroad St. He stated that everyone is welcome to come and check out their space and see what they have been working on.

Mayor Rossi mentioned that an article was recently done in the Dispatch, highlighting Callee 1945 on the front page. He suggested that if people have not already been there, they should check it out, noting that the City needs more businesses like this.

Mayor Rossi also mentioned that the City needs more property owners to take pride in their businesses. He acknowledged Dave Tudman, who owns the building that Callee 1945 is in, for putting in all the money himself to redo the façade, which looks phenomenal.

Mayor Rossi stated he was thankful for both entities.

CITY MANAGER'S REPORT: None

APPROVAL OF MINUTES

Moved by Councilor Winchell
Seconded by Councilor Pagano

RESOLVED, that the minutes of the regular meeting of February 20, 2024, are hereby approved as presented.

Ayes: 7
Nays: 0

MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor Laureti
Seconded by Councilor Hitchings

RESOLVED, that Warrant No. 5, checks and ACH payments in the amount of \$152,455.66 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 7
Nays: 0

MOTION CARRIED

CAPITAL PROJECT 20-4 NEW DPW/CENTRAL GARAGE/WATER FACILITY – DESIGN PHASE

RESOLUTION 24-43

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, to authorize the City Engineer to proceed with Capital Project 20-4 New DPW/Central Garage/Water Facility – Design Phase and to increase the project cost to not exceed \$91,500, **and be it further**

RESOLVED, authorize the City Manager to sign any/all documents related to Capital Project 20-4 New DPW/Central Garage/Water Facility.

Ayes: 7
Nays: 0

MOTION CARRIED

DISCUSSION:

In response to questions from Councilor Laureti, City Engineer Rowe advised that the funding discussed covered 35% of the cost, with subsequent authorizations needed from the Council for additional funding. He mentioned that there would be a grant for the actual construction, which would be applied to the project but could not be awarded until the construction was completed. Engineer Rowe further noted that the current structure was too small, with not enough space for the vehicles, had experienced a flood in 2013, had structural issues, and was beyond its useful life.

City Engineer Rowe explained that the funding would be shared by the Water, Sewer, and General Funds, as all three groups would be using the facility. Comptroller Wells stated that Council had already approved a bond for \$75,000, and the budget transfers would cover the remaining amount to reach \$91,500.

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

RESOLUTION 24-44

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

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 125 Oneida Street in the City of Oneida (Tax Map No. 30.71-2-45) is hereby received and placed on file, **and be it further**

RESOLVED, that a Public Hearing be scheduled on Tuesday, April 16, 2024, 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 125 Oneida Street, Oneida, NY.

Ayes: 7

Nays: 0

MOTION CARRIED

DISCUSSION:

it was determined the Public Hearing would be held at the second Council meeting in April to allow the City Attorney ample time to get all notifications out and to file with the county. Attorney Bell advised that she ordered a last owner search which came back and there are other interested parties that will need to be notified, which have already been prepared and will be sent out now that the public hearing has been scheduled.

Attorney Bell advised that City officials had received a Notice of Claim, which indicates that someone may choose to sue the City. This notice was received from the property owner of the building, but it should not impact whether a public hearing is held for the unsafe structure. She noted that a report had been made by the Fire Marshal, who now wants the Council to also make the determination that the building

is an unsafe structure. Because the property owner is being represented by legal counsel, Attorney Bell will provide the property owner's Counsel with a copy of the notice, so they have the opportunity to attend and make their position known.

Attorney Bell suggested that having their attorney appear would be beneficial, as it would give the Council the opportunity to see what the plans are for that building and where they stand.

APPROVE BID-NEPTUNE WATER METERS

RESOLUTION 24-45

Moved by Councilor Simchik
Seconded by Councilor Winchell

RESOLVED, to approve the lowest bid meeting specifications for Neptune Water Meters to TI Sales, Inc. 36 Hudson Road, Sudbury, MA 01776 as the apparent low bidder.

Ayes: 7
Nays: 0

MOTION CARRIED

APPROVE BID-SENSUS WATER METERS

RESOLUTION 24-46

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to approve the lowest bid meeting specifications for Sensus Water Meters to Core and Main, 2220 State Route 5, Utica, NY 13502 as the apparent low bidder.

Ayes: 7
Nays: 0

MOTION CARRIED

DESIGNATION-RECORDS MANAGEMENT

RESOLUTION 24-47

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to approve the City Manager as the designated person to hear appeals regarding denial of access to records under the Freedom of Information Law, as per Chapter 129, Article 1, Section 129-7 of the Oneida City Code.

Ayes: 7

Nays: 0

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 24-48

Moved by Councilor Winchell
 Seconded by Councilor Simchik

| | | <u>To</u> | <u>From</u> |
|------------------------------------------------------------------------------------------|----------|---------------------------------------------------|------------------------------------------------------|
| 2024 Budget Adjustments | | | |
| | | | |
| \$ | 7,500.00 | 030.3410.0402.0000 ARPA-Fire Equipment Repair | 030.3410.0404.0000 ARPA-Fire Paging System Repair |
| To re-allocate funds for repairs needed to the Fire Rescue vehicle | | | |
| | | | |
| \$ | 1,500.00 | 001.8020.0403.0000 Planning Contracts | 001.0001.0912.0000 General Fund Balance |
| To allocate funds for the appraisal contract approved on 2/6/24 resolution #24-25 | | | |
| | | | |
| \$ | 3,000.00 | 001.7140.0409.0000 Rec Equip Repair | 001.0001.0912.0000 General Fund Balance |
| To allocate funds for the repair of a tractor | | | |
| | | | |
| | 8,580.00 | 001.9950.0900.0000 General Transfer to Capital | 001.0001.0912.0000 General Fund Balance |
| | 5,445.00 | 002.9950.0900.0000 Water Transfer to Capital | 002.0002.0912.0000 Water Fund Balance |
| | 2,475.00 | 003.9901.0900.0000 Sewer Transfer to Capital | 003.0003.0912.0000 Sewer Fund Balance |
| To allocate funds to cover B&L contract for DPW Relocation design | | | |

Ayes: 7

Nays: 0

MOTION CARRIED

CAPITAL PROJECT 23-4 FLEET FUEL TANK REPLACEMENTS

RESOLUTION 24-49 (TABLED)

Moved by Councilor Hitchings
Seconded by Councilor Laureti

RESOLVED, to authorize the City Engineer to proceed with Capital Project 23-4 Fleet Fuel Tank Replacements and expend funds for monthly rental of fuel tank up to the budgeted amount of \$5,000 for said Capital Project, **and be it further**

RESOLVED, that the City Manager is hereby authorized to sign any/all documents related to Fleet Fuel Tank Replacements.

Motion to Table by Councilor Winchell
Seconded by Councilor Hitchings

Ayes: 7
Nays: 0

MOTION TABLED

DISCUSSION: Councilor Winchell requested that this agenda item be tabled to allow time to investigate other options involving the use of fleet cards.

CAPITAL PROJECT 23-3 HIGINBOTHAM BROOK CULVERT REPLACEMENT
CONSTRUCTION PHASE

RESOLUTION 24-50

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Engineer to proceed with Capital Project 23-3 Higinbotham Brook Culvert Replacement and expend funds for Supplemental Engineering Services up to the budgeted amount of \$121,500 for said Capital Project, **and be it further**

RESOLVED, that the City Manager is hereby authorized to sign any/all documents related to Capital Project 23-3 Higinbotham Brook Culvert Replacement Construction Phase.

Ayes: 7
Nays: 0

MOTION CARRIED

CAPITAL PROJECT 20-6 GLENMORE DAM REHABILITATION CONSTRUCTION PHASE

RESOLUTION 24-51

Moved by Councilor Winchell
Seconded by Councilor Szczerba

RESOLVED, to authorize the City Engineer to proceed with Capital Project 20-6 Glenmore Dam Rehabilitation and expend funds for Amendment to Engineering Services up to the budgeted amount of \$208,500 for said Capital Project, **and be it further**

RESOLVED, that the City Manager is hereby authorized to sign any/all documents related to Capital Project 20-6 Glenmore Dam Rehabilitation Construction Phase.

Ayes: 7

Nays: 0

MOTION CARRIED

ANNUAL SUPPORT SUBSCRIPTION-POLICE DEPARTMENT

RESOLUTION 24-52

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to authorize the City Manager to sign the annual support subscription with PMI Document Solutions, Inc., PO Box 263, Apalachin, NY 13732 for the Docuware Annual Premium Support Fee-Coverage Period: April 1, 2024 – March 31, 2025, for the Police Department.

Ayes: 7

Nays: 0

MOTION CARRIED

AGREEMENT-MADISON COUNTY WORKING SOLUTIONS WIOA YOUTH PROGRAM

RESOLUTION 23-53

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Manager to sign an agreement with Madison County Working Solutions for the WIOA Youth Program to provide employment in the Parks and Recreation Department for up to 200 hours for Hunter Douglass to gain work experience; **and be it further**

RESOLVED, that Madison County Working Solutions will provide the cost of the wages, Worker's Compensation liability and/or claims coverage for the participant's work experience for the duration the participant is enrolled in the youth program.

Ayes: 7

Nays: 0

MOTION CARRIED

NEW BUSINESS

Councilor Andrea Hitchings advised that she was presented with 2 items she would like to address from residents in her ward:

1. A resident informed her that he applied for a Senior Citizens Tax Exemption through the local Assessor's office and discovered that the City's policy, based on a local law from the 1990s, includes social security in the exemption calculation. However, tax law allows municipalities to decide whether to include social security. She plans to review this with Becky Lennon, the City Assessor, to consider updating the local law to align it more closely with current tax codes.
2. Councilor Hitchings raised concerns about water billing, noting that although rates increased on January 1 of this year, bills sent out for the period October 25, 2023, to January 24, 2024, were charged at the new rate. They should have been billed at the lower rate for October 25 to December 31, 2023. She suggested further investigation, as it seems, but is not yet confirmed that our system lacks the capability for a two-tier billing system.

Regarding the Senior Tax Exemption mentioned earlier, City Attorney Nadine Bell suggested that Council should review the City Code. She noted that the income threshold is outdated and suggested that if the Council is going to revise the City Code, they should update that section to reflect current incomes. This update would not only apply to senior citizens but also to others, such as veterans.

PUBLIC COMMENT

ROBERT BRITTON-ONEIDA

Bob Britton spoke to Council regarding concerns he has over the following:

- Mr. Britton advised that he has an issue with where trash cans must be placed at residences. He stated that trash cans cannot be put behind a house, especially if your house is on a corner. He stated that a certified letter he received was \$8.69 for a trash can that has been in the same location for 35 years, stating that Oneida is the only City that does this.
- Mr. Britton also noted 4 properties (1 on North St., 2 on Elm and 1 on Park Ave.) that had fires last year that are eyesores and that nothing is being done about them. He believes they should be fixed or sold, as they have had time and something should be done.
- The abatement local law should be fixed, as it cannot be used the way it is. He feels the landlords

should be held accountable.

City Attorney Bell advised that there is a process that has been used at times and has resulted in a property owner taking action. She advised the process involves the property owner being notified of violations and of the fact that action can be taken, and things have been accomplished.

KATHY RISLEY-109 TAYLOR AVE., CANASTOTA

Kathy Risley expressed her concerns regarding 413 Washington Ave. She mentioned an alcohol poisoning incident involving a minor less than a year ago and an overdose just two weeks ago, noting that her daughter also died in that house. She emphasized the urgent need to address drug activity in the house before another tragedy occurs.

DUANE RISLEY-109 TAYLOR AVE., CANASTOTA

Duane Risley also addressed the issue of drug activity at the house on Washington Ave. He mentioned that on April 10th of last year, they lost their daughter to an overdose at that address. He noted that while he is unsure if her husband still owns the house, there have been reports of underage drinking and squatters there. He expressed contempt for the Oneida Police Department and described Washington Ave. as a cesspool that needs to be addressed. Mr. Risley claimed that he was advised by the Police Department that he would be given the toxicology reports, and further claimed that after six months, he was advised that they were never done. He stated that he feels people are “dropping the ball.” Mr. Risley echoed Mr. Britton’s concerns about the abatement law, citing three documented cases of underage drinking and asked if it would take another death for something to be done.

Motion to adjourn by Councilor Hitchings
Seconded by Councilor Simchik

Ayes: 7

Nays: 0

MOTION CARRIED

The regular meeting is hereby adjourned at 7:02 p.m.