

MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
AUGUST 20, 2024

A meeting of the Common Council of the City of Oneida, NY was held on the twentieth day of August 2024 at 6:30 p.m. at the Common Council Chambers, 109 N. Main, 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"/> _____
Acting City Manager <i>John Monaghan</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Szczerba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Hitchings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Winchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Supervisors

Matt Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Cavanagh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brandee DuBois	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michelle Kinville	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Also Present

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Public Safety Comm. Dave Jones	<input checked="" type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Dir. Parks & Rec Luke Griff	<input checked="" type="checkbox"/>
Fire Chief Scott Jones	<input checked="" type="checkbox"/>	Assessor Rebecca Lennon	<input checked="" type="checkbox"/>
Police Chief Steve Lowell	<input checked="" type="checkbox"/>		

Call to Order/Pledge of Allegiance/Roll Call

OLD BUSINESS: Kelley Ann Hines, Bonadio-Q & A 2023 Financial Statements

DISCUSSION: Keeley Hines distributed a handout to members of the Council, included with these minutes as Attachment A-Report to the Common Council-2023 Audit. She primarily reviewed the “Results Section” and answered questions from Councilor Laureti as follows:

Question: How much was the amount of the Revolving and Façade Loans that were unaccounted for, and how much should we be writing off?

Answer: \$81,000 in the Community Development Fund (Page 56-57)

These have been monitored for years. The former Comptroller was able to determine what these were for. In her opinion, although not confirmed, these are revolving loans from the 90’s.

This sitting as a loan receivable, unearned grant revenue, that will not have an impact. This is just getting them off the books. She advised that the former Comptroller did the right thing, as she should not be authorizing or writing off receivables without approval, due to the fact that was no evidence or indication that this was the right thing take.

Question: Regarding the second recommendation, how much would we have to write off with regards to their Chamberlain observation, as it was mu understanding that the total was around \$550,000 and that \$119,000 was covered by the auctions, and \$132,000 with the insurance payment, leaving approximately \$299,000 to write off?

Answer: As laid out in the Management Letter, under Observation No. 2, there was a full \$550,590 that had been written off and authorized by this group, and in subsequent reviews since that point, it was determined that there were an additional \$177,000 receivables from years 2019 to 2021 that would also require write off. The Financial Statements reflect this, and an allowance was put in to reflect this to get the receivables as accurate as they could at that point. Ms. Hines noted that the actual property tax collection portal or module did not reflect this on an individual parcel basis when they were here.

Question: Is the audit on internal controls a separate audit from the audit they do on financial statements?

Answer: When you conduct an audit in accordance with professional standards, the purpose is not to determine the effectiveness of internal controls, it is to report on the fair presentation of the numbers; however, they obtain an understanding of the internal controls, such as how transactions are processed. If they see an opportunity for a recommendation, they will do so.

City Attorney Bell advised, regarding the loan money, years ago, the Planning Department had a very active loan program, whereby they would loan money to homeowners for property improvements

(roofing/windows, etc.). Part of the program was if the property owner lived in the property for a certain number of years, they did not have to pay this back. She asked if this was being taken into consideration. Ms. Hines confirmed that this has been considered, but if you don't know for sure who owes money or if you are going to collect on it, it is time to "get rid of it."

DAVE JONES: Public Safety Commissioner Jones expressed his gratitude to Acting City Manager Monaghan for his dedicated service to the City of Oneida and extended his best wishes for Monaghan's future endeavors. He also shared positive news about a recent emergency call on Mount Hope Avenue involving a 3-year-old child who had wandered from their home. At approximately 8:00 p.m., as daylight was fading, the Oneida City Fire and Police Departments swiftly responded to the situation. Madison County Emergency Services quickly deployed a drone, while the Madison County Sheriff's Department, the New York State Police, and the Oneida Nation Police worked together to establish a perimeter covering about $\frac{3}{4}$ of a mile.

It was noted that the toddler had already wandered beyond the established perimeter. As searches were conducted and residents were questioned, Fire Chief Scott Jones, who knew a resident living about a mile past the perimeter, informed her of the missing child and asked her to stay alert while driving home. While on her way, she spotted the child a couple of hundred feet off the road in a field. Commissioner Jones thanked all the City departments for their professionalism and for handling the situation correctly, with special recognition to Lt. Joe Hudson of the Oneida Police Department, who was the officer in charge and managed the scene exceptionally well. Addressing the Council, Public Safety Commissioner Jones acknowledged that constituents often question why police officers and firefighters are out in the community. He emphasized that their interaction with the public is crucial, noting that if Chief Jones hadn't known that resident or asked her to be extra vigilant, the child might not have been found.

He concluded by stating that this was a very happy, positive story and stated we should be very proud of our Police and Fire Departments, as they did a great job.

Mayor Rossi thanked Mr. Monaghan for his service to the City, not only as Acting City Manager, but also as Water Superintendent

REPORTS

Mayor's Report: None

Supervisor's Report:

Supervisor Mary Cavanagh acknowledged and thanked the County's EMS, Sheriff's Department, Highway Department, and all first responders at both the County and City levels for their dedicated efforts during recent severe weather events and a house explosion. She emphasized the importance of staying alert when weather notices are issued, reminding everyone that the situation can change rapidly, as advised

by the EMS Director.

Supervisor Mary Cavanagh recommended several ways to stay informed, including checking social media platforms like Facebook and Nextdoor, visiting the Madison County website, and downloading the Oneida Police Department's app, which she encouraged everyone to utilize. She also mentioned that the Public Information Officer is exploring a mass communication system to improve notifications. Additionally, Supervisor Cavanagh recognized the County IT Department for their swift response during the recent CrowdStrike Event, which minimized downtime for critical EMS systems, including the 911 Center. Thanks to their efforts, the County was fully operational by 10:30 a.m. the following morning, whereas other counties experienced closures. She also highlighted that the County's Director of IT would be a featured guest speaker at the upcoming NYSAC Conference.

Supervisor Matt Roberts reported that the County's year-to-date sales tax is 1% higher than last year and about 10% above the budget. He commended the Madison County Highway Department, noting that Madison County ranked as the 5th best county in New York State for bridge condition, with only three bridges requiring maintenance—two of which are owned by CSX, not the County. The County recently approved grant funding to replace a bridge over Cowaselon Creek, which the County owns. One of the CSX bridges is scheduled for completion by 2027. Roberts emphasized that infrastructure and safety are the two primary responsibilities of any government, and he expressed pride in the work being done by the Sheriff's Department, the Oneida Police Department, and the infrastructure teams, all of whom he feels are doing a fantastic job.

Supervisor Matt Roberts announced that budget hearings are scheduled for mid-September. He emphasized the importance of fiscal responsibility, noting that as Finance Chair, he has attended every budget hearing since 2020. This year, Supervisor Cavanagh will also be participating all hearings. Roberts reassured everyone that they are carefully monitoring every dollar spent and are consistently working hard to ensure responsible financial management.

Acting City Manager's Report:

Acting City Manager John Monaghan expressed his gratitude to the community for welcoming him, sharing that he had met many wonderful people, particularly within the Water Department, and that he would miss everyone. He acknowledged the presence of many good people in the City and hinted that he might still be involved in some capacity, stating that something tells him he will still be "in the peripherals here" and that this may not be the last time we see him. Mayor Rossi responded warmly, agreeing that this would be a good thing.

APPROVAL OF MINUTES

Moved by Councilor Simchik
Seconded by Councilor Szczerba

RESOLVED, that the minutes of the regular meeting of August 6, 2024, are hereby approved as presented.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Pagano

RESOLVED, that Warrant No. 16, checks and ACH payments in the amount of \$369,732.18 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller, or a third party duly retained by the City of Oneida to perform such services

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 24-176

Moved by Councilor Simchik
Seconded by Councilor Pagano

RESOLVED, that Monthly Reports from the City Clerk, City Engineer, Codes Department, Fire Department, Parks and Recreation Department and Police Department are hereby received and placed on file.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

REVISE CITY OF ONEIDA EMPLOYEE HANDBOOK-CITY VEHICLES AND RELATED EQUIPMENT

RESOLUTION 24-177 (TABLED)

Motion to Table by Councilor Simchik
Seconded by Councilor Pagano

WHEREAS, the Common Council for the City of Oneida has duly adopted a “City of Oneida Employee Handbook” which serves as a general informational guide for City employees and personnel; and

WHEREAS, pursuant to the terms of Employee Handbook, the City reserves the right to amend, delete, supplement, or rescind any of the provisions of the Handbook as the City deems necessary and appropriate; and

WHEREAS, the terms of the Employee Handbook further acknowledge that any changes will generally be announced by memorandum to all employees; and

WHEREAS, the City of Oneida Common Council does desire to supplement the City of Oneida Employee Handbook so as to address employee use of City vehicles and related equipment; and

WHEREAS, the City of Oneida Common Council is the exclusive agency with the authority to amend the City of Oneida Employee Handbook.

NOW, THEREFORE, BE IT

RESOLVED, the City of Oneida Common Council shall serve as lead agency for purposes of environmental review and, pursuant to the State Environmental Quality Review Act, 6 NYCRR Part 617.5(c)(33), does hereby declare the matter a Type II action, thus concluding its environmental review; be it further

RESOLVED, that the City of Oneida Council does hereby amend the City of Oneida Employee Handbook so as to include a new Section 5.3, titled “City Vehicles and Related Equipment,” which shall read, in its entirety, as follows:

“5.3 City Vehicles and Related Equipment”

All vehicles and related equipment of the City of Oneida are owned and maintained for the purpose of conducting official City business. City vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest, except where expressly permitted by policy or other written terms.

Standards – For the purpose of compliance with this policy, the following standards must be met at all times:

- City vehicles and related equipment must remain under the general administrative jurisdiction and direction of the Department Head to which it is assigned.
- City vehicles must be assigned to specific officials and employees for specific purposes and tasks. City vehicles may not be used for any unauthorized purpose nor to conduct personal, private, or non-City related business.

- City vehicles must always be operated in a safe and responsible manner and in compliance with all applicable motor vehicle and traffic laws in effect. Employees are responsible for any driving infractions or fines that result from their operation of City vehicles and must report them to their Department Head. The City is responsible and will pay for any fines which would typically be levied against the owner of the vehicle.
- Any accident involving a City vehicle, regardless of severity, must be reported immediately to the appropriate Department Head. The Department Head must file an accident report within twenty-four hours of the accident.
- The use of a cell phone when driving on City business must be compliant with all applicable laws and/or regulations.
- City vehicles may not be used to transport persons who are not officials or employees of the City, nor material not related to the conduct of official City business, without direct authorization by the appropriate Department Head or the City Manager.
- City vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation; and all keys maintained under controlled and authorized jurisdiction of the appropriate Department Head.
- Vehicles may be required to travel outside the limits of the City on official business, from time to time. Such out of town travel shall require prior approval, either on a case-by-case basis or as a blanket approval for specified purposes.
- No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on City vehicles at any time, except those of a limited community service nature which have been authorized by the City Manager.

Administration – For purposes of administering this policy:

1. The Common Council, from time to time, may alter, amend, supplement or otherwise provide further interpretation of this policy.
2. Where authorized or directed by the City Manager, applicable Department Heads may issue supplemental directives.
3. Violations of this policy shall be reported within twenty-four (24) hours to the City Manager and may result in appropriate disciplinary action under applicable provisions of a collective bargaining agreement or the New York State Civil Service Law.

Questions regarding this policy should be directed to the City Manager; be it further

RESOLVED, that notice of the aforementioned change to the City of Oneida Employee Handbook shall be announced by the Acting City Manager by memorandum to all employees of the City of Oneida.”

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION TABLED

DISCUSSION: City Attorney Bell addressed the resolution, anticipating that there were likely questions from the audience. She explained that Councilor Hitchings had contacted her with an inquiry regarding the possibility of establishing a policy on City vehicles. Attorney Bell clarified that while she serves as the City Attorney, her expertise does not extend to labor matters, as those are handled by her partner.

She then reached out to her partner for assistance in drafting a policy regarding City vehicles. Her partner provided the language, under the assumption that Attorney Bell would present it to the Council for review and feedback. However, a miscommunication occurred between them, leading Attorney Bell to prematurely include it in the resolution. The policy contains disciplinary language that must first be negotiated with the unions.

With that said, she apologized for any confusion caused by her lack of communication and recommended that the Council table the resolution, as it was not ready to be voted on at this time.

REVISE APPROVED SALARY SCHEDULE-POLICE DEPARTMENT

RESOLUTION 24-178

Moved by Councilor Laureti
Seconded by Councilor Simchik

RESOLVED, approve the revision of the Approved Salary Schedule in the adopted 2024 Budget to increase the number of Police Officers from 16 to 17 per the authorization of the Acting City Manager.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Police Chief Steve Lowell explained that this pertains to the Rural Violent Crime Reduction Initiative and involves the creation of a new assignment within the Police Department. The position will be funded through a grant, allowing the department to backfill the existing officer's role. Although the new duty assignment will be filled by an existing officer, the grant will cover the costs, requiring only a budget transfer. Essentially, the funding will balance out, with the grant covering the new position while a police officer backfills the existing role.

Councilor Laureti confirmed with Chief Lowell that there would be no impact on the current budget. Chief Lowell acknowledged that while he could not predict future changes, the grant would fund the position, including benefits, for at least two years. It was also noted that the grant has already been received.

ADOPT RULES AND PROCEDURES FOR CITY MEETINGS

RESOLUTION 24-179

Motion to Table by Councilor Simchik
Seconded by Councilor Pagano

DISCUSSION: Councilor Laureti asked for clarification on the reasoning behind the motion to table the resolution. In response, Councilor Simchik explained that the "Rules and Procedures" under discussion currently listed Public Comment as item No. 11 in Section A of the Order of Business. The proposed change aimed to move Public Comment to immediately follow Public Hearings, positioning it between items No. 4 and 5. The Council ultimately reached a consensus on this adjustment.

Motion to amend the Motion to Table to approve the Rules and Procedures, as amended, to reflect Section XIII-Order of Business, Subsection A-Regular Meetings, No. 11-Public Comment, to be moved to the new No. 5 by Councilor Szczerba
Seconded by Councilor Simchik

WHEREAS, pursuant to Section 3.5 of the Oneida City Charter, the Common Council shall determine the rules of its own proceedings, subject to the provisions of the City Charter and other provisions of law; and

WHEREAS, it has come to the attention of the City of Oneida Common Council that rules of procedure for meetings held by the Common Council, City committees or boards, have not been adopted; and

WHEREAS, no other agency in the City of Oneida has the authority to approve such rules of procedure for Common Council meetings; and

WHEREAS, the Common Council does desire to adopt rules of procedure in accordance with the City Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Oneida Common Council as Lead Agency, does declare the adoption of Rules and Procedure to be a Type II action in accordance with 6 NYCRR Part 617.5(C), thus concluding the environmental review required by the New York State Environmental Quality Review Act; be it further

RESOLVED, that the Common Council does hereby adopt the "City of Oneida Rules and Procedures" in form attached hereto and made a part hereof.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 24-180

Moved by Councilor Laureti
Seconded by Councilor Simchik

	<u>To</u>	<u>From</u>
<i>2024 Budget Adjustments</i>		
\$ 1,600.00	001.8020.0400.0000 Planning Other Expense	001.1660.0300.0000 Central Stores
<i>To allocate funds to cover cost of flowerpots</i>		
\$ 20,000.00	001.1315.0403.0000 Comptroller Contracts	001.1315.0101.0000 Comptroller Salary
<i>To re-allocate funds to cover the cost of an Outsourced Comptroller</i>		
\$ 25,000.00	002.8300.0403.0000 Water Contracts	002.0002.0912.0000 Water Fund Balance

To allocate funds to cover the cost of outsourced oversight assistance for the Water Dept.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

REVISE APPROVED SALARY SCHEDULE-WATER DEPARTMENT

RESOLUTION 24-181

Moved by Councilor Simchik
Seconded by Councilor Laureti

RESOLVED, approve the revision of the approved salary schedule in the adopted 2024 Budget to increase the number of Water Maintenance Workers from 4 to 5 per the authorization of the Acting City Manager.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Water Superintendent Monaghan explained that there would be no impact on the budget, as all positions are already budgeted for as Water Maintenance Workers. Currently, four individuals are coming in as Water Maintenance Trainees, which are paid at a lower rate, creating a surplus in the salary line. This surplus allows him to bring in an additional person to be trained, ensuring that when the current Water Maintenance Supervisor retires, the team will be fully staffed, trained, and ready to operate by the Spring.

DESIGNATE ACTING CITY MANAGER

RESOLUTION 24-182

Moved by Councilor Simchik
Seconded by Councilor Pagano

RESOLVED, to designate Mayor Rick Rossi as Acting City Manager until such time as a City Manager can be designated, effective upon the departure of Acting City Manager, John Monaghan on August 23, 2024.

Ayes: 4
Nays: 1 (Szczerba)
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

REVISE APPROVED SALARY SCHEDULE-POLICE DEPARTMENT

RESOLUTION 24-183

Moved by Councilor Simchik
Seconded by Councilor Laureti

RESOLVED, approve the revision of the Approved Salary Schedule in the adopted 2024 Budget to decrease the number of Account Clerk positions in the Police Department from 1 to 0 and add a Senior Account Clerk position per the authorization of the Acting City Manager.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Police Chief Lowell explained that his department currently has three support positions, which are essential for their operations. He emphasized that the Account Clerk position in question handles payroll, purchasing, grant work, and has also taken on additional responsibilities. He mentioned that although this position was included in his proposed 2024 budget, it was ultimately cut.

This change is necessary and is part of several title adjustments for the three positions, ensuring their titles better reflect the responsibilities they handle on a daily basis. These roles perform essential functions within the department, and this adjustment is a step toward aligning their positions with their actual duties. Chief Lowell noted that this would have no impact on the 2024 salary line, as there are sufficient funds available. He emphasized that these changes are crucial to retaining valuable employees who are integral to the department's operations.

Councilor Laureti asked if the proposed change was only for one Account Clerk, to which Chief Lowell clarified that it involves three positions: a Telephone Operator, an Accounts Clerk, and a Records Clerk. However, this specific resolution addresses elevating the Account Clerk position to a Senior Account Clerk, which more accurately reflects the duties and responsibilities of the role. It was noted that this change would result in an \$8,200 annual salary increase. Councilor Szczerba asked if the individual would be taking on additional work, and Chief Lowell explained that the increase in pay would simply align with the work the employee is already performing.

Chief Lowell advised that part of this is the person in the position has been advocating for themselves, as this is a different workload that the person is doing right now. Councilor Szczerba asked if the other Account Clerks are also petitioning to be a Senior, to which Chief Lowell advised that he only has one Account Clerk in his department. Councilor Laureti asked how many other Account Clerks we have in the City. Acting City Manager Monaghan advised that there was one in Water and one in DPW and a Senior Account Clerk in Finance. (Clerk's Note: there is also an Account Clerk in Codes and Parks and Recreation)

Chief Lowell explained that the Senior Account Clerk position is a Civil Service title that requires an exam, and it exists within the CSEA contract. Deputy Comptroller and Secretary to the Civil Service Commission, Jessica Kaiser, who was present in the audience, clarified that, per the CSEA contract, the position would need to be posted, and any current Account Clerk would have the opportunity to apply. The selection would be made from the top three senior qualified individuals.

Councilor Laureti expressed concern that if one position is upgraded, other employees may also seek similar changes. In response, Deputy Comptroller Kaiser explained that the work performed in the Police Department is significantly different from other departments and suggested that Councilor Laureti meet with the Police Department's administrative staff to gain a better understanding of their specific duties. Councilor Laureti clarified that he was not saying that she does not do the work and if this is done for one, does the \$8,200 become more based on others.

Chief Lowell further confirmed that the Senior Account Clerk is a tested Civil Service position with a defined job description. He explained that if compensation is not adjusted to reflect the work being done, the employee, union, or Department Head could request a desk audit. A desk audit compares the actual work performed to the job description, and if the audit finds that the employee is doing work outside of their job description, they must either stop that work or be compensated accordingly. However, Lowell emphasized that the work cannot simply stop, as it still needs to be completed.

This effort is aimed at creating a more balanced and stable alignment between the work performed and the compensation received. He noted that while he cannot speak for other departments or their position titles, this adjustment reflects what he originally proposed in his 2024 budget because it is essential for the department. Councilor Simchik advised that this is something he supports and that has been done before in other departments. Councilor Laureti stated that as we are a month away from the budget process, is this something that could wait, at which time they could address all positions. Chief Lowell stated that, as he can absorb this now, he would like to move forward with this position.

Acting City Manager Monaghan shared that he has had discussions with all of the Account Clerks in the building and echoed Chief Lowell's statement about the natural progression in skill level. He explained that as employees start as Account Clerks and become competent in their roles, it is appropriate for them to take on additional duties and have the next step available to reflect their growing responsibilities. He used the example from his Water Department, where employees advance to positions such as Senior Maintenance Workers or Meter Readers as they gain experience.

Monaghan also mentioned that he has discussed with HR the possibility of changing the title of Account Clerks to Administrative Aides. This change would enable them to take on more responsibilities with corresponding monetary compensation. He noted that with the current personnel shortage at City Hall, it would be beneficial to have staff who are able to handle additional tasks.

Further discussion took place regarding the salary, the amount of work being performed, and the necessity of that work. Councilor Laureti inquired if this adjustment was being made specifically to retain the current employee who is planning to leave. Chief Lowell acknowledged that retaining the employee could be a factor but emphasized that even if the employee were to leave, the work still needs to be completed regardless.

AGREEMENT-MADISON COUNTY BOARD OF ELECTIONS

RESOLUTION 24-184

Moved by Councilor Simchik
Seconded by Councilor Pagano

RESOLVED, to authorize the Acting City Manager to sign a lease agreement with the Madison County Board of Elections for use of the Kallet Civic Center, 159 Main St., Oneida, NY on Election Day, November 5, 2024.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

AUTHORIZATION-ALL SEASONINGS INGREDIENTS

RESOLUTION 24-185

Moved by Councilor Simchik
Seconded by Councilor Laureti

RESOLVED, to authorize the Acting City Manager to retain survey and appraisal services to subdivide the City owned parking lot at the intersection of Cedar Street and Lenox Avenue and take related actions necessary to facilitate the conveyance of parking spaces to the Madison County IDA for the All-Seasonings Ingredients Project.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Acting City Manager Monaghan explained that this matter pertains to the Oneida Hotel Project. He stated that the project cannot proceed without securing parking, so the City is conveying property to the project to allow them to obtain the necessary permits to begin. The property in question is located at the corner of Lenox Ave. and Cedar Street. Mayor Rossi clarified that the property transfer involves All Seasonings Inc., with a portion of the property going to them, but the majority will be allocated to the hotel project.

NEW BUSINESS

Councilor Szczerba expressed concern about a noticeable increase in people aimlessly walking around the Madison Street area, mentioning reports he had heard about individuals being dropped off there in the middle of the night. Chief Lowell responded that this was the first time he had heard of such an issue. He noted that his department frequently patrols the area, and he was unaware of this situation or any rise in crime there. Chief Lowell also mentioned that workers from Empire Farms have the option to seek housing in the downtown area.

Councilor Szczerba inquired whether there were any foot patrols or plans to investigate these situations further. Chief Lowell responded by stating that the area has already been identified as a "Hot Spot Policing" zone, and for the past two years, they have been actively engaged in monitoring it as part of the Rural Violent Crime Reduction Initiative. He added that extra patrols have been deployed in the area. Mayor Rossi also noted that additional lighting has been installed, and trees have been trimmed to improve visibility and enhance safety.

PUBLIC COMMENT

DEE SCHAEFER-240 ALLEN PARK PLACE

Dee Schaefer provided written comments which are attached to these minutes, identified as **Attachment B**

KATHY ERDO-2535 WEST RD.

Kathy Erdo provided written comments which are attached to these minutes, identified as **Attachment C.**

RALPH KOHLER-ONEIDA

Ralph Kohler provided written comments which are attached to these minutes, identified as **Attachment D**.

OPEN DUE PROCESS HEARINGS-WATER/SEWER BILLS

RESOLUTION 24-186

Motioned by Councilor Szczerba

Seconded by Councilor Simchik

RESOLVED, that the Due Process Hearings for Water/Sewer Bills be hereby opened at 7:42 p.m.

Ayes: 5

Nays: 0

Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DUE PROCESS HEARINGS-WATER/SEWER BILLS

COMMON COUNCIL CHAMBERS

109 N. MAIN ST. ONEIDA, NY 13421

AUGUST 20, 2024

Mayor Rick Rossi called the Water and Sewer Due Process Hearings to order at 7:42 p.m.

Attendees	Present	Absent	Arrived Late
Mayor Rossi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
ACM John Monaghan	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Winchell	<input type="checkbox"/>	<input checked="" 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
Vernon Howe III	382 Stone St.	Same	08-119001-01	\$1,639.65
Gail Lighthall	356 N. Lake St.	Same	01-032001-00	\$686.19
Andrea Potter	421 McGuire St.	Same	05-003001-00	\$886.89
Ondraya De Los Santos	391 Genesee St.	Oneida Indian Nation	22-047001-00	\$669.82
Chris Rong	240 N. Main St.	Jennie Panzica	03-016001-00	\$345.86
Cloryssa Klein	128 Furnace Ave.	Ronald & Karin Ress	02-112001-01	\$369.45
Gail Diamond	463 Seneca St.	Same	12-113001-00	666.97
Marlin Schreiner	222 Boston St.	Same	04-105001-01	401.50

****Gail Diamond failed to appear**

DUE PROCESS HEARING-WATER/SEWER BILLS

Vernon Howe III-382 Stone Street

RESOLUTION 24-187

Motion to table by Councilor Simchik
Seconded by Councilor Szczerba

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, Vernon Howe III-382 Stone Street / 08-119001-01 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 20, 2024, by the City of Oneida Common Council, **and**

WHEREAS, Vernon Howe III-382 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:	Vernon Howe III	
ADDRESS:	382 Stone Street	
ACCOUNT #:	08-119001-01	
BILL DATES:	6/1/2023-8/20/2024	AMOUNT: \$1,639.65

ACTION BY COUNCIL: Council tabled this pending Water Board recommendation on 9/10/24

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Mr. Howe was advised to appear before the Water Board at the next meeting on September 10, 2024, as he felt he was overcharged based on an estimated bill due to a broken wire that was recently repaired. He claimed this estimate was based off of a previous bill that was high due to a leaking hot water heater.

DUE PROCESS HEARING-WATER/SEWER BILLS

Gail Lighthall-356 N. Lake St.

RESOLUTION 24-188

Moved by Councilor Pagano
Seconded by Councilor Laureti

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, Gail Lighthall-356 N. Lake St. / 01-032001-00 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 20, 2024, by the City of Oneida Common Council, **and**

WHEREAS, Gail Lighthall-356 N. Lake 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:	Gail Lighthall		
ADDRESS:	356 N. Lake St.		
ACCOUNT #:	01-032001-00		
BILL DATES:	January 1, 2017-August 20, 2024	AMOUNT:	\$686.19

ACTION BY COUNCIL: Extension Granted with Partial Payments

EXTENSION GRANTED UNTIL	August 30, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	September 6, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	September 13, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	September 20, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	September 27, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	October 4, 2024	AMOUNT:	\$100.00
FURTHER GRANTED UNTIL	October 11, 2024	AMOUNT:	\$86.19

TOTAL \$686.19

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DUE PROCESS HEARING-WATER/SEWER BILLS

Andrea Potter-421 McGuire ST.

RESOLUTION 24-189

Moved by Councilor Laureti
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, Andrea Potter-421 McGuire St. / 05-003001-00 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 20, 2024, 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:	Andrea Potter		
ADDRESS:	421 McGuire St.		
ACCOUNT #:	05-003001-00		
BILL DATES:	1/1/17-8/20/24	AMOUNT:	\$886.89

ACTION BY COUNCIL: Council agreed to partial payments with the final balance, plus any penalties, to be re-levied

FURTHER GRANTED UNTIL	August 30, 2024	AMOUNT:	\$40.00
FURTHER GRANTED UNTIL	September 30, 2024	AMOUNT:	\$40.00
FURTHER GRANTED UNTIL	October 30, 2024	AMOUNT:	\$40.00

Ayes: 5

Nays: 0

Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Ms. Potter advised that she was going through a hard time and is unable to pay this bill. When asked if there was any amount she could pay, she advised that she thought she might be able to pay \$40 a month. Under the circumstances, Council agreed that there would be no termination of water service, and any remaining balance on October 31, 2024, which would be subject to penalties, would be re-levied.

DUE PROCESS HEARING-WATER/SEWER BILLS

Ondraya De Los Santos-391 Genesee St. (Tenant)

RESOLUTION 24-190

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, Ondraya De Los Santos-391 Genesee St. / 22-047001-00 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 20, 2024, by the City of Oneida Common Council, and

WHEREAS, Ondraya De Los Santos-391 Genesee 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>Ondraya De Los Santos (Tenant)</u>		
ADDRESS:	<u>391 Genesee St.</u>		
ACCOUNT #:	<u>22-047001-00</u>		
BILL DATES:	<u>3/1/17-8/20/24</u>	AMOUNT:	\$669.82
ACTION BY COUNCIL:	<u>Extension granted with partial payments</u>		
EXTENSION GRANTED UNTIL	<u>August 23, 2024</u>	AMOUNT:	<u>\$200.00</u>
FURTHER GRANTED UNTIL	<u>August 30, 2024</u>	AMOUNT:	<u>\$100.00</u>
FURTHER GRANTED UNTIL	<u>September 6, 2024</u>	AMOUNT:	<u>\$100.00</u>
FURTHER GRANTED UNTIL	<u>September 13, 2024</u>	AMOUNT:	<u>\$100.00</u>
FURTHER GRANTED UNTIL	<u>September 20, 2024</u>	AMOUNT:	<u>\$100.00</u>
FURTHER GRANTED UNTIL	<u>September 27, 2024</u>	AMOUNT:	<u>\$ 69.82</u>
		TOTAL	\$669.82

Ayes: 5

Nays: 0

Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Ms. De Los Santos advised that she had the money set aside to pay the bill but came upon some unexpected expenses related to her car and requested additional time to pay this.

DUE PROCESS HEARING-WATER/SEWER BILLS

Chris Rong-240 N. Main St. (Tenant)

RESOLUTION 24-191

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, Chris Rong-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 his/her/their water service, **and**

WHEREAS, a Due Process Hearing was thereafter timely held on August 20, 2024, by the City of Oneida Common Council, **and**

WHEREAS, Chris 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:	Chris Rong (Tenant)	
ADDRESS:	240 N. Main St.	
ACCOUNT #:	03-016001-00	
BILL DATES:	1/1/17 to 8/20/24	AMOUNT: \$345.86
ACTION BY COUNCIL:	Extension granted with payment in full until September 9, 2024	

Ayes: 5

Nays: 0

Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Mr. Rong advised that he now has two incomes in his household and will be able to pay this bill in full by September 9, 2024.

DUE PROCESS HEARING-WATER/SEWER BILLS

Cloryssa Klein-128 Furnace Ave. (Tenant)

RESOLUTION 24-192

Moved by Councilor Simchik

Seconded by Councilor Szczerba

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, Cloryssa Klein-128 Furnace Ave. / 02-112001-01 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 20, 2024, by the City of Oneida Common Council, **and**

WHEREAS, Cloryssa Klein-128 Furnace Ave., **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:	Cloryssa Klein (Tenant)		
ADDRESS:	128 Furnace Ave.		
ACCOUNT #:	02-112001-01		
BILL DATES:	3/1/21-8/20/24	AMOUNT:	\$369.45
ACTION BY COUNCIL:	Council agreed to partial payments		
EXTENSION GRANTED UNTIL	September 6, 2024	AMOUNT:	\$92.36
FURTHER GRANTED UNTIL	September 20, 2024	AMOUNT:	\$92.36
FURTHER GRANTED UNTIL	October 4, 2024	AMOUNT:	\$92.36
FURTHER GRANTED UNTIL	October 18, 2024	AMOUNT:	\$92.36
		TOTAL	\$369.45

Ayes: 5

Nays: 0

Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

DISCUSSION: Ms. Klein advised that she has recently faced some hardships lately due to some family emergencies and her husband currently not working.

DUE PROCESS HEARING-WATER/SEWER BILLS

Marlin Schreiner-222 Boston St.

RESOLUTION 24-193

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, Marlin Schreiner-222 Boston St./ 04-105001-01 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 20, 2024, by the City of Oneida Common Council, **and**

WHEREAS, Marlin Schreiner-222 Boston 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:	Marlin Schreiner		
ADDRESS:	222 Boston St.		
ACCOUNT #:	04-105001-01		
BILL DATES:	5/24/23-8/20/24	AMOUNT:	\$401.50

ACTION BY COUNCIL: Extension granted with payment in full
Until August 28, 2024

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)
MOTION CARRIED

DISCUSSION: Mr. Schreiner advised that Catholic Charities committed to issue the payment in full and a letter from them was provided.

CLOSE DUE PROCESS HEARINGS-WATER/SEWER BILLS

RESOLUTION 24-194

Motioned by Councilor Szczerba
Seconded by Councilor Pagano

RESOLVED, that the Due Process Hearings for Water/Sewer Bills be hereby closed at 8:07p.m.

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

Motion to adjourn by Councilor Simchik
Seconded by Councilor Pagano

Ayes: 5
Nays: 0
Absent: 2 (Hitchings/Winchell)

MOTION CARRIED

The regular meeting is hereby adjourned at 8:07 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk