

MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
OCTOBER 1, 2024

A meeting of the Common Council of the City of Oneida, NY was held on the first day of October 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 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 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

| | | | |
|---------------------------|-------------------------------------|--------------------------------|-------------------------------------|
| 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"/> | Supervisor Mary Cavanagh | <input checked="" type="checkbox"/> |
| Fire Chief Scott Jones | <input checked="" type="checkbox"/> | Other: _____ | <input type="checkbox"/> |
| Police Chief Steve Lowell | <input checked="" type="checkbox"/> | Other: _____ | <input type="checkbox"/> |

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC HEARING: A Local Law amending Chapter 116 of the Oneida City Code regarding Peddling and Solicitation

OPEN PUBLIC HEARING
AMEND CHAPTER 116 OF THE ONEIDA CITY CODE REGARDING PEDDLING AND SOLICITATION

RESOLUTION 24-219

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

RESOLVED, that the Public Hearing to amend Chapter 116 of the Oneida City Code regarding Peddling and Solicitation is hereby opened at 6:31p.m.

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

MOTION CARRIED

APPEARANCES
None

CLOSE PUBLIC HEARING
AMEND CHAPTER 116 OF THE ONEIDA CITY CODE REGARDING PEDDLING AND SOLICITATION

RESOLUTION 24-220

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the Public Hearing to amend Chapter 116 of the Oneida City Code regarding Peddling and Solicitation is hereby closed at 6:33p.m.

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

MOTION CARRIED

DISCUSSION: Councilor Hitchings stated that City representatives met last week to discuss a location list. She mentioned that the provision for holding a lottery would be removed to simplify the process, making it more business-friendly and allowing trucks to park freely as long as the location is on the approved list.

She explained that this is a comprehensive list, and at the next Council meeting, the revised local law will be reintroduced. A second Public Hearing will follow, as the changes are considered substantive.

PUBLIC COMMENT

JIM ZIKE-216 MAPLE DRIVE

Mr. Zike raised concerns about roadblocks on Seneca Street, where officers were distributing pamphlets. He asked whether any measures would be taken to address the traffic and parking issues in that area, noting that many drivers speed through during the day, particularly during school hours.

He also pointed out that none of the streets in the Seneca Street area have crosswalks or stop signs to ensure that children can cross safely. Additionally, he raised the issue of people parking in the intersections where parking is not permitted. He emphasized the need for signs indicating that parking is prohibited in those areas.

Police Chief Lowell explained that the City receives annual funding to address areas with traffic issues, and the roadblocks on Seneca Street were part of an initiative aimed at preventing speeding in that area. He mentioned that enforcement would follow, with tickets being issued to violators. Regarding parking concerns, Chief Lowell stated that he would speak to Mr. Zike after the meeting and noted that he would discuss the need for signage with the Traffic Safety Board.

OLD BUSINESS

Councilor Szczerba asked Chief Lowell about the situation on Madison Street, requesting his evaluation and inquiring about the steps being taken to address the issues in that area. He acknowledged that he is aware of the ongoing problems there.

Chief Lowell responded that patrols have been assigned to the Madison Street area, which is being closely monitored for specific crimes. He noted that, based on available data, there has been no significant change in crime rates either way. He also mentioned that the department is currently short-staffed and doing their best to manage with limited resources, while being mindful of overtime funding.

Councilor Szczerba emphasized the importance of addressing the situation in the Madison Street area, highlighting the need to maintain a business-friendly environment. He specifically mentioned The Blind Squirrel as a business in the area that could be affected by these issues, and Mr. Stirpe's recent purchase of Duke's, which could also be affected.

REPORTS:

- Deputy Mayor's Report: Deputy Mayor Laureti reported that Mayor Rossi informed him negotiations with the City Manager candidate are in progress and moving forward.

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the minutes of the regular meeting of September 17, 2024, are hereby approved as presented.

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

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the minutes of the Special meeting of September 24, 2024, are hereby approved as presented.

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

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Szczerba

RESOLVED, that Warrant No. 20, checks and ACH payments in the amount of \$463,095.61 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) Rossi/Winchell
MOTION CARRIED

RESCHEDULE MEETING-COMMON COUNCIL

RESOLUTION 24-221

Moved by Councilor Hitchings
Seconded by Councilor Simchik

WHEREAS, Election Day is scheduled for Tuesday, November 5, 2024, which is a regularly scheduled Common Council meeting time, **now therefore be it**

RESOLVED, that the first Common Council meeting in November shall be scheduled for Wednesday, November 6, 2024, at 6:30p.m.

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

INTRODUCE A LOCAL LAW AMENDING THE ANNUAL INCOME RANGES FOR SENIOR CITIZENS AS SET FORTH IN CHAPTER 165 OF THE ONEIDA CITY CODE AND CREATING A COLD WAR VETERANS EXEMPTION-SCHEDULE PUBLIC HEARING

RESOLUTION 24-222

Moved by Councilor Hitchings
Seconded by Councilor Simchik

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

WHEREAS, the proposed Local Law is intended to amend the annual income ranges for senior citizens as set forth in Chapter 165 of the Oneida City Code and to create a Cold War Veterans exemption; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of local laws in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that there are no other involved agencies, that the Common Council shall act as lead agency and that the enactment of this proposed Local Law is a Type II action under SEQR, thus concluding the environmental review process; and be it further

RESOLVED AND DETERMINED, that the Common Council shall conduct a public hearing as to the enactment of the proposed Local Law at the Oneida City Hall located at 109 North Main Street, Oneida, New York on October 15, 2024, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

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

Ayes: 5

Nays: 0

Absent: (2) Rossi/Winchell

MOTION CARRIED

**CITY OF ONEIDA
LOCAL LAW 2024**

**A LOCAL LAW AMENDING THE ANNUAL INCOME RANGES FOR SENIOR CITIZENS AS SET FORTH IN
CHAPTER 165 OF THE ONEIDA CITY CODE AND CREATING A COLD WAR VETERANS EXEMPTION**

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

Section 1.

So that the annual income ranges for persons 65 years of age or over as listed in Section 165-2 of the Oneida City Code, titled "Conditions for exemption," Subsection A(1), shall be revised, in its entirety as follows:

"No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$37,000.00.

- (1) Income in a lesser amount, subject to the provisions of this article, shall entitle owner or owners to an exemption according to the following schedule:

| Annual Income | Percentage Assessed Valuation Exempt from Taxation |
|----------------------|---|
| \$29,000 and less | 50% |
| \$29,001 - \$30,000 | 45% |
| \$30,001 - \$31,000 | 40% |
| \$31,001 - \$32,000 | 35% |
| \$32,001 - \$33,000 | 30% |
| \$33,001 - \$34,000 | 25% |
| \$34,001 - \$35,000 | 20% |

| Annual Income | Percentage Assessed Valuation Exempt from Taxation |
|----------------------|---|
| \$35,001 - \$36,000 | 15% |
| \$36,001 - \$37,000 | 10%” |

Section 2.

So that the title of Article VI of Chapter 165 is hereby amended to read “Article VI Veteran Exemptions,” and Subsection A of Section 165-14 is hereby amended in its entirety, so as to read as follows:

“A. Exemptions.

1. An Alternative Veteran’s exemption is hereby provided for and ordained on real property taxes in the City of Oneida pursuant to § 458-a of the Real Property Tax Law, but subject to the qualifications, limitations and application procedures stated in said section.
2. A Cold War Veteran’s exemption is hereby provided for and ordained on real property taxes in the City of Oneida pursuant to § 458-b of the Real Property Tax Law, but subject to the qualifications, limitations and application procedures stated in said section.”

Section 3. Effective Date

This Local Law shall take effect upon filing with the office of the Secretary of State of the State of New York, as provided in Section 27 of the Municipal Home Rule Law.”

DISCUSSION: Councilor Hitchings explained that the current Senior Citizen exemption for lower-income seniors, as outlined in the Code, ranges from \$15,000 and below to a maximum of \$22,500. She acknowledged that the chart is outdated and has not been updated since the 1990s, so this change will bring the income rate up to the 21st century.

The updated exemption will adjust the range from \$29,000 and below to a maximum of \$37,000. Councilor Hitchings expressed hope that this change will provide additional support to more senior citizens in the community.

Additionally, Councilor Hitchings explained that the updated Local Law will include a Cold War Veteran’s Exemption, which was inexplicably omitted from the current law. This inclusion will bring the City’s regulations in line with New York State Real Property Tax Law, ensuring consistency.

AGREEMENT-SHERRILL-KENWOOD WATER DISTRICT

RESOLUTION 24-223

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

RESOLVED, to authorize the Mayor to sign an agreement with the Sherrill-Kenwood Water District for the sale and delivery of water (wholesale) to the District.

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

AGREEMENT-TABERG WATER DISTRICT/LEE CENTER-TABERG ROAD WATER DISTRICT

RESOLUTION 24-224

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, to authorize the Mayor to sign an agreement with the Taberg Water District #1 and Lee Center-Taberg Road Water District for the sale and delivery of water (wholesale) to the Districts.

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

WAIVE FEE-EAGLE SCOUTS

RESOLUTION 24-225

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to approve to waive the building permit fee associated with the construction of a 10 x 16 fishing deck at Mt. Hope Reservoir requested by Tim Cowan representing the Eagle Scouts.

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

AGREEMENT-CIVIC PLUS (CITY WEBSITE)

RESOLUTION 24-226

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the Acting City Manager to sign an agreement with Civic Plus, 302 South 4th Street, Suite 500, Manhattan, KS 66502 for the implementation of an upgrade to the City Website and the annual recurring services fee included.

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

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 24-227

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

RESOLVED, to approve the following budget transfers and amendments as outlined by the Comptroller, or a third party duly retained by the City of Oneida to perform such services:

| | <u>To</u> | <u>From</u> |
|--|---------------------------------------|--|
| <i>2024 Budget Adjustments</i> | | |
| \$ 10,000.00 | 002.8300.0403.0000 Water Contracts | 002.0002.0912.0000 Water Fund Balance |
| <i>To allocate funds for consulting services for the approved contract with John Monaghan</i> | | |
| \$ 4,000.00 | 002.8300.0415.0000 Lab Testing | 002.0002.0912.0000 Water Fund Balance |
| <i>To allocate additional funds for lab testing costs for the remainder of 2024</i> | | |
| \$ 5,000.00 | 001.1680.0403.0000 IT Contracts | 001.0001.0912.0000 General Fund Balance |
| \$ 1,000.00 | 002.8300.0403.0000 | 002.0002.0912.0000 |

| | | | |
|----|--------|---------------------------|--------------------|
| | | Water Contracts | Water Fund Balance |
| \$ | 500.00 | 003.8110.0444.0000 | 003.0003.0912.0000 |
| | | Sewer Office Tech Expense | Sewer Fund Balance |

To allocate funds for design and implementation of City website

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

MOTION CARRIED

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 24-228

Moved by Councilor Hitchings
 Seconded by Councilor Simchik

RESOLVED, that per Resolution 08-180 adopted by the Common Council on August 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

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

MOTION CARRIED

DISCUSSION: the City Clerk explained that in May, the Council approved the Water Superintendent's request to hire a Forester to survey a potential timber harvest on City-owned property. The survey was submitted after the agenda for this meeting had already been published. Since the next step requires Council approval to advertise for bids, Deputy Mayor Laureti authorized waiving the rule to allow the resolution to be added to the meeting's agenda.

ADVERTISE FOR BIDS-SALE OF FOREST PRODUCTS

RESOLUTION 24-229

Moved by Councilor Hitchings
 Seconded by Councilor Simchik

RESOLVED, to authorize Jeff Rowe, City Engineer, to advertise for bids for the sale of forest products on land owned by the City of Oneida as part of the Forestry Management Program.

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

MOTION CARRIED

NEW BUSINESS: None

EXECUTIVE SESSION

RESOLUTION 24-230

Deputy Mayor Laureti asked for a motion to go into Executive Session for the purpose of discussing pending litigation with possible action taken:

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

RESOLVED, that the meeting is hereby adjourned to Executive Session at 6:40p.m. and after a brief break, reconvened at 7:00p.m.

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

MOTION CARRIED

PRESENT: City Attorney Nadine Bell, City Clerk Sandy LaPera, Councilors Szczerba, Laureti, Hitchings, Pagano and Simchik

ABSENT: Mayor Rossi/Councilor Winchell

1. Discussion was held to discuss pending litigation.

Moved by Councilor Hitchings
Seconded by Councilor Laureti

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 7:10p.m.

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

MOTION CARRIED

AUTHORIZE OUTSIDE COUNCIL-PENDING LITIGATION

RESOLUTION 24-231

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

RESOLVED, to authorize the Deputy Mayor or City Manager to retain outside legal counsel to represent the City in a pending City Court matter.

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

Motion to adjourn by Councilor Hitchings
Seconded by Councilor Szczerba

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

The regular meeting is hereby adjourned at 7:13p.m.

Sandy LaPera, City Clerk