



CITY OF ONEIDA
MEETING OF THE COMMON COUNCIL
109 N. MAIN ST., ONEIDA, NY 13421

AGENDA

Date:	November 1, 2022	Presiding:	Helen B. Acker, Mayor
Time:	6:30 p.m.	Clerk:	Sandy LaPera, City Clerk
Location:	Common Council Chambers	Meeting Type:	Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PROCLAMATION: Extra Mile Day (Lori Seef/Bella Vita and Stacy Jones/Oneida Office Supply)

PUBLIC HEARING: Proposed Local Law to amend Chapter 151 of the Oneida City Code to add Article VII, Obstructions in Public Places

PUBLIC COMMENT: Limited to 3 minutes

OLD BUSINESS:

Approval of the Minutes: October 18, 2022

Approval of Warrant: 21

Item	Title	Facilitator
1.	ADOPT LOCAL LAW: adopt a Local Law to impose a six (6) month moratorium on Smoke Shop uses within the City of Oneida (Roll Call Vote)	MAYOR
2.	ADOPT LOCAL LAW: adopt a Local Law to amend Chapter 122 of the Oneida City Code to remove references to marijuana (Roll Call Vote)	MAYOR
3.	2023 MAYOR'S BUDGET: receive and place on file the 2023 City of Oneida Mayor's Budget and schedule a Public Hearing for November 15, 2022, at 6:30p.m. in Common Council Chambers, 109 N. Main St., Oneida	MAYOR
4.	MISC. UTILITY BILLING: receive and place on file the City of Oneida Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes, authorize the charges in the 2022 assessment roll to be relieved onto the 2023 tax roll, and schedule a Public Hearing for Tuesday, November 15, 2022, at 6:30p.m. in Common Council Chambers, 109 N. Main St. Oneida	ROWE
5.	BOARD APPOINTMENT: approve the Mayor's appointment of O. Perry Tooker IV, 220 Parks Ave., Oneida NY, to the Joint Zoning Board of Appeals/Planning Commission for a 7-year term	MAYOR

Item	Title	Facilitator
6.	INSURANCE PLAN RENEWALS: authorize the Mayor to sign the 2023 health insurance and dental plan renewals with Excellus for contract period January 1, 2023 through December 31, 2023	WELLS
7.	INTRODUCE LOCAL LAW: introduce a Local Law updating the Code Enforcement Program in the City of Oneida and schedule a Public Hearing for Tuesday, November 15, 2022, at 6:30 p.m. in Common Council Chambers, 109 N. Main St.	MAYOR/BELL
8.	BOARD APPOINTMENTS: approve the Mayor's appointments to the Recreation Commission for a 3-year term	MAYOR
9.	ADVERTISE FOR BIDS: authorize the Purchasing Agent to advertise for bids for 2023 for Water Treatment Chemicals, WWTP Chemicals and WWTP Lab Services.	ROWE
10.	BUDGET TRANSFERS/AMENDMENTS: approve the Budget Transfers and Amendments as authorized by the Comptroller	WELLS
11.	INTRODUCE LOCAL LAW: introduce a Local Law amending Chapter 190, titled "Zoning" and Chapter 143, titled "Site Plan Review" of the Code of the City of Oneida to include wind energy regulations and to schedule a Public Hearing for Tuesday, November 15, 2022, at Common Council Chambers, 109 N. Main St., Oneida	HENRY/BELL
12.	INTRODUCE LOCAL LAW: introduce a Local Law adding short-term rental provisions to Chapter 190, titled "Zoning" of the Code of the City of Oneida and to schedule a Public Hearing for Tuesday, November 15, 2022, at Common Council Chambers, 109 N. Main St., Oneida	HENRY/BELL
13.	ADVERTISE FOR BIDS: authorize the Purchasing Agent to advertise for bids for 2023 for Tree Removal and Trimming Services	ROWE

NEW BUSINESS

EXECUTIVE SESSION: To seek advice of Counsel

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
NOVEMBER 1, 2022**

A meeting of the Common Council of the City of Oneida, NY was held on the first day of November 2022 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 Helen Acker

<u>Attendees</u>	Present	Absent	Arrived Late
Mayor Acker	<input 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 Rossi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input type="checkbox"/>	<input 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"/> _____

Also Present

City Attorney Nadine Bell	<input type="checkbox"/>	Fire Chief Dennis Fields	<input type="checkbox"/>
City Clerk Sandy LaPera	<input type="checkbox"/>	Police Chief John Little	<input type="checkbox"/>
City Engineer Jeff Rowe	<input type="checkbox"/>	Public Safety Com. Kevin Salerno	<input type="checkbox"/>
Codes Director Bob Burnett	<input type="checkbox"/>	Other _____	<input type="checkbox"/>
Comptroller Lee Ann Wells	<input type="checkbox"/>	Other _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

**PROCLAMATION
EXTRA MILE DAY**

RECIPIENTS

1. Lori Seef Bella Vita
2. Stacy Jones Oneida Office Supply

Proclamation
City of Oneida - Office of the Mayor

EXTRA MILE DAY

WHEREAS, Oneida, New York, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; **and**

WHEREAS, Oneida, New York, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment and conviction to their individual ambitions, family, friends, and community; **and**

WHEREAS, Oneida, New York, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; **and**

WHEREAS, Oneida, New York, acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2022; **and now therefore**

I, **Helen B. Acker, Mayor** do hereby proclaim November 1, 2022, to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Oneida on this 1ST day of November 2022.

Mayor Helen B. Acker

PUBLIC HEARING: Proposed Local Law to amend Chapter 151 of the Oneida City Code to add Article VII, Obstructions in Public Places

OPEN PUBLIC HEARING

**PROPOSED LOCAL LAW TO AMEND CHAPTER 151 OF THE ONEIDA CITY CODE TO ADD ARTICLE VII,
OBSTRUCTIONS IN PUBLIC PLACES**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing on a proposed Local Law to amend Chapter 151 of the Oneida City Code to add Article VII, Obstructions in Public Places be hereby opened at ____p.m.

Ayes:

Nays:

MOTION CARRIED

APPEARANCES

CLOSE PUBLIC HEARING

**PROPOSED LOCAL LAW TO AMEND CHAPTER 151 OF THE ONEIDA CITY CODE TO ADD ARTICLE VII,
OBSTRUCTIONS IN PUBLIC PLACES**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing on a proposed Local Law to amend Chapter 151 of the Oneida City Code to add Article VII, Obstructions in Public Places be hereby closed at ____p.m.

Ayes:

Nays:

MOTION CARRIED

PUBLIC COMMENT:
OLD BUSINESS:

APPROVAL OF MINUTES

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the regular meeting of October 18, 2022, are hereby approved as presented.

Ayes:
Nays:

MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor
Seconded by Councilor

RESOLVED, that Warrant No. 21, checks and ACH payments in the amount of \$468,066.50 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes:

Nays:

MOTION CARRIED

WARRANT	21
DATE:	November 1, 2022

FUND		PAYMENT NUMBER (S)	AMOUNT
Capital	4778		\$ 4,736.67
Library Fund	025		
Fund	027		
ARPA Fund	030	1254-1257	\$ 69,243.52
Current Funds		70634-70701	\$ 357,128.63
ACH			\$ 36,957.68

WARRANT #1 TOTAL	\$ 468,066.50
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1. **ADOPT A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM ON SMOKE SHOP USES WITHIN THE CITY OF ONEIDA**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled "A Local Law Imposing a Six (6) Month Moratorium on Smoke Shop Uses Within the City of Oneida" was presented and introduced at a Regular Meeting of the Common Council of the City of Oneida held on October 4, 2022; and

WHEREAS, a public hearing was held on such proposed local law on October 18, 2022 and by the Common Council of the City of Oneida and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of the Proposed Local Law has previously been determined to be a Type II action for purposes of environmental review under SEQRA and will have no significant effect on the environment thus concluding the SEQR process;

WHEREAS, it is in the public interest to enact said Proposed Local Law.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact a Local Law as follows:

"CITY OF ONEIDA

PROPOSED LOCAL LAW

**A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM
ON SMOKE SHOP USES WITHIN THE CITY OF ONEIDA**

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

SECTION 1. Intent.

It is the intent of the Common Council of the City of Oneida to impose a six (6) month moratorium on the establishment, creation, maintenance, advertisement and/or operation of new smoke shop uses within the City of Oneida because of the exponential increase of the same within the City of Oneida.

SECTION 2. Legislative Purpose.

Pursuant to the statutory powers vested in the City of Oneida to regulate and control land use, and to protect the health, safety and welfare of its residents, the Common Council of the City of Oneida hereby declares a temporary moratorium on the establishment, creation, maintenance, advertisement and/or operation of new smoke shop uses within the City of Oneida.

Because of the exponential increase of smoke shop uses within the City of Oneida, the Common Council of the City of Oneida desires to address, in a careful manner, the issues raised by smoke shops on a comprehensive basis, rather than on an ad hoc basis, with the goal of adopting appropriate zoning or other land use laws or by amending its current laws to properly regulate the same.

SECTION 3. Definitions.

SMOKE SHOP – This term includes any premises dedicated to the display, sale distribution, delivery, offering, furnishing or marketing of tobacco and/or cannabis, tobacco and/or cannabis products, and/or tobacco and/or cannabis paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells tobacco and/or cannabis as an ancillary sale shall not be defined as a “smoke shop.”

SECTION 4. Moratorium.

A. Unless permitted pursuant to Section 5 hereafter, from and after the date of this Local Law, no application for a permit, zoning permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or other City-level approval of any nature shall be accepted, processed, entertained, approved, approved conditionally, or issued by any board, employee, official agent of the City of Oneida, for the construction, establishment, use, creation, maintenance, advertisement and/or operation of any land, building or structure within the City of Oneida for any new smoke shop use, as defined above.

B. This moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date six (6) months from said effective date of this Local Law, unless renewed; or (ii) the enactment by the Common Council of a resolution indicating the Common Council is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all zoning districts and all real property within the City of Oneida.

D. Under no circumstances shall the failure of the Common Council of the City of Oneida, the Planning Department, the Planning Commission/Zoning Board of Appeals, or the Code Enforcement Office for the City of Oneida to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or other City-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

SECTION 5. Relief from provisions of this Local Law.

A. The Common Council of the City of Oneida reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Planning Department together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorney's fees, incurred by the City, shall be reimbursed to the City by the Applicant. The Common Council shall apply Use Variance criteria as set forth in the New York State General City Law, Section 81-b in reviewing any application for relief.

C. The Common Council of the City of Oneida may refer any applications for relief herein to the City of Oneida Planning Commission/Zoning Board of Appeals for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Common Council after determining whether the requested relief is compatible with any contemplated amendments to the Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Common Council shall deny the application.

D. The Common Council shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Planning Department and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 6. Penalties.

Any individual, partnership, firm or corporation that shall establish, construct, reconstruct, relocate, enlarge, or modify any site to be used for a smoke shop use in violation of the provisions of this Local Law, shall be subject to:

A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the City to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this Local Law.

SECTION 7. Enforcement.

This Local Law shall be enforced by the City of Oneida Code Enforcement Office or such other zoning enforcement individual(s) as designated by the Common Council. It shall be the duty of the enforcement individual(s) to advise the Common Council of all matters pertaining to the enforcement of this Local Law.

SECTION 8. Validity and severability.

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section of this Local Law.

SECTION 9.

Effective date

This Local Law shall be effective upon filing with the office of the Secretary of State.”

Councilor Szczerba:

Councilor Laureti:

Councilor Rossi:

Councilor Kinville:

Councilor Pagano:

Councilor Simchik:

MOTION CARRIED

Madison County

PLANNING DEPARTMENT

PO Box 606
Wampsville, NY 13163
(315) 366-2376

Scott Ingmire
Director



GML Recommendation Report

This application or petition has been referred to the Madison County Planning Department, as the County Planning Agency pursuant to General Municipal Law 239-l and -m, because it applies to property within 500' of at least one of the following:

- | | |
|--|--|
| <input checked="" type="checkbox"/> State or County Highway | <input type="checkbox"/> Land on which a Public Building is located |
| <input type="checkbox"/> State or County Park/ Recreational Area | <input type="checkbox"/> Cowaselon Creek (County-owned or delineated stream or drainage channel) |
| <input checked="" type="checkbox"/> Municipal Boundary | <input type="checkbox"/> Farm operation in a State-certified Agricultural District (excluding area variance) |

Which is/ are: City of Oneida inclusive

NOTE TO THE LOCAL REFERRING BOARD: Article 12-b Section 239 of the General Municipal Law requires that final action by your Board contrary to the Madison County Planning Department's recommendation of either "Modification" or "Disapproval" requires a super-majority (majority-plus-one) vote of all members thereof, and that you set forth the reasons of such contrary action in the report to be filed with the Madison County Planning Department within 30 days of your final action. (An Official Notice of Action form is enclosed for this purpose.)

GML Log#: <u>109- 2022</u>	Company Name: <u>City of Oneida Common Council</u>
Municipality: <u>City of Oneida</u>	Applicant Name: <u>City of Oneida</u>
TaxMapID: <u>inclusive</u>	Applicant Address: <u>109</u> <u>North Main Street</u>
	Applicant City/St/Zip: <u>Oneida, NY 13421</u>

Date Received: <u>10/7/2022</u>	Date of Recommendation:
GML Action 1: <u>Moratorium</u>	Recommendation 1: <u>Return for Local Determination</u>
GML Action 2:	Recommendation 2:

Comments:

The six-month smoke shop moratorium will cause no county wide impact and is sent back for local determination.

A handwritten signature in black ink, appearing to read "Scott Ingmire".

Scott Ingmire, Director

2. **ADOPT A LOCAL LAW TO AMEND CHAPTER 122 OF THE ONEIDA CITY CODE TO REMOVE REFERENCES TO MARIJUANA**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled "A Local Law to Amend Chapter 122 of the Oneida City Code to Remove References to Marijuana" was presented and introduced at a Regular Meeting of the Common Council of the City of Oneida held on October 4, 2022; **and**

WHEREAS, a public hearing was held on such proposed local law on October 18, 2022 and by the Common Council of the City of Oneida and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; **and**

WHEREAS, the enactment of the Proposed Local Law has previously been determined to be an Unlisted action for purposes of environmental review under SEQRA and will have no significant effect on the environment thus concluding the SEQR process;

WHEREAS, it is in the public interest to enact said Proposed Local Law.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact a Local Law of 2022 as follows:

"CITY OF ONEIDA

A LOCAL LAW TO AMEND CHAPTER 122 OF THE ONEIDA CITY CODE TO REMOVE REFERENCES TO MARIJUANA

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapter 122 of the Oneida City Code, as follows:

SECTION 1. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2.

So that the definition of "Illegal Drug Activity," as set forth in Section 122-2 of the Oneida City Code, is hereby amended to read, in its entirety, as follows:

"ILLEGAL DRUG ACTIVITY – The use or possession of a controlled substance, as defined by the State Penal Law."

SECTION 3.

So that the definition of "Public Nuisance," as set forth in Section 122-2(A)(1) of the Oneida City Code, is hereby amended to read, in its entirety, as follows:

"(1) Any building, structure or real property used for the illegal use, possession or distribution of a controlled substance, as defined by the State Penal Law."

SECTION 4.

So that Section 122-4(A)(3)(a) of the Oneida City Code is hereby amended to read, in its entirety, as follows:

"(a) Service of a search warrant on the premises where controlled substances and/or weapons are seized."

SECTION 5. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State."

Councilor Szczerba: _____
Councilor Laureti: _____
Councilor Rossi : _____
Councilor Kinville: _____
Councilor Pagano: _____
Councilor Simchik: _____
MOTION CARRIED

3. 2023 CITY OF ONEIDA MAYOR'S BUDGET

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the 2023 City of Oneida Mayor's Budget be hereby received and placed on file and schedule a Public Hearing on the proposed budget for November 15, 2022, at 6:30 p.m. at City of Oneida City Hall, Common Council Chambers, 109 N. Main St. Oneida, NY 13421.

Ayes:

Nays:

MOTION CARRIED

4. **MISCELLANEOUS UTILITY BILLING**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to receive and place on file the City of Oneida Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes, authorize the charges in the 2022 assessment roll to be re-levied onto the 2023 tax roll, and to schedule a Public Hearing for Tuesday, November 15, 2022, at 6:30p.m. in the Common Council Chambers, 109 N. Main Street, Oneida, NY 13421.

Ayes:

Nays:

MOTION CARRIED

5. BOARD APPOINTMENT-ZBA/PLANNING COMMISSION

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the Mayor's appointment of O. Perry Tooker IV, 220 Park Ave., Oneida, NY 13421 to the Joint Zoning Board of Appeals/Planning Commission for a 7-year term.

Ayes:

Nays:

MOTION CARRIED

6. 2023 HEALTH INSURANCE & DENTAL PLAN RENEWALS

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Mayor be authorized to sign the health insurance renewal plans for 2023 with Excellus BluePPO Option 1, Signature Deductible 3, and the dental plan renewal for 2023 with Excellus Dental Blue Options for contract period January 1, 2023 through December 31, 2023.

Ayes:

Nays:

MOTION CARRIED

7. INTRODUCE A LOCAL LAW UPDATING THE CODE ENFORCEMENT PROGRAM IN THE CITY OF ONEIDA

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

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

WHEREAS, the City of Oneida Common Council has the authority to adopt provisions to advance and protect the safety, welfare, and aesthetics of the community; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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, the Board of Trustees 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 it is 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 November 15, 2022, 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:

Nays:

MOTION CARRIED

8. **BOARD APPOINTMENTS-RECREATION COMMISSION**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the Mayor's appointments of the following individuals to the Recreation Commission for a 3-year term.

- | | | |
|-------------------|-----------------------|------------------|
| • Jack Cavallo | 26 State St. | Oneida, NY 13421 |
| • Mark Flynn | 341 Broad St. | Oneida, NY 13421 |
| • Nicole Rossi | 304 Cleveland Ave. | Oneida, NY 13421 |
| • Diane Farina | 195 Willow Meadow Way | Oneida, NY 13421 |
| • Lisa Coakley | 505 Broad Street | Oneida, NY 13421 |
| • Jennifer Nellis | 3778 Prospect St. | Oneida, NY 13421 |

Student Liaisons (yearly position)

- | | | |
|------------------|-------------------|------------------|
| • Olivia Hoffman | 542 Fitch St. | Oneida, NY 13421 |
| • Tori Nellis | 3778 Prospect St. | Oneida, NY 13421 |

Ayes:

Nays:

MOTION CARRIED

9. ADVERTISE FOR BIDS

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Purchasing Agent to advertise for bids for 2023 for Water Treatment Chemicals, WWTP Chemicals and WWTP Lab Services.

Ayes:

Nays:

MOTION CARRIED

10. **BUDGET TRANSFERS/AMENDMENTS**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

2022 Budget Adjustments

RESOLVED, to approve the following 2022 Budget Amendment/Transfers

	<u>To</u>	<u>From</u>
\$ 90,000.00	001.3410.0101.0000 Fire Salaries	001.0001.0912.0000 General Fund Balance

To allocate funds to salaries to account for 2 retirement payouts

\$ 60,000.00	001.3410.0102.0000 Fire Overtime	001.0001.0912.0000 General Fund Balance
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To allocate funds to cover overtime. Waiting on approx \$27k to be reimbursed from Workers Compensation Board for 207A injury

Ayes:

Nays:

MOTION CARRIED

Sandy Lapera

From: Christopher Henry
Sent: Thursday, October 27, 2022 8:24 AM
To: Sandy Lapera
Subject: Zoning Amendments

Sandy,

Here are the write-ups:

- **ADDING SHORT-TERM RENTAL PROVISIONS TO CHAPTER 190, ZONING**
 - The City of Oneida is updating the Zoning Regulations for Short-term Rentals. The City of Oneida currently has a moratorium for Boarding Houses, and this update will address Boarding Houses.
 - The Zoning update will establish Short-Term Rentals in Chapters 190; Chapter 190 (Zoning), Attachment 1:1 titled "Table A: Schedule of Uses" and Attachment 1:1 titled "Table B: Lot Development Standards."
- **AMENDING CHAPTER 190, TITLED "ZONING," TO INCLUDE WIND ENERGY REGULATIONS**
 - The City of Oneida is updating the Site Plan Review and Zoning Regulations for Wind Energy. The City of Oneida currently has a moratorium for Wind Energy.
 - The Zoning update will establish Wind Energy Regulations in Chapters 143 and 190. Chapter 190 (Zoning), Attachment 1:1 titled "Table A: Schedule of Uses" and Attachment 1:1 titled "Table B: Lot Development Standards."

Call with any questions, and if you don't get anything from Nadine.

Chris



Christopher Henry
Director of Planning and Development

City Phone: 315-363-4800 Direct Line 315-363-7467
Web www.oneidacity.com Email chenry@oneidacity.com
109 N. Main Street Oneida, NY 13421

11. **INTRODUCE A LOCAL LAW AMENDING CHAPTERS 190, TITLED "ZONING," AND 143, TITLED "SITE PLAN REVIEW," OF THE CODE OF THE CITY OF ONEIDA TO INCLUDE WIND ENERGY REGULATIONS**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

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 City of Oneida Common Council has the authority to adopt provisions to define, clarify and make uniform the Code of the City of Oneida; and

WHEREAS, this amendment to the Code of the City of Oneida will amend Chapters 190 and 143 of the Code of the City of Oneida regulate wind energy systems; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is a Type I Action for purposes of environmental review under SEQRA and a Full Environmental Assessment Form (EAF) in support of this Local Law will be prepared for review by the Common Council.

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 the proposed Local Law is a Type 1 action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that this proposed Local Law will be referred to the City of Oneida Planning Commission/ Zoning Board of Appeals and the Madison County Planning Department pursuant to New York General Municipal Law § 239; and it is 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 November 15, 2022, 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:

Nays:

MOTION CARRIED

12. **INTRODUCE A LOCAL LAW ADDING SHORT-TERM RENTAL PROVISIONS TO CHAPTER 190, TITLED "ZONING," OF THE CODE OF THE CITY OF ONEIDA**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

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 City of Oneida Common Council has the authority to adopt provisions to define, clarify and make uniform the Code of the City of Oneida; and

WHEREAS, this amendment to the Code of the City of Oneida will amend Chapter 190 of the Code of the City of Oneida to regulate short-term rentals; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is a Type I Action for purposes of environmental review under SEQRA and a Full Environmental Assessment Form (EAF) in support of this Local Law will be prepared for review by the Common Council.

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 the proposed Local Law is a Type 1 action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that this proposed Local Law will be referred to the City of Oneida Planning Commission/ Zoning Board of Appeals and the Madison County Planning Department pursuant to New York General Municipal Law § 239; and it is 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 November 15, 2022, 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:

Nays:

MOTION CARRIED

13. **ADVERTISE FOR BIDS**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Purchasing Agent to advertise for bids for 2023 for Tree Removal and Trimming Services.

Ayes:

Nays:

MOTION CARRIED

NEW BUSINESS

EXECUTIVE SESSION

RESOLUTION 22-

Motioned by Councilor
Seconded by Councilor

RESOLVED, that the meeting is hereby adjourned to Executive Session at _____p.m. to seek advice of Counsel.

Ayes:

Nays:

MOTION CARRIED

PRESENT: Mayor City Attorney Comptroller Councilors Absent _____
 Other _____ Other _____

1. Discussion was held to seek advice of Counsel.

Motioned by Councilor
Seconded by Councilor

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

Ayes:

Nays:

MOTION CARRIED

Motion to adjourn by Councilor
Seconded by Councilor

Ayes:

Nays:

MOTION CARRIED

The regular meeting is hereby adjourned at _____ p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk