



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

AGENDA

Date:	May 2, 2023	Presiding:	Michelle Kinville Deputy 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: Community Safety Week

PUBLIC COMMENT: Limited to 3 minutes

OLD BUSINESS:

Approval of the Minutes: April 18, 2023

Approval of Warrant: 9

Item	Title	Facilitator
1.	AGREEMENT: authorize the Deputy Mayor to sign an agreement with Byrne Dairy, Inc. for the acceptance of high strength organic waste (WWTP)	ROWE
2.	AGREEMENT: authorize the Deputy Mayor to sign an agreement with the Oneida Memorial Association to co-sponsor the 2023 Memorial Day Parade to be held on Friday, May 26, 2023	MAYOR
3.	INTRODUCE LOCAL LAW: introduce a Local Law to amend Article VI, Section 6.1(B)(1) of the Oneida City Charter to revise the procedure for the payment for the construction/reconstruction of sidewalks and to improve the system of sidewalks within the City and schedule a Public Hearing for Tuesday, May 16, 2023, at 6:30pm, Common Council Chambers, 109 N. Main St., Oneida	MAYOR
4.	SPECIAL EVENT: approve the Special Event Application for Jessicas Heroes Foundation for the annual 5K Run/Walk on September 23, 2023	LAPERA
5.	FALL FEST 2023: approve the distribution and sales of wine and alcoholic beverages by private vendors upon application to the City Clerk and with	LAPERA

Item	Title	Facilitator
	submission of proof of a general liability insurance policy for Fall Fest 2023 to be held on September 30, 2023	
6.	ADVERTISE FOR BIDS: authorize the Purchasing Agent to advertise for bids for Phase I of the Higinbotham Brook Culvert Replacement	ROWE
7.	INTRODUCE LOCAL LAW: introduce a Local Law to amend the Zoning Map of the City of Oneida for 1445 W. Elm St. (Tax Map No. 29.-2-41.1) from M- I (Manufacturing-Industrial) to A (Agricultural) and schedule a Public Hearing for Tuesday, May 16, 2023, at 6:30pm, Common Council Chambers, 109 N. Main Street, Oneida	HENRY
8.	APPROVE BID: approve the lowest bid meeting specifications for Sensus Water Meters to Core and Main, 2220 State Route 5, Utica, NY 13502 as the Apparent Low Bidder	WELLS
9.	APPROVE BID: approve the lowest bid meeting specifications for 140 Madison Street Debris Removal to Dan's Hauling & Demo, PO Box 409, Wynantskill, NY 12198 as the Apparent Low Bidder	WELLS
10.	BUDGET TRANSFERS/AMENDMENTS: approve the Budget Transfers and Amendments and outlined by the Comptroller	WELLS
11.	CLIMATE ADAPTATION AND RESILIENCY PLAN: approve to pursue the development and adoption of a Climate Adaptation and Resiliency Plan	HENRY

NEW BUSINESS

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
MAY 2, 2023**

A meeting of the Common Council of the City of Oneida, NY was held on the second day of May 2023 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 Deputy Mayor Michelle Kinville.

<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 Steve Lowell	<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: Community Safety Week

Proclamation

City of Oneida - Office of the Mayor

WHEREAS, the City of Oneida recognizes the importance of safety for all residents and visitors of our community and are committed to a full range of efforts to ensure this reality; **and**

WHEREAS, the safety in our community is the responsibility of each and every one of us, and we must prepare now and learn to secure a strong and healthy tomorrow; **and**

WHEREAS, the community of Oneida will learn and practice healthy and safe habits so we may encourage and protect each other **and**

WHEREAS, organizations work together for the advancement of safety and knowledge in the Oneida community, **now therefore**

I, **Helen B. Acker**, Mayor of the City of Oneida do hereby proclaim that the second week of May will annually be referred to as

Oneida Safety Week

in the City of Oneida, and I ask others to join in their commitment to care for and support our beloved community.

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Oneida on this 2nd day of May 2023.

Mayor Helen B. Acker

PUBLIC COMMENT:
OLD BUSINESS:

APPROVAL OF MINUTES

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the regular meeting of April 18, 2023, are hereby approved as presented.

Ayes:

Nays:

MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor
Seconded by Councilor

RESOLVED, that Warrant No. 9, checks and ACH payments in the amount of \$576,660.89 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	9
DATE:	May 2, 2023

FUND		PAYMENT NUMBER (S)	AMOUNT
Capital		4795	\$ 20,906.37
Library Fund	025		
Fund	027		
ARPA Fund	030		
Current Funds		71891-71969	\$ 518,687.47
ACH			\$ 37,067.05

WARRANT #1 TOTAL	\$ 576,660.89
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Oneida, NY

Expense Approval Report By Fund

Payment Dates 4/24/2023 - 5/2/2023

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
Fund: 001 - GENERAL FUND					
TYLER TECHNOLOGIES	71962	05/02/2023	BAR CODE SCANNER PROGRAM	001.0001.0481.0000	42.70
TYLER TECHNOLOGIES	71962	05/02/2023	BAR CODE SCANNER PROGRAM	001.1680.0403.0000	59.79
Dr. Robert J Kohlbrenner	71912	05/02/2023	Police Psych Eval	001.1430.0403.0000	600.00
Dr. Robert J Kohlbrenner	71912	05/02/2023	EXAM	001.1430.0403.0000	300.00
NYS DEPT OF MTR VEHICLES	71946	05/02/2023	Kowalski Registration	001.3120.0413.0000	890.00
LOWE'S HOME IMPROVEMENT, ..	71931	05/02/2023	QUARTERLY SUPPLIES	001.3310.0300.0000	179.55
CINTAS CORP	71902	05/02/2023	UNIFORM	001.5132.0403.0000	8.03
SIRCHIE ACQUISITION COMPAN...	71955	05/02/2023	Shipping	001.3120.0300.0000	12.50
SIRCHIE ACQUISITION COMPAN...	71955	05/02/2023	Gun Evidence Boxes	001.3120.0300.0000	40.97
UNITED AUTO SALES	71963	05/02/2023	Running Pollice Auto Supplies	001.1640.0403.0001	43.45
UNITED AUTO SALES	71963	05/02/2023	parts	001.5132.0300.0000	294.50
UNITED AUTO SALES	71963	05/02/2023	Running Police Auto Supplies	001.1640.0403.0001	29.34
UNITED AUTO SALES	71963	05/02/2023	parts	001.5132.0300.0000	65.77
MARCY HYDRAULICS	71934	05/02/2023	hydraulic parts	001.5132.0300.0000	609.18
MARCY HYDRAULICS	71934	05/02/2023	hydraulic parts	001.5132.0300.0000	192.44
MARCY HYDRAULICS	71934	05/02/2023	hydraulic parts	001.5132.0300.0000	91.64
JEREMY CARNAHAN	71925	05/02/2023	UNIFORM ITEMS	001.3410.0317.0000	93.98
MADISON COUNTY TREASURER	71933	05/02/2023	PRINTED ENVELOPES FOR ALL D...	001.1660.0300.0000	137.64
LINSTAR, INC.	DFT0003647	05/02/2023	ID TAG LAPERLA	001.1989.0400.0000	12.80
LINSTAR, INC.	DFT0003647	05/02/2023	ID TAG DIANA	001.1989.0400.0000	12.80
HAR-ROB FIRE APPARATUS SERV..	71920	05/02/2023	297 Ladder service	001.3410.0409.0000	2,150.00
HAR-ROB FIRE APPARATUS SERV..	71920	05/02/2023	pump service w/ drafting 297	001.3410.0409.0000	730.00
HAR-ROB FIRE APPARATUS SERV..	71920	05/02/2023	Light and gauge repairs to Engi...	001.3410.0411.0000	9,304.00
INTERSTATE BATTERY SYSTEM I...	71923	05/02/2023	battery for E3	001.3410.0409.0000	129.95
FASTENAL CO. INC.	71916	05/02/2023	parts and supplies	001.5132.0300.0000	5.72
FASTENAL CO. INC.	71916	05/02/2023	parts and supplies	001.5132.0300.0000	10.78
MES NEW YORK	71939	05/02/2023	Turn out gear suspenders	001.3410.0400.0000	246.00
HUMMELS OFFICE EQUIPMENT...	71922	05/02/2023	building supplies	001.1620.0300.0000	465.00
WELLOW UC - CANAL STREET	71967	05/02/2023	DRUG SCREENING	001.1430.0403.0000	1,336.00
WELLOW UC - CANAL STREET	71967	05/02/2023	DRUG SCREENING	001.3120.0413.0000	326.00
WELLOW UC - CANAL STREET	71967	05/02/2023	DRUG SCREENING	001.3410.0418.0000	2,870.00
GUTHRIE SALES AND SERVICE	71919	05/02/2023	sweeper parts	001.5132.0300.0000	1,866.47
CIVICPLUS	71903	05/02/2023	MUNICODE SUBSCRIPTION	001.1680.0403.0000	4,305.00
NYS ASSOCIATION OF FIRE CHIE...	71945	05/02/2023	MEMBERSHIP	001.3410.0407.0000	45.00
AQUARIUS CAPITAL SOLUTIONS...	71891	05/02/2023	2022 Actuarial Report	001.1315.0405.0000	4,500.00
SMITH'S HOME DECORATING C...	71956	05/02/2023	carpet for Codes	001.1620.0300.0000	1,527.00
JEROME FIRE EQUIPMENT CO, I...	71926	05/02/2023	relief valve repair	001.3410.0400.0000	274.00
EMERGENCY SERVICES MARKET...	71914	05/02/2023	lamResponding paging svcs sub...	001.3410.0403.0000	660.00
GALLS INCORPORATED	71917	05/02/2023	Flashlight and Adapter	001.3120.0317.0000	122.10
GALLS INCORPORATED	71917	05/02/2023	Shipping	001.3120.0317.0000	5.00
GALLS INCORPORATED	71917	05/02/2023	Mechanix Gloves	001.3120.0317.0000	28.80
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Poly Rayon Side Pocket Pants	001.3120.0317.0000	524.95
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Pelican Flashlight	001.3120.0317.0000	149.98
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Flex Badge	001.3120.0317.0000	36.81
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Hooks for Blouse Coat	001.3120.0317.0000	50.00
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Coat Striping	001.3120.0317.0000	28.75
LEWIS UNIFORM CO., LLC	71930	05/02/2023	2 Tone Badge	001.3120.0317.0000	165.15
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Dress Blouse	001.3120.0317.0000	196.95
LEWIS UNIFORM CO., LLC	71930	05/02/2023	Leather Duty Belt	001.3120.0317.0000	64.99
LEWIS UNIFORM CO., LLC	71930	05/02/2023	2 Tone Badge	001.3120.0317.0000	300.60
LEWIS UNIFORM CO., LLC	71930	05/02/2023	2 Tone Hat Badge	001.3120.0317.0000	142.65
RELIABLE PRODUCTS	71951	05/02/2023	BUILDING SUPPLIES	001.1620.0300.0000	53.00
DAVID R MEEKER JR	71910	05/02/2023	MEALS	001.3120.0416.0000	24.00

Expense Approval Report

Payment Dates: 4/24/2023 - 5/2/2023

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
PETER CANIA	71948	05/02/2023	MEALS	001.3120.0416.0000	36.00
DANIEL SLATOR	71909	05/02/2023	MEALS	001.3120.0416.0000	12.00
MATTHEW MOSACK	71936	05/02/2023	MEALS	001.3120.0416.0000	12.00
NICK WEBER	71944	05/02/2023	MEAL	001.3120.0416.0000	12.00
TOM LENNING	71958	05/02/2023	MEALS	001.3120.0416.0000	24.00
JOSHUA HOOD	71927	05/02/2023	MEALS	001.3120.0416.0000	108.00
TYLER ILES	71961	05/02/2023	MEALS	001.3120.0416.0000	24.00
ONEIDA CITY SCHOOL DIST	DFT0003651	05/02/2023	MARCH COLL	001.0001.0661.0000	32,119.76
ONEIDA CITY SCHOOL DIST	DFT0003651	05/02/2023	MARCH COLL	001.0001.0661.0009	1,605.96
MADISON COUNTY TREASURER	71933	05/02/2023	MARCH COLLECTION	001.0001.0663.0000	102,633.97
LOWE'S HOME IMPROVEMENT, ..	71931	05/02/2023	misc as needed	001.3410.0405.0000	56.32
MATTHEW GACEK	71935	05/02/2023	MEALS	001.3120.0416.0000	36.00
ZACHARY PRZBYLA	71969	05/02/2023	MEALS	001.3120.0416.0000	48.00
CHRISTOPHER GREGORY	71901	05/02/2023	MEALS	001.3120.0416.0000	36.00
RYAN WARNER	71952	05/02/2023	MEALS	001.3120.0416.0000	24.00
CANON FIANCIAL SERVICES	DFT0003644	05/02/2023	COPIER LEASE	001.1620.0406.0000	790.20
CANON FIANCIAL SERVICES	DFT0003644	05/02/2023	COPIER LEASE	001.1620.0406.0000	526.80
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	45.87
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	57.77
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	26.77
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	115.76
QUILL CORPORATION	71950	05/02/2023	40 CASES COPY PAPER	001.1660.0300.0000	1,654.40
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	430.98
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	39.32
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	113.86
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	314.64
QUILL CORPORATION	71950	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	39.01
BUELL FUEL LLC	71896	05/02/2023	DIESEL	001.1640.0402.0000	1,298.07
TRACTOR SUPPLY CO	71960	05/02/2023	SOCKETS	001.5110.0300.0000	33.98
AMAZON WEB SERVICES, LLC.	DFT0003643	05/02/2023	TYPEWRITER	001.1410.0200.0000	239.34
WAL-MART, INC.	71966	05/02/2023	BLANKET PO	001.7140.0300.0000	53.46
MATTHEW RASH	71937	05/02/2023	CO-ED VOLLEYBALL	001.7140.0403.2021	100.00
EILEEN ILES	71913	05/02/2023	PRISONER MEAL	001.3120.0300.0000	3.99
VERIZON	71965	05/02/2023	APRIL 15 - MAY 15	001.1680.0403.0000	220.02
AMAZON WEB SERVICES, LLC.	DFT0003643	05/02/2023	CAR MAGNETS ASSESSOR	001.1355.0300.0000	45.99
NYS DEPT OF MTR VEHICLES	71946	05/02/2023	Przybyla Registration	001.3120.0413.0000	890.00
LOWE'S HOME IMPROVEMENT, ..	71931	05/02/2023	SUPPLIES	001.5110.0300.0000	67.56
JEFFREY GILBERT	71924	05/02/2023	MUNY BASKETBALL	001.7140.0403.2020	45.00
TOM WRIGHT	71959	05/02/2023	MUNY BASKETBALL	001.7140.0403.2020	45.00
NBT BANK	DFT0003648	05/02/2023	REIMBURSEMENT	001.0023.2770.0000	20.49
AMAZON WEB SERVICES, LLC.	DFT0003643	05/02/2023	LATERAL FILE CABINET	001.1410.0200.0000	125.00
MELISSA LUCK	71938	05/02/2023	POSTAGE	001.3120.0317.0000	19.95
LOWE'S HOME IMPROVEMENT, ..	71931	05/02/2023	BLANKET PO	001.7140.0409.0000	82.47
LOWE'S HOME IMPROVEMENT, ..	71931	05/02/2023	Supplies	001.3120.0300.0000	53.15
SCOTT CARROLL	71953	05/02/2023	CO-ED VOLLEYBALL	001.7140.0403.2021	300.00
BRAYDON DI SALVO	71895	05/02/2023	CO-ED VOLLEYBALL	001.7140.0403.2021	150.00
WAL-MART, INC.	71966	05/02/2023	SUPPLES	001.3410.0438.0000	42.11
AT & T MOBILITY	71892	05/02/2023	WIRELESS	001.1680.0403.0000	1,185.06
NYS ASSESSORS' ASSOC., INC.	DFT0003649	05/02/2023	REGISTRATION FOR LENNON	001.1355.0401.0000	470.00
HOTEL ITHACA	DFT0003646	05/02/2023	5 NIGHTS FOR SEMINAR LENN...	001.1355.0401.0000	670.00
NATIONAL GRID	71943	05/02/2023	ELECTRIC	001.1620.0401.0000	51.72
MICHAEL BURGESS	71941	05/02/2023	Suit Items	001.3120.0317.0000	219.98
CINTAS CORP	71902	05/02/2023	UNIFORM	001.5132.0403.0000	234.37
CINTAS CORP	71902	05/02/2023	UNIFORM	001.5132.0403.0000	201.85
DANICE M VALERIO	71908	05/02/2023	April uniform order	001.3410.0317.0000	1,226.00
COOPER ELECTRIC	71905	05/02/2023	ELECTRICAL SUPPLIES	001.1620.0300.0000	43.32
COOPER ELECTRIC	71905	05/02/2023	LIGHT BULBS	001.3410.0405.0000	77.07
DOG WASTE DEPOT	71911	05/02/2023	DOG SUPPLIES FOR PARKS	001.7140.0300.0000	536.91
BUELL FUEL LLC	71896	05/02/2023	GASOLINE	001.1640.0401.0000	7,928.68
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	misc as needed	001.3410.0409.0000	97.11

Expense Approval Report

Payment Dates: 4/24/2023 - 5/2/2023

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	Running Police Auto Supplies	001.1640.0403.0001	40.60
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	Running Police Auto Supplies	001.1640.0403.0001	194.08
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	1,302.67
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	16.04
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	30.98
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	12.50
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	59.99
MGM PARTS DISTRIBUTORS, INC	71940	05/02/2023	parts	001.5132.0300.0000	21.98
CHEM-AQUA, INC.	71900	05/02/2023	water treatment for MB	001.1620.0403.0001	461.61
BOUND TREE MEDICAL, LLC.	71894	05/02/2023	medical supplies	001.3410.0300.0000	1,184.51
BOUND TREE MEDICAL, LLC.	71894	05/02/2023	medical supplies	001.3410.0300.0000	686.06
ONEIDA OFFICE SUPPLY	71947	05/02/2023	BLANKET PO	001.7140.0300.0000	15.97
ONEIDA OFFICE SUPPLY	71947	05/02/2023	SUPPLIES	001.3410.0438.0000	35.79
ONEIDA OFFICE SUPPLY	71947	05/02/2023	SHEET PROTECTORS	001.1660.0300.0000	4.99
ONEIDA OFFICE SUPPLY	71947	05/02/2023	BUILDINGS SUPPLIES	001.1620.0300.0000	105.98
ONEIDA OFFICE SUPPLY	71947	05/02/2023	OFFICE SUPPLIES	001.1660.0300.0000	44.97
CCI COMPANIES INC	71898	05/02/2023	REMOVE DEBRIS 140 MADISON...	001.3650.0400.0000	7,387.59
KIME HARDWARE	71929	05/02/2023	BLANKET PO	001.7140.0409.0000	12.35
KIME HARDWARE	71929	05/02/2023	QUARTERLY SUPPLIES	001.1620.0300.0000	69.88
WHITE FARM SUPPLY INC	71968	05/02/2023	supplies, parts	001.5132.0300.0000	1,110.65
SPORTS LOCKER	71957	05/02/2023	SOFTBALL EQUIPMENT	001.7140.0403.2022	275.80
CLIFTON RECYCLING	71904	05/02/2023	TUB GRINDER	001.5110.0404.0000	12,750.00
UNITED UNIFORM CO INC	71964	05/02/2023	Womens Duty Belt	001.3120.0317.0000	65.00
UNITED UNIFORM CO INC	71964	05/02/2023	Elbeco Reflex Covert Cargo Pants	001.3120.0317.0000	124.50
MITCHELL DRYER JR	71942	05/02/2023	MAY 2023	001.3410.0401.0000	2,975.52
HUMANA INS CO OF NY	71921	05/02/2023	MAY 2023	001.9060.0805.0000	22,852.39
MITCHELL DRYER JR	71942	05/02/2023	MAY 2023	001.9060.0805.0000	-137.48
EXCELLUS BLUECROSS BLUESHI...	71915	05/02/2023	MAY 2023	001.9060.0805.0000	220,567.89
CUMMINS NORTHEAST INC.	71907	05/02/2023	new turbo for 291	001.3410.0200.0000	7,454.02
Fund 001 - GENERAL FUND Total:					473,809.60
Fund: 002 - WATER					
OLD DOMINION FREIGHT LINE	DFT0003650	05/02/2023	Old Dominion Freight Line	002.8300.0302.0000	321.97
BUELL FUEL LLC	71896	05/02/2023	Buell Fuel	002.8300.0401.0000	3,375.82
VERIZON	71965	05/02/2023	APRIL 15 - MAY 15	002.8300.0402.0000	97.79
EXXON	DFT0003645	05/02/2023	GAS TO WATER CONFERENCE	002.8300.0413.0000	29.95
VERIZON	DFT0003652	05/02/2023	FIOS TABERG	002.8300.0401.0000	75.99
AT & T MOBILITY	71892	05/02/2023	WIRELESS	002.8300.0403.0000	191.15
GRAINGER INC	71918	05/02/2023	grrainger	002.8300.0302.0000	275.85
GRAINGER INC	71918	05/02/2023	grrainger	002.8300.0302.0000	52.98
EXCELLUS BLUECROSS BLUESHI...	71915	05/02/2023	MAY 2023	002.9060.0805.0000	23,168.94
HUMANA INS CO OF NY	71921	05/02/2023	MAY 2023	002.9060.0805.0000	2,477.97
CORE & MAIN	71906	05/02/2023	ALL ITEMS PER 2022 METER BID	002.8300.0324.0000	4,147.85
CORE & MAIN	71906	05/02/2023	METERS	002.8300.0324.0000	592.55
CORE & MAIN	71906	05/02/2023	Core & Main	002.8300.0324.0000	302.50
Fund 002 - WATER Total:					35,111.31
Fund: 003 - SEWER					
BARTON & LOGUIDICE,DPC	71893	05/02/2023	Engineering Services for WWTP ...	003.8110.0400.0001	1,158.00
BARTON & LOGUIDICE,DPC	71893	05/02/2023	Inflow and infiltration Study - C...	003.8110.0400.0000	1,237.68
BARTON & LOGUIDICE,DPC	71893	05/02/2023	Inflow and infiltration Study - C...	003.8110.0400.0002	2,362.32
WAL-MART, INC.	71966	05/02/2023	SUPPLIES	003.8110.0300.0000	67.30
VERIZON	71965	05/02/2023	APRIL 15 - MAY 15	003.8110.0400.0000	179.96
AT & T MOBILITY	71892	05/02/2023	WIRELESS	003.8110.0400.0000	74.38
POWER GENERATOR & IND INC	71949	05/02/2023	generator maintenance	003.8110.0400.0000	1,559.63
CERTIFIED ENVIRONMENTAL SE...	71899	05/02/2023	permit sampling	003.8110.0415.0000	1,910.00
KEMIRA WATER SOLUTIONS, IN...	71928	05/02/2023	IRON SALTS	003.8110.0329.0000	6,254.10
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	8.00
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	47.78
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	39.00
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	25.00
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	245.00

Expense Approval Report

Payment Dates: 4/24/2023 - 5/2/2023

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
SENECA PLUMBING AND HEATI...	71954	05/02/2023	QUARTERLY SUPPLIES	003.8110.0200.0000	37.75
ONEIDA OFFICE SUPPLY	71947	05/02/2023	supplies	003.8110.0300.0000	9.87
KIME HARDWARE	71929	05/02/2023	QUARTERLY SUPPLIES	003.8110.0300.0000	35.30
KIME HARDWARE	71929	05/02/2023	QUARTERLY SUPPLIES	003.8110.0300.0000	19.85
KIME HARDWARE	71929	05/02/2023	QUARTERLY SUPPLIES	003.8110.0300.0000	37.06
KIME HARDWARE	71929	05/02/2023	RUBBER MALLETS	003.8110.0300.0000	23.28
MADISON COUNTY TREASURER	71932	05/02/2023	FEB	003.8110.0412.0000	2,618.83
MADISON COUNTY TREASURER	71932	05/02/2023	MARCH	003.8110.0412.0000	5,680.38
HUMANA INS CO OF NY	71921	05/02/2023	MAY 2023	003.9060.0805.0000	550.66
EXCELLUS BLUECROSS BLUESHI...	71915	05/02/2023	MAY 2023	003.9060.0805.0000	21,479.60
Fund 003 - SEWER Total:					45,660.73
Fund: 005 - CAPITAL					
TOTAL SOLUTIONS	4795	05/02/2023	Dell Optiplex and Lodgetech ha...	005.3120.0201.0022	3,505.84
TOTAL SOLUTIONS	4795	05/02/2023	EHP Wireless Network Set up	005.3120.0201.0022	15,013.79
TOTAL SOLUTIONS	4795	05/02/2023	Replacement Computer, Monit...	005.3120.0201.0022	2,386.74
Fund 005 - CAPITAL Total:					20,906.37
Fund: 006 - EXPENDABLE TRUST					
CALLANAN INDUST. INC.	71897	05/02/2023	STONE FOR DOG PARK	006.0006.0093.0003	1,100.00
CALLANAN INDUST. INC.	71897	05/02/2023	DOG PARK	006.0006.0093.0003	72.88
Fund 006 - EXPENDABLE TRUST Total:					1,172.88
Grand Total:					576,660.89

Report Summary

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	473,809.60
002 - WATER	35,111.31
003 - SEWER	45,660.73
005 - CAPITAL	20,906.37
006 - EXPENDABLE TRUST	1,172.88
Grand Total:	576,660.89

Account Summary

Account Number	Account Name	Payment Amount
001.0001.0481.0000	PREPAIDS, INSURANCE, S...	42.70
001.0001.0661.0000	DUE TO SCHOOL	32,119.76
001.0001.0661.0009	Due to School 2022-2023-...	1,605.96
001.0001.0663.0000	DUE TO COUNTY-TAX LEVY	102,633.97
001.0023.2770.0000	MISCELLANEOUS	20.49
001.1315.0405.0000	POST-RETIREMENT BENEF...	4,500.00
001.1355.0300.0000	MAT SUPPLIES	45.99
001.1355.0401.0000	TRAINING	1,140.00
001.1410.0200.0000	EQUIPMENT	364.34
001.1430.0403.0000	CONTRACTS	2,236.00
001.1620.0300.0000	MAT SUPPLIES	2,264.18
001.1620.0401.0000	ELECTRIC AND GAS	51.72
001.1620.0403.0001	CONTRACTS MB/FD	461.61
001.1620.0406.0000	COPIER CONTRACTS	1,317.00
001.1640.0401.0000	CENTRAL GASOLINE	7,928.68
001.1640.0402.0000	CENTRAL DIESEL	1,298.07
001.1640.0403.0001	CENTRAL VEHICLE -POLICE..	307.47
001.1660.0300.0000	Central Office Supplies	3,025.98
001.1680.0403.0000	CONTRACTS	5,769.87
001.1989.0400.0000	PRINTING	25.60
001.3120.0300.0000	MAT SUPPLIES	110.61
001.3120.0317.0000	CLOTHING	2,246.16
001.3120.0413.0000	TRAINING	2,106.00
001.3120.0416.0000	TRAVEL-MEALS	396.00
001.3310.0300.0000	MAT SUPPLIES	179.55
001.3410.0200.0000	FIRE EQUIPMENT	7,454.02
001.3410.0300.0000	MEDICAL SUPPLIES	1,870.57
001.3410.0317.0000	CLOTHING	1,319.98
001.3410.0400.0000	SCBA	520.00
001.3410.0401.0000	207A	2,975.52
001.3410.0403.0000	CONTRACTS	660.00
001.3410.0405.0000	BUILDING MAINTENANCE...	133.39
001.3410.0407.0000	CHIEF'S EXPENSE	45.00
001.3410.0409.0000	EQUIPMENT REPAIR & MA...	3,107.06
001.3410.0411.0000	Vehicle Maint & upgrades	9,304.00
001.3410.0418.0000	ANNUAL PHYSICALS	2,870.00
001.3410.0438.0000	FIRE MARSHALL ACCOUNT	77.90
001.3650.0400.0000	DEMOLITION	7,387.59
001.5110.0300.0000	MAT SUPPLIES	101.54
001.5110.0404.0000	RENTALS	12,750.00
001.5132.0300.0000	DPW MAINTENANCE- RE...	5,691.31
001.5132.0403.0000	CONTRACTS	444.25
001.7140.0300.0000	MAT SUPPLIES	606.34
001.7140.0403.2020	CONTRACTS.MUNY BB	90.00
001.7140.0403.2021	CONTRACTS.ADULT VB	550.00
001.7140.0403.2022	CONTRACTS.ADULT SOFT...	275.80
001.7140.0409.0000	EQUIP REPAIR & MAINT.	94.82
001.9060.0805.0000	HEALTH INSURANCE	243,282.80

Account Summary

Account Number	Account Name	Payment Amount
002.8300.0302.0000	EQUIPMENT MAINTENAN...	650.80
002.8300.0324.0000	METERS & PARTS	5,042.90
002.8300.0401.0000	UTILITIES	3,451.81
002.8300.0402.0000	TELEPHONE	97.79
002.8300.0403.0000	CONTRACTS	191.15
002.8300.0413.0000	TRAINING	29.95
002.9060.0805.0000	HEALTH INSURANCE	25,646.91
003.8110.0200.0000	EQUIPMENT	402.53
003.8110.0300.0000	MAT SUPPLIES	192.66
003.8110.0329.0000	LIQUID IRON SALTS	6,254.10
003.8110.0400.0000	CONTRACTUAL SERVICES	3,051.65
003.8110.0400.0001	OTHER EXPENSE-PROFESS...	1,158.00
003.8110.0400.0002	OTHER EXPENSE-SEWER R...	2,362.32
003.8110.0412.0000	MADISON COUNTY LANDF..	8,299.21
003.8110.0415.0000	LAB TESTING	1,910.00
003.9060.0805.0000	HEALTH INSURANCE	22,030.26
005.3120.0201.0022	CY20-1065-E00 FY2020 C...	20,906.37
006.0006.0093.0003	Dog Park Donatlons	1,172.88
Grand Total:		576,660.89

Project Account Summary

Project Account Key	Payment Amount
None	576,660.89
Grand Total:	576,660.89

1. AGREEMENT-BYRNE DAIRY INC.

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Deputy Mayor to sign an agreement with Byrne Dairy Inc. for the acceptance of high strength organic waste at the Wastewater Treatment Plant.

Ayes:

Nays:

MOTION CARRIED

City of Oneida, New York and Byrne Dairy, Inc.

Organics Waste Management Agreement

This Organics Waste Management Agreement (“Agreement”) is made April 21, 2023, between the City of Oneida (“Oneida”) and Byrne Dairy, Inc. (“Customer”), each a “Party” and jointly the “Parties.”

Whereas, the City of Oneida has anaerobic digesters and other wastewater treatment infrastructure for processing and treatment of municipal wastewater and high strength organic waste (“HSOW”) at the City’s Organics and Water Resource Recovery Center (“OWRRC”) in the City of Oneida, State of New York (the “Facility”);

Whereas, Customer produces or hauls HSOW material of which it needs to dispose; and

Whereas, it is the intent of the Parties to provide in this Agreement for Customer to transport the Wastes described herein to the Facility, and for OWRRC to provide treatment and disposal services for those Wastes.

Now therefore, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the Parties agree as follows.

1. **Effective Date.** This Agreement is effective on the date first written above.
2. **The Wastes.** The “Wastes” that are the subject of this Agreement are Dairy waste coming from East Syracuse New York
3. **Quantity of Wastes.** The volume of Wastes transported by Customer to the Facility is anticipated to be as follows:

15,000 to 50,000 gallons per week, this is a planning estimate and not guaranteed by the Customer.

4. **Delivery of Wastes by Customer.** It shall be Customer’s sole responsibility to deliver the Wastes to the Facility at Customer’s cost. The Customer is free to use their own transportation group or contract haulers hired at the Customer’s expense. Oneida shall accept Wastes at a designated location at the Facility. Access to OWRRC is granted at the City of Oneida’s sole discretion. The Facility shall accept Wastes Monday through Friday 6:30 am to 2:30 pm.

The gallons processed through the OWRRC flow meter at the receiving station shall represent the volume of every load and the amount for which the Customer shall be invoiced. In the event of a malfunction of the OWRRC flow meter on an individual delivery, only the Customer shall be invoiced for the full capacity of the delivering vehicle.

Initially the Customer shall provide a sample of approximately one gallon for testing before the Wastes are accepted. The Facility shall collect random samples to compare the results to the initial sample. Should the Wastes stream vary significantly from the initial sample as determined by the City of Oneida's sole discretion, the City of Oneida reserves the right to adjust the treatment cost or reject the Wastes.

5. **Term.** The Term of the Agreement shall extend to a date, which is five (5) years from the Effective Date, except as otherwise stated herein.

6. **Pricing, Billing and Payment.**

a. **Pricing.** During the contract period of the Customer shall pay to Oneida a fee of:

\$0.07 per gallon

for each gallon of Wastes measured by the flow meter at the Facility receiving station or otherwise determined by the City.

b. **Price Escalator.** Following the first twelve months of the Term, the fee per gallon shall be an amount calculated as follows: [insert]. For each subsequent 12-month period, beginning on the anniversary month of the Effective Date, the fee per gallon shall be \$0.07 multiplied by a factor that is the increase over the elapsed period of the Agreement in the Municipal Cost Index, as published by American City and County. For the purposes of this calculation, any negative change in the index shall be considered zero value (0) in the factor.

c. **Billing and Payment.** Oneida shall invoice Customer monthly in arrears. Invoices shall provide the necessary details therefore, and shall be due no later than 30 days after mailing to Customer.

If a good faith dispute arises between the Parties concerning any billing statement, that portion of the billing statement not in dispute shall be due and payable on the otherwise applicable due date and, when such dispute is resolved, the remaining portion of the payment due, if any, shall be paid promptly with interest accruing at the Interest Rate from the date that the amount should have been paid had there been no dispute until the date of payment of the resolved amount. Moreover, if the resolution of any good faith dispute determines that one Party has overpaid the other Party, then such overpaid

amount shall be refunded promptly with interest accruing at the Interest Rate from the date that the overpaid amount was paid until the date of refund of the resolved amount. All retroactive adjustments shall be paid in full by the Party owing payment within thirty (30) days of notice and substantiation of such inaccuracy. The Interest Rate shall be the lower of 9 percent per annum, compounded monthly, or the maximum rate allowed by law.

7. **Representations.** Each Party acknowledges that its representations as set forth in the Agreement shall be relied upon by the other Party in entering into and performing under this Agreement.

The City of Oneida represents and warrants as follows.

- a. This Agreement has been properly executed by the City of Oneida and represents the binding commitment of Oneida enforceable pursuant to its terms.
- b. To Oneida's actual knowledge, there are no actions, suits, or proceedings pending or threatened against Oneida before any court or governmental authority that, if determined adversely to it, would have a material adverse effect on the transactions contemplated by this Agreement.
- c. The City of Oneida's actions and performance hereunder shall comply with Applicable Law.

Customer represents and warrants as follows.

- a. This Agreement has been properly executed by Customer and represents the binding commitment of Customer enforceable pursuant to its terms.
- b. To Customer's actual knowledge, there are no actions, suits, or proceedings pending or threatened against Customer before any court or governmental authority that, if determined adversely to it, would have a material adverse effect on the transactions contemplated by this Agreement.
- c. Wastes delivered to the Facility shall be as described herein, and shall not contain any Hazardous Wastes.
- d. Customer's actions and performance hereunder shall comply with Applicable Law.

8. **Miscellaneous Provisions.**

- a. **Indemnification.** Subject to the other provisions of this Agreement and to the extent permissible under Applicable Law, both Parties agree to indemnify and hold the other Party and its officers, directors, employees, affiliates and permitted assigns harmless from and against all losses (but not including legal fees and expenses) incurred or suffered by such Indemnitees arising out of and resulting from (i) any breach of a representation or warranty made by the Indemnitor in this Agreement, (ii) any breach of any covenant or obligation of the Indemnitor in or pursuant to this Agreement, (iii) any tax, penalty or fine arising from or relating to any action or inaction of the

Indemnitor or its agents, contractors, employees or representatives, (iv) damage to the Indemnatee's facilities that are caused by the actions or inactions of Indemnitor, its agents, contractors, employees or representatives, (v) any emergency or condition directly or indirectly arising from the action or inaction of Indemnitor or its agents or representatives, except in each of the foregoing instances to the extent caused by the negligence or willful misconduct of the Indemnitees or those for whom they are responsible.

No Indemnitor hereunder shall be responsible for any consequential, special or punitive damages.

- b. Termination for Cause.** A Party may terminate the Agreement after written notice to the other Party identifying the cause for termination and providing an opportunity to cure the cause of termination. Cause for termination shall include only (i) material failure to perform hereunder; (ii) failure to make any undisputed payment hereunder; (iii) any action by the non-terminating Party that subjects the terminating Party to any material legal liability not permitted herein; and (iv) failure to perform (not including any failure to make an undisputed payment) due to an event of Force Majeure which lasts longer than 120 days. The opportunity to cure the cause of termination shall extend for 60 days, or such longer period as may be required to effect the cure, if the curing Party shall proceed with reasonable efforts to effect the cure. However, in no event shall the cure period extend longer than 180 days. The cure period for failure to make an undisputed payment shall be 30 days.

Force Majeure shall include (i) acts of God, (ii) extreme storms or other extreme weather, (iii) acts of a governmental authority other than a Party, or (iv) any other event or similar cause not reasonably within the control of the Party claiming Force Majeure and which, by the exercise of reasonable diligence, such Party is unable to prevent or overcome.

Termination for cause shall not waive any rights of either Party for damages, or injunctive or other relief.

- c. Early Termination.** Either Party may terminate the Agreement by providing written notice of early termination to the other Party no later than six months prior to the date of early termination.
- d. Assignment.** Neither Party may assign its rights under the Agreement without the express written consent of the other Party. Such consent may be withheld for any reason. However, this provision shall not affect assignment by a Party to a successor entity.

- e. **Nondisclosure of Confidential Information.** Except as required by Applicable Law, neither Party shall, without the prior written consent of the Party providing to the other any Confidential Information, disclose (regardless of the form of disclosure) any Confidential Information to any third parties other than affiliates, consultants, agents, representatives, or employees of the receiving Party who (i) shall keep such Confidential Information confidential, and who (ii) require access to such Confidential Information to assist the receiving Party in the exercise of its rights and the performance of its obligations under this Agreement. The receiving Party shall notify any such affiliates, consultants, agents, representatives and employees of the confidential nature of the Confidential Information, and the receiving Party hereby agrees to be responsible for any breach of the terms of this section by any such affiliates, consultants, agents, representatives or employees.

Neither Party shall use the Confidential Information of the disclosing Party except as necessary to perform its obligations under this Agreement. "Confidential Information" shall mean this Agreement and all data and information developed or collected by one Party and provided to the other Party or its agents and marked as such, but shall not include information to the extent such information (i) is in the public domain at the time of disclosure, (ii) following disclosure, becomes generally known or available through no action or omission on the part of the receiving Party, (iii) is known, or becomes known to the receiving Party from a source other than the disclosing Party or its representatives, provided that disclosure by such source is not in breach of a confidentiality agreement with the disclosing Party, or (iv) is legally required to be disclosed by Applicable Law, provided further that the receiving Party shall make reasonable efforts to resist disclosure of such information, and further provided that prompt notice of said action shall have been given to the disclosing Party and that the disclosing Party shall be afforded the opportunity (consistent with the legal obligations of the receiving Party) to exhaust all reasonable legal remedies to maintain the Confidential Information in confidence.

The Parties acknowledge that both Parties are subject to disclosure obligations under the New York of Freedom of Information Law. The Parties also acknowledge that Oneida may not withhold data on the chemical composition of Wastes.

- f. **Governing Law.** The law of the State of New York shall govern the Agreement.
- g. **No Partnership.** Nothing in this Agreement shall be construed to create any association, partnership, or joint venture or impose a partnership or an agency relationship on, or with regard to, either Party.
- h. **Waiver.** No failure to exercise and no delay in exercising, any right, power or privilege under this Agreement shall operate as a waiver, nor shall any single or partial exercise

of any right, power or privilege hereunder preclude the exercise of any other right, power or privilege. No waiver of any breach of any provision shall be deemed a waiver of any preceding or succeeding breach of the same or any other provision, nor shall any waiver be implied from any course of dealing between the Parties. No extension of time for performance of any obligations or other acts hereunder or under any other agreement shall be deemed an extension of the time for performance of any other obligations or any other acts.

- i. **Third Party Beneficiaries.** This Agreement is intended to be solely for the benefit of the Parties hereto and their successors, permitted assigns, is not intended to, and shall not confer any rights or benefits on any other person.

- j. **Notices.** All notices, requests, demands, claims, and other communications hereunder shall be in writing, shall be delivered in person or by mail (first class postage pre-paid), or overnight delivery and shall be deemed given when delivered in person or, if not delivered in person, when received (or delivery is refused) by the Party to whom such notice is directed, at the following address (or at such other address as a Party shall designate by written notice to the other Party):

If to: Oneida:

Mayor
City of Oneida
109 North Main Street
Oneida, NY 13421

If to: Customer

Tom Corp
Byrne Dairy
6750 Benedict Road, west
East Syracuse, NY 13057

IN WITNESS WHEREOF, the Parties hereto have caused the execution of this Agreement as of the date first written above.

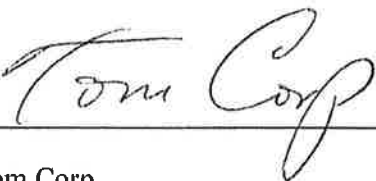
City of Oneida:

By: _____

Name: Helen B. Acker

Title: Mayor

Customer:

By:  _____

Name: Tom Corp

Title: EHS Director

2. AGREEMENT-MEMORIAL DAY PARADE

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

RESOLVED, authorize the Deputy Mayor to sign an agreement with the Oneida Memorial Association to co-sponsor the 2023 Memorial Day Parade to be held on Friday, May 26, 2023.

Ayes:

Nays:

MOTION CARRIED

2023 MEMORIAL DAY PARADE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 2023, between the City of Oneida, a municipal corporation organized and existing under and by the virtue of the laws of the State of New York and having its principal office at City Hall, 109 North Main Street, Oneida, New York, 13421 and the Oneida Memorial Association, PO Box 93, Oneida, NY 13421 (the Association); **and**

WHEREAS, the City's official observance of Memorial Day and as part of its recreation programs to promote culture and the performing arts, the City is desirous of having a parade in the City ("the observance"), **and**

WHEREAS, the observance is scheduled for Friday, May 26, 2023, **and**

WHEREAS, the Association has offered to organize, conduct and be in charge of the observance, **and**

WHEREAS, it is anticipated that the Association will incur expenses in connection with conducting the observance; **now therefore**

IT IS HEREBY AGREED by the City and the Association to be co-sponsors of the Memorial Day event whereby the Association will organize, conduct and be in charge of the Memorial Day Observance, and the City of Oneida will provide liability coverage for the parade, **and**

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ONEIDA MEMORIAL ASSOCIATION

BY: _____

Sunshine Hammon, President
Oneida Memorial Association

SEAL

CITY OF ONEIDA

BY: _____

Michelle Kinville, Deputy Mayor
City of Oneida

ACKNOWLEDGMENTS

STATE OF NEW YORK)

)SS:

COUNTY OF MADISON)

On the ____ day of _____, in the year 2023, before me, the undersigned, **Sunshine Hammon**, President, Oneida Memorial Association, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to be within said instrument and she acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the same.

Notary Public

STATE OF NEW YORK)

)SS:

COUNTY OF MADISON)

On the ____ day of _____, in the year 2023, before me, the undersigned, **Michelle Kinville**, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual who signed the within instrument, who, being by me duly sworn did depose and say that she is the Mayor of the City of Oneida described in and which executed the foregoing instrument; that she knows the seal of said municipal corporation; that one of the impressions appearing on said instrument is a true and correct impression of such seal; and that she affixed it thereto and attested the same over her signature by virtue of the authority in her vested and pursuant to a resolution of the City Council of the City of Oneida.

Notary Public

3. INTRODUCE A LOCAL LAW AMENDING ARTICLE VI, SECTION 6.1(B)(1) OF THE ONEIDA CITY CHARTER-SCHEDULE PUBLIC HEARING

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

WHEREAS, the City of Oneida Common Council introduces this Local Law to revise the procedure for the payment for the construction/reconstruction of sidewalks; and

WHEREAS, as proposed, the amendment of Section 6.1(B)(1) of the Oneida City Charter reflects the City's desire to improve the system of sidewalks within the City and avoid unpredictable, large, lump-sum assessments charged to City of Oneida property owners for the same; and

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, 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 an unlisted action for purposes of environmental review under SEQRA and the Common Council has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Common Council; and

WHEREAS, the Common Council has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria; and

WHEREAS, the enactment of said proposed Local Law is subject to a permissive referendum pursuant to Municipal Home Rule Law § 24.

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 an unlisted action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that the Common Council has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; 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 May 16, 2023, 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

**CITY OF ONEIDA
PROPOSED LOCAL LAW**

**A LOCAL LAW AMENDING ARTICLE VI, SECTION 6.1(B)(1)
OF THE ONEIDA CITY CHARTER**

Be it enacted by the Common Council of the City of Oneida, that this Local Law amends Article VI, Section 6.1(B)(1) of the Oneida City Charter in the following manner:

SECTION 1. LEGISLATIVE INTENT

The City of Oneida currently imposes different sidewalk assessments based upon the circumstances of replacement. Accordingly, at times, either the full cost, fifty percent (50%) of the full cost, or none of the costs of sidewalk construction and repair is assessed against the abutting property owner; such deviations in assessments results in unpredictable, and sometimes lump-sum, charges against property owners and/ or unanticipated reconstruction costs by the City that have not been budgeted for. As a result, the construction and repair of sidewalks throughout the City has been discouraged and neglected. It has been determined by the City of Oneida that: a comprehensive and high-quality network of sidewalks is beneficial to residents, businesses, organizations and individual property owners beyond the abutting property; and City of Oneida residents are better served by paying an annual assessment for the construction and repair of sidewalks rather than face unpredictable, large, lump-sum assessments for construction and repair of abutting sidewalks.

SECTION 2. AUTHORITY

Pursuant to Municipal Home Rule Law § 10, the City of Oneida is authorized to adopt a local law relating to the authorization, making, confirmation and correction of benefit assessments for local improvement.

SECTION 3. AMENDING ARTICLE VI, SECTION 6.1(B)(1) OF THE ONEIDA CITY CHARTER

So that Subsection 1, "Assessment for sidewalks," of Subsection B, titled "Sidewalks" of Section 6.1, titled "Local improvements," of the Oneida City Charter, shall be amended so as to read, in its entirety, as follows:

"1. Assessment for sidewalks.

- a. The Common Council may, by a 2/3 vote of all the Council persons in office, authorize or direct the construction or reconstruction of public sidewalks anywhere in the City, and said Common Council shall determine the type of materials to be used therein and the specifications therefor.
- b. In the event said Common Council mandates the reconstruction of a public sidewalk that has been uplifted or damaged by the root structure of a tree located within the City of Oneida highway or street right-of-way, the cost thereof for said sidewalks shall be borne 100% by the City as a whole.
- c. In all other cases, the payment for the cost of construction or reconstruction of a public sidewalk shall be paid for by the collection of an annual assessment fee levied against each real property lot or parcel located within the City of Oneida.
 - i. Such annual assessment fee shall be established by resolution of the Common Council which may be thereafter amended from time to time by like resolution.
 - ii. Such annual assessment fee shall be a lien upon the real property so assessed. Such annual assessment fee shall be collected in the manner provided in this Charter and the Code of the City of Oneida for the enforcement, levy, and collection of City taxes.”

SECTION 4. **VALIDITY & SEVERABILITY**

If a court determines that any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. **PERMISSIVE REFERENDUM**

Pursuant to Municipal Home Rule Law § 24, this Local Law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this Local Law.

SECTION 6. **EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the New York State Department of State.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Oneida			
Name of Action or Project: A Local Law Amending Article VI, Section 6.1(B)(1) of the Oneida City Charter			
Project Location (describe, and attach a location map): City-wide			
Brief Description of Proposed Action: The proposed Local Law will amend Article VI, Section 6.1(B)(1) of the Oneida City Charter to amend the procedure for payment of the construction/reconstruction of sidewalks within the City.			
Name of Applicant or Sponsor: City of Oneida Common Council		Telephone: (315) 363-7378	
		E-Mail: slapera@noeidacity.com	
Address: 109 North Main Street			
City/PO: Oneida	State: NY	Zip Code: 13421	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>City of Oneida Common Council</u> Date: _____		
Signature: _____ <u>Helen Acker</u> Title: <u>Mayor</u>		

PRINT FORM

Short Environmental Assessment Form
Part 1 - Project Information

**A LOCAL LAW AMENDING ARTICLE VI, SECTION 6.1(B)(1)
OF THE ONEIDA CITY CHARTER**

Part 1 - Question 1: Narrative Description

To enact a Local Law amending Section 6.1(B)(1) of the Oneida City Charter to amend the assessment procedure for payment of the construction/reconstruction of sidewalks within the City.

Project: Amend City Charter 6.1(B)(1)

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Oneida Common Council

Name of Lead Agency

Helen Acker

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Mayor

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

4. SPECIAL EVENT-JESSICA'S HEROES 5K RUN/WALK

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the application from Jessica's Heroes for their annual 5K Run/Walk to be held on September 23, 2023.

Ayes:

Nays:

MOTION CARRIED

5. SPECIAL EVENT-FALL FEST 2023

RESOLUTION 23-

Moved by Councilor

Seconded by Councilor

WHEREAS, pursuant to Section 9-11 of the Oneida City Code, the possession or consumption of alcohol is permitted on City-owned property if properly authorized by the City of Oneida Common Council; **and**

WHEREAS, the John R. Deschamps Sr., Police Benevolent Association, and employee organization representing the full-time, permanent police officers of the Oneida Police Department, and the Oneida City Parks and Recreation Department is sponsoring a "Fall Fest" to be held on September 30, 2023 during the hours of 11:00 a.m. and 4:00 p.m., on property owned by the City of Oneida located at Mott Street; **and**

WHEREAS, the Fall Fest is intended to provide a celebration that is recreational in nature for City residents and serves to improve the quality of life for residents; **and**

WHEREAS, as part of the Fall Fest activities, wines and alcoholic beverages will be available for purchase by the public; **and**

WHEREAS, it is the desire of the Common Council to promote public interest and participation in community events and to allow such sales by vendors; **now, therefore be it**

RESOLVED, that the City of Oneida Common Council does hereby authorize the distribution and consumption of wine and alcoholic beverages in a restricted area of Mott Street during the hours of the Fall Fest on September 30, 2023; **and be it further**

RESOLVED, that the City of Oneida Common Council does permit such distribution and sales of wine and alcoholic beverages by private vendors upon application to the City of Oneida Clerk and submission of proof of a general liability insurance policy in the amount of \$1,000,000, with the City of Oneida named as an additional insured, no less than 30 days prior to the event.

Ayes:

Nays:

MOTION CARRIED

6. ADVERTISE FOR BIDS-PHASE I-HIGINBOTHAM CULVERT REPLACEMENT

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Purchasing Agent to advertise for bids for Phase I of the Higinbotham Brook Culvert Replacement.

Ayes:
Nays:

MOTION CARRIED

7. **INTRODUCE A LOCAL LAW-ZONING MAP AMENDMENT AND SEQR REVIEW FOR 1445 W. ELM STREET AND SCHEDULE PUBLIC HEARING**

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

WHEREAS, the proposed Local Law is being 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, a written request from George Clark, 1445 W. Elm Street., Oneida, NY 13421 requesting a zone change for a portion of his parcel from M-I (Manufacturing-Industrial) to A (Agricultural) on the parcel identified as Tax Map Parcel No. 29.-2-41.1 located at 1445 W. Elm Street is received and placed on file, **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 an Unlisted Action for purposes of environmental review under SEQRA and a Short 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 an Unlisted 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 for May 16, 2023, 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

A LOCAL LAW AMENDING THE ZONING MAP OF THE CITY OF ONEIDA TO CHANGE THE ZONING DESIGNATION FOR CERTAIN PROPERTY FROM BEING ZONED M-I (Manufacturing-Industrial) TO A (Agricultural) IN THE CITY OF ONEIDA

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

Section 1.

The Zoning Map of the City of Oneida, as provided for in Section 190-9 of the Code of the City of Oneida, shall be amended to change the zoning use designation of certain lands situated off West Elm Street, identified as Tax Map Parcel No. 29.-2-41.1, from M-I (Manufacturing-Industrial) to A (Agricultural), as such zoning districts are defined and regulated pursuant to the provisions of Chapter 190 of the Code of the City of Oneida.

Section 2.

The parcel of land, which shall be the subject of said zone change totaling approximately 1.633 acres, is situated on West Elm Street – *see* **Schedule “A”**.

Section 3.

The City of Oneida Zoning Map shall be amended and shall incorporate the change of zoning classification, as herein provided.

Section 4.

This Local Law shall become effective upon filing with the office of the New York Secretary of State.

FEB. 27 2023

DEAR MAYOR ACKER,

I WOULD LIKE TO MAKE A FORMAL REQUEST FOR A ZONING AMENDMENT AT MY PROPERTY, LOCATED AT 1445 W. ELM ST, IN ONEIDA. MY PLAN IS TO SPLIT MY LOT INTO TWO PARCELS, AND BUILD A HOUSE WITH MY SON, NEXT DOOR, FOR HIM. THE PROPOSED HOUSE WILL BE LOCATED BETWEEN TWO SINGLE FAMILY DWELLINGS ON ROUGHLY .6 OF AN ACRE. THE PROPERTY IS CURRENTLY ZONED M-1.

IN ORDER TO BUILD, I NEED THIS ZONING AMENDMENT. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE CONCERNING THIS PROJECT, THAT WE ARE EXCITED ABOUT. THANK YOU FOR YOUR TIME, ADDRESSING THIS MATTER,

SINCERELY,
GEORGE CLARK
315-264-5712

CITY OF ONEIDA
DEPARTMENT OF PLANNING AND DEVELOPMENT

Christopher N. Henry
Director
chenry@oneidacityny.gov



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-7467
Fax: 315-363-2572

APPLICATION FOR A
Zoning Amendment

Location of Proposed Amendment:

1445 W. ELM ST.

Tax Map Number: 29.2-41.1

Ward: 5

Current Zoning Classification: M-1, A

Proposed Zoning: A

FOR OFFICE USE:	
Application Number:	<u>2023-005</u>
Date of Public Hearing:	_____
Date Received by Planning:	<u>4/20/23</u>
Date of Final Action:	_____
Action Filing Date:	_____
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied

Applicant:

Name(Print): GEORGE M CLARK
Address: 1445 W. ELM ST
ONEIDA N.Y.
Phone: 315-264-5712
Email: _____

Plans Prepared By:

Name (Print): _____
Address: _____
Phone: _____
Email: _____

[Signature] 2/27/23
Signature of the Applicant Date

Property Owner (if different):

Name (Print): _____ Phone: _____
Address: _____ Email: _____

Property Owner Signature _____ Date _____

Present Zoning: M-1 Proposed Zoning: A

Purpose for which the property is to be rezoned: _____
ERECT SINGLE FAMILY DWELLING

Zoning Amendment Fee: \$100 Please make check payable to City of Oneida

Schedule A

SURVEYOR'S DESCRIPTION 1.633 ACRES FOR REZONING

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF ONEIDA, COUNTY OF MADISON, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point standing on the nominal centerline of West Elm Street, said point standing at the intersection of said nominal centerline of West Elm Street with the westerly boundary of Brian R. Scanlon (now or formerly) as described in a Warranty Deed dated March 27, 1998, and filed in the Madison County Clerk's Office in Liber 1093 of Deeds, at Page 4;

Thence **S05°56'00"W 265.35 feet** along the westerly boundary of Brian R. Scanlon (now or formerly) to an iron rod standing on the northerly boundary of Curtain Dairy (now or formerly);

Thence **N70°42'00"W 424.01 feet** along the northerly boundary of Curtain Dairy (now or formerly) to an iron pipe standing on the easterly boundary of Curtain Dairy (now or formerly);

Thence **N07°18'00"E 64.92 feet** along the easterly boundary of Curtain Dairy (now or formerly) to a point standing on the nominal centerline of West Elm Street;

Thence **N75°37'00"E 106.40 feet** along the nominal centerline of West Elm Street to a point;

Thence **N81°54'00"E 113.94 feet** continuing along the nominal centerline of West Elm Street to a point;

Thence **N85°15'00"E 204.20 feet** still along the nominal centerline of West Elm Street to the **point and place of beginning**.

The above described parcel containing **1.633 acres** of land, more or less.

Subject to any easements, covenants, or restrictions of record.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2- Lot Minor Subdivision and Zoning Amendment			
Project Location (describe, and attach a location map): 1445 W. Elm Street			
Brief Description of Proposed Action: ERECT ONE FAMILY DWELLING			
Name of Applicant or Sponsor: GEORGE M CLARK		Telephone: 315-264-5712	
		E-Mail:	
Address: 1445 W. ELM ST.			
City/PO: ONEIDA		State: N.Y.	Zip Code: 13421
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Common Council Zoning Amendment			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>0.6</u> acres	
b. Total acreage to be physically disturbed?		<u>0.2</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.55</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional

Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

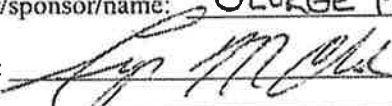
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: GEORGE M. CLARK Date: 2-27-23

Signature:  Title: OWNER

Project: 1445 W. Elm Street

Date: 5/2/23

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: 1445 W. Elm St

Date: 5/2/23

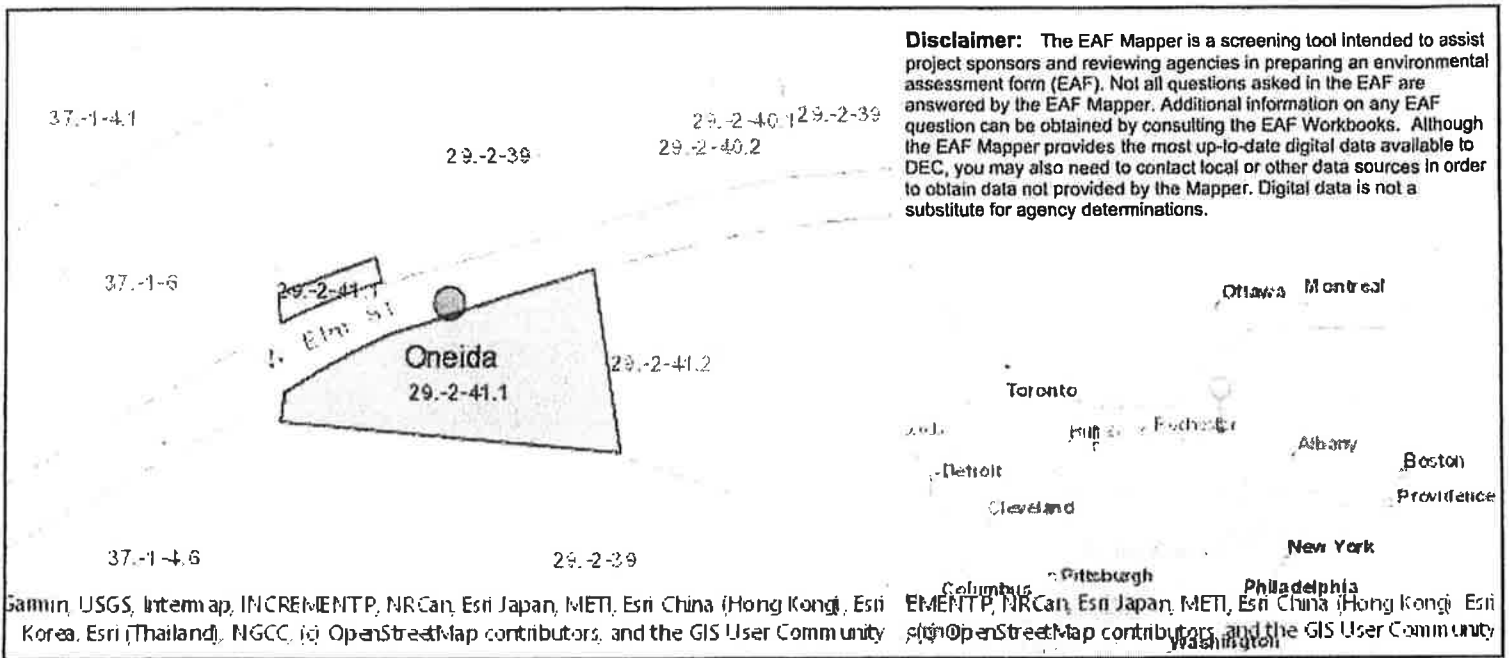
Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Oneida Common Council	5/2/23
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

8. APPROVE BID-SENSUS WATER METERS

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

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

Ayes:

Nays:

MOTION CARRIED

CITY OF ONEIDA

LEE ANN WELLS
City Comptroller

JESSICA KAISER
Deputy City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lwells@oneidacityny.gov

OFFICE OF THE COMPTROLLER

**Sensus Water Meters
Tuesday, April 25, 2023**

BIDDER

AMOUNT

SECURITY

**Core and Main
2220 State Rt 5
Utica, NY 13502**

\$51,510.60

Bid Bond

Apparent low bidder: Core and Main

Respectfully Submitted,

Lee Ann Wells
Comptroller/Purchasing Agent

9. APPROVE BID-140 MADISON STREET DEBRIS REMOVAL

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

RESOLVED, approve the lowest bid meeting specifications for 140 Madison Street Debris Removal to Dan's Hauling & Demo, PO Box 409, Wynantskill, NY 12198 as the Apparent Low Bidder.

Ayes:

Nays:

MOTION CARRIED

CITY OF ONEIDA

LEE ANN WELLS
City Comptroller

JESSICA KAISER
Deputy City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lwells@oneidacityny.gov

OFFICE OF THE COMPTROLLER

**140 Madison St Debris Removal
Tuesday, April 25, 2023
11:00 A.M.**

<u>BIDDER</u>	<u>AMOUNT</u>	<u>SECURITY</u>
Seymour Excavating Inc 4819 State Rte 233 Westmoreland, NY 13490	\$195,000.00*	Certified Check
Empire Building 400 Ingham Ave Lackawanna, NY 14218	\$497,300.00*	Bid Bond
MJ's Contracting Services Inc 379 N Stafford Ave Suite 3 Waterville, NY 13480	\$157,000.00	Bid Bond
Bronze Contracting LLC 9188 NY 12 Remsen, NY 13438	\$224,000.00	Bid Bond
Dan's Hauling & Demo PO Box 409 Wynantskill, NY 12198	\$107,500.00	Bid Bond
Abscope Environmental, Inc 7086 Commercial Drive Canastota, NY 13032	\$228,500.00*	Bid Bond

**Missing documents in the submitted bid*

CITY OF ONEIDA

LEE ANN WELLS
City Comptroller

JESSICA KAISER
Deputy City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lwells@oneidacityny.gov

OFFICE OF THE COMPTROLLER

Apparent low bidder: Dan's Hauling & Demo

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lee Ann Wells".

Lee Ann Wells
Comptroller/Purchasing Agent

10. BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

	<u>To</u>	<u>From</u>
2023 Budget Adjustments		
\$ 20,000.00	030.5110.0402.0000 ARPA Tree Contract	030.0030.0912.0000 ARPA Unassigned Fund Balance
<i>To allocate funds for tree removal</i>		
\$ 107,500.00	001.3650.0400.0000 Demolition	001.0001.0912.0000 General Fund Balance

To allocate funds for the removal of debris from 140 Madison Street

Ayes:

Nays:

MOTION CARRIED

**11. PURSUE THE DEVELOPMENT AND ADOPTION OF A CLIMATE ADAPTATION
AND RESILIENCY PLAN**

RESOLUTION 23-

Moved by Councilor
Seconded by Councilor

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

WHEREAS, the City believes that climate change poses a real and increasing threat to our local and global environments; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; pose health risks to our citizens; spread invasive species and exotic diseases; and reduce drinking water supplies and recreational opportunities; and

WHEREAS, the City believes that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come; and

WHEREAS, the City understands that Disadvantaged Communities are the most likely to be impacted significantly by climate change, yet have the fewest resources to be able to adapt and withstand frequent and prolonged extreme climate events,

IT IS HEREBY RESOLVED that the City of Oneida, in order to adapt to a changing climate and create a more resilient community, will pursue the development of a Climate Adaptation and Resiliency Plan in accordance with current Local, State, and Federal recommendations;

BE IT FURTHER RESOLVED that Climate Adaptation and Resiliency Planning process will be an inclusive one that engages the community in a participatory manner, with emphasis on disadvantaged and traditionally marginalized communities, and enables them to visualize and experience different climate scenarios;

BE IT FURTHER RESOLVED that the Central New York Regional Planning and Development Board, as the designated regional Climate Smart Communities Coordinator, will write the Climate Adaptation and Resiliency Plan, assist in public outreach, assist in coordination between the local climate action groups and local government, and serve as the point of contact for any questions related to the plan;

BE IT FURTHER RESOLVED that the City will provide Central New York Regional Planning and Development Board with current emergency response plans and other relevant information, make staff available for one on one or small group interviews to help identify hazard concerns in the City, be supportive of the climate adaptation and resiliency planning process, and assist with outreach by including information regarding the Climate Adaptation and Resiliency Plan on City websites and social media pages.

Ayes:

Nays:

MOTION CARRIED

NEW BUSINESS

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