

**MINUTES OF THE COMMON COUNCIL
JANUARY 7, 2014**

A meeting of the Common Council of the City of Oneida, NY was held on the seventh day of January, 2014 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Alden M. Smith

PRESENT: Councilors Brahim Zogby, Michael Bowe, Erwin Smith, Helen Acker, James Chamberlain, and Thomas Simchik (arrived at 6:32 p.m.)

ALSO PRESENT: City Attorney Nadine Bell
City Chamberlain Nancy Andrews
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Civil Service Officer Peg Margo
Comptroller Linda Pease
Director of Parks and Recreation Lucas Griff
Director of Planning and Development Cassie Rose
Fire Chief Kevin Salerno
Police Chief David Meeker
Public Safety Commissioner Michael Kaiser

COMMISSIONER'S COMMENDATIONS
FORMER FIRE CHIEF GREGG MYERS AND FORMER 1ST DEPUTY CHIEF JIM DALZELL

Former Public Safety Commissioner Doug Lippert honored the combined 66 years of service to the City by Oneida by Retired Fire Chief Gregg Myers and Retired 1st Deputy Chief Jim Dalzell. Commissioner Lippert recognized their many contributions and commitment to the safety of the City, noting that both are sons of former firefighters. Deputy Chief Dalzell was recommended for Fire Firefighter of the year in 2006. Commissioner Lippert said that on June 28, 2013, the City experienced a massive flood event and highly praised Fire Chief Gregg Myers for his professional dedication and leadership exactly when it was most needed at that critical time. Mayor Smith and the former Commissioner thanked the former officers for their years of faithful and dedicated service. Commissioner's Commendation Awards for their years of valuable service were presented to Chief Myers and 1st Deputy Dalzell and a standing ovation followed.

**PUBLIC HEARING – PROPOSED LOCAL LAW TO ESTABLISH A
PUBLIC NUISANCE ABATEMENT PROGRAM**

RESOLUTION 14-01

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the proposed Local Law to establish a Public Nuisance Abatement Program in the City of Oneida be hereby OPENED at 6:47 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

APPEARANCES

Attorney Thomas P. Givas with Pappas, Cox, Kimpel, Dodd & Levine PC, Syracuse said he has been asked to represent several of the landlords in the City of Oneida. He said the landlords have concerns about some of the aspects of the proposed law. Attorney Givas said procedurally the landlords will not be aware of what happens until they receive notice, and thereby will be held responsible for the acts of others. He said it ties into the opportunity to abate, which is in the statute. The landlord has to serve a thirty day notice to remove a tenant, but it normally takes about 45 days to get a tenant out of the premises. What this statute does is start fining the landlord, and the landlord can't do anything about that. Fines could reach \$45K before the tenant is actually out of there. Another aspect with the notice is that landlords need to receive actual notice of the problem to address the problem, not a notice that is nailed to the door and mailed. The administrative hearing option is unfair. The people who are judging the hearing are also the people who are probably going to be bringing the charges. It may not be necessary to involve the whole building when only one tenant may be the problem. The regulation gives the Council broad power over enforcing the law, and while this Council may be comfortable with that, what is going to happen down the road. He questioned if other remedies will be available, because a lot are criminal or zoning in nature. He asked if this law could specifically address the concerns of the landlord.

John Marshall, Attorney with Pappas, Cox, Kimpel, Dodd & Levine PC, Syracuse said he was also here representing several landlords. He said the statute incorporates in the definition section, penal law and loitering, and this law imposes that the landlord be responsible for the public place in front of or adjacent to his property. He said there are other remedies to address that. The law provides for an unlimited amount of power for the Mayor and sends up some red flags by giving open-ended executive power to an executive official. Attorney Marshall suggested tabling this and to collaborate with local landlords to reach a mutually agreeable solution.

Terry Karst, Oneida, said he would like to see this tabled as well. He said he is willing to sit and try to work out the fuzzy stuff to make this more amicable for the landlords. He said he is not opposed to nuisance abatement, and he would like to work with the Mayor and Council to achieve a better balance for everyone.

Former Mayor Peter Hedglon, Attorney, Oneida, speaking as a resident of Oneida, said when he sees a law like this he asks what problem is this intended to solve. This proposed law will punish people who had knowledge of someone doing wrong on their property. It applies not just to multi-resident properties where there are landlord/tenant relationships; it also applies to individually occupied properties, as well as City or school property. It burdens all property owners. Former Mayor Hedglon said he went through the law very carefully and drew attention to the definition of Public Nuisance – “any building, structure or real property used for the illegal use, possession, or distribution of a controlled substance or marijuana,” and questioned used by whom. He asked if someone goes to Allen Park and smokes pot, is the City going to be held responsible. In some of the definitions there is no requirement of arrest or conviction of criminal activity; it is just that someone thought the criminal activity existed. In Section 122-4, he said the first line should read: The following shall constitute a presumption of “*knowledge of*” a public nuisance. Former Mayor Hedglon said the proposed law says the existence of two incidents within one year shall be evidence of a public nuisance. He inquired if you are a landlord and rent to one person who is evicted, and then the apartment is rented to another person, the landlord could possibly have two instances in the same year, but with different tenants and inquired as to what happens in those circumstances. The law doesn't say what court will be enforcing this law, is it county or City or does it fall to Supreme Court? Former Mayor Hedglon said the law should require personal service. He said the proposed Administrative Hearing process is composed of a body of three people, one of which is appointed by the Police Chief, and because you will have Police Officers testifying, there could be a conflict. The hearing procedure is not outlined in the proposed law. Former Mayor Hedglon said the

behaviors that are sought to be addressed are criminal already, and the City is expanding to the landlords, a responsibility for behavior by tenants and holds the landlords responsible for things they don't know about. Former Mayor Hedglon said he thinks litigation costs will be very expensive to the City of Oneida if this Local Law is passed as is.

Fred Cianfrocco, Oneida said there are already laws in place, which have to be enforced. He said there are too many apartments in the City and suggested a cap on any more. He said 50% of the City residents are renters and many don't work, they are on disability and SSI. He suggested a tenant registry with fines for tenants if they do not register with the City. Mr. Cianfrocco said "the law needs to do the law and codes needs to do codes". He said when going through the eviction process, many times the judge will feel mercy for the tenant and allow them to stay in the apartment longer, and that is money out of his pocket.

Barb Buehner, Oneida objected to Mr. Cianfrocco's statement grouping all unemployed persons and/or renters into the same group, and the Mayor said that he is sure that Mr. Cianfrocco meant no personal offense in his attempt to convey his frustration.

Angel Vargas, Oneida, said his home was surrounded by renters and it seems there is a big problem with the same people. Mr. Vargas said three other communities around us, Syracuse, Utica and Rome have this type of law, and said he believes they are having success with it. Mr. Vargas said the City needs to do what they need to do to get the proper language for the legislation and said going forward this will help the City. He said the landlords know who they rent to and there are problems with certain people. He said we are a small City with huge issues. He said where he lived there were six drug busts within the last year in the area surrounding his residence and he had to deal with that for months. He said he has sold his property because of this and moved out of Oneida. It is the same people causing the same problems over and over. He said this law is a tool the police force needs, and he would like to see this go forward.

Milt James, Oneida Castle, told the Council that you have to be a landlord to know what the situation is. You want to hold the landlord responsible for the tenant's behavior when we have no control. Mr. James said the courts need to be on the landlord's side because right now they favor the tenants. He said he has had his lease changed by the judge because the judge thought it was fair that my tenant should pay less rent. The police and courts are going to have to help the landlords get these people out without the thirty-day requirement, because we cannot afford these big fines. Mr. James said he would be happy to work with the City, but expects the City to help in return.

Police Chief Meeker said the intent isn't to go after landlords; it is to protect any properties around them. The Chief said one of the points made was how you are going to know, there is wording in the law that says you are "allowing" this to happen. If you are not allowing this, then you will not be held responsible. If the Police notify the landlord that there is a problem with a tenant in your building getting in fights, etc., and if you take action to address it, then you are not "allowing" it. What the City wants is to address the people that are notified of an issue, but don't take any action and it keeps going on and on. Chief Meeker said there are businesses where people are reluctant to go to because of who is loitering outside and causing problems. There shouldn't be anyone afraid to go to any part of the City because they are afraid of someone harassing them, damaging their car, swearing etc. The Chief said you are given the notice of the nuisance, an opportunity to abate it, and the administration hearing is how to abate it. If you are addressing the problem and working to get rid of the problem, you will not have any fines. Chief Meeker said he is not a lawyer and he doesn't know all the legalities, and maybe there might be some tweaking that has to be done with the wording just so everyone will know just how it is going to play out. Chief Meeker said this Local Law's intent is to protect all the properties.

Bruce McClean, Manlius, said there are State Penal Laws already on the books to enforce whatever actions the City would want to do. We are taxpayers and we expect that you would do your jobs and

arrest people who are doing drugs. Mr. McClean said he used to have 60 units in the City of Oneida, but he saw the trend of the current judge who lets people stay for a couple extra months and trash the place while they are there. This costs the landlord money, the tenant is living for free. That kind of enforcement is the reason I sold most of the units. Mr. McClean said if he had a mortgage on his six-unit property, he would have sold this one also, but he is planning on retiring on this income. He doesn't have a pension; this property is his pension. If the City continues to pass these types of laws it will make our properties less valuable and we will sell them, and there will be negative cash flow in the City. He said this is a travesty to all the people here who work hard to fix things. Mr. McClean says he cannot police the people outside his rentals. His tenants sign a lease and he expects they will obey the lease and be respectful. If they are not, then I go through the eviction process. Mr. McClean said when he appears before the City Judge; the judge always gives the tenant an extra month or two, and doesn't believe what I have to say. The problem is enforcement. The facts are the facts; landlords get dumped on by the legal system in the City of Oneida, which our taxes pay for. Mr. McClean said this law should not be passed by the Council at this time.

Mike Stanton, Clinton, said that he has invested millions in the apartments he owns in this City, but speaking as a real estate investor, he will not purchase another property in this town if this local law passed and will just pull out.

John Marshall, Attorney, said when the notice of abatement is issued, the wheels of justice have started and the penalty phase kicks in. So when the landlord is noticed, they are already out \$1,000 per day and have to start the eviction process to get rid of his tenant. Then at some point in that process, he will have to appear before another police officer. This may not be a fair and impartial hearing. Attorney Marshall said that tabling this local law would be more justice.

Peter Hedglon, Attorney, referenced Section 122-6 of the Local Law and said the Notice to Abate doesn't exist. Nothing in this law establishes a notice to abate. There is presumption of knowledge, but it is not a notice to abate and said this proposed law needs more work.

Joe Magliocca, Oneida said he knows a lot of the folks who have spoken for and against this, and the landlords here are all decent and respectable people. There seems to be a consensus from the landlords that they will work with the City on this. Multiple municipalities have enacted similar ordinances and it would have been nice to have the Chiefs of Police or Mayors come and speak as to how effective their law has been in their communities. Mr. Vargas spoke of how he had to leave the area, and that is incredibly unfortunate for anyone who lives, works or owns property in the city. If landlords don't accept that some tenants are dealing drugs and having loud parties, and if you don't accept that some of these tenants are continually getting arrested, then that is part of the problem. If landlords don't accept that some tenants are continually sent to jail for various offenses, you see the same names in the arrest records all the time, then that is part of the problem. Moving forward, landlords are going to be part of the problem or they will be part of the solution. Downtown Oneida has a bad public perception and its growing all over the north side. We need to change that perception and move this city in a positive direction. Landlords need to work with the City to get us in that direction; it is way past that time.

Fred Cianfrocco, Oneida, said he just doesn't understand how this law is going to stop or change anything. We have no power, it's passing the buck, and the City makes money on it. He said he just doesn't get it.

Sandy Cordell, Canastota, said that they are probably the newest, inexperienced landlords in the City and if she had to do it again, she would not. She said she has worked and shopped in Oneida for over twenty years. She said the building they bought on Madison Street that has a storefront, as well as rentals, and is in one of the worst areas in Oneida. If there are problems, don't bother taking them to the judge, because he is not going to help you. She said we definitely need to clean up Oneida, and we need to work together

to get this group of people who are always in the paper; we need to get them in order. She said once we do get them to the court system, as of right now, it does no good. We do our best to try to be law abiding, but sometimes we have to rent to people and hope they will be better this time. This group of landlords here tonight cares; otherwise we would not be here. But, we also don't want this law to get pushed down our throats. We need to get something to protect our property, our good tenants and us from the bad ones.

City Attorney Nadine Bell said this law is mirrored after a Local Law passed in Rome with intention. Rome City Local Law has been challenged and upheld in court twice. When you go through the process, it is nice to find Laws that have been challenged and upheld. Rome's Local Law was adopted in 1998 with revisions in 2005. This local law is not intended to pick on landlords and is not specific to landlords, but also to the tenants, they can bear responsibility to this law.

Mayor Smith said he has listened intently to everyone. Many participants here tonight have the same issues. There isn't a need to table this item, as it is not being voted on this evening; this is just a public hearing on the proposed Local Law. The Mayor said he commends everyone who spoke tonight. The Mayor said we need to bring change to the issues that have been festering for too long. The Mayor said he will work passionately to see the kind of happy, thriving community we grew up in reassert itself. The Mayor said he sees this as a positive thing, as this is the largest assembly at a Council meeting he has seen in the past two years. Most of you own businesses and are successful in your own right, and you are having a discussion on a major problem in this community. That is a positive thing. The Mayor said he doesn't have a passion about how we do this; he only has a passion about how we get it done.

Councilor Chamberlain agreed with the Mayor and said we want to see something done and we want your input. We will work with your concerns and move forward.

Councilor Acker said she has three businesses and rental properties and said we definitely need to work on law. This is not going to affect good landlords; it is the ones who are slum landlords. They don't care about this city or community; they have worked it out with the county and just want the almighty dollar. That is the kind of people we need to stop because that is what is ruining our city.

Councilor Smith said there were some meetings with the Council and landlords in the past. We all have the same goals in mind, adding this law needs a little more tweaking. He said he would like to serve on any committees to work with the landlords to move this forward.

Councilor Zogby said that he is a landlord. He said that the Council would be remiss if they didn't set a deadline and a timeframe for some action to be taken. There are three attorneys in the audience who could probably get together and go over some of the fine points to help us make our law better and satisfy the landlords as well as the City. Our goal is the same as your goal. It is not to hear someone like Mr. Vargas ever say that they had to sell their property because properties around them were in such condition that they had to protect their families. Councilor Zogby said if we can meet the purpose of this law, which is to keep people safe and protect our City, then we are all on the same page.

Councilor Bowe said everyone here has a focal point; it is just getting it in the right words to do what we want to do.

Milt James, Oneida Castle said he has a list of the landlords in attendance and will provide a copy to the Mayor. The Mayor thanked everyone for their input and said if we bring the same passion towards a resolution, he is optimistic that we can come up with something that will work.

Moved by Councilor Chamberlain
Seconded by Councilor Bowe

RESOLVED, that the Public Hearing on the proposed Local Law to establish a Public Nuisance Abatement Program in the City of Oneida be hereby CLOSED at 7:46 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

RESOLVED, that the minutes of the special meeting of December 31, 2013 are hereby approved as presented.

Ayes: 6

Nays: 0

MOTION CARRIED

Moved by Councilor Acker

Seconded by Councilor Simchik

RESOLVED, that Warrant No. 1, checks and ACH payments in the amount of \$31,219.58 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6

Nays: 0

MOTION CARRIED

DEPUTY MAYOR NOMINATIONS

Mayor Smith asked for nominations for Deputy Mayor.

Councilor Bowe nominated Councilor Chamberlain and Councilor Smith seconded the nomination.

Councilor Simchik nominated Councilor Acker and Councilor Zogby seconded the nomination.

The Mayor called for a vote which resulted in a three-three tie with Councilors Bowe, Smith and Chamberlain voting for Councilor Chamberlain; and Councilors Zogby, Acker and Simchik voting for Councilor Acker. The Mayor said he breaks the tie in favor of Councilor Acker.

The Mayor said he has great respect for both Councilors, but said that Councilor Acker's performance during the flood event on behalf of the residents of her Ward went above and beyond the call of duty and merited serving as Deputy Mayor.

OLD BUSINESS

Joe Magliocca, Oneida, said the final report from the Bicycles Brings Business event recently held in Oneida has been received and told the Council he would be happy to share the information with them.

VOUCHER COMMITTEES

RESOLUTION 14-02

Moved by Councilor Bowe
Seconded by Councilor Zogby

RESOLVED, that pursuant to Section 5.22 B of the City Charter, voucher committees shall be as follows:

Councilor Chamberlain and Councilor Simchik - First Council meeting
Councilor Acker and Councilor Smith - Second Council meeting

Ayes: 6
Nays: 0

MOTION CARRIED

ORGANIZATIONAL RESOLUTION

RESOLUTION 14-03

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the Organizational Resolution for the year 2014 consisting of the following is hereby approved:

1. Regular meetings for the City of Oneida for the year 2014 shall be held in Council Chambers, Oneida Municipal Building, 109 North Main Street, Oneida, New York at six-thirty o'clock P.M. (6:30 pm) on the first and third Tuesday of each month and if any of said Tuesdays shall fall on a holiday, then in such event, the Common Council shall agree on a date to reschedule.
2. The Oneida Daily Dispatch is hereby designated as the official newspaper in the City of Oneida.
3. The City of Oneida funds for the year 2014 shall be kept and retained in the following banks:
 - J.P. Morgan Chase Bank, Oneida, NY - General Fund savings account, and special capital accounts
 - NBT Bank, Oneida, NY - special capital accounts and other current accounts
 - State Bank of Chittenango, a wholly owned subsidiary of the Oneida Savings Bank, Oneida, NY- special reserve accounts and other current accounts
4. The bonds for City Officers shall be fixed as follows:

Mayor	\$ 50,000.00
City Chamberlain	\$100,000.00
Account Clerk-Chamberlain's	\$ 50,000.00
Comptroller	\$ 50,000.00
Account Clerk-Comptroller's	\$ 50,000.00
Deputy Comptroller	\$ 50,000.00
City Clerk	\$ 10,000.00
Deputy City Clerk	\$ 10,000.00

Ayes: 6

Nays: 0

MOTION CARRIED

ORDER OF SUCCESSION FOR COUNCILORS

RESOLUTION 14-04

Moved by Councilor Smith

Seconded by Councilor Simchik

RESOLVED, that the order of succession of the members of the Common Council pursuant to Section 3.0 (2.10) of the City Charter shall be as follows:

Mayor Alden M. Smith
Deputy Mayor Helen Acker
Councilor Erwin Smith
Councilor James Chamberlain
Councilor Thomas Simchik
Councilor Brahim Zogby
Councilor Michael Bove

Ayes: 6

Nays: 0

MOTION CARRIED

INTERMUNICIPAL AGREEMENT FOR DOG CONTROL SERVICES

RESOLUTION 14-05

Moved by Councilor Zogby

Seconded by Councilor Acker

RESOLVED, to authorize the Acting Mayor to sign an Intermunicipal Agreement with the City of Sherrill to provide dog control services.

Ayes: 6

Nays: 0

MOTION CARRIED

AMERICAN RED CROSS BLOOD DRIVES

RESOLUTION 14-06

Moved by Councilor Chamberlain

Seconded by Councilor Acker

RESOLVED, to authorize the waiver of the non-profit \$5.00 per hour Recreation Department fee for use of the dining room at the Recreation Center for the American Red Cross Blood drives.

Ayes: 0

Nays: 6

MOTION FAILED

The Council had a brief discussion about being consistent with regard to not-for-profit organizations, noting they have to look at equity and fairness and for all not-for-profits.

**PROPOSED LOCAL LAW TO AMEND CHAPTER 57 OF THE CITY CODE
TO INCLUDE REGULATION OF DISCHARGE OF BOWS**

RESOLUTION 14-07

Moved by Councilor Chamberlain

Seconded by Councilor Acker

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, **now therefore it is**

RESOLVED, that the proposed Local Law to amend Chapter 57 of the City Code, titled “Firearms and Weapons” to include the regulation of bows is hereby received and placed on file, **and it is further**

RESOLVED AND DETERMINED, that the enactment of proposed Local Law is an unlisted action, 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, with the result that the Common Council shall act as lead agency in this matter; **and it is further**

RESOLVED, that a Public Hearing on proposed Local Law is hereby scheduled for January 21, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

**LOCAL LAW TO AMEND CHAPTER 57, TITLED “FIREARMS AND WEAPONS,”
OF THE CODE OF THE CITY OF ONEIDA
TO REGULATE THE DISCHARGE OF BOWS**

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapter 57 of the Code of the City of Oneida (hereinafter “Code”), titled “Firearms and Weapons,” to regulate the discharge of bows within the City of Oneida as follows:

SECTION 1.

So that Section 57-1, titled “Discharge of Firearms,” is amended to read, in its entirety, as follows:

“[a]ny person who, otherwise than in self-defense or in the discharge of official duty, willfully discharges any species of firearm, bow, or other instrument that can discharge a projectile, in the inside tax district of the City of Oneida, Madison County, New York, being the area bounded as follows: “Commencing at the intersection of Route 5 and Glenwood Avenue; thence southerly along Glenwood Avenue to Fairview Avenue; thence westerly along Fairview Avenue to a point being an extension of the westerly line of the Baker reservoir premises; thence northerly along said extension to Route 5; thence westerly along Route 5 to the westerly city line; thence northerly along said westerly city line to West Elm Street; thence easterly along West Elm Street to the inside tax district line; thence northerly

along the inside tax district line extending to the New York State Thruway; thence easterly along the thruway and the inside tax district line to Oneida Creek,” other than under supervised instruction by properly authorized instructors at an established rifle or archery range or target range shall be guilty of a misdemeanor.”

SECTION 2.

So that Subsection A of Section 57-2 shall be amended to read, in its entirety, as follows:

“A. It shall be unlawful for any person to discharge a gun or bow on any premises within the city except with the express permission of the owner of such premises. No owner of premises shall permit a gun to be fired or discharged on his premises without first ascertaining that the person or persons to whom such permission is granted is of sufficient age, judgment and understanding to fire or discharge the same so as not to injure the person or property of another. No person shall fire or discharge a gun or bow in a public place or place frequented by the public, nor shall any person carry such gun, unless properly permitted by the State of New York, or bow in any public place or place frequented by the public except while en route to or from such person’s place of residence.”

SECTION 3.

So that Section 57-2 shall have a new Subsection “C,” which shall read, in its entirety, as follows:

“C. The term “bow” as used herein shall include manual bows, automatic bows, compound bows, crossbows and any type of bow from which an arrow may be discharged.”

SECTION 4.

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

Ayes: 6

Nays: 0

MOTION CARRIED

SERVICE AGREEMENT

RESOLUTION 14-08

Moved by Councilor Zogby

Seconded by Councilor Chamberlain

RESOLVED, to authorize the Mayor to sign a three-year Service Agreement with emsCharts, Inc., 600 Mifflin Road, Suite 102, Pittsburgh PA to utilize software products to assist in creating, maintaining, accessing, managing and reporting pre-hospital medical and operational information, **and be it further**

RESOLVED, that the 2014 fee will be at Tier 1 rate of \$2,410.00 and the second two years, 2015 and 2016, will be at the Tier 2 rate of \$4,598.00 per year.

Ayes: 6

Nays: 0

MOTION CARRIED

Fire Chief Salerno said when they respond to emergency medical calls; a PCR (pre hospital care report) is completed, which documents the situation responded to, the patient's information and the medical care provided. The PCR forms are provided by NYS, however, with all the cost cutting measures enacted by the State, they are getting away from paper forms and going electronic. This vendor was the least costly that meets our needs.

LEASE AGREEMENT

RESOLUTION 14-09

Moved by Councilor Smith
Seconded by Councilor Zogby

RESOLVED, to authorize the Mayor to sign a Lease Agreement with Physio-Control, Inc., Redmond WA 98052 for 1 LIFEPAK 15 (*Defibrillator - quote 1-268967153 rev 2*) in the amount of \$34,876.35, plus a \$350 documentation fee.

Ayes: 6
Nays: 0

MOTION CARRIED

The lease will be paid over four years and is listed in the 2014 budget.

AGREEMENT - MEDICAL DIRECTOR FOR FIRE RESCUE SERVICES

RESOLUTION 14-10

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, to authorize the Mayor to sign an agreement with Dr. Michael Thomas, 321 Genesee Street, Oneida NY, setting forth the terms and conditions under which Dr. Michael Thomas shall serve as the "Service Medical Director" to the City's Emergency Medical Services.

Ayes: 6
Nays: 0

MOTION CARRIED

The Chief said in 2014, the department is being required by the State to carry narcotics on the rescue vehicle, which will be administered under strict guidelines. Dr. Thomas is the head of the emergency department at Oneida Healthcare Center and the department is already working closely with him for their medical needs.

SCRAP METAL

RESOLUTION 14-11

Moved by Councilor Bowe
Seconded by Councilor Acker

RESOLVED, to authorize the Department of Public Works, Waste Water Treatment Plant and Water Department to sell scrap metal at a fair market price, as accumulated, for the remainder of the year.

Ayes: 6

Nays: 0

MOTION CARRIED

PURCHASE OFFER

RESOLUTION 14-12

Moved by Councilor Simchik

Seconded by Councilor Smith

RESOLVED, that a Purchase Offer in the amount of \$1,000.00 from Lewis E. Joslyn Sr. 220 Sherman St., Oneida NY for the City owned vacant lot SBL# 30.55-1-68 located on the corner of Sherman and N. Lake Street be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

A brief discussion about the City's cost for demolishing the dilapidated home that existed on the property, the size of the lot not being suitable for any buildings and offering the property to adjoining neighbors for purchase ensued. Joe Magliocca, Oneida, suggested there should be a policy for selling City property.

NEW BUSINESS

Greater Oneida Civic Center, Inc.

Councilor Smith said he spoke with the City Clerk, and a Public Hearing is not scheduled for the proposed Greater Oneida Civic Center Inc. tenancy termination and subsequent proposed agreement with Entertainment Services. The City Clerk said public hearings are normally not advertised in the newspaper as "Public Hearings" when authorizing the Mayor to sign an agreement, but it could be noticed if the Council chooses. The Mayor said there is a lot of misinformation out there and recommends scheduling a Public Hearing for the next meeting, and the Council agreed. Former Mayor Hedglon asked if a history of expenses for the Kallet could be made available, as well as the proposed Facility Maintenance Agreement between the City of Oneida and Entertainment Services. The City Clerk said the proposed agreement will be available on the City website and in City Hall tomorrow. The Mayor said he will look into the history of expenses for the Kallet.

Motion to adjourn by Councilor Acker

The regular meeting is hereby adjourned at 8:55 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk