

**MINUTES OF THE COMMON COUNCIL  
DECEMBER 31, 2013**

A special meeting of the Common Council of the City of Oneida, NY was held on the thirty-first day of December, 2013 at 8:00 o'clock A.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Acting Mayor Alden M. Smith

PRESENT: Councilors Brahim Zogby, Helen Acker, James Chamberlain and Thomas Simchik

ABSENT: Councilor David Cimpi

ALSO PRESENT: City Clerk Susan Pulverenti  
City Engineer Jon Rauscher  
Comptroller Linda Pease  
Director of Parks and Recreation Lucas Griff  
Police Chief David Meeker  
Water Superintendent Art Smolinski  
Supervisor Lewis Carinci

Moved by Councilor Chamberlain  
Seconded by Councilor Acker

**RESOLVED**, that the minutes of the regular meeting of December 17, 2013 are hereby approved as presented.

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)

**MOTION CARRIED**

Moved by Councilor Acker  
Seconded by Councilor Zogby

**RESOLVED**, that Warrant No. 25, checks and ACH payments in the amount of \$11,164.59 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)

**MOTION CARRIED**

**TAX WARRANT**

**RESOLUTION 13-319**

Moved by Councilor Simchik  
Seconded by Councilor Zogby

**RESOLVED**, that the tax warrant for the year 2013 herewith in all respects is hereby approved and issued, and the City Chamberlain is hereby authorized to proceed with the collection of taxes for the year 2014, **and be it further**

**RESOLVED**, that pursuant to Section 5.8 of the City Charter, there shall be levied and raised on the taxable real estate property of the entire City, in manner from and to the extent heretofore authorized and directed by the Common Council the necessary sums of money for the estimates and disbursements for the year 2014, constituting the budget for the City of Oneida, as the same has been heretofore adopted and approved, and the tax of the several amounts for the different funds of the City, constituting said budget, to be computed at the ratios and upon the different property in said budget and levy set forth.

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)

**MOTION CARRIED**

**WATER MAINTENANCE AGREEMENTS**

**RESOLUTION 13-320**

Moved by Councilor Zogby  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the Mayor to sign the following Agreements:

- Prospect Street Water District Maintenance Agreement
- Stockbridge Water District Maintenance Agreement

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)  
**MOTION CARRIED**

The Water Superintendent said maintenance contracts with Stockbridge have been in place for 34 years and with the Prospect Street Water District for 19 years.

**AMUSEMENT DEVICE LICENSES**

**RESOLUTION 13-321**

Moved by Councilor Acker  
Seconded by Councilor Chamberlain

**RESOLVED**, that the following Amusement Device License Applications be hereby approved:

- Pepi’s Pizza Inc., 228 Genesee Street, Oneida NY 13421
- Ye Olde Pizza Pub, 403 Lenox Ave, Oneida NY13421
- National Entertainment Network LLC, 325 Interlocken Parkway B, Bloomfield, CO 80021

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)  
**MOTION CARRIED**

The National Entertainment Network has machines at Wal-Mart in Oneida.

**INTERMUNICIPAL MUNICIPAL WASTEWATER AGREEMENT**

**RESOLUTION 13-322**

Moved by Councilor Simchik  
Seconded by Councilor Acker

**WHEREAS**, on December 15, 2009, the following Resolution 09-344 was unanimously adopted by the Common Council:

**WHEREAS**, the County of Madison and the Madison County Industrial Development Agency are jointly developing a new industrial park designed for agriculture and renewable energy related businesses (hereinafter “ARE Park”) located in the Town of Lincoln; **and**

**WHEREAS**, the County of Madison and the Madison County Industrial Development Agency desire to extend a sewer line, which is owned by the City of Oneida, from the intersection known as Five Corners to the ARE Park, and to work with local jurisdictions and residents desiring wastewater disposal service to establish appropriate sewer districts; **and**

**WHEREAS**, the City owns and operates a municipal wastewater collection and treatment system which has sufficient capacity to accept the wastewater identified herein; **and**

**WHEREAS**, the City has determined that the terms of the attached Intermunicipal Wastewater Service Agreement are beneficial to the City and its residents; **now therefore be it**

**RESOLVED**, that the Mayor is authorized to sign the attached Intermunicipal Wastewater Service Agreement, subject to completion of environmental reviews undertaken to satisfy the requirements of the State Environmental Quality Review Act; **and**

**WHEREAS**, Madison County completed the environmental reviews to satisfy the requirements of the State Environmental Quality Review Act, **and**

**WHEREAS**, Mayor Peter Hedglon subsequently executed the aforementioned Intermunicipal Wastewater Service Agreement and forwarded same to Madison County for execution; **and**

**WHEREAS**, it has come to the attention of the City of Oneida that the Intermunicipal Wastewater Service Agreement executed by Mayor Hedglon has been misplaced by Madison County and there no longer appears to exist an original, fully executed copy of same; **and**

**WHEREAS**, to secure necessary financing for a public works project, Madison County has asked the City of Oneida to re-execute the Intermunicipal Wastewater Service Agreement, it being understood that the terms and conditions set forth therein remain unchanged; **now therefore be it**

**RESOLVED**, that Acting Mayor Smith is hereby authorized to sign the attached Intermunicipal Wastewater Service Agreement by and between the City of Oneida and the County of Madison as per Resolution 09-344 adopted by the Common Council on December 15, 2009.

Ayes: 5

Nays: 0

Absent: 1 (Cimpi)

**MOTION CARRIED**

The Mayor said this agreement was previously executed by former Mayor Hedglon and misplaced by the County.

### **CANVASS & APPROVE CHEMICAL BIDS**

#### **RESOLUTION 13-323**

Moved by Councilor Acker

Seconded by Councilor Zogby

**RESOLVED**, that the lowest bid meeting specifications for liquid caustic soda in the amount of \$17,580.00 from JCI Jones Chemicals, Inc., 100 Sunny Sol. Blvd., Caledonia NY 14423 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for liquid zinc orthophosphate and liquid polyphosphate in the amount of \$24,690.00 from Shannon Chemical Corp. PO Box 376, Malvren PA 19355 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for aluminum sulfate in the amount of \$40,200.00 from Thomas J. Holland, Holland Company Inc., 153 Howland Ave., Adams PA 01220 is hereby approved, **and be it further**

**RESOLVED**, that the lowest bid meeting specifications for liquid chlorine and sodium hypochlorite in the amount of \$19,405.32 from Slack Chemical Co., Inc. 465 S. Clinton Street, Carthage NY 13619 is hereby approved.

Ayes: 5

Nays: 0

Absent: 1 (Cimpi)

**MOTION CARRIED**

### **AGREEMENT EXTENSION**

#### **RESOLUTION 13-324**

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

**WHEREAS**, on December 7, 2011, the City entered into a Temporary License Agreement Permitting Entry on Property with Niagara Mohawk Power Corporation, DBA National Grid, to conduct investigation of contamination on various City owned properties on Sconondoa Street, and the railroad embankment area (Parcels 30.65-1-1;30.65-1-2;030.65-1-6; 30.65-1-9; 30.64-2-12; 30.64-2-15; 30.73-1-3;30.72-2-2.1) **and**

**WHEREAS**, Section 4 of said Temporary License Agreement allows for the term to be extended for a period of time to perform additional investigation, **now therefore be it**

**RESOLVED**, to extend the December 7, 2011 Temporary License Agreement Permitting Entry on Property with Niagara Mohawk Power Corporation, DBA National Grid, 300 Erie Blvd. West, Syracuse NY for a period of five years, terminating on December 31, 2018 to allow for additional investigation of contaminations.

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)  
**MOTION CARRIED**

**CITY HISTORIAN AGREEMENT**

**RESOLUTION 13-325**

Moved by Councilor Simchik  
Seconded by Councilor Chamberlain

**RESOLVED**, to authorize the Acting Mayor to sign the Agreement with City Historian David Alvord as per the 2014 City of Oneida Budget.

Ayes: 5  
Nays: 0  
Absent: 1 (Cimpi)  
**MOTION CARRIED**

**BUDGET TRANSFERS**

**RESOLUTION 13-327**

Moved by Councilor Simchik  
Seconded by Councilor Chamberlain

**RESOLVED**, to approve the following budget transfers:

<i>Amount</i>	<i>From</i>	<i>To</i>
\$8,000	003.8110.0312 (Sewer Polymer)	003.8110.0401 (Sewer Electric and Gas)
\$1,000	001.5110.0200 (DPW Equipment)	005.5110.0406 (Capital Street Paving)
\$1,597.50	001.1620.0106 (Maintenance Sick Leave)	001.1420.0410 (Attorney Litigation)
\$481.00	001.1964.0400 (Refund of Tax)	001.7530.0400 (PAC 10)
\$660	001.1620.0404 (City Hall Postage)	001.1420.0411 (Attorney Negotiations)
\$945	001.1620.0106 (Maintenance Sick Leave)	001.1364.0400 (Exp. On Property Acquired)
\$93.77	001.8560.0300 (Materials & Supplies)	001.8560.0420 (Tree Removal)
\$513	001.8560.0322	001.8560.0420

	(Tools)	(Tree Removal)
\$2,402.96	001.8560.0447 (Tree Planting)	001.8560.0420 (Tree Removal)
\$1,581.41	001.8140.0300 (Storm Sewer Mat)	001.8560.0420 (Tree Removal)
\$12,500	001.7140.0103 (Recreation Maint Sal)	001.1620.0403 (Contracts)
\$4,000	003.8110.0312 (Polymer)	003.8110.0449 (Miscellaneous)
<i>Year-end shortage transfers</i>		

Ayes: 5

Nays: 0

Absent: 1 (Cimpi)

**MOTION CARRIED**

The Mayor said 2013 has been a stimulating year to say the least.

Motion to adjourn by Councilor Chamberlain

The regular meeting is hereby adjourned at 8:11 a.m.

**CITY OF ONEIDA**

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Susan Pulverenti, City Clerk