

MINUTES OF THE COMMON COUNCIL
APRIL 22, 2014

A meeting of the Common Council of the City of Oneida, NY was held on the twenty-second day of April, 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, Helen Acker, James Chamberlain and Thomas Simchik (arrived at 6:41 p.m.)

ABSENT: Erwin Smith

ALSO PRESENT: Attorney Wendy Reese
City Clerk Susan Pulverenti
Police Chief David Meeker
Public Safety Commissioner Mike Kaiser

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that Check Number 4162 in the amount of \$850.00 is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5

Nays: 0

Absent: 1 (E. Smith)

MOTION CARRIED

This expense is for a Purchase Easement in conjunction with the Fish Creek Crossing Project.

Discussion of the proposed City of Oneida Nuisance Abatement Program

Mayor Smith said the Local Law to establish a Nuisance Abatement Program was on the agenda to be adopted at the April 15th Council meeting, but was tabled to give the opportunity to discuss this yet again. The Mayor said speakers will be limited to five minutes and should come up to the podium, state their name and where they reside.

Peter Hedglon, Oneida, stated that he is representing a group of landlords. He referred to the letter he provided to the Mayor and Common Council outlining his suggestions for modification of the proposed Local Law. Attorney Hedglon said there is an assumption that landlords have a great deal of power as to who they rent to. He read aloud an excerpt from the NYS Attorney General's Tenants' Rights Guide, which explained the tenant's rights relative to apartment sharing. He said under this interpretation, the landlord doesn't have to know who is occupying the apartment. He said this proposed Local Law puts the landlords at great risk with a \$1,000 a day fine. He remarked that the only notice given to landlords, per the proposed Local Law, is that of the enforcement proceeding. Attorney Hedglon said the landlords that he represents have serious concerns about what their exposure is and how they will comply.

The Mayor said he read Attorney Hedglon's letter with interest, adding he is certain the Councilors and City Attorney have reviewed it as well. The Mayor commented that he wished Attorney Hedglon could have been present for the special meeting with the City of Rome officials and landlords, as after the meeting he thought a lot of the landlords' fears had been waylaid. The Mayor said he is willing to review

some of the points Attorney Hedglon has made. Mayor Smith said he is desirous of fostering a partnership with the landlords to move together in the spirit of cooperation, and he thanked Attorney Hedglon for his comments.

Bill Butler said he resides in Oneida and owns several apartment buildings in the city. Mr. Butler said he does not want to make this harder than what it has to be. He would like to have some verbiage cleaned up so the landlords understand it. He said even the Police Chief has said “we won’t do this or we won’t do that,” but the verbiage isn’t clear in the Local Law. Mr. Butler said he doesn’t want to see this drag on any longer. He would like to move forward and work together to make this a better city.

Joe Magliocca, Oneida, questioned if there are any other attorneys representing the landlords who could get together with the City Attorney to draft the language. Attorney Hedglon said he represents a group of about twenty and is unaware if there are any others.

The Mayor said he appreciated everyone’s input.

*Discussion of proposed Local Law to amend Chapter 17 of the City Code
to regulate the keeping of animals within the City of Oneida*

The Mayor said this proposed Local Law deals with harboring specific numbers of animals. After the Public Hearing for this proposed Local Law, the City has reached out and received information from Brian Shapiro, NYS Director of the Humane Society. The Mayor said the proposed law will be formulated to move away from specific numbers and will address behaviors and impacts on the community, because it allows those people who are doing animal rescue or are animal lovers to have larger numbers of animals.

Councilor Chamberlain said dictating to the homeowner how many pets they can or can’t have is not the answer. Attorney Hedglon said the City may be laboring to bring forth something that already exists under the law. Councilor Bowe said the City should deal with actions, surroundings and care, not the numbers.

*Discussion of proposed Local Law to amend Chapter 57 of the City Code
to include the regulation of bows*

The Mayor said this proposed law deals with regulating the discharge of bows within the inside district of the City. Councilor Zogby requested the Council vote on this Local Law tonight. The City Clerk said it cannot be voted on at this evening’s special meeting; the Local Law has been modified since the first public hearing and will require another public hearing. The Mayor said he will touch base with the City Attorney to be sure the necessary changes have been made to the proposed law.

Police Chief Meeker said one concern was that there are some places in the inside district where they would be more than 500 feet away from a residence and they could still hunt, which would help keep the deer population down, especially in areas where there are a lot of car/deer accidents. The Mayor said he is not sure if he comfortable with people hunting in the inside district.

Mayor and Councilor’s Comments

Councilor Zogby asked the Mayor if he could revisit the proposed Public Nuisance Abatement Program. He said the Council has been grappling with this for the last four months, and they should set a deadline for completion and move onto other business. He would like Mr. Hedglon and the landlords to meet with the City Attorney and set the first meeting in June as the date of closure on this. Councilor Zogby said the City of Rome’s Local Law has been modified four times since its initial adoption in 1998 and the City needs to pass legislation, live with it and work with it. The City also needs to be aware of some of the

issues Mr. Hedglon brought up and to help the landlords and not hinder them.

Mayor Smith said he was disappointed and shocked that this was not voted on at the last meeting. The Mayor said after reading Mr. Hedglon's five pages, there were several points that spoke to the concerns involving the language. The Mayor said it is his strong opinion that this needs to be moved to a vote and June 1st is too late. The City Clerk reminded the Council that if you modify the local law you will have to receive it and schedule another public hearing. The Mayor said he will move expeditiously forward to help all of us build a better community, and if that means compromise along the way, he doesn't have a problem with that.

Motion to adjourn by Councilor Chamberlain

The meeting is hereby adjourned at 7:07 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk