

AGENDA
CITY OF ONEIDA COMMON COUNCIL
MUNICIPAL BUILDING, 109 N. MAIN ST., ONEIDA NY
COMMON COUNCIL CHAMBERS
FEBRUARY 17, 2015
6:30 PM

***Call to Order / Pledge of Allegiance / Roll Call**

PUBLIC HEARING: Fluoridation of the City's public water supply

OLD BUSINESS

*Approval of regular meeting minutes 02/03/15 and special meeting 2/9/15

*Approval of Warrant No. 4

1. **MONTHLY REPORTS:** Receive and place on file monthly reports from the Chamberlain, City Clerk, City Engineer, Comptroller, Director of Planning and Development, Fire Chief, Police Chief, and Recreation Director.
2. **CANVASS BIDS:** Canvass and approve bids for Sensus Low Lead Water Meters. (Smolinski)
3. **CANVASS BIDS:** Canvass and approve bids for Liquid Caustic Soda. (Smolinski/Pease)
4. **AMUSEMENT DEVICE LICENSE:** Approve the 2015 Amusement Device License from Nichol's Vending, Inc. (Pulverenti)
5. **FEE SCHEDULE:** Approve the fees for Fire Department Housing Inspection appointment "no shows". (Salerno)
6. **NOTICE AND ORDER OF CORRECTIVE ACTION:** Notice and order declaring 120-126 Phelps Street a public nuisance requiring corrective action. (Bell)
7. **NOTICE AND ORDER OF CORRECTIVE ACTION:** Notice and order declaring 128 Phelps Street a public nuisance requiring corrective action. (Bell)
8. **WATER EXTENSION:** Receive and place on file a request from MEID, LLC for a water line extension on Fitch Street. (Smolinski)

NEW BUSINESS

**MINUTES OF THE COMMON COUNCIL
FEBRUARY 17, 2015**

A meeting of the Common Council of the City of Oneida, NY was held on the seventeenth day of February, 2015 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

ALSO PRESENT: City Attorney Nadine Bell
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

PUBLIC HEARING REGARDING FLOURIDATION OF THE CITY'S WATER

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing relating to the fluoridation of the City's public water system be hereby opened at _____ p.m.

Ayes:

Nays:

MOTION CARRIED

APPEARANCES:

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing on fluoridation be hereby closed at _____ p.m.

Ayes:

Nays:

MOTION CARRIED

OLD BUSINESS

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the regular meeting of February 3, 2015 and special meeting of February 9, 2015 are hereby approved as presented.

Ayes:

Nays:

MOTION CARRIED

Moved by Councilor
Seconded by Councilor

RESOLVED, that Warrant No. 4, checks and ACH payments in the amount of \$2,560,924.92 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes:

Nays:

MOTION CARRIED

Moved by Councilor
Seconded by Councilor

RESOLVED, that Check No. 52450 in the amount of \$128.64 (Oneida Office Supply) as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes:

Nays:

Abstain:

MOTION CARRIED

1. MONTHLY REPORTS

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the monthly reports from the Chamberlain, City Clerk, City Engineer, Comptroller, Director of Planning and Development, Fire Chief, Police Chief, and Recreation Director are hereby received and placed on file.

Ayes:

Nays:

MOTION CARRIED

2. CANVASS AND APPROVE BIDS FOR SENSUS LOW LEAD WATER METERS

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the lowest bid meeting specifications for Low Lead Sensus Water Meters in the amount of \$19,665.00 is hereby awarded to Everett J. Prescott, 241 Farrell Rd., Geddes NY 13209.

Ayes:

Nays:

MOTION CARRIED

**CITY OF ONEIDA
OFFICE OF THE COMPTROLLER**

LINDA M. PEASE, CMFO
City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lpease@oneidacity.com

BID ON SENSUS WATER METERS

February 10, 2015

11:00 AM

BIDDER

AMOUNT

SECURITY

Everett J Prescott Inc.
241 Farrell Rd.
Geddes, NY 13209

\$19,665.00

5% Bid Bond

Respectfully Submitted,

A handwritten signature in cursive script that reads "Linda M Pease".

Linda M. Pease
Purchasing Agent

3. CANVASS AND APPROVE BIDS FOR LIQUID CAUSTIC SODA

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the lowest bid meeting specifications for Liquid Caustic Soda in the amount of \$16,806.00 is hereby awarded to Univar USA, Inc. 175 Terminal Road, Providence RI 02905.

Ayes:

Nays:

MOTION CARRIED

**CITY OF ONEIDA
OFFICE OF THE COMPTROLLER**

LINDA M. PEASE, CMFO
City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lpease@oneidacity.com

**BID ON LIQUID CAUSTIC SODA
December 9, 2014
11:00 AM**

<u>BIDDER</u>	<u>AMOUNT</u>	<u>SECURITY</u>
JCI Jones Chemicals Inc. 100 Sunny Sol. Blvd. Caledonia, NY 14423	\$17,310.00	5% Bid Bond
Kuehne Chemical Company, Inc. 86 North Hackensack Ave South Kearny, NJ 07032	\$30,000.00	No Security
Bison Laboratories, Inc. 100 Leslie Street Buffalo, NY 14211	\$22,393.50	5% Bid Bond
Slack Chemical Co., Inc. 465 S. Clinton Street Carthage, NY 13619	\$18,096.30	5% Check
Univar USA Inc 532 East Emaus St Middletown PA 17057	\$19,164.00	5% Bid Bond
Amrex Chemical Co Inc 117 E Frederick St PO Box 642 Binghamton, NY 13902	\$17,292.00	5% Bid Bond
Surpass Chemical Co Inc 1254 Broadway Albany, NY 12204	\$17,187.00	5% Check

CITY OF ONEIDA
OFFICE OF THE COMPTROLLER

LINDA M. PEASE, CMFO
City Comptroller



109 North Main Street
Oneida, New York 13421
Tel.: 315-363-2022
Fax: 315-363-9558
Email: lpease@oneidacity.com

Univar USA Inc
175 Terminal Road
Providence, RI 02905

\$16,806.00

5% Bid Bond

Shannon Chemical Corp
PO Box 376
Malvern, PA 19355

NO BID

Chemrite Inc
5202 Belle Wood Court, Suite 104
Buford, GA 30518

\$17,940.00

5% Check

Apparent low bidder Univar USA, Inc.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Linda M. Pease".

Linda M. Pease,
Purchasing Agent

4. AMUSEMENT DEVICE LICENSE

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the 2015 Amusement Device License for Nichol's Vending, RD #1, Box 231 Canastota, NY 13032 be hereby approved.

Ayes:

Nays:

MOTION CARRIED

OFFICE OF THE CITY CLERK - LICENSE APPLICATION

2015 AMUSEMENT DEVICE LICENSE

FEES: 1 - 5 MACHINES: \$200.00 ♦ 6 OR MORE: \$300.00

Due Date: January 1, 2015

LATE FEES:

\$50 Late Fee assessed after January 31st.
\$100 Late Fee assessed after February 28th

City Clerk
City of Oneida
109 N. Main St.
Oneida NY 13421
315-363-7378

RECEIVED
FEB 05 2015

Business Name Nichols Vending, Inc
Owner's Name Peter A nichols
Address RD#1 Box 231 Canastota ny 13032
Phone Number 315-363-4614

CITY CLERK

The above referenced business does hereby apply for a license in the City of Oneida for the purpose of owning amusement device machines.

Table with 3 columns: Location, Type of Machine, Number of Machines. Rows include locations like 'Bec's', 'Dunn's', 'Jacks or Better', 'Olcott's', 'Oneida Cinema', and 'region Oneida'.

Peter A. Nichols

Applicant's Signature

Applicant's Address RD#1 Box 231 Canastota ny 13032



FOR OFFICE USE ONLY

RECEIVED

APPROVED BY THE COMMON COUNCIL:

FEB 05 2015

City Clerk

Mayor

Police Chief

License No. 2741 Expiring: 12/31/15

[Signature]

Oneida City Clerk

5. FIRE DEPARTMENT FEES – HOUSING INSPECTIONS

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

WHEREAS, the Common Council approved the Fire Department Inspection Fee Schedule on Resolution 12-108 on April 3, 2012, which included a \$40.00 fee to be assessed when the property owner is sent notification for inspection, and the property owner doesn't respond to reschedule and fails to show for the inspection, **and**

WHEREAS, the Housing Inspectors Office is having issues with landlords/property owners failing to appear for scheduled rental inspections and the current fees do not appear to be enough deterrent from property owners continually not calling to reschedule and not appearing for scheduled inspections, **now therefore be it**

RESOLVED, that the Common Council hereby approves the following updates to the Fire Department Inspection Fee Schedule to be effective immediately:

- First No Show for Inspection: \$40.00
- Second No Show for Inspection: \$100.00
- Third No Show for Inspection: Order to Vacate the apartment or building

Ayes:

Nays:

MOTION CARRIED

6. NOTICE AND ORDER DECLARING 120 PHELPS STREET, ONEIDA, A PUBLIC NUISANCE REQUIRING CORRECTIVE ACTION

RESOLUTION 15-

Moved by Councilor:
Seconded by Councilor:

WHEREAS, in accordance with Article III of Chapter 34 of the Oneida City Code, as amended, a public hearing was conducted on February 3, 2015, for purposes of receiving and considering evidence presented by the City of Oneida Fire Marshal to determine whether real property located at 120 Phelps Street (a/k/a 120-126 Phelps Street), Tax Map No. 30.72-1-90, in the City of Oneida ("Property") is a public nuisance; and

WHEREAS, upon presentation of oral testimony and documentary evidence by the Fire Marshal, the City of Oneida Common Council closed the public hearing and, during its February 3rd meeting, unanimously passed a resolution declaring the Property to be a public nuisance; and

WHEREAS, the Common Council further decided to postpone rendering a decision on what, if any, remedial action is to be required of the property owner or persons with interest in the Property until the Common Council's next regularly scheduled meeting on February 17, 2015; and

WHEREAS, the Common Council, having thoroughly considered the testimony and documentation presented by the Fire Marshal evidencing an unsecure large, unsightly debris pile containing dangerous materials and unstable crevasses, wishes to undertake any and all measures permitted in the Oneida City Code and City of Oneida Charter that are appropriate to protect the public's health, safety and welfare.

NOW THEREFORE BE IT RESOLVED, that the Common Council, having duly declared the property located 120 Phelps Street (a/k/a 120-126 Phelps Street), Tax Map No. 30.72-1-90, in the City of Oneida to be a public nuisance, hereby orders the owners or persons with an interest in such Property to remove the demolition debris and excavate the Property to lot level, so as to comply with the New York State Uniform Fire Prevention and Oneida City Code; and

BE IT FURTHER RESOLVED, that such corrective action must occur within thirty (30) days of receipt of the notice of the Common Council's declaration and order; and

BE IT FURTHER RESOLVED, that in the event corrective action does not occur within the time provided, the Common Council hereby authorizes the Fire Marshal and the City Engineer to undertake any and all such measures as are necessary to effectuate the removal of the demolition debris, which shall include the excavation and leveling of the Property, and shall assess the cost of same against the Property; and

BE IT FURTHER RESOLVED, that the cost of such demolition, if undertaken by the City, shall thereupon become a lien against the Property and shall be collectible in the same manner as taxes levied thereon; and

BE IT FURTHER RESOLVED, that notice of the Common Council's declaration and order shall either be served personally or, if personal service is not available, by means of publication in the Oneida Dispatch and the Utica Observer Dispatch at least once weekly for four (4) consecutive weeks.

Ayes:
Nays:

MOTION CARRIED

**NOTICE AND ORDER
DECLARING 120 PHELPS STREET, CITY OF ONEIDA
A PUBLIC NUISANCE REQUIRING CORRECTIVE ACTION**

At a duly noticed public hearing conducted by the City of Oneida Common Council at the City of Oneida Municipal Building, located at 109 North Main Street, in the City of Oneida, on February 3, 2015, the real property located at 120 Phelps Street (a/k/a 120-126 Phelps Street), Tax Map No. 30.72-1-90 (the "Property") was declared a public nuisance. The Common Council hereby orders the owner or persons with an interest in such Property to remove the demolition debris situated upon the Property and the excavation of the Property to lot level, so as to comply with the New York State Uniform Fire Prevention Code and the Oneida City Code. Such corrective action must occur within thirty (30) days of receipt of this Notice and Order. In the event corrective action does not occur within the time provided, the City of Oneida may cause the removal of the demolition debris, which shall include the excavation and leveling of the Property, and shall assess the cost of same against the Property. Said cost shall thereupon become a lien against the Property and shall be collectible in the same manner as taxes levied thereon. In addition, any person who shall neglect or refuse to comply with the directions of the Common Council shall, if convicted, be guilty of a misdemeanor.

Dated: February 17, 2015

**Alden M. Smith, Mayor
City of Oneida**

7. NOTICE AND ORDER DECLARING 128 PHELPS STREET, ONEIDA, A PUBLIC NUISANCE REQUIRING CORRECTIVE ACTION

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

WHEREAS, in accordance with Article III of Chapter 34 of the Oneida City Code, as amended, a public hearing was conducted on February 3, 2015, for purposes of receiving and considering evidence presented by the City of Oneida Fire Marshal to determine whether real property located at 128 Phelps Street, Tax Map No. 30.72-1-91, in the City of Oneida ("Property") is a public nuisance; and

WHEREAS, upon presentation of oral testimony and documentary evidence by the Fire Marshal, the City of Oneida Common Council closed the public hearing and, during its February 3rd meeting, unanimously passed a resolution declaring the Property to be a public nuisance; and

WHEREAS, the Common Council further decided to postpone rendering a decision on what, if any, remedial action is to be required of the property owner or persons with interest in the Property until the Common Council's next regularly scheduled meeting on February 17, 2015; and

WHEREAS, the Common Council, having thoroughly considered the testimony and documentation presented by the Fire Marshal evidencing an unsecure large, unsightly debris pile containing dangerous materials and unstable crevasses, wishes to undertake any and all measures permitted in the Oneida City Code and City of Oneida Charter that are appropriate to protect the public's health, safety and welfare.

NOW THEREFORE, BE IT RESOLVED that the Common Council, having duly declared the property located at 128 Phelps Street, Tax Map No. 30.72-1-91, to be a public nuisance hereby orders the owner or persons with an interest in such Property to remove the demolition debris and excavate the Property to lot level, so as to comply with the New York State Uniform Fire Prevention and Oneida City Code; and

BE IT FURTHER RESOLVED, that such corrective action must occur within thirty (30) days of receipt of the notice of the Common Council's declaration and order; and

BE IT FURTHER RESOLVED, that in the event corrective action does not occur within the time provided, the Common Council hereby authorizes the Fire Marshal and the City Engineer to undertake any and all such measures as are necessary to effectuate the removal of the demolition debris, which shall include the excavation and leveling of the Property, and shall assess the cost of same against the Property; and

BE IT FURTHER RESOLVED, that the cost of such demolition, if undertaken by the City, shall thereupon become a lien against the Property and shall be collectible in the same manner as taxes levied thereon; and

BE IT FURTHER RESOLVED, that notice of the Common Council's declaration and order shall either be served personally or, if personal service is not available, by means of publication in the Oneida Dispatch and the Utica Observer Dispatch at least once weekly for four (4) consecutive weeks.

Ayes:

Nays:

MOTION CARRIED

**NOTICE AND ORDER
DECLARING 128 PHELPS STREET, CITY OF ONEIDA
A PUBLIC NUISANCE REQUIRING CORRECTIVE ACTION**

At a duly noticed public hearing conducted by the City of Oneida Common Council at the City of Oneida Municipal Building, located at 109 North Main Street, in the City of Oneida, on February 3, 2015, the real property located at 128 Phelps Street, Tax Map No. 30.72-1-91 (the "Property") was declared a public nuisance. The Common Council hereby orders the owner or persons with an interest in such Property to remove the demolition debris situated upon the Property and the excavation of the Property to lot level, so as to comply with the New York State Uniform Fire Prevention Code and the Oneida City Code. Such corrective action must occur within thirty (30) days of receipt of this Notice and Order. In the event corrective action does not occur within the time provided, the City of Oneida may cause the removal of the demolition debris, which shall include the excavation and leveling of the Property, and shall assess the cost of same against the Property. Said cost shall thereupon become a lien against the Property and shall be collectible in the same manner as taxes levied thereon. In addition, any person who shall neglect or refuse to comply with the directions of the Common Council shall, if convicted, be guilty of a misdemeanor.

Dated: February 17, 2015

**Alden M. Smith, Mayor
City of Oneida**

8. WATER LINE EXTENSION REQUEST

RESOLUTION 15-

Moved by Councilor
Seconded by Councilor

RESOLVED, that a request for an extension of the Fitch Street water line from MEID, LLC, is hereby received and placed on file.

Ayes:

Nays:

MOTION CARRIED

NEW BUSINESS

Motion to adjourn by Councilor

The meeting is hereby adjourned at _____ p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk



Construction Div.

1341 Middle Rd., Oneida, NY 13421
(315)-361-1768 OR 1-800-678-MEID

RECEIVED
FEB 11 2015
CITY CLERK

February 9, 2015

Dear Mayor Smith and Common Council Members,

M.E.I.D. LLC is requesting an extension of the city's existing 8 inch Fitch Street water main. This main presently serves eight 8 building lots. If extended by 680 feet it would provide water for fourteen 14 additional building lots and complete Phase 1 of Brookside Crossing Townhomes.

This extension is part of the city's "Elm Street/West Side Infrastructure Project and would eventually close the "loop" with connection to the proposed 12 inch Elm Street main.

Please find attached a letter from Mr. Arthur Smolinski, City Water Superintendent which helps explain this situation and a copy of Section 6.1 of the City Charter which Mr. Smolinski's letter makes reference to.

M.E.I.D. LLC has installed a sewage pump station and 1800 feet of force main to reach the nearest city manhole. If the costs of the requested water main extension can be reduced by grants associated with the "Elm Street/West Side Infrastructure Project" it would lend itself to the success of Brookside Crossing Townhomes.

Thank you for your consideration of this request.


Fred Reinmann
Project Manager

CITY OF ONEIDA
WATER DEPARTMENT

ARTHUR E. SMOLINSKI, P.E.
Water Superintendent
Commissioners:
JOHN PERRETTA, Chairman
SANDRA HICKS
JOHN SOUTHFIELD
JAMES COULTHART
MARY PARRY
Donna Osier, Clerk



109 N. Main Street
Oneida NY 13421

Tel.: (315) 363-1490
Fax: (315) 363-9558
Email: Asmolinski@oneidacity.com

July 9, 2014

Mr. Fred Reinmann
MEID LLC
1341 Middle Road
Oneida NY 13421

RE: Brookside Crossing Townhouse Development – Public Water Service
West Elm Street / Fitch Street, Oneida NY
Tax ID: 29.2-46

Mr. Reinmann:

As requested, we are confirming that the City of Oneida has the ability and willingness to provide public water service for the above referenced project. This project is within the City of Oneida Water District and the City is the permitted supplier. The existing public water mains are currently available to service lots 1A to 4B of the subdivision. A water main extension will be necessary to provide water supply to the remaining subdivision. Water main extension to service these streets has been planned for some time as part of the Elm Street/West Side Infrastructure project that was designed in 2006.

The City has the ability and is willing to support the extension of water main to service the complete subdivision as provided as follows. Local improvements in the City of Oneida are governed under section 6.1 of the City Charter; if public financing is to undertake the improvements these steps must be followed. The developer may also extend water mains with private finances by submission of DOH-348 application, completion of Engineer's Report for project, and submission of plans necessary to obtain health department approval.

I hopeful that this letter will serve as necessary assurance of the ability and willingness to provided public water supply to this subdivision by the City of Oneida.

Sincerely,

Arthur Smolinski
Water Superintendent

CITY CHARTER

City as a whole.

- E. Water mains and services. The Common Council may authorize the construction or extension of new water mains. Where done in the inside district, 50% of the total cost of the project shall be borne by the City from revenues received from the use of water and 50% thereof shall be borne by the benefiting property in such manner as the Common Council shall determine at the time of authorization of the project; where done in the outside district, 25% of the total cost of the project shall be so borne by the City from water revenues and 75% thereof shall be so borne by the benefiting property. However, all expenses associated with installation of new water services, whether in the inside or outside district, shall be borne by the benefiting property.
- Where a main is reconstructed in both the inside and outside districts, all costs associated with the same and with the replacement of water services due to the reconstruction shall be borne by the City.

CHAPTER C. CHARTER

ART VI ASSESSMENTS FOR LOCAL IMPROVEMENTS

SECT 6.1

PART B. WATER MAINS & SERVICES