

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
SEPTEMBER 21, 2021**

A meeting of the Common Council of the City of Oneida, NY was held on the 21st day of September, 2021 at 6:30 p.m. at the Common Council Chambers, 109 N. Main, Oneida, NY 13421.

The meeting was called to order by Mayor Helen Acker

<u>Attendees</u>	Present	Absent	Arrived Late
Mayor Acker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Earl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Coulthart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor DuBois	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Supervisors

Matt Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Cavanagh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Ostrander	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joe Magliocca	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Also Present

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Fire Chief Dennis Fields	<input type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Parks & Rec Director Luke Griff	<input checked="" type="checkbox"/>
City Engineer Jeff Rowe	<input checked="" type="checkbox"/>	Police Chief John Little	<input checked="" type="checkbox"/>
Codes Director Bob Burnett	<input checked="" type="checkbox"/>	Public Safety Com. Kevin Salerno	<input type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Other _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PROCLAMATION: Childhood Cancer Awareness Month

Proclamation

City of Oneida - Office of the Mayor

WHEREAS, September is National Childhood Cancer Awareness Month and every September, there is a renewed commitment to curing childhood cancer, **and**

WHEREAS, in the City of Oneida, we want to recognize the courage, bravery and determination of the children and families affected by childhood cancers, **and**

WHEREAS, this month and throughout the year, we honor children currently battling cancer, the families who love them, the clinicians and other caregivers treating them, the researchers working to conquer childhood cancer, the survivors of childhood cancer, and the children who lost their lives to childhood cancer, **and**

WHEREAS, on September 15th International Childhood Cancer Day is celebrated annually to raise awareness and to express support for children with cancer, their families and survivors, **and**

WHEREAS, the average age a child is diagnosed with cancer is six years old, and each year more than 15,000 kids and young adults are diagnosed... approximately 43 per day in the United States alone, **and**

WHEREAS, although the five-year survival rate for childhood cancers has reached 80%, nearly 2,000 kids under the age of 19 die each year, making cancer the #1 cause of death by disease in children, **and**

I, **Helen B. Acker, Mayor** of the City of Oneida do hereby proclaim the month of September as Childhood Cancer Awareness Month and September 21st as

Childhood Cancer Day

in the City of Oneida and urge all citizens to celebrate our young cancer survivors, remember those children taken too soon, applaud the progress made in treatment and recovery, and emphasize the importance of supporting research of these devastating conditions. Go Gold for Childhood Cancer!

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Oneida on this 21st day of September, 2021.

Mayor Helen B. Acker

PUBLIC HEARING-LOCAL LAW NO. 9-PROPERTY TAX LEVY

RESOLUTION 21-153

Moved by Councilor DuBois
Seconded by Councilor Earl

RESOLVED, that the Public Hearing for proposed Local Law No. 9 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-C is hereby opened at 6:35 pm.

Ayes: 6

Nays: 0

MOTION CARRIED

APPEARANCES: None

CLOSE PUBLIC HEARING-LOCAL LAW NO. 9-PROPERTY TAX LEVY

RESOLUTION 21-154

Moved by Councilor Coulthart
Seconded by Councilor Kinville

RESOLVED, that the Public Hearing authorizing a property tax levy in excess of the limit established in General Municipal Law §3-C is hereby closed at 6:37 pm.

Ayes: 6

Nays: 0

MOTION CARRIED

PUBLIC COMMENT

DOMINICK CIANFROCCO 239 West St. Oneida

Mr. Cianfrocco brought up the property next to him at 235 West St., which he noted has been abandoned for approximately 5 years and that was condemned by the Fire Marshal just over two years ago. He stated that it is not structurally sound and that nothing has been done about it. He advised that this property should be "knocked down," noting that he made an offer to purchase the land, and that the house cannot be fixed.

- Receive and Place on File pictures and proposal, copy of complaint, copy of City Code

GREGG MYERS 427 S. Willow St., Oneida

Mr. Myers stated that he is very passionate about what happens in the City of Oneida, noting that he has lived here his entire life. He stated that he has spoken to several Councilors recently about the direction the City is going in and his issues and concerns. Mr. Myers is seeking solutions and answers to make the community better, noting that it was a great community, but that we could do more. He advised Council that if they had any questions or concerns, to feel free to contact him.

- Receive and Place on File letter from Mr. Myers

SABRINA & JAMES COONROD 6674 Lakeshore Rd. N, Verona Beach

Mrs. Coonrod advised that they had put in an offer to purchase property at 1260 Lake Rd. and that she was born and raised here and would like to come back to Oneida, noting that they fell in love with the house and would really like to have it.

GARY TAYLOR 107 Madison St. Oneida

Mr. Taylor advised that he lives next to James St., which has the new "Welcome to Oneida" from the Rail Trail sign. He noted that it was beautiful with flowers and park benches, but that it has become a place of loitering by the homeless and drug dealers and asked that the park benches be removed. He has concerns over drug activity and would like to see something done. He advised that the Police Department has done all they can to legally address this, but with NYS laws, they are limited. He stated that he has not had a positive response from the City and that this is the simplest, easiest and cheapest way to resolve the issue.

MACKENZIE CLARK 1445 w. Elm St. Oneida

Mr. Clark approached Council concerning his property proposal, stating that he was born and raised in Oneida and discussed his plan for property he is interested in purchasing on Upper Lenox Ave. He asked Council to consider not only the money, but his work-noting that he volunteered 75 hours on the kiosk across the street that he and his father worked on. He asked Council to consider his offer and passed out a letter outlining his plan and time frame for completion.

- Receive and Place on File letter and outline of his plan

MICHELE FARWELL 208 E. Sands St., Oneida

Ms. Farwell stated that she had 2 things she would like to address:

1. New signs at the parks that were put in in July-stating that there was no mention as to when the parks were open and closed and no mention about policy pertaining to loitering on the signs. She reiterated the problem addressed earlier by Mr. Taylor with regard to loitering/drug activity and questioned what the Recreation Commission was doing to address this.
2. She asked that the public attend the "Meet the Candidates Night", which will be Thursday, October 7th at 5:30 at the Public Library, stating that she personally would like to hear from all parties in an effort to use her vote to move Oneida forward.

OLD BUSINESS

Councilor DuBois brought up the increase in Code inspection fees, noting that although they have been addressed already, she has received a lot of calls from landlords and other people that are having issues with this and would like to revisit it, noting that others on the Council feel the same. She stated that Councilor Laureti was not present when this was discussed at a previous meeting and feels that in an effort to be more transparent, we should revisit this.

Councilor Coulthart stated that they have already decided on this and that it has been established and voted on and does not feel they should re-open it. Councilor Coulthart noted that this is an Inspection Fee that is charged once every three years, and that this is not a charity, but rather a business. He noted that our Codes Department is often going to the properties two and three times, which is an expense to the City. He noted that this is not a money maker, but rather an enforcement tool to get the landlords to do things the right way.

Councilor Laureti agreed with Councilor DuBois, stating that because of Covid, it maybe was not a good time and that possibly a tiered rate would be better. Councilor Laureti stated that the landlords that do comply should not be penalized and that this should be taken into consideration. He stated that during Covid, the landlords' hands were tied and that they were not able to get supplies and get the work done.

The City Attorney advised that because this was not a Local Law, but rather a Resolution, the Council could bring up the matter again and that there was no obligation for an introduction. There was discussion as to whether or not this could be done as a Public Hearing or under Public Comment. City Attorney Bell advised that it could be either. A straw vote was taken by the Mayor asking the Councilors if they wanted to revisit this, and the results are as follows:

Councilor Earl	Yes
Councilor Laureti	Yes
Councilor Coulthart	No
Councilor Kinville	Yes
Councilor DuBois	Yes
Councilor Simchik	Yes

It was agreed that there will be a Public Hearing scheduled for October 5 at the end of the regular Common Council meeting in Council Chambers and that notice would be given to the Public.

SUPERVISOR'S REPORT

Supervisor Cavanagh advised that the NYSAC Conference was held last week in Syracuse by the NYS Association of Counties, which she attended, and wanted to report that representatives from all 62 counties were present. She stated that Madison County Chairman, John Becker, received an award for his dedication during the pandemic, and at the Board of Supervisor's meeting, he dedicated this to all of the employees.

She also noted that the County Attorney advised them at the meeting that they had received an Opioid Crisis settlement, and that the least amount they would receive \$1.2M and at the most, \$2.1M, noting that just over \$400,000 could be used in an unrestricted manner, with the remainder having to be used

for Opioid treatment, law enforcement, autopsies for overdose, etc. The first payment will be received in February of 2022 in the amount of \$125,000 and then annually thereafter.

She also stated that the DMV has changed their hours to 15 minutes earlier and then on Tuesday through Thursday, an hour later to capture business from people who might have to do business later. She noted that Fridays will still be by appointment only. These times are also on the County website.

- Monday 7:45-4:00
- Tuesday-Thursday 7:45-5:00
- Friday Appointment only (schedule on line)

Supervisor Cavanagh stated that the County Clerk is bringing in business and making money for the County, citing an example of bringing in Enterprise Rental. She also reached out to the Director of Public Health for the most recent Covid numbers, but he had not yet gotten back to her. In response to a question from the Mayor about being able to share this information, Supervisor Cavanagh advised that it will be available on the website and that she would provide it to the City Clerk for the City website/social media.

Councilor Coulthart asked if the County had any idea as to where the Opioid money would be spent. Supervisor Cavanagh advised that she did not know at this time, as it will not be received until February. He also inquired about the Covid numbers, noting that as he understood it, the hospital was almost maxed out and were sending emergency cases to other hospitals in the area. He asked where they were at with regard to the mask mandate, as the numbers appear to be going up, and the City is taking their direction from the County.

Supervisor Roberts advised that the County's position is that it is up to the school district or municipality to decide. He stated that there is more information that has not yet been given with regard to breakthrough cases and vaccinations-noting that the vaccine protects the person only and not those they come in contact with. He stated that they are trying to get data regarding natural immunity and reinfection and that they have not been able to get it.

Councilor Coulthart questioned Councilor DuBois who is also a nurse at Oneida Healthcare and at the School District, if she knew if those who were admitted to the hospital were inoculated or not. She advised that due to HIPAA Regulations, she could not disclose certain information, but did state the majority that they were seeing were unvaccinated, but that it does not go for everyone-noting that it is also flu and allergy season. She also stated that even after someone is infected and recovers, they can still test positive for months after.

Supervisor Roberts stated that sales tax continues to trend at 25% above the 2019 levels (due to Covid, they do not use 2020 figures), which is almost all internet sales. He noted that sales tax revenue in the County prior to 2020 was 23% due to automobile sales. They are hoping that when they are able to get chips again, sales will increase. The goal for the County is no tax increase, and they do not see any obstacles with this.

Moved by Councilor Earl
Seconded by Councilor Coulthart

RESOLVED, that the minutes of the regular meeting of September 7, 2021 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Earl
Seconded by Councilor Coulthart

RESOLVED, that Warrant No. 18, checks and ACH payments in the amount of \$1,566,704.17 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5
Nays: 1 (Coulthart)

MOTION CARRIED

DISCUSSION:

Councilor Coulthart noted the payment to the Madison County Landfill and inquired if this was for Biosolids. The Comptroller and Mayor advised that it was and that it was approved at the last Common Council meeting. Councilor Coulthart reiterated his position with regard to these payments, noting that although he understood that the City was obligated to pay the bills, he would like to request an Executive Session at the next Council meeting on October 5 for our attorney that was hired to give an update on where we stand with regard to the Wastewater Treatment Plant.

The Mayor advised that she received the report and that the attorney is working on the Administrative Order for both the County and HP Hood and anyone else that had violations in that for exceedance on the third quarter of 2020 and for the exceedance of their allotted discharges. He is calculating dates and times and is coming up with numbers for the fine for these exceedances in accordance to the Response Guide. She noted that we will follow the Response Guide to be equitable for all violators, noting that this will be available at the next Council meeting. The Mayor advised that she will provide this ahead of time to Council, but it will be discussed in Executive Session at the next Council meeting to seek advice of Counsel. Councilor Coulthart discussed accountability, and the Mayor advised that this would be addressed in the Agreement.

MONTHLY REPORTS

RESOLUTION 21-155

Moved by Councilor DuBois
Seconded by Councilor Kinville

RESOLVED, that Monthly Reports from the City Clerk, City Engineer, Codes Department, Comptroller, Fire Department, Planning Department, Police Department and Parks and Recreation Department are hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

DISCUSSION:

The Mayor gave kudos to the Police Department for their quick response to recovering a stolen truck, noting that although this was not found in Oneida, they were able to recover it quickly and return it to the owner, who was very happy to get it back.

Councilor Coulthart stated that he looks forward to hearing from whoever is on the Contract Negotiation Committee with regard to the Fire, Police and CSEA Union Contracts. The Mayor advised that the negotiations are still in the works and that it changes constantly. He commented that he would still like to be briefed as to where things stand.

Councilor Coulthart then discussed Capital Improvement expenditures and stated that because things did not happen all at once; he does not feel they need to be paid for all at once. He inquired as to whether or not some things could be put off until next year, citing the Gym Floor Replacement Project. There was discussion about the condition of the floor and the need to replace it now. He expressed concern over the amount of money spent to date on Capital Projects.

Councilor Coulthart thanked the City Engineer for agreeing to meet with residents on Florence Ave and addressing their concerns and Parks and Recreation Director Luke Griff for dealing with concerns over Lincoln Park. He also advised that he would like to discuss LED lights with the City Engineer, as some do not appear to be working.

Councilor Coulthart questioned Police Chief Little with regard to Police Reform, and Chief Little updated him on items they have been implementing, including grants and mental health calls, which are down due to the way his department is handling them. With regard to staffing concerns, Chief Little advised that he will be having someone go out in October, but that it is difficult to predict staffing.

Councilor Coulthart also inquired if we made the deadline with regard to the Downtown Revitalization Initiative (DRI) Grant. The Mayor advised that the deadline was met, and that there is a meeting set up for October 13 which will be done via Zoom.

**ADOPT LOCAL LAW NO. 8-TO AMEND CHAPTER 147 OF THE CODE OF THE CITY OF ONEIDA TO
FURTHER REGULATE SOLID WASTE**

RESOLUTION 21-156

Moved by Councilor Earl
Seconded by Councilor Simchik

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled "A Local Law to Amend Chapter 147 of the Code of the City of Oneida to Further Regulate Solid Waste" was presented and introduced at a Regular Meeting of the Common Council of the City of Oneida held on July 6, 2021; and

WHEREAS, public hearings were held on such proposed local law on July 20, 2021 and September 7, 2021 by the Common Council of the City of Oneida and proofs of publication of notices of such public hearings, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of the Proposed Local Law has previously been determined to be an unlisted action for purposes of environmental review under SEQRA, an environmental impact statement (EIS) was not required, and a negative declaration was issued on July 6, 2021 pursuant to the State Environmental Quality Review Act (SEQR) determining that this action will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact Local Law No. 8 as follows:

**A LOCAL LAW TO AMEND CHAPTER 147 OF THE CODE OF
THE CITY OF ONEIDA TO FURTHER REGULATE SOLID WASTE**

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapters 147 of the Code of the City of Oneida, as follows:

SECTION 1. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2.

So that Section 147-3(A) of the City of Oneida Code is hereby amended to read, in its entirety, as follows:

- "A. Collection containers, as approved by the Department of Code Enforcement, shall be made of adequate material, shall be of substantial construction, shall have handles and shall have attached tight-fitting covers tethered to the can. They shall be watertight and shall be fly- and rodent-tight. No can, bag or other receptacle filled with or holding garbage, rubbish or other material shall at any time, within the established inside district, be placed or kept on ground level of any premises at any point nearer the street line fronting such premises than the rear line of the main building, except on the designated curbside collection day provided for herein."

SECTION 3.

So that Section 147-4(A) of the City of Oneida Code is hereby amended to read, in its entirety, as follows:

- "A. Generally. All residential garbage shall be placed curbside, except for those residents covered in § 147-4C(1) below, not before 4:00 p.m. of the day prior to scheduled collection. By 9:00 p.m. of collection day, all garbage cans or containers and any waste materials not collected must be removed from the curbside."

SECTION 4.

So that a new term "junk" shall be added to Section 147-1 of the City of Oneida Code, titled "Definitions," which definition shall read as follows:

"**JUNK** - Any article in any form composed of or consisting of any of the following enumerated secondhand, discarded, abandoned or cast off metals or materials, namely: iron, brass, bronze, copper, tin, zinc, lead or any other metals or compounds thereof; broken glass, rags, clothing, rubber, plastics and synthetic substances and fabrics; bottles, papers, feathers or any other waste material or any compound or by-product of the foregoing enumerated materials; refrigerators, washing machines, televisions, computer monitors, mattresses, sofas, furniture, doors, and any building material. The term "junk" shall also include wrecked, abandoned or dismantled motor vehicles or parts thereof."

SECTION 5.

So that a new Section 147-10, titled "Junk Storage," shall be added to Chapter 147 of the City of Oneida Code, which shall read, in its entirety, as follows:

"§147-10 Junk Storage.

- A. The deposit, accumulation, or storage of junk, regardless of quantity, is hereby prohibited within sight of persons traveling the public highways or within sight of neighboring property.
- B. It shall be unlawful for any person to use a bus, uninhabited mobile home, truck, truck trailer, horse trailer, semitrailer, tank truck, or similar vehicles or units for the storage or junk on any premises. Exceptions shall be made for the temporary use of such vehicles or units for construction purposes for periods of less than 90 days, or when actively used in connection with active farming or agricultural operations."

SECTION 6. EFFECTIVE DATE.

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

Councilor Earl YES
Councilor Laureti YES
Councilor Coulthart YES
Councilor Kinville YES
Councilor DuBois YES
Councilor Simchik YES

MOTION CARRIED

Councilor Laureti advised that Council listened to the residents and changed the time from 9pm to 4pm.

AGREEMENT-DR. KIRBY BLACK/ONEIDA HEALTHCARE CENTER

RESOLUTION 21-157

Moved by Councilor Earl
Seconded by Councilor DuBois

RESOLVED, to authorize the Mayor to sign an agreement with Dr. Kirby Black, Emergency Department Director for Oneida Healthcare Center, 321 Genesee St., Oneida 13421, to act as Service Medical Director for the City of Oneida pursuant to regulations of the New York State Department of Health.

Ayes: 6
Nays: 0

MOTION CARRIED

DISCUSSION: Councilor Coulthart inquired if this was a requirement placed on local fire departments by the State Health Department, noting he read the materials but was looking for clarification. It was advised that this is a two-year contract mandated by the State.

RESCHEDULE ELECTION DAY COUNCIL MEETING

RESOLUTION 21-158

Moved by Councilor Earl
Seconded by Councilor Simchik

WHEREAS, the General Election is being held on the first Tuesday in November, which is a regularly scheduled Common Council meeting time, now therefore be it

RESOLVED, that the first Council meeting in November shall be scheduled for Monday,

November 1, 2021 at 6:30pm in the Common Council Chambers.

Ayes: 6

Nays: 0

MOTION CARRIED

DISCUSSION: Councilor Coulthart asked why this was not moved until after the election. Councilor Simchik advised that it was because Council would be working on the Budget at that time.

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 21-159

Moved by Councilor Earl

Seconded by Councilor Kinville

2021 Budget Adjustments

RESOLVED, to approve the following 2021 Budget Amendment/Transfers

	<u>To</u>	<u>From</u>
\$ 19,550.04	003.8110.0412.0000 Madison County Biosolids	003.0003.0912.0000 Sewer Fund Balance

To allocate funds to pay for July Biosolids disposal

\$ 241.55	001.1410.0300.0000 Clerk Materials & Supplies	001.1410.0200.0000 Clerk Equipment
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To reallocate funds for supplies for this year and 2022 preparations

\$ 2,450.00	001.5110.0404.0000 DPW Rentals	001.5110.0200.0000 DPW Equipment
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To reallocate funds to rent a stump grinder

Ayes: 6

Nays: 0

MOTION CARRIED

AGREEMENT-CITY HISTORIAN

RESOLUTION 21-160

Moved by Councilor Simchik
Seconded by Councilor DuBois

RESOLVED, to authorize the Mayor to sign the Agreement with Colleen Coulthart, 544 Broadway, Oneida, NY 13421, appointing her as Oneida City Historian, as per the 2021 City of Oneida Budget.

Ayes: 5
Nays: 0
Abstain: 1 (Coulthart)

MOTION CARRIED

DISCUSSION: Councilor Earl noted that Colleen (Connie) Coulthart did a very good job last year as City Historian.

WATER DEPARTMENT AGREEMENTS

RESOLUTION 21-161

Moved by Councilor Kinville
Seconded by Councilor Coulthart

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

- 2021 Prospect Street Maintenance Agreement
- 2021 Stockbridge Maintenance Agreement
- Nye GMC Hydrant Agreement
- Nye Ford Hydrant Agreement
- New Beginnings Free Methodist Church Hydrant Agreement
- Oneida School District Transportation Center Hydrant Agreement
- Oneida High School Hydrant Agreement
- Troop D Hydrant Agreement
- Work Force Housing Hydrant Agreement (City Centre Apts)
- Oneida Towers Hydrant Agreement
- Seneca Fields Apartments Hydrant Agreement
- Oneida Health Care Hydrant Agreement

Ayes: 6
Nays: 0
MOTION CARRIED

DISCUSSION: Councilor Coulthart questioned how long the City would have Art Smolinski for, and the Mayor advised that he would be here until December, but that we may need to extend that if he is willing. She also advised that the City is still actively seeking to fill the position permanently.

AUTORIZATION-FALL FEST (DISTRIBUTION AND CONSUMPTION OF WINE AND ALCOHOLIC BEVERAGES)

RESOLUTION 21-162

Moved by Councilor DuBois
Seconded by Councilor Earl

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, an 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 October 2, 2021, during the hours of 12:00 p.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 October 2, 2021.

Ayes: 6
Nays: 0

MOTION CARRIED

DISCUSSION: Councilor Coulthart stated that he hoped there would be no problem with crowd control, and the Mayor stated that because it was a collaboration with the Police Department, there would be plenty of presence and in a controlled area.

BOND RESOLUTION DATED SEPTEMBER 21, 2021

A RESOLUTION AUTHORIZING REPLACEMENT OF THE ONEIDA RECREATION CENTER GYM FLOOR, IN AND FOR THE CITY OF ONEIDA, MADISON COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$163,000, AND AUTHORIZING THE ISSUANCE OF \$163,000 BONDS OF SAID CITY TO PAY THE COST THEREOF

RESOLUTION 21-163

Moved by Councilor DuBois
Seconded by Councilor Kinville

BE IT RESOLVED by the affirmative vote of not less than two thirds of the total voting strength of the Common Council of the City of Oneida, Madison County, New York, as follows:

Section 1. Replacement of the Oneida Recreation Center gym floor, including incidental improvements and expenses in connection therewith, in and for the City of Oneida, Madison County, New York, is hereby authorized at a maximum estimated cost of \$163,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$163,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Oneida, Madison County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are

reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILOR CARRIE EARL	VOTING	<u>YES</u>
COUNCILOR STEVE LAURETI	VOTING	<u>YES</u>
COUNCILOR JAMES COULTHART	VOTING	<u>NO</u>
COUNCILOR MICHELLE KINVILLE	VOTING	<u>YES</u>
COUNCILOR BRANDEE DUBOIS	VOTING	<u>YES</u>
COUNCILOR THOMAS SIMCHIK	VOTING	<u>YES</u>

The resolution was thereupon declared duly adopted.

DISCUSSION: Councilor Coulthart would like to see this tabled and dealt with next year for reasons previously stated. The Mayor asked Councilor Coulthart to visit the Rec Center to personally see the condition of the floor, as he advised he had only seen it in pictures. She also commented that all Resolutions for Capital Projects were voted on and approved by Council. Other councilors concurred that the floor needed to be replaced now or that winter sports would be limited or postponed. Councilor Earl asked if there was a time table for completion, and Director Griff advised that it should be done by November 1. She inquired if there was a backup plan in case it could not be done by that time, and he advised that they might be able to section off the floor, but that activities would still be limited. There was also discussion brought up by Councilor Laureti regarding a warranty, and Director Griff thought it would be 20 years. Councilor Laureti also asked if Director Griff felt this would generate more activity. Director Griff stated that it would be safer, as it was athletic quality, but that he wasn't sure about it generating more activity. There

was also discussion about resurfacing and the fact that this laminate would not need to be resurfaced, saving money on the back end.

APPROVE BID-RECREATION CENTER GYM FLOOR (CAPITAL PROJECT 21-14)

RESOLUTION 21-164

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, to approve the lowest bidder, Thor Performance Products, 2640 Route 9W, Cornwall, NY 12518, to move forward with Capital Project 21-14 Recreation Center Gym Floor Replacement, with a maximum not to exceed an amount of \$163,000 and to authorize the Mayor to sign any and all contracts related to said Capital Project

Ayes: 5
Nays: 1 (Coulthart)
MOTION CARRIED

NEW BUSINESS

Councilor Earl provided information on an upcoming event, Jessica's Heroes 5K Run/Walk, which gives to those in our area battling cancer. They are having the event on Saturday, September 25 at 9:00 am, and she encouraged all to either participate or come and cheer them on. She stated that they normally would have about 250 people participating and that they are close to that figure now with approximately 225. They give out gift cards for food, gas and incidentals to help cancer patients and their families, with the goal being to decrease the stress of what they are going through on a daily basis. She stated that they have raised \$52,000 so far that will stay in the community, with their goal being \$60,000. Anyone interested in contributing can visit their website at <http://jessicasheroesfoundation.com/>.

The Mayor talked about October Fest that is being held on October 2, put together by the PBA, Parks and Recreation Department and the Oneida Commons, encouraging all to come and bring their families.

The Mayor also talked about the 9/11 Remembrance Ceremony held to honor lives lost and those that we continue to lose as a result of the tragedy at the World Trade Center. Melissa King from the Karing Kitchen was present and gave the Mayor a cross stitch plaque for the Council Chambers that the Mayor shared, noting that she also did a prayer cross stitch for the Police and Fire Departments. The Mayor thanked Melissa, although she could not be present.

Councilor Earl advised that she was impressed with the Parking Day presentation bringing awareness to the upcoming dog park, and the Mayor agreed, noting that this was a collaboration between the Oneida Improvement Committee and the Parks and Recreation Department. She also advised that very soon she would be able to provide some exciting news.

EXECUTIVE SESSION

RESOLUTION 21-165

Moved by Councilor Kinville
Seconded by Councilor Coulthart

RESOLVED, that the meeting is hereby adjourned to Executive Session at 7:43 p.m. for the purpose of discussing the proposed acquisition, sale or lease of real property.

Ayes: 6

Nays: 0

MOTION CARRIED

PRESENT: Mayor, Councilors, City Clerk, City Attorney

1. Discussion relating to the proposed Acquisition, sale or lease of real property.

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 9:20 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-166

Moved by Councilor Kinville
Seconded by Councilor Coulthart

RESOLVED, that the purchase offers for the property located at 1260 Lake Rd., Oneida, NY known as Tax Map No. 21.-2-58 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

DECLARE PROPERTY TO BE EXCESS PROPERTY/ ACCEPTANCE OF A PURCHASE OFFER AND AUTHORIZING THE MAYOR TO ENTER INTO A REHABILITATION AGREEMENT WITH BUYER AND APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE REHABILITATION AGREEMENT WITH REGARD TO PROPERTY LOCATED AT 1260 LAKE RD., ONEIDA, NEW YORK

RESOLUTION 21-167

Moved by Councilor Earl
Seconded by Councilor Coulthart

WHEREAS, it is the desire of the Common Council to declare the property located at 1260 Lake Rd., Oneida NY known as Tax Map No. 21.-2-58 as "excess property" and therefore eligible for sale as rehabilitation; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Eric Whipple, 2489 Lake Rd., Oneida, NY 13421 in the amount of \$40,000, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 1260 Lake Rd., Oneida, NY 13421, known as Tax Map No. 21.-2-58 to be excess property, **and be it further**

RESOLVED, that the offer from Eric Whipple, 2489 Lake Rd., Oneida, NY 13421 in the amount of \$40,000 be hereby accepted for the parcel located at 1260 Lake Rd., Oneida NY known as Tax Map No. 21.-2-58, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 1260 Lake Rd., Oneida, New York, known as Tax Map No. 21.-2-58 with Eric Whipple, 2489 Lake Rd., Oneida, NY 13421 for the rehabilitation of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the

real property located at 1260 Lake Rd., Oneida, New York, known as Tax Map No. 21.-2-58, in consideration of the performance of a Rehabilitation Agreement for said Property and for Forty Thousand Dollars (\$40,000.00) plus filing fees and closing costs, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary rehabilitation in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-168

Moved by Councilor Coulthart
Seconded by Councilor Kinville

RESOLVED, that the purchase offers for the property located at 2376 Upper Lenox Ave., Oneida, NY known as Tax Map No. 45.-2-3 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE DEMOLITION
AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
2376 UPPER LENOX AVE., ONEIDA, NEW YORK**

RESOLUTION 21-169

Moved by Councilor Earl
Seconded by Councilor Kinville

WHEREAS, it is the desire of the Common Council to declare the property located at 2376 Upper Lenox Ave., Oneida NY known as Tax Map No. 45.-2-3 as “excess property” and therefore eligible for sale as demolition; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Kevin Beecher, PO Box 141, Merry St., Verona, NY 13478 in the amount of \$6,000, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 2376 Upper Lenox Ave., Oneida, NY 13421, known as Tax Map No. 45.-2-3 to be excess property, **and be it further**

RESOLVED, that the offer from Kevin Beecher, PO Box 141, Merry St., Verona, NY 13478 in the amount of \$6,000 be hereby accepted for the parcel located at 2376 Upper Lenox Ave., Oneida NY known as Tax Map No. 45.-2-3, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Demolition Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 2376 Upper Lenox Ave., Oneida, New York, known as Tax Map No. 45.-2-3 with Kevin Beecher, PO Box 141, Merry St., Verona, NY 13478 for the demolition of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the real property located at 2376 Upper Lenox Ave., Oneida, New York, known as Tax Map No. 45.-2-

3, in consideration of the performance of a Demolition Agreement for said Property and for Six Thousand Dollars (\$6,000.00) plus filing fees and closing costs, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Demolition Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Demolition Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary demolition in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 5

Nays: 1 (Coulthart)

MOTION CARRIED

RESOLUTION 21-170

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, that the purchase offers for the property located at 235 West St., Oneida, NY known as Tax Map No. 38.24-1-7 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A REHABILITATION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE
REHABILITATION AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
235 WEST ST., ONEIDA, NEW YORK**

RESOLUTION 21-171

Moved by Councilor Earl
Seconded by Councilor Kinville

WHEREAS, it is the desire of the Common Council to declare the property located at 235 West St., Oneida NY known as Tax Map No. 38.24-1-7 as "excess property" and therefore eligible for sale as rehabilitation; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Allen DeFazio, PO Box 127, Vernon, NY 13476 in the amount of \$5,000, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 235 West St., Oneida, NY 13421, known as Tax Map No. 38.24-1-7 to be excess property, **and be it further**

RESOLVED, that the offer from Allen DeFazio, PO Box 127, Vernon, NY 13476 in the amount of \$5,000 be hereby accepted for the parcel located at 235 West St., Oneida NY known as Tax Map No. 38.24-1-7, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 235 West St., Oneida, New York, known as Tax Map No. 38.24-1-7 with Allen DeFazio, PO Box 127, Vernon, NY 13476 for the rehabilitation of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the

real property located at 235 West St., Oneida, New York, known as Tax Map No. 38.24-1-7, in consideration of the performance of a Rehabilitation Agreement for said Property and for Five Thousand Dollars (\$5,000.00) plus filing fees and closing costs, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary rehabilitation in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 4

Nays: 2 (DuBois/Laureti)

MOTION CARRIED

RESOLUTION 21-172

Moved by Councilor Kinville
Seconded by Councilor Coulthart

RESOLVED, that the purchase offers for the property located at 252 Lake St., Oneida, NY known as Tax Map No. 30.56-1-8 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE DEMOLITION
AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
252 LAKE ST., ONEIDA, NEW YORK**

RESOLUTION 21-173

Moved by Councilor Earl
Seconded by Councilor Simchik

WHEREAS, it is the desire of the Common Council to declare the property located at 252 Lake St., Oneida NY known as Tax Map No. 30.56-1-8 ("Property") as "excess property" and therefore eligible for sale as demolition; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Carl Costanza, 248 Lake St., Oneida, NY 13421 in the amount of \$100.00, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 252 Lake St., Oneida, NY 13421, known as Tax Map No. 30.56-1-8 to be excess property, **and be it further**

RESOLVED, that the offer from Carl Costanza, 248 Lake St., Oneida, NY 13421 in the amount of \$100.00 be hereby accepted for the parcel located at 252 Lake St., Oneida NY known as Tax Map No. 30.56-1-8, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Demolition Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 252 Lake St., Oneida, New York, known as Tax Map No. 30.56-1-8 with Carl Costanza, 248 Lake St, Oneida, NY 13421 for the demolition of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the property located at 252 Lake St., Oneida, New York, known as Tax Map No. 30.56-1-8, in

consideration of the performance of a Demolition Agreement for said Property, payment of One Hundred Dollars (\$100.00), plus filing fees and closing costs, and the execution and filing of a deed combining the Property with the adjacent parcel located at 248 Lake Street, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Demolition Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Demolition Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary demolition in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-174

Moved by Councilor Coulthart
Seconded by Councilor Earl

RESOLVED, that the purchase offers for the property located at 311 Maple St. Oneida, NY known as Tax Map No. 30.81-1-44 be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND AUTHORIZING THE MAYOR TO ENTER INTO A REHABILITATION AGREEMENT WITH BUYER AND APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE REHABILITATION AGREEMENT WITH REGARD TO PROPERTY LOCATED AT 311 MAPLE ST., ONEIDA, NEW YORK

RESOLUTION 21-175

Moved by Councilor Earl
Seconded by Councilor Kinville

WHEREAS, it is the desire of the Common Council to declare the property located at 311 Maple St., Oneida NY known as Tax Map No. 30.81-1-44 as "excess property" and therefore eligible for sale as rehabilitation; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Allen DeFazio, PO Box 127, Vernon, NY 13476 in the amount of \$1.00, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 311 Maple St., Oneida, NY 13421, known as Tax Map No. 30.81-1-44 to be excess property, **and be it further**

RESOLVED, that the offer from Allen DeFazio, PO Box 127, Vernon, NY 13476 Oneida, NY 13421 in the amount of \$1.00 be hereby accepted for the parcel located at 311 Maple St., Oneida NY known as Tax Map No. 30.81-1-44, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 311 Maple St., Oneida, New York, known as Tax Map No. 30.81-1-44 with Allen DeFazio, PO Box 127, Vernon, NY 13476 for the rehabilitation of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the real property located at 311 Maple St., Oneida, New York, known as Tax Map No. 30.81-1-44, in consideration of the performance of a Rehabilitation Agreement for said Property and for One Dollar (\$1.00) plus filing fees and closing costs, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary rehabilitation in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-176

Moved by Councilor Earl
Seconded by Councilor Kinville

RESOLVED, that the purchase offers for the property located at 518 W. Elm St., Oneida, NY known as Tax Map No. 30.69-1-7.1 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A REHABILITATION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE
REHABILITATION AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
518 W. ELM ST., ONEIDA, NEW YORK**

RESOLUTION 21-177

Moved by Councilor Earl
Seconded by Councilor Kinville

WHEREAS, it is the desire of the Common Council to declare the property located at 518 W. Elm St., Oneida NY known as Tax Map No. 30.69-1-7.1 as "excess property" and therefore eligible for sale as rehabilitation; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from David Reiss, 5603 Stockbridge Falls Rd., Munnsville, NY 13409 in the amount of \$1,500.00, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 518 W. Elm St., Oneida, NY 13421, known as Tax Map No. 30.69-1-7.1 to be excess property, **and be it further**

RESOLVED, that the offer from David Reiss, 5603 Stockbridge Falls Rd., Munnsville, NY 13409 in the amount of \$1,500.00 be hereby accepted for the parcel located at 518 W. Elm St., Oneida NY known as Tax Map No. 30.69-1-7.1, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 518 W. Elm St., Oneida, New York, known as Tax Map No. 30.69-1-7.1 with David Reiss, 5603 Stockbridge Falls Rd., Munnsville, NY 13409 for the rehabilitation of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the real property located at 518 W. Elm St., Oneida, New York, known as Tax Map No. 30.69-1-7.1, in consideration of the performance of a Rehabilitation Agreement for said Property and for One Thousand Five Hundred Dollars (\$1,500.00) plus filing fees and closing costs, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary rehabilitation in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-178

Moved by Councilor Kinville
Seconded by Councilor Earl

RESOLVED, that the purchase offers for the property located at 522 Sconondoa St. Oneida, NY known as Tax Map No. 30.74-1-7 be hereby received and placed on file.

Ayes: 6

Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A REHABILITATION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE
REHABILITATION AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
522 SCONONDOA ST. ONEIDA, NEW YORK**

RESOLUTION 21- 179

Moved by Councilor Earl
Seconded by Councilor Coulthart

WHEREAS, it is the desire of the Common Council to declare the property located at 522 Sconondoa St., Oneida NY known as Tax Map No. 30.74-1-7 ("Property") as "excess property" and therefore eligible for sale as rehabilitation; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Brian Ellis, 311 Loucks St., Oneida, NY 13421 in the amount of \$1,199.00, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 522 Sconondoa St., Oneida, NY 13421, known as Tax Map No. 30.74-1-7 to be excess property, **and be it further**

RESOLVED, that the offer from Brian Ellis, 311 Loucks St., Oneida, NY 13421 in the amount of \$1,199.00 be hereby accepted for the parcel located at 522 Sconondoa St., Oneida NY known as Tax Map No. 30.74-1-7, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 522 Sconondoa St., Oneida, New York, known as Tax Map No. 30.74-1-7 with Brian Ellis, 311 Loucks St., Oneida, NY 13421 for the rehabilitation of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the real property located at 522 Sconondoa St., Oneida, New York, known as Tax Map No. 30.74-1-7, in consideration of the performance of a Rehabilitation Agreement for said Property, payment of One Thousand One Hundred Ninety Nine Dollars (\$1,199.00) plus filing fees and closing costs, and the filing of a recombined deed with the adjacent parcel located at 528 Sconondoa Street, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary rehabilitation in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

RESOLUTION 21-180

Moved by Councilor Kinville
Seconded by Councilor DuBois

RESOLVED, that the purchase offers for the property located at 528 Sconondoa St. Oneida, NY known as Tax Map No. 30.74-1-8 be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

**DECLARE PROPERTY TO BE EXCESS PROPERTY/ACCEPTANCE OF A PURCHASE OFFER AND
AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION AGREEMENT WITH BUYER AND
APPROVING THE SALE OF CITY OWNED PROPERTY TO BUYER CONTINGENT UPON THE DEMOLITION
AGREEMENT WITH REGARD TO PROPERTY LOCATED AT
528 SCONONDOA ST. ONEIDA, NEW YORK**

RESOLUTION 21-181

Moved by Councilor Kinville
Seconded by Councilor Earl

WHEREAS, it is the desire of the Common Council to declare the property located at 528 Sconondoa St., Oneida NY known as Tax Map No. 30.74-1-8 ("Property") as "excess property" and therefore eligible for sale as demolition; **and**

WHEREAS, a purchase offer for said property was received by the Common Council at the September 21, 2021 Common Council meeting from Brian Ellis, 528 Sconondoa St., Oneida, NY 13421 in the amount of \$1.00, **now therefore be it**

RESOLVED, that the City of Oneida does hereby declare property located at 528 Sconondoa St., Oneida, NY 13421, known as Tax Map No. 30.74-1-8 to be excess property, **and be it further**

RESOLVED, that the offer from Brian Ellis, 311 Loucks St., Oneida, NY 13421 in the amount of \$1.00 be hereby accepted for the parcel located at 528 Sconondoa St., Oneida NY known as Tax Map No. 30.74-1-8, **and be it further**

RESOLVED, that the Mayor of the City of Oneida is authorized to enter into a Demolition Agreement, prepared and approved by the City of Oneida Attorney, for real property located at 528 Sconondoa St., Oneida, New York, known as Tax Map No. 30.74-1-8 with Brian Ellis, 311 Loucks St., Oneida, NY 13421 for the demolition of said Property; **and be it further**

RESOLVED, by the Common Council that it approves and confirms the sale and conveyance of the

real property located at 528 Sconondoa St., Oneida, New York, known as Tax Map No. 30.74-1-8, in consideration of the performance of a Demolition Agreement for said Property, payment of One Dollar (\$1.00) plus filing fees and closing costs, and the execution and filing of a recombined deed joining the Property with the adjacent parcel located at 522 Sconondoa Street, said conveyance to occur following the contingencies hereinafter set forth; **and be it further**

RESOLVED, that this authorization is contingent upon the execution by the Buyer of the Demolition Agreement within thirty (30) days of the adoption of this Resolution; **and be it further**

RESOLVED, that subsequent to the execution of the Demolition Agreement, this authorization is further contingent upon the granting of a written certification by the Housing Inspector for the City of Oneida Codes Department, stating that he has inspected the Property and that the Buyer has completed all necessary demolition in the time period required by the agreement; **and be it further**

RESOLVED, that upon receipt of the written certification of the Housing Inspector, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; **and be it further**

RESOLVED, that this authorization is contingent upon the Buyer having completed this transaction by rendering payment in full to the city of Oneida within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Ayes: 6

Nays: 0

MOTION CARRIED

Motion to adjourn by Councilor Kinville

The regular Meeting is hereby adjourned at 9:35 p.m.

CITY OF ONEIDA



Sandra LaPera, City Clerk