

**MINUTES OF THE COMMON COUNCIL  
REGULAR MEETING  
FEBRUARY 7, 2023**

A meeting of the Common Council of the City of Oneida, NY was held on the seventh day of February 2023 at 6:30 pm at the City of Oneida Common Council Chambers, 109 N. Main Street, 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 Szczerba	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Rossi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 6:32p.m.
Councilor Simchik	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

**Also Present**

Attorney Stacy Marris	<input checked="" type="checkbox"/>	Fire Chief Dennis Fields	<input checked="" type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Assist. Police Chief Steve Lowell	<input checked="" type="checkbox"/>
City Engineer Jeff Rowe	<input checked="" type="checkbox"/>	Public Safety Com. Kevin Salerno	<input checked="" type="checkbox"/>
Codes Director Bob Burnett	<input checked="" type="checkbox"/>	Supervisor Mary Cavanagh	<input checked="" type="checkbox"/>
Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>	Supervisor Matt Roberts	<input checked="" type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

**PUBLIC COMMENT:** None  
**OLD BUSINESS:** None

## APPROVAL OF MINUTES

Moved by Councilor Simchik  
Seconded by Councilor Laureti

**RESOLVED**, that the minutes of the regular meeting of January 17, 2023, are hereby approved as presented.

Ayes: 5  
Nays: 0  
Absent: 2 (Kinville) (Pagano-Arrived Late)  
**MOTION CARRIED**

## APPROVAL OF WARRANT

Moved by Councilor Simchik  
Seconded by Councilor Szczerba

**RESOLVED**, that Warrant No. 3, checks and ACH payments in the amount of \$4,782,213.59 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

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

## FINAL ASSESSMENT ROLL FOR 2022 SIDEWALK REPLACEMENT PROGRAM

### RESOLUTION 23-24

Moved by Councilor Rossi  
Seconded by Councilor Szczerba

**RESOLVED**, that the final Assessment Roll for the 2022 Sidewalk Replacement Program, is hereby received and placed on file; **and be it further**

**RESOLVED**, that the Public Hearing regarding said Assessment Roll will be held on Tuesday, February 21, 2023, at 6:30 p.m. in the Common Council Chambers at 109 N. Main Street, Oneida, NY 13421.

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

**MOTION CARRIED**

DISCUSSION: The Mayor advised that this pertains to the 2022 Sidewalk Replacement Program, which is a 50/50 program, whereby the resident pays 50% and the City pays 50%.

**ADOPT THE 2022 MADISON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**RESOLUTION 23-25**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

**WHEREAS**, the City of Oneida recognizes the threat that natural hazards pose to people and property within the City of Oneida; **and**

**WHEREAS**, the Madison County Office of Emergency Management (OEM) has prepared a multi-hazard mitigation plan, hereby known as the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan (Plan), which is an update to the Madison County's 2017 Hazard Mitigation Plan, in accordance with the Disaster Mitigation Act of 2000; **and**

**WHEREAS**, the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Madison County, including the City of Oneida, from the impacts of future hazards and disasters; **and**

**WHEREAS**, adoption by the City of Oneida Common Council demonstrates the City of Oneida's commitment to hazard mitigation and achieving the goals outlined in the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the City of Oneida Common Council does hereby adopt the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan; **be it further**

**RESOLVED**, that this Plan, approved by the City of Oneida, may be edited or amended after submission for review, without any obligation to re-adopt further iterations; however, it is acknowledged that consistent with federal requirements under the Disaster Mitigation Act of 2000, the Plan must be updated every five (5) years to remain current.

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

**MOTION CARRIED**

DISCUSSION: The Mayor advised that this is a county-wide Hazard Mitigation Plan which will go to the State for approval.

**A RESOLUTION AUTHORIZING THE PURCHASE OF A 2024 FREIGHTLINER PLOW TRUCK, IN AND FOR THE CITY OF ONEIDA, MADISON COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$319,832, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$319,832 BONDS OF SAID CITY TO PAY THE COST THEREOF.**

#### **RESOLUTION 23-26**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

WHEREAS, the Common Council of the City of Oneida, Madison County, New York, has heretofore pursuant to a bond resolution duly adopted by said Common Council on March 15, 2022, authorized financing for the purchase of a 2023 Freightliner Plow Truck for the Department of Public Works in and for said City, and

WHEREAS, it has now been determined that a 2024 truck will be required; NOW, THEREFOR,

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. The bond resolution heretofore mentioned above is hereby repealed.

Section 2. The purchase of a 2024 Freightliner Plow Truck for the Department of Public Works, in and for the City of Oneida, Madison County, New York, is hereby authorized at a maximum estimated cost of \$319,832.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance of not to exceed \$319,832 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. 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 6. 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 7. 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 8. 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 9. 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 11. 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 James Szczerba	VOTING	<u>YES</u>
Councilor Stephen Laureti	VOTING	<u>YES</u>
Councilor Richard Rossi	VOTING	<u>YES</u>
Councilor Michelle Kinville	<b>ABSENT</b>	
Councilor William Pagano	VOTING	<u>YES</u>
Councilor Thomas Simchik	VOTING	<u>YES</u>

The Resolution was thereupon declared duly adopted.

**CAPITAL PROJECT 22-5 (FREIGHTLINER PLOW TRUCK) – APPROVE INCREASE IN BOND AMOUNT**

**RESOLUTION 23-27**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

**WHEREAS**, on March 15, 2022, Resolution 22-52, Bonding for 2023 Freightliner Plow Truck, was approved by the City of Oneida Common Council for \$307,602; **and**

**WHEREAS**, the price of said Freightliner truck from Tracey Road Equipment Facility, 6803 Manlius Center Rd., East Syracuse, NY 13057 increased to \$319,832 due to material surcharges since the original proposal, which reflects a \$12,230 increase;

**NOW THEREFORE BE IT**

**RESOLVED**, to approve an increase to Capital Project 22-5 to a maximum not to exceed \$319,832.

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

**BUDGET TRANSFERS/AMENDMENTS**

**RESOLUTION 23-28**

Moved by Councilor Simchik  
Seconded by Councilor Rossi

	<u>To</u>	<u>From</u>
<b>2023 Budget Adjustments</b>		
\$10,000.00	030.3410.0402.0000 ARPA Fire Equipment Maintenance	030.0030.0912.0000 ARPA Fund Balance

*To allocate funds for repair to Engine 3-It is currently inoperable.*

**2022 Budget Adjustments**

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

**NEW BUSINESS:**       None

Motion to adjourn by Councilor Rossi  
Seconded by Councilor Szczerba

Ayes: 5

Nays: 0

Absent: 1 (Kinville)

**MOTION CARRIED**

The regular meeting is hereby adjourned at 6:35 p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk