

6. **WAIVE THE RULE TO ACCEPT AGENDA ITEM**

**RESOLUTION 24-**

Moved by Councilor  
Seconded by Councilor

**RESOLVED**, that per resolution 08-180 adopted by the common council on august 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

Ayes:

Nays:

**MOTION CARRIED/FAILED**

7. **A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$6,620,000 BONDS OF THE CITY OF ONEIDA, MADISON COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH CONSTRUCTION OF IMPROVEMENTS AT THE GLENMORE DAM IN AND FOR SAID CITY**

**RESOLUTION 24-**

Moved by Councilor  
Seconded by Councilor

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it has been determined will not result in any significant adverse environmental effects and SEQRA compliance materials are available in the office of the City Clerk where they may be inspected during regular business hours; NOW, THEREFORE, 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. For the specific object or purpose of paying costs for the construction of improvements at the Glenmore Dam, including incidental costs and expenses, in and for the City of Oneida, Madison County, New York, there are hereby authorized to be issued an additional \$6,620,000 bonds pursuant to the provisions of the Local Finance Law. Said object or purpose is hereby authorized at the new maximum estimated cost not to exceed \$20,560,000.

Section 2. The plan for the financing of such \$20,560,000 maximum estimated cost is as follows:

- a) By the issuance of the \$8,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated September 18, 2018;
- b) By the issuance of the \$5,940,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated August 1, 2023; and
- c) By the issuance of the additional \$6,620,000 bonds of said City herein authorized;

provided however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 3 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 obligations 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 obligations becoming due and payable in such year. 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 obligations 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 such bonds, including the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. 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 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 7. The City Comptroller is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

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. 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 10. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 11. This resolution is effective immediately based on an Order on Consent with the New York State Department of Environmental Conservation; provided however that no obligations shall be issued pursuant to this bond resolution prior to receipt thereof and confirmation by further resolution of this Common Council confirming said receipt.

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

Mayor Rossi	VOTING	_____
Councilor Szczerba	VOTING	_____
Councilor Laureti	VOTING	_____
Councilor Hitchings	VOTING	_____
Councilor Winchell	VOTING	_____
Councilor Pagano	VOTING	_____
Councilor Simchik	VOTING	_____

The resolution was thereupon declared duly adopted.

**8. WAIVE THE RULE TO ACCEPT AGENDA ITEM**

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Seconded by Councilor

**RESOLVED**, that per resolution 08-180 adopted by the common council on august 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

Ayes:

Nays:

**MOTION CARRIED/FAILED**

**9. APPROVE BID-GLENMORE DAM IMPROVEMENTS**

**RESOLUTION 24-**

Moved by Councilor  
Seconded by Councilor

**RESOLVED**, to approve the lowest bid meeting specifications for Glenmore Dam Improvements to Harrison & Burrowes Bridge Constructors, Inc., 22 Hamilton Lane, Glenmont, NY 12077.

Ayes:

Nays:

**MOTION CARRIED/FAILED**