

**MINUTES OF THE COMMON COUNCIL
SPECIAL MEETING
YEAR-END CLOSEOUT
DECEMBER 31, 2024**

A special meeting of the Common Council of the City of Oneida, NY was held on the thirty-first day of December 2024 at 8:30a.m. at the City of Oneida Common Council Chambers, 109 N. Main Street, Oneida NY 13421.

The meeting was called to order by Mayor Rick Rossi

<u>Attendees</u>	Present	Absent	Arrived Late
Mayor Rossi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Kyle Lovell, CM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Szczerba	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Hitchings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Winchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Also Present

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Public Safety Comm. Dave Jones	<input type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Parks & Rec Director Luke Griff	<input checked="" type="checkbox"/>
Fire Chief Scott Jones	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>
Police Chief Steve Lowell	<input checked="" type="checkbox"/>		

Call to Order/Pledge of Allegiance/Roll Call

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, that the minutes of the regular meeting of December 17, 2024, are hereby approved as presented.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)
MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Winchell

RESOLVED, that Warrant No. 26, checks and ACH payments in the amount of \$392,324.38 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller or a third party duly retained by the City of Oneida to perform such services.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)
MOTION CARRIED

COLLECTIONS OF TAXES

RESOLUTION 24-313

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to approve the 2025 Tax Warrant and authorize the Office of the City Chamberlain to proceed with the collection of taxes for the year 2025.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)
MOTION CARRIED

AGREEMENT-2025-2029 HP HOOD HYDRANT AGREEMENT

RESOLUTION 24-314

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Manager to sign the 2025-2029 HP Hood Hydrant Agreement.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)
MOTION CARRIED

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 24-315

Moved by Councilor Winchell
Seconded by Councilor Hitchings

RESOLVED, to approve the budget transfers and amendments as outlined by the Comptroller, or a third party duly retained by the City of Oneida to perform such services.

<u>To</u>			<u>From</u>		
2024 Budget Adjustments					
\$	750.00	001.1355.0101.0000 Assessor Salaries	\$	750.00	001.8020.0101.0000 Planning Salaries
To re-allocate funds to cover increase to Department Head salary approved August 2024					
\$	700.00	001.7140.0102.0000 Parks & Rec Overtime	\$	700.00	001.8020.0101.0000 Planning Salaries
To re-allocate funds to cover overtime expenses through 2024					
\$	520.00	001.3310.0406.0000 Traffic Safety Board Expenses	\$	520.00	001.8020.0101.0000 Planning Salaries
To re-allocate funds to cover approved sign expenses from the Traffic Safety Board					

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

2025 WATER RATES, WATER SERVICE CHARGES AND SEWER RATES

RESOLUTION 24-316

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to approve the 2025 Water Rates; and be it further

RESOLVED, that these rates will be effective for the February 2025 Monthly and Wholesale billings; and be it further

RESOLVED, that these rates will be effective for the first quarterly billing for 2025; and be it further

RESOLVED, that the 2025 City of Oneida Sewer Rates be hereby approved.

- Base Rate: \$10.69
- Rate per 100 Cubic Feet: \$7.56

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

DISCUSSION: Councilor Hitchings indicated that the resolution underwent changes this year to address confusion from previous years regarding rate effectiveness and the application of rates between the prior and current years. The intention behind this adjustment is to improve clarity and ensure the updated rates will take effect with the first billing cycle in 2025. This approach aims to provide a straightforward and transparent timeline for implementation.

AGREEMENT-BONADIO

RESOLUTION 24-317

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to authorize the City Manager to sign an agreement, in a form approved by the City Attorney, with Bonadio & Co., LLP, 432 N. Franklin St., #60, Syracuse, NY 13204 for accounting

consulting services to be rendered in connection with and the performance of duties of the City Comptroller for a period beginning January 1, 2025, and ending December 31, 2025.

Ayes: 4

Nays: 0

Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

MEMORANDUM OF UNDERSTANDING-NADINE C. BELL

RESOLUTION 24-318

Moved by Councilor Hitchings

Seconded by Councilor Simchik

RESOLVED, to authorize the City Manager to sign a Memorandum of Understanding with Nadine C. Bell for service and compensation as City Attorney.

Ayes: 4

Nays: 0

Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

2025 GENERAL FUND BUDGET, FUND BALANCE OVERRIDE

RESOLUTION 24-319

Moved by Councilor Hitchings

Seconded by Councilor Simchik

WHEREAS, the Common Council considered Local Law 2024, titled "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the City of Oneida," by Resolution 24-268; and

WHEREAS, to override the tax levy limit pursuant to General Municipal Law § 3-c, 60% approval of the governing legislative body is required; and

WHEREAS, the City of Oneida Common Council voted four (4) in favor and three (3) opposed for Resolution 24-268, resulting in passage by 57.143%; thus, Local Law 2024 Overriding the Tax Levy Limit, having not acquired the requisite 60% approval, failed; and

WHEREAS, because the Common Council did not enact Local Law 2024 Overriding the Tax Levy Limit, the tax levy of 7.5% to be imposed to effectuate the 2025 City of Oneida Budget, as passed

by Resolution 24-285, is prohibited and the tax levy limit is restricted to New York State statutory limitations; and

WHEREAS, by resolution dated November 17, 2015, the Common Council did approve a recommendation to maintain a minimum level of fund balance of 20% of the General Fund's budget; and

WHEREAS, because Local Law 2024 Overriding the Tax Levy Limit failed, the level of fund balance will need to be reduced to 15% of the General Fund's budget to honor the 2025 City of Oneida Budget, as adopted.

NOW, THEREFORE, be it

RESOLVED, that the City of Oneida Common Council does hereby override its prior resolution passed on November 17, 2015, on a single occasion to set a minimum level of fund balance for the 2025 calendar year at 15% of the 2025 General Fund's budget, it being the desire of the Council that the level of fund balance in 2026 and thereafter be maintained at 20% of the General Fund's budget.

Ayes: 4

Nays: 0

Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

DISCUSSION: City Attorney Bell explained that the 4-3 vote on the Tax Cap Levy override resolution did not meet the required 60% threshold of the state to override the tax cap levy, as it garnered only 57.143%. By the time this was confirmed, the tax warrant had already been submitted to the county, reflecting a 7.5% increase in taxes for the 2025 calendar year. Attorney Bell consulted the New York State Comptroller's office, which reviews local laws but had not identified this issue. It was concluded that the City could stay within the tax cap restrictions by adjusting the amount allocated to the General Fund for 2025. This approach allows the City to comply with the tax cap requirements without further complications.

Attorney Bell highlighted that in 2015, the Common Council passed a resolution setting a 20% allocation to the General Fund. She explained that while New York State mandates all taxing entities, such as school districts and municipalities, to allocate funds to a General Fund, it does not specify a required amount, leaving the determination to the municipality. The allocation should be financially prudent.

For context, she noted that school districts typically contribute 4-5% of their budgets to their General Funds, and Madison County operates within a range. Historically, Madison County's range was 5-15% or 20%, but this year it was adjusted to 10-25% to account for unpredictable revenue fluctuations. This adjustment reflects the need for flexibility in financial planning amid uncertain revenue streams.

Attorney Bell acknowledged that it is common for municipalities to allocate less than 20% to their General Funds. However, she commended the 20% allocation as fiscally prudent. She advised the council to treat this reduction as a one-time measure rather than a recurring practice. By adjusting the allocation from 20% to 15%, the approved budget could still be honored while ensuring compliance with the state's established tax limits.

Attorney Bell assured that reducing the General Fund allocation from 20% to 15% would not leave the City in an insecure or unstable position compared to other municipalities. In response to a question from resident Joe Magliocca about the handling of the additional 5%, City Manager Lovell explained that the funds would be placed into a reserve line. This reserve line would be untouchable throughout the year, meaning the tax money allocated to it could not be accessed. The difference between the 2.5% and the 7.5% increases would be directed to this reserve line, where it would remain until 2026.

AMUSEMENT DEVICE LICENSE APPLICATION-STANTON AUTOMATICS

RESOLUTION 24-320

Moved by Councilor Winchell
Seconded by Councilor Hitchings

RESOLVED, to approve the 2025 Amusement Device License Application from Stanton Automatics, 2150 Ellis Drive, Auburn, NY 13021 for machines located at the Blind Squirrel, Denny's, Frogs, Kanon Valley Country Club and Movie Plex.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

APPROVE USE OF ARPA FUNDS-CITY WEBSITE

RESOLUTION 24-321

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the use of ARPA Funds to cover any balance due to Civic Plus, 302 South 4th Street, Suite 500, Manhattan, KS 66502 for the implementation of an upgrade to the City Website and the included annual recurring services fee in accordance with the approval of Resolution 24-226 on October 1, 2024.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

APPROVED USE OF ARPA FUNDS-BONADIO CONTRACT

RESOLUTION 24-322

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to authorize the use of any remaining ARPA Funds to be applied to the contract with Bonadio & Co., LLP, 432 N. Franklin St., #60, Syracuse, NY 13204 for accounting consulting services to be rendered in connection with and the performance of duties of the City Comptroller for a period beginning January 1, 2025, and ending December 31, 2025.

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

DISCUSSION: Councilor Winchell asked if it was known what this amount would be. City Manager Lovell advised that because this is an hourly rate and based on the number of hours worked, this would vary.

Motion to adjourn by Councilor Hitchings
Seconded by Councilor Winchell

Ayes: 4
Nays: 0
Absent: 3 (Szczerba/Laureti/Pagano)

MOTION CARRIED

The special meeting is hereby adjourned at 8:42 a.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk