

MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
MARCH 15, 2022

A meeting of the Common Council of the City of Oneida, NY was held on the fifteenth day of March, 2022 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>	<u>Present</u>	<u>Absent</u>	<u>Arrived Late</u>
Mayor Acker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Reisman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Rossi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Kinville	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Supervisors

Matt Roberts	<input type="checkbox"/>	<input type="checkbox"/>
Mary Cavanagh	<input type="checkbox"/>	<input type="checkbox"/>
Joe Magliocca	<input type="checkbox"/>	<input type="checkbox"/>
Brandee DuBois	<input type="checkbox"/>	<input type="checkbox"/>

Also Present

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

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC COMMENT:

OLD BUSINESS:

SUPERVISOR'S REPORT:

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the regular meeting of March 1, 2022 are hereby approved as presented.

Ayes:

Nays:

MOTION CARRIED

Moved by Councilor
Seconded by Councilor

RESOLVED, that Warrant No. 6, checks and ACH payments in the amount of \$734,282.82 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes:

Nays:

MOTION CARRIED

WARRANT	6
DATE:	March 15, 2022

FUND	PAYMENT NUMBER (S)	AMOUNT
Capital	4731-4732	\$ 578,478.87
Library Fund 025		
Fund 027		
ARPA Fund 030	1207	\$ 322.03
Current Funds	69148-69213	\$ 153,164.52
ACH		\$ 2,317.40
WARRANT #1 TOTAL		\$ 734,282.82

1. MONTHLY REPORTS

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

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

Ayes:

Nays:

MOTION CARRIED

2. INTRUDUCE LOCAL LAW TO AMEND CHAPTER 139 OF THE CODE OF THE CITY OF ONEIDA TO ALLOW FOR THE UPDATING OF SEWAGE DISPOSAL CHARGES-SCHEDULE PUBLIC HEARING

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

WHEREAS, the proposed Local Law has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, the City of Oneida Common Council has the authority to adopt provisions to advance and protect the health, safety, and welfare of the community; and

WHEREAS, this amendment to the Code of the City of Oneida will promote the efficacy of sewage disposal within the City of Oneida; and

WHEREAS, this amendment shall allow for the updating of sewage disposal charges in order to account for rising, or falling, costs; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA and the Common Council has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Common Council; and

WHEREAS, the Common Council has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that there are no other involved agencies, that the Common Council shall act as lead agency and that the enactment of the proposed Local Law is an unlisted action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that the Common Council has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED AND DETERMINED, that the Common Council shall conduct a public hearing as to the enactment of the proposed Local Law at the Oneida City Hall located at 109 North Main Street, Oneida, New York on April 5, 2022, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED, that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the City of Oneida.

Ayes:

Nays:

MOTION CARRIED

CITY OF ONEIDA

PROPOSED LOCAL LAW

A LOCAL LAW TO AMEND CHAPTER 139 OF THE CODE OF THE CITY OF ONEIDA TO ALLOW FOR THE UPDATING OF SEWAGE DISPOSAL CHARGES

Be it enacted by the Common Council of the City of Oneida, that this local law amends Chapter 139 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 139-8(A)(1) of the City of Oneida Code is hereby amended to read in its entirety, as follows:

“The sewage disposal charges, for other than significant industrial uses, to be paid by the owner, tenant or occupant of each lot of parcel which may be connected with or may use the sewage disposal system and to whom a bill shall be rendered for water furnished by the Water Department of the City of Oneida or whose sewage is otherwise metered or measured, shall be in accordance with such a rate as may be established from time to time by resolution of the Common Council.” A sewage meter shall be installed at the request of either the consumer of the City Engineer’s office, the expense thereof to be borne by the consumer.”

SECTION 3. EFFECTIVE DATE.

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

3. ANNUAL REPORT-FIRE DEPARTMENT

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to receive and place on file the 2021 Fire Department Annual Report.

Ayes:

Nays:

MOTION CARRIED

4. LEASE AGREEMENT-DPW

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Purchasing Agent to proceed with a Lease Agreement with Enterprise Fleet Management for a 2021 RAM 5500 and authorize the Mayor to sign the Agreement.

Ayes:

Nays:

MOTION CARRIED

5. BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

2022 Budget Adjustments

RESOLVED, to approve the following 2022 & 2021 Budget Amendment/Transfers

	<u>To</u>	<u>From</u>
\$ 13,265.00	001.9785.0600.0002 DPW Vehicle Lease	001.0001.0912.0000 General Fund Balance

To allocate funds for a lease agreement with Enterprise

\$ 3,071.12	001.1640.0403.0001 Central Garage Police repairs	001.0022.2680.0000 Insurance recovery
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To allocate funds received from the insurance company to repair the damaged vehicle

\$ 1,000.00	001.1640.0403.0001 Central Garage Police repairs	001.0001.0912.0000 General Fund Balance
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To allocate funds to cover damage to vehicle, deductible amount

2021 Budget Adjustments

\$ 20,300.00	003.8110.0401.0000 Sewer Utilities	003.8110.0200.0000 Sewer Equipment
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To re-allocate funds to cover December 2021 utility costs

Ayes:

Nays:

MOTION CARRIED

6. CAPITAL PROJECT 22-1 ANNUAL STREET RESURFACING

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the City Engineer to proceed with Capital Project 22-1 Annual Street Resurfacing, **and be it further**

RESOLVED, to authorize the use of Unit Prices established for 2022 by Madison County, and further authorize the Purchasing Agent to advertise for bids for any portions of the project not covered under the County's Unit Pricing, **and be it further**

RESOLVED, to authorize the City Engineer to expend funds up to the programmed amount dispersed by NYSDOT (CHIPS, PAVENY, EWR), **and be it further**

RESOLVED, to authorize the Mayor to sign any and all documents related to Capital Project 22-1 Annual Street Resurfacing.

Ayes:

Nays:

MOTION CARRIED

7. CAPITAL PROJECT 22-2-REPAVING OF MAIN STREET

RESOLUTION 22-

Moved by Councilor

Seconded by Councilor

RESOLVED, to authorize the City Engineer to proceed with Capital Project 22-2 Repaving of Main Street, **and be it further**

RESOLVED, to authorize the City Engineer to expend funds up to the programmed amount dispersed by NYSDOT (CHIPS, PAVENY, EWR), **and be it further**

RESOLVED, that the Mayor is hereby authorized to sign any and all documents related to Capital Project 22-2 Repaving of Main Street.

Ayes:

Nays:

MOTION CARRIED

8. AGREEMENT-NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the Mayor to sign an Agreement with New York State Office of Temporary and Disability Assistance for the New York State Low Income Household Water Assistance Program.

Ayes:

Nays:

MOTION CARRIED

9. **A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 FREIGHTLINER PLOW TRUCK, IN AND FOR THE CITY OF ONEIDA, MADISON COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$307,602, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$307,602 BONDS OF SAID CITY TO PAY THE COST THEREOF.**

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

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 purchase of a 2023 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 \$307,602.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of not to exceed \$307,602 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 fifteen years, pursuant to subdivision 28 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 Gary Reisman Jr.	VOTING	<input type="checkbox"/>
Councilor Steve Laureti	VOTING	<input type="checkbox"/>
Councilor Rick Rossi	VOTING	<input type="checkbox"/>
Councilor Michelle Kinville	VOTING	<input type="checkbox"/>
Councilor Bill Pagano	VOTING	<input type="checkbox"/>
Councilor Thomas Simchik	VOTING	<input type="checkbox"/>

The resolution was thereupon declared duly adopted.

10. CAPITAL PROJECT 22-5 REPLACEMENT OF 6 WHEEL DUMP TRUCK (DPW)

RESOLUTION 22-

Moved by Councilor
Seconded by Councilor

RESOLVED, to authorize the City Engineer to proceed with Capital Project 22-5 Replacement of 6 Wheel Dump Truck, and be further authorized to expend funds in an amount not to exceed \$307,602, **and be it further**

RESOLVED, to authorize the Mayor to sign any and all documents related to Capital Project 22-5 Replacement of 6 Wheel Dump Truck.

Ayes:

Nays:

MOTION CARRIED

NEW BUSINESS:

EXECUTIVE SESSION

RESOLUTION 22-

Motioned by Councilor
Seconded by Councilor

RESOLVED, that the meeting is hereby adjourned to Executive Session at _____ p.m. to seek advice of Counsel.

Ayes:

Nays:

MOTION CARRIED

PRESENT: ☐ Mayor ☐ City Attorney ☐ Comptroller ☐ Councilors ☐ Absent _____
☐ Other _____ ☐ Other _____

1. Discussion was held to seek advice of Counsel

Motioned by Councilor
Seconded by Councilor

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

Ayes:

Nays:

MOTION CARRIED

Motion to adjourn by Councilor

The regular meeting is hereby adjourned at _____ p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk