

**MINUTES OF THE COMMON COUNCIL  
MAY 6, 2014**

A meeting of the Common Council of the City of Oneida, NY was held on the sixth day of May, 2014 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Alden M. Smith

**PRESENT:** Councilors Brahim Zogby, Michael Bowe, Erwin Smith, Helen Acker, James Chamberlain and Thomas Simchik

**ALSO PRESENT:** City Assessor Lonnie Stedman  
City Attorney Nadine Bell  
City Chamberlain Nancy Andrews  
City Clerk Susan Pulverenti  
City Engineer Jon Rauscher  
Director of Parks and Recreation Lucas Griff  
Director of Planning and Development Cassie Rose  
Fire Chief Kevin Salerno  
Public Safety Commissioner Michael Kaiser  
Madison County Supervisor John Reinhardt

**OLD BUSINESS - None**

Moved by Councilor Acker  
Seconded by Councilor Smith

**RESOLVED**, that the minutes of the regular meeting of April 15, 2014, special meeting of April 22, 2014, and the Public Hearing April 28, 2014 relative to the Sherrill Kenwood Water District Improvements are hereby approved as presented.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

Moved by Councilor Zogby  
Seconded by Councilor Acker

**RESOLVED**, that Warrant No.9, checks and ACH payments in the amount of \$747,814.16 as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

Moved by Councilor Smith  
Seconded by Councilor Bowe

**RESOLVED**, that Check No. 50652 in the amount of \$83.26 (Oneida Office Supply) as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6  
Nays: 0  
Abstain: 1 (Acker)

**MOTION CARRIED**

**RECREATION MAINTENANCE WORKERS (TEMPORARY SEASONAL)**

**RESOLUTION 14-113**

Motioned by Councilor Chamberlain  
Seconded by Councilor Bowe

**RESOLVED**, reinstate the pay scale for two temporary Recreation Maintenance Workers (Seasonal) to the originally established rate of \$13.00 per hour and \$12.00 per hour, **and be it further**

**RESOLVED**, to authorize a budget transfer from Rec. Boiler Replacement (001.7140.0202) to

Rec. Maintenance Salaries (001.7140.0103) in the amount of \$5,400.00 to cover said rate increase.

Councilor Zogby – No  
Councilor Bowe – Yes  
Councilor Smith – Yes  
Councilor Acker – No  
Councilor Chamberlain – Yes  
Councilor Simchik - Yes

**MOTION CARRIED**

The Recreation Director said at the end of March last year, because of unemployment benefits paid all winter, the pay scale was put to \$10.00 per hour across the board. The Recreation Director said he is not sure if one employee received unemployment benefits because he doesn't receive any documentation, and Councilor Chamberlain said he understood he received unemployment from a previous job. The Director said unemployment was not figured in when the original realignment was done in the Recreation Department. Three years ago, two full-time positions were moved to the DPW, and those positions were replaced by part-time seasonal employees. Councilor Smith said they are laid off in the winter, so they are entitled to receive unemployment benefits, and the Recreation Director said it wasn't budgeted for. He added that the Recreation Department has never included unemployment as part of their budget and doesn't believe any other department has either. Councilor Chamberlain said the DPW and Water Departments are set up so seasonal employees do not qualify. This is the third summer these employees have worked. In 2012, they were paid \$13, \$12 per hour respectively, and in 2013 and 2104 paid at \$10 per hour.

Councilor Zogby asked the Recreation Director what the rate per hour of pay that position should be paid. The Director said it should be \$13 and \$12 per hour. Councilor Zogby asked for the reason why it should be \$3 more per hour, and the Director said because of their job responsibilities. The job description does not list pay rates and did not change with the variation in the hourly pay. Recreation Director Griff said these employees do more than just mow lawns; they maintain and operate equipment, open the parks/maintain, open the pool, minor plumbing/electrical work, and other minor maintenance work as needed. The Director said he believes \$12 and \$13 per hour is a fair rate.

Mayor Smith said he is currently negotiating with three different unions and the position is that the City does not have money for raises. He said he struggles with how to justify giving two individuals a significant increase in pay when we are not giving anyone else an increase. The Mayor said there are a lot of people employed by the City who do a lot of good work, and they could make a strong case that they are deserving of a pay increase for what they do. The Mayor said, in spite of that, he is taking the position that the City does not have any funds for salary increases. The Mayor says he has some real discomfort with saying yes to these to people, when with everyone else, we are saying no.

Councilor Chamberlain said as an example, if you take 68 employees and decrease their pay \$1 an hour and then the next year give them back the \$1 per hour, it is not a raise; we are just giving them back what they started with. He said the Mayor is saying we can't justify not giving the other employees a raise, but we are. We are telling them we cannot give them anymore money, but these part-time people started at \$13 and \$12 per hour, we took it away and now we are giving it back to them. Councilor Chamberlain said there are different ways to look at this. Councilor Bowe said the City is looking at three contracts and not in any of those contracts is anyone's pay going to get cut. He said these gentlemen don't have any representation, and he looks at it as a reinstatement.

Councilor Acker said the unions are full-time employees, and these are seasonal jobs. The hourly rate was dropped two years ago and the job description has not changed. They accepted the jobs then, and have accepted the positions again this year at a rate of \$10 hr. If they don't want to do the job, then we can find someone else. Councilor Acker said she cannot justify 24% and 17% increases for part-time employees when some residents are not getting raises at their jobs. Councilor Bowe said the rate was dropped in 2013 to \$10.00. Councilor Chamberlain reiterated his opinion that this is not a raise, it is a reinstatement.

Joe Magliocca, Oneida, said the two part-time seasonal employees we have in the Recreation Department do as much work as two full-time employees and four or five part-time employees. There were no reasons predicated why the hourly rate was reduced to \$10. He said because of the quality of the individuals involved, they said they would come back this year, but he wouldn't blame them if they didn't going forward. He said to expect increased costs in the Recreation Department, adding these employees have saved the City money and are well worth the money.

**SPECIAL EVENTS APPLICATIONS**

**RESOLUTION 14-114**

Motioned by Councilor Smith

Seconded by Councilor Simchik

**RESOLVED**, to approve Special Events Applications for the following:

<u>Event Title</u>	<u>Date of Event</u>
Oneida Area Day Care Center's Run for the Children	May 17, 2014
Oneida Savings Bank Wilber Duck Mile	May 16, 2014
Relay for Life's Paint Oneida Purple 5K Run/Walk	May 31, 2014
Oneida YMCA Triathlon	June 22, 2014

Ayes: 6

Nays: 0

**MOTION CARRIED**

### **PREVENTATIVE MAINTENANCE AGREEMENTS**

#### **RESOLUTION 14-115**

Moved by Councilor Simchik

Seconded by Councilor Smith

**RESOLVED**, to authorize the Mayor to sign one-year Preventative Maintenance Agreements with Power Generation & Industrial Engines Inc., 8927 Tyler Rd., Bridgeport NY as follows:

<u>Location</u>	<u>Make &amp; Serial Number</u>	<u>Amount</u>
Municipal Bldg.	Onan-serial #K810597712	\$ 470.88
Baker Reservoir	Katolight-serial #SD30FGJ4T119361	\$ 376.47
Recreation Center	Onan-serial #0968056456	\$ 370.00
WWTP	Katolight-serial #118726-1205 (Main Plant)	
	Katolight-serial #118295-1205 (Main Street)	
	Onan-serial #1930520997 (Kenwood)	
	Portable-serial #3055249 (Plant)	\$1,563.14

Ayes: 6

Nays: 0

**MOTION CARRIED**

### **PREVENTATIVE MAINTENANCE AGREEMENT – SCHINDLER ELEVATOR CORP.**

#### **RESOLUTION 14-116**

Moved by Councilor Simchik

Seconded by Councilor Smith

**RESOLVED**, to authorize the Mayor to sign a ten-year agreement with Schindler Elevator Corporation, 587 West Bear Street, Syracuse NY 13204-1313 for preventative maintenance on the elevator at the Municipal Building.

Ayes: 6

Nays: 0

**MOTION TABLED**

Councilor Smith asked why the City should entertain a ten-year agreement, when the agreement allows for the amount to be modified on a yearly basis. The City Engineer said this company has been doing our elevator maintenance for years and the annual costs have gone up only 2%; there haven't been any spikes. Councilor Bowe suggested a shorter term, unless they are the only game in town.

Bill Butler, Oneida, said he is the head of maintenance at the Presbyterian Church, and the church had a problem with Ryder Elevator. He said that although he is not familiar with Schindler, he suggested that the Council not lock into such a long time frame.

Councilor Acker made a motion to table this item, which was seconded by Councilor Bowe. City Engineer Rauscher said he would appreciate a heads-up from the Council beforehand, so he would be able to bring more options to the table. The City Engineer said he will look into this.

### **SUMMER CONCERTS**

#### **RESOLUTION 14-117**

Moved by Councilor Acker

Seconded by Councilor Simchik

**RESOLVED**, that the Mayor be hereby authorized to sign contracts as they are received, for the 2014 summer concerts by various artists in Higinbotham Park, **and be it further**

**RESOLVED**, that the total amount of said concerts shall not exceed \$3,500.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**STATE FACILITIES PROGRAM GRANT – REPLACEMENT OF SIDEWALKS**

**RESOLUTION 14-118**

Moved by Councilor Smith

Seconded by Councilor Chamberlain

**WHEREAS**, the City of Oneida has been approved by the State to receive the State and Municipal Facilities Program Grant (“SAM”) for the replacement of sidewalks in the amount of \$50,000 with DASNY (Dormitory Authority State of New York) administering the grant, **and**

**WHEREAS**, the City of Oneida Common Council is in full support of this State and Municipal Facilities Program Grant (“SAM”) for Project ID #6095 in the amount of \$50,000 for the replacement of sidewalks, **now therefore be it**

**RESOLVED**, that the State and Municipal Facilities Program Grant (“SAM”) project for the replacement of sidewalks is a Type II action as defined in Section 617.5 (c)(1) and Type II actions have been determined not to have a significant impact on the environment, **and be it further**

**RESOLVED**, the Common Council hereby agrees to be responsible for any additional amounts above the State and Facilities Program Grant (“SAM”) amount of \$50,000.

Ayes: 6

Nays: 0

**MOTION CARRIED**

City Engineer Rauscher said he has a summer intern starting this week. He reminded the Council there is an additional \$15K for sidewalks in the budget. Sidewalks uprooted by City trees will be a priority with no cost assessed to the benefitting property owner. There is a 50/50 share for other sidewalk replacements.

**PROPOSAL – COMPREHENSIVE LEAK DETECTION SURVEY**

**RESOLUTION 14-119**

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

**RESOLVED**, that the Mayor is hereby authorized to sign the Proposal for a Comprehensive Leak Detection Survey dated March 31, 2014 with New York Leak Detection, Inc. in the amount of \$10,687.50 for leak detection services.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Councilor’s Acker and Bowe questioned if there are any other companies that could be used. The City Engineer said there were three quotes with two returned. Councilor Chamberlain said this company comes highly recommended and the the Water Department has used them in the past.

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ONEIDA CONSENTING  
TO A FINANCING TO BE UNDERTAKEN BY THE  
SHERRILL KENWOOD WATER DISTRICT**

**RESOLUTION 14-120**

Moved by Councilor Zogby

Seconded by Councilor Chamberlain

**WHEREAS**, the Sherrill Kenwood Water District in the Cities of Sherrill and Oneida, New York (the “Water District”) was established pursuant to Chapter 512 of the Laws of 1920, as amended (the “Act”); **and**

**WHEREAS**, the Common Council of the City of Oneida, Madison County, New York (the “City”), has been advised that the Sherrill Kenwood Water District, needs to construct a new pump station at 664 East Hamilton Avenue, in Sherrill, New York, to replace one at said site and to replace water distribution lines at the Kenwood Avenue creek crossings in Oneida, New York and in Sherrill, New York, at a maximum estimated cost of \$800,000, and to authorize the issuance of \$490,000 bonds of said Water District, together with \$310,000 current funds, to pay the cost thereof; **and**

**WHEREAS**, said capital improvement, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; **and**

**WHEREAS**, the bonds and any bond anticipation notes issued in anticipation thereof by said Water District will constitute debt solely of the Water District; **and**

**WHEREAS**, Section 102.00 of the Local Finance Law requires that bonds or notes which are to be issued by a “district corporation” as defined therein, require the consent of the governmental unit or units within the same geographical area of the district corporation, even if said unit(s) will not be issuing such bonds and notes, after a public hearing following reasonable public notice, in order for such bonds or notes to be issued by the district corporation pursuant to the provisions of the Local Finance Law; **and**

**WHEREAS**, the Water District is a “district corporation” as defined in Section 102.00 of the Local Finance Law; **and**

**WHEREAS**, the Common Council has been presented with a petition by the Water District for consent of the City to the issuance of said debt by the Water District and a Certificate of the City Comptroller, in connection therewith; **and**

**WHEREAS**, pursuant to Section 102.00(g) of the Local Finance Law, the issuance of the debt requires approval, following a public hearing, by the elected legislative body of City as the governmental unit also having jurisdiction over the area within which the Water District is situated; **and**

**WHEREAS**, the Water District is located, in part, within the geographical jurisdiction of the City; **and**

**WHEREAS**, the Common Council is the elected legislative body of the City; **and**

**WHEREAS**, a notice of a public hearing with respect to the proposed issuance of the debt was published in the official newspaper of the City, being, a newspaper of general circulation in the City; **and**

**WHEREAS**, the Common Council of the City held said public hearing, at which time an opportunity was provided to present arguments both for and against the issuance of the debt by the Water District; **and**

**WHEREAS**, the issuance of the debt by the Water District will not constitute a debt obligation of the City; **and**

**WHEREAS**, the Common Council now desires to consent to the issuance of said debt in compliance with the provisions of Section 102.00 of the Local Finance Law as aforesaid; **now therefore be it**

**RESOLVED** by the Common Council of the City of Oneida as follows:

Section 1. The Common Council hereby consents to the issuance of (a) bonds by the Water District as described above in an amount not to exceed \$490,000 and (b) bond anticipation notes in anticipation of the issuance of said bonds. It is the purpose and intent of the Common Council that this resolution constitute consent to the financing and the issuance of the debt for the purposes of Section 102.00(g) of the Local Finance Law by the applicable elected representative of the governmental unit having jurisdiction over the area within which the Water District is situated in accordance with said Section 102.00(g) of the Local Finance Law.

Section 2. Nothing in this resolution shall be construed to create any obligations of the City with respect to the repayment of the debt of the Water District. The debt of the Water District will not be an obligation of the City.

Section 3. This resolution shall take effect immediately upon its passage.

Councilor Zogby - Yes  
Councilor Bowe - Yes  
Councilor Smith - Yes  
Councilor Acker - Yes  
Councilor Chamberlain - Yes  
Councilor Simchik - Yes

**MOTION CARRIED**

Councilor Zogby stated there are no City monies involved in this project; all costs will be borne by the Sherrill Kenwood Water District.

**REVISED PROPOSED LOCAL LAW TO ESTABLISH A  
PUBLIC NUISANCE ABATEMENT PROGRAM IN THE CITY OF ONEIDA**

**RESOLUTION 14-121**

Moved by Councilor Smith  
Seconded by Councilor Acker

**RESOLVED**, that the REVISED proposed Local Law to Establish a Public Nuisance Abatement Program in the City of Oneida is hereby received and placed on file, **and be it further**

**RESOLVED**, that a Public Hearing on the aforementioned proposed Local Law be hereby scheduled for May 20, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main St., Oneida NY.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Peter Hedglon, Oneida, said he is the Attorney representing some landlords who have some serious concerns with this proposal. He requested the Council table this proposed revision and schedule a meeting with him and the landlords to go over in a detailed fashion what those concerns are. He reminded the Council of the series of e-mails and letters he has sent to them. Attorney Hedglon said the Council should be careful, because the provisions in the Public Nuisance Abatement Program make this applicable to every property in the City of Oneida including single family homes. He outlined some concerns with both the previous submission and the revisions of the proposed program. Attorney Hedglon again urged the Council to table this, adding that he and the landlords would like the opportunity to go over this line-by-line to lay out their concerns.

The Mayor said he has been reading the e-mail forwards regarding the issues and notes his concerns. The Mayor said he has met with the landlords informally, at four Council meetings and a public hearing, adding this has been discussed for months. Councilor Chamberlain asked if there should be another meeting, and the Mayor said the Council will be having another public hearing and concerns can be debated at that point. Councilor Acker said we have to move forward, and the Mayor reiterated that there have been a significant number of meetings.

Thor Dickquist, Oneida, asked where the Council expected landlords and tenants to come up with \$1,000 a day. The Mayor said he would be happy to explain after the meeting how this program would work. The Mayor said he is looking at having a positive and meaningful relationship with landlords.

The City Attorney said that the \$1,000 a day fine is only in the circumstances when the City pursues this before a judge in court and stated that the fine is the maximum amount the judge could award. If you look in the City Code, nearly every provision has a penalty section. Attorney Bell used a common example of a \$250 fine or 15 days in jail and said that does not mean that every fine will be at the maximum; it is up to a judge and is case specific. She said there are two processes that this law contemplates; the civil suit method or administrative. If the administrative hearing is done, it is not through the judicial system and does not contemplate a \$1000 a day fine.

Milt James, Oneida Castle, said there have been a lot of meetings, but every time there are changes, they do not get an answer to their questions. He said the landlords need some comments on what they have proposed.

Councilor Zogby said this is a classic case of misunderstanding legislation that has been written and

miscommunication in the intent and enforcement. Councilor Zogby said he has received e-mails from some landlords who never responded to his reply asking for a list of their concerns. Councilor Zogby requested, by the time we have the next meeting, to have Mr. Hedglon create a new law that would make all the landlords happy and intersperse his law with our law, so that the Council can understand what the landlords would like changed. Then the Council can go item-by-item, at the public hearing, in sequence of where those things should be in the law. Councilor Zogby said he is requesting this be done for the landlords. Attorney Hedglon said if he was provided a digital draft to be worked on, he would be happy to do that.

The Mayor said from his prospective that has already been done. The Mayor said the documents provided by Attorney Hedglon outlined the points he wanted included. Mayor Smith said he read them through and the items he felt were worthy were included in the revised local law, while others he did not agree with were left out. The Mayor said he has repeatedly been amenable to further discussions and tabling, but there comes a point where there has to be an end and move on, adding that the Council has acknowledged that this can be tweaked after implementation if there is evidence something is not working.

The City Clerk said she wanted the Council to be clear that if they schedule a public hearing for the next meeting, they are doing so on the revised Local Law as received and filed tonight. If at the May 20<sup>th</sup> meeting, as requested by Councilor Zogby, the Council modifies the proposed Local Law, that modification will have to be received and filed by the Council at the following meeting and another public hearing will need to be scheduled for the week after that.

Bill Butler, Oneida, asked if the revised version was available, and the City Clerk said a link can be found on the home page of the City's website under "Revised Local Law to Establish a Public Nuisance Abatement Program".

The Mayor said he appreciates everyone's involvement in this democratic process.

**REVISE CAPITAL PROJECT 14-01 - ONEIDA RAIL TRAIL  
WAMPSVILLE TO ONEIDA CONNECTOR ENHANCEMENT PROJECT AND  
AUTHORIZE PROCEEDING WITH SAID PROJECT**

**RESOLUTION 14-122**

Moved by Councilor Smith  
Seconded by Councilor Simchik

**WHEREAS**, on August 6, 2013 Resolution 13-207, the City of Oneida Common Council authorized the submission of an application, as the sponsor, through the New York State Department of Transportation-Transportation Enhancement Program (TEP), and if awarded, to enter into an agreement and receive the reimbursement program for the purpose of developing the Oneida Rail Trail, **and**

**WHEREAS**, on January 15, 2014 New York State Governor Andrew Cuomo announced that the City of Oneida was awarded \$545,830.00 through said New York State Department of Transportation-Transportation Enhancement Program (TEP) for the Oneida Rail Trail Wampsville/Oneida Connector, **and**

**WHEREAS**, to be eligible for funding under Title 23 U.S. Code, as amended, the apportionment of the costs are to be borne at the ratio of 80% Federal funds and 20% non-federal funds, **and**

**WHEREAS**, to advance the Oneida Rail Trail Wampsville/Oneida Connector project, a commitment of 100% of the non-federal share of the costs of the Oneida Rail Trail Wampsville/Oneida Connector project is required, **now therefore be it**

**RESOLVED**, to hereby authorize Capital Project No. 14-01 – Oneida Rail Trail Wampsville/Oneida Connector in the amount of \$545,000.00 be revised to reflect the total costs of the Capital Project as follows: Capital Project No. 14-01 – Oneida Rail Trail: Wampsville to Oneida Connector Enhancement Project in the amount of \$771,640.00, which shall include the aforementioned amount awarded by the State of \$545,830.00, **and be it further**

**RESOLVED**, the remaining funds of \$225,810.00, which shall be the obligation of the City of Oneida, shall be rendered in the form of in-kind services, as well as monetary funds, **and be it further**

**RESOLVED**, that the Common Council further appoints and authorizes the Recreation Director as the individual responsible for documenting and recording the in-kind services that are provided to fulfill the City's contribution obligation, **and be it further**

**RESOLVED**, to authorize the Recreation Director to proceed with the Revised Capital Project No. 14-01 – Oneida Rail Trail Wampsville to Oneida Connector Enhancement Project and to expend funds up to the revised programmed amount of \$771,640.00.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Joe Magliocca, Oneida, said the original TEP grant amount was \$545,830.00 in federal funding and it was raised to \$771,640.00 because this is an 80/20 grant. The City's portion will be covered by in-kind services by City of Oneida staff and Madison County staff.

The Mayor said he received some correspondence stating that in New York State hunting and fishing are no longer the largest outdoor recreations participated in; they were eclipsed by hiking and bird watching. The Mayor said he wanted to let Mr. Magliocca know there will be some individuals at the Great Swamp Conservancy speaking to bringing in tourism dollars using hiking and bird watching.

**AUTHORIZE THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE**

**RESOLUTION 14-123**

Moved by Councilor Zogby

Seconded by Councilor Smith

**WHEREAS**, a Project for the Oneida Rail Trail: Wampsville to Oneida Connector Enhancement Project, Old Erie Canal Towpath to North Willow Street, Village of Wampsville and City of Oneida., P.I.N. 2650.45 (the Project") eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; **and**

**WHEREAS**, the City of Oneida desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of The Project, **and**

**WHEREAS**, the Common Council per Resolution No.122 authorized the Recreation Director to proceed with the revised Capital Project No. 14-01 – Oneida Rail Trail Wampsville to Oneida Connector Enhancement Project, **now therefore it is**

**RESOLVED**, that the Common Council, duly convened, does hereby approve the above-subject project; **and be it further**

**RESOLVED**, that the Common Council hereby authorizes the City of Oneida to pay in the first instance 100% of the federal and non-federal share of the cost of The Project or portions thereof; **and it is further**

**RESOLVED**, that the sum of \$771,640.00 is hereby appropriated from the funds allocated to Capital Project No. 14-01 to cover the cost of participation in the above phase of the Project; **and it is further**

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council of the City of Oneida shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, **and it is further**

**RESOLVED**, that the Mayor of the City of Oneida be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Oneida with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, **and it is further**

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, **and it is further**

**RESOLVED**, that this Resolution shall take effect immediately.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**BUDGET TRANSFERS AND BUDGET AMENDMENT**

**RESOLUTION 14-124**

Moved by Councilor Simchik

Seconded by Councilor Smith

**RESOLVED**, to approve the following budget transfers:

<i>Amount</i>	<i>From</i>	<i>To</i>
\$500.00	001.1990.0400 (Contingency)	001.1355.0403 (Assessor Contracts)
\$25,000	001.1990.0400 (Contingency)	001.1420.0411 (Law Negotiations)
\$2,000	001.1990.0400 (Contingency)	001.1420.0403 (Law Staff Services)
\$15,000	001.1990.0400 (Contingency)	001.1420.0419 (Law Litigation/Misc)

(Assessor photos for buyout program with State and miscellaneous law lines)

**RESOLVED**, to approve the following budget amendment:

<i>Amount</i>	<i>From</i>	<i>To</i>
\$6,000	001.0017.1589 (Police Equitable Sharing)	001.3120.0414 (Police Equitable Sharing)

Ayes: 6

Nays: 0

**MOTION CARRIED**

**NEW BUSINESS**

*Oneida Rail Trail Shop*

Joe Magliocca said the Oneida Improvement Committee opened the Rail Trail Shop in Oneida Commons. They have bicycle supplies and historic railroad picture cards for sale, and they have magnets and tee shirts forthcoming. John Taibi has provided old train photos and books for sale. The booth is front and center as you walk in the door, and he invited everyone to check it out.

*National Support Small Business Week*

Councilor Acker said the week of May 12 – 18 is National Support Small Business Week and she urged everyone to support the local businesses here in Oneida, noting that the sales tax money would stay here.

*NYS Buyout Program – Flood Event*

Councilor Acker said that NYS has allocated funds for the buyout program. She said there are pros and cons with the program. The State will purchase the property for what it was assessed at a year before the flood event. The City will be responsible for tearing the structure down and creating green space, with the demolition costs reimbursed to the City by the State. The property would come off the tax rolls, and the property cannot be sold and must be maintained as green space and never used for any other purpose. The parcels cannot be sold to adjacent property owners. Councilor Acker said approximately 35 houses could be involved in the process. Vicki Arnold, Oneida, questioned if cleanup of the woods by the flood area had been scheduled. The Recreation Director said he is working on scheduling the Madison County work crew to get down there. He said he will get their supervisor down there to look at it, so they will know what's there even if it greens up and will take photos.

*National Public Works Week*

Mayor Smith said he would like to bring some well deserved recognition to our DPW and Water Department employees. He is proclaiming the week of May 18-24 as National Public Works Week in the City and asked everybody to give a shout out to all those hard working people who keep our City

functioning and looking neat.

*Coming Event at the Kallet Civic Center*

The Mayor said the first “Taste of Oneida” event is being held at the Kallet Civic Center on Wednesday evening with many local restaurants and businesses involved. The Mayor said he pleased with the developments taking place at the Kallet to better utilize that facility and keep people in downtown in our city center.

The Mayor said that after the Memorial Day Parade on Friday, May 23<sup>rd</sup>, the Kallet Civic Center is having a free concert featuring Matt Chase and Thunder Canyon, and he invited everyone to stay downtown and enjoy the concert. Mayor Smith said this is the kind of economic initiative and direction he wants to see and hopes it continues.

Motion to adjourn by Councilor Smith

The meeting is hereby adjourned at 7:36 p.m.

CITY OF ONEIDA

\_\_\_\_\_  
Susan Pulverenti, City Clerk