

**MINUTES OF THE COMMON COUNCIL
AUGUST 29, 2017**

A special meeting of the Common Council of the City of Oneida, NY was held on the twenty-ninth day of August, 2017 at 6:00 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Leo Matzke

PRESENT: Councilors Al Cohen, Michael Bowe (arrived at 6:30 pm), Helen Acker, and Thomas Simchik

ABSENT: Councilors Erwin Smith and James Chamberlain

ALSO PRESENT: City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Lee Ann Wells
Director of Planning & Development Cassie Rose

DISCUSSION - ENERGIZE NY PACE PROGRAM

Chris Carrick, Energy Program Manager, CNY Regional Planning and Development Board gave a power point presentation for the Council on the Energize NY PACE (Property Accessed Clean Energy) Financing, which was established in 2011 by legislation. Mr. Carrick said the City has been actively working towards pursuing grant funds from NYSERDA through the Clean Energies Program. He said the adoption of the PACE program would be the fourth and final action to make the City eligible for the funding. He said that the PACE program is a way of providing financing to commercial buildings (not residential) through joining the Energy Improvement Corporation (EIC). He said the mission of EIC is to increase clean energy adoption to make it easier for commercial buildings to attain financing, and it is funded by NYSERDA and US-DOE. He said the EIC Board is made up of municipal members. He displayed a map listing all the current members and prospective members of Energize NY, noting that Madison County has met the criteria and is a member. He restated that the EIC mission is to reinvest local dollars into the economy, support business expansions, spur job creation and increase property values. He said the program is funded through NYSERDA and explained the reasons why PACE is needed.

Mr. Carrick said that membership is only open to those cities with tax lien authorities, and therefore the City of Oneida qualifies. He said that repayment is collected with regular taxes by the municipality. Mr. Carrick said that 100% financing for up to 20 years with long term competitive rates is available. He said that the loan would automatically transfer to the next property owner upon sale. He said any commercial entity, for example LLC's, agricultural, or multifamily apartments, can apply for financing of eligible improvements. He said efficiencies such as lights, furnace upgrades, insulation, HVAC, windows and renewable energy projects such as solar PV, solar thermal, geothermal and wind are considered eligible improvements. In his presentation, he outlined various case studies of Energize NY PACE projects. He explained the criteria/conditions to be set for commercial applicants to provide to the Board to attain financing, noting that loans could be prohibited to those that could present any environmental issues.

Mr. Carrick said, to enable financing, the City must pass a Local Law establishing the program, sign a Municipal Agreement that codifies the tax repayments to be transferred to the EIC trustee and make a formal membership request. He said that the EIC duties include reviewing any applications, securing low cost financing, reviewing certificates of completion, execute the finance agreement and disburse funds.

Mr. Carrick said they will review all completed projects, and an annual report would be supplied to the City. He said the Energize NY duties include having the financing, payment to the EIC trustee, and in turn, the trustee pays the bank. He said the municipality duties are to add the energy improvement tax to the annual tax bills, collect the annual tax and submit payments to the EIC trustee. He explained how Energize NY works with the contractor/developer and the property owner while also providing support to the municipality. Mr. Carrick explained the details of the Municipal Permanent Loss Fund, which is automatic with EIC membership and no cost to the member, and the Municipal Tax Delinquent Fund, which is optional with an upfront fee. These funds would make the City whole in the event of a default. He emphasized the EIC is only financing good projects, which are tied to the property, and the financing is based on the property. He explained the borrower's criteria needed for loan approval, noting there are many safeguards in place. He said that Madison County has set a \$5M cap on loans. He said that half the projects done so far have been solar and noted that there are only two grants left.

A discussion ensued relative to the funding, financing, energy improvement fees, municipal costs, the board loan review process, short term delinquency fund reimbursement and time frames, and special assessment charges. The Council agreed that they would like to move forward and place this on the agenda. Mr. Carrick said he would send the City Clerk templates of the three required documents for the City to join the Energy Improvement Corporation, and thereby be able to offer the Energize NY PACE financing. The Mayor said this will be on the agenda for the next meeting if the City Attorney has time to review and prepare the documents.

DISCUSSION - PROPOSED DOWNTOWN LED CONVERSION PROJECT

City Engineer Jon Rauscher, via a power point display, explained the streetlight overview displaying photos of the City's various roadway and ornamental lighting. He said that the City has a total of 809 street lights (National Grid owned) with varying wattages. He said that the annual cost for street lighting is \$165K, broken down into Delivery charges 38%, Supply charges 10% and Facility charges 51%. He said that in the downtown area there are 59 National Grid street lights (47 steel poles) and 36 City owned ornamental street lights. City Engineer Rauscher explained the chronology of this proposed project dating back to 2012 up through April of 2017 when Wendel was recommended for project implementation, and he went on to explain what an estimated project implementation and schedule would look like.

Chris Carrick said the project could be broken into phases, as there are certain stipulations with the NYSERDA grant. He said, for example, if the City were designated a Clean Energy City in October, the City would have three months to submit the grant proposal, and six months after that the project is expected to be underway. Mayor Matzke said that Wendel is currently working with the City of Medina on the buyback process. The City Engineer said that hopefully Wendel will work through the process of National Grid negotiations for Medina and have any glitches worked out before our project negotiations begin.

A discussion ensued with respect to the age, quality and buying back the existing poles. Mr. Carrick said that the PSC (Public Service Commission) has set up the two tracks and explained the processes. He said the City owned option is attractive because of the facility charges, which are half the bill. City Engineer Rauscher said that National Grid has said they would not charge for the steel poles, as they are obsolete, but would charge for everything else. The Council briefly discussed the recently completed downtown project in Canastota. The City Engineer said the City would own the arm and light, and they would be retrofitted to LED's. In the downtown area, the City would remove the existing lighting and install new ornamental lighting, which in turn leads to other work, including underground conduit, streetscape, sidewalks, curbing and repaving. The question of a special assessment for the downtown streetscape was discussed. The City Engineer said he agreed with the idea of breaking this into three separate phases,

such as individual streetscape stages for the different downtown streets, and he outlined the pros and cons. Mayor Matzke said the design portion will take into account all the various factors and recommended breaking the project into phases, so it doesn't have to be paid for all at once. The City Engineer and Planning Director said that they will look for other funding sources that the City may be eligible to apply for and reviewed the funds currently set aside for Main Street streetscape and sidewalks. They discussed the various grants and time frames for availability to apply.

City Engineer Rauscher said there would be many details to work out with the project, such as LED light temperatures and colors, pole selection and public input/feedback. The discussion continued with respect to possibly phasing the projects into separate lighting and streetscape plans, the downtown portion, the use of Wendel, bonding/funding, possible referendum, grant funding and the benefits/savings to the City. The Council agreed to move forward with Wendel for the design phase and separate the streetscape from the lighting. Mr. Carrick said it makes a lot of sense to separate the streetscape from the lighting, because the lighting generates cash flow. City Engineer Rauscher said that although Wendel can do the streetscape portion, he would like to send out RFP's to open it up. The Mayor said that we are going to be very proud of what this City will look like in 2019. The Mayor said the bonding approval for the design phase for street lighting will be on the agenda for the next meeting if the Comptroller is able to acquire the updated documents from the bonding attorney.

Moved by Councilor Acker
Seconded by Councilor Cohen

RESOLVED, that Warrant No. 18, Check No. 538 in the amount of \$12,000.00, as audited by the Voucher Committee is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 4
Nays: 0
Absent: 2 (Smith, Chamberlain)

MOTION CARRIED

PROFESSIONAL SERVICES AGREEMENT

RESOLUTION 17-241

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign a Professional Services Agreement with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC, 217 Montgomery Street, Suite 1000, Syracuse NY 13202 for the Stormwater Pollution Prevention Plan Services for the Demolition of Structures Project in the City of Oneida.

Ayes: 4
Nays: 0
Absent: 2 (Smith, Chamberlain)

MOTION CARRIED

SMALL BUSINESS PROGRAM OPTION AGREEMENT

RESOLUTION 17-242

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign a Small Business Program Customer Directed Option Agreement with Niagara Mohawk Power Corporation d/b/a National Grid to install energy efficient upgrades to the lighting at the Recreation Center.

Ayes: 4

Nays: 0

Absent: 2 (Smith, Chamberlain)

MOTION CARRIED

**CITY OF ONEIDA RESOLUTION AUTHORIZING THE MAYOR
TO APPLY FOR AND RECEIVE FUNDING UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

RESOLUTION 17-243

Moved by Councilor Cohen
Seconded by Councilor Acker

WHEREAS, the U.S. Housing and Community Development Act of 1974 (P.L. 93-383), as amended, provides for the development of viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, said Act authorizes the Secretary of Housing and Urban Development (HUD), through the New York State Office for Small Cities to make grants to units of general local government to help finance Community Development Programs under Section 103 (a)(1) of Title I; and

WHEREAS, under said legislation, eligible applicants in the case of municipalities, are required to authorize an official representative to file the application and to provide the Secretary with certain assurance of compliance with applicable laws and regulations under Title I of said Acts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor by and hereby is authorized to execute a final application for All Seasonings Ingredients, Inc. on behalf of the City of Oneida with the New York State Office of Community Renewal for an economic development grant pursuant to Title I of the Housing and Community Development Act of 1974, as amended; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and designated as the representative and to act as such in connection with the application to provide additional information as may be required including all understandings and assurances contained in the application; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute any contract and/or agreement with the New York State Office of Homes and Community Renewal in connection with the Application and his designee is further authorized to request and expend funds from the U.S. Government pursuant to said contract and/or agreement; and

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Mayor all are hereby ratified and confirmed and this Resolution shall take effect immediately.

Ayes: 4

Nays: 0

Absent: 2 (Smith, Chamberlain)

MOTION CARRIED

Planning Director Cassie Rose said this expansion will create eleven new jobs. She said the project cost is \$421K, and the business is looking at a \$162K in grant funding from the CDBG program.

Mayor Matzke said that there are two people mowing and picking up trash at the vacant properties in the Buyout Program, remarking that they are doing a very good job. Councilor Acker said the Kallet Civic Center's lease needs to be addressed, as it is up at the end of September.

Motion to adjourn by Councilor Acker

The special meeting is hereby adjourned at 7:44 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk