

**MINUTES OF THE COMMON COUNCIL
OCTOBER 4, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the fourth day of October, 2016 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 Leo Matzke

PRESENT: Councilors Alan Cohen, Michael Bowe, Erwin Smith, Helen Acker, James Chamberlain and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Planning Director Cassie Rose
Fire Chief Kevin Salerno
Supervisor Joseph Magliocca
Supervisor John Reinhardt

OLD BUSINESS

Proposed Solar Project

Jill Christian-Lynch, Oneida, said that they would publically like to thank the Council for listening to their concerns and for their continued efforts to protect the residential neighborhoods of this City by finding a more suitable location for GroSolar's solar array. A round of applause was given to the Mayor and Council by the residents. Mayor Matzke thanked the group and said that they are "out of the woods" on the hill. He said preparations for the new site are moving forward, there is room for growth, and he hopes digging will begin next spring. The Mayor said that he has to go to Albany to get an extension on the project and further stated that a lease with GroSolar has not been signed at this point.

Moved by Councilor Chamberlain
Seconded by Councilor Bowe

RESOLVED, that the minutes of the regular meeting of September 20, 2016 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that Warrant No. 19, checks and ACH payments in the amount of \$878,993.70, 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

Councilor Chamberlain said he would like to see the new Oneida Office Supply utilized more, adding that it is good business to buy local.

AGREEMENT – GRANT WRITING FIRE DEPT

RESOLUTION 16-178

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign an Agreement of Services for Grant Writing by and between the City of Oneida and Grantmasters, Inc., 4523 Porter Center Rd., Lewiston NY 14092 in the amount of \$500.00 to assist the City with the 2016 Assistance to Firefighters Grant Program.

Ayes: 6
Nays: 0

MOTION CARRIED

BUDGET TRANSFER/AMENDMENT

RESOLUTION 16-179

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, to approve the following budget transfer:

<i>AMOUNT</i>	<i>FROM</i>	<i>TO</i>
\$2,500.00	001.1990.0400 Contingency	001.9050.0803 Unemployment

(To transfer funds for unforeseen unemployment)

RESOLVED, to approve the following budget amendment:

<i>AMOUNT</i>	<i>FROM</i>	<i>TO</i>
\$25,000.00	001.0025.3395 2016 Fire Turnout Gear State-Aid	001.3410.0318 Turnout Gear Maintenance

(To allocate State Aid Funds received for purchase of turnout gear)

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Bowe suggested that going forward, rather than take the funding from contingency for unemployment costs, the funding should come from the salary line of the affected departments.

CITY LOAN AND BUDGET AMENDMENT

RESOLUTION 16-180

Moved by Councilor Acker
Seconded by Councilor Smith

WHEREAS, the City of Oneida Revolving Loan Fund Committee, at their September 27, 2016 meeting, voted to submit the application to the Common Council for approval, now therefore be it

RESOLVED, that the City of Oneida Common Council hereby approves the following loan as recommended by the City of Oneida Revolving Loan Fund Committee:

- Building Owner: Patrick A. Costello
- Business Owners: Patrick A. Costello and Jennifer DiGiorgio
- Address: 125 Farrier Avenue, Oneida
- Total Project Cost: \$147,500.00
- Loan Amount: \$75,000.00 at 3% interest for five years

BE IT FURTHER RESOLVED, that the Mayor be authorized to sign the necessary documents for said loan, **and be it further**

RESOLVED, that the 2016 Budget is hereby amended to reflect an increase in the Revolving Loan Appropriated Fund Balance in the amount of \$75,000.00.

Ayes: 6

Nays: 0

MOTION CARRIED

Steven Potter, Chairman of the Revolving Loan Committee, in response to a question, said the bank normally requires the first position lien on all business assets. Although the City is lending more money, he said other features of the loan outweigh the need to require first position for the City, and therefore the committee decided the bank would take the first lien, and the City will take the second.

CAPITAL PROJECT 16-02 **FOR THE FEMA HAZARD MITIGATION GRANT – HOUSING BUYOUT PROGRAM**

RESOLUTION 16-181

Moved by Councilor Acker
Seconded by Councilor Smith

WHEREAS, after the flood event of 2013, the City of Oneida obtained funding from the Federal Emergency Management Agency (FEMA), through the Hazard Mitigation Grant Program (HMGP), administered by the New York State Division of Homeland Security and Emergency Services (Recipient), to acquire and demolish 154 properties that met HMGP eligibility criteria; **and**

WHEREAS, although FEMA has authorized 100% funding of the total project cost, as itemized by the Recipient and the City of Oneida, the Recipient and City are required to submit a claim to FEMA for reimbursement of allowable costs, prior to the drawing down of such funds; and

WHEREAS, due to the conditions of the grant monies, the City of Oneida must cover certain expenses on a temporary basis until reimbursement by the Recipient and FEMA is forthcoming; **and**

WHEREAS, to facilitate the acquisition and demolition of approved properties, the Common Council at its March 16, 2016 meeting unanimously authorized the use of up to one million dollars (\$1,000,000.00) from the Fund Balance to front costs, on an as-needed basis, which costs are fully reimbursable, and further authorized the Mayor to proceed with Capital Project 16-02 for the FEMA Hazard Mitigation Grant – Housing Buyout Program HMPG4031-0035; **and**

WHEREAS, the payment of fees and release of funds related to the City’s acquisitions of the approved properties will require vouchers to be prepared and executed to coincide with closing dates and further requires that such monies be made available to involved parties, as identified on the closing settlement statement, at the time of closing; **now therefore be it**

RESOLVED, that the Common Council does hereby approve facilitating the acquisition and closing process by authorizing vouchers be prepared and checks be drafted for all parties listed on the closing settlement statement on an immediate as needed basis for the properties scheduled for closing through Capital Project 16-02 for the FEMA Hazard Mitigation Grant – Housing Buyout Program HMPG4031-0035 thereby bypassing the City of Oneida’s Purchasing Policy; **and be it further**

RESOLVED, that the Mayor is herein authorized to execute any and all documents necessary to effectuate such expenditures.

Ayes: 6
Nays: 0

MOTION CARRIED

Mayor Matzke said the City will be spending the money upfront for the closings and then get reimbursed. The City Attorney said the reimbursements will have already been approved by FEMA before the City expends the funds. Councilor Acker said that the reimbursements are usually approved within three weeks, and the Mayor concurred saying that the turnaround from FEMA has been very good. City Attorney Nadine Bell explained the requirements/processes for the closings on the properties in the buyout, noting that the checks have to be exchanged at the time of the closing and vacancy is required by the property owner at the time of closing. Attorney Bell said that payoff amounts can vary, using the pro-rating of taxes for each day as an example. She said that 154 properties qualified and 147 of those property owners were immediately interested in participating in the buyout. Attorney Bell said when the property owners accept their offer, the closing process (abstract, survey, etc.) continues for each property, even though owners have up to the day of closing to back out. In response to a question, the Mayor said when the properties are demolished, the City cannot put anything permanent on the parcels; grass will be planted and maintained. The Mayor said he will be working with the Planning Department on ideas moving forward, such as the possibility of a soccer field.

AMEND BUDGET – BUDGET TRANSFER

RESOLUTION 16-182

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, to amend the 2016 Budget to include a part-time provisional account Clerk to the Mayor for the remainder of the year 2016 as follows: 12 weeks, 5 days per week, 1 hour a day at \$14.00 per hour, **and be it further**

RESOLVED, that the following budget transfer be hereby approved:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$840.00	001.1990.0400 Contingency	001.1210.0101 Mayor

Ayes: 4

Nays: 2 (Cohen, Simchik)

MOTION CARRIED

Mayor Matzke said this employee will be in his office for one hour a day for the remainder of this year, because he needs time for planning. The Mayor said, among other tasks, he will be having her call various communities to see what their policies are relative to zombie houses. He said the Deputy Clerk will continue to handle all confidential matters and run his calendar, adding that the City Clerk's office is on overload, and the Deputy Clerk is needed in that department. Councilor Cohen said this belongs in the budget discussions for next year. Councilor Chamberlain said whether or not the Council continues with this position in the budget for next year will be discussed at budget time. Councilor Bowe said he spoke with the Mayor and currently there isn't a part-time person who could handle this. The Mayor said that he would like the City to have an Administrator who would need a full-time secretary, and he said he will be working towards that goal. The Mayor said there are many inconsistencies, using the code offices as an example.

NEW BUSINESS

Supervisor John Reinhardt reminded the Council that on Wednesday, October 12th at 7:00 p.m. at the Kallet Civic Center there is a free NYS Citizen Preparedness Corps Training Program.

Mayor Matzke said that he, Deputy Mayor Chamberlain, Police and other members of the community met with the school district to form a united front relative to bullying. The Mayor said next week he is meeting with area ministers, because it's from there that often a person's values come from. He said he wants to be sure that the whole community is involved.

Mayor Matzke said the scarecrow contest is ongoing, noting the scarecrows in Triangle Park and the Nutcracker display at Rt. 5 and Seneca Street. The Mayor said he is happy with the response, and it is not too late to participate.

Supervisor Reinhardt said the article in the Dispatch outlined Governor Cuomo's veto of the "Host County" legislation for Madison County, adding they are disappointed to say the least. Chairman Becker will be speaking with the Governor at a time to be determined. He said that this issue will go back into the State's budget process once again. Mayor Matzke said that he hopes the City will be a piece with any new negotiations.

Councilor Cohen said that if you want to vote in the November 8, 2016 election, you have to register to vote by October 14, 2016. He displayed some registration forms for anyone needs one.

EXECUTIVE SESSION

RESOLUTION 16-183

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED that the meeting is hereby adjourned to Executive Session at 7:08 p.m. for the purpose of discussing the proposed acquisition, sale or lease of real property and a personnel matter.

Ayes: 6
Nays: 0

MOTION CARRIED

PRESENT: Mayor, Councilors, City Clerk, City Attorney, Public Safety Commissioner

1. Discussion relating to the proposed acquisition, sale or lease of real property.

PRESENT: Mayor, Councilors, City Attorney, Public Safety Commissioner

2. Discussion relating to a personnel matter.

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 8:13 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

Motion to adjourn by Councilor Bowe

The regular meeting is hereby adjourned at 8:13 p.m.

City of Oneida

Susan Pulverenti, City Clerk