

**MINUTES OF THE COMMON COUNCIL  
OCTOBER 18, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the eighteenth 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:** Assessor Lonnie Stedman  
City Attorney Nadine Bell  
City Clerk Susan Pulverenti  
City Engineer Jon Rauscher  
Deputy Comptroller Lee Ann Wells  
Fire Chief Kevin Salerno  
Supervisor John Reinhardt  
Supervisor Joseph Magliocca

**OLD BUSINESS** - None

**SUPERVISORS REPORT**

Supervisor John Reinhardt introduced Ted Halpin, Madison County Director of Emergency Management Services, who apprised the Council on his department and their emergency preparedness efforts. Mr. Halpin said the Emergency Management Services office started a year and a half ago. He said they are currently revising the 500 page mitigation plan for the County, mainly in regards to flooding. He said that the things you can't prevent, you try to mitigate. Director Halpin said his department has been monitoring the Buyout Program in the flats. Mr. Halpin said his department oversees administrative and operational support/training for all the fire and ambulance services county wide. He said the Department has a robust website, which explains a myriad of different hazards that could affect the residents. He said to receive the latest official informational updates just follow them on Twitter or "like" the County's official Facebook page. Mr. Halpin said they are continually looking at all the new technology available. He provided a brochure to the Mayor, Council and everyone in attendance at the meeting. Mr. Halpin commended Fire Chief Salerno for the department's free smoke alarm project, stating that 350 smoke alarms have been installed in the homes of Oneida residents.

Supervisor John Reinhardt said that grant payments for taxes, which includes payments for special district grants, have been authorized to be paid from the funds collected by the County from the settlement with the Oneida Indian Nation in 2013. He said payment will be made to the City prior to March 31, 2017.

Supervisor Reinhardt said that 33 parcels were sold at the land auction on September 17<sup>th</sup> accounting for \$221,000 in revenue; however, he said he was unsure of the amount of back taxes that were owed on the individual parcels. He stated that there were some properties that just didn't sell.

Supervisor Reinhardt said that so far in 2016, the county taxes collected by credit card amount to \$134K and \$357K by electronic check (over the internet). He said the taxes must be paid in full, and the e-checks have a \$2.50 fee, and the other has a service fee of 3%.

Supervisor Reinhardt said Madison County is ahead .82% of their projected sales tax revenue. He named surrounding counties that are either above or below their projected amounts. Supervisor Reinhardt reminded everyone to shop local.

Supervisor Reinhardt said the County recently recognized Madison County employees for their years of service from 10 years to 35 years. He thanked the Mayor, Council and Fire Chief for donating the firetruck to the County.

Supervisor Magliocca thanked Supervisor Reinhardt, who is Chairman of the Ways and Means Committee, for getting the agreements for the Oneida Indian Nation tax grants all done at the same time for the City.

Moved by Councilor Smith  
Seconded by Councilor Chamberlain

**RESOLVED**, that the minutes of the regular meeting of October 4, 2016 are hereby approved as presented.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Moved by Councilor Cohen  
Seconded by Councilor Bowe

**RESOLVED**, that Warrant No. 20, checks and ACH payments in the amount of \$354,191.26, 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 Cohen said that it was nice to see everyone's work come to fruition with the payments for several closings in the flood area.

## **MONTHLY REPORTS**

### **RESOLUTION 16-184**

Moved by Councilor Acker  
Seconded by Councilor Smith

**RESOLVED**, that the monthly reports from the Chamberlain, City Clerk, City Engineer, Fire Department, Police Department and Recreation Department be hereby received and placed on file.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Councilor Cohen said that this year at the Recreation Center's Halloween Party on October 29<sup>th</sup>, in conjunction with the Kelberman Center, one hour will be for children with autism.

Councilor Cohen thanked the Police Department for their presence at the schools at the opening of the school year, and also thanked the Fire Department for their Breast Cancer Awareness Program.

**ACCEPT PURCHASE OFFER AND EXECUTE REHABILITATION AGREEMENT**  
**305 N. MAIN STREET**

**RESOLUTION 16-185**

Moved by Councilor Smith  
Seconded by Councilor Simchik

**WHEREAS**, on or about April 29, 2016, the City of Oneida acquired a tax deed for real property known and designated as 305 North Main Street, in the City of Oneida, New York, Tax Map No. 30.63-1-75 ("Property"), **and**

**WHEREAS**, at the May 4, 2016 Common Council meeting, the Property was declared excess property, thereby eligible to be sold for fair market value or demolished, **and**

**WHEREAS**, the Property is in need of rehabilitation, and the City desires to sell and convey said Property to an eligible buyer and obtain a written guarantee, in the form of a "Rehabilitation and Purchase Agreement," from any such buyer that he/she will perform and accomplish the necessary rehabilitation within the agreed upon time frame of one year from the date said Rehabilitation Agreement is executed, **and**

**WHEREAS**, Marty Blair, P.O. Box 175, Verona Beach, NY 13162 ("Buyer") is an eligible buyer, as defined by the Rehabilitation and Purchase Agreement, and he desires to purchase the Property and rehabilitate the Property in accordance with the terms and conditions set forth in such Rehabilitation and Purchase Agreement; **and**

**WHEREAS**, the City of Oneida Charter, Article III, Section 3.17, states that no sale of real property shall be made or authorized except by a vote of  $\frac{3}{4}$  of all members of the members of the Common Council; **now therefore be it**

**RESOLVED**, that the Common Council of the City of Oneida does hereby desire to sell the real property located at 305 North Main Street, Oneida, NY, known as Tax Map No. 30.63-1-75, to Marty Blair in consideration of Fifteen Thousand Dollars (\$15,000.00) and the execution of a Rehabilitation and Purchase Agreement, in a form approved by the City of Oneida Attorney and subject to the contingencies enumerated herein, which together are considered fair market value for the Property in its current condition; **and be it further**

**RESOLVED**, that the Mayor of the City of Oneida is hereby authorized to execute the aforesaid Rehabilitation and Purchase Agreement and that such authorization is contingent upon the execution by the Buyer of the Rehabilitation and Purchase Agreement within thirty days (30) days of the adoption of this Resolution; **and be it further**

**RESOLVED**, that subsequent to the execution of the Rehabilitation and Purchase Agreement, this authorization is further contingent upon the issuance of a written certification by the Housing Inspector for the City of Oneida Fire Department, stating that he has inspected the Property and

that the Buyer has satisfactorily completed all necessary rehabilitation in the time period required by the Rehabilitation and Purchase Agreement; **and be it further**

**RESOLVED**, that upon receipt of the written certification of the Housing Inspection, the Mayor is hereby authorized to execute a deed and any and all documents necessary to complete the transfer of title of said parcel of land; **and be it further**

**RESOLVED**, that the property located at 305 North Main Street, Oneida, NY, known as Tax Map No. 30.63-1-75 shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the properties with the five (5) year period immediately preceding the date on which the Property were taken by the City of Oneida for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) these conveyances shall become null and void to the Buyer, his successors and/or assigns, and (b) the title of the Property shall revert back to the City of Oneida.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

### CELLULAR TELEPHONE ADMINISTRATIVE POLICY

#### **RESOLUTION 16-186**

Moved by Councilor Chamberlain  
Seconded by Councilor Acker

**RESOLVED**, that the Employee Acknowledgement of Receipt and Understanding of the Cellular Telephone Administrative Policy from Fire Chief Kevin Salerno be hereby received and placed on file, **and be it further**

**RESOLVED**, that the Telephone Request Form from Fire Chief Kevin Salerno pursuant to the City of Oneida Cellular Telephone Policy adopted June 15, 2010, Resolution 10-153 and reaffirmed on May 17, 2016, be hereby approved.

Ayes: 6  
Nays: 0

**MOTION CARRIED**

### BUDGET TRANSFERS/AMENDMENTS

#### **RESOLUTION 16-187**

Moved by Councilor Smith  
Seconded by Councilor Bowe

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

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$3,400.98	001.5142.0315 DPW Salt and Ice	001.3410.0318 Fire Turnout Gear

*(to reimburse fire department for the purchase of a diagnostic scanner)*

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$9,995.00	001.9010.0806 ERS Retirement	001.9011.0807 Police & Fire Retirement

*(to allocate money to appropriate retirement account for invoice due in 2016)*

Ayes: 6

Nays: 0

**MOTION CARRIED**

**AGREEMENT – WWTP EXPANSION AND UPGRADE – GHD CONSULTING SERVICES**

**RESOLUTION 16-188**

Moved by Councilor Acker

Seconded by Councilor Smith

**RESOLVED**, to authorize the Mayor to sign a professional services agreement with GHD Consulting Services Inc., One Remington Park Drive, Cazenovia, NY 13035 for the Wastewater Treatment Plant Expansion and Upgrade to accommodate future loadings from HP Hood.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**WAIVE RULE TO ACCEPT AGENDA ITEMS**

**RESOLUTION 16-189**

Moved by Councilor Acker

Seconded by Councilor Smith

**RESOLVED**, that per Resolution 08-180 adopted by the Common Council on August 19, 2008, the provisions of the procedure to accept agenda items is hereby waived.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**DISPOSAL OF OBSOLETE/DAMAGED COMPUTER AND NETWORK EQUIPMENT**

**RESOLUTION 16-190**

Moved by Councilor Acker

Seconded by Councilor Smith

**RESOLVED**, to authorize the disposal of miscellaneous obsolete and/or damaged computer and network equipment as follows:

2003 dell dimension 4550 2.40 GHZ  
1999 HP Laserjet 1100xi  
2000 Micron Client Pro CX/500 w/ monitor  
1999 HP Deskjet Printer 420  
2001 HP LaserJet 1200  
2001 HP LaserJet 1200  
2002 Dell Dimension 4500, P4 256 MB Ram 20 G HD Windows XP, Offi XP Pro  
2004 Dell Optiplex GX280  
2009 Dell Optiplex 760  
2009 HP8730 Notebook PC  
2010 Samsung CLP 630ND Laser Color Printer  
2000 HP Laserjet 1100xi  
2011 Lexmark C544N Printer  
2005 Dell Optiplex GX520  
2011 Minolta Bizhub 20  
2000 Micron Client Pro CP/400 w/monitor  
2004 Dell Dimension 2400 - P4 @2.66 GHz  
2007 Optiplex 745  
2007 Dell Latitude D830  
2008 Dell Optiplex 755  
2009 Dell Latitude E6400  
2011 Toshiba All in One DX1210-STN4N22  
2005 dell precision 370  
2007 Optiplex 745  
2008 Dell Optiplex 755  
2008 Dell Optiplex 755  
2008 Dell Optiplex 755  
2008 Dell Optiplex 755  
2011 HP Compaq 8100  
2007 Quantum DLT Tape Drive  
2008 Dell Optiplex 755  
2009 Dell Optiplex 780  
2010 Dell Optiplex 760

Ayes: 6

Nays: 0

### **MOTION CARRIED**

The equipment will be taken to LoJo Technologies for proper recycling. In response to a question from Councilor Cohen, the City Clerk said all the hard drives on the devices have been wiped clean by the Technology office.

### **NEW BUSINESS**

Councilor Chamberlain thanked everyone for the successful employee luncheon and service award ceremony, noting that 62 employees attended. He said that donations were received from area businesses. The Council thanked Councilor Chamberlain for all his efforts in organizing the event.

Councilor Simchik said his primary phone contact information has changed, and it is available on the City's website.

Mayor Matzke said that voting for the scarecrow contest is tomorrow. He said the next event to be held at City Hall, in conjunction with the American Legion, will honor our veterans on Veterans Day, Nov. 11<sup>th</sup>.

The Mayor said that he has met with the ministers of the City in an effort to change the perception some folks have of the City, and how we can make the City grow and deal with things in a positive way.

### **EXECUTIVE SESSION**

#### **RESOLUTION 16-191**

Moved by Councilor Acker  
Seconded by Councilor Bowe

**RESOLVED** that the meeting is hereby adjourned to Executive Session at 7:00 p.m. for the purpose of discussing the proposed acquisition, sale or lease of real property.

Ayes: 6

Nays: 0

**MOTION CARRIED**

**PRESENT:** Mayor, Councilors, City Clerk, City Attorney, Assessor, Housing Codes Officer

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

**RESOLVED**, that Executive Session is hereby adjourned to the regular meeting at 7:30 p.m.

Ayes: 6

Nays: 0

**MOTION CARRIED**

Motion to adjourn by Councilor Acker

The regular meeting is hereby adjourned at 7:35 p.m.

After the close of the meeting, the Mayor briefly updated the Council on several matters, including the upcoming budget.

City of Oneida

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Susan Pulverenti, City Clerk