

**MINUTES OF THE COMMON COUNCIL
NOVEMBER 17, 2015**

A meeting of the Common Council of the City of Oneida, NY was held on the seventeenth day of November, 2015 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 Smith

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

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
Comptroller Linda Pease
Director of Parks and Recreation Luke Griff
Director of Planning and Development Cassie Rose
Fire Chief Kevin Salerno
Police Chief David Meeker
Councilor-Elect Alan Cohen
Supervisor-Elect Joseph Magliocca

PUBLIC HEARING – MISCELLANEOUS UTILITY BILLING

RESOLUTION 15-254

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Public Hearing for the City of Oneida Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes be hereby opened at 6:30 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

APPEARANCES

None.

Councilor Acker said the relevy amount this year is \$62,196.86.

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that the Public Hearing on said utility billings be hereby closed at 6:31 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

PUBLIC HEARING – 2016 MAYOR'S BUDGET

RESOLUTION 15-255

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the Mayor's 2016 Budget be hereby opened at 6:31 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

APPEARANCES

Rob Kinsella, 629 Florence Avenue, Oneida, Representative of Trestletown Homeowners Association, said he is speaking to the City Engineer portion of the budget. He said that a letter of map revision (LOMR) for Flood Zone A was not updated before their development was put in. Now, they have residents who are being required to have flood insurance, because their units show up as being in the old flood zone. He said that one resident filed a letter of map amendment (LOMA) with an elevation survey; however, FEMA rejected it until the City does the other map. He said this affects six units in their development. Mr. Kinsella said many of those retired residents don't realize they have flood insurance, but it comes into play when they decide to sell their homes. This is making it difficult for them to sell their houses and it is bringing down the home values. He commended City Engineer Jon Rauscher who has been instrumental in putting this together for them. Councilor Smith said the cost is approximately \$8,000. Councilor Bowe said they will be meeting with the City Engineer tomorrow night to go over his budget.

Steve Lowell, President of the Oneida PBA, passed out to the Council and read aloud a statement from the members of the police union. He noted their concern relating to low minimum staffing ratios and failing equipment. Sgt. Lowell said the department is below other municipalities with the same populations, at both State and local levels, most of which have smaller coverage areas. He requested that the position deleted from the budget years ago be reinstated, as they consider this a necessity. He said this year alone, due to negotiated wages and vacant positions, the members have saved the City an estimated \$100K with a projected savings of \$40K next year. He said that the union wants to tilt safety issues in their favor and control certain variables, so they can help reduce the risk to the City, as well as to their members. Sgt. Lowell said it is the PBA's hope that these words are taken into stern consideration during future budget talks.

Councilor Bowe said that two days have been spent on the budget, and the Council is still meeting with various department heads. He said they are nowhere near the end yet.

Mayor Smith said he recognizes the need to support law enforcement and our fire department; however, the challenge he is faced with is balancing what the City pays for and what we can afford. He said it costs about \$100K for each new police officer, which is 3.5% in taxes. He said his budget this year has a smaller imbalance than it has had in many years, but it is still not a balanced budget, being \$642K short. He said he estimates at the current pace of spending, the City will be bankrupt by 2019. He said one item that he put forth, which was met with some controversy, was a change in Medicare retiree's health insurance coverages to save the City \$219K. He said there has to be a balance between the tax increases passing onto our residents and what we can afford to pay. Mayor Smith said he doesn't diminish what Sgt. Lowell is saying, but he wants to underscore the very difficult choices the Council has to face in figuring out how to fund things, including all the equipment our public safety departments need.

Moved by Councilor Bowe
Seconded by Councilor Smith

RESOLVED, that the Public Hearing on the Mayor's 2016 Budget be hereby closed at 6:42 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND CHARTER

RESOLUTION 15-256

Moved by Councilor Smith

Seconded by Councilor Acker

RESOLVED, that the Public Hearing on a proposed Local Law to Amend Charter Article V. Section 5.26 Board of Assessment Review be hereby opened at 6:42 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

APPEARANCES

None.

Mayor Smith said this Local Law is to change the number of board members needed from five to three, so it will be easier to meet obligations of the Board of Assessment Review. Councilor Acker said it is tough to get volunteers to serve.

Moved by Councilor Smith

Seconded by Councilor Bowe

RESOLVED, that the Public Hearing on said proposed Local Law to Amend Charter Article V. Section 5.26 Board of Assessment Review be hereby closed at 6:44 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

OLD BUSINESS

Councilor Zogby inquired if there was any updates on the solar initiative or reports on future sites. Mayor Smith said there will be no detailed reports regarding that effort until after the lawsuit. He said there is a site under review.

Moved by Councilor Acker

Seconded by Councilor Chamberlain

RESOLVED, that the regular meeting minutes of November 4, 2015 are hereby approved.

Ayes: 6

Nays: 0

MOTION CARRIED

Councilor Zogby questioned paragraph 3 in the special meeting minutes from 11/9/15 and asked that they be modified. The City Clerk said she will watch the tape, and present the minutes at the December 1, 2015 meeting for approval.

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that Warrant No. 22 checks and ACH payments in the amount of \$193,057.98, 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 Chamberlain
Seconded by Councilor Simchik

RESOLVED, that Check No. 51496 (Oneida Office Supply) in the amount of \$253.62, as audited by the Voucher Committee, is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5
Nays: 0
Abstain: 1 (Acker)

MOTION CARRIED

**ADOPT LOCAL LAW NO. 3 AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

RESOLUTION 15-257

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the Common Council of the City of Oneida, Madison County, State of New York, pursuant to the Authority vested in it by law does hereby adopt and enact Local Law No. 3 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c as follows:

**LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS
OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Oneida to adopt a budget for the fiscal year commencing January 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Oneida, County of Madison, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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

MOTION CARRIED

Mayor Smith said it was less than 1% this year.

MONTHLY REPORTS

RESOLUTION 15-258

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the monthly reports from the Chamberlain, City Clerk, City Engineer, Comptroller, Director of Planning and Development, Fire Chief, Police Chief, and Recreation Director are hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Acker noted that sales tax revenue is up \$225K and thanked everyone for shopping local.

In response to a question from Councilor Acker, Recreation Director Luke Griff said two portions of the Rail Trail will be opening in the spring, as they are revamping a couple of agreements and spring is a much nicer time to open when people are looking to get outside and walk. In response to a question from Kelly Lewin, Recreation Director Luke Griff said the proposed Rail Trail plan starts in Wampsville at Canal Rd., comes down N. Court Street to W. Elm, continues down past Hubbard Place and makes a left hand turn down W. Elm Street to the old railroad bed behind the Colonial Laundromat. Then the trail

would move on to Liberty Street and out to Williams Street. Director Griff said there is a proposed section from Hubbard Place to behind Lombardi's Chiropractic Office and another proposed section that goes down Middle Road to Sunset Lake. He said that the proposed sections behind the Oneida High School to Maxwell Field are those targeted to be opening in the spring.

Councilor Acker thanked Chief Meeker and the PD for arresting the vandal who damaged the Little League field. Chief Meeker said the court can order restitution. She also thanked the Chief for his efforts with the crossing guard situation saving the City taxpayers money. Councilor Acker thanked the City Engineer for the new lights at the police department.

COMMISSION AND BOARD REAPPOINTMENTS

RESOLUTION 15-259

Moved by Councilor Zogby
Seconded by Councilor Acker

RESOLVED, that the Common Council hereby approves the reappointments of Kathy Malinowski, Donald White and James Dalzell to the Oneida Traffic Safety Advisory Board for additional three-year terms, **and be it further**

RESOLVED, that the Common Council hereby approves the reappointment of John Zamperetti to the Recreation Commission for an additional three-year term.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Zogby congratulated and thanked these volunteers for their service, noting they do a great job.

Mayor Smith recognized the significant number of residents who volunteer their time on the many City boards, and he said we couldn't run our City without them. Mayor Smith said he will be making a few more appointments to fill the various vacancies over the next several weeks. Councilor Acker said the City would love to hear from anyone who would like to volunteer. The City Clerk said there are vacancies on the Sign Board, Ethics Committee, Water Board and Recreation Commission. Councilor Zogby asked that the Boards and Commissions be listed on the website.

ASSESSOR STIPEND

RESOLUTION 15-260

Moved by Councilor Zogby
Seconded by Councilor Acker

RESOLVED, that the Common Council hereby approves a one-time \$600.00 stipend for City Assessor Lonnie Stedman for the additional duties performed during the recent acquisition of real properties on Lake Street, E. Railroad Street and Madison Street, **and be it further**

RESOLVED, that such stipend will be issued to the City Assessor by separate check the first payroll in December 2015.

Ayes: 6
Nays: 0

MOTION CARRIED

BUDGET TRANSFERS AND BUDGET AMENDMENT

RESOLUTION 15-261

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, to approve the following budget transfers:

	FROM	BALANCE	TO	BALANCE
\$1,500	001.9011.0807 (Police & Fire Retirement)	\$2,659.76	001.1680.0405 (Technology Vacation Buy Back)	\$1,500

(Vacation Buyback)

\$6,000	001.9010.0806 (Employees Retirement)	\$24,023.78	001.1315.0405 (Post-Retirement Benefits Actuarial per GASB)	\$6,000
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(It is required by the General Accounting Standards Board that every three year we have and actuarial prepare post-retirement benefits reports for inclusion in our financial statements.)

\$1,000	001.9010.0806 (Employees Retirement)	\$23,023.78	001.1680.0403 (Technology Contracts)	\$1,019.69
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(For Systems East Fees and Software)

\$15,000	001.1420.0419 (Attorney Misc)	\$431.22	001.1420.0411 (Contract Negotiations/Employee Matters)	\$18,316.50
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(There is one bill to pay for \$9,000 now and two more bills yet to come for the year with ongoing matters)

\$7,379	001.3120.0108 (STEP Overtime)	\$0	001.3120.0102 (Police Overtime)	\$8,164.40
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(To re-allocate STEP money that has come in to regular overtime)

\$8,000	001.3310.0300 (Material Supplies)	\$4,445.70	001.5142.0200 (Equipment)	\$8,000
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(For purchase of anti-ice system)

RESOLVED, to approve the following budget amendment:

	FROM	BALANCE	TO	BALANCE
\$295.00	001.3120.414 (Equitable Sharing Exp)	\$295.00	001.0017.1589 (Equitable Sharing Revenue)	\$295.00

Ayes: 6
Nays: 0

MOTION CARRIED

City Engineer Jon Rauscher said the truck was already purchased, so they are using operations money to purchase the anti-ice unit. He said he found one less expensive and a little more simplistic, but it will do the same job. Mayor Smith said this is an effort to save additional money by using a liquid salting system, as opposed to the traditional rock salt system. There are some costs associated with the modifications to do this, but over the long haul the City will get a better result in terms of deicing the City streets and expend less money.

NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT
AND FEMA FLOOD APPLICATIONS

RESOLUTION 15-262

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

WHEREAS, at 2:30 p.m. on June 28, 2013, a local state of emergency was declared by the Mayor of the City of Oneida pursuant to Section 24 of the New York State Executive Law, Article 2B in response to the flooding of Oneida Creek in and around the City of Oneida; **and**

WHEREAS, due to the hazards associated with the flooding of Oneida Creek throughout the City of Oneida, Emergency Orders establishing restrictions were issued on June 28, 2013; **and**

WHEREAS, the Emergency Orders designated the perimeter of the impacted area as follows: “[f]rom the intersection of Madison Street and Lake Street, to the intersection of Linden Street and Cedar Street, to the intersection of Mott Street and Cedar Street, to the intersection of Lenox Avenue and Cedar Street, to the intersection of MacArthur Parkway and Pleasant Street, to the intersection of MacArthur Parkway and Lexington Avenue, to the intersection of East Walnut Street and Wilbur Street, along the Madison/ Oneida County Boundary Line from Sconondoa Street to Prospect Street (Route 365A);” **and**

WHEREAS, as a result of such extensive flooding, a significant number of properties within the identified impacted area sustained substantial damage; **and**

WHEREAS, to assist the owners of real property within the impacted area and to mitigate the potential for future damage and loss, the City of Oneida applied to the New York State Office of Emergency Management for assistance, made available through the Federal Emergency Management Agency’s (FEMA’s) Hazard Mitigation Grant Program (HMGP), to buyout and demolish flooded properties; **and**

WHEREAS, Deputy Mayor Helen Acker was informally designated by the Common Council as the “point of contact” to facilitate such application on behalf of the City of Oneida and, acting in this unofficial capacity, proceeded to prepare the application and materials that were submitted to and considered by the New York State Office of Emergency Management and FEMA; **and**

WHEREAS, in her capacity as the informal point of contact, Deputy Mayor Acker signed the application and accompanying documents on behalf of the City of Oneida, as applicant; **and**

WHEREAS, it has subsequently been brought to the attention of the City of Oneida that formal authorization, in the form of a resolution, was never passed by the Common Council authorizing Deputy Mayor Acker to act on behalf of the City of Oneida; **and**

WHEREAS, recognizing the efforts extended by Deputy Mayor Acker to facilitate the aforementioned application and the positive impact such grant monies will have upon the City of

Oneida, it is the desire of the Common Council to formally authorize Deputy Mayor Acker to act on behalf of the City throughout the application process with the New York State Office of Emergency Management and FEMA and ratify all action taken by Deputy Mayor Acker thus far on behalf of the City.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Oneida Common Council does hereby authorize Deputy Mayor Helen Acker to serve as the “point of contact” for the New York State Office of Emergency Management and Federal Emergency Management Agency, relative to Hazard Mitigation Grant Program and the flooding event that occurred in the City of Oneida on June 28, 2013; **and it is further**

RESOLVED, that the Common Council does hereby authorize and ratify any and all actions, including, but not limited to, the execution of the application and necessary documentation for the Hazard Mitigation Grant Program, taken by Deputy Mayor Acker on behalf of the City to effectuate such application.

Ayes: 6

Nays: 0

MOTION CARRIED

Councilor Acker said about two weeks ago FEMA started contacting the City through the State’s Division of Emergency Services and Homeland Security. The City has applied for a \$22M grant for the buyout program in the flats area. She said it has taken her a long time to go through the 12 page application with each individual in the flood area. Councilor Acker said she sat with the City Engineer and Planning Director to put together a package of what it would cost the City to take houses down, green space them and never build on those sites again. She explained that the money the residents receive would pay off any mortgages, taxes, etc. up front. She said that she was originally told that last year in December this would be completed; however, it did not happen. She said there are a lot of governmental agencies involved. FEMA is now in possession of all the documents and are going through them with a fine toothed comb. She said there has been a flurry of information over the past two weeks requesting verifications of resident’s signatures, deeds and property ownership, etc. She said they have not provided the City with a deadline date; they just say it is a process. She said there are 156 homeowners with so many things left up in the air for them to decide. Councilor Acker said that FEMA has requested the Council confirm one contact person, and because of her involvement from the beginning, the Council is formally authorizing her as that contact. Mayor Smith commended those involved with this process, and Councilor Acker said the City was very prepared and within a day or so, the requested documents were provided to FEMA.

SHARED SERVICES AGREEMENT

RESOLUTION 15-263

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, to authorize the Mayor to sign a Shared Service Agreement by and between the City of Oneida and the New York State Department of Transportation (NYS DOT) to utilize brine storage from a tank in the Oneida DOT facility on Lenox Avenue to apply liquid brine to the roadway surfaces in the City of Oneida in return for a service, equipment use or materials at about an equal value.

Ayes: 6

Nays: 0

MOTION CARRIED

The Mayor said this agreement is so that the City will have brine storage and will not have to build our own storage facility.

NEW BUSINESS

The Comptroller said she has an additional agenda item. She said that the previous administrations have adopted Fund Balance Policies for setting the bottom of where the City would like to see the Fund Balance go to, and she is comfortable with the 20% that was previously set. She said she had a discussion with Standard and Poor's, who indicate this policy weighs in on our credit rating score. The Comptroller said without this policy, it could potentially affect our credit rating. Councilor Smith asked what the State recommends, and the Comptroller said they don't have one. She said they throw the 5% out there, but that is not a reasonable amount to have in the Fund Balance. Mayor Smith said in the current budget we are at about 35%, so we are easily able to accomplish this. The Mayor said this is because we are going to bond for the first time in four years.

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 15-264

Moved by Councilor Bowe
Seconded by Councilor Acker

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

FUND BALANCE POLICY

RESOLUTION 15-265

Moved by Councilor Smith
Seconded by Councilor Bowe

WHEREAS, the Common Council is the legislative and policy making body of the City of Oneida, **now therefore be it**

RESOLVED, that fund balance should be appropriated only after careful consideration of its impact on future fiscal conditions of the City of Oneida and should only take place as a part of the annual budget process. Prior Year Fund Balance should not be considered as a regular source to offset Estimated Appropriations. Additional appropriations of Fund Balance subsequent to adoption of the Annual Operating Budget shall be discouraged, **and be it further**

RESOLVED, that the Common Council's recommendation to set a minimum level of fund balance to be kept at all times, 20% of the General Fund's Budget is hereby approved.

Ayes: 6

Nays: 0

MOTION CARRIED

NEW BUSINESS

Councilor Acker said if anyone has any interest in getting buyout updates, she has a Facebook page called “Future of the Flats” where she posts any news relating to the buyout. She said when FEMA gives the City the grant, they will tell the State, who in turn will notify the City. The City will then send out a letter to the residents involved.

Councilor Chamberlain gave kudos to Mr. Curtin, whose property on West Elm Street was condemned a year ago. He said it looks beautiful now and was kept on the tax rolls.

Mayor Smith said the workforce housing on Warner Street is progressing and looks really great. Mayor Smith said he is ecstatic about how the HP Hood expansion has worked out. He said there were a number of concerns from residents about the potential impacts and he said most all of those concerns have been met. He commented on the attractive acoustic fencing that was designed and erected, which doesn’t negatively affect the park. The Mayor said this is a major business expansion with significant taxes that the City surely needs.

City Clerk Sue Pulverenti said she received the official election results from Madison County today and of the 5,872 registered voters in the City, only 2,469 exercised their right to vote in the past election. The Mayor quoted Thomas Jefferson stating “Democracy only works when an informed electorate participates” and you can’t say that 42% is reflective of a participating and involved electorate.

Mayor Smith said he wanted to give his congratulations to those who participated in hard fought races, some who are experiencing victory and some the unpleasant taste of defeat. He wished Mr. Matzke and Mr. Cohen every success. The Mayor said it is appropriate to remember that the objective is having a better, more vibrant, happy Oneida.

Supervisor-elect Joe Magliocca said at the County Supervisor’s meeting today, a resolution was passed authorizing payment of \$67K to the City of Oneida for special assessments. He said they did not, however, give any educational grants. The City of Oneida school district was shorted \$482K. He said that the County distributed 30.4% of the settlement monies received last year, and this year they are only giving out 7.4%. He said they are going backwards at a quick pace. Mr. Magliocca said the schools sent letters to the Chairman and County Supervisors, which fell on deaf ears. He said more than one Supervisor told him that it is up to Governor Cuomo to make the schools whole. He said that he reminded the County that because of the agreement with the Nation, State and Counties, not only was the City of Oneida’s agreement voided, so were all the Silver Covenant agreements with the schools. He said this doesn’t bode well for the education of our children and quality of life. He said that after January he will work hard to reinstitute that money in the future. Mayor Smith said this is in stark contrast to what Oneida County has chosen to do and how they are allocating the funds. Mr. Magliocca said Oneida County’s plan is called “Partners in Prosperity Funding.” Councilor Acker said that Mr. Magliocca will be a good advocate for the City.

DISCUSSION OF 2016 MAYOR’S BUDGET

Councilor Acker said this is a work session for the Council.

Planning Director Cassie Rose said her budget is pretty much the same as last years. She said the material and supply line is down from last year by \$200 and expenses are down by \$150. She said there is Community Development program income funds that can be put towards supplies and materials and also pays for the annual audit of the grant programs in our department. Ms. Rose said, as always, the department’s salaries are offset by the grants being worked on in any given year. She said she never knows how much money will be offsetting until the awards are announced. She said there is \$15K in the contract line for a National Historic District Nomination for downtown, as it is a key element to what is

being done with the Downtown Revitalization Program. She said she has a line on some private funding that may be donated to pay for that, and if that is the case, she would like to keep the \$15K in the budget to roll over and be used to hire a grant writing firm to do a full Main Street Grant Application in 2016. She said she didn't originally put that in the budget, because she was not sure how New York's State Historic Preservation Office (SHPO) was going to look at our downtown and if there were enough historic buildings still downtown to do a Historic District Nomination. If SHPO decides that is not feasible, it will make a big change in our Main Street Grant Application. Director Rose explained the district nomination. She said there is currently the Main/Grove/Broad Streets Historic District in the City. She said in order to move forward with any type of City Center revitalization program that has any chance of succeeding, the City has to be able to offer building owners/investors the significant tax credits that come along with being in a historic district. She said she has been working with SHPO, who walked the streets downtown and are very interested in the downtown. She said the Fire Chief and Councilor Smith have helped her identify the areas caused by fire, which helps them to say this was not the community's doing, so they can look at the downtown with more continuity. She said she is working with the Oneida City Center Committee made up of building owners, outsiders and investors who have an interest in promoting and furthering the City Center. Ms. Rose said this project has incredible potential. Mayor Smith sang the praises of this City Center initiative. Ms. Rose explained how the use of State and federal funding works.

Recreation Director Lucas Griff said that his budget is down \$10K from last year. The new boiler for the center is listed as a Capital Project. He said the only new item is a dog park planned for the grassy area behind the Recreation Center. He said he was approached by a resident with a petition signed by 136 people who were in favor of a dog park in the City. Councilor Bowe said this was looked into several years ago, noting he went to Rome to look at their dog park. The cost and type of fencing for the area, seeking donations, volunteer groups, behavior rules and other potential locations was discussed. Mayor Smith said if Oneida Hotel is developed they will need parking, and that grassy area could be utilized for that. He said land will be available in the flats for a dog park, and Councilor Acker said fencing is not considered permanent, so a dog park could be placed there. Councilor Zogby suggested a meeting of dog owners and interested residents with the Recreation Director and/or Recreation Commission. Director Griff said \$2,500 is a reasonable amount to accomplish the mission, and Councilor Bowe suggested leaving this in the budget. Mayor Smith said liability issues need to be looked into as well. The contracts line for youth basketball was briefly discussed, noting the fall program has just begun. The Director said he is planning to expand the program next year. Director Griff said the revenue for the Halloween party (page 17) should be \$300 in line 001.0017.2013.

Deputy Mayor Acker said the City Chamberlain will not be here tonight, and she passed out a document prepared by the Chamberlain outlining the duties of the office. Deputy Mayor Acker said the list includes what is done on a daily basis and throughout the year, and also includes what the Charter states for that position. Deputy Mayor Acker questioned whether the Chamberlain has had additional responsibilities added over the years. The City Clerk said the Chamberlain is ruled by the Charter. The City Clerk said the Chamberlain has tried to accommodate the Comptroller's office by doing the majority of the work herself and having her part-time account clerk only one morning a week; however, in the busy January tax season, the clerk will be utilized more often. Deputy Mayor Acker said this position takes in all the City money. In response to a question from Deputy Mayor Acker, the City Clerk said the Police Department issues the parking tickets and the individuals pay the ticket to the Chamberlain. If the customer does not have their ticket with them, the Chamberlain calls over to the Police Department to get the ticket number to enter it in the system. The Police Department brings over the pink copies of the tickets each day, which the Chamberlain keeps in a file waiting for payment. Councilor Bowe read aloud Section 1, Recognition of the CSEA contract, which states "the term "employee" shall not include the persons occupying the following positions, which for the purpose of this Agreement are deemed managerial, supervisory, or confidential within the meaning of the Taylor Law, to wit: City Chamberlain, City Comptroller, City Clerk, Deputy City Clerk..." and continues on listing the other department heads and management confidential employees. Councilor Bowe said this is in the contract and that is why she has been treated as managerial and provided raises. The City Clerk said the CSEA union recognizes that the

City Chamberlain has a CSEA employee under her control, so that could be why they have it in there. Councilor Zogby asked if that wouldn't hold true for the Mayor, and the Comptroller and Council said all the employees are under the Mayor's authority. Councilor Zogby reiterated that the Chamberlain is an elected official and the lengthy debate continued. Councilor Bowe said he has no administrative power, however, the Chamberlain is an elected official and also a department head who supervises an employee. Councilor Zogby questioned if the Mayor was a department head, and the Comptroller said the Mayor is the CEO. Councilor Zogby questioned the salary of the Chamberlain at \$43K this year, while Mayor is at \$27K and the Council is at \$5,700 and said that may be part of the issue. Councilor Zogby said the Mayor's and Council's pay have not gone up since 2002 and questioned why the Chamberlain received annual raises, while other elected officials have not. He questioned the amount of work being done by the Chamberlain.

Mayor Smith said not recognizing the value of a position or attempting to say this position is not worth what we are paying tends to under mind the strength of the argument. The Mayor said the strength of the argument is that the Chamberlain is an elected position, and he believes that all of the Council is underpaid, and the Mayor's position is underpaid and underfunded. He said if the Council positions were paid \$12K rather than \$5,700, there may have been more people interested in running for office. He said there may be a correlation between only one race being contested and how many people come out to vote. Councilor Chamberlain said raises have never been added to the Mayor's budget or discussed during any of the budget talks for years and years, so how important is it? Deputy Mayor Acker said this has just been accepted for the City Chamberlain. Councilor Zogby said the Council should revisit having the Chamberlain position appointed rather than elected, and he said he is concerned about the runaway salary for an elected official. Discussion included salaries of the different Mayor's, some who received incremental wage increases and reasons why other Mayor's lowered the salary. Deputy Mayor Acker said elected positions should not automatically get annual raises. She said when you run for a position, you make the assumption that you will be receiving the current salary in place. She questioned why anyone would run for a position without knowing what the salary is. Councilor Zogby said now that the Council is aware of this, what is going to be done? The City Clerk said the 2015 salary was \$42,039 and with the increase for 2016 the salary is proposed at \$43,089. Councilor Acker asked if the Council wants to make a decision tonight or wait. Councilor Smith proposed to leave the salary at the 2016 rate. Discussion resumed about whether to increase the salary or not. The City Clerk said when the Chamberlain prepared her budget, the salary used came from the Comptroller's office, which included an increase. Discussion resumed about the various salaries proposed by the different Mayors. The City Clerk said the Council has the authority to give themselves a raise, and Councilor Bowe said they have the authority to take it away, as well. The City Clerk said she will look up the salary history of elected officials from previous years. Councilor Bowe said he would rather see money in the budget for training for the Councilors. The Council took a straw vote and decided 4 to 2 to leave the Chamberlain's salary at the proposed 2016 rate. The City Clerk reminded the Council that if they choose to change the office of the City Chamberlain, it would have to go to referendum, and the Deputy Mayor said the public would have to vote to change that. The Deputy Mayor said tomorrow night budget talks will continue with Water, Hydrant, DPW, Sewer, and Fire.

EXECUTIVE SESSION

RESOLUTION 15-266

Moved by Councilor Bowe
Seconded by Councilor Chamberlain

RESOLVED that the meeting is hereby adjourned to Executive Session at 8:55 p.m. for the purpose of discussing a personnel issue.

Ayes: 6
Nays: 0

MOTION CARRIED

PRESENT: Mayor, Councilors

1. Discussion relating to a personnel issue.

Moved by Councilor Bowe

Seconded by Councilor Chamberlain

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 9:37 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

Motion by Councilor Bowe

Meeting adjourned 9:37 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk