

**MINUTES OF THE COMMON COUNCIL
DECEMBER 20, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the twentieth day of December, 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
Comptroller Lee Ann Wells
Fire Chief Kevin Salerno
Recreation Director Luke Griff
Supervisor Joe Magliocca

OLD BUSINESS

Jill Christian Lynch, Oneida, inquired if there were any updates on the solar project. She also asked about the status of the lease agreement with GroSolar for the Baker Reservoir property. Mayor Matzke said that they are moving ahead with the project off Hubbard Street. He said there are two properties that are being combined and noted that the company has run into some difficulties with boring, because of the heavy shale. The Mayor said they will be building an access road to the site rather than using the trail. Mayor Matzke briefly consulted with the City Attorney about the lease, as well as, the easement who said that she would look into it. The Mayor told Mrs. Lynch that he will email her with the findings.

SUPERVISORS REPORT

Supervisor Joe Magliocca said the Oneida Indian Nation has continued to acquire property in the City since the signing of the agreement with NYS and the Counties. He said the County can bill the Nation for those properties, \$4.2M of which is in the City. At the Board of Supervisors meeting today disbursements were approved for the City - \$37,655, City Fire District - \$339, School District - \$99,228, City Hydrant - \$397 and Library - \$1,967.

Supervisor Magliocca said there was a County Resolution to honor three 911 operators who received the Red Cross American Heroes Award. He said that as it comes to the end of the first calendar year of his two-year term as a County Supervisor, it is his honor and pleasure to serve this community.

Mayor Matzke inquired if the City will continue to have to ask each year for payment or will this just be a recurring payment. Supervisor Magliocca said this is listed as a reoccurring item, but as long as the funding comes from the State, the County, will in good faith, provide the monies to the City. Supervisor Magliocca said that 55-60% of all OIN land is in the City of Oneida.

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that the minutes of the regular meeting of December 6, 2016 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Cohen
Seconded by Councilor Bowe

RESOLVED, that Warrant No. 24, checks and ACH payments in the amount of \$514,617.95, 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

MONTHLY REPORTS

RESOLUTION 16-225

Moved by Councilor Acker
Seconded by Councilor Simchik

RESOLVED, that the Monthly Reports from the Chamberlain, City Clerk, Comptroller, Fire Department, Police Department and Recreation Department be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Smith noted that the sales tax amount for this period is lower and sales tax was briefly discussed. The Mayor said that the City cannot look up individual locations. The Mayor said the amounts paid come in at different rates, both higher and lower, as the State seems to level it off. The online buying sales tax collection was briefly discussed, with Councilor Acker noting that not every state collects sales tax.

AUTHORIZE MEDICARE PART B REIMBURSEMENT PAYMENTS TO RETIREES

RESOLUTION 16-226

Moved by Councilor Chamberlain
Seconded by Councilor Acker

RESOLVED, that the City Comptroller be, and hereby is authorized and directed, throughout the period from January 1, 2017 to December 31, 2017, to reimburse the cost of Medicare Part B coverage to all eligible retired City employees and eligible dependents, regardless of union or non-union affiliation, in accordance with the provisions regarding such reimbursement as set forth in the current contracts of CSEA, Inc., Local 1000 AFSCME and Oneida Paid Firefighters Association Local 2692, **and be it further**

RESOLVED, that the City Comptroller be, and hereby is authorized and directed, throughout the period from January 1, 2017 to December 31, 2017, to reimburse the cost of Medicare Part B coverage to all eligible retired City employees and eligible dependents, who retired prior to July

1, 2015, regardless of whether said retiree and any eligible dependent is enrolled in the City's Medicare Advantage & Prescription Program.

Ayes: 5

Nays: 0

MOTION CARRIED

Councilor Smith recused himself and left the room.

AMEND CAPITAL PROJECT 16-04 – WWTP DISINFECTION IMPROVEMENTS

RESOLUTION 16-227

Moved by Councilor Smith

Seconded by Councilor Acker

WHEREAS, the current estimate sheet for Capital Project 16-04 – Disinfection Improvements does not match the previously approved total for bids and engineering services, **now therefore be it**

RESOLVED, to amend Capital Project 16-04 – WWTP Disinfection Improvements to upgrade the existing disinfection system to meet updated DEC SPDES total residual chlorine limits in the amount of \$907,779.00.

Ayes: 6

Nays: 0

MOTION CARRIED

AGREEMENT – OPERATION WILD CATS

RESOLUTION 16-228

Moved by Councilor Smith

Seconded by Councilor Chamberlain

RESOLVED, to authorize the Mayor to sign an agreement with Operation Wild Cats, Ltd., PO Box 631, Canastota NY 13032 to provide feral cat control in the City of Oneida for the year 2017 in an amount not to exceed \$1,000.

Ayes: 6

Nays: 0

MOTION CARRIED

BUDGET TRANSFERS & AMENDMENTS

RESOLUTION 16-229

Moved by Councilor Acker

Seconded by Councilor Chamberlain

RESOLVED, to approve the following budget transfers:

<u>Amount</u>	<u>From</u>	<u>To</u>
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\$2,700 001.9010.0806 001.9050.0803
ERS Retirement Unemployment

(To fund unexpected unemployment costs)

\$1,000 001.1990.0400 001.3510.0400
Contingency Operation Wild Cats

(To fund feral cat control program)

\$1,500 003.8110.0405 003.8110.0411
Bldg. Maintenance & Repairs Vehicle Maintenance

(To fund paint for newly purchased sewer truck)

RESOLVED, to approve the following budget amendments:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$30,359	003.9910.0900 Sewer Fund Transfer to Capital	0302.8110.0400 Sewer Disinfection Improvements

(To fund Capital Project 16-04 – Disinfection Improvements at WWTP to meet updated DEC SPDES total residual chlorine limits)

Ayes: 6

Nays: 0

MOTION CARRIED

The Mayor said the feral cat funding is for 2017.

APPROVE REAPPOINTMENT TO SIGN REVIEW BOARD

RESOLUTION 16-230

Moved by Councilor Chamberlain

Seconded by Councilor Cohen

RESOLVED, that the Common Council hereby approves the Mayor's reappointment of Jason White to the Sign Review Board for a three-year term.

Ayes: 6

Nays: 0

MOTION CARRIED

AMUSEMENT DEVICE LICENSE

RESOLUTION 16-231

Moved by Councilor Chamberlain

Seconded by Councilor Bowe

RESOLVED, that the following 2017 Amusement Device License be hereby approved:

- Pepi's Pizza, 228 Genesee Street, Oneida NY 13421

Ayes: 6

Nays: 0

MOTION CARRIED

2017 WATER RATES & WATER SERVICE CHARGES

RESOLUTION 16-232

Moved by Councilor Acker

Seconded by Councilor Simchik

RESOLVED, that per the recommendation of the Water Board, the 2017 City of Oneida Water Rates and Water Service Charges, attached hereto, be hereby approved.

Ayes: 6

Nays: 0

MOTION CARRIED

The Mayor said the minimum charge went up 50 cents.

STOCKBRIDGE WATER MAINTENANCE AGREEMENT

RESOLUTION 16-233

Moved by Councilor Chamberlain

Seconded by Councilor Bowe

RESOLVED, to authorize the Mayor to sign the 2017 Stockbridge Maintenance Agreement.

Ayes: 6

Nays: 0

MOTION CARRIED

WATER TREATMENT PLANT GENERATOR REPLACEMENT

RESOLUTION 16-234

Moved by Councilor Smith

Seconded by Councilor Cohen

RESOLVED, that the appropriation of funds in the amount of \$80,000 for Capital Project 16-09, WTP Generator Replacement be hereby authorized, **and be it further**

RESOLVED, that the Water Superintendent is hereby authorized to expend funds for said project.

Ayes: 6

Nays: 0

MOTION CARRIED

CONTRACT - FIREWORKS

RESOLUTION 16-235

Moved by Councilor Chamberlain
Seconded by Councilor Smith

RESOLVED, to authorize the Mayor to sign a contract with Majestic Fireworks, Inc., 29 College Street, Clinton NY 13323 for a fireworks display at Veteran's Memorial Field on December 31, 2016 to be paid for with donations.

Ayes: 6
Nays: 0

MOTION CARRIED

Supervisor Magliocca thanked the Mayor for reviving this wonderful event. He said he is glad to see it back, and Majestic Fireworks does a great job.

ON-PREMISES ALCOHOLIC BEVERAGE LICENSE RENEWAL NOTIFICATION

RESOLUTION 16-236

Moved by Councilor Smith
Seconded by Councilor Cohen

RESOLVED, that the 30-Day Advanced Notice to a Local Municipality of a renewal application to be filed with the NYS Liquor Authority for an On-Premises Alcoholic Beverage License from Alexander's Ragtime, Inc. 132 Main St. Oneida NY be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

**BRIDGES A/K/A MADISON COUNTY COUNCIL ON ALCOHOLISM AND
SUBSTANCE ABUSE, INC. AGREEMENT**

RESOLUTION 16-237

Moved by Councilor Chamberlain
Seconded by Councilor Cohen

RESOLVED, that the Mayor is hereby authorized to sign the 2017 annual agreement in the amount of \$2,048.00 with BRiDGES a/k/a Madison County Council on Alcoholism and Substance Abuse, Inc. for the Employee Assistance Program.

Ayes: 6
Nays: 0

MOTION CARRIED

This is a Federal mandate.

NEW BUSINESS

The Mayor said that at the end of the meeting the Council will go into Executive Session to discuss a proposed intermunicipal agreement with the City Attorney.

ACTING POLICE CHIEF PAUL THOMPSON– SWEARING-IN CEREMONY

Lt. Paul Thompson was sworn in by City Clerk Sue Pulverenti, as the Acting Police Chief for the City of Oneida. Police Chaplain Fucci said a prayer before the ceremony. Public Safety Commissioner Mike West, members of the PBA, Fire Department, and a strong presence from the Police Department were on hand to honor our new Acting Chief Paul Thompson.

Mayor Matzke said that Acting Chief Thompson has been good to work with and thanked him for his service. The Mayor said that Chief Meeker’s shoes are hard to fill, and the City misses him very much. Acting Chief Thompson thanked the Mayor and Council for their support over the past few months. Both the Mayor and Acting Chief Thompson said they appreciated the support of the department, as evidenced by so many police officers attending the ceremony. A rousing round of applause was given to our new Acting Chief.

EXECUTIVE SESSION

RESOLUTION 16-238

Moved by Councilor Acker
Seconded by Councilor Smith

RESOLVED, that the meeting is hereby adjourned to Executive Session at 7:15 p.m. to seek advice of counsel regarding a proposed intermunicipal agreement.

Ayes: 6
Nays: 0

MOTION CARRIED

PRESENT: Mayor, Councilors, City Clerk, City Attorney,

1. Discussion relating to a proposed intermunicipal agreement.

Moved by Councilor Chamberlain
Seconded by Councilor Acker

RESOLVED, that Executive Session is hereby adjourned to the regular meeting at 8:00 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

Motion to adjourn by Councilor Acker

The regular meeting is hereby adjourned at 8:00 p.m.

City of Oneida

Susan Pulverenti, City Clerk