

**MINUTES OF THE COMMON COUNCIL
MARCH 1, 2016**

A regular meeting of the Common Council of the City of Oneida, NY was held on the first day of March, 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, and Thomas Simchik

ABSENT: Councilor James Chamberlain

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Civil Service Officer Tammy Burkhart
Comptroller Linda Pease
Director of Parks and Recreation
Fire Chief Kevin Salerno
Planning Director Cassie Rose
Police Chief David Meeker
Supervisor John Reinhardt
Supervisor Joe Magliocca

OLD BUSINESS

Buyout Program

Councilor Acker stated the City has received word from NYS Department of Homeland Security Division of Emergency Services that we have received a grant for the Buyout Program in the flats. There will be an open meeting for the residents involved on Thursday evening, March 3rd. Mayor Matzke said there will be signups and handouts available.

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the minutes of the regular meeting of February 16, 2016 are hereby approved as presented.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

Councilor Cohen said, with respect to a comment in the minutes stating he was unfamiliar with the project, he received information from the City Engineer on the replacement of the HVAC chiller at the Kallet Civic Center. He said his concern was because of President's Day being Monday, he only had one day to prepare, adding that rush decisions are not always his best. He thanked City Engineer Rauscher for bringing him up to speed on the project.

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, that Warrant No. 5, checks and ACH payments in the amount of \$316,243.89, 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
Absent: 1 (Chamberlain)

MOTION CARRIED

Moved by Councilor Simchik
Seconded by Councilor Smith

RESOLVED, that Check No. 54846 (Oneida Office Supply) in the amount of \$135.15, 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: 1 (Chamberlain)
Abstain: 1 (Acker)

MOTION CARRIED

AGREEMENT FOR DPW UNIFORM SERVICE

RESOLUTION 16-45

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign a three-year agreement with G & K Services, 9416 River Road, Marcy NY 13403 to provide uniforms and shop towels for the Department of Public Works.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

SPECIAL EVENTS APPLICATION

RESOLUTION 16-46

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, to approve the following Special Events Application:

<i>Name of Event:</i>	2016 Walk for Autism
<i>Sponsor:</i>	The Kelberman Center
<i>Address:</i>	1620 Mary Street, Utica, NY 13501
<i>Event Date:</i>	Saturday, April 16, 2016

Ayes: 5

Nays: 0
Absent: 1 (Chamberlain)
MOTION CARRIED

CORPORATE AUTHORIZATION RESOLUTION

RESOLUTION 16-47

Moved by Councilor Bowe
Seconded by Councilor Simchik

RESOLVED, the City of Oneida (referred to as Corporation) named in this Resolution hereby approves and adopts the Corporate Authorization Resolution with NBT Bank, 52 South Broad Street, Norwich, NY 13815 (referred to as Financial Institution) as follows:

1. The Financial Institution is designated as a depository for the fund of the Corporation and to provide other financial accommodations indicated in this Resolution.
2. This Resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior Resolutions adopted by the Board of Directors of the Corporation and certified to the Financial Institution as governing the operation of this corporations account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of this revocation, modification, or placement. Any revocation, modification or replacement of a Resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority of the changes.
3. The signature of an Agent on this Resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders, which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this Resolution or otherwise agreed to in writing.
4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts, and borrowings by or on behalf of the Corporation with the Financial Institution prior to adoption of this Resolution are hereby ratified, approved and confirmed.
5. The Corporation agrees to the terms and conditions of any account agreement, properly owned by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.
6. The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this Resolution or other Resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
7. The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this Resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital

signatures. If a facsimile signature specimen has been provided on this Resolution, (or are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed, so long as it resembles the facsimile signature specimen on the file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

The Mayor said this Resolution for the bank has to be authorized by the Council and appear in the minutes. Comptroller Linda Pease said the Charter only allows the Mayor and Comptroller as signatories on the accounts. The Comptroller said this Resolution gives the City Chamberlain authorization to inquire about accounts and deposits that she makes, adding that it was an oversight that the Chamberlain was previously left out.

SUMMER CONCERTS IN THE PARK

RESOLUTION 16-48

Moved by Councilor Bowe
Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign various agreements for the 2016 summer concerts the park, as they are received, in a total amount not to exceed \$3,500.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

BUDGET TRANSFERS

RESOLUTION 16-49

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, to approve the closure of Capital Project 12-24 Fish Creek Crossing and approve the following budget transfers:

AMOUNT	FROM	TO
\$148,381.89	202.9901.0900 Fish Creek Crossing Transfer Expense	002.0024.5031 Water Transfer Revenue

(To close the capital project and transfer to water fund)

AMOUNT	FROM	TO
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\$4,000 001.3410.0107 001.3410.0413
 EMT Overtime EMT Training
(All of the EMT money was put into EMT overtime, some of it was for training)

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

Mayor Matzke said the Capital Project for Fish Creek Crossing came in under budget and on time. He applauded Water Superintendent Art Smolinski.

ADVERTISE FOR BIDS – HYDRANTS, PIPES & MATERIALS

RESOLUTION 16-50

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, to authorize the Purchasing Agent to advertise for bids for hydrants, pipes and materials for the Water Department.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

AGREEMENT – WWTP CAPACITY EVALUATION

RESOLUTION 16-51

Moved by Councilor Simchik
Seconded by Councilor Acker

RESOLVED, to authorize the Mayor to sign a Services Agreement with GHD Consulting Services, Inc., One Remington Park Drive, Cazenovia NY 13035 for the preparation of an engineering report for the City of Oneida Wastewater Treatment Plant Capacity Evaluation in the amount of \$28,600.00.

Ayes: 5
Nays: 0
Absent: 1 (Chamberlain)

MOTION CARRIED

NEW BUSINESS

Proposed Solar Project

Jill Christian Lynch, Oneida, said that GroSolar reached out to residents of the Oneida Heights group; however, the residents have declined their invitation to meet. She said although they are still in pending litigation with the City, the primary reason for not meeting with GroSolar was because the Common Council, as partners in this project, were not invited. She said after conversing, GroSolar said that the residents could invite the Council. Mrs. Christian-Lynch said it was a disingenuous invitation, because it

is a year after the fact that they decided to place this project in their neighborhood, and of the five people GroSolar had coming, three were in public relations. She said no one from Twin Lantern Solar LLC (the company this will be transferred to) would be in attendance, and nothing would be in writing or binding. She said they wanted to address mitigation issues rather than the residents' concerns that they are putting this project in their neighborhood. She encouraged the Council to ask GroSolar for engineering reports of why the alternative sites looked at were not feasible locations. She cited discrepancies in certain forms submitted by GroSolar to the Planning Commission and NYSERDA. Mrs. Christian-Lynch gave the Mayor permission to share with the Council the information sent him with the Council.

YourGov – DPW Tracking and Reporting of Non-Emergency Issues

Councilor Simchik said the City Engineer's office is using the YourGov phone app, whereby a picture of a problem can be taken and uploaded directly to the City Engineer. City Engineer Jon Rauscher said this app is used to track and report non-emergency DPW issues, i.e. potholes, trees, etc. He said they put items on a daily task list where department officials can each see the problems needed to be completed and closed out during the day. The City Engineer said this will help in determining where to allocate funding for various projects. He said the free YourGov app is also available for download to cellphones.

Business Friendly

Councilor Simchik said he wants to address the relationship between the City and businesses. He said that last year the Sign Committee put forth recommendations for updating the Sign Ordinance, which were provided during the budget process when the Council was very busy. He said he would like to see all outdated codes information be brought up to speed, so as to promote business in the City. Mayor Matzke said there is currently more positive happening, but we can certainly do more. The Mayor said there is a major effort downtown. He said he has met with Hunt Realty to gather different ideas of how to market our City better and change the image, and in April, he will be working on the Hotel Oneida matter. He said right now he is focusing on the Buyout Program. Mayor Matzke said the City can do more, adding he would like to change the image for non-profits.

Buyout Program

Councilor Bowe said the City should contact the County with respect to the demolition work to be done in the flats, and the City Engineer said he has been talking with Jim Zecca, Director of the Madison County Department of Solid Waste. Councilor Cohen suggested looking into use of the National Guard or Army Corp of Engineers for help with the demolition project, just as the City of Utica did years ago by using their demolitions as a training project.

Oneida Public Library

Councilor Acker reminded everyone that the polls are open until 9:00 p.m. to vote on the proposed library budget.

Motion by Councilor Bowe

The regular meeting is hereby adjourned at 6:56 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk