

**MINUTES OF THE COMMON COUNCIL
DECEMBER 12, 2017**

A special meeting of the Common Council of the City of Oneida, NY was held on the twelfth day of December, 2017 at 6:00 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, Mike Bowe, Erwin Smith,
Helen Acker, James Chamberlain and Thomas Simchik

ALSO PRESENT: City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Comptroller Lee Ann Wells
Supervisor Joe Magliocca

BUDGET TRANSFER

RESOLUTION 17-334

Moved by Councilor Chamberlain
Seconded by Councilor Acker

RESOLVED, to approve the following budget transfer:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$218.00	001.1990.0400 Contingency	001.1989.0400 Printing Expense

(To reallocate funds for legal notices invoice)

Ayes: 6

Nays: 0

MOTION CARRIED

2018 CITY OF ONEIDA BUDGET

RESOLUTION 17-335

Moved by Councilor Smith
Seconded by Councilor Chamberlain

RESOLVED, that agreeable to the estimates of the expenses and disbursements for the year 2018 constituting the budget, including Capital Plan, for the City of Oneida, the same is hereby approved by the Common Council on the 12th day of December, 2017 as set forth in the minutes of this meeting; there shall be levied and raised on the taxable property of the entire city, not including pension, pastor and over sixty-five (65) exempt property as follows:

Total Gross Budget - \$18,511,732

Less estimated revenues - \$14,271,908

Taxable balance - \$4,239,824

Of which \$2,254,070 shall be levied on the entire city establishing a tax rate of \$4.85069 per thousand and \$1,542,058 shall be levied on the corporation tax district at a rate of \$4.74359 per thousand; thereby establishing a combined rate of \$9.59428 per thousand inside tax district; **and be it further**

RESOLVED, that \$404,764 shall be levied and a rate of \$3.64067 per thousand shall be established for the outside fire district, **and be it further**

RESOLVED, that \$38,932 shall be levied and a rate of \$.097166 per thousand shall be established for hydrant tax, **and be it further**

RESOLVED, that the total tax levy for the City of Oneida 2018 budget is \$4,239,824.

Councilor Cohen – Yes

Councilor Bowe – Yes

Councilor Smith – Yes

Councilor Acker – Yes

Councilor Chamberlain – Yes

Councilor Simchik – Yes

MOTION CARRIED

Mayor Matzke presented the Council with a letter relative to the passage of the 2018 Budget. He said that while he appreciated the countless hours, meetings and energy they devoted to the budget, he asked the Council to reconsider their actions and think about the consequences of the increase that they are proposing to pass onto the residents. He said that the budget he presented to the Council contained a 2% tax increase and was inclusive of his goals and vision. He said that he was concerned that the City Administrator position has been put off for a year, as he feels that funding that position would begin the process of developing our City. He ended by thanking the Council, but asked them not to burden our property owners with a 5% tax increase.

Deputy Mayor Chamberlain said that running the budget meetings was a difficult and lengthy process. He said many of the meetings went until 10:00 p.m. with the Council discussing what they felt needed funding and what could be postponed. The Deputy Mayor said that none of the Council wants to raise taxes any more than necessary, as they are all taxpayers as well. He said that overall it was a good job, and he was impressed with the decisions ultimately agreed on by the Council.

Councilor Smith said that he is not against a City Administrator, but it has to be done right. He said that there must be a plan of action to design what the roles of the Administrator and Mayor would be. He said that we must invest in our City, noting that sidewalk projects have not been done in several years. He said there are many sidewalks that have been damaged by trees. He said that this budget increases taxes 5% and more money was left in the Fund Balance. Councilor Smith said that a tax rate of \$9.59 is still low compared to other cities our size. Councilor Smith said that this is a good budget.

Councilor Cohen said that there was a lot of give and take during the budget process. He said that this is a good and visionary budget. He said this budget addresses not only the needs of 2018, but for years to come. He commented that Department Heads put in a lot of time and effort with the budget, noting that the new Police Chief was very conscientious and made adjustments to his budget. He said that the Fire Chief is working with the City Engineer on the purchase of a new emergency generator for City Hall. He said that the City will be refurbishing equipment, maintaining roads and sidewalks, and Department

Heads are working with other communities. Councilor Cohen said that he is comfortable that this is a good solid budget for this year and down the road.

Councilor Bowe said that everyone put in a lot of time working on this budget. He said during the course of the eight meetings, the budget went from a 2% increase to 12% increase. He said they met with different Department Heads several times. He said that monies were placed in the budget for sidewalks and road maintenance. He said that neither he nor any of the Council are against an Administrator, but the job needs to be defined and done correctly. Councilor Bowe said that although this is not what the Mayor wanted, the Council put in numerous hours working towards this final product. He said that it is a fair budget and that he respected the Mayor's efforts.

Councilor Acker and Councilor Simchik said that they agree with what has already been said. The Comptroller said that 5% on \$100K is an annual increase of \$45.69 or \$3.81 per month. Councilor Cohen added that it is 13 cents a day. The Council reiterated to the Mayor that they are not against a City Administrator and noted that if the City Administrator's job description can be worked out sooner, then they will move forward with it in July, September or whenever.

The Mayor said that he has been speaking with Senator Valesky for some additional funding; however, he has found that the City would need to have a specific project. He said it would take a year for the State to approve the funding and then the costs would have to be up-fronted for reimbursement.

OLD BUSINESS

Mayor Matzke said that there is an additional item of discussion added to the agenda, as C & S Engineers are here at the request of the Common Council to discuss the budget for the Oneida Rail Trail Project.

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 17-336

Moved by Councilor Smith
Seconded by Councilor Chamberlain

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

Discussion of Oneida Rail Trail Project Budget

City Engineer Jon Rauscher said that there are still some budget issues within the Oneida Rail Trail Project with the bids received being higher than anticipated by roughly \$200K. He said that CCI, Inc. was the apparent low bidder. Engineer Rauscher said C&S Engineers reviewed the status. James Morrissey, from C&S Engineers, said that they will have to look at realistic reductions on this bid, which will not alter the useful value of the contract. He said that of the 4 bids that were received, two of the lower bids were very competitive. Mr. Morrissey said that there is not enough Federal money to fund the base bid. He said that one option would be for the Council to award the bid with a negative change order on the contract, reducing the work of the contract. The City Engineer said that they have to look at reducing the scope of the contract work to fit within the budget. He said that \$1,576,000 is all that the City can get reimbursed for. He said the City will be doing some inspection work through his office, and

C&S has brought down their proposal to help with the costs. City Engineer Rauscher explained the in-kind reimbursement by using the example that \$60K in labor/equipment costs equates to \$48K back (80%).

A lengthy discussion ensued, which included rebidding and the experience with rebidding costs usually going up, issuing change orders, the baseline bid, removing the framed structure on Oneida Street/cost saving, removing/doing sidewalks on Railroad Street/cost saving, sidewalk repair present/future, use of volunteers and the bridge rehabilitation near Hubbard Place, as well as the DOT recommendations for the bridge. Mr. Morrissey said that it is the standard procedure for bridges to be built to accommodate emergency vehicles. He said that they could meet with the low bidder to begin the process of reducing the scope of the contract work. Mr. Morrissey said that C&S and the City Engineer could engage CCI with the recommendations of reducing items in the bid, adding that this is a unit cost contract not a lump sum contract. He restated that they have never seen bids come in lower the second time around. City Engineer Rauscher said they have some leeway on the minor line items, and they could be eliminated. Mr. Morrissey said that although Municipal Law says the bids are good for 45 days, generally contractors would extend their bids. The discussion continued amongst the Council, City Engineer and C&S Engineers.

Mayor Matzke said that this is not the only City project and questioned when we say enough borrowing. He used the LED street lighting project as an example, noting that it will pay for itself. He said that he is concerned about this project. Supervisor Magliocca said this project began back in 2013. He said that the Rail Trail is an investment in downtown and for future grants for downtown streetscapes that the City applies for. He said that the pedestrian plaza is envisioned to be an anchor for downtown revitalization. Supervisor Magliocca said that the bridge will be a focal point, as it is the last remaining piece of the railroad and holds significant historical value. The Council discussed the W. Railroad Street sidewalk again and using in-kind services to get the reimbursement.

Mr. Morrissey said that there is a cash obligation for the project, no matter how much in in-kind services are utilized. Mr. Morrissey reiterated that they would like to engage in conversations with CCI with a recommendation of reducing items to gauge just what they would say to get to the lower cost of this project. The Mayor said he agrees with Supervisor Magliocca's vision, but it has to be affordable. City Engineer Jon Rauscher said this is a great project. He said that the City will be getting \$1M in infrastructure, new curbing, sidewalks, etc. for \$200K. Discussion continued with respect to the bridge and the number of people walking through that area. Supervisor Magliocca said that this project is already two years behind. Mr. Morrissey said that they will try to get to the best possible compromise with CCI without having the contractor walk away. He said there are also other considerations, such as the contractor is required to certify that 9% of the contract work being performed by a DBE (Disadvantaged Business Enterprise) contractor. Mr. Morrissey said that if the discussions are successful, the City should send a letter to CCI stating that it is the City's intent to award the contract and then go through the other components. The next Council meeting is on Tuesday, December 19th, and this can be brought up under old business if Mr. Morrissey and Mr. Arner have the opportunity to speak with CCI before then.

Motion to adjourn by Councilor Bowe

The regular meeting is hereby adjourned at 7:59 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk