

**MINUTES OF THE COMMON COUNCIL
JANUARY 21, 2014**

A meeting of the Common Council of the City of Oneida, NY was held on the twenty first day of January, 2014 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 M. Smith

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

ALSO PRESENT: City Attorney Nadine Bell
City Chamberlain Nancy Andrews
City Clerk Susan Pulverenti
City Engineer Jon Rauscher
Director of Parks and Recreation Lucas Griff
Director of Planning and Development Cassie Rose
Fire Chief Kevin Salerno
Police Chief David Meeker
Public Safety Commissioner Michael Kaiser

**PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND CHAPTER 57
OF THE CITY CODE TO INCLUDE THE REGULATION OF BOWS**

RESOLUTION 14-13

Moved by Councilor Smith
Seconded by Councilor Zogby

RESOLVED, that the Public Hearing on the proposed Local Law to amend Chapter 57 of the City Code to include the regulation of bows be hereby OPENED at 6:33 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

APPEARANCES

Lucas Griff, Recreation Director, said there is nothing in the Charter to restrict hunting or discharging of arms on City property or the outside districts. He requested a possible buffer around City parks and the trail systems. Chief Meeker said the Local Law is being modified to include language that would not allow the discharge of a bow within 500 feet of a house, residence, farm, school, etc. Mayor Smith said there is an ongoing discussion relative to the Local Law, and it will be represented to the Council at a later date with another public hearing scheduled.

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that the Public Hearing on the proposed Local Law be hereby CLOSED at 6:35 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

**PUBLIC HEARING – PROPOSED TERMINATION OF GREATER ONEIDA CIVIC CENTER
LEASE AND PROPOSED FACILITY MGMT. AGREEMENT WITH
ENTERTAINMENT SERVICES**

RESOLUTION 14-14

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that the Public Hearing on the proposed termination of the lease with the Greater Oneida Civic Center Lease and proposed Facility Management Agreement with Entertainment

Services be hereby OPENED at 6:35 p.m.

Ayes: 6

Nays: 0

MOTION CARRIED

The Mayor outlined the rules of conduct for the Public Hearing.

APPEARANCES

Roselle Lynch, 1131 Evergreen Valley Drive, Oneida said most of the folks are here to get some information. She first heard of this problem with the Kallet possibly changing the way things are done through the Oneida High School Foundation and the Wall of Distinction Dinner. She said there is a lack of communication because the newspaper is only three days a week now and many people cannot get online. Ms. Lynch asked the Mayor to please explain what is going on.

Mayor Alden Smith said this is an issue that goes back six years to Peter Hedglon's administration. The City is in tough financial times, and we consistently underwrite the Kallet Civic Center to the tune of \$30K to \$40K per year. The Mayor said there was a need to close that gap. The Kallet is a tremendous community resource that needs to be fully utilized as an economic engine for the entire City center. On that basis, there was discussion with various Mayors and the Kallet Board regarding operations. Mayor Smith said he asked the Board and was told they didn't have any goals or objectives for the building, nor was there a business plan. The Mayor said the plan was to work with the Kallet Board, and Councilor's Acker and Zogby were tasked to help come up with a business plan, which never panned out. The Mayor said he met with the Board President Michele Haynes Newman to discuss where he saw this potentially going. Later in the process, the Mayor said he learned that there was a gentleman experienced with facilities management and met with him. The Mayor's initial goal was to continue to work with the Board, have this gentleman run the facility, and then after a year evaluate where we were at. The Mayor said he became aware that the Kallet Board had some significant funds in the bank and asked if they would be willing to pay the actual expenses of the building, while Mr. DiPaolo from Entertainment Services brought in some more entertainment to make use of that economic drive. He said at the end of a year, the Council would reevaluate where we were at. For whatever reason, that did not seem amenable to the Kallet Board, and the Mayor said he decided to continue to move forward. The Mayor said we had to have a real commitment to anyone from our community who has been using that facility, and they had to be given priority for their continued usage of the building with as little disruption as possible.

Councilor Acker said that from her discussions with Mr. DiPaolo, continued use by the community will not be changing. This is a City building; it is an asset and a liability together, and the Council is looking to have it be more of an asset. Councilor Acker said the building costs the City a lot of money, and the City cannot afford it.

The Mayor said there have been some concerns with catering services to be used. The Mayor said he has been assured by Mr. DiPaolo that there are no problems bringing in caterers that you would be comfortable using. The Mayor said he is pleased to see so many bodies here at this meeting. The Mayor said it is only from meaningful discourse and debate that we will arrive at the best solution for this community.

Patricia Albaugh, 118 Hagan Circle, President Oneida Area Civic Chorale thanked the Mayor for the opportunity to provide input. The Chorale has two or three concerts a year at the Kallet with 100 people singing and approximately 300-350 people in the audience. That is a significant amount of people downtown on a Saturday night or Sunday afternoon. She said the Kallet suits their needs very well, but it does cost us, and the Chorale hopes it is not priced out of using the Kallet. We are encouraged to hear that commitments to the community will be honored. Ms. Albaugh said the Chorale is not advocating a specific action by the Council, just that they are kept in mind when the decision is ultimately made.

Laura Harris, Attorney, Ilion NY said she looked over the proposed Facilities Management Agreement and one of the things she is very concerned with is that there is very little that holds Mr. DiPaolo accountable in the contract. He can pretty much do whatever he wants, and there is very little the City can do if they are not pleased with the way it is going. There is nothing that allows the City to get out of this contract. When you look at the provision that non-profits will be at reduced rates, is not clearly defined. He could charge one dollar less, and if he is taking a loss, he will look to the City to make up that loss. This contract specifically provides that should Mr. DiPaolo get a better paying event, he can tell the non-profit that they have to change their scheduled date. The non-profit cannot rely on the fact that they will actually get their scheduled date, because he has the right in this contract to change it. Caterers are not provided for in the contract, so any local restaurant could be told that Mr. DiPaolo has total control and he is going to choose his preferences. It appears that there is a 75-25 split of the profits, but the way this contract is structured, the Management Company has total authority to do whatever he chooses, i.e. lighting, ticket, management fees. By the time it's done, there will be no profit, because it

will all be paid to him, and according to this proposed contract there will be nothing the City can do about it. The City will have to pay him to get out of this contract if it not going the way it was supposed to go. This contract appears to have been written by Mr. DiPaolo and his attorneys, and it is a great contract for him, but not so good for the City. The contract calls for a reasonable fee, but nothing to declare what reasonable is. Furthermore, they don't have to return the property in the same condition they found it. The timer went off; however, several audience members asked to give their speaking time to Ms. Harris, and the Mayor was amenable to one extension. The concern is that there are not enough details to hold him accountable; there needs to be more detail as to what will be charged to the non-profits, as well as what rights they have to know they have secured their dates. Ms. Harris said there is a liability to the City with this contract, and the contract needs to be rewritten in a big way. She said there is no obligation for him to return the property in the way he found it, he can say according to the contract the only thing he has to maintain is the particular events that he is putting on; there are no building maintenance requirements. The proposed contract says the City will receive a dollar a ticket, but what if instead of a "ticket" he has a cover charge and gets around the "ticket" clause. It needs to be clearly defined, and if the City is really looking at moving in this direction that contract needs to be more clearly articulated. There needs to be a way for the City to get out without paying to get out. A round of applause was given.

The Mayor requested the audience refrain from applauding as the Council is here to listen and that kind of outburst is inappropriate. The Mayor said they will respectfully listen to what everyone has to say.

Michele Hayes Newman, President of the Greater Oneida Civic Center Board of Directors said that she met with the Mayor. She said when they sat in front of the Council, Councilors Zogby and Acker asked if there was a business plan and she stated no. The Councilors said everyone has a business plan, and she stated that they are volunteers and don't know how to write a business plan. Councilors Zogby and Acker agreed to help. She said the Board provided all the requested information and that was the last they heard of it. No one ever called us about the business plan or to offer any help. Ms. Newman said the Board has not paid the utilities in the past; however, the new proposed lease agreement calls for payment of the utilities. She inquired as to who was paying the utilities under the proposed Facility Management Agreement with Mr. DiPaolo. The Kallet Board is willing to maintain and preserve that building, pay the utilities and continue to bring in events to the City. She stated two weeks ago the Kallet was packed with people for an event that they booked. Recently, the Board has turned away proposed events, because they were asked by the Mayor to not book anything further. Ms. Newman said the bottom line is that we are all volunteers, we do not work for the City, and we are willing to continue doing what we have been doing.

Mayor Smith said he does not want this to turn into a debate; the Council is here to listen. The Mayor said the recent lease proposal put forth by the Kallet has significant merit and commended the Kallet Board for that. It came at a very late date, but the Mayor said he read it with interest and pleasure.

Michel DeBottis, Attorney, 1017 Evergreen Valley Drive, Oneida stated he is currently the pro bono attorney for the Greater Oneida Civic Center. Counselor DeBottis said there are many people who are trying to plan their events, weddings, and alike that have been backed up by this process for the past six months. Attorney DeBottis said that he is the author of the proposed Kallet lease agreement. In 2008, the Kallet Board was asked by then Mayor Hedglon to try to be more self-sufficient. They have worked diligently to do just that and have succeeded, as they have enough money to replace the boiler in the building. Mr. DeBottis said 14,000 tickets would have to be sold to acquire \$14,000 under the Facilities Management proposal. He said the City can keep the \$30K allocated for the Kallet in this years budget, as under the proposed Kallet lease, the Kallet will pay all utilities, heat, gas electricity, water and sewer for the restroom and kitchen facilities, along with costs for disposal of waste. In the proposed Kallet agreement, the City will not have to maintain and make necessary repairs to the interior of the Kallet, including all fixtures and equipment in the public areas. Mr. DeBottis said the City's 2014 Budget does not provide any funds for maintenance of the Kallet. If you look side-by-side with the Recreation Department budget, there are huge discrepancies with the City's plan for the maintenance of the Kallet. Unless the promoter steps up and guarantees to pay routine maintenance and repair items, it will fall on the City taxpayers. Attorney DeBottis said in the proposed Facilities Management Agreement there aren't any profits that the City can count on. The City will be stuck with the heating expense of that building. The Kallet Board has secured grants into the six figures, and he named some of the grant funding received. In 2011, there were two insurance claims totaling \$53K, and according to City records the City spent \$6K patching the ceiling and \$1,650 to repair a seam in the roof. The City pocketed \$46,000 and never put it back into the building. Mr. DeBottis said if that is the type of maintenance the City is trying to do, then we have a disaster; we will have another Hotel Oneida on our hands in one or two years. Under the proposed Facilities Maintenance Agreement, the burden of all the maintenance costs fall entirely on the City and you are saying the City is not in the position to do that. The Kallet Board proposes to do that maintenance, as well as the upgrades. He cited examples such as the carpeting and concession stand, which were put in there by the Kallet Board, adding that the City has put in almost no money for the physical plant that is the Kallet Civic Center. Attorney DeBottis said that according to the former City Engineer, the City paid \$50K to improve the suspension system of the floor. Attorney DeBottis noted that using the \$46K from the insurance claim; the City has invested only \$4,000 in

improvements to the facility in the last 30 years. He said if the Kallet Board is forced to vacate and remove all their belongings, the City will spend more than that to replenish those things. The Board owns all the furniture and the equipment that Mr. DiPaolo is planning on using. Attorney DeBottis said Mr. DiPaolo is welcome to use that building and they embrace the opportunity to work with him. If he can bring entertainment into the City, pay the fee like anyone would, and he can use the building. But that would not preclude any of the non-profits who want to have their events there; they would have equal footing. The unfairness to the not-for-profits and residents is not erased in that agreement, as it allows for disparity with those regards. The City will avoid all the financial risks inherent in dealing with cash business operations. The vision of repurposing the Kallet can be achieved. The building can be shared as it has been. The cost of the routine maintenance, upgrades and utilities will be covered by the Kallet Board and their activities. The Greater Oneida Civic Center is a not-for-profit who has shown heroic abilities to generate six-figure grants to assist in the maintenance of that facility, which cannot be done by anyone else.

Peter Hedglon, Attorney and former Mayor of Oneida said that in 2008 the City Comptroller pointed out that the lease with the Kallet had run out and the Kallet wanted to continue what they were doing. In reviewing the lease that had expired, he said that he saw the lease called for the Civic Center to pay the utilities; but according to the budget, they were not paying them. Former Mayor Hedglon said that he agreed to a three year lease, but told the Kallet Board that their operations had to cover their expenses and put something toward the long term capital expense of that building. Attorney Hedglon urged the Council to reject both proposals because neither provides for the long term capital expense of Kallet.

Debbie Doran, 1328 Glenwood Ave., Oneida, Greater Oneida Civic Center Board of Directors said the Board has never received a utility bill from the City nor have they been asked to refund the City for the utilities used. Ms. Doran said that after speaking with Mr. Hedglon, the Kallet is running like a business, and the cash flow has improved substantially. The Kallet gave the City \$10,000 in 2012 toward the utilities, because we have been increasing our tax flow every year.

Michel DeBottis, Attorney, Oneida said that he wrote the Kallet lease that dealt with the utilities issue in 1988. He said the first \$10,000 was on the City, and the rest was supposed to be billed to the Kallet; the City dropped the ball.

Patti Meakin, Munnsville, member of Oneida Improvement Committee said she knows what it is like to be on a small board that has only a handful of people and knows what it is like to wear all the hats and do all the work. She said several years ago, the former Recreation Director tasked her to research running the Kallet and the findings were submitted to then Mayor Matzke. Ms. Meakin said the non-for-profit should stay intact, but unsure of the capacity. She said it has been said that the Turning Stone Casino has saturated the area for entertainment, but we have some small local theatre companies who are all capable and talented. She said the Kallet Board needs to grow and with these local theatre groups comes a bevy of volunteers. Social media plays a big part in how to reach people and that should be better utilized by the Kallet Board. Ms. Meakin said it should be up to the Kallet Board to hire an outside group, not the City. She said the City should stay local and bringing in services from the outside would be a disservice to the city.

Vicki Fisher, Clinton said she belongs to a large group of ballroom dance people and said the Kallet has the best dance floor in the state and they do not want to lose it. They fear that some other events will be held there which will ruin the floor.

Shirley Cockrell, 526 Elizabeth St., Oneida said she was a founding member of the Kallet Civic Center Board and said she hates to see the Kallet go in any direction other than with the not-for-profit. She said it was the City who came to leaders of the community and asked us to resurrect it. It was in the middle of downtown and had fallen into disrepair, and the City was also concerned that it was bringing a bad element into the City. Ms. Cockrell said they worked long and hard for over two years to make it happen. She said she hates to see the City let go of it this easily. The Kallet was intended to provide opportunities for community groups to have dances, plays, etc. and also as a chance for young people to learn about theatre. Ms. Cockrell said being a member of the boards of various not-for-profits, she has found that they have their ups and downs, but sometimes they need businesses who understand how they operate to work with them, not against them, to help them become stronger in the mission they have taken on. She said with the new proposal the Kallet Board has brought forward, she would recommend that the City works with them instead of against them to do what the City started in the first place.

Howard Astrachan, 411 Seneca St., Oneida said many of the people here are from the ballroom dance club. He said the group has seven or eight dances a year with live music, and they bring in many participants from Utica, Syracuse, Oneonta and other areas. Since 2006, the group has donated over \$10,000 to the operation of the Kallet. Mr. Astrachan said they have basically had to cancel their season because of this mix-up. They had to pay the first two bands that were booked and lost that money. He said many people will be very disappointed if we cannot begin having our dances. Mr. Astrachan said they would like to see the non-profit group continue because they do a great job and his group has a good

relationship with them. He said it is a good fit for the City. Mr. Astrachan said as a resident of the City, he is personally concerned after listening to the two attorneys who spoke tonight that the City attorney didn't pick up on any of the issues with the proposed Facility Management Agreement.

Joseph Magliocca, 429 Grand St., Oneida said the Kallet needs both a non-for-profit and a promoter. He said the non-for-profit has decades of experience and ability, a very passionate Board and supporters, and also has substantial cash on hand. He said these assets were made possible by taxpayer subsidies over the years and he would hate to see these funds exhausted by paying utilities for the next two years. The funds should be used for capital improvements or matching funds for future grants. He presented his thoughts for some events that could be held at the Kallet. He said he thinks the current Board is in a rut and needs help getting out of that. We have two City owned facilities; they are complimentary to each other. He said that no not-for-profit or board of directors can properly maintain the skill set to promote and sustain the facility. He recommended filling the vacancies on the current Kallet Board. The Kallet needs to be the anchor for downtown during off business hours.

Gina Esposito, Utica said they come to the Kallet more than most Oneida people do as they are dancers with the ballroom dance group. She said the Mayor requested no applause or shows of support, but she said a nudge in the right direction might be for everyone to join forces to help the Board. She said she volunteers and promotes via e-mail anything that has to do with dancing at the Kallet. She said the Kallet is a magical place; it is not only a beautiful dance hall, but it is historically sound as a beautiful landmark. She said she appreciates that things cost money and will help with fundraisers or whatever has to be done.

Mark Peters, 1736 Mt. Hope Ave., Oneida said as a taxpayer and small business owner he appreciates hearing that the City has to start cutting its budget. He said it is getting hard enough to pay our own light bills and taxes, let alone the Kallet's. He said the building is a great asset to this City, but it should be self-sufficient.

Jim Michaels, Syracuse said that he and his wife have enjoyed the Kallet, shopping, and restaurants, and have occasionally stayed overnight. He said he is not the only one that comes from out of town for the ballroom dancing; many come in from Rochester, Albany and Binghamton. He said their ballroom dance group all loves and supports the Kallet Civic Center. He would like to emphasize the many members of the group would like to work with the Board to bring some new ideas forward. He said he would be happy to put together a business plan for the Board or help them create one. He said we should be brainstorming together to do what we need to help this facility keep its quality and uniqueness. Mr. Michaels said he supports the Kallet Board of Directors.

Maria Skinner, 126 Hunt Valley Rd., Oneida, said she served on the Kallet Board a decade ago. She said most of the talk around town has been one-sided and asked why the sentiment is that the other party involved may not have some wonderful opportunities to work with our area for the Kallet. She said she has looked at a lot of websites for other small civic centers that list their Board members, staff and events calendar and said maybe Mr. DiPaolo could do that for Oneida. She said that she has worked with Mr. DiPaolo on the hospital's fundraising event and he has taken that from bare bones to double or more.

William DiPaolo, Entertainment Services, 337 W. Dominick St. Rome said the proposed contract is a rough draft as he didn't speak with the Kallet about all the organizations that regularly use the facility. He said that at no point did he ever say rates would be raised, adding he would like to work with the organizations to increase their reasons to use the building. Mr. DiPaolo said besides all the community events, he would like to bring in outside entertainment, such as children's theater, and a local group could be who he would use. He said he handles lots of dance competitions and would work with the dance group. He said all his equipment would be in pristine condition. He said there will not be a bar or nightclub, he will not have a liquor license in his name; it would be contracted out. He said his agreement was put together before the Kallet had a detailed contract out, and he has no problem working to alter his agreement. He said he wants to bring in multimedia, the ballets of Cinderella and Nutcracker, jazz and bluegrass series; all things that are currently not in the City. He said he has commitments from radio stations to bring their shows here. He said every time someone from outside the City buys a ticket here, they spend more money in the community while they are visiting. He thanked the Board for the work they have done at the Kallet, but said he doesn't think they have the ability to bring it to the next level. With the casino down the road, we have to find our market and bring that in. The building doesn't bring in enough expos. He said he will create 4 to 6 jobs to operate the facility in Oneida. He said while it is hard to monitor cash sales, currently most everything is done with debit cards and credit cards. He said he would never want the building to be run down. If anything, he said he wants to enhance the outside of the building with poster cases and a marquee where all the lights work, so people know in advance what is happening tonight, as well as next month. He said if a customer is having a wedding and wants to bring in a caterer, he has no problems with that. In closing, Mr. DiPaolo said he did not intend to hurt the community or bring in a bad vibe about himself; he said he really wanted to enhance this community.

Michelle Snyder, Oneida, Secretary of the Greater Oneida Civic Center Board of Directors said that she has worked personally with each group here tonight. She said she would love to work with Mr. DiPaolo

if he would like to work with the Kallet Board. She said she has a personal connection with those she works with and mentioned the three day car show event this past weekend that was extremely well attended. Ms. Snyder said it is not just a building, you have to have heart. She said she was born and raised here, and knows the ins and outs of the building. She asked the Council to please work with the Board, not just take it away from them.

Elise Allen, 240 Driftwood Drive, Oneida, owner of Oneida Commons said she notices that while the Commons is open seven days a week, the Kallet sits unused on weekends. She said that she is not saying that one contract is better than the other, adding her husband is an attorney and he ripped them both apart. She said there is a building that has the potential to bring so much more to downtown, and she said she has seen capabilities slip by. She said when we speak of the shows that are held there, she knows of other shows that have left for various unknown reasons. She would like to work together to make this a great asset for the community and businesses. It needs to grow and not stay stagnant. She said she doesn't know what the solution is, but she would love to see the Kallet solvent and beneficial to our community. She said it is a volunteer Board, but why not bring in professionals who have the networking capabilities to help fully utilize the facility.

Dave Brewster said he lives in Canastota but his heart is in Oneida. The Kallet Civic Center reflects the real heart of this community. This board has put it back together and it is beautiful. He said in his opinion, it should remain with local people because it is part of our heritage, our history; we all grew up there. He questioned if a promoter takes a loss on an event, does the promoter actually take the loss or does it come back on the taxpayers. This needs to be looked at from all points. He said he would like to see the Board retain control, and the Board should be the one to contract with any promoters.

Cindy Watson said she was born and raised in Oneida and has volunteered for numerous sports programs while her four boys grew up. Volunteers get long hours and very little thanks; they don't get that pat on the back; they just get to go home. Their reward comes when you see the kids in this community grow up into who they are. These people on the Board are volunteering for us, and it means a lot to me. She said that she is guilty; she didn't volunteer and said maybe more people in this community should also step up and volunteer. She said it is like pulling teeth sometimes to try to get people to volunteer. She said that we should stay with the people who love our community like we do, there's no place like home. She said it is nothing personal against Mr. DiPaolo; it is our home, our heritage and we love it and want to keep it. She said she pays a library tax each year and doesn't use that facility, but recognizes that some people in the community do use it so she doesn't complain. She urged the Council to keep it home with our community, our families.

Ted Hanifin, 1341 Upper Lenox Ave., Oneida inquired if the Kallet Board, the promoter, and the Council had ever all met together. The Mayor said only two Board members showed up for a scheduled meeting to meet with him and the promoter. Mr. Hanifin asked what happened to the business plan. The Kallet Board members said they supplied all the requested information, but never received any response. Councilor Acker said she and Councilor Zogby volunteered to help, but were told by Councilor Simchik that the Kallet did not want our help. The Board denied that was said. The Mayor interjected that he doesn't want to digress into a debate and said the Council will continue to listen intently to everyone's comments. Mr. Hanifin said the two parties should meet and see if they can complement each other. It looks like the Council is taking all the control from the volunteers who have worked so hard, and you are just throwing it all away. He said it sounds like both sides have something to offer.

Elise Allen 240 Driftwood Drive, Oneida said she wanted to add that SUNYIT, the Small Business Development Center does free business counseling and will help prepare a business plan. It is all free to help you get your business off the ground.

Brett Bogardus, Sherrill, owner of Bogardus Performing Art Center in Oneida, said she has been doing theatre here in Oneida for 25 years. She said there are a lot of local arts groups that would love to walk into the Kallet, as the Oneida High School is unavailable many times. Ms. Bogardus said that she would take all of her business to the Kallet if that would help the City. She said we want that facility to stay intact so that we, as a community, can utilize it. She said the Board needs some help, some new blood and new ideas. She added that possibly a promoter could help in some fashion as well. We need to work together. She said the City has children's theatre; she and Vicki Buda do that. She said the City has a Nutcracker ballet; she does it. She said she just took over the Oneida Area Little Theater and is looking at reorganizing that group and would love to use the Kallet as their venue. She reiterated that we all need to work together, and she would love to sit on the Board to help develop new concepts and ideas.

Ted Hanifin, 1341 Upper Lenox Ave., Oneida said that he wanted to clarify that he was not here to start an argument, but somewhere there was a breakdown in communications.

Maria Skinner, 126 Hunt Valley Rd., Oneida said it has taken 31 years to get to this point and doesn't want it to take another 31 years to get this settled. She inquired as to how many people are active members or donors to the Kallet. She asked that the Kallet website be updated with the scheduled events.

She said she would like to see more events in Oneida.

Mayor Max Smith said he views this as a very positive exchange of everyone's passion and belief. He said that some people may be irritated with him for pushing this, but without that push, we wouldn't be where we are at now. All kinds of people are now volunteering to serve on the Kallet board, we are hearing about passion for Oneida and about new alternatives. The Mayor said Oneida needs to come to grips with what we have or haven't been doing, come together and speak to our passions, and start building this City back to what he remembers as a child growing up. The Mayor said this process is positive for the community, because we have to take ourselves into the future. This facility and this passion can be an economic engine to drive our City center back to something we can be proud of and help reduce our tax burden, which is in desperate need of fixing. The Mayor said he appreciates everyone's passion and thanked the Kallet Board for their new proposal.

Councilor Erwin Smith said he also grew up in the City of Oneida. He said when the Kallet was turned over to the City for \$1; he was Fire Chief in the City. The Fire Department provided all the ladders for painting and he said he personally helped with that painting. Councilor Smith said he is for keeping the local Board and believes the proposal brought forth by the Kallet Board is a step forward. It may not be a perfect contract, but it heads the City in the right direction. There were a lot of ideas and enthusiasm brought forth here tonight. Councilor Smith said that if Mr. DiPaolo would like to work with the Kallet and bring shows in to Oneida that would be great.

Councilor Bowe said he has been officially involved in this whole process for 16 days. He said the conversations have stopped with the Kallet, and they can't plan anything. There is a breakdown in communications. Councilor Bowe said he also grew up in Oneida. He said he is hearing of the costs and asked for the old Kallet contract to review. One concern that he has with the proposed Facilities Management Agreement is the maintenance aspect of it. He asked why both sides can't just work together and hopes it can be hammered out so everyone's visions can be realized.

Councilor Zogby said that we are all winners here this evening by just being together. He said if we do not put out information for the populous to act upon, we don't hear anything. He said being new to the Council two years ago, we are not always right and not always wrong, but what comes out in the end tells us whether we did the right thing or not. We are not trying to take anyone's memories away; his concern is that we are trying to give your children memories that they will have in the future. Councilor Zogby said we need to have a plan of where we are going and how we are going to get there, and our dreams will never be utilized unless we execute that plan.

Councilor Chamberlain said he echoes what everyone has said. He thanked the Kallet for their excellent lease and thanked Mr. DiPaolo as well, but said his heart is with the Kallet Board. He said the Council has a tough decision ahead.

Councilor Simchik said he spent quite a lot of time over the past couple years with the Kallet Board and went to a lot of their meetings and events. He saw the same group trying to keep that building going. He felt the Board was a little leery of him because of bad experiences with previous administrations. This has not been the best way to bring this about, but the nice thing is there is a lot of people who realized they have forgotten about that building and now recognize that the Board needs help over there.

Councilor Acker said she has the same sentiments as everyone else, but added that we do need to look into the future. Our main job of the City Council is finances, and this is the impetus that started this. She said she loves the Kallet and loves this City, her daughter and grandchildren live here. We need to move forward, and we have a duty to the taxpayers to help the Kallet to pay for itself.

Board President Michele Haynes Newman said it is working to the point where they can now pay the utilities.

The Mayor said everyone has an opinion as to what success is and what it needs to look like. The Mayor said he is looking at sustainability in terms of costs. Also, everyone here tonight has talked about what an incredible resource this venue is; it can be an economic engine for our City center. The Mayor said he wanted to close with giving some recognition to Mr. DiPaolo. This is a gentleman who we have invited to our community, and in some of the comments tonight, there have been aspersions on his character. Mr. DiPaolo took that with incredible aplomb and did not fire back. He accepted that people were speaking from their passions, and the Mayor said he wanted to thank him for his gentlemanly manner during this process. The Mayor thanked those in attendance for coming. The Mayor said the Council will not vote on either agreement tonight; it will be discussed and they will make a decision in two weeks at the next Council meeting.

Councilor Zogby said there is a lot of confusion about the scheduling of events at the Kallet, and said we need to let these people know if they can plan their events. We need to help our community and provide them with a clear message. The Mayor said the clear message is that we should book events going

forward. Our effort is not to drive people away, but to enhance what we have.

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, that the Public Hearing on the proposed Kallet lease termination and Facility Management Agreement be hereby CLOSED at 8:22 p.m.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Chamberlain
Seconded by Councilor Acker

RESOLVED, that the minutes of the meeting of January 7, 2014 are hereby approved as presented.

Ayes: 6
Nays: 0

MOTION CARRIED

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, that Warrant No. 2, checks and ACH payments in the amount of \$883,213.94 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.50039 in the amount of \$469.26 (Oneida Office Supply) 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

**PROPOSED LEASE AGREEMENT – BY AND BETWEEN CITY OF ONEIDA
AND GREATER ONEIDA CIVIC CENTER INC.**

RESOLUTION 14-15

Moved by Councilor Smith
Seconded by Councilor Acker

RESOLVED, that a proposed Lease Agreement by and between the City of Oneida and Greater Oneida Civic Center, Inc., 159 Main Street, Oneida be hereby received and placed on file, **and be it further**

RESOLVED, that said proposed Lease Agreement by and between the City of Oneida and Greater Oneida Civic Center, Inc. be considered for approval and execution by the Mayor.

Ayes: 6
Nays: 0

MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 14-16

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

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

Ayes: 6
Nays: 0

MOTION CARRIED

In response to a question, Chief Salerno said Fire/Housing inspection fees in the amount of \$24,700 have been billed and approximately \$3,000 remains uncollected.

**PROPOSED LOCAL LAW TO AMEND CHAPTER 17 OF THE CITY CODE
TO REGULATE THE KEEPING OF ANIMALS WITHIN THE CITY OF ONEIDA**

RESOLUTION 14-17

Moved by Councilor Zogby
Seconded by Councilor Smith

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the City of Oneida, **now therefore it is**

RESOLVED, that the proposed Local Law to amend Chapter 17 of the City Code, titled "Animals" to regulate the keeping of animals within the City of Oneida is hereby received and placed on file, **and it is further**

RESOLVED AND DETERMINED, that the enactment of proposed Local Law is an unlisted action, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; **and it is further**

RESOLVED, that a Public Hearing on proposed Local Law is hereby scheduled for February 4, 2014 at 6:30 p.m. in the Common Council Chambers, 109 N. Main Street, Oneida.

Ayes: 6
Nays: 0

MOTION CARRIED

BUDGET TRANSFER

RESOLUTION 14-18

Moved by Councilor Zogby
Seconded by Councilor Acker

RESOLVED, to approve the following budget transfer:

<i>Amount</i>	<i>From</i>	<i>To</i>
\$1,000	001.1990.0400	001.1210.0400
	Contingency	Other Expense - Mayor
<i>To transfer funds for the Mayor's yearly expenses</i>		

Ayes: 6
Nays: 0

MOTION CARRIED

The Mayor said during the budget process his account line was zeroed. The Mayor said in order to pay for any incidentals, such as business cards, he would need to have funds available in his account.

WATER FUND TRANSFER

RESOLUTION 14-19

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

WHEREAS, by Resolution duly adopted on April 7, 1992, the City has established a Capital Reserve Fund to finance the cost of construction or reconstruction of water treatment and transmission facilities, pursuant to General Municipal Law, Section 6-c, **and**

WHEREAS, pursuant to said Resolution, the City Comptroller has deposited monies of this reserve fund in a separate bank account known as the Water Reserve Fund, **now therefore be it**

RESOLVED, that the City Comptroller is hereby authorized to transfer \$92,190.37 from the Water Fund to the Water Reserve Fund.

Ayes: 6

Nays: 0

MOTION CARRIED

ADVERTISE FOR BIDS

RESOLUTION 14-20

Moved by Councilor Bowe
Seconded by Councilor Smith

RESOLVED, to authorize the Purchasing Agent to advertise for bids for Water Meters for 2014.

Ayes: 6

Nays: 0

MOTION CARRIED

REVOLVING LOAN FUND

RESOLUTION 14-21

Moved by Councilor Acker
Seconded by Councilor Chamberlain

WHEREAS, the Oneida Revolving Loan Fund program was created to increase business development activities in the City of Oneida, **and**

WHEREAS, the City, in partnership with Empire State Development, will extend public water and sewer infrastructure to manufacturing-industrial property located on West Elm Street to create a shovel-ready site for business development, **now therefore be it**

RESOLVED, that the extension of public infrastructure to further economic development purposes is an eligible form of economic development assistance under the Oneida Revolving Loan Fund Program, **and be it further**

RESOLVED, that \$200,000 from the Oneida Revolving Loan Fund will be utilized for said construction project.

Ayes: 6

Nays: 0

MOTION CARRIED

Planning Director Cassie Rose said the County will be approached to match funds for this proposed project. Ms. Rose asked the Council to schedule a work session to discuss the process and steps for the West Elm Street water and sewer lines expansion. The City Engineer, Water Superintendent and Planning Director will put together information packets for the Council. Kipp Hicks from Madison County IDA will be asked to join the discussion at the meeting. The Mayor said the meeting will be scheduled for Tuesday, January 28th at 6:30 p.m.

SUBSTANCE ABUSE TESTING AGREEMENT

RESOLUTION 14-22

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that the Mayor be authorized to sign the annual agreement with Industrial Medical Associates, P.C., 961 Canal Street, Syracuse, NY for substance abuse testing.

Ayes: 6

Nays: 0

MOTION CARRIED

This is for a controlled substance abuse testing agreement per Federal regulations.

SURPLUS ITEMS

RESOLUTION 14-23

Moved by Councilor Smith

Seconded by Councilor Chamberlain

RESOLVED, to authorize the Purchasing Agent to dispose of various sized “leaded” brass fittings in the most cost effective way to the City.

Ayes: 6

Nays: 0

MOTION CARRIED

CONVEYANCE OF REAL PROPERTY LOCATED AT 5922 PETERBORO ROAD

RESOLUTION 14-24

Moved by Councilor Zogby

Seconded by Councilor Chamberlain

WHEREAS, by Resolution 13-278, the City of Oneida Common Council approved the sale of real property situated at 5922 Peterboro Road, City of Oneida, County of Madison, Tax Map No. 55.-1-47 (the “Property”), to Bernard Happle of 5918 Peterboro Road, City of Oneida; **and**

WHEREAS, because the Property consisted of a legal nonconforming lot, the sale of the Property was conditioned upon such Property being properly merged with the adjacent parcel known as Tax Map No. 55.-1-46, by means of filing a recombined deed in the Madison County Clerk’s Office; **and**

WHEREAS, in accordance with Resolution 13-278, a Quitclaim Deed, dated November 12, 2013, was recorded in the Madison County Clerk’s Office, conveying the Property to Bernard Happle; **and**

WHEREAS, Bernard Happle, seeking to comply with the condition of sale, thereafter attempted to file a recombined deed to merge the Property with the adjacent parcel known as Tax Map No. 55.-1-46; **and**

WHEREAS, the City of Oneida’s Assessor’s Office was subsequently informed by the Madison County Office of Real Property Tax Services that to merge the parcels known as Tax Map Nos. 55.-1-46 and 55.-1-47, common ownership of both parcels was required; **and**

WHEREAS, because the parcel known as Tax Map No. 55.-1-47 is owned by Frederick L. Happle, George Happle, Thomas H. Happle and Marie E. Janowski, with a life estate reserved by Bernard Happle, the Property must be conveyed to same to merge the properties; **and**

WHEREAS, it is the desire of both the Common Council and Bernard Happle to have title to the Property conveyed to Frederick L. Happle, George Happle, Thomas H. Happle and Marie E. Janowski, with a life estate reserved by Bernard Happle, so that the aforementioned properties may be properly merged.

NOW, THEREFORE, BE IT RESOLVED, that the City of Oneida Common Council does hereby revoke the conveyance of 5922 Peterboro Road, City of Oneida, County of Madison, known as Tax Map No. 55.-1-47, to Bernard Happle for failure to satisfy the condition of sale; **and**

BE IT FURTHER RESOLVED, that the Common Council does hereby approve the conveyance of the Property to Frederick L. Happle, George Happle, Thomas H. Happle and Marie E. Janowski, with a life estate reserved by Bernard Happle, in consideration for the costs to

demolish a dilapidated residential structure that existed on the Property; **and**

BE IT FURTHER RESOLVED, that the conveyance of the Property to Frederick L. Happle, George Happle, Thomas H. Happle and Marie E. Janowski, with a life estate reserved by Bernard Happle, is conditioned upon such Property being properly merged with the adjacent parcel known as Tax Map No. 55.-1-46, by means of filing a recombined deed with the Madison County Clerk's Office; **and**

BE IT FURTHER RESOLVED, that the City Attorney is herein authorized to prepare any and all documents necessary to effectuate such conveyance, for execution by the Mayor.

Ayes: 6

Nays: 0

MOTION CARRIED

The City Attorney said the council had previously passed a Resolution approving the sale of this property to Bernard Happle; however, the adjacent property he was merging the property with had been already placed in his children's names for estate purposes. New paperwork has to be prepared to follow through on the conditions of the sale.

FLOOD RELATED REIMBURSEMENTS

RESOLUTION 14-25

Moved by Councilor Chamberlain

Seconded by Councilor Smith

WHEREAS, on the morning of Friday, June 28, 2013, the City of Oneida experienced a major flood event in the in the northeast quadrant of the City, **and**

WHEREAS, as the flood waters rapidly rose, City employees at the Department of Public Works garage, Water Department garage, and Waste Water Treatment Plant diligently worked to transfer equipment, vehicles, tools, and the like from the buildings and property in said flood area to safer, higher grounds, **and**

WHEREAS, the immediate actions and determination of said City Employees to wade through the water and continuously return to the buildings until they eventually were forced to leave the area resulted in saving thousands of dollars of the City's fixed assets, **and**

WHEREAS, as a result of said flood event, some of these City employees incurred the loss of personal work clothing kept in their lockers, such as work boots, jackets, overalls, and the like, **and**

WHEREAS, said employees who incurred such losses provided a list of the items that were damaged or ruined during said Flood Event to the City Engineer, **now therefore be it**

RESOLVED, that the Common Council hereby authorizes those employees at the Department of Public Works garage, Water Department garage, and Waste Water Treatment Plant who suffered the loss of personal work related clothing caused by said Flood Event be allowed up to \$150.00 each towards the replacement of said personal work related clothing, **and be it further**

RESOLVED, that the receipts for purchases of work related clothing that was damaged or ruined during the flood event will be submitted to the City Engineer on or before March 31, 2014, for approval by the City Engineer, **and be it further**

RESOLVED, that the Common Council's decision to reimburse employees of the Department of Public Works for work-related personal items that were damaged during the Flood Event is in no way intended to establish a precedent or "past practice," as such terms are used within the context of collective bargaining agreements and labor negotiations, as it is recognized that the circumstances presented by the Flood Event and the efforts by such employees were extraordinary.

Ayes: 6

Nays: 0

MOTION CARRIED

The City Engineer said that the replacement costs shouldn't exceed \$2,250. There were nine DPW and six Water Department employees who claimed losses. No one from the WWTP incurred a loss. Tom

Simchik, Motor Equipment Operator and CSEA Union President said that the employees saved over \$800K in city property from the flood waters. They didn't have time to get to their own lockers as the water rose so rapidly. The Fire Department has language in their contract for personal losses, but the CSEA contract does not. According to FEMA, if this had been in their contract it would have been reviewed for reimbursement. The City Attorney said this in no way is intended to establish a precedent; the extraordinary circumstances were created by the Flood event.

BUDGET TRANSFERS

RESOLUTION 14-26

Moved by Councilor Smith
 Seconded by Councilor Chamberlain

RESOLVED, to approve the following budget transfers to consolidate DPW budgetary accounts:

<i>Amount</i>	<i>From</i>	<i>To</i>
\$150	001.1620.0306 (Maintenance gas & oil)	001.1620.0300 (Materials and supplies)
\$4,500	001.1620.0405 (Building Maintenance)	001.1620.0403 (Maintenance Contracts.)
\$1,000	001.3310.0328 (TrafficWork Signs)	001.3310.0300 (Traffic Materials and Supplies)
\$1,000	001.3310.0405 (Traffic Building Maintenance)	001.3310.0300 (Traffic Materials and Supplies)
\$700	001.3310.0444 (Traffic Technology)	001.3310.300 (Traffic Materials and Supplies)
\$1,560	001.3620.0400 (Codes Other Expense)	001.3620.0300 (Codes Materials and Supplies)
\$549	001.4068.0400 (Mosquito Other Exp)	001.4068.0300 (Mosquito Materials and Supplies)
\$334	001.4068.0405 (Mosquito Building Maint)	001.4068.0300 (Mosquito Materials and Supplies)
\$500	001.5010.0444 (DPW Admin Technology)	001.5010.0300 (DPW Admin Materials and Supplies)
\$9,983	001.5110.0108 (DPW Salaries Art. Maint)	001.5110.0101 (DPW Salaries)
\$911	001.5110.0111 (DPW Overtime Art. Maint)	001.5110.0102 (DPW Overtime)
\$7,370	001.5110.0314 (DPW Road Maint)	001.5110.0300 (DPW Materials and Supplies)
\$413	00.5110.0322 (DPW Tools)	001.5110.0300 (DPW Materials and Supplies)
\$2,878	001.5110.0328 (DPW Work Signs)	001.5110.0300 (DPW Materials and Supplies)
\$750	001.5110.0405 (DPW Bld Maint & Repair)	001.5110.0300 (DPW Materials and Supplies)
\$5,401	001.5110.0411 (DPW Vehicle Maint & Repair)	001.5132.0300 (CG Materials and Supplies)
\$17,267	001.5110.0448 (DPW Maint & Supp Art)	001.5110.0300 (DPW Materials and Supplies)

\$40,882	001.5120.0101 (Outside Highway Salaries)	001.5110.0101 (DPW Salaries)
\$17,922	001.5120.0102 (Outside Highway OT)	001.5110.0102 (DPW OT)
\$1,180	001.5120.0200 (Equipment)	001.5110.0200 (Equipment)
\$26,101	001.5120.0303 (Gas, Oil & Grease)	001.5110.0305 (Gas and Oil)
\$800	001.5120.0314 (Road Materials)	001.5110.0300 (Materials and Supplies)
\$15,227	001.5120.0315 (Salt and Sand)	001.5142.0315 (Salt and Sand)
\$413	001.5120.0322 (Tools)	001.5110.0300 (DPW Materials & Supplies)
\$1,878	001.5120.0328 (Work Signs)	001.5510.0300 (DPW Materials & Supplies)
\$5,401	001.5120.0411 (Vehicle Maint & Repair)	001.5132.0300 (CG Materials & Supplies)
\$450	001.5120.0416 (Meals)	001.5110.0416 (Meals)
\$1,000	001.5132.0405 (CG Building Maint)	001.5132.0300 (CG Materials & Supplies)
\$20,000	001.5132.0411 (CG Vehicle Maint & Repair)	001.5132.0300 (CG Materials & Supplies)
\$5,047	001.5142.0108 (Snow & Ice Art Main Sal)	001.5142.0101 (Snow & Ice Salaries)
\$5,730	001.5142.0111 (Art Maint OT)	001.5142.0102 (Overtime)
\$3,000	001.5142.0112 (DT Snow Removal)	001.5142.0102 (Overtime)
\$26,101	001.5142.0303 (Gas , Oil)	001.5110.0305 (DPW Gas and Oil)
\$200	001.5142.0400 (Other Expense)	001.5142.0300 (Materials & Supplies)
\$21,812.42	001.5142.0411 (Vehicle Maint & Repair)	001.5132.0300 (CG Vehicle Maint & Repair)
\$1,005.00	001.8140.0322 (Storm Sewer Tools)	001.8140.0300 (Materials & Supplies)
\$413	001.8200.0322 (Green Waste Tools)	001.8200.0300 (Materials & Supplies)
\$1,200	001.8200.0411 (Green Waste Vehicle Maint)	001.5132.0300 (CG Vehicle Maintenance)
\$50,116	001.8560.0101 (Trees Salaries)	001.8200.0101 (Green Waste Salaries)
\$1,479	001.8560.0102 (Trees OT)	001.8200.0102 (Green Waste OT)

\$413	001.8560.0322 (Trees Tools)	001.7200.0300 (Green Waste Materials & Supplies)
\$20,000	001.5132.0300 (Materials & Supplies)	001.5132.0301 (Police Materials & Supplies)
\$5,000	001.5132.0300 (Materials & Supplies)	001.5132.0302 (Other Materials & Supplies)

Ayes: 6

Nays: 0

MOTION CARRIED

The City Engineer said he had 162 accounts and this will streamline his budget lines.

TASK AUTHORIZATION

RESOLUTION 14-27

Moved by Councilor Acker

Seconded by Councilor Simchik

RESOLVED, to authorize the Mayor to sign the 2014 Task Authorization – Task 001 – Laboratory & Process Control and Industrial Pretreatment Assistance with O’Brien and Gere Operations LLC to assist the City of Oneida Waste Water Treatment Plant operators with laboratory and process control support at the Waste Water Treatment Plant on an as needed basis, as requested by the City.

Ayes: 6

Nays: 0

MOTION CARRIED

BUDGET TRANSFERS

RESOLUTION 14-28

Moved by Councilor Chamberlain

Seconded by Councilor Simchik

RESOLVED, to approve the following Fire Department budget transfers:

<i>Amount</i>	<i>From</i>	<i>To</i>	<i>Amount</i>
\$82,000	001.3410.0101 Salaries – Fire	001.3410.0103 Short Shift Staffing – Fire	\$82,000
<i>To create a new expense line</i>			
\$6,000	001.3410.0101 Salaries – Fire	001.3410.0200 Equipment – Fire	\$30,500
\$1,500	001.3410.0444 Office Tech – Fire		
\$1,000	001.3410.0317 Clothing – Fire		
\$15,900	001.3410.0408 New Hire – Fire		
\$6,100	001.3410.0104 Holiday – Fire		
<u>\$30,500</u>			<u>\$30,500</u>
<i>To purchase a vehicle to replace Fire Chief’s vehicle</i>			

Ayes: 5

Nays: 0

Abstain: 1 (Bowe)

MOTION CARRIED

Fire Chief Salerno said a decision has not been made as to whether he will purchase a used vehicle or new vehicle off the State bid to replace the Chief's vehicle, which is in poor shape. He will continue to look at both options. Councilor Bowe said he did not have enough information to make an informed decision so he will abstain from the vote.

AMUSEMENT DEVICE LICENSE APPLICATION

RESOLUTION 14-29

Moved by Councilor Smith
Seconded by Councilor Simchik

RESOLVED, to approve the 2014 Amusement Device License for Nichols Vending, Inc. RD 1. Box 231, Canastota NY.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Zogby asked that the fee structure be looked at.

APPOINTMENTS

RESOLUTION 14-30

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, to authorize the Mayor's reappointment of Jason Earl and Lisa Coakley to the City of Oneida Recreation Commission.

Ayes: 6
Nays: 0

MOTION CARRIED

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 14-31

Moved by Councilor Zogby
Seconded by Councilor Bowe

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

ENCROACHMENT AGREEMENT

RESOLUTION 14-32

Moved by Councilor Zogby
Seconded by Councilor Smith

RESOLVED, to authorize the Mayor to sign the Encroachment Agreement between the City of Oneida, NY and the Estate of Glenford P. Fish, 214 Brooks Street, Oneida, NY that per the City Attorney's recommendation will include an obligation to file a re-combined deed with the Madison County Clerk's office.

Ayes: 6
Nays: 0

MOTION CARRIED

NEW BUSINESS

Joe Magliocca, Oneida Rail Trail, said the City of Oneida has been selected to receive \$545,830 in funding through the NYS DOT Transportation Enhancement Program (TEP) for development of its Oneida Rail Trail, a proposed 11.3 mile multi-use trail system around the City. He commended Patti Meakin and the Madison County Planning Department for their exceptional efforts. Mr. Magliocca said the Oneida Improvement Committee also received a small website grant in the amount of \$1,500, and the website domain www.improveoneida.com has been purchased.

Councilor Helen Acker said that it was a great honor to attend the Governor Cuomo's State of the State address in Albany representing the City. Police Chief Meeker and Councilor Acker enjoyed the pomp and circumstance of the event.

Motion to adjourn by Councilor Chamberlain

The regular meeting is hereby adjourned at 9:37 p.m.

CITY OF ONEIDA

Susan Pulverenti, City Clerk