

REGULAR MEETING
August 19, 2024

A regular meeting of the Sherrill City Commission was held at 7:00 p.m. on August 19, 2024. Present were Mayor W. Vineall, Commissioners C. Niles, B. Piccola, K. Sayles, City Manager B. Lovett and City Clerk M. Holmes.

MINUTES

Motion was made by K. Sayles and seconded by C. Niles that the minutes of the previous meeting be approved as written.

AYES: Niles, Piccola, Sayles, Vineall

BILLS

Motion was made by B. Piccola and seconded by K. Sayles that the following bills be approved for payment and W. Vineall be authorized to sign the warrant.

| Fund | Warrant No. | Date | Dollars |
|--------------------------|--------------------|-------------|----------------|
| City Claims on | 15 | 8/19/2024 | \$212,390.29 |
| Sewer Claims on | 15 | 8/19/2024 | \$ 20,048.47 |
| P&L Claims on | 15 | 8/19/2024 | \$ 61,872.03 |
| Trust & Agency Claims on | 15 | 8/19/2024 | \$ 1,250.00 |

AYES: Niles, Piccola, Sayles, Vineall

SALE OF FIRE DEPARTMENT TAHOE

B. Lovett reported that the high bid on Auctions International was \$6,200 for the former fire department Chevy Tahoe. Motion was made by B. Piccola and seconded by K. Sayles that the high bid be approved.

AYES: Niles, Piccola, Sayles, Vineall

SEQRA RESOLUTION

M. Holmes reported that because the City is looking to potentially bond for a new Dump Truck a State Environmental Quality Review Act process should be complete. The following motion was moved by K. Sayles and seconded by B. Piccola:

BE IT RESOLVED by the City Commission of the City of Sherrill, Oneida County, as follows:

Section 1. It is hereby determined that the City Commission adopting this resolution has declared itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof and completed a coordinated review.

Section 2. It is hereby determined that the project described in Section 3 hereof is an Unlisted Action which, it has been determined will not have a significant adverse impact upon the environment, as provided in the short environmental assessment form attached hereto and hereby made a part hereof.

Section 3. The project is the purchase and potentially bonding for a new Dump Truck.

Section 4. This resolution shall take effect immediately.

AYES: Niles, Piccola, Sayles, Vineall

BOND RESOLUTION – DUMP TRUCK

The following resolution was offered by Commissioner K. Sayles, who moved its adoption, seconded by Commissioner B. Piccola, to wit:

A RESOLUTION AUTHORIZING THE PURCHASE OF A DUMP TRUCK, FOR THE CITY OF SHERRILL, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$275,000, AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$175,000 BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”) as a Type II Action pursuant to the regulations thereunder, have been performed and it has been determined that, as such, the capital project will not have any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED by the affirmative vote of **not less than two-thirds of the total voting strength** of the City Commission of the City of Sherrill, Oneida County, New York, as follows:

Section 1. The purchase of a dump truck for maintenance purposes, including original equipment, and incidental expenses in connection therewith, for the City of Sherrill, Oneida County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$275,000.

Section 2. The plan for the financing of the aforesaid \$275,000 maximum estimated cost shall consist of:

- i) the issuance of \$175,000 bonds of said City hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- ii) the application of \$100,000 available monies hereby authorized to be expended therefor.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said City of Sherrill, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided

for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *Rome Daily Sentinel*, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM in accordance with Local Law No. 2 for the year 1959 as amended by Local Law No. 2 for the year 1969. Within three days hereof, the City Clerk is hereby directed to have published in the *Rome Daily Sentinel*, the official newspaper of the City, and posted on the official signboard a notice setting forth the date of adoption and a summary or abstract hereof.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|----------------------|--------|--------|
| Commissioner Piccola | VOTING | Aye |
| Commissioner Sayles | VOTING | Aye |
| Commissioner Niles | VOTING | Aye |
| Commissioner Shay | VOTING | Absent |
| Mayor Vineall | VOTING | Aye |

The resolution was thereupon declared duly adopted.

SEQRA RESOLUTION

M. Holmes reported that because the City is looking to potentially bond for a new Fire Rescue Truck a State Environmental Quality Review Act process should be complete. The following motion was moved by K. Sayles and seconded by C. Niles:

BE IT RESOLVED by the City Commission of the City of Sherrill, Oneida County, as follows:

Section 1. It is hereby determined that the City Commission adopting this resolution has declared itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof and completed a coordinated review.

Section 2. It is hereby determined that the project described in Section 3 hereof is an Unlisted Action which, it has been determined will not have a significant adverse impact upon the environment, as provided in the short environmental assessment form attached hereto and hereby made a part hereof.

Section 3. The project is the purchase and potentially bonding for a new Fire Rescue Truck.

Section 4. This resolution shall take effect immediately.

AYES: Niles, Piccola, Sayles, Vineall

BOND RESOLUTION – FIRE TRUCK

The following resolution was offered by Commissioner K. Sayles, who moved its adoption, seconded by Commissioner C. Niles, to wit:

A RESOLUTION AUTHORIZING THE PURCHASE OF A FIRE RESCUE TRUCK, FOR THE CITY OF SHERRILL, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$235,000, AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$117,000 BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”) as a Type II Action pursuant to the regulations thereunder, have been performed and it has been determined that, as such, the capital project will not have any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED by the affirmative vote of **not less than two-thirds of the total voting strength** of the City Commission of the City of Sherrill, Oneida County, New York, as follows:

Section 1. The purchase of a fire rescue truck, including original equipment, and incidental expenses in connection therewith, for the City of Sherrill, Oneida County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$235,000.

Section 2. The plan for the financing of the aforesaid \$235,000 maximum estimated cost shall consist of:

- i) the issuance of \$117,000 bonds of said City hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- ii) the application of \$118,000 available monies hereby authorized to be expended therefor.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said City of Sherrill, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 4) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 5) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 6) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *Rome Daily Sentinel*, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM in accordance with Local Law No. 2 for the year 1959 as amended by Local Law No. 2 for the year 1969. Within three days hereof, the City Clerk is hereby directed to have published in the *Rome Daily Sentinel*, the official newspaper of the City, and posted on the official signboard a notice setting forth the date of adoption and a summary or abstract hereof.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Commissioner Piccola VOTING Aye
Commissioner Sayles VOTING Aye
Commissioner Niles VOTING Aye
Commissioner Shay VOTING Absent
Mayor Vineall VOTING Aye

The resolution was thereupon declared duly adopted.

ROUTE 5 SIDEWALK PROJECT

M. Holmes reported that the NYS DOT has provided a Supplemental Agreement, No. 2 that needs to be approved for the grant funding reimbursement. Motion was made by B. Piccola and seconded by C. Niles that the mayor be authorized to execute on behalf of the City.

AYES: Niles, Piccola, Sayles, Vineall

CITY OF SHERRILL – TOWN OF VERNON AGREEMENT

K. Sayles reported that the Town of Vernon approved the funding agreement for the City of Sherrill for upwards of \$15,000 for the CAC for 2024. He asked that the City consider approving it as well. Motion was made by K. Sayles and seconded by B. Piccola to approve the funding agreement with the Town of Vernon for 2024.

AYES: Niles, Piccola, Sayles, Vineall

Motion was made by C. Niles and seconded by K. Sayles to adjourn.

AYES: Niles, Piccola, Sayles, Vineall

Michael Holmes
City Clerk