

**MINUTES OF THE COMMON COUNCIL**  
**REGULAR MEETING**  
**JULY 1, 2025**

A meeting of the Common Council of the City of Oneida, NY was held on the first day of July 2025 at 6:30 pm at the City of Oneida Common Council Chambers, 109 N. Main Street, Oneida NY 13421.

The meeting was called to order by Mayor Rick Rossi.

<u><b>Attendees</b></u>	<b>Present</b>	<b>Absent</b>	<b>Arrived Late</b>
Mayor Rossi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Kyle Lovell, CM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Szczerba	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Hitchings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Winchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

**Also Present**

City Attorney Nadine Bell	<input checked="" type="checkbox"/>	Public Safety Comm. Dave Jones	<input type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Assist. Police Chief Will Clark	<input checked="" type="checkbox"/>
Fire Chief Scott Jones	<input checked="" type="checkbox"/>	Other: _____	<input type="checkbox"/>
Police Chief Steve Lowell	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>

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Call to Order/Pledge of Allegiance/Roll Call

**PUBLIC COMMENT**

**BOB BRITTON-ONEIDA**

Mr. Bob Britton remarked that, based on his understanding, significant investments—totaling millions of dollars—were made to upgrade the pumps under Acting City Manager John Monaghan to mitigate flooding. He questioned why flooding remains an issue despite those upgrades.

He also commented on Councilor Winchell’s continued absence, stating that he has missed more meetings than he has attended. He questioned how this could persist and suggested that if Councilor Winchell is unable to fulfill his duties, he should consider resigning.

In closing, Mr. Britton praised the coordinated response of the Mayor, City Manager, Police and Fire Departments, DPW, Tree Service, 911, and other agencies during the recent tragedy, declaring that they did “a hell of a job” and calling for a round of applause. Lastly, he commented on those that drove through the barricades and on lawns-referring to them as “idiots.”

LORI BARRETTA-317 BELMONT AVE.

Resident Lori Barretta thanked everyone and spoke about the severe flooding that occurred this past week on Sylvan, Franklin, and Belmont Avenue, affecting 12 or more homes and families. She described the situation as significant and disturbing for all impacted residents.

She stated that she did not claim to be an engineer or expert in water management but was speaking as a concerned and upset citizen—both for herself and for her neighbors—who endured an exhausting week of basement cleanup, appliance loss, and damage to water heaters, gas heaters, and personal belongings. She noted that some residents experienced up to 2.5 feet of water, while others had approximately 10 inches.

Mrs. Barretta pointed to the lack of maintenance of the mini brook at Belmont and Florence Avenues as a primary cause of the flooding, noting that it had once been regularly dredged and cleaned. She was recently told by someone from the City that maintenance has stopped, because the area is considered private property, preventing the City from using heavy equipment. She expressed strong dissatisfaction with this reasoning and called for immediate action, stating that residents cannot go through this again. She asked for reassurance that a plan would be developed to address the issue.

JOSEPH BARRETTA-317 BELMONT AVE.

Mr. Barretta stated that while he had access to pumps, some of his neighbors were not as fortunate and had to wait. He expressed gratitude to the Fire Department, first responders, Department of Public Works, and all others who assisted with basement pumping and ensured public safety by shutting off gas and electricity. He commended them for doing an excellent job.

He expressed that there should be a clear plan moving forward for the mini brook, involving mitigation efforts and an evaluation of the box culvert. Although not an engineer, he believes proactive steps must be taken and long-term solutions carefully considered.

RANDY HERSHEY-308 BELMONT AVE.

As an engineer, Mr. Hershey addressed the flooding concerns on Belmont Avenue, stating that the culvert installed—either by the City or Dixon—at the end of Belmont is a 42-inch corrugated metal pipe, whereas the downstream connection is a 42-inch smooth bore concrete pipe. He explained that, hydraulically, the upstream pipe should have been 60 inches to match downstream capacity. The current setup creates a bottleneck, which he said has resulted in at least three flooding incidents.

He referenced former hardware store owner Tom Griffith, who was denied development in Trestle Town due to the area being designated as flood storage. In contrast, he stated that development later occurred in that area, and a flood storage study—allegedly required of Tom Dixon—was never completed. A local surveyor who worked for Snyder Engineering confirmed that the installed pipe was undersized.

He asserted that the development of Trestle Town took up critical flood storage at the end of Florence Avenue, displacing stormwater into the adjacent neighborhood and contributing to repeat flooding. He estimated the most recent flood caused roughly \$100,000 in damage.

Additionally, he cited a lack of stream maintenance between the high school and the Garden Apartments, noting that the stream has not been dredged and has significantly reduced in depth. He questioned why the City, which once regularly cleaned streams even on private property in the 1970s and 1980s, now claims it cannot perform such maintenance due to ownership restrictions. He concluded by stressing that the combination of the undersized culvert, lost flood storage, and lack of maintenance has exacerbated flood risk, and emphasized that "an ounce of prevention is worth a lot of cure."

Mayor Rossi stated that Belmont Avenue was the first location he visited that day, as it is near his home and his wife's grandparents also reside in the area. He expressed his awareness of the flooding situation and noted that he had been monitoring it throughout the day.

**OLD BUSINESS:**      None

## **REPORTS**

### **MAYOR'S REPORT**

Mayor Rossi acknowledged the recent flood and extended sincere thanks to everyone involved in the response—not only the City's department heads and departments, who performed exceptionally, but also local businesses and residents who stepped up to help one another. He noted that the Fire Department had operations underway before 6:00 a.m. and described their efforts as that of a "well-oiled machine." He emphasized the City's good fortune in having such dedicated professionals and expressed his deep appreciation to all involved.

### **CITY MANAGER'S REPORT**

#### **Budget Overview (as of June 30)**

- General Fund Revenues: 51.2% collected—on pace with projections at mid-year.
- General Fund Expenditures: At 59%, slightly ahead due to seasonal programs and contractual payments.
- Sales Tax Collections: Currently at 30% of the annual budget; trend to be monitored through Q3.
- Property Taxes: Nearly fully realized at 95%.
- State Aid & Tribal Compact Funds: Not yet received; expected per normal disbursement schedules.
- Department Spending: Generally aligned with budget; Police and Fire departments are being closely monitored.
- Personnel Costs: Overtime impacted by the early-year National Guard activation, but being managed effectively.

#### **Water & Wastewater Fund**

- Water Fund Expenditures: At 47%, tracking well.
- Chemical & Lab Costs: Controlled despite market volatility.
- Staff Recognition: Commended water and wastewater treatment plant staff for maintaining high operational standards.

## Water System & Restrictions

- Voluntary water restriction remains in place due to storm debris impacting intake flow and increased consumption from heat.
- Reservoir levels at Baker are stable at 12 feet; mandatory restrictions would apply if levels drop below 10 feet.
- Residents asked to limit lawn watering to early morning/evening hours and reduce non-essential water use.

## Pool Update

- The city pool remains closed due to a delayed filter part.
- Repair is on track, with a tentative reopening scheduled for July 14.
- A cooling event at Vets Park was well attended; thanks extended to the Fire Department and Airtime Inflatables for providing spray hoses and a slip-and-slide attraction.

## Storm Response Recap

- The National Weather Service confirmed two EF-1 tornadoes in a 24-hour period.
- Fire Department: Responded to 91 calls.
- Police Department: Responded to 45 calls.
- Incidents included downed trees, power lines, medical emergencies, and traffic control.
- City departments were commended for early, coordinated, and effective response—some arriving as early as 4 a.m.

## Acknowledgements

- Thanked County partners Dan DeGear who is the current Director of Emergency Management, for Madison County and Samantha Field, Public Information Officer for support with the Emergency Operations Center (EOC) setup and coordination with state resources and National Grid.
- Appreciation extended to Hank Leo of the YMCA and Oneida Dispatch Assistance (ODA) for assisting residents in need.
- Praise given to all departments—Police, Fire, DPW, Water—for executing a seamless emergency response.

## Final Notes

- The City Manager expressed pride in the team and their commitment during the storm.
- Announced vacation from July 7–11; Fire Chief Scott Jones will serve as Acting City Manager during that time.
- Urgent matters should be directed to Chief Jones or the City Manager's office prior to departure.

## **APPROVAL OF MINUTES**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**RESOLVED**, that the minutes of the regular meeting of June 17, 2025, are hereby approved as presented.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

## **APPROVAL OF WARRANT**

Moved by Councilor Simchik  
Seconded by Councilor Pagano

**RESOLVED**, that Warrant No. 13 checks and ACH payments in the amount of \$1,925,901.82 as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller or a third party duly retained by the City of Oneida to perform such services.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

## **AGREEMENT EXTENSION-CHRIS HENRY CONSULTING SERVICES (PLANNING & DEVELOPMENT)**

### **RESOLUTION 25-118**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**RESOLVED**, to authorize the City Manager to sign a revised agreement, in a form approved by the City Attorney, for an extension of six-months (July 1, 2025-December 31, 2025) with Chris Henry, with a mailing address of 109 Meeker Ave., Utica, NY 13502, for consulting services rendered in connection and to assist with those duties performed by and assigned to the City of Oneida Planning Director.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

## **BUDGET TRANSFERS-AMENDMENTS**

### **RESOLUTION 25-119**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**RESOLVED**, to approve the budget transfers and amendments as outlined by the Comptroller or a third party duly retained by the City of Oneida to perform such services.

	<b><u>To</u></b>	<b><u>From</u></b>
<b>2025 Budget Adjustments</b>		
\$ 300,000.00	002.8300.0448.0000 Water-Emergency Repair-Baker	002.0002.0912.0000 Water Fund Balance
<b><i>To allocate funds for the expected expense of the emergency repairs needed at Baker Reservoir</i></b>		
\$ 2,750.00	001.7521.0403.0000 Kallet Contracts	001.0001.0912.0000 General Fund Balance
<b><i>To allocate funds for an appraisal to be done on the Kallet</i></b>		
\$ 50,000.00	001.3120.0102.0000 Police Overtime	001.0001.0912.0000 General Fund Balance
<b><i>To allocate funds to cover expected overtime for the remainder of 2025</i></b>		

Ayes: 6  
Nays: 0  
Absent: 1-Winchell

**MOTION CARRIED**

#### **DISCUSSION:**

*Councilor Laureti Inquiries – Emergency Repair & Appraisal Explanation:*

Councilor Laureti inquired about the nature of the emergency repair. City Manager Lovell explained that the issue involves a separation in a chlorine holding tank at the water facility. Due to a gap in the seal at the flange, staff had to wait for the chlorine level to drop below that point before they could safely assess and apply a proper seal. The repair is technically complex, and the Water Department provided detailed guidance throughout the process.

Councilor Laureti also asked about the purpose of the appraisal for the Kallet. The City Manager responded that the appraisal was initiated based on a previous request from Councilor Laureti regarding the potential sale of the property. He explained that there are typically two ways to approach such matters, and when council members express interest in exploring an option, he tries to accommodate those requests when possible. In this case, obtaining an appraisal will provide an accurate assessed value for the Kallet, which is essential in determining whether a potential sale is viable or if other uses—such as an entertainment

venue—should be considered. The City Manager emphasized the importance of knowing the property's value before entering into any negotiations or making decisions, stating, “I’d much rather we know the price tag now than be surprised later.

**CEASE THE SALE OF HUNTING AND FISHING LICENSES IN NEW YORK STATE**

**RESOLUTION 25-120**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**WHEREAS**, the City of Oneida currently facilitates the sale of hunting and fishing licenses in partnership with the New York State Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, the administrative burden and associated costs of processing these licenses outweigh the benefits to the City of Oneida; and

**WHEREAS**, alternative channels are available for residents and visitors to obtain hunting and fishing licenses directly from the NYSDEC website or authorized third-party vendors; and

**WHEREAS**, this resolution will streamline the City of Oneida operations and allow resources to be redirected to services more directly aligned with its mission; and

**WHEREAS**, residents will be notified of this change and provided with information on alternative licensing options;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Oneida will cease the sale of hunting and fishing licenses effective August 1, 2025; and

**BE IT FURTHER RESOLVED** that the City of Oneida will collaborate with NYSDEC to ensure a smooth transition and provide the public with adequate information regarding alternative licensing resources.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the New York State Department of Environmental Conservation.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell

**MOTION CARRIED**

**DISCUSSION:**

Councilor Hitchings provided clarification on the rationale behind the resolution, stating that although the service of issuing fishing licenses is offered to benefit the community, it has proven to be no longer cost-effective for the City Clerk’s Office. She noted that the program began approximately three years ago, and

at that time, the City received about \$0.25 per license. For example, in June, eight licenses were sold, generating \$140 in total sales, of which the City retained only \$7.74.

She explained that recent changes by the State have further complicated the process. Previously, the State provided equipment and printing materials, but now those responsibilities fall to the City, increasing staff time and supply costs. As a result, the City is at risk of losing money while administering a service that has drawn limited public interest. Based on these factors, the decision was made to discontinue the program.

**INTRODUCE A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ONEIDA TO ABOLISH THE  
ELECTIVE OFFICE OF THE CITY CHAMBERLAIN-SCHEDULE PUBLIC HEARING**

**RESOLUTION 25-121**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**WHEREAS**, the proposed Local Law has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; **and**

**WHEREAS**, the City of Oneida Common Council has the authority to adopt provisions to advance and protect the safety, welfare, and aesthetics of the community; **and**

**WHEREAS**, this amendment to the Charter of the City of Oneida will abolish the position of the elective office of the City Chamberlain; **and**

**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, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) 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**

**WHEREAS**, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA and the Common Council has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; **and**

**WHEREAS**, said EAF has been prepared and has been reviewed by the Common Council; **and**

**WHEREAS**, the Common Council has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria, **and**

**WHEREAS**, the enactment of said proposed Local Law is subject to a mandatory referendum pursuant to Municipal Home Rule Law § 23.

**NOW, THEREFORE**, it is



**RESOLVED AND DETERMINED**, that there are no other involved agencies, that the Common Council shall act as lead agency and that the enactment of the proposed Local Law is an unlisted action for purposes of SEQRA review; **and it is further**

**RESOLVED AND DETERMINED**, that the Common Council has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; **and it is further**

**RESOLVED AND DETERMINED**, that the Common Council shall conduct a public hearing as to the enactment of the proposed Local Law at the Oneida City Hall located at 109 North Main Street, Oneida, New York on July 15, 2025, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

**RESOLVED**, that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the City of Oneida.

Ayes: 6

Nays: 0

Absent: 1-Winchell

**MOTION CARRIED**

DISCUSSION:

It was noted by the Mayor that the City of Oneida is among the last municipalities to maintain an elected City Chamberlain position. Councilor Hitchings explained that the current effort is not a reflection on the individuals who have held the office recently—who have been trustworthy and accountable—but rather on the structure and oversight of the position itself.

The concern lies in the lack of accountability and reporting structure. As it currently stands, the elected Chamberlain is not required to report to the City Manager and is only obligated to work a minimum of 1 day per year, which creates operational challenges. Councilor Hitchings added that while the current and recent officeholders have fulfilled their responsibilities honorably, the City cannot rely solely on personal integrity without systemic checks and balances.

Councilor Hitchings emphasized the importance of operational consistency and accountability, drawing a parallel to the City Manager's role in ensuring the continuity of government. By integrating the Chamberlain position into the City's administrative team, the role would be subject to direct oversight, procedural alignment, and increased efficiency.

Additionally, City Manager Lovell suggested that restructuring the position could provide greater organizational value. A redefined role—potentially as an administrative aide—could support multiple departments such as the City Clerk's Office and the Assessor's Office. This would allow the City to better utilize personnel resources and create a more flexible and impactful support structure.

The change is intended as part of a broader cultural and operational realignment, focused on enhancing efficiency, accountability, and interdepartmental support.

**CITY OF ONEIDA  
PROPOSED LOCAL LAW**

**A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ONEIDA TO ABOLISH  
THE ELECTIVE OFFICE OF THE CITY CHAMBERLAIN**

Be it enacted by the Common Council of the City of Oneida, this local law amends the Charter of the City of Oneida and the City of Oneida City Code to abolish the elective office of City Chamberlain.

**SECTION 1.                  AUTHORITY.**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law § 10.

**SECTION 2.                  PURPOSE.**

In accordance with Section 2.1(A) of the Oneida City Charter, the City Chamberlain for the City of Oneida is an elective City officer with a two (2) year term. The Common Council of the City of Oneida has determined that it is desirable to abolish the elective position of the City Chamberlain. The purpose of this Local Law is to effectively effectuate such change, at 11:59 p.m. on December 31, 2027. Said change would be subject to a mandatory referendum. Therefore, an additional purpose of this local law is to place on the November 4, 2025, general election ballot, a referendum item which allows the electors of the City of Oneida to decide if they wish to abolish the elective office of City Chamberlain.

**SECTION 4.                  AMENDMENT OF THE CITY CHARTER SECTION 2.1(A).**

So that Subsection (A) of Section 2.1 of the Oneida City Charter, titled "Elective officers: terms," shall be amended so as to read, in its entirety, as follows:

- "A. There shall be elected by the qualified electors of the City a Common Council consisting of the Mayor and six Councilors, a City Judge, a City Justice and four Supervisors. All elective City officers shall be elected for a two-year term except the Supervisors, who shall be elected for the same term of office as Supervisors of the towns of Madison County and the City Judge and City Justice who shall be elected for six-year terms. One Councilman shall be elected by the qualified electors of each of the six wards. The qualified electors of the First, Second and Third Wards shall together elect two Supervisors. The qualified electors of the Fourth, Fifth and Sixth Wards shall together elect two Supervisors."

**SECTION 5.                  MANDATORY REFERENDUM.**

Pursuant to Municipal Home Rule Law Section 23(2)(e), this Local Law shall be submitted for approval to the electors of the City of Oneida at the next general City election to be held on November 4, 2025.

**SECTION 6.                  VALIDITY & SEVERABILITY.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 7.**                    **EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State. Pursuant to Municipal Home Rule Law § 23, this Local Law is subject to a mandatory referendum, and this may not be filed with the Secretary of State until a referendum has been conducted approving this Local Law.

**INTERAGENCY AGREEMENT-STATE PLAN OF OPERATION**

**RESOLUTION 25-122**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**RESOLVED**, to authorize the City Manager to sign a State Plan of Operation (SPO) Interagency Agreement with New York State for the transfer of excess personal property and to ensure accountability of the same for the Police Department.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell

**MOTION CARRIED**

**RECEIVE/FILE AUTHORIZATION LETTER-ACTING CITY MANAGER**

**RESOLUTION 25-123**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**RESOLVED**, to receive and place on file a letter from City Manager, Kyle Lovell, appointing Fire Chief, Scott Jones, as Acting City Manager during the period of July 7, 2025, through July 11, 2025, while he will be on vacation.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

**APPROVE BID-SIDEWALK REPLACEMENT**

**RESOLUTION 25-124**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**RESOLVED**, to approve the lowest bid meeting specifications for the 2025 Sidewalk Replacement Program to Sgarlata Concrete Inc., 3811 Canal Street, Canastota, NY 13032.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

**AGREEMENT-MATRIX ACQUISITION GROUP**

**RESOLUTION 25-125**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**RESOLVED**, to authorize the City Manager to sign an agreement with Matrix Acquisition Group LLC, for a new phone system for the City of Oneida.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

**AGREEMENT-VILLAGE OF VERNON WATER SUPPLY 2025-2032 (REVISED)**

**RESOLUTION 25-126**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**WHEREAS**, on May 6, 2025, the City of Oneida Common Council adopted Resolution No. 25-89, authorizing the City Manager to execute a Water Supply Agreement with the Village of Vernon for the term 2025 through 2032; and

**WHEREAS**, subsequent discussions between the parties have resulted in a revised agreement that increases the daily water supply allocation from 400,000 gallons per day to 500,000 gallons per day; and

**WHEREAS**, the City of Oneida desires to continue its cooperative arrangement with the Village of Vernon to ensure the provision of potable water in accordance with the revised terms;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Oneida, New York, that the City Manager is hereby authorized and directed to sign the revised Water Supply Agreement with the Village of Vernon for the period of January 1, 2025, through December 31, 2032, which reflects the updated water supply volume of 500,000 gallons per day.

Ayes: 6

Nays: 0

Absent: 1-Winchell

**MOTION CARRIED**

#### **AGREEMENT-NORTHLAND COMMUNICATIONS**

##### **RESOLUTION 25-127**

Moved by Councilor Hitchings

Seconded by Councilor Pagano

**RESOLVED**, to authorize the City Manager to execute an agreement with Northland Communications for internet and telephone services to replace Spectrum at the following locations:

- 268 N. Main Street-Traffic Garage
- 403 Sconondoa Rd.-Water Garage
- 409 Sconondoa Rd.-DPW Garage

Ayes: 6

Nays: 0

Absent: 1-Winchell

**MOTION CARRIED**

#### **DISCUSSION:**

City Manager Lovell reported that the City has identified significant cost savings—approximately \$6,000 annually—related to a specific group of properties (noted above). He credited Tracy in the Finance Office for identifying the initial issue that led to the discovery, describing her work as instrumental in uncovering

the opportunity. While the number of properties impacted is limited, the resulting savings are substantial and beneficial to the City.

Councilor Szczerba stated that a few months ago, he received an email from a resident inquiring about the possibility of connecting to an existing fiber conduit within the City. He forwarded the inquiry to the City Engineer for review, who expressed no objections to the request. Based on that response, the City followed up with the individual to confirm there were no engineering concerns regarding the connection point. However, Councilor Szczerba noted that there has been no further communication or follow-up from the individual since that exchange.

Resident Joe Magliocca commented that the inquiry likely pertained to the Madison County construction of a countywide fiber optic broadband network, of which the City of Oneida is a participating municipality. He noted that work was expected to begin in the Oneida area around this time as part of the broader rollout.

City Manager Lovell added that the fiber optic company had begun installing lines throughout the area. He noted that he had not received any recent updates and expressed an expectation that the system was supposed to be operational by now, particularly given the potential cost savings and improvements to infrastructure and that he would look into it.

#### **WAIVE RULE TO ACCEPT AGENDA ITEMS**

##### **RESOLUTION 25-128**

Moved by Councilor Hitchings  
Seconded by Councilor Pagano

**RESOLVED**, that per Resolution 08-180 adopted by the Common Council on August 19, 2008, the provisions of the procedure to accept agenda items are hereby waived.

Ayes: 6  
Nays: 0  
Absent: 1-Winchell  
**MOTION CARRIED**

#### **AUTHORIZING THE CITY ENGINEER TO PROCEED WITH A CAPITAL PROJECT FORSIDEWALK REPLACEMENT**

##### **RESOLUTION 25-129**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**WHEREAS**, the Common Council of the City of Oneida recognizes the need for the continued improvement and maintenance of sidewalks throughout the City; and

**WHEREAS**, the City Engineer has proposed a Capital Project in the amount of \$210,000 for the purpose of sidewalk replacement; and

**WHEREAS**, the City has secured funding support through the Dormitory Authority of the State of New York (DASNY) to be used toward repayment of the project cost; and

**WHEREAS**, pursuant to Section 6.1(B)(1)(b) of the Oneida City Charter, the cost of Council-mandated construction or reconstruction of public sidewalks shall be borne fifty percent (50%) by the City as a whole and fifty percent (50%) by the property benefitted or the owner or owners thereof; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Oneida, that the City Engineer is hereby authorized to proceed with a Capital Project for Sidewalk Replacement in the amount of \$210,000; and be it further

**RESOLVED**, that repayment for said project shall be made through the DASNY grant, with reimbursement from property owners of fifty percent (50%) of the replacement cost in accordance with Section 6.1(B)(1)(b) of the Oneida City Charter.

Ayes: 6

Nays: 0

Absent: 1-Winchell

**MOTION CARRIED**

DISCUSSION:

There was discussion regarding the existence of a Sidewalk Replacement Fund, and the City Manager confirmed that such a fund does exist, though he was unsure of the current balance.

Questions were raised about the potential visual and practical impact of partial participation in the 50/50 Sidewalk Replacement Program. Specifically, concerns were expressed about the inconsistency that could result if some homeowners opt in and complete repairs, while others do not, leading to patchwork sidewalk conditions with newly replaced sections adjacent to deteriorated ones.

City Attorney Bell explained that under the City Charter, when sidewalk installation or repair is mandated, the cost is to be shared 50/50 between the City and the property owner. Once the project is completed, an assessment roll is presented to the Common Council outlining the total cost of the sidewalk program and each property owner's share.

At that point, the Council has the authority to determine how payments will be collected. The Council may choose to require full payment upfront from the property owner or may establish a payment plan—for example, allowing repayment over five years at a designated interest rate.

It was clarified that the City is not bonding for the project, and therefore, any interest charged on payment plans does not need to reflect a bond rate. However, if the City were to bond, the interest rate charged to the property owners would need to match the bond rate.

If a property owner fails to pay, the Charter provides that unpaid sidewalk assessments are to be levied against the property in the same manner as unpaid property taxes.

Resident Brahim Zogby voiced strong opposition to the current 50/50 sidewalk repair program, characterizing it as an ineffective system that has failed for over 40 years. He described the existing approach as inconsistent and inequitable, citing instances where sidewalk damage caused by city-owned trees is repaired at the City's expense, while other property owners are held responsible without clear enforcement or follow-up.

He emphasized that sidewalk conditions vary significantly across the city, with some areas impassable and unsafe. He pointed out that no resident can walk 11 uninterrupted minutes in any direction on a fully intact, safe sidewalk. Referring to this as a "hopscotch situation," he argued that fragmented responsibility has led to poor overall sidewalk conditions.

He suggested that the City eliminate the 50/50 cost-sharing model and instead take full responsibility for sidewalk maintenance, stating that sidewalks serve the public and should therefore be a municipal obligation. He argued that placing the burden on individual property owners is unfair, especially since they cannot access grant funding the way the City can.

He acknowledged having benefited from the 50/50 program personally but questioned how many residents are even aware of its existence. He criticized the inconsistency in program availability due to funding limitations and asked what options remain for residents when City funds are exhausted.

The resident concluded by urging the Council to consider amending the Charter or delaying current sidewalk initiatives to develop a program that fully transfers sidewalk responsibility to the City, asserting that such a move would lead to a safer, more walkable, and more beautiful community.

**NEW BUSINESS:** None

Motion to adjourn by Councilor Hitchings  
Seconded by Councilor Simchik

Ayes: 6

Nays: 0

Absent: 1-Winchell

**MOTION CARRIED**

The regular meeting is hereby adjourned at 7:11 p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk