

MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
OCTOBER 7, 2025

A meeting of the Common Council of the City of Oneida, NY was held on the seventh day of October 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>Attendees</u>	Present	Absent	Arrived Late
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>
City Clerk Sandy LaPera	<input checked="" type="checkbox"/>	Other: _____	<input type="checkbox"/>
Fire Chief Scott Jones	<input checked="" type="checkbox"/>	Other: _____	<input type="checkbox"/>
Police Chief Steve Lowell	<input checked="" type="checkbox"/>	Other: _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC COMMENT

RALPH KOHLER-ONEIDA

Mr. Kohler stated that local government should remain focused on local issues rather than national or partisan matters. He questioned why the Council would consider a resolution supporting federal legislation on natural gas regulation, noting that it provides no direct benefit to Oneida residents. Mr. Kohler said he filed a FOIA request regarding the matter but did not receive a response. He emphasized that such topics should involve public hearings and due diligence before action is taken. Mr. Kohler expressed concern that the resolution appears politically motivated given the timing before the election and urged the Council to remove it from the agenda or explain their reasoning for proceeding.

OLD BUSINESS: None

REPORTS

MAYOR'S REPORT

Mayor Rossi thanked everyone who attended and supported Fall Fest, expressing appreciation to all who dedicated their time and energy to organizing the event. He noted that over the years, Fall Fest has grown from a small local gathering into one that now attracts visitors from surrounding communities. Food vendors have reported selling out in record time, a testament to the strong community participation and enthusiasm. The Mayor extended his gratitude to everyone involved in making the event a continued success.

CITY MANAGER'S REPORT

DPW Leaf Pickup will begin next week. Residents are reminded to use biodegradable bags and place them curbside. Please avoid raking leaves into the street or piling them over sidewalks—keeping things neat helps our crews move quickly and efficiently.

Tree Trimming is still underway and expected to wrap up by the end of this week.

“Rope Haven Park” improvements are officially completed for this year.

The Hotel Oneida groundbreaking ceremony has been postponed due to a scheduling conflict with one of our partners. This does not delay progress—the interior demolition and preparation work are continuing as planned. We'll announce a new date once everyone's schedules align.

Budget preparation is progressing. We have preliminary figures completed and will continue refining them with the Comptroller this week. Budget Hearings will be scheduled in November, and we remain on track to file the official budget before the October 30th deadline.

CSEA negotiations have concluded, and a tentative agreement has been reached. Once the redlined version is finalized, it will come before the Council for review and adoption within the next 30 days. With that, all three bargaining unit Collective Bargaining Agreements for this year have been completed, which is a major accomplishment.

A big thank-you goes out to our union partners and department heads who participated in those discussions, especially our Public Safety Commissioner, Dave Jones, for his dedication and countless late nights during talks with the PBA and Firefighter unions.

Finally, City Manager Lovell thanked everyone involved in making Fall Fest such a tremendous success. He noted that thousands of people attended, and that events like this only happen because of strong teamwork across our city departments. From crews who prepared and cleaned the field, the Police and Fire Departments who ensured everyone's safety, and Parks and Recreation that kept everything running

smoothly.

City Manager Lovell gave special recognition to City Clerk, Sandy LaPera, who was a driving force behind this year's event, noting that she personally coordinated over 100 vendors and handled every detail—from applications and permits to signage and setup—bringing the festival to life. With support from Deputy Clerk, Monique Ludwig, she delivered an event that truly showcased the best of Oneida's community spirit.

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, that the minutes of the regular meeting of September 16, 2025, are hereby approved as presented.

Ayes: 7
Nays: 0

MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Winchell

RESOLVED, that Warrant No. 19, checks and ACH payments in the amount of \$1,281,911.91 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: 7
Nays: 0

MOTION CARRIED

A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY'S ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS BANS

RESOLUTION 25-174

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the **Climate Leadership and Community Protection Act (CLCPA)**, which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration's climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the **Energy Choice Act (H.R. 3699, S. 1945)**, federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an "all-of-the-above" energy strategy that strengthens reliability and affordability;

NOW, THEREFORE, BE IT RESOLVED, that the City of Oneida strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State's natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the City of Oneida urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

Mayor Rossi	YES
Councilor Szczerba	YES
Councilor Laureti	YES
Councilor Hitchings	YES
Councilor Winchell	YES
Councilor Pagano	YES
Councilor Simchik	YES

MOTION CARRIED

DISCUSSION:

The City Manager explained that he received an email from County Supervisor Matt Roberts requesting that the information be shared with the Common Council for their review. He stated that after forwarding the request to the Mayor, the Mayor directed that it be placed on the agenda for a vote. The City Manager noted that this is how the item came before the Council and added that he serves at the pleasure of the Council, inviting any discussion.

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 25-175

Moved by Councilor Hitchings
Seconded by Councilor Szczerba

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.

	<u>To</u>	<u>From</u>
2025 Budget Adjustments		
\$65.01	001.1410.0300.0000 Clerk Supplies	001.1410.0200.0000 Clerk Equipment
<i>To re-allocate funds for the Clerk's office to purchase supplies</i>		

Ayes: 7
Nays: 0

MOTION CARRIED

AGREEMENT-STEPHANIE GWILT (FUNKY BUTTER BAND)

RESOLUTION 25-176

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to authorize the City Manager to sign an agreement with Stephanie Gwilt, of Funky Butter Band, for services rendered in connection with Fall Fest on October 4, 2025, for the sum of \$500.

Ayes: 7
Nays: 0

MOTION CARRIED

WAIVE RULE TO ACCEPT AGENDA ITEMS

RESOLUTION 25-177

Moved by Councilor Hitchings
Seconded by Councilor Simchik

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: 7
Nays: 0

MOTION CARRIED

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ONEIDA REAFFIRMING THE COUNCIL'S
COMMITMENT TO CONFIDENTIALITY AND ETHICAL GOVERNANCE; ESTABLISHING AN ANNUAL
TRAINING REQUIREMENT; AND AN ATTESTATION**

RESOLUTION 25-178

Moved by Councilor Hitchings
Seconded by Councilor Pagano

WHEREAS, pursuant to Chapter 49 of the City Code, the City of Oneida Ethics Committee is duly established and empowered to issue advisory opinions regarding potential breaches of ethical conduct by elected or appointed officials;

WHEREAS, the Ethics Committee, upon review of evidence presented to it, issued an Advisory Opinion dated September 16, 2025, finding that sufficient evidence existed to warrant its recommendation that a breach of confidentiality occurred during the City's Executive Session held on September 2, 2025;

WHEREAS, at its regular meeting on September 16, 2025, the Common Council unanimously voted to accept said advisory opinion and directed that a formal investigation be opened to determine the source and extent of the breach;

WHEREAS, the Common Council affirms that the integrity of executive sessions is essential to the effective governance of the City, as such sessions often involve personnel, legal, and contractual matters requiring confidentiality under the New York State Open Meetings Law;

WHEREAS, the Council further recognizes that breaches of executive-session confidentiality undermine public trust, compromise sensitive deliberations, and erode the ethical standards expected of all elected officials

RESOLVED, that the Common Council of the City of Oneida formally acknowledged receipt and accepted the Ethics Committee's advisory opinion dated September 16, 2025, and reaffirms its unanimous commitment to cooperate fully with the ongoing investigation into the September 2, 2025, breach of executive-session confidentiality;

RESOLVED, that the Council directs the City Attorney to assist the investigative representatives by providing any necessary legal guidance and documentation relevant to the matter;

RESOLVED, that upon conclusion of the investigation, the Common Council shall consider any and all appropriate measures, included but not limited to censure, public reprimand, or referral to external authorities, consistent with applicable law and due process;

RESOLVED, that in order to prevent future breaches and reinforce public confidence, the City of Oneida hereby establishes a mandatory annual training requirement for all elected officials and the City Manager covering the New York State Open Meetings Law, Executive Session procedures, and the City's Code of Ethics and standards of conduct for public officers;

RESOLVED, that such training shall occur within sixty (60) days of January 1st of each calendar year, coordinated by the City Clerk in consultation with the City Attorney and the Ethics Committee;

RESOLVED, that immediately following the roll-call vote adopting this Resolution, each Council member sign (Attachment A), affirming their personal compliance with executive-session confidentiality and their commitment to uphold the full measure of the law against any individual proven, through due process, to have breached it;

RESOLVED, that the City Clerk shall attach the executed Attestation Addenda to this Resolution as part of the permanent legislative record, maintain the original signed copies in the official archives, and include documentation of annual training compliance within the Ethics Committee's annual report to the Common Council.

Mayor Rossi	YES
Councilor Szczerba	NO
Councilor Laureti	NO
Councilor Hitchings	YES
Councilor Winchell	NO
Councilor Pagano	YES
Councilor Simchik	YES

MOTION CARRIED

Attachment A – Council Confidentiality Attestation

Addendum

I, the undersigned, in my capacity as a duly elected member of the Common Council of the City of Oneida, hereby affirm and acknowledge the following:

1. That I was present (or have reviewed the record) for the adoption of the above Resolution acknowledging the advisory opinion of the Ethics Committee concerning the September 2, 2025, Executive Session.
2. That I affirm I have not, to the best of my knowledge and belief, disclosed or otherwise violated the confidentiality of any matter discussed in the Executive Session held on September 2, 2025, or any other lawfully convened Executive Session of the Common Council.
3. That I reaffirm my oath of office to faithfully discharge the duties of my position in accordance with the Constitution and laws of the State of New York, including those provisions set forth in the New York State Open Meetings Law governing Executive Session confidentiality.
4. That I pledge to fully cooperate with the ongoing investigation authorized by the Common Council and to support, to the maximum extent permitted under law, any lawful disciplinary or legal action recommended against any individual who is determined, through due process, to have breached Executive Session confidentiality.
5. That I understand that any future unauthorized disclosures may result in formal censure, referral to appropriate municipal or state authorities, and any other lawful sanctions available under City or State law.
6. That I further agree to attend the annual ethics and Open Meetings Law training required within sixty (60) days of January 1st of each year while in office.

Name (Print): _____

Signature: _____

Date: _____

Council Ward: _____

DISCUSSION:

In response to a question from Councilor Laureti, the City Manager explained that the resolution reaffirms the City's commitment to confidentiality and ethical governance. It establishes an annual training requirement and introduces an attestation form for all elected officials. The attestation confirms that the signatory has not engaged in any wrongdoing or breached Executive session confidentiality. The City Manager noted that the form could be signed immediately, with the City Clerk available to notarize it if desired. Councilor Laureti indicated that he would like to discuss this with the City Attorney prior to signing the document.

The City Clerk read aloud the resolution, and the Mayor read aloud the Attestation Addendum for the benefit of those members of the public that were present.

Mayor Rossi advised that there was clearly a breach of confidentiality during the executive session, and that it was evident that someone was responsible. He noted that it would cost the city a lot less money if that person would just come forward so the city could move forward.

City Manager Lovell stated that someone sitting "here" had violated their oath and broken the law, emphasizing that this was not a matter of opinion but fact. He expressed disappointment over the lack of accountability, noting that the foundation of government is built on adherence to the rule of law. He added that as someone who has dedicated his life to serving this nation and this city, he takes integrity very seriously. He urged the person or persons responsible to come forward so the Council could move forward, stressing that at the local level, they should set an example of honesty and responsibility.

Following review of the attestation, members discussed the language of the form and clarified points regarding prior statements made about Executive Session disclosures. The City Manager reiterated that the purpose of the attestation is to ensure continued adherence to confidentiality obligations and to reaffirm the Council's ethical standards.

A brief exchange occurred among Council members regarding comments made at the September 16th meeting and social media references by Councilor Winchell. Councilor Winchell stated that he was not present during the September 2nd meeting when the Executive Session was held and that his only knowledge of what was discussed came from social media. It was noted by several members, however, that Councilor Winchell had indicated during the September 16th meeting, in public session, that he not only heard information from social media but also spoke with a member of the public who provided details related to the Executive Session.

NEW BUSINESS: None

Motion to adjourn by Councilor Hitchings
Seconded by Councilor Simchik

Ayes: 7

Nays: 0

MOTION CARRIED

The regular meeting is hereby adjourned at 6:58 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk