

MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
NOVEMBER 18, 2025

A meeting of the Common Council of the City of Oneida, NY was held on the eighteenth day of November 2025 at 6:30 p.m. at the Common Council Chambers, 109 N. Main, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 6:35pm
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Supervisors

Matt Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Cavanagh	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brandee Henderson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michelle Kinville	<input type="checkbox"/>	<input checked="" 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"/>	Councilor Elect Cimpi	<input checked="" type="checkbox"/>
Fire Chief Scott Jones	<input checked="" type="checkbox"/>	Councilor Elect McHugh	<input checked="" type="checkbox"/>
Police Chief Steve Lowell	<input checked="" type="checkbox"/>	Councilor Elect Jones	<input checked="" type="checkbox"/>
Water Sup. A. Campany	<input checked="" type="checkbox"/>	Dir. Of Planning Vonderweidt	<input checked="" type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC HEARING : Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law, Section 3-C

OPEN PUBLIC HEARING

**LOCAL LAW AUTHORIZING PROPERTY TAX LEVY IN
EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW, SECTION 3-C**

RESOLUTION 25-198

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, that the Public Hearing for a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law, §3-C is hereby opened at 6:39p.m.

Ayes: 6
Nays: 0
Absent: 1-Pagano (late)
MOTION CARRIED

APPEARANCES

LYNNE MCHUGH-ONEIDA (Attachment A)
JOE MAGLIOCCA-ONEIDA (Attachment B)

Councilor-Elect Lynne McHugh and resident Joe Magliocca each read from prepared remarks. It was noted afterward that the Public Hearing had not been formally opened prior to their statements. They were asked by City Attorney Bell to confirm their agreement to have their comments placed on the record and advised that written copies could be submitted for attachment to the minutes after the conclusion of the Public Hearing. Both elected to submit their written comments.

CLOSE PUBLIC HEARING

**LOCAL LAW AUTHORIZING PROPERTY TAX LEVY IN
EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW, SECTION 3-C**

RESOLUTION 25-199

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, that the Public Hearing for a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law, §3-C is hereby closed at 6:40p.m.

Ayes: 7
Nays: 0

MOTION CARRIED

PUBLIC HEARING: Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes, and authorize the charges in the 2025 assessment roll to be re-levied onto the 2026 tax roll

**OPEN PUBLIC HEARING
MISCELLANEOUS UTILITY BILLING**

RESOLUTION 25-200

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the Public Hearing for Miscellaneous Utility Billing for unpaid service charges, water rents, and sewer taxes and to authorize the charges in the 2025 assessment roll to be re-levied onto the 2026 tax roll be hereby opened at 6:40p.m.

Ayes: 7
Nays: 0

MOTION CARRIED

APPEARANCES
None

**CLOSE PUBLIC HEARING
MISCELLANEOUS UTILITY BILLING**

RESOLUTION 25-201

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the Public Hearing for Miscellaneous Utility Billing for unpaid service charges, water rents, and sewer taxes and to authorize the charges in the 2025 assessment roll to be re-levied into the 2026 tax roll be hereby closed at 6:40p.m.

Ayes: 7

Nays: 0

MOTION CARRIED

PUBLIC HEARING: 2026 City Manager's Budget

**OPEN PUBLIC HEARING
2026 CITY MANAGER'S BUDGET**

RESOLUTION 25-202

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, that the Public Hearing for the 2026 City Manager's Budget be hereby opened at 6:41p.m.

Ayes: 7

Nays: 0

MOTION CARRIED

APPEARANCES

RALPH KOHLER-ONEIDA

Resident Ralph Kohler stated that, based on prior hearings and discussions with the Chief of Police, hiring two new police officers would be approximately revenue neutral due to reduced overtime. He noted that the Council appeared inclined to approve only one position and asked for clarification.

He further suggested revising the budget timeline, explaining that the budget is issued at the end of October and voted on shortly after elections, resulting in outgoing members determining a budget for the incoming Council. He recommended beginning the budget process in June or July so newly seated members have more time to participate and to promote a more consensus-driven approach.

He also requested that the Chief of Police provide comparative crime statistics with similar municipalities.

**CLOSE PUBLIC HEARING
2026 CITY MANAGER'S BUDGET**

RESOLUTION 25-203

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the Public Hearing for the 2026 City Manager's Budget be hereby closed at 6:43p.m.

Ayes: 7
Nays: 0

MOTION CARRIED

PUBLIC HEARING: Local Law amending Section 12.2 of the Oneida City Charter to require a supermajority vote of the Common Council to remove the City Manager

OPEN PUBLIC HEARING

**LOCAL LAW AMENDING SECTION 12.2 OF THE ONEIDA CITY CHARTER TO REQUIRE
A SUPERMAJORITY VOTE OF THE COMMON COUNCIL TO REMOVE THE CITY MANAGER**

RESOLUTION 25-204

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the public hearing for a Local Law amending Section 12.2 of the Oneida City Charter to require a supermajority vote of the Common Council to remove the City Manager is hereby opened at 6:44p.m.

Ayes: 7
Nays: 0

MOTION CARRIED

APPEARANCES

JOE MAGLIOCCA-ONEIDA

Resident, Joe Magliocca provided written comments (Attachment C)

CLOSE PUBLIC HEARING

LOCAL LAW AMENDING SECTION 12.2 OF THE ONEIDA CITY CHARTER TO REQUIRE A SUPERMAJORITY VOTE OF THE COMMON COUNCIL TO REMOVE THE CITY MANAGER

RESOLUTION 25-205

Moved by Councilor Hitchings

Seconded by Councilor Simchik

RESOLVED, that the public hearing for a Local Law amending Section 12.2 of the Oneida City Charter to require a supermajority vote of the Common Council to remove the City Manager is hereby closed at 6:46p.m.

Ayes: 7

Nays: 0

MOTION CARRIED

PUBLIC COMMENT

VINCENT BAILEY-ONEIDA

Resident Vincent Bailey provided written comments to be included with the official minutes of the meeting. (Attachment D).

OLD BUSINESS: None

REPORTS:

Mayor's Report

The Mayor remarked that the Council had met frequently over the past several weeks to work through the budget. He noted that no one appeared fully comfortable with the final product, which indicated that each member had made sacrifices throughout the process. He added that this was ultimately a positive sign.

Supervisor Matt Roberts' Report

Supervisor Roberts stated that the County is in a similar position to the City as it finalizes its budget. He noted that he serves as Chair of the Finance Committee, which oversees the budget process. Each year, the County adopts a local law to override the tax cap during budget development and, depending on the financial outlook, either rescinds the override or exceeds the cap. He reported that the County went above the tax cap last year but does not anticipate doing so this year.

He explained that the full proposed County budget is available on the Madison County website through new software that includes both graphical summaries and detailed budget documents. He added that

adjustments in the allocation of the Oneida Nation funding and tax revenue are contributing to the ability to remain within the tax cap.

Supervisor Roberts noted that this time of year is often informally referred to as “silly time” at the County, as meetings remain open and numerous resolutions are circulated, though the process is moving smoothly. He further reported that three new Supervisors—from Lebanon, Lenox, and Hamilton—will begin their terms in January and appear enthusiastic about their upcoming roles.

He added that the new online budget platform is worth reviewing, as it presents not only the full spreadsheet but a variety of graphics and data illustrating where tax revenue comes from and how it is allocated across departments. He noted that, similar to the City, a significant portion of the County budget—approximately 94 percent—is mandated, leaving only a small percentage for discretionary use. The Sheriff’s Office and the Highway Department remain the highest priorities due to public safety and infrastructure needs. He commented that these areas present ongoing challenges and recognized the extensive work done by department heads, including the Sheriff, to maintain services while staying within budget parameters. He encouraged the public to visit the County website to view the budget materials.

City Manager’s Report

City Manager Lovell expressed his appreciation to the Council for their commitment throughout the budget process. He thanked the members for their willingness to engage in discussion, work through concerns, and meet with him to review all aspects of the budget. He acknowledged that this was a particularly challenging year but noted that it was encouraging to see the level of collaboration and teamwork that occurred to move the budget forward. He stated that he was grateful for the cooperative effort and had nothing further to report.

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, that the minutes of the regular meeting of November 5, 2025, are hereby approved as presented.

Ayes: 7
Nays: 0

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that the minutes of the Special Budget meeting of November 10, 2025, are hereby approved as presented.

Ayes: 7

Nays: 0

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, that the minutes of the Special Budget meeting of November 12, 2025, are hereby approved as presented.

Ayes: 7

Nays: 0

MOTION CARRIED

APPROVAL OF WARRANT

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, that Warrant No. 22 checks and ACH payments in the amount of \$1,438,876.90 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

MONTHLY REPORTS

RESOLUTION 25-206

Moved by Councilor Hitchings
Seconded by Councilor Pagano

RESOLVED, that Monthly Reports from the City Clerk, City Engineer, Codes Department, Fire Department, Parks and Recreation Department, Planning Department, and Police Department are hereby received and placed on file.

Ayes: 7

Nays: 0

MOTION CARRIED

CITY MANAGER AGREEMENT

RESOLUTION 25-207

Moved by Councilor Hitchings
Seconded by Councilor Pagano

WHEREAS, the City of Oneida and City Manager Kyle Lovell are parties to an Employment Agreement dated October 22, 2024, effective through October 21, 2028; and

WHEREAS, the Employment Agreement contains provisions for annual compensation, benefits and other terms and conditions of employment for Mr. Lovell which require amendment; and

WHEREAS, the City of Oneida Common Council has reviewed the First Amendment to City Manager Employment Agreement, attached hereto and incorporated herein, and does desire to approve same.

NOW, THEREFORE be it

RESOLVED, that the City of Oneida Common Council does hereby approve of the First Amendment to City Manager Agreement and does further authorize the City of Oneida Mayor to execute the First Amendment to City Manager Agreement on behalf of the Common Council.

Ayes: 7

Nays: 0

MOTION CARRIED

SNOWPLOWING AGREEMENT-VILLAGE OF WAMPSVILLE

RESOLUTION 25-208

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Manager to sign an agreement with the Village of Wampsville for snowplowing and ice control for a one-year term, commencing January 1, 2026.

Ayes: 7

Nays: 0

MOTION CARRIED

ADVERTISE FOR BIDS-SALE OF FOREST PRODUCTS

RESOLUTION 25-209

Moved by Councilor Hitchings
Seconded by Councilor Winchell

RESOLVED, to authorize Andrew Campany, Water Superintendent, to advertise for bids for the sale of forest products on land owned by the City of Oneida as part of the Forestry Management Program.

Ayes: 7

Nays: 0

MOTION CARRIED

WATER BOARD RECOMMENDATION-KNOTTY PINE DINER

RESOLUTION 25-210

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, that the Common Council hereby approves the Water Board's recommendation to deny the request for a service line replacement at the expense of the Water Department for the Knotty Pine Diner, located at 100 Genesee Street, Wampsville.

Ayes: 6

Nays: 1 (Laureti)

MOTION CARRIED

DISCUSSION:

Water Superintendent Drew Campy summarized the matter, noting that the owner of the Knotty Pine Restaurant had been invited to attend the meeting but was not present. He explained that the restaurant owner had reported an issue with the service line supplying water to the property, which runs underneath Route 5 in Wampsville. The owner asserted that the line was defective and requested that the Water Department replace it at the City's expense.

Superintendent Campy stated that he spoke with the owner and advised that the line was not considered defective. The line froze once approximately ten years ago during an extreme cold-weather event when numerous other customers also experienced frozen service lines. He reiterated that, under the City's water rules and regulations, service lines from the water main to the residence or business are the customer's responsibility.

Superintendent Campy stated that he brought the owner's written request to the Water Board, where Water Board Member Dave Cimpi was present. The Board unanimously determined that the Water Department should not cover the cost of replacing the service line. He also provided the owner with a preliminary estimate, noting that replacement would require materials, labor, a work zone control plan, excavation of a private driveway, and permitting and approval from the Department of Transportation due to the state highway crossing.

Superintendent Campy emphasized that granting the request would set a precedent inconsistent with the City's regulations and could lead to widespread similar claims, putting the Water Department in financial jeopardy and potentially resulting in higher rates or significant regulatory changes. He stated that while he could go into additional detail upon request, the basis for the denial remained clear.

In response to questions from Council members, he clarified the following:

- The service line is a single line connecting from the water main to the customer's curb box and does not serve other residents.
- Construction work in the area would affect nearby residents during excavation, but the replacement itself would only benefit the restaurant owner.
- The depth of the line was not known at the time of the review. Other residents in the area also experienced frozen lines during the same extremely cold event approximately ten years ago, and the Water Department thawed those lines as an emergency response.
- At that time, residents were advised to leave faucets running at a trickle during extreme cold weather to prevent freezing. While doing so may increase sewer charges where applicable, it is significantly less costly than replacing a water service line.
- The restaurant does not have sewer service; it is on a septic system, making concerns about sewer charges inapplicable.
- The service line is a half inch line and replacing it would not impact neighboring properties except for temporary construction disruption.

- The regulations contain language addressing defective residential services up to and including one inch in diameter, but this situation does not qualify because the line is not defective, nor is the issue recurring.
- If a pattern of repeated freezing or failure existed, the line could be deemed defective and replaced at Water Department expense. However, a single incident from ten years ago does not meet that standard.

Superintendent Campany reiterated that the preliminary quote provided to the owner was \$4,625, which did not include potential additional days of work or DOT permitting fees. He stated that while he understood the owner's concerns and the importance of supporting local businesses, altering the rules to accommodate a single request would create a precedent the Water Department could not sustain.

Council members noted that the Water Board had already reviewed the matter thoroughly and expressed agreement that the City should follow the Board's recommendation. With no further discussion, the Council proceeded to vote on the resolution.

BOARD REAPPOINTMENTS-TRAFFIC SAFETY BOARD

RESOLUTION 25-211

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to approve the Mayor's reappointment of the following to the Traffic Safety Board for a 3-year term:

- Jennifer Bailey
- Brahim Zogby
- Michael Geer

Ayes: 7
Nays: 0

MOTION CARRIED

BUDGET TRANSFERS AND AMENDMENTS

RESOLUTION 25-212

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 to perform such services.

		<u>To</u>		<u>From</u>
2025 Budget Adjustments				
\$	15,000.00	001.1680.0403.0000		001.0001.0912.0000
		IT Contracts		General Fund Balance
<i>To allocate funds for the purchase of tablets/hotspots/ipads for Police Dept and for replacement computers in City Hall aged older than 2019 as per the City's IT provider</i>				
\$	7,000.00	001.7521.0403.0000		001.0001.0912.0000
		Kallet Contracts		General Fund Balance
<i>To allocate funds to cover the expense of the approved contract with MRB for Façade Assessment</i>				
\$	43,771.00	001.3120.0200.0000	5,143.00	001.3120.0104.0000
		Police Equipment		Police Holiday Pay
			35,000.00	001.3120.0102.0000
				Police Overtime
			2,659.00	001.3120.0113.0000
				Police Comp Time Buyout
			969.00	001.3120.0445.0000
				Police New Hire Expense

To re-allocate funds for a large equipment purchase

Ayes: 7

Nays: 0

MOTION CARRIED

**A RESOLUTION WAIVING THE KALLET CIVIC CENTER RENTAL FEE FOR THE CITY OF ONEIDA
EMPLOYEE HOLIDAY GATHERING**

RESOLUTION 25-213

Moved by Councilor Hitchings
Seconded by Councilor Winchell

WHEREAS, City Manager Kyle Lovell has submitted a request on behalf of City of Oneida employees to utilize the Kallet Civic Center for a voluntary employee gathering titled "Holiday Cheer to Wrap Up the Year"; and

WHEREAS, the event is planned for Thursday, December 18, 2025, from 6:00 p.m. to 9:00 p.m., and will be open to City of Oneida employees and their partners to informally celebrate the year's accomplishments; and

WHEREAS, the purpose of the gathering is to foster a positive workplace culture by creating opportunities for coworkers to bond, communicate more effectively, and build stronger relationships outside of regular work tasks; and

WHEREAS, the Parks and Recreation Department has confirmed that the Kallet Civic Center is available for the requested date and time, with no conflicting reservations; and

WHEREAS, all other aspects of the gathering, including refreshments, decorations, and related expenses, will be entirely employee-funded; and

WHEREAS, the Common Council recognizes the value of encouraging teamwork and employee morale and finds it appropriate to support this voluntary employee initiative.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oneida hereby waives the Kallet Civic Center rental fee for the employee event, "Holiday Cheer to Wrap Up the Year," to be held on Thursday, December 18, 2025, from 6:00 p.m. to 9:00 p.m.

Ayes: 7

Nays: 0

MOTION CARRIED

DISCUSSION:

The Council opened discussion on the resolution to waive the rental fee for the Kallet Civic Center on December 18, 2025. Council members deferred to City Manager Lovell for explanation, as the request originated with him.

City Manager Lovell stated that the intention is to hold an employee holiday gathering at the Kallet on December 18th. He noted that the City did not host its usual employee appreciation picnic earlier in the year and felt this would be an appropriate opportunity to bring employees together and express appreciation for their work throughout the year.

He emphasized that the event would not be funded with taxpayer dollars. All costs will be covered through donations, including contributions from himself, and the event is strictly for City employees.

**ADOPT A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL
LAW §3-C IN THE CITY OF ONEIDA**

RESOLUTION 25-214

Moved by Councilor Hitchings
Seconded by Councilor Winchell

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law of 2025, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the City of Oneida," was presented and introduced at a regular meeting of the Common Council of the City of Oneida held on November 5, 2025; and

WHEREAS, a public hearing was held on such proposed local law on the 18th day of November, 2025, by the Common Council of the City of Oneida and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of proposed Local Law of 2025 has previously been determined to be an unlisted action and will have no significant adverse effect on the environment, thus concluding the environmental review process; and

WHEREAS, in contemplating the enactment of the local law permitting the tax cap override, it is the desire of the Common Council that tax increase shall not exceed 5.3%, and

WHEREAS, it is in the public interest to enact said proposed Local Law of 2025.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact proposed Local Law of 2025 as follows:

**"CITY OF ONEIDA
LOCAL LAW 2025**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW
§3-C IN THE CITY OF ONEIDA**

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Oneida to adopt a budget for the fiscal year commencing January 1, 2026, that requires a real property tax levy in

excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Oneida, County of Madison, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2026, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the 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 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State."

DISCUSSION:

The Council opened discussion on the resolution to adopt a local law authorizing the City to override the tax cap levy. Councilor Winchell requested that something be added that states the tax rate would not exceed the agreed amount of 5.3% The City Attorney advised the Council that the local law itself could not be changed, but that the resolution accompanying it could be amended to reflect the Council's intent regarding the maximum tax increase it was willing to consider.

She explained that the Council could add an additional "*Whereas*" clause to the resolution stating that, in contemplating the adoption of the local law permitting the tax cap override, it is the desire of the Common Council not to exceed a tax increase of 5.3%, or whatever percentage the Council determined appropriate. She reiterated that this language must remain within the resolution and cannot be inserted into the local law.

City Manager Lovell confirmed that the intended percentage was 5.3%. It was noted that the final budget was not being voted on at this meeting; the vote was scheduled for the meeting two weeks later, with the filing deadline set for Friday.

The City Attorney then outlined the procedural steps required and clarified that the Council would now vote on the resolution as amended, which adopts the local law permitting the tax cap override. The amendment modifies only the resolution, not the local law, and only one roll-call vote was required—on the amended resolution.

Motion to vote on the resolution as amended by Councilor Winchell and seconded by Councilor Szczerba, so as to include a paragraph that provides, “WHEREAS, in contemplating the enactment of the local law permitting the tax cap override, it is the desire of the Common Council that tax increase shall not exceed 5.3%.

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

MOTION CARRIED

ADVERTISE FOR BIDS-2026 WASTEWATER TREATMENT PLANT CHEMICALS

RESOLUTION 25-215

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Engineer to advertise for bids for 2026 Wastewater Treatment Plant chemicals (Liquid Iron Salts and Potassium Permanganate).

Ayes: 7

Nays: 0

MOTION CARRIED

CONTRACT EXTENSIONS-WASTEWATER TREATMENT PLANT

RESOLUTION 25-216

Moved by Councilor Hitchings
Seconded by Councilor Simchik

RESOLVED, to authorize the City Manager to sign contract extensions with Certified Environmental Services, Inc. (CES) to exercise the 2026 Option for Laboratory Services at the Wastewater Treatment Plant; SNF Polydyne, Inc. to exercise the 2026 Contract Option for Liquid Cationic Polymer at the Wastewater Treatment Plant and Helmer’s Tree & Landscape, LLC for 2026

Tree Removal and Trimming Contract Option for 2026.

Ayes: 7

Nays: 0

MOTION CARRIED

MEMORANDUM OF AGREEMENT-CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA)

RESOLUTION 25-217

Moved by Councilor Hitchings

Seconded by Councilor Winchell

WHEREAS, representatives of the City of Oneida and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, Madison County Local 827, Oneida City Unit #7351, have engaged in collective bargaining negotiations for a successor agreement; and

WHEREAS, a tentative Memorandum of Agreement has been reached by both parties outlining the terms and conditions of employment for the period of January 1, 2026, through December 31, 2028; and

WHEREAS, the City of Oneida Common Council has reviewed the terms of said Memorandum of Agreement and finds them to be fair and equitable;

NOW, THEREFORE, BE IT RESOLVED, that the City of Oneida Common Council hereby approves the Memorandum of Agreement between the City of Oneida and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, Madison County Local 827, Oneida City Unit #7351, for the term January 1, 2026, through December 31, 2028; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute said Agreement on behalf of the City of Oneida, and that the City Manager is authorized and directed to take such steps as may be necessary to implement the provisions of this Agreement.

Ayes: 7

Nays: 0

MOTION CARRIED

AGREEMENT-BARTON & LOGUIDICE, D.P.C.

RESOLUTION 25-218

Moved by Councilor Hitchings

Seconded by Councilor Simchik

RESOLVED, to authorize the City Manger to sign an agreement with Barton & Loguidice, D.P.C. for

professional services rendered in connection with the City of Oneida Form Based Code under the DRI Project umbrella.

Ayes: 7

Nays: 0

MOTION CARRIED

NEW BUSINESS: None

Motion to adjourn by Councilor Hitchings
Seconded by Councilor Winchell

Ayes: 7

Nays: 0

MOTION CARRIED

The regular meeting is hereby adjourned at 7:20 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk

Lynne McHugh - Attachment A

In order to pass our budget the council has to vote to override the tax cap. Taxpayers know we have to invest in our city and I think most of us are willing to pay our fair share. However, we just want to see a return on our investment, to see growth and know that departments are running efficiently.

We have some things to feel good about. Through creative collaboration between the DPW and Water Department, there will be NO increase to our water or sewer rates for the coming year. We have a City Manager who has assembled a budget that will stop our general fund from bleeding out. We have onboarded a City Planner who has already been able to cut costs and save the city money by taking on administrative roles for other departments. He is streamlining processes, eliminating redundancies and working toward a more modern, efficient and accountable system that supports residents, businesses and long term growth.

Here's the thing: You get what you pay for: Investing in good, well qualified employees can pay for itself in savings over the long run. Reducing turnover, ensuring current employees are working at peak efficiency, and focusing on future investment will set us on a better course.

Let's flip the script. Oneida is a great place to live. People might complain that our taxes are high but when taking into consideration tax and equalization rates in neighboring municipalities, the amenities we offer puts us ahead. We get good value for what we pay. In Oneida we have a dedicated 24/7/365 police and fire department, a diverse network of parks and trails, an amazing library that consistently offers diverse programs and free activities for community members and a rec department that offers a wide range of programs for adults and children.

I encourage the public to look at the actual dollar amount instead of reacting to the percentages: The proposed budget would increase taxes on a house valued at \$100000 \$86.40 in the inside district and \$43.50 annually in the outside district. That's 23 cents a day. Guess what....for only a few pennies more per day you can add two officers to OPD and make your neighborhood arguably safer. A few more pennies and you might be able to repair the sidewalks.

It was suggested by some council members that people are moving out of Oneida because their taxes are too high. This assessment felt anecdotal to me, at best, so I asked realtors if this aligned with what they are seeing. It does not. People are moving out because of employment opportunities elsewhere and because of crime. People want to buy houses in safe neighborhoods that are well maintained. In an emergency they want first responders to come quickly to help. Businesses choose communities that are growing and thriving. All of these things depend on community investment.

I do hope that everyone has learned that running on a platform of "no tax increases" is a short sighted plan and a ticking time bomb. This illusion leads the public to believe that we are getting by on less but we aren't. Last year, we "got by" by tapping into and draining the general fund leaving it inaccessible to the next administration. If you continually step over dollars to pick up pennies, eventually someone will have to foot the bill. This is where we are now and why we need to vote to override the tax cap. Thank you for your time.

Tax cap

①

JOE MAGNOLLOCA
ATTACHMENT B

In the history of the tax cap override with the Madison Co. Board of Supervisors have NEVER NOT passed the resolution / the local law. Typical to years when the proposed budget would NOT exceed the tax cap, that local law was rescinded by another resolution.

In the history of the tax cap override here in the city of Oneida, between 2010 ; 2020 only once - in 2010 ~~was~~ did the resolution fail, in 2014 the resolution was proposed then dropped.

From 2021 thru to 2024, the tax cap override resolution has failed to pass in each of those budget years.

As you consider the tax cap override resolution before you consider the 2026 budget, I feel it's incredibly important to take into consideration - what budget increase this Council has already approved for budget year 2026.

Both the Police / Fire contracts were UNANIMOUSLY approved by this Council, and the CSEA contract is also before you on this evening's agenda.

tax cap (2)

All three Union contracts, which were negotiated in good faith, and are vital in maintaining and protecting the many essential City of Onondaga employees who provide the services that the residents and tax payers in this community rely on everyday - All three contracts provide wage increases above the tax cap mandated 3.9%.

When considering the subsequent increase in not only retirement costs but health care increases expected in 2026 - NOT passing the tax cap override is nothing more than not paying the bill on services that you agreed to. It's the budgetary equivalent of "dining and dashing" enjoying a lovely meal with cocktails - then slithering out the door without paying.

Without passing the tax cap override, you are requiring every department to take monies out of every budget line besides salaries/benefits, less money for staffing, for training, for building and equipment maintenance or improvement.

Tax Cap

3

That is simply "kicking the can down the road" - and in the world of pay me now, or pay me later, you are choosing the later.

The obscene use of the General Fund, to balance the budget, or pay for "unbudgeted expenses", is fiscally irresponsible, and obviously not sustainable.

It's time to shift the public conversation from what the tax rate is with from bombastic ~~and~~ statements like "we pay too much in taxes" to how our City of ^{FACTUALLY} ~~Orinda~~ property taxes compare - locally and regionally - and how much value those tax dollars bring to residents, by ~~the~~

I strongly urge you all to unanimously pass Resolution # 9, the Tax Cap ~~override~~ local law

JOE MAGLIocca
ATTACHMENT C

City Manager

(1)

"those that fail to learn from the past, are doomed to repeat it"

We have all heard that expression, or a variation of it.

So, let's make history be our guide regarding amending the City Manager removal language in the City Charter.

In March of last year, by a simple majority vote of the Council, a resolution was passed to reduce the educational requirements, and substitute simply acceptable "management experience" for City Manager qualifications.

That resolution was subsequently "vetoed" by Mayor Rossi, and that veto held - because a supermajority of the whole number of voting members of the Council didn't produce that 5th vote needed to override the veto.

At that same April Council meeting, where the Mayor's veto was upheld, a resolution was presented to remove the current City Manager Dr. Selby.

Had Dr Selby not resigned, prior to that resolution being presented - that resolution would have been passed by a simple majority - 4/7

Had Dr Selby ^{instead} protested that resolution, requesting the reasons for removal, ~~not~~ having his ability to reply to those "reasons" or being afforded a public hearing on the matter - All specific removal language in the City Charter Section 12.2 titled "Removal"

Mayor Rossi could have simply voted that "removal resolution", and I can trust that again - his veto would have held.

Removal of the city manager by the Common Council; should not be shaded in personal, or political motivations - but should be solely based on performance and/or professional shortcomings if alleged.

City Manager

(3)

Removal of the City Manager is an extremely serious action, and should ~~be~~ require a high bar to implement.

Any misconduct or ^{in Councilor Szczepan's wording} egregious behavior exhibited by the City Manager, warrants a super majority of the Council to enact -
A vote proof majority should be that high bar required for removal

So, I urge you all to vote to pass Resolution #2 on tonight's agenda - creating that "high bar" for removal

VINCENT Bailey
ATTACHMENT D

City's Removal of Protest and Property

From: Vincent Bailey (vincent.bailey@oneida-ny.gov)

To: rrossi@oneidacityny.gov; tsimchik@oneidacityny.gov; wpagano@oneidacityny.gov; rwinchell@oneidacityny.gov; ahitchings@oneidacityny.gov; slaureti@oneidacityny.gov; jszczerba@oneidacityny.gov

Cc: nbell@ccf-law.com

Date: Tuesday, November 18, 2025 at 04:22 PM EST

Dear Mayor and Members of the Common Council,

I am writing to provide additional clarity regarding actions taken by the City at the direction of the City Manager.

In short, the City Manager directed the Department of Public Works to remove personal property from my property. I believe this can be proven quite easily, and there is substantial evidence to support it — including evidence that would show the City Manager knew and understood that what he was directing DPW to do was unlawful.

Some of you may view this issue as trivial or believe the City Manager acted with good intentions. However, a person of integrity cannot publicly claim, “we are a nation of laws, and when those laws are broken, we no longer have a nation,” and then knowingly break the law.

Whether or not you believe the “trash can protest” was unnecessary, made the City look bad, or was ill-advised, you may not be entirely wrong. Nevertheless, I did — and still do — have the legal right to do it. I only resorted to that action because of repeated unprofessional conduct and enforcement practices from the Codes Office. I take pride in maintaining and improving my properties so they are desirable, aesthetically pleasing, and beneficial to the surrounding neighborhood and to the City as a whole. My actions were not without reason.

I am strongly invested in the City of Oneida — both in properties you may already know about and in others you may not be aware of.

Perhaps Mr. Lovell has good intentions, but as City Manager he must possess not only sincere intentions but also good character, honesty, and sound moral judgment. While he is articulate — a very smooth talker — he has not always demonstrated consistent transparency. In reviewing his interview and Q&A, he at one point described himself as a “used car salesman.” His comments about salary expectations also raise questions in light of his recent salary requests.

One of the more conclusive pieces of evidence is a recorded phone call I had with the City Manager. His tone and demeanor in that call, along with his conduct at the last council meeting — where, instead of addressing the allegations, he verbally attacked and defamed me — are unbecoming of a City Manager. This is just one instance in which I both know and can prove

that he did not conduct himself properly. Although I may not have the evidence to prove a broader pattern, there are other examples.

I strongly encourage you to discuss this matter with the City's legal counsel and to consider it seriously.

Respectfully,
Vincent Bailey

On Tuesday, August 19, 2025 at 10:49:01 AM EDT, Vincent Bailey <vincent.bailey@aol.com> wrote:

Hello City Manager Lovell,

I am writing to follow up on our conversation yesterday.

I am once again requesting that my property be returned and restored to the manner in which it was originally placed. You indicated to me, with an underlying tone, that the City may have damaged the property. If the property is damaged, I am simply asking that it be replaced in like kind.

You also threatened to levy additional charges and costs against my property, stating that I was not willing to work with you. When I asked for clarification of those costs, you stated that you still needed to determine them.

You indicated that the City performed this action at your request. When I asked under what authority the City had to take my property, you were not able to provide an articulable answer.

Additionally, I asked whether ChatGPT or other AI tools did or would be assisting you, and you declined to comment.

I also asked if you had received legal advice from the City Attorney. You responded that you receive legal advice regularly, but when asked specifically about advice regarding the removal of my property, you indicated that you had not. You later suggested that I should speak directly with the City's Attorney.

As I mentioned, the conversation was recorded. Please confirm whether this summary aligns with your understanding of our discussion, and let me know when I can expect my property to be restored.

Thank you for your attention to this matter.

On Wednesday, March 5, 2025, 7:27 PM, Vincent Bailey <vincent.bailey@aol.com> wrote:

Hi Kyle,

I'm sorry that you believe I am trying to agitate the situation—that is simply not my goal. I believe I have conducted myself respectfully and cordially throughout this process. I have made every effort to accept service whenever asked, always within the same or next day, except for one instance when I was in Florida and unable to do so. While I would prefer not to have a reason for the protest cans and move past this issue, it seems to be the only option

that hasn't been ignored. That said, I am open to discussing reasonable adjustments to the protest as a sign of good faith. I do not know how I can be any more reasonable or accommodating while still maintaining a protest.

You mentioned that "multiple attempts have been made to work with me reasonably." Are you referring to efforts from yourself or from others?

As it relates to others, this email is the only contact I have received from the city regarding the protest cans, aside from the new Notice of Violation/Order to Remedy from the codes department. As for interactions with you personally, our discussions have been limited to one in-person meeting, two or three brief phone conversations, and a handful of emails—most of which were in regard to Mr. Rose's actions. While I appreciate your involvement in that matter, I see that resolution as a baseline expectation given the circumstances.

Additionally, the city and codes department have made it clear—evidenced by the court record—that aesthetics are not a priority. Aesthetics was a key reason for my preference to use smaller containers instead of an unsightly dumpster, along with several other practical benefits.

For context, under the previously existing code, my containers were compliant. Despite attempts by the codes office to bring charges, the city attorney at the time (Stacy, I believe) even threatened me with 15 days in jail. However, because my containers were in compliance, the city could not move forward with prosecution. Subsequently, the codes department proposed changes to the code specifically to enable enforcement against my setup. As a result, we are now required to use an unsightly dumpster simply because that is what was approved and deemed compliant.

I regret that you view me as the agitator, as that is not the case. I did not seek or instigate any of this. My goal has always been to clean up, improve, and beautify my buildings and properties. Yet, in doing so, I have continually faced unreasonable enforcement from the codes department. As a result, I realized that I don't need to prioritize aesthetics since they clearly don't. Blatant violations by others go ignored, and buildings around mine literally fall apart. Given this, I believe the conduct of the codes department has been inappropriate.

While you may see this as a policy issue, I view it as a personal issue.

I understand that you are new to your role and have changes in mind. I also believe you have good intentions and may genuinely be able to implement improvements. However, you must understand that I have heard the same promises time and time again from others—yet meaningful change has been scarce despite what I assume were their best intentions and efforts.

Lastly, I want to clarify that my previous email was not about the trash can protest. I asked for reasoning in case there was something I was missing. For what it's worth, my issue is not simply that I dislike the city code—though it may and its problems and in need of improvement. My issue is with how the codes department selectively enforces it, often in a retaliatory manner, while neglecting to enforce it when it could actually serve a meaningful purpose—such as the example in the above email, where the city police were already working toward the same goal.

Respectfully,
Vincent Bailey

On Wednesday, March 5, 2025 at 09:58:54 AM EST, Kyle Lovell <klovell@oneidacityny.gov> wrote:

Vince –

Please remove your "protest" trash cans. They have been there a year, and they are making the area look less than aesthetically pleasing. After multiple attempts to work with you reasonably, you consistently look to agitate a situation that is already tense. I'm more than willing to have a conversation about past practice, current policy, and the difference in how we are managing code complaints, but I need to see a similar level of commitment from you sir.

Please remove your trash bins that are full of refuse. You are correct, our hard-working code enforcement officers indeed have more pressing concerns to worry about than a resident who wants to violate city codes simply because you "don't like them".

Please comply with all Orders to Remedy at your earliest convenience.

I look forward to your anticipated compliance.

Kyle P. Lovell

City Manager

City of Oneida

109 N Main St.

Oneida, NY 13421



315-363-4800



klovell@oneidacityny.gov



www.oneidacityny.gov

From: Vincent Bailey <~~vincent@bailey@aol.com~~>

Sent: Wednesday, March 5, 2025 9:33 AM

To: Steve Lowell <slowell@oneidacityny.gov>; Kyle Lovell <klovell@oneidacityny.gov>; Rick Rossi <rrossi@oneidacityny.gov>

Subject: Re: Pre-existing signage code related to window signs

Following up on this,

I'm struggling to understand the inconsistent enforcement practices of the Codes Department under Bob Burnett's leadership. It has become increasingly clear that codes are applied selectively—at times to pressure compliance rather than to ensure actual adherence. For example, after I refused to “work with them,” as they put it, I was told my tenant—the Chinese restaurant—would face increased scrutiny. This strongly implied that enforcement could be avoided if I simply went along with their directives, regardless of whether they were correct. Bob Burnett then indicated he would look for reasons to shut the restaurant down, making it clear that enforcement is being used as a tool of retaliation rather than for legitimate purposes. Meanwhile, businesses widely known to sell drugs and engage in other illegal activities face no enforcement, even when their violations are obvious and clearly visible. For some reason, these infractions are openly ignored.

One of the most blatant examples of this selective enforcement is signage. The police department has raised concerns about excessive signage at a particular bodega, stating that it obstructs visibility and poses a safety risk. Despite this, the Codes Department does not enforce the clearly written signage codes. It might be reasonable to assume this is due to oversight or lack of awareness, but that explanation holds no weight when the relevant code is clearly stated on the second page of the sign permit. The information is right in front of them. Yet, they have no problem strictly enforcing trivial issues like trash can placement—or even going out of their way to “discover” or manufacture violations when it suits them.

At this point, I have to ask: is this a case of negligence, incompetence, or something more deliberate? If there is a valid explanation, I would like to hear it. Why are some businesses subjected to strict enforcement while others are allowed to blatantly violate these laws without consequence?

It is clear that the Codes Department is failing to do its job—for whatever reason that may be. Absent any substantive reasoning, responsibility falls to those with the authority to make changes.

I look forward to your response.


Respectfully,
Vincent Bailey

BOB BURNETT
Director of Codes

JAMES ACKERMAN
Code Enforcement Officer

CITY OF ONEIDA
DEPARTMENT OF CODE ENFORCEMENT

109 North Main Street
Oneida, New York 13421
Tel.: 315-363-8460
Fax: 315-363-9558
jackerman@oneidacityny.gov



APPLICATION FOR SIGN PERMIT & CERTIFICATE OF COMPLIANCE


CITY OF ONEIDA

BOB BURNETT
Director of Codes

JAMES ACKERMAN
Code Enforcement Officer

CITY OF ONEIDA
DEPARTMENT OF CODE ENFORCEMENT

109 North Main Street
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d. Placement of Sign on Premises:
Distance from lot line: _____
Distance from side lot lines: _____
Distance from any building on lot: _____

e. Proximity to adjoining uses:
Distance from closest building: _____
Distance from closest sign: _____

f. Placement of Sign: **IMPORTANT**
Length of building face: _____
Building Height approximate: (see definition) _____
Percent of building/roof area covered by sign: _____
Sign Classification: Principal _____ Accessory _____ Other _____
Type of Sign: _____
Freestanding: _____

NOTE
If applying for window sign,
indicate size of window(s).
Permanent window signs shall
not exceed 15% of the window
on which it is painted.

For a better understanding of some of the interaction I reference please see:

<https://www.facebook.com/share/p/12HrzNq7E7T/?mibextid=wwXlfr>

On Tuesday, March 4, 2025, 6:45 PM, Vincent Bailey <vincentbailey@aol.com> wrote:

Overall, I believe the issue the code department has with me is that I call them out when they don't know the code. When I question them, their lack of knowledge frustrates them.

Here is the section of the sign code that pertains to windows. Maybe if they focused on actual issues and legitimate concerns instead of trivial ones—like trash cans.

City of Oneida, NY >

§ 190-15 Sign requirements.



(17) Window signs. Permanent window signs shall not exceed 15% of the area of the window in which they are displayed, and temporary window or display signs shall not exceed 25% of the window area, and in no case shall the total sign area exceed 40% of the window area.