

**MINUTES OF THE COMMON COUNCIL  
SPECIAL MEETING  
OCTOBER 21, 2024**

A special meeting of the Common Council of the City of Oneida, NY was held on the twenty first day of October 2024 at 5:30 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>	<b>Present</b>	<b>Absent</b>	<b>Arrived Late</b>
Mayor Rossi	<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 type="checkbox"/>	<input checked="" 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 Clerk Sandy LaPera  
Supervisor Mary Cavanagh  
Supervisor Matt Roberts  
Supervisor Brandee Henderson

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Call to Order/Pledge of Allegiance/Roll Call

**APPROVE TERMS AND CONDITIONS OF EMPLOYMENT-CITY MANAGER**

**RESOLUTION 24-243**

Moved by Councilor Hitchings  
Seconded by Councilor Simchik

**RESOLVED**, that the Common Council for the City of Oneida does hereby approve the terms and conditions of employment for Kyle Lovell to serve as City Manager for the City of Oneida, as set forth in the attached term sheet, and does further authorize the Mayor, as Acting City Manager, to execute an employment contract with Kyle Lovell in a form to be approved by the City Attorney.

Mayor Rick Rossi	YES
Councilor Jim Szczerba	NO
Councilor Steve Laureti	ABSENT
Councilor Andrea Hitchings	YES
Councilor Rob Winchell	NO
Councilor Bill Pagano	YES
Councilor Tom Simchik	YES

**MOTION CARRIED**

DISCUSSION: Councilor Winchell expressed his opposition to a four-year contract, citing its similarity to the Seneca County contract as a concern. Additionally, he stated that he would not approve the moving expenses unless Mr. Lovell planned to purchase property within the tax-paying City of Oneida district. If Mr. Lovell intends to buy outside the district, Councilor Winchell would not support this provision.

Councilor Szczerba concurred with Councilor Winchell's stance on the contract, advocating for a two-year term instead of four. He also opposed covering moving expenses. Additionally, he raised concerns about the clarity of the 90-day termination notice, suggesting it seemed unfair that the City must provide 90 days' notice, while Mr. Lovell could potentially leave on a day's notice without repercussions. Mayor Rossi clarified that the 90-day notice applies mutually, a point to which Councilor Szczerba agreed.

Councilor Szczerba also voiced opposition to the proposed severance package, suggesting that \$120,000 was excessive and that \$50,000 would be a more reasonable figure. He emphasized that his stance reflected not just his own views but also those of his constituents, referring to himself as "their watchdog." He argued that the proposed severance was a disservice to taxpayers who would ultimately bear the cost. As a point of comparison, he cited the practices of the City of Sherrill and Madison County, which do not offer similar severance packages to their employees. Additionally, he reiterated concerns about the similarity to Seneca County's arrangement, which left them liable for \$195,000 after just 10 months. He asserted that Mr. Lovell's track record did not justify such compensation, adding that in his experience, you pay for performance and not potential.

Councilor Szczerba advised that after a year, he would be willing to adjust Mr. Lovell's compensation according to the quality of his work, noting that for the reasons stated, he was voting no on the contract as it is written.

Mayor Rossi expressed that it would be challenging to ask someone to relocate their entire family to Oneida for only a two-year contract, to which Councilor Hitchings added that the whole point of having a City Manager is continuity of government, and if it is a two-year term, that would be the same as a Mayor. She added that it only makes sense to have a four-year term for the City Manager. Councilor Szczerba interjected his position that the term would be negotiated after two years based on job performance.

Councilor Hitchings asserted that at the executive level, it would be unrealistic to expect a qualified candidate to accept anything less than a four-year term, as it would not be reasonable for someone to uproot their family for just two years. She emphasized the need for the City to demonstrate commitment to the candidate, just as the candidate is expected to be committed to the City. Councilor Szczerba stated that if he (Mr. Lovell) was that good and proves his merit, then he would agree that the salary could be raised after the two year period.

Mayor Rossi added that, given the City's history with Acting City Managers and the events that transpired

earlier in the year, it is understandable that Mr. Lovell may have his own concerns about accepting a position in Oneida.

Councilor Winchell stated that Mr. Lovell does not have much history as a City Manager, and what he does have, in his opinion, is very negative. Mayor Rossi emphasized that the City Manager Search Committee had conducted reference checks as part of the evaluation process, and that everyone has their own opinion. There was further discussion about the circumstances surrounding Mr. Lovell's departure from Seneca County, with both Councilor Szczerba and Councilor Winchell concluding by stating that it is their position if after two years, he is doing a wonderful job, then the terms/salary can be re-evaluated.

Mayor Rossi emphasized that Mr. Lovell is a professional moving his family to Oneida, which justifies covering moving expenses. Councilor Hitchings agreed, stating that such expenses are customary for positions at this level. Mayor Rossi also argued that comparisons to Sherrill, the smallest city in New York State, are not applicable. The discussion then shifted to the challenges of finding housing within the city limits. Councilor Simchik commended Mayor Rossi for effectively negotiating the terms and conditions of the contract. He clarified that the severance payout would only apply in cases of termination without cause, whereas no payout would occur if there were cause for termination.

Motion to adjourn by Councilor Hitchings  
Seconded by Councilor Simchik

Ayes: 6  
Nays: 0  
Absent: (1) Laureti

**MOTION CARRIED**

The special meeting is hereby adjourned at 5:40p.m.

**CITY OF ONEIDA**

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Sandra LaPera, City Clerk