



CITY OF ONEIDA

COMMON COUNCIL MEETING MINUTES

Date:	October 6, 2026	Presiding:	Rick Rossi, Mayor
Time:	6:30pm	Clerk:	Sandy LaPera, City Clerk
Location:	Common Council Chambers	Meeting Type:	Regular ☒ Special ☐

CALL TO ORDER

The meeting was called to order by Mayor Rick Rossi, followed by the Pledge of Allegiance and roll call.

Attendees

Present Absent Arrived Late

Mayor Rossi	☒	☐	☐ : _____
City Manager Lovell	☒	☐	☐ : _____
Councilor McHugh	☒	☐	☐ : _____
Councilor Cimpi	☒	☐	☐ : _____
Councilor Smith	☒	☐	☐ : _____
Councilor Jones	☒	☐	☐ : _____
Councilor Pagano	☒	☐	☐ : _____
Councilor Simchik	☒	☐	☐ : _____

Also Present

City Attorney Bell	☒	Supervisor: _____	☐
Attorney (Other)	☐	Supervisor: _____	☐
Fire Chief Jones	☒	Other: _____	☐
Police Chief Lowell	☒	Other: _____	☐

PUBLIC COMMENT

GREGG MYERS-ONEIDA

Mr. Gregg Myers – Public Comment Regarding Proposed Master Fee Schedule

Mr. Gregg Myers expressed concerns regarding the proposed Master Fee Schedule, particularly the potential impact of increased code enforcement and building permit fees on residential development and property improvements within the City.

He questioned whether the proposed increases were intended to cover departmental operating costs, fund additional positions, or generate revenue. He also expressed concern that higher fees could discourage new construction and reinvestment in existing properties.

Mr. Myers compared building permit fees in the City of Oneida with those in neighboring municipalities, noting that residential construction appears to be occurring in surrounding communities while development within the City remains limited. He also raised concerns regarding the availability of City water service in certain areas.

He emphasized the importance of encouraging residential and commercial development, attracting new businesses, and providing incentives for property owners to maintain and improve their properties. He suggested that the long-term property tax revenue generated by new construction could be more beneficial to the City than higher upfront permit fees.

Mr. Myers acknowledged the need to periodically review and adjust municipal fees but encouraged the City to take a more proactive approach to economic development. He indicated that he would return to a future Common Council meeting to raise additional questions regarding the proposed fee schedule.

DAN JONES-ONEIDA

Mr. Dan Jones reminded residents that early voting will take place from October 24 through November 1, 2026, and that all early voting will take place at St. Paul's. He further advised that Election Day is November 3, with residents of Wards 1 and 2 voting at St. Paul's and residents of Wards 3, 4, 5 and 6 voting at the Kallet Civic Center.

Mr. Jones then expressed concerns regarding the City's efforts to inform voters about the proposed \$3 million bond referendum for infrastructure improvements. Drawing on his experience as an election worker, he emphasized the importance of ensuring voters understand ballot propositions before casting their votes.

He questioned whether sufficient information had been provided to residents regarding the necessity, purpose and financial implications of the proposed bond, noting that discussions at Council meetings and newspaper coverage may not reach a significant portion of the voting public.

Mr. Jones acknowledged the potential need for infrastructure improvements but expressed concern that, given the current economic climate, voters may be reluctant to support a substantial financial commitment without a clear understanding of its purpose. He encouraged the City administration and Common Council to consider additional public outreach and to have an alternative plan in place should the referendum fail.

OLD BUSINESS

Ethics Investigation, Annual Training and Confidentiality

Councilor Jones requested an update on the ongoing investigation concerning an alleged breach of confidentiality. City Attorney Bell advised that the third-party investigator had completed approximately 95% of the investigation and was working to resolve the remaining issue, with completion anticipated in the near future. Councilor Jones also referenced Resolution 25-178, adopted in October 2025, establishing annual training requirements regarding confidentiality and ethical governance, and questioned why the training had not yet occurred. City Manager Lovell explained that staffing circumstances within the Human Resources Department earlier in the year had delayed implementation and indicated that arrangements could be made to conduct the training.

Discussion followed regarding the May 19, 2026, meeting and whether discussions held behind closed doors were considered confidential despite not qualifying as an executive session under the Open Meetings Law. City Attorney Bell explained the distinction between a formal executive session and a private discussion for the purpose of obtaining legal advice, noting that attorney-client privileged communications remain confidential. Councilor Jones questioned the circumstances surrounding the meeting and whether all information discussed was protected from disclosure. Councilor Pagano expressed concern that information shared during the meeting, which he believed to be confidential, had subsequently been disclosed, along with information contained in an email exchange the following day, noting that he would not have shared personal information had he known it would not be kept confidential.

Councilor Pagano requested that these alleged disclosures be examined following completion of the current investigation. City Attorney Bell emphasized the importance of clearly identifying the legal basis and purpose of closed-door discussions, ensuring that matters appropriate for public discussion remain in open session, and maintaining confidentiality when privileged information is shared. The discussion highlighted the need for greater clarity regarding executive sessions, attorney-client privilege and the handling of confidential communications.

Councilor McHugh discussed the process followed during the previous ethics investigation, explaining that the matter had been referred to the Ethics Board for review of an alleged disclosure of confidential information potentially involving contract negotiations and collective bargaining. She noted that the Board had determined a possible violation, warranted further consideration and emphasized the importance of following an established process to determine whether information was protected and whether an ethics violation may have occurred.

Councilor Pagano responded that, regarding the current matter, City Attorney Bell had indicated that convening the Ethics Board was unnecessary because an individual had already acknowledged sharing information. He maintained that he had followed the appropriate steps in raising his concerns and that the circumstances differed from those of the previous investigation.

Councilor McHugh commented on her attendance at the recent New York Conference of Mayors (NYCOM) conference, noting that it provided valuable training, educational opportunities and the ability to exchange ideas with officials from other municipalities facing similar challenges. She noted that the conference also offered an ethics seminar and encouraged other Council members to consider attending. Councilor McHugh suggested including funding in the budget for Council members interested in participating, estimating the registration cost at approximately \$700 per person. She further noted that next year's conference would be held at Turning Stone, eliminating the need for overnight accommodations and associated travel expenses.

Demolition of City-Owned Properties

City Manager Lovell advised that the proposed demolition of the City-owned properties located at 136 and 138 Madison Street and 210 Sconodoo Street had been removed from the agenda due to issues identified with the Request for Proposals (RFP) process involving a former employee. He indicated that the City was working to address and resolve those issues.

Public Communication Regarding \$3 Million Sewer Referendum

Councilor Jones expressed concern that residents may be unaware of the upcoming \$3 million bond referendum for the partial reconstruction of the sewer collection system and requested an update on public outreach efforts. City Manager Lovell advised that educational materials explaining inflow and infiltration (I&I) had been prepared and suggested holding a public informational session with an opportunity for questions and answers. City Clerk LaPera advised that two pages of the November City newsletter, scheduled for distribution in mid-October, would be dedicated to the referendum, with additional information distributed through an email blast and the City's Facebook page.

Shared Services and Cooperative Purchasing

Discussion followed regarding opportunities for shared services and cooperative purchasing with neighboring municipalities. City Manager Lovell provided an update on discussions with local officials regarding potential partnerships, shared equipment, water services and purchasing agreements. Council members encouraged continued exploration of opportunities to reduce costs, including the potential sharing of costly fire apparatus and utilizing existing county purchasing contracts.

City Manager Lovell noted that preliminary discussions with Madison County regarding IT services indicated that the County's estimated costs would exceed the City's current contract expenses, making that particular arrangement less feasible. He emphasized that opportunities involving bulk purchasing, road salt, sand, fuel and other municipal services remained under consideration and that efforts to strengthen relationships with neighboring communities would continue.

Councilor Jones noted that Madison County maintains a comprehensive schedule of shared services identifying participating municipalities, including several towns, but that the City of Oneida was not listed as a participant. She suggested reviewing the existing agreements to identify potential opportunities for the City and offered to forward the information. City Manager Lovell referenced a 2023 County shared services study outlining additional opportunities and indicated that he would provide a copy to the Common Council for review.

Kallet Civic Center and DRI Funding

Discussion was held regarding the future of the Kallet Civic Center and the potential availability of Downtown Revitalization Initiative (DRI) funding. City Manager Lovell advised that the City was awaiting guidance from New York State regarding the amount of funding that could be reallocated to the project. He explained that the Kallet and Higinbotham projects had been included in the City's original Strategic Investment Plan but were not selected for funding by the State. He further noted that discussions had taken place with engineering firms regarding potential improvements and that the State was reviewing other funding commitments, including those associated with Hotel Oneida, before determining available funding.

City Manager Lovell indicated that previous estimates of approximately \$800,000 for exterior renovations did not address necessary interior improvements, including ADA accessibility requirements. Once funding availability is determined, the Common Council will have an opportunity to discuss the future of the Kallet, including continued City ownership and renovation, private operation, or potential sale.

MAYOR'S REMARKS:

Mayor Rossi thanked everyone who attended and contributed to the success of the City's 6th Annual Fall Festival. He expressed his appreciation to City Clerk Sandy LaPera, Deputy City Clerk Monique Ludwig, Parks and Recreation Director Luke Griff and staff, the Police and Fire Departments, and the Department of Public Works for their efforts in making the event another success. He noted that the festival marked the beginning of the City's October and Halloween festivities.

CITY MANAGER'S REPORT: See Attached

APPROVAL OF MINUTES

Moved by Councilor Cimpi
Seconded by Councilor Smith

RESOLVED, that the minutes of the meeting held on September 15, 2026, are approved as presented.

Ayes: 5
Nays: 0
Absent: 0
Abstain: 2 (McHugh/Jones)
MOTION RESULT: ☒ Passed ☐ Failed

APPROVAL OF WARRANT

Moved by Councilor Simchik
Seconded by Councilor Cimpi

RESOLVED, that Warrant No. 19, including checks and ACH payments totaling \$1,408,822.10, as audited by the Voucher Committee, is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 7
Nays: 0
Absent: 0
MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: Councilor Jones questioned expenditures for outside vendors performing fire extinguisher inspections, noting that a Fire Department employee receives a contractual stipend for inspection duties. It was explained that while the employee performs routine inspections, certain periodic inspections require outside vendors. Councilor Jones also questioned whether the City utilizes local vendors whenever possible and raised concerns regarding previous expenditures for fire inspections of City-owned buildings, which she understood could not be performed by the City's Fire Department. It was indicated that the matter would be reviewed.

RESCHEDULE COMMON COUNCIL MEETING

RESOLUTION 26-139

Moved by Councilor Jones
Seconded by Councilor McHugh

RESOLVED, that the Common Council hereby approves rescheduling the regular Common Council meeting scheduled for Tuesday, November 3, 2026, to Wednesday, November 4, 2026, due to Election Day.

Ayes: 7
Nays: 0
Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

BOARD REAPPOINTMENTS-ETHICS COMMITTEE

RESOLUTION 26-140

Moved by Councilor Pagano
Seconded by Councilor Simchik

RESOLVED, to approve the Mayor's reappointment of the following individuals to the Ethics Board for a 4-year term:

Sarah Marshall	Expiration Date	October 23, 2030
Wendy Matters	Expiration Date	October 11, 2030
Brahim Zogby	Expiration Date	October 17, 2030

Ayes: 7
Nays: 0
Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: Councilor Jones questioned the current membership of the Ethics Board and whether it complied with the City Charter. It was clarified that the Board consists of the Mayor and four appointed members; however, only 3 were up for reappointment. Discussion also addressed the Charter requirement for staggered four-year terms, with City Clerk LaPera explaining the longstanding difficulties in maintaining staggered appointments due to vacancies, resignations and challenges recruiting board members. It was suggested that the Charter provisions be reviewed for possible amendment.

BUDGET TRANSFERS AND AMENDMENTS

RESOLUTION 26-141

Moved by Councilor Simchik
Seconded by Councilor Cimpi

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.

2026 Budget Adjustments

Budget Adjustment #1

Amount	To	From
\$56,239.18	002.8300.0431.0000 Water Taxes	002.0002.0912.0000 Water Fund Balance

Purpose: To allocate funds for the payment of property taxes for the city owned water facilities

Budget Adjustment #2

Amount	To	From
\$62,000	001.3410.0101.0000 Fire Salaries	001.0001.0912.0000 General Fund Balance

Purpose: To allocate funds to cover the expected salary needs through 2026

Budget Adjustment #3

Amount	To	From
\$65,000	001.3410.0102.0000 Fire Overtime	001.0001.0912.0000 General Fund Balance

Purpose: To allocate funds to cover the expected salary needs through 2026

Budget Adjustment #4

Amount	To	From
\$10,000	001.1640.0403.0001 Central Vehicle Police Repairs	001.0001.0912.0000 General Fund Balance

Purpose: To allocate funds to cover snow tires for patrol vehicles, brake repairs, and other mechanical failures that may arise through the remainder of 2026. This transfer is necessary to maintain safe, reliable patrol vehicles and ensure uninterrupted police services.

Ayes: 4

Nays: 3 (McHugh/Smith/Jones)

Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: Councilor Jones expressed concern that approval of the transfers would reduce the fund balance to approximately 15.77% of the budget, approaching the City's recently revised minimum threshold of 15%. Based on an analysis of expenditures through the first eight months of the year, concerns were raised that Fire Department salaries and overtime accounts could require an additional transfer of approximately \$100,000 before year-end. While City Manager Lovell believed the proposed transfers would be sufficient to meet expenses throughout the remainder of the year, the Council member questioned whether additional funding would be necessary and suggested seeking input from the Fire Chief.

Fire Chief Jones addressed the concerns regarding Fire Department salaries and overtime, explaining that his projections were based on the remaining payroll periods and anticipated expenditures through year-end. He indicated that approximately \$510,000 would be needed for regular salaries, with a current account balance of \$449,772. He further explained that certain expenses, including holiday pay, would be addressed through adjustments within the department's existing budget where possible, with Council approval sought for any necessary transfers between accounts.

Regarding overtime, Chief Jones stated that expenditures averaged approximately \$14,000 per month, with recent monthly costs falling below that amount. Based on his calculations and anticipated emergency responses, he believed the proposed budget transfers would be sufficient to cover Fire Department expenses through the end of the year.

City Manager Lovell outlined measures being implemented to control expenditures, particularly overtime costs. He explained that overtime is now reviewed each payroll period, with discretionary overtime substantially restricted and additional justification and supervisory approval required. These measures are intended to provide greater oversight and proactively manage departmental expenses.

Fire Chief Jones clarified that the Fire Department has limited discretionary overtime, as most overtime is driven by minimum staffing requirements, departmental policies and employee absences. He explained that current staffing levels generally allow one employee to be absent without requiring overtime; however, additional absences due to illness, injury or other circumstances may necessitate overtime to maintain required staffing levels.

Discussion continued regarding the importance of adequately funding essential departmental expenses, particularly salaries and overtime, before allocating funds for discretionary spending. It was noted that historical expenditures for one account averaged approximately \$148,000 annually over the past seven to eight years, while only \$120,000 had been budgeted, despite anticipated contractual increases.

City Manager Lovell expressed concern that difficult decisions made during previous budget deliberations had contributed to the City's current financial challenges. He emphasized that these issues had developed over multiple budget years and that the City must address ongoing funding shortfalls through realistic budgeting and difficult financial decisions. He further stressed that the consequences of postponing these decisions ultimately affect the City, its residents and taxpayers.

AGREEMENT-STEPHANIE GWILT FALL FEST

RESOLUTION 26-142

Moved by Councilor Simchik

Seconded by Councilor Pagano

RESOLVED, to approve payment in the amount of \$500.00 to Stephanie Gwilt of the band Funky Butter for their performance at the City of Oneida Fall Festival on October 3, 2026.

Ayes: 7

Nays: 0

Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: It was clarified that the band had already performed and that the agreement was being presented for approval after the event due to an oversight in submitting it for the agenda. City Clerk LaPera explained that entertainment contracts are customarily submitted for Council approval, even when funds have been budgeted, and that the returning performer had agreed to receive payment following the event.

APPROVAL OF UPDATED MASTER FEE SCHEDULE EFFECTIVE JANUARY 1, 2027

RESOLUTION 26-143 (TABLED)

Moved by Councilor Smith

Seconded by Councilor Simchik

WHEREAS, the City of Oneida has reviewed its existing fees for various municipal services to determine whether they adequately reflect the costs associated with providing such services; and

WHEREAS, many of the City's existing fees have not kept pace with the actual costs of providing these services; and

WHEREAS, the City recognizes the importance of establishing reasonable fees that promote cost recovery, reduce the financial burden on property taxpayers, and provide sustainable revenue to support municipal operations; and

WHEREAS, the proposed updated Master Fee Schedule has been reviewed as part of the City's 2027 budget preparation process and will assist in establishing revenue estimates while maintaining essential municipal services; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oneida hereby approves and adopts the updated Master Fee Schedule, as presented, effective January 1, 2027; and

BE IT FURTHER RESOLVED, that the updated Master Fee Schedule shall supersede all previously established fees for the services identified therein, effective January 1, 2027, except where otherwise required by applicable law; and

BE IT FURTHER RESOLVED, that the City Manager and City Comptroller or a third party duly retained by the City of Oneida to perform such services are hereby authorized to incorporate the anticipated revenues associated with the updated Master Fee Schedule into the proposed 2027 City Budget.

DISCUSSION: Discussion was held regarding the proposed Master Fee Schedule, including concerns about its impact on businesses and development, with a suggestion to review and consider fees separately by department while comparing them with surrounding municipalities.

Motion to table by Councilor Smith
Seconded by Councilor McHugh

Ayes: 7

Nays: 0

Absent: 0

MOTION RESULT: ☐ Passed ☐ Failed ☒ Tabled

**NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT AGREEMENTS FOR
SAFE DRIVING EDUCATION AND POLICE TRAFFIC SERVICES**

RESOLUTION 26-144 (AS AMENDED)

DISCUSSION: Police Chief Lowell explained that the resolution required amendment because he had inadvertently submitted incorrect paperwork to the City Clerk and provided the corrected language for the resolution.

Motion to amend by Councilor Jones
Seconded by councilor Pagano

~~**WHEREAS**, the City of Oneida Police Department has been awarded funding through the New York State Governor's Traffic Safety Committee for the Safe Driving Education 2027 program in the amount of \$63,000 for the contract period October 1, 2026, through September 30, 2027; and~~

~~**WHEREAS**, the City of Oneida Police Department has also been awarded funding through the New York State Governor's Traffic Safety Committee for the Police Traffic Services (PTS) 2027 program in the amount of \$19,580 for the same contract period; and~~

~~**WHEREAS**, the grant funding will support traffic safety education and enforcement activities undertaken by the City of Oneida Police Department in accordance with the terms and conditions of the respective grant agreements; and~~

~~**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Oneida hereby accepts the grant awards and authorizes the City Manager to execute the New York State Governor's Traffic Safety Committee grant agreements for the Safe Driving Education 2027 program in the amount of \$63,000 and the Police Traffic Services 2027 program in the amount of \$19,580, together with any documents necessary to effectuate the grant awards, subject to the terms and conditions contained therein.~~

RESOLVED, to authorize the City Manager to execute New York State Governor's Traffic Safety Committee Grant Agreements for the TS-1 and HS-1 Grant Awards for the period October 1, 2026, through September 30, 2027.

Ayes: 7

Nays: 0

Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM ON COMMERCIAL FREE-STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS AND BATTERY ENERGY STORAGE SYSTEMS WITHIN THE CITY OF ONEIDA

RESOLUTION 26-145

Moved by Councilor Simchik

Seconded by Councilor Smith

WHEREAS, the City of Oneida Common Council introduces this Local Law to impose a six (6) month moratorium on the siting, establishment, placement, installation, construction, erection, modification and enlargement of commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems within the City; and

WHEREAS, the Common Council has deemed this moratorium urgent and immediately necessary in order to preserve status quo while these issues are examined by the City; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; 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.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that there are no other involved agencies, the Common Council shall act as lead agency, and that the enactment of this proposed local law is a Type II action under SEQR, thus concluding the environmental review process; 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 October 20, 2026, 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: 1 (Smith)
Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: City Attorney Bell explained that the proposed six-month moratorium would provide the City an opportunity to review and update its existing solar regulations and consider appropriate standards for battery energy storage systems, including safety, environmental impacts and decommissioning requirements. She noted that while larger renewable energy projects may be subject to State permitting, establishing local regulations would provide the City an opportunity to identify its expectations and require developers to address any requested waivers. Planning Director Vonderweidt will review current recommendations and potential regulatory changes during the moratorium.

Discussion also addressed the increasing development of data centers and their potential environmental and infrastructure impacts. City Attorney Bell suggested that the Council consider

whether a separate moratorium may be appropriate while regulations are evaluated, including any potential role of Madison County.

CITY OF ONEIDA

PROPOSED LOCAL LAW

A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM ON COMMERCIAL FREE-STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS AND BATTERY ENERGY STORAGE SYSTEMS WITHIN THE CITY OF ONEIDA

Be it enacted by the City of Oneida Common Council, as follows:

SECTION 1. **INTENT.**

It is the intent of the Common Council of the City of Oneida to impose a six (6) month moratorium on the siting, establishment, placement, installation, construction, erection, modification and enlargement of commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems within the City of Oneida. This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. **LEGISLATIVE PURPOSE.**

The purpose of this Local Law is to temporarily halt the development of commercial free-standing solar power energy systems and battery energy storage systems, for a period of up to six (6) months, while the City considers zoning changes and the enactment of additional zoning measures to specifically address matters of community concern.

The City has become aware of increasing interest by developers of larger scale solar energy system applications in the City and surrounding areas, such that solar energy uses are becoming increasingly prevalent in the City of Oneida at a commercial scale. Based upon this, the Common Council is of the opinion that a period of time is necessary to determine whether the existing regulation of commercial freestanding solar power energy systems needs to be revised in order to preserve and protect the health, safety and welfare of its residents. Commercial free-standing solar power energy are generally larger, more obtrusive and can pose a hazard and danger to residents by distraction, obstruction, and the power supply systems involved with such installations may pose a risk. This moratorium will enable city officials to review existing regulations in place and determine whether revisions are necessary to comprehensively address the various issues involved with these commercial level systems.

The Common Council also recognizes and acknowledges that the City needs to study and analyze many considerations that affect the preparation of local legislation to regulate battery energy storage systems. In the coming months, the City will be diligently working towards the development of regulations that will address, in a careful manner, the establishment, placement,

construction, enlargement and erection of battery energy storage systems on a City-wide basis and to adopt land use regulations for provisions to specifically regulate same. The Common Council therefore deems this moratorium urgent and immediately necessary for the City.

SECTION 3. DEFINITIONS.

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM: An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM: A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment designed to store energy to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier I or Tier 2 Battery Energy Storage System as follows:

- A. Tier I Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

CELL: The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

COMMERCIAL FREE-STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS: A free standing solar photovoltaic (PV) system and area of land principally used to convert solar energy to electricity with the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity to the general public or utility provider.

PERSON: The term person shall include any individual, partnership, association, corporation, landowner, lessee or licensee.

SECTION 4. MORATORIUM.

A. The Common Council hereby enacts a moratorium which shall prohibit the siting, establishment, placement, installation, construction, erection, modification, and enlargement of commercial free-standing solar photovoltaic (PV) system within the City of Oneida and/or the processing or further processing of such applications.

B. This moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date six (6) months from said

effective date of this local law, unless renewed; or (ii) the enactment by the Common Council of a resolution indicating the Common Council is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all zoning districts and all real property within the City.

D. Commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems which have previously been approved are hereby expressly excluded from this moratorium and may be sited, placed, installed, constructed, erected and operated in accordance with approved plans. Further modification, alteration or enlargement of previously approved commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems is prohibited while the moratorium is in effect.

SECTION 5. RELIEF FROM PROVISIONS OF THIS LOCAL LAW.

A. The Common Council reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Planning Department together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees, incurred by the City, shall be reimbursed to the City by the Applicant. The Common Council shall apply Use Variance criteria as set forth in the New York State General City Law, Section 81-b, in reviewing any application for relief.

C. The Common Council may refer any applications for relief herein to the Planning Commission/Zoning Board of Appeals for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Common Council after determining whether or not the requested relief is compatible with any contemplated amendments to the City Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Common Council shall deny the application.

D. The Common Council shall conduct a public hearing on any request for relief within forty-five (45) days of receipt of an application by the Planning Department and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 6. PENALTIES.

Any person who shall construct, reconstruct, relocate, enlarge or modify any site to be used for a commercial free-standing solar photovoltaic system in violation of the provisions of this Local Law, shall be subject to:

A. A fine is not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the City to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this Local Law.

SECTION 7. ENFORCEMENT.

This local law shall be enforced by the Code Enforcement Office of the City of Oneida or such other zoning enforcement individual(s) as designated by the Common Council. It shall be the duty of the enforcement individual(s) to advise the Common Council of all matters pertaining to the enforcement of this Local Law.

SECTION 8. VALIDITY & SEVERABILITY.

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or affect any other section of this Local Law.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect for a period of six (6) months from the date of passage.

ENTERPRISE LEASE AGREEMENT-POLICE DEPARTMENT

RESOLUTION 26-146

Moved by Councilor McHugh
Seconded by Councilor Smith

RESOLVED, to authorize the City Manager to sign a Lease Agreement with Enterprise Fleet Management/Enterprise FM Trust for a 2027 Ford F-250, for a term of 60 months, in accordance with the terms and conditions set forth in the lease documents, and to execute any documents necessary to effectuate the lease.

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

MOTION RESULT: ☒ Passed ☐ Failed

DISCUSSION: Police Chief Lowell explained the proposed replacement of a Chevrolet Traverse with a Ford F-250 through a five-year Enterprise lease agreement. He advised that the vehicle would provide improved towing capacity and winter weather capabilities as the Department transitions from larger SUVs to patrol cars. The F-250 would also be capable of towing the

Department's recently acquired 32-foot mobile command trailer, obtained through the federal 1033 Program, which has a gross vehicle weight rating of 14,000 pounds. Chief Lowell indicated that the proposed lease would cost approximately \$200 more than the current vehicle, with an estimated delivery time of 12 to 15 weeks, and that vehicle equity would be applied toward future lease costs.

NEW BUSINESS:

Councilor McHugh raised concerns regarding parking on both sides of narrow streets in the City's Historic District, noting potential difficulties for school buses and emergency vehicles. She suggested considering parking restrictions on one side of affected streets to improve safety and accessibility. It was recommended that the matter be referred to the Traffic Safety Board for review, including consideration of signage, enforcement and associated costs. The need to fill vacancies on the Traffic Safety Board was also discussed.

Councilor McHugh also expressed concerns regarding a damaged guardrail on Brewer Road and requested that repairs be considered to improve motorist safety, particularly during slippery road conditions.

Mayor Rossi questioned Council members who voted against the budget transfers and amendments, asking what alternative solution they would have proposed to meet the City's financial obligations had the transfers failed. He expressed concern that some members may have voted against the transfers knowing they would pass, suggesting that such votes could be perceived as an attempt to avoid public criticism. He compared the situation to the previous year's budget deliberations, when concerns over raising taxes resulted in difficult decisions regarding departmental funding. He emphasized that the City is obligated to pay its employees and questioned where the necessary funding could otherwise be obtained, given the limited availability of funds in other accounts. Councilor Smith responded that the Council could revisit the budget line items to identify potential sources for transfers, noting that opinions may differ regarding what constitutes an essential expenditure. Mayor Rossi responded that the accounts had already been reviewed, including consideration of funding for children's activities and Parks and Recreation programs, and questioned where the approximately \$100,000 needed could otherwise be obtained. He reiterated his concern that opposing the transfers without proposing a viable alternative could be perceived as an attempt to avoid public criticism.

In response, Councilor Jones questioned whether all available cost-saving measures had been fully explored and suggested that the definition of essential expenditures warranted further consideration. She noted that recently implemented spending controls had only been in place for a few weeks and questioned why those measures had not been instituted earlier in the year, suggesting that earlier implementation could have reduced the need for additional transfers. Mayor Rossi expressed that the effectiveness of these measures had not yet been tested during the winter months, when certain departmental expenses typically increase.

Further discussion addressed the Common Council's responsibility for fiscal oversight and adherence to the City Charter during the budget process. Councilor Jones referenced training received through the Office of the State Comptroller and emphasized that responsibility for the

City's finances rests with the Council and cannot be delegated solely to the City Manager. Concerns were raised that the previous year's budget process had resulted in underfunding essential services, and it was suggested that future budgets prioritize Police, Fire, Public Works and necessary winter maintenance expenses before allocating funds for other programs. Discussion also addressed unexpended appropriations in certain departmental accounts and the importance of ensuring that budgeted funds are used appropriately rather than spent simply to preserve future funding levels.

Councilor Simchik responded that the Council was aware during the previous year's budget deliberations that certain reductions would likely need to be addressed in the current year, but they were "held hostage" by the tax cap legislation. Councilor Jones noted that some departmental accounts remained funded and questioned whether unexpended appropriations, including those for recreational programs, could be considered, while acknowledging that some funds may already be encumbered. She further suggested that longstanding budgeting practices may need to change. Mayor Rossi reiterated his question regarding what alternative funding solution would have been available had the budget transfers failed, noting that most available appropriations had already been committed or expended, especially considering that it is October and there are only 3 months left in the year.

Councilor Pagano expressed concern regarding the potential consequences of delaying funding for essential services, particularly fuel for emergency vehicles. He questioned what contingency plans would have been available had the Fire Department exhausted its fuel allocation before additional funding was approved, noting that no alternative solution had been presented during the intervening period.

Councilor McHugh explained that her opposition to the budget transfers was not a lack of support for the Fire Department but rather concern for the City's long-term financial sustainability. She acknowledged the recently implemented cost-control measures and expressed her belief that the previous opposition to the transfers may have encouraged those changes. She emphasized the need to examine operational efficiencies, staffing models and alternative service delivery methods, referencing information obtained at a municipal training session regarding partnerships and alternative approaches to emergency medical services. She stated that her goal was to ensure the continued viability of essential services while preventing further depletion of the City's general fund.

Mayor Rossi questioned Councilor McHugh regarding her initial vote in favor of the transfers and subsequent change in position. Councilor McHugh explained that she had reconsidered her vote after weighing the recently implemented cost-saving measures against her continuing concerns regarding the need for broader operational and financial changes.

Mayor Rossi-Scheduling of Budget Meetings:

It was determined that the Budget Work Sessions will be as follows:

October 20	Following the Regular Council Meeting
October 27	5:30PM
October 29	5:30PM

November 2 5:30PM

City Manager Lovell-Reassessment:

City Manager Lovell raised concerns regarding the need for a citywide property reassessment, noting that the City's equalization rate had declined to approximately 60% and was expected to decrease further. He emphasized the importance of updating property assessments to ensure a more accurate and equitable distribution of the tax burden. He estimated the cost of a reassessment at approximately \$254,000, with potential financial assistance of up to \$100,000, and explained that the process could potentially be funded over multiple years. He advised that the expense had not been included in the proposed budget and requested Council's input regarding whether to include it as a capital improvement project or supplemental budget item.

Discussion followed regarding the possibility of conducting the reassessment in phases, beginning with commercial properties, followed by multifamily properties and ultimately single-family residences. It was suggested that the City consult with the Acting Assessor to determine whether such an approach would be permissible and practical.

It was further explained that reassessment would not change the total tax levy but would redistribute the tax burden based on updated property values, potentially resulting in increases for some property owners and decreases for others. The importance of establishing accurate assessments to promote fairness among taxpayers was emphasized.

ADJOURNMENT

Motion to adjourn by Councilor McHugh

Seconded by Councilor Jones

Ayes: 7

Nays: 0

Absent: 0

MOTION RESULT: ☒ Passed ☐ Failed

The meeting adjourned at 8:30 p.m.

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Sandra LaPera, City Clerk