



CITY OF ONEIDA COMMON COUNCIL MEETING MINUTES

Date:	May 5, 2026	Presiding:	Tom Simchik, Deputy Mayor
Time:	6:30pm	Clerk:	Sandy LaPera, City Clerk
Location:	Common Council Chambers	Meeting Type:	Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>

CALL TO ORDER

The meeting was called to order by Deputy Mayor Tom Simchik, followed by the Pledge of Allegiance and roll call.

<u>Attendees</u>	Present	Absent	Arrived Late
Mayor Rossi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> : _____
City Manager Lovell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Councilor McHugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Councilor Cimpi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Councilor Smith	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> : _____
Councilor Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> : _____
Councilor Pagano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Councilor Simchik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____

Also Present

City Attorney Bell	<input checked="" type="checkbox"/>	Supervisor: Matt Roberts	<input checked="" type="checkbox"/>
Attorney (Other)	<input type="checkbox"/>	Supervisor: _____	<input type="checkbox"/>
Fire Chief Jones	<input type="checkbox"/>	Comptroller Lee Ann Wells	<input checked="" type="checkbox"/>
Police Chief Lowell	<input checked="" type="checkbox"/>	Other: _____	<input type="checkbox"/>

PRESENTATION: Helen Acker, Chair of the Afterburner Committee

ATTACHMENT A (FLYER)

Ms. Acker stated that she wanted to address concerns and allegations circulating within the community regarding the committee's efforts to bring an F-16 fighter jet static display to Veterans

Memorial Field. She emphasized that the project would be funded entirely through donations and that no City funds or Downtown Revitalization Initiative (DRI) funds would be used for the project. She noted that misinformation had been shared suggesting otherwise and wanted to clarify that the allegations were untrue.

Ms. Acker explained that the committee began discussions in August and formally organized in January. She referenced committee minutes previously provided to the Council, noting they outline the project details and timeline. She stated that the purpose of the committee is to establish an F-16 static display that would honor military heritage, inspire future generations, and serve as a landmark for the community while fostering civic pride.

She advised that the committee plans to conduct public fundraising efforts to cover all associated costs, including transportation, demilitarization, installation, and community engagement activities. Ms. Acker noted that the committee had hoped to coordinate the project with the Downtown Revitalization Initiative Veterans Memorial project so both efforts could potentially progress together. She clarified that if that occurred, the committee and the City would each participate in their respective portions of the project.

Ms. Acker further explained that the project remains in the very early stages and is expected to take approximately two to five years to complete. She stated that the committee has been working closely with the United States Air Force and the National Museum of the United States Air Force and that an application has already been submitted. She noted that City Manager Kyle Lovell has also been in contact with representatives regarding the application process, but responses are still pending. She added that other communities pursuing similar displays have experienced comparable timelines.

Ms. Acker reiterated that the committee intends to fund the entire project through donations before concluding her remarks and indicating that she had a question for the Council.

Ms. Acker further stated that she had heard allegations within the community that Councilor McHugh was telling people that she and City Manager Kyle Lovell were attempting to “steal money from the City.” Councilor McHugh responded that this was not her position and stated that she supported and appreciated the committee’s efforts to bring the F-16 display to the community. She commented that the project could provide a sense of pride related to the military and noted that there is a strong network of individuals who are passionate about preserving and maintaining military displays.

Councilor McHugh stated that her concern related to the long-term maintenance and upkeep of the aircraft once installed. She referenced language included in the resolution establishing the committee indicating that no additional City employee time or departmental resources would be utilized for the project and questioned whether City resources could eventually be needed in the future to maintain the display.

Ms. Acker expressed frustration over negative comments made by Councilor McHugh circulating in the community, particularly comments coming from an elected official. Councilor McHugh clarified that her intention was not to shut the project down, but rather to ensure that the City considered future obligations and potential impacts before moving forward. She explained that

her earlier questions regarding the Downtown Revitalization Initiative (DRI) and project costs were intended to help her better understand the financial and engineering aspects of the proposal and were not intended as accusations.

Councilor McHugh stated that she had never accused anyone of stealing money or engaging in illegal activity. She explained that she believed individuals often work through established channels and processes to accomplish projects and stated that, while she may have had concerns regarding the process, she did not believe anything improper or illegal was occurring.

Councilor Cimpi recommended that the discussion be held privately rather than in an open forum.

When asked if she still had concerns after reviewing the committee minutes and related information, Councilor McHugh reiterated that her primary question involved how the aircraft would be maintained over time, including cleaning, safety, mounting, and other ongoing responsibilities, and whether those costs or duties would eventually fall upon the City.

Ms. Acker responded that the committee intends to raise funds not only for the acquisition, transportation, demilitarization, installation, and pedestal construction, but also for long-term maintenance costs in perpetuity. She explained that the committee is researching ongoing expenses and intends to establish funding dedicated solely to the aircraft display. She stated that similar aircraft displays are typically repainted approximately every 25 years and that the committee plans to account for those future expenses.

Ms. Acker further stated that the committee is currently estimating the project cost at approximately \$200,000 and hopes to retain additional funds after installation for future maintenance and upkeep. She noted that the project remains in the early stages and that additional information would continue to be shared through committee meetings and minutes.

PUBLIC HEARING: A Local Law amending Chapter 80, Titled “Insurance,” of the Code of the City of Oneida

**OPEN PUBLIC HEARING
A LOCAL LAW AMENDING CHAPTER 80, TITLED “INSURANCE,” OF
THE CODE OF THE CITY OF ONEIDA**

RESOLUTION 26-69

Moved by Councilor McHugh
Seconded by Councilor Cimpi

RESOLVED, that the Public Hearing on a Local Law to amend Chapter 80, Titled “Insurance,” of the Code of the City of Oneida is hereby opened at 6:41pm.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

APPEARANCES

None

CLOSE PUBLIC HEARING
A LOCAL LAW AMENDING CHAPTER 80, TITLED "INSURANCE," OF
THE CODE OF THE CITY OF ONEIDA

RESOLUTION 26-70

Moved by Councilor McHugh

Seconded by Councilor Pagano

RESOLVED, that the Public Hearing on a Local Law to amend Chapter 80, Titled "Insurance," of the Code of the City of Oneida is hereby closed at 6:42pm.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION:

Councilor Cimpi inquired as to who would be responsible for enforcing the proposed regulations. In response, City Manager Lovell stated that enforcement responsibilities would ultimately fall under the City's Codes Department, whether through residential enforcement staff, commercial enforcement staff, or a combination of both, with the exact structure to be determined administratively.

Councilor Smith was referred by Councilor McHugh as having raised several concerns and questions during the previous meeting. It was noted that the questions were appreciated and considered important in ensuring that the City does not compromise its ability to expand broadband infrastructure and remain current with evolving technology needs. It was further stated that the concerns raised regarding broadband expansion and technological advancement

were worthwhile considerations. Councilor McHugh asked whether responses to Councilor Smith's questions would be available.

In response, City Attorney Bell stated that if the questions were legal in nature, they could be forwarded to her for review, and a response could be provided.

PUBLIC COMMENT:

ROBIN BIENKOWSKI-338 LENOX AVE.

RESIDENT ROBIN BIENKOWSKI READ FROM A PREPARED STATEMENT INCLUDED AS ATTACHMENT B.

RESIDENT KATIE PAGANO SIGNED UP ON THE PUBLIC COMMENT SHEET AND YIELDED HER SPEAKING TIME TO ROBIN BIENKOWSKI.

JAMES WINNE-312 LENOX AVE.

ATTACHMENT C

Resident James Winne stated that he resides on Lenox Avenue and expressed concerns regarding what he described as repeated targeting and enforcement actions by Code Enforcement Officer Jay Ackerman related to conditions and activities on his property. Mr. Winne referenced photographs he brought to the meeting and discussed improvements and issues involving his residence, including a roof replacement that he stated was necessary due to deterioration.

Mr. Winne expressed concern regarding vacant houses within the City and stated that abandoned properties could create safety hazards for first responders due to the potential for squatters or unsafe conditions within the structures. He stated that he believed these properties should receive greater attention and enforcement.

Mr. Winne further alleged that Code Enforcement Officer Jay Ackerman routinely appeared at his property whenever he undertook projects or made improvements and stated that he felt unfairly targeted. He referenced concerns involving package deliveries, storage of materials on his property, and code citations he had received. He stated that he had cameras installed at his residence and discussed incidents involving deliveries and materials left near his home while he and his wife were at work.

Mr. Winne questioned why, in his view, certain residents were being singled out for enforcement actions while other properties and issues within the City remained unaddressed. He reiterated concerns about public safety, particularly regarding vacant properties and potential risks to emergency responders.

Mr. Winne also raised concerns regarding tree maintenance and trimming activities throughout the City. He questioned the handling of tree and branch removal and referenced utility lines associated with National Grid and Spectrum. He stated that he believed tree trimming and maintenance issues were becoming a significant concern and thanked the Council for their time.

OLD BUSINESS:

Councilor Lynne McHugh stated that she had a matter she wished to discuss but felt it may be more appropriate to address when the full Council was present. She referenced the prior meeting at which the Council voted to receive the recommendation regarding the Acting City Manager appointment and noted that the City Attorney had suggested the Council consider adding language to the City Charter addressing potential conflicts of interest that could arise in the future.

Councilor Lynne McHugh stated that she believed the Council should consider being proactive in reviewing and potentially amending the Charter rather than waiting for issues to arise before addressing them.

Councilor Pagano commented on the recent Autism Awareness Walk, stating that it was a positive, family-oriented event and that he had a great time attending. He expressed appreciation for the event organizers and participants and remarked humorously about collecting event items and memorabilia.

Councilor Pagano also thanked City staff for their prompt response to maintenance concerns he had raised prior to the event regarding conditions along the walking route. He stated that he had contacted staff to request cleanup and minor improvements and noted that, when he returned the following day, the concerns had already been addressed within less than 24 hours. He expressed appreciation for the quick response and thanked the staff involved.

MAYOR'S REMARKS:

None.

CITY MANAGER'S REPORT:

City Manager Kyle Lovell expressed appreciation to the coordinators, volunteers, and community members who participated in the Autism Awareness Walk held on Saturday. He noted that the event was well attended and successful and thanked everyone who contributed to its planning and execution.

City Manager Lovell also recognized the efforts of the City's Department of Public Works staff for their work in preparing and addressing conditions along the route prior to the event. He thanked the DPW employees for their assistance and stated that their efforts contributed to the overall success of the walk.

APPROVAL OF MINUTES

Motion by Councilor Cimpi
Seconded by Councilor Pagano

RESOLVED, that the minutes of the meeting held on April 21, 2026, are approved as presented.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

APPROVAL OF WARRANT

Motion by Councilor Cimpi

Seconded by Councilor Pagano

RESOLVED, that Warrant No. 9, including checks and ACH payments totaling \$646,459.37, as audited by the Voucher Committee, is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

INTRODUCE A LOCAL LAW AMENDING THE CODE OF THE CITY OF ONEIDA CHAPTER 190 REGARDING THE USE OF STORAGE TRAILERS AND OTHER CONTAINERS-SCHEDULE PUBLIC HEARING

RESOLUTION 26-71

Moved by Councilor McHugh

Seconded by Councilor Pagano

WHEREAS, the City of Oneida Common Council introduces this Local Law to amend the Code of the City of Oneida to enact regulations for the use of storage trailers and other containers throughout the City; and

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

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the City of Oneida, such that there are no other

involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

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

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

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

NOW, THEREFORE, it is

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

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

RESOLVED AND DETERMINED, that this Local Law shall be referred to the Madison County Planning Department for review and recommendation pursuant to General Municipal Law Section 239; be it 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 June 2, 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; be it 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: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

CITY OF ONEIDA

A LOCAL LAW AMENDING THE CODE OF THE CITY OF ONEIDA CHAPTER 190 REGARDING THE USE OF STORAGE TRAILERS AND OTHER CONTAINERS

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

Section 1. AUTHORITY.

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

Section 2. PURPOSE.

The City of Oneida Common Council hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued general welfare of its citizens, and that the use of semi-trailers, vehicles, and other containers for storage be prohibited and regulated. As such, the City of Oneida declares its intent to preserve and promote the reasonable quality of the environment and aesthetics and to prohibit actions and conduct that tend to depreciate the property on which it is generally located but also the property of other persons in a neighborhood and the community in general.

Section 3.

So that Section 190-5, titled "Definitions," of the Oneida City Code is hereby amended to add the following terms, which shall read in their entirety as follows:

"MOTOR VEHICLE – Any motor vehicle, whether automobile, bus, trailer, truck, tractor, motor home, motorcycle, mini-bike, snowmobile, or any other similar vehicle(s), with or without chassis.

STORAGE CONTAINER – A container designed or used to store or keep goods, building materials, equipment or other personal property, provided that a storage container shall not include containers designed and used for garbage, refuse or debris which is regularly emptied and maintained.

STORAGE STRUCTURE – Any motor vehicle, storage container, storage trailer or trailer being used to store or house any material.

STORAGE TRAILER – Any removeable container used for storage which is not constructed or erected on the property where it is used, including, but not limited to temporary or rented storage pods, truck bodies, bulk containers, shipping containers and railroad cars.

TRAILER – Any vehicle, not propelled by its own power, which is capable of being drawn on any public highways by a motor vehicle, including but not limited to non-self-propelled vehicles used as living or sleeping quarters, offices or storage purposes.”

Section 4.

So that Article IV, titled “Supplementary Regulations,” of the Oneida City Code shall be amended to add a new Section 190-14.1, titled “Storage Trailers and Other Containers,” which shall read in its entirety as follows:

“(A) Prohibition. It shall be unlawful for any person owning any land within the City of Oneida or occupying the same as a tenant or otherwise, to use or permit such land, or any part thereof, to be used for the storage or parking of a trailer, storage structure, storage trailer, or storage container for the purposes of using such trailer, storage structure, storage trailer, or storage container as a storage or accessory structure.

- (1) The presence of such trailer, storage trailer, or storage container upon any land within the City of Oneida shall be presumptive evidence that same is stored or parked thereon in violation of this Section and with the express knowledge and consent of the owner of the land, the lessee of the land, if any, and the owner and/or custodian of the trailer or storage container.
- (2) This Section shall not prohibit the parking of any recreational vehicle or camper by the owner thereof upon the premises where such owner actually resides, provided that such vehicle or camper shall not be used for living or sleeping quarters on such premises.

(B) Pre-existing uses. Existing storage trailers used as storage structures at the time of the enactment of this Local Law shall be removed or brought into compliance with the Code of the City of Oneida within six (6) months from the date of the adoption of this Local Law.”

Section 5. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, or part of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part thereof directly involved in the controversy.

Section 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the provisions of the New York State Municipal Home Rule Law.

DISCUSSION:

City Attorney Nadine Bell explained that the public hearing would not be scheduled for the next meeting, because the proposed local law was required to undergo review pursuant to General Municipal Law §239. She stated that local laws affecting zoning regulations must be referred to by the Madison County Planning Department for review and comment prior to proceeding.

She further explained that the County Planning Department is granted up to 30 days under the statute to complete its review and return comments or recommendations, which resulted in the delay of the public hearing.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO DEVELOP AND ADMINISTER A POLICY GOVERNING COMMUNICATIONS BETWEEN MEMBERS OF THE COMMON COUNCIL AND CITY EMPLOYEES

RESOLUTION 26-72

Motion by Councilor Pagano
Seconded by Councilor Cimpi

WHEREAS, the City of Oneida operates under a City Manager form of government as set forth in the City Charter; and

WHEREAS, pursuant to the City Charter, the Common Council is vested with legislative authority, while the City Manager serves as the Chief Administrative Officer responsible for the administration of all City affairs, including the direction and supervision of City employees; and

WHEREAS, the City Manager is charged with ensuring the efficient and orderly operation of the City government and maintaining appropriate lines of authority and accountability among City personnel; and

WHEREAS, certain City employees are subject to collective bargaining agreements, which establish terms and conditions of employment and provide formal grievance procedures; and

WHEREAS, direct communications from members of the Common Council to City employees regarding operational, supervisory, or performance-related matters may

create the appearance of undue influence, interfere with established supervisory structures, and result in unnecessary grievances or labor disputes; and

WHEREAS, the Common Council recognizes the importance of maintaining clear, consistent, and professional communication channels that are aligned with the roles and responsibilities established by the City Charter; and

WHEREAS, the establishment of a policy governing such communications will promote transparency, accountability, operational efficiency, and compliance with applicable labor agreements and legal standards;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes and directs the City Manager to develop, implement, and administer a policy governing communications between members of the Common Council and City employees; and

BE IT FURTHER RESOLVED, that such policy shall be consistent with the provisions of the City Charter, applicable collective bargaining agreements, and all relevant laws and regulations; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to establish procedures, protocols, and expectations necessary to ensure that communications are conducted in a manner that preserves appropriate lines of authority, minimizes the risk of labor disputes, and supports the effective administration of City operations; and

BE IT FURTHER RESOLVED, that the City Manager shall have the authority to amend and revise such policy from time to time as necessary to ensure continued effectiveness and alignment with best practices; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Ayes: 3

Nays: 1 (McHugh)

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION:

Councilor Cimpi suggested that the matter be drafted collaboratively, recommending that one or two Council members, along with a department head, work together similarly to a committee process in order to develop proposed language and procedures. City Manager Lovell advised that he would welcome that.

Councilor McHugh also expressed support for the concept and stated that newly elected officials are expected to navigate the City's governmental processes. She noted that the Council relies heavily upon City Manager Kyle Lovell, who has requested to serve as the primary liaison between Council members and City staff in order to avoid potential issues or misunderstandings. Councilor McHugh emphasized the importance of trust and accurate communication and stated that no

policy could replace open and honest information sharing. She also expressed hope that City staff would continue to maintain open lines of communication with the Council.

Councilor Cimpi inquired as to how individuals would communicate their interest in participating in the proposed committee or working group related to the communication policy. City Manager Kyle Lovell responded that he would simply ask who was interested in being involved in the discussion and development process.

Councilors Pagano and Cimpi both expressed interest in participating. Councilor McHugh suggested that additional discussion be tabled until Councilors Smith and Jones were present so that all members of the Council could participate in the discussion, given that the proposed policy would affect the entire Council.

Deputy Mayor Simchik noted that the proposed effort would largely involve formalizing practices and procedures that had generally existed in the past, particularly regarding communication flowing through the Mayor's office, but that the City's current form of government now routes communication primarily through the City Manager's office. Councilor McHugh expressed concerns regarding language that would permit policies to be amended or revised administratively from time to time. Councilor McHugh expressed concern that such language could unintentionally limit important communication or reduce Council oversight.

In response, Deputy Mayor Simchik clarified that any proposed policy changes or revisions would still require approval by the Common Council before taking effect. Additional discussion followed regarding whether to proceed immediately or delay the matter for additional discussion with absent Council members. Several Council members expressed support for continuing to move forward with development of the policy while ensuring the full Council would have an opportunity to review and vote on any final proposal before implementation.

It was further noted that any proposed policy would be subject to the Council's normal approval process, including review prior to final adoption. Following discussion, the Council prepared to proceed with a vote regarding moving the matter forward.

ESTABLISHMENT OF MINIMUM FUND BALANCE POLICY

RESOLUTION 26-73

Moved by Councilor Pagano

Seconded by Councilor Cimpi

WHEREAS, the City of Oneida is committed to maintaining sound financial practices and long-term fiscal stability; and

WHEREAS, maintaining an adequate fund balance is essential to ensure the City's ability to respond to unforeseen expenditures, revenue shortfalls, emergencies, and economic uncertainties; and

WHEREAS, the Government Finance Officers Association (GFOA) recommends that general-purpose governments maintain unrestricted fund balance in their General Fund of no less than two months of regular operating revenues or expenditures; and

WHEREAS, the Common Council recognizes the importance of maintaining a prudent reserve to support operations, stabilize tax rates, and preserve the City's financial integrity; and

WHEREAS, the City Manager has recommended the establishment of a minimum fund balance threshold to guide financial decision-making and budgeting practices;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oneida hereby establishes a policy to maintain a minimum unassigned General Fund balance of fifteen percent (15%) of annual General Fund expenditures; and

BE IT FURTHER RESOLVED, that should the fund balance fall below the established minimum level, the City Manager shall present a plan to the Common Council to restore the fund balance to the target level within a reasonable period of time; and

BE IT FURTHER RESOLVED, that this policy shall serve as a guideline for financial planning and does not preclude the use of fund balance for emergencies or other Council-authorized purposes, provided that a plan is in place to replenish such funds.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION:

Discussion took place regarding the City's minimum fund balance policy and the status of the General Fund balance in relation to the Council's previously adopted resolution establishing a 20% minimum fund balance requirement. A question was raised regarding whether the Council still intended to maintain the 20% fund balance target and what consequences had occurred previously when the City fell below that threshold.

City Attorney Bell explained that, when the fund balance previously dropped below the required threshold, the Council adopted a resolution temporarily permitting a lower minimum fund balance of 15% for one year ending December 31, 2025, with the expectation that the 20% minimum would be reinstated for 2026. She noted that the Council establishes the fund balance policy by resolution.

Acting City Comptroller Wells explained that the previous reduction in fund balance negatively affected the City's financial standing, including a reduction in the City's S&P credit rating from AA- to A+. She stated that the lower rating could impact borrowing costs by potentially increasing interest rates associated with short-term borrowing, bond anticipation notes, or long-term bonds.

Comptroller Wells advised that the City closed fiscal year 2025 with a General Fund balance of approximately 19.61%. However, based upon the adopted 2026 budget and budget amendments approved to date, the projected fund balance had declined to approximately 17.32%, placing the City in violation of its own 20% fund balance resolution. She noted that members of the Council had been provided with a fiscal condition packet for review and discussion.

Comptroller Lee Ann Wells further explained that the financial projections discussed were based strictly upon 10-year averages for revenues and expenditures. She stated that, if the City continues trending in the same direction as it has over the past decade, the City will continue to deplete its fund balance reserves. She noted that fiscal years 2024 and 2025 significantly impacted the averages and projections being discussed.

Comptroller Wells explained that if the fund balance were ultimately exhausted, the City could face deficit financing and increased oversight from the New York State Office of the State Comptroller. She referenced another municipality she works with that had experienced such a situation and described the process as difficult because the municipality lacked available funds to address emergencies or unexpected expenses. She explained that, in those circumstances, municipalities often become subject to long-term financial oversight, including quarterly reporting requirements and recommendations from the Office of the State Comptroller regarding budget management and financial recovery efforts. She noted that deficit financing arrangements often extend for approximately 10 years.

Comptroller Wells stated that the Office of the State Comptroller does not directly set municipal budgets, but instead provides recommendations intended to help municipalities maintain at least a zero-fund balance. She cautioned that operating at or near zero balance leaves municipalities without reserves to address emergencies or unforeseen costs. She further noted that the Council had already approved approximately \$265,000 in budget amendments during the current fiscal year, further limiting available financial flexibility.

A question was raised by Councilor McHugh regarding how expenditure and General Fund amendments had continued to be approved despite the City already being below the 20% fund balance threshold. Comptroller Wells explained that the City had only recently completed and filed its Annual Financial Report (AFR), allowing fiscal year 2025 to be formally closed and the exact fund balance position to be determined. She stated that, now that the City is aware of the current financial position, recommendations and resolutions would need to be considered addressing the City's noncompliance with the existing fund balance policy.

Councilor McHugh commented that, when the prior resolution temporarily lowering the minimum fund balance requirement was adopted, it had been discussed as a one-time measure and not intended to become standard practice. She expressed hesitation about reducing the threshold further simply because additional funds were needed and stated that she would like to see a financial recovery plan developed sooner rather than later.

Councilor Lynne McHugh reiterated her concern regarding the City's declining fund balance and referenced language within the City's policy stating that, once the fund balance falls below the established level, the City Manager is to present a plan to the Council to restore the fund balance.

She stated that she would prefer to begin that process immediately rather than continuing to rely upon the General Fund balance without a corrective strategy in place.

Councilor McHugh stated that she looked forward to reviewing recommendations from City Manager Kyle Lovell regarding operational and fiscal changes intended to improve the City's long-term financial stability. She noted that the City's projected fund balance had already declined to approximately 17.32% and questioned whether the Council should consider temporarily lowering the required minimum threshold to reflect the City's current financial position while simultaneously developing a plan to restore the fund balance to a sustainable level.

Deputy Mayor Simchik explained that reducing the minimum threshold to 15% would provide the City with additional flexibility while corrective measures are developed. It was noted that the lower threshold would provide approximately a 2% cushion and allow time to formulate a financial recovery strategy and begin reversing current trends. A request was made by Councilor McHugh for the City Manager to provide preliminary recommendations or ideas in the near future regarding steps the City could take to improve its financial condition.

In response, City Manager Lovell stated that improving the City's financial position would ultimately require either increasing revenues, decreasing expenditures, or a combination of both. Comptroller Lee Ann Wells further explained that, based upon the City's current position and the approximately \$265,000 in budget amendments already approved during the year, the City would still have approximately \$400,000 remaining before falling below a 15% minimum fund balance threshold. She clarified that any additional budget amendments exceeding that amount could place the City in violation of a revised 15% policy as well.

Discussion also included comments regarding the City's current spending levels compared to prior years. It was noted by City Manager Lovell that current expenditure appears to be more controlled and manageable than in previous years. He referenced reviewing the Fiscal Condition Packet and commented that overlaying historical tax rates against fund balance trends appeared to show a correlation between decreases in tax rates and increases in pressure on the General Fund balance. City Manager Lovell stated that the comparison was informative and highlighted the need for difficult financial discussions moving forward.

City Manager Lovell acknowledged the City's financial challenges and stated that the issue had developed over a number of years. He advised that he could begin developing tentative plans and recommendations, including possible funding adjustments and operational changes, but cautioned that developing a comprehensive long-term financial recovery plan would likely require additional time beyond the next two weeks.

Additional discussion took place regarding the impact of prior use of fund balance reserves on the City's current financial condition. Comptroller Wells stated that, during fiscal year 2025, the City utilized more than \$1.6 million in fund balance reserves, which was described as being roughly equivalent to the revenue that would be generated by an approximate 30% tax increase. It was further noted that each 1% increase in the City tax levy generates approximately \$56,000 in additional revenue for the City.

It was stated that the use of more than \$1.6 million in fund balance during 2025 contributed significantly to the reduction of the City's fund balance percentage from approximately 31% to approximately 19% within a single fiscal year.

AGREEMENT-CARNE I CORP (WWTP)

RESOLUTION 26-74

Moved by Councilor McHugh
Seconded by Councilor Cimpi

RESOLVED. to authorize the City Manager to sign an agreement with Carne I Corp. for the acceptance of high strength organic waste at the Wastewater Treatment Plant.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

APPROVAL OF ALTERNATE APPOINTMENT TO VOUCHER COMMITTEE

RESOLUTION 26-75

Moved by Councilor McHugh
Seconded by Councilor Pagano

RESOLVED, to approve the designation of Ward 3 council member Nathan Smith as an alternate to the Voucher Committee established on January 6, 2026, by Resolution 26-2, pursuant to Section 5.22(B) of the City Charter

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION: Councilor McHugh asked whether Councilor Smith was aware of and in agreement with this. Deputy Mayor Simchik responded that he had already spoken with Councilor Smith and confirmed that he was aware of and in agreement with it.

AUTHORIZE THE WAIVER OF LATE FEES AND PENALTIES-SHERRILL POWER & LIGHT

RESOLUTION 26-76

Moved by Councilor Cimpi
Seconded by Councilor McHugh

WHEREAS, the City of Oneida has issued the 2026 City and County tax bill for property owned by Sherrill Power & Light, associated with the City of Sherrill; and

WHEREAS, said tax bill in the amount of \$6,350.11 was due on or before April 1, 2026, after which a statutory late fee of five percent (5%) is applied, with additional monthly penalties thereafter; and

WHEREAS, the Common Council has reviewed the circumstances surrounding the timing of payment, including intergovernmental coordination and administrative processing factors, and finds that the imposition of late fees in this instance is not warranted; and

WHEREAS, the Common Council recognizes the importance of maintaining strong and cooperative intermunicipal relationships;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oneida hereby authorizes the waiver of any and all late fees, penalties, and accrued interest associated with the 2026 tax bill issued to Sherrill Power & Light, provided that the base tax amount is paid in full; and

BE IT FURTHER RESOLVED, that this waiver is limited solely to this specific instance and shall not establish a policy or precedent for future waivers; and

BE IT FURTHER RESOLVED, that the City Manager and/or Comptroller are authorized to take all actions necessary to implement this resolution.

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION: City Manager Lovell explained that the matter involved several hundred dollars in late fees that had been assessed due to a billing issue. It was noted that the issue originated on the billing side and involved another municipality that had previously assisted the City earlier in the year by waiving a water-related fee owed by the City. It was stated that the proposed action was intended as a reciprocal courtesy in recognition of that prior accommodation.

ADOPT POLICY-FOIL FEE AND COST POLICY

RESOLUTION 26-77

Moved by Councilor McHugh
Seconded by Councilor Cimpi

RESOLVED, to adopt a uniform policy governing requests submitted pursuant to the New York State Public Officers Law Article 6 (“Freedom of Information Law”) titled “Foil Fee and Cost Policy.”

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

DISCUSSION: Councilor Cimpi raised a question regarding whether the City charges fees for records requests. City Clerk Sandy LaPera explained that the City generally charges \$0.25 per page for paper copies of records requests and that media-related requests, such as police body camera footage, may involve additional costs depending on the format and processing required, including the use of CDs or other storage media.

The City Clerk further explained that, when records can be provided electronically, there is generally no charge to the requester. City Attorney Bell noted that the fee structure is established by New York State statute and that the City does not have authority to increase the statutory per-page rate.

Additional discussion addressed payment procedures. The City Clerk explained that, when staff anticipate that the total cost of a request will exceed approximately \$25, the City may require a deposit or prepayment before processing and completing the request. Following the discussion, a call for any additional discussion was made.

NEW BUSINESS:

City Manager Kyle Lovell introduced Comptroller Lee Ann Wells and referenced the financial information packet that had been prepared regarding the City’s General Fund and overall finances. He stated that the discussion could proceed in whatever format the Council preferred, including general discussion, questions and answers, or review of specific funds or budget line items.

City Manager Lovell explained that the purpose of the discussion was to allow the Comptroller to answer questions, address concerns, and assist the Council in better understanding the City’s financial position.

Councilor Lynne McHugh expressed appreciation to Comptroller Wells for remaining available to meet with and educate newly elected Council members regarding municipal finances, budgeting matters, and the information contained within the financial packet.

ADJOURNMENT

Motion to adjourn by Councilor Pagano
Seconded by Councilor Cimpi

Ayes: 4

Nays: 0

Absent: 3 (Rossi-Smith-Jones)

MOTION RESULT: Passed Failed

The meeting adjourned at 7:15 p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk