



CITY OF ONEIDA COMMON COUNCIL MEETING MINUTES

Date:	September 1, 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

BRIAN BARRIS-WEST RD, ONEIDA

Brian Barris, Madison County Historical Society, announced that the Historical Society was recently awarded a \$143,500 federal grant through the Institute of Museum and Library Services. He explained that the three-year project will focus on preserving, digitizing, and sharing the Society's collections through the creation of a Madison County Digital History Portal. The online portal will provide public access to historical materials, including photographs, scanned diaries, newspapers, and other items documenting the history of Madison County.

Mr. Barris noted that the grant was highly competitive, with 343 applications submitted nationwide and only 92 receiving awards. He thanked Councilor McHugh for bringing the funding opportunity to the Historical Society's attention and stated that the award reflects the quality of the Society's collection and proposal. He also reminded the public of the Historical Society's upcoming annual craft festival.

OLD BUSINESS

Councilor Jones thanked the City Manager for determining a way to reallocate 98% of the funds from the canceled adult softball league toward pool salaries.

MAYOR'S REMARKS: Mayor Rossi wished everyone a safe and enjoyable Labor Day.

CITY MANAGER'S REPORT: See Attached Comments

APPROVAL OF MINUTES

Motion by Councilor McHugh
Seconded by Councilor Simchik

RESOLVED, that the minutes of the meeting held on August 18, 2026, are approved as presented.

Ayes: 5

Nays: 0

Absent: 1 (Cimpi)

Abstain: 1 (Jones)

MOTION RESULT: ☒ Passed ☐ Failed

APPROVAL OF WARRANT

Motion by Councilor Simchik

Seconded by Councilor Jones

RESOLVED, that Warrant No. 17, including checks and ACH payments totaling \$789,166.77, as audited by the Voucher Committee, is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

ADOPT A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C IN THE CITY OF ONEIDA-TABLED ON AUGUST 18, 2026 (RESOLUTION 26-117)

RESOLUTION 26-131

Motion by Councilor Jones

Seconded by Councilor Smith

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law of 2026, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the City of Oneida," was presented and introduced at a regular meeting of the Common Council of the City of Oneida held on July 21, 2026; and

WHEREAS, a public hearing was held on such proposed local law on the 4th day of August, 2026, by the Common Council of the City of Oneida and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Common Council of the City of Oneida in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of proposed Local Law of 2026 has previously been determined to be an unlisted action and will have no significant adverse effect on the environment, thus concluding the environmental review process; and

WHEREAS, Resolution 26-117, providing for the adoption of said proposed Local Law of 2026, was presented to the Common Council for consideration at its August 18, 2026, meeting and was tabled at that time; and

WHEREAS, it is in the public interest to enact said proposed Local Law of 2026.

NOW, THEREFORE, it is

RESOLVED that the Common Council of the City of Oneida, Madison County, New York, does hereby enact a Local Law of 2026 as follows:

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

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Oneida to adopt a budget for the fiscal year commencing January 1, 2027, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

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

Section 3. Tax Levy Limit Override

The Common Council of the City of Oneida, County of Madison, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2027, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

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

Councilor Lynne McHugh	YES
Councilor Dave Cimpi	ABSENT
Councilor Nathan Smith	YES
Councilor Janet Jones	YES
Councilor Bill Pagano	YES
Councilor Tom Simchik	YES
Mayor Rick Rossi	YES

MOTION RESULT: ☒ Passed ☐ Failed

Mayor Rossi explained that adoption of the tax cap override would not require the City to exceed the tax levy limit but would provide the City with the option to do so if necessary, during the budget process.

DISCUSSION:

Councilor Janet Jones:

Written Comments Provided:

Tax Cap Override:

First, I'd like to share my opinion that a passage of the Tax Cap Override is in no way a mandate to present the Council with a fiscally unrealistic budget.

I have concerns that we're being asked to override the tax cap before we see the proposed budget, the indicated tax levy, the impact on the general fund or the impact of any spending mitigation efforts.

For those who did not see the Dispatch today, the State Comptroller has stated that ..."it is incumbent on local officials to monitor their fiscal situation closely and be forthcoming with their constituents about the fiscal challenges they face and the tradeoffs that may be necessary to maintain budgetary solvency. Those that do not make the tough choices may find themselves dealing with structural deficits."

Challenges are publicly available:

Contractual Obligations negotiated & approved during the last Council:

Wage increases	5% Fire 5.5% CSEA	7% Police
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Economic Conditions: YTD Inflation 3.05%

Our General Fund Balance was spent down to 17.32% as of May 5th.
We'll see the updated percentage in the next monthly report.
Non-essential spending

Plans to address financial challenges include, but not limited to:

- Fuel Conservation
- Hiring Freeze
- Increase Fees
- Looking into Consolidation of services with neighboring municipalities
- Property Tax increase

Tough choices need to be made. Our residents deserve that.

Councilor Lynne McHugh

Councilor McHugh noted that, based on information shared at a recent Comptroller's breakfast, many municipalities are experiencing similar challenges with declining General Fund balances. She stated that the City of Oneida is not unique in facing these financial pressures and felt that was important context for the discussion.

Additional Comments

Mayor Rossi noted that the tax cap override must be addressed in advance of finalizing the budget because of the procedural requirements and timing associated with adopting a local law.

Councilor Simchik explained that waiting until the budget process is complete to determine whether an override is necessary could create timing issues. He noted that the budget must be finalized in November in order to provide the necessary information to Madison County and that the local law process requires action over multiple Council meetings. Adopting the override in advance preserves the City's ability to exceed the tax levy limit if it becomes necessary during the budget process.

City Attorney Bell clarified that adoption of the tax cap override does not commit the Council to any particular tax levy increase. She explained that the local law simply provides the authority to exceed the applicable tax levy limit, if necessary, while the Council retains full control over the amount ultimately included in the adopted budget.

Councilor Simchik further noted that the tax levy limit is not necessarily a fixed 2% and may vary based on the statutory calculation and other factors. He stated that even a levy increase only slightly above the calculated limit would require the override to be in place.

Councilor Pagano further explained the importance of adopting the tax cap override early in the budget process, noting that the City encountered timing issues in a previous year. He stated that, without the override in place, the Mayor was limited in preparing a proposed budget that

exceeded the tax levy limit, preventing the Council from receiving a higher initial proposal that could then be reviewed and reduced during budget deliberations.

HEALTH INSURANCE CONTRACT-HUMANA

RESOLUTION 26-132

Motion by Councilor Jones

Seconded by Councilor Simchik

RESOLVED, that the Common Council of the City of Oneida hereby authorizes the City Manager to execute an agreement with Humana, effective January 1, 2027, for the Group Medicare Renewal providing health insurance coverage for eligible City retirees age 65 and over, in accordance with the terms and conditions of the agreement.

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

BOARD APPOINTMENT-PLANNING COMMISSION/ZONING BOARD OF APPEALS

RESOLUTION 26-133

Moved by Councilor Simchik

Seconded by Councilor McHugh

RESOLVED, to approve the Mayor's appointment of Samantha Frederick to the Planning Commission/Zoning Board of Appeals (PCZBA) to fill the vacancy created by the resignation of Andrea Hitchings, for a term to expire November 27, 2028.

Ayes: 3 (Pagano/Simchik/Rossi)

Nays: 3 (McHugh/Smith/Jones)

Absent: 1 (Cimpi)

MOTION RESULT: ☐ Passed ☒ Failed

DISCUSSION:

Councilor McHugh stated that her concern was not with the individual being recommended for appointment, but rather with the process used to select candidates for the PCZBA. She expressed

appreciation for anyone willing to serve the community in what can be a challenging and thankless role and acknowledged Planning Director Vonderweidt's recommendation of Samantha Frederick based on her common-sense approach and willingness to serve.

Councilor McHugh stated that she had not received information regarding Ms. Frederick's experience or background that she felt would demonstrate the experience needed to provide an informed and independent voice on the PCZBA. She noted that, based on conversations with community members, she believes the City should more actively seek individuals with relevant talent, experience, and knowledge when filling these positions. She added that while there is value in appointing and mentoring individuals who are new to this type of service, she did not believe this was the appropriate time to do so given the challenges currently facing the PCZBA.

Mayor Rossi stated that he did not know Ms. Frederick personally but had received the recommendation for her appointment from Planning Director Vonderweidt. In response to questions regarding the composition and experience of the PCZBA from Councilor Smith, he noted that the Board currently includes members with a variety of professional backgrounds and experience, including surveying, business, and economic development.

Councilor Pagano noted that the level of questioning and discussion surrounding the appointment was unusual compared to previous board appointments. He stated that, absent a specific concern regarding the nominee, he preferred that the Council avoid becoming overly involved in personnel-related aspects of the appointment process and allow the established process and checks and balances to function.

**ENTERPRISE FLEET MANAGEMENT LEASE AGREEMENTS-
POLICE DEPARTMENT VEHICLES**

RESOLUTION 26-134

Moved by Councilor Jones

Seconded by Councilor McHugh

RESOLVED, to authorize the City Manager to sign lease agreements with Enterprise Fleet Management, 1320 Brooks Avenue, Rochester, NY 14624, to replace three (3) existing patrol vehicles that are nearing the end of their lease term.

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

WATER FUND BUDGET TRANSFERS

RESOLUTION 26-135

Moved by Councilor Simchik
Seconded by Councilor Smith

RESOLVED, that the Common Council hereby authorizes a reduction of \$100,000 in the authorized funding for the Lake Street Pump Station Improvement Project (Account 005.8300.401.0022), with said \$100,000 returned to the Water Fund Balance; and be it further

RESOLVED, that \$22,000 of the Water Fund Balance is hereby authorized to be appropriated and transferred to the Water Department Overtime account (Account 002.8300.0102.0000) to provide sufficient funding for the remainder of the 2026 fiscal year.

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

BUDGET TRANSFERS AND AMENDMENTS

RESOLUTION 26-136

Moved by Councilor Simchik
Seconded by Councilor McHugh

RESOLVED, to approve the budget transfers and amendments as outlined by the Comptroller or a third party duly retained by the City of Oneida to perform such services.

<u>To</u>		<u>From</u>
2026 Budget Adjustments		

\$ 2,838.82	001.8020.4040.0000	001.0025.3902.0002
	Planning Comprehensive Plan Grant	State Grant Comprehensive Plan Revenue

To re-allocate grant revenue for the expenses they are intended for

\$ 16,500.00	003.8110.0300.0000	003.0003.0912.0000
	Sewer Equipment	Sewer Fund Balance

To allocate funds for anticipated equipment expenses through 2026

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

NEW BUSINESS

Councilor Nate Smith

Police Chief Steve Lowell

E-Bikes

Councilor Smith raised concerns regarding e-bikes and bicycles, particularly riders failing to obey stop signs and traffic signals, riding against traffic, and obstructing traffic. He asked whether existing laws provide sufficient enforcement authority or whether the City should consider additional legislation to address these concerns.

Police Chief Lowell stated that New York State Vehicle and Traffic Law contain provisions governing e-bikes and that the applicable statutes are relatively new. He explained that the Police Department has taken steps to train officers on the e-bike laws, including training conducted the previous week, and that officers are making stops and issuing tickets when circumstances allow.

Chief Lowell stated that enforcement is challenging due to staffing, overtime, equipment, and other resource limitations. He noted that he had previously requested funding for e-bike enforcement and equipment and is currently pursuing grant funding for e-bikes. He also intends to include funding for special e-bike enforcement details in his proposed budget.

Chief Lowell advised that the Council could consider additional local legislation, including provisions addressing impoundment and related penalties, if it wished to pursue a more comprehensive approach. However, he stated that existing State Vehicle and Traffic Law provide enforcement mechanisms and that the Department will continue its public safety efforts and enforcement within available resources. He also noted particular enforcement challenges involving juveniles and emphasized that any enforcement approach should be applied equally and consistently.

Discussion followed regarding potential funding sources for police e-bikes and whether available crime prevention or traffic safety grant funding could be used for equipment. Chief Lowell stated that grant programs have specific restrictions on eligible purchases and that e-bike-related funding is being pursued where permitted. He reiterated that enforcement can be difficult without appropriate equipment and sufficient staffing.

Councilor Lynne McHugh

Mobile Food Vendors

Written Comments Provided:

We are coming to the close of yet another season where the City of Oneida has watched from the sidelines as our neighbors hold successful food truck events. I believe we have a mandate from residents who want Oneida to become more business friendly. Oneida is one of the only local municipalities where vendors are required to get a distinct operational permit from the Fire Department prior to being issued a license to operate.

Under the Certification and Compliance Agreement portion of the licensing application, vendors have to pass a fire safety inspection from OFD or exhibit proof that it was completed in another municipality. The trouble is, I can't find any neighboring municipalities who do this inspection. This seems to be the piece that is discouraging business. Vendors are simply choosing to pass over Oneida to do business in other places.

The Fire Department is tasked with keeping us safe and we cannot impede that.

We cannot draft policy or create operational changes that prevent the Fire Department from fulfilling their duty to enforce the NYS Uniform Code. I believe that this is the intent behind the current process in place. Unfortunately, it is being implemented operationally in a way that is also discouraging business. Changing this singular piece of the current process would align our practices with those of our successful neighbors and could open up future opportunities.

I am sharing this today in response to community members who have asked that the Common Council look at easing the regulations for food trucks. There is nothing in Chapter 116, article 2 that specifically speaks to the required fire inspection so I do not think the Council can address this legislatively. It is baked into the licensing application process, making this an operational change overseen by the City Manager rather than a legislative change. I hope my fellow Councilors agree that this would be a positive step in the right direction and that the City Manager and Fire Department will be able to work together to find a path forward that would help encourage business and maintain safety.

Fire Chief Jones

Fire Chief Jones stated that the Fire Department's practices regarding mobile food vendors are not intended to be prohibitive but are based on requirements of the New York State Fire Code. He explained that the City is required to conduct applicable fire safety inspections and issue operating permits, and noted that other municipalities, including Rome and Syracuse, conduct similar inspections.

Chief Jones expressed concern about making exceptions for mobile food vendors when brick-and-mortar restaurants within the City are also subject to health and fire inspections and associated requirements. He noted that the City's mobile food vendor permit allows vendors to operate for the entire year and stated that the intent of the process is to ensure compliance with required safety standards rather than discourage vendors from operating in the City.

In response to a question from Councilor McHugh regarding whether inspections could instead be conducted when vendors arrive and set up at an event, Chief Jones expressed concern that waiting until the day of an event could result in a vendor being unable to operate if a safety violation were discovered. He stated that conducting inspections in advance provides an opportunity to address any deficiencies before an event. He also noted that the City accepts qualifying inspections performed by other jurisdictions, such as Rome or Syracuse, rather than unnecessarily duplicating those inspections.

Chief Jones reiterated that he cannot control the requirements or practices of municipalities outside the City of Oneida, but that within the City he is responsible for enforcing the applicable provisions of the New York State Fire Code.

Councilor Tom Simchik

Councilor Simchik noted that some surrounding municipalities do not have paid fire departments or dedicated Fire Marshal personnel available to conduct mobile food vendor inspections. He stated that the lack of inspections in those communities may be due to the absence of personnel to perform them and cautioned that comparisons between those municipalities and the City of Oneida may not be equivalent.

Additional Comments:

Councilor McHugh clarified that she was not suggesting that the City disregard State law. Rather, she questioned whether the City Manager and Fire Department could work together to identify an alternative process for meeting the required inspection requirements while making the process less burdensome for mobile food vendors. She stated that, based on her conversations with other municipalities, inspections are still being conducted, but the timing and procedures may differ from the City of Oneida's current practice. She suggested obtaining additional information regarding how other municipalities administrate and conduct the required inspections.

Fire Chief Jones clarified that the Fire Inspection Fee is included in the \$150 annual license fee. Chief Jones stated that beginning the mobile food vendor process earlier in the year would allow vendors to complete required paperwork and inspections before the event season. He noted that last-minute or pop-up events present greater challenges due to scheduling, although the Fire Department makes efforts to accommodate vendors when possible.

The City Clerk explained that mobile food vendor licenses operate on a calendar-year basis from January 1 through December 31, with renewal information sent to existing vendors at the end of December. Because the food truck season generally does not begin until later in the year, regular vendors have several months to complete the licensing and inspection requirements before they begin operating, and most do so.

She noted that while some vendors have expressed concerns with the process, vendors who have completed the requirements have also raised concerns about others operating at individual events without obtaining the same permits, inspections, insurance, and documentation. She emphasized the importance of maintaining appropriate oversight for public safety and suggested that the City could consider a more streamlined process for vendors participating in one-time or last-minute events.

Councilor McHugh stated that the cost did not appear to be the primary concern for vendors and questioned whether the licensing process could be modified. She suggested considering a temporary approval for one-time events, with the required fire inspection conducted at the event before the vendor begins operating.

Chief Jones expressed concern with this approach, noting that if a vendor failed the inspection on the day of an event, the vendor would have to be turned away after the event organizer had already scheduled and potentially advertised their participation. He noted that this could negatively affect both the event and the vendor, particularly if the vendor had already purchased and prepared inventory. Mayor Rossi raised concerns regarding the additional departmental time and resources required for Fire Department personnel to travel to individual events to conduct inspections. Chief Jones maintained that completing inspections in advance allows safety issues to be identified and corrected before a vendor is scheduled to operate.

Police Chief Lowell expressed concern with conducting required inspections at the time of an event. He explained that if vendors were already set up and subsequently failed inspection, the Fire Department could be required to shut them down and, if a vendor refused to leave, Police Department involvement could become necessary. He stated that this could negatively impact the event, the vendors, and the City while requiring additional police and fire resources. Chief Lowell supported a proactive approach in which inspections and compliance issues are addressed in advance of events to minimize enforcement issues and avoid unnecessary disruption.

City Manager Lovell stated that both the concerns regarding the vendor process and the need to meet inspection requirements were valid and suggested finding a way to accomplish both objectives. He proposed establishing a designated period each year, prior to the start of the food truck season, when vendors could schedule and complete their required Fire Department inspections. He suggested that a coordinated effort, with clear instructions regarding the application, required documentation, inspection process, and \$150 annual fee, could make the process easier for vendors to understand and complete.

City Manager Lovell also suggested that improved outreach and communication may help address concerns, noting that the inspection requirements are still relatively new to some vendors. He stated that providing vendors with a clear schedule and completing inspections well in advance of the season could help streamline the process while maintaining the required safety standards.

Mayor Rossi added that event organizers also have a responsibility to understand and communicate the City's requirements when inviting mobile food vendors to participate. He emphasized the importance of better outreach, so vendors and organizers are aware of the process in advance. Councilor Smith suggested that an annual scheduled inspection opportunity could also include a question-and-answer session, allowing vendors to meet with City staff, receive assistance with the requirements, and learn about upcoming events and opportunities to participate.

Discussion then turned to the designated location requirements for mobile food vendors. City Manager Lovell noted that some vendors have expressed concern that the current designated locations are overly restrictive and that those locations have not been widely utilized.

Mayor Rossi expressed support for considering greater flexibility in where mobile food vendors may operate, provided they do not create traffic or safety concerns. Discussion followed regarding whether changes to vendor locations could be handled administratively or would require changes to the City's local law. It was noted that the current law addresses designated locations, while

many of the previously discussed improvements to the application and inspection process could be handled operationally without legislative changes.

ADJOURNMENT

Motion to adjourn by Councilor Jones
Seconded by Councilor McHugh

Ayes: 6

Nays: 0

Absent: 1 (Cimpi)

MOTION RESULT: ☒ Passed ☐ Failed

The meeting adjourned at 7:23p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk