

Town of Vienna
Town Board Meeting & Public Hearing
Minutes
November 6, 2024

ATTENDANCE:

Supervisor Michael Davis
Councilwoman Mary Beth McEwen
Councilman Darrin Smith
Councilman Jason Spellicy
Councilman Jason Lamb
Town Clerk Carol Huber

CALL TO ORDER:

Supervisor Davis called the meeting to order at 7:00 pm.

NOCCOG:

Lisa Bellinger reported that NYS LTAP Center has a work zone package program that the highway and public works can apply for free equipment. Numerous webinars offered through the Office of the Comptroller throughout November and December. Association of Towns Annual Meeting and Training School is February 16-18. NYSLTAP is having hour long training sessions Tuesday mornings starting at 9:00 am in November and December.

NORMAN LEACH:

Mr. Leach announced that there will be a 0% increase in property taxes this year. Update on the change of election years from off years to even years was challenged by several Counties in a law suit and the Counties have won round 1.

PUBLIC HEARINGS:

LOCAL LAW NO 1 OF 2024 FEE SCHEDULE AMENDING LOCAL LAW 3 OF 2013.

Copy of legal notice on file in Clerk's office.

Councilman Smith made a motion to open the public hearing at 7:08 pm and Councilwoman McEwen seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Public Comments:

Mike Piper asked if the Codes Office reviewed the prices and Codes Office Reay Walker answered yes and explained the reason for the changes.

Councilman Lamb made a motion to close the Public Hearing at 7:10 pm and Councilman Spellicy seconded the motions.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

No Board comments.

Councilman Spellicy made a motion to accept the new fee schedule and Councilwoman McEwen seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Local Law will be effective when filed with the State.

2025 Budget

Councilman Lamb made a motion to open a Public Hearing for the 2025 Budget at 7:12 pm. Councilman Spellicy seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Public Comments:

Mike Piper suggested not paying everyone a 4% increase across the board, but base raises on a 6 month or annual review and pay accordingly if you want to keep qualified and experienced people. He is for the Budget and praised Ben Gasser for doing a great job on the Budget.

Councilman Spellicy made a motion to close the Public Hearing at 7:15 pm and Councilman Lamb seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Board Comments:

Councilman Smith agrees with Mr. Piper to look at individuals during raises and next year would like to see all individual pay rates. Councilman Spellicy stands behind the budget and talked about the highway department being able to get new equipment and how we have helped the seniors. He also thinks 4% across the board for pay raises to keep it fair. Councilman Lamb had nothing to ad. Councilwoman McEwen had nothing to ad. Supervisor Davis explained how difficult it is to understand the budget when you are new to the Board. Also, how each department head gets to look over the budget and give their input before the Public Hearing.

Councilman Spellicy made a motion to accept the 2025 Budget. Councilman Lamb seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Abstained
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

A copy of the Budget will be available to view during normal business hours in the Town Clerk's Office.

APPROVAL OF MINUTES:

A motion was made by Councilman Spellicy and seconded by Councilman Smith to approve the October 2, 2024 Town Board Minutes.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

A motion was made by Councilman Lamb and seconded by Councilman Spellicy to approve the October 9, 2024 Town Board Special Meeting Minutes for budget workshop.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

A motion was made by Councilman Spellicy and seconded by Councilman Smith to approve the October 23, 2024 Town Board Special Meeting and Public Hearing Minutes.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

AUDITED VOUCHERS:

A motion was made by Councilman Spellicy and seconded by Councilman Smith to approve Abstract 11 Vouchers to be paid for a total of \$ 90,765.28

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

SUPERVISOR'S REPORT:

Supervisor's Report is filed in the Town Clerk's office and will be posted on the Web Site.

TOWN CLERK'S REPORT:

Town Clerk read her report. Monies received for the month totaled \$ 3395.50

HEAP Outreach scheduled to be at the Town Hall on 11/14 and 12/12 from 3:00 to 6:00 pm to assist residents.

A motion was made by Councilman Spellicy to approve the Town Clerk's Report and seconded by Councilman Smith.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

ASSESSOR'S REPORT:

Assessor's Report is filed in the Clerk's office and will be posted on the Web Site.

CODE'S REPORT:

Codes Report is filed in the Clerk's office and will be posted on the Web Site.

HIGHWAY DEPARTMENT:

Supervisor Conover reported that he is still waiting on quotes for the roof repair. Breathe Easy submitted a quote for split units in the Office and Breakroom. There are also some grant monies available they will try for. Attorney Evan Rossi suggested to get 2 more quotes before making a decision.

OPENING OF SEALED FUEL BIDS

Supervisor Davis opened the two sealed bids received by the Town Clerk as follows:

Buell Fuels submitted Summer Diesel at a Fixed Net Price of \$2.77 per gal, 87 Octane Gasoline no fixed price, Heating Oil at a fixed price of \$2.875 per gal, Kerosene at a fixed price of \$3.24 per gal, and propane at a fixed price of \$1.5495 per gal.

Superior Plus submitted propane at \$1.58 per gallon with no delivery fee or hazmat fees.

A motion was made by Supervisor Davis and seconded by Councilman Spellicy to accept the \$1.58 per gallon for propane with Superior Plus.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

A motion was made by Councilman Smith and seconded by Councilwoman McEwen to accept the Buell Fuel prices for Diesel, Gasoline, Heating Oil and Kerosene, but not Propane.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

COUNCIL REPORTS:

Councilman Smith Reported that the ZBA will hold a meeting on November 11, 2024 and the Planning Board will hold a meeting on November 21, 2024. December 7th the North Bay Fire Department will have a parade at 5:30 pm and the tree lighting at 6:00 pm with refreshments and vendors to follow.

Clayton Conover asked if we could get more lights because the wind destroys the lights on the trees.

Councilman Smith made a motion to spend up to \$500 for new lights and Councilwoman McEwen seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Sylvan Beach will assist with hanging the lights. Councilman Smith asked if the Town could advertise for the event. Supervisor Davis made a motion to advertise in the Queen Central and Councilman Smith seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

Supervisor Davis talked about the Christmas Luncheon for the employees and set the date for Monday December 16 at 12:00 noon.

Councilman Smith made a motion to spend up to \$600 for the luncheon and Councilman Spellicy seconded the motion.

Voting Record:

Councilwoman Mary Beth McEwen	Aye
Councilman Darrin Smith	Aye
Councilman Jason Spellicy	Aye
Councilman Jason Lamb	Aye
Supervisor Michael Davis	Aye

OLD BUSINESS:

Cell Tower: Verizon is scheduled for a ZBA meeting on November 11, 2024

Water Extension: Supervisor Davis read the following Part 2 and Part 3 of the Water Extension SEQR and Resolution 29 of 2024, A Resolution relating to the negative declaration, under the State Environmental Quality Review Law of the proposed new water district project and voted.

RESOLUTION NO.29 of 2024

A RESOLUTION RELATING TO THE NEGATIVE DECLARATION, UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) LAW, OF THE PROPOSED NEW WATER DISTRICT PROJECT

WHEREAS, the Town of Vienna (Town) with offices at 2083 NYS Route 49, North Bay, Oneida County, New York is interested in undertaking a New Water District Project; and

WHEREAS, the Town Board of the Town of Vienna has reviewed the project scope as prepared by the Town Engineer; and

WHEREAS, the Town Board has determined that the action is classified as Type I for the purposes of SEQR as defined in 6 NYCRR 5617.4(b)(6) and is determined to proceed; and

WHEREAS, all potential involved agencies related to the Project are identified on the Full Environmental Assessment Form Part 1 prepared by the Town Engineer and has been submitted to the Town Board; and

WHEREAS, at a regular meeting of this Town Board held on October 2, 2024, the Town Board recommended that a SEQR Type I Action — Coordinated Review be conducted with the Town Board of Vienna serving as Lead Agency and to do so it sought consent from all other Involved Agencies and the Town Board has been established as Lead Agency; and

NOW, THEREFORE, the Town Board of the Town of Vienna, duly convened in regular session, does hereby resolve as follows:

1. The recitations cited above are incorporated herein.
2. The New Water District is classified as a Type I for the purposes of SEQR and based upon the examination and consideration of the Full Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the proposed project.
3. The Supervisor for the Town of Vienna is authorized to execute the Full Environmental Assessment Form Parts 2 and 3 to the effect that the Town Board is issuing a "Negative Declaration" under SEQR.
4. The Town Clerk is hereby directed to file and circulate Part 3 in accordance with the requirements for a Type I action of the Full Environmental Assessment Form.

Motion by: Councilman Spellicy
 Seconded by: Councilman Lamb

Voting Record:
 Councilwoman McEwen Aye
 Councilman Smith Aye
 Councilman Spellicy Aye
 Councilman Lamb Aye
 Supervisor Davis Aye

Dated: November 6, 2024

IN TESTIMONY HEREOF, I have hereunto set my hand and affixed the seal of the Town of Vienna.

(SEAL)

Carol L Huber
 Town Clerk

Supervisor Davis then read an order to call a Public Hearing for the Vienna Far East Water District in the Town of Vienna, Oneida County, New York and voted on the Following.

ALL THAT TRACT or parcel of land situate in the Town of Vienna, County of Oneida, State of New York, and further described as follows:

AREA 1

BEGINNING at the margin of the southwesterly intersection of Oswego Road and Herder Road;

THENCE in a generally southerly direction along the westerly margin of Herder Road to its intersection with the northwesterly margin of Pine Road;

THENCE in a generally southwesterly direction along the northwesterly margin of Pine Road to its intersection with the westerly property line of Tax Map Parcel 201.000-2-16.17;

THENCE in a generally northerly direction along the westerly property line of Tax Map Parcel 201.000-2-16.17 to its intersection with the southerly property line of Tax Map Parcel 201.000-2-16.15;

THENCE in a generally southwesterly direction along the division line between Tax Map Parcel's 201.000-2-16.15, 201.000-2-69, 201.000-2-16.7 and 201.000-2-72.8 on the northwest and Tax Map Parcel's 201.000-2-16.6, 201.000-2-16.5, 201.000-2-70 and 201.000-2-71 on the southeast to the most northeasterly property corner of Tax Map Parcel 201.000-2-72.11;

THENCE in a generally westerly direction along the northerly property lines of Tax Map Parcel's 201.000-2-72.11, 201.000-2-72.10, 201.000-2-72.9, 201.000-2-72.1 to the intersection of said northerly line with the southeasterly property line of Tax Map Parcel 201.000-1-24;

THENCE in a generally northeasterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-24 to its intersection with the southwesterly margin of Oswego Road;

THENCE in a generally northwesterly direction along the southwesterly margin of Oswego Road to its intersection with the southeasterly property line of Tax Map Parcel 201.000-1-26.3;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-26.3 to the southerly property corner of said Tax Map Parcel 201.000-1-26.3;

THENCE in a generally northwesterly direction along the southwesterly property line of Tax Map Parcels 201.000-1-26.3, 201.000-1-26.2, 201.000-1-26.5, and 201.000-1-26.4 to the most westerly property corner of Tax Map Parcel 201.000-1-26.4;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-27 to the most southerly corner of said Tax Map Parcel;

THENCE in a generally northwesterly, northeasterly, southeasterly, and northeasterly direction along the division line between Tax Map Parcel 201.000-1-27 and 201.000-1-29.1 to the intersection of the southwesterly property line of Tax Map Parcel 201.000-1-29.4;

THENCE in a generally northwesterly direction along the southwesterly property line of Tax Map Parcel 201.000-1-29.4 to its intersection with the southeasterly property line of Tax Map Parcel 201.000-1-29.2;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-29.2 to the most southerly property corner of said parcel;

THENCE in a generally northwesterly direction along the southwesterly property line of Tax Map Parcel 201.000-1-29.2 to the most westerly corner of said parcel;

THENCE in a generally northeasterly direction along the northwesterly property line of Tax Map Parcel 201.000-1-29.2 to its intersection with the southwesterly road margin of Oswego Road;

THENCE in a generally northwesterly direction along the southwesterly margin of Oswego Road to its intersection with the southeasterly property line of Tax Map Parcel 201.000-1-28;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-28 to the most southeasterly corner of said parcel;

THENCE in a generally northwesterly direction along the southwesterly property line of Tax Map Parcel 201.000-1-28 to its intersection with the southeasterly property line of Tax Map Parcel 201.000-1-29.3;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel 201.000-1-29.3 to the most southerly property corner of said parcel;

THENCE in a generally northwesterly direction along the southwesterly property line of Tax Map Parcel 201.000-1-29.3 to its intersection with the southeasterly property line of Tax Map Parcel 201.000-1-43.1;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel Number 201.000-1-43.1 to its intersection with the northeasterly property line of Tax Map Parcel 200.000-2-26.7;

THENCE in a generally northwesterly direction along the southwesterly property lines of Tax Map Parcel Number's 201.000-1-43.1, 201.000-1-44, and 201.000-1-44.1 to the most westerly property corner of Tax Map Parcel Number 201.000-1-44.1;

THENCE in a generally northeasterly direction along the northwesterly property line of Tax Map Parcel Number 201.000-1-44.1 to its intersection with the most easterly property corner of Tax Map Parcel Number 200.000-2-25;

THENCE in a generally northwesterly, southwesterly and northwesterly direction along the division line between Tax Map Parcel Number 200.000-2-23.1 on the north and west and Tax Map Parcel Number 200.000-2-25 on the south and east to its intersection with the southeasterly property line of Tax Map Parcel Number 200.000-2-75.2;

THENCE in a generally southwesterly direction along the extension of southeasterly property line of Tax Map Parcel Number 200.000-2-75.2 crossing Tax Map Parcel Number 200.000-2-25 and continuing along the southeasterly property line of Tax Map Parcel Number 200.000-2-75.2 to its intersection with the northwesterly property line of Tax Map Parcel Number 200.000-2-76;

THENCE in a generally northwesterly direction along the northeasterly property line of Tax Map Parcel Number 200.000-2-76 to its intersection with the southeasterly margin of Deeley Road;

THENCE in a generally northeasterly direction along the southeasterly margin of Deeley Road to its intersection with the extension of the northeasterly margin of Powell Road;

THENCE in a generally northwesterly direction crossing Deeley Road and continuing along the northeasterly margin of Powell Road to its intersection with the northwesterly property line of Tax Map Parcel Number 200.000-2-13;

THENCE in a generally northeasterly direction along the northwesterly property lines of Tax Map Parcels 200.000-2-13 and 200.000-2-14.1 to the intersection with the northeasterly property line of Tax Map Parcel Number 200.000-2-3.3;

THENCE in a generally northwesterly direction along the northeasterly property line of Tax Map Parcel Number 200.000-2-3.3 to the easterly edge of a stream;

THENCE in a generally northeasterly and northwesterly direction along the easterly edge of the stream as it winds and turns to its intersection with the southerly margin of McConnellsville Road;

THENCE in a generally northeasterly direction along the centerline of the stream crossing McConnellsville Road to the northerly margin of McConnellsville Road;

THENCE in a generally easterly and northeasterly direction along the northerly margin of McConnellsville Road to its intersection with the northwesterly property line of Tax Map Parcel 184.000-1-1.3;

THENCE in a generally northeasterly direction along the northwesterly property line of Tax Map Parcel Number's 184.000-1-1.3 and 184.000-1-1.4 to the intersection of said Tax Map Parcel Number 184.000-1-1.4 and the southerly edge of Fish Creek West Branch;

THENCE in a generally northeasterly, southeasterly, northeasterly, easterly, southeasterly, northeasterly and southeasterly direction along the edge of the Fish Creek West Branch as it winds and turns to its intersection with the northwesterly property line of Tax Map Parcel Number 184.000-1-27;

THENCE in a generally southwesterly and easterly direction along the northwesterly and southerly property lines of Tax Map Parcel Number 184.000-1-27 to its intersection with the westerly margin of Herder Road;

THENCE in a generally southerly direction along the westerly margin of Herder Road to its intersection with the northeasterly margin of Teelin Road;

THENCE in a generally southeasterly direction crossing Teelin Road and Herder Road to the southeasterly margin of the intersection of Teelin Road and Herder Road;

THENCE in a generally southeasterly direction along the southwesterly margin of Teelin Road to its intersection with the northwesterly property line of Tax Map Parcel Number 201.000-2-13.2;

THENCE in a generally southwesterly direction along the northwesterly property line of Tax Map Parcel Number 201.000-2-13.2 to the most westerly corner of said parcel;

THENCE in a generally southeasterly direction along the southwesterly property lines of Tax Map Parcel Number 201.000-2-13.2 and 201.000-2-14 to the most southeasterly property corner of Tax Map Parcel Number 201.000-2-14;

THENCE in a generally northeasterly direction along the southeasterly property line of Tax Map Parcel Number 201.000-2-14 to its intersection with the northwesterly property line of Tax Map Parcel Number 201.000-2-24.1;

THENCE in a generally southeasterly, southwesterly, and southeasterly direction along the division line between Tax Map Parcel Number 201.000-2-24.1 on the northeast and east and Tax Map Parcel Number 201.000-2-13.1 on the southwest and west to its intersection with the northerly property line of Tax Map Parcel Number 201.000-2-16.22;

THENCE in an easterly and southeasterly direction along the northerly and northeasterly property lines of Tax Map Parcel Number 201.000-2-16.22 to the most easterly property corner of said parcel;

THENCE in a southeasterly direction along the division line between Tax Map Parcel Number 201.000-2-16.20 on the southwest and Tax Map Parcel Number 201.000-2-24.1 on the northeast to the intersection with the northwesterly property line of Tax Map Parcel Number 201.000-2-22;

THENCE in a generally southwesterly direction along the northwesterly property line of Tax Map Parcel Number 201.000-2-22 to its intersection with the northerly property line of Tax Map Parcel Number 201.000-2-21;

THENCE in a generally westerly direction along the northerly property lines of Tax Map Parcel Numbers 201.000-2-21, 201.000-2-20, 201.000-2-19, and 201.000-2-18 to the northwesterly property corner of Tax Map Parcel Number 201.00-2-18;

THENCE in a generally southerly direction along the westerly property line of Tax Map Parcel Number 201.000-2-18 to its intersection with the northerly margin of Oswego Road;

THENCE in a generally westerly direction along the northerly margin of Oswego Road to its intersection with the northeasterly margin of Herder Road;

THENCE in a generally southwesterly direction crossing Herder Road and Oswego Road to the point of beginning.

CONTAINING 1,114 acres of land more or less.

IT BEING the intent to describe Area 1 of the Town of Vienna Far East Water District utilizing the Town of Vienna Tax Map Number 184.000, 200.000, 201.000 and said Tax Maps are filed in the Oneida County Tax Mapping Department.

IT ASLO BEING the intent to describe the area shown on *District Formation Map Area - 1, Town of Vienna, Vienna Far East Water District* prepared by Bernier Carr and Associates and dated March 14, 2023.

AREA 2

BEGINNING at the intersection of the of the southeasterly margin of Old State Route 49 and the southwesterly property line of Tax Map Parcel Number 218.000-1-58.3;

THENCE in a generally southwesterly direction along the southeasterly margin of Old State Route 49 to its intersection with the extension of the southwesterly property line of Tax Map Parcel Number 218.000-1-58.4;

THENCE in a generally northwesterly direction crossing Old State Route 49 along the extension of the of the southwesterly property line of Tax Map Parcel Number 218.000-1-58.4 and continuing along the southwesterly property line of said Tax Map Parcel Number to the most westerly corner of Tax Parcel Number 218.000-1-58.4;

THENCE in a generally northeasterly direction along the northwesterly property line of Tax Map Parcel Number 218.000-1-58.4 to its intersection with the southwesterly property line of Tax Map Parcel Number 219.000-2-24.5;

THENCE in a generally northwesterly direction along the division line between Tax Map Parcel Numbers 219.000-2-24.5, 219.000-2-24.4, 219.000-2-24.3 and 219.000-2-24.2 on the northeast and Tax Map Parcel Number 218.000-1-58.6 on the southwest to the intersection with the most easterly property line of Tax Parcel Number 218.000-1-53.1;

THENCE in a generally northeasterly direction along the northwesterly property lines of Tax Map Parcel Numbers 219.000-2-24.2 and 219.000-2-24.1 to the most southerly property corner of Tax Map Parcel Number 218.000-1-55;

THENCE in a generally northeasterly direction along the southeasterly property line of Tax Map Parcel Number 218.000-1-55 to its intersection with the westerly margin of Lewis Road;

THENCE in a generally easterly direction crossing Lewis Road to the intersection of the westerly margin of Lewis Road and the northerly property line of Tax Map Parcel Number 219.000-2-24.12, said northerly property line also being the southerly highway limits of New York State Route 49;

THENCE in an easterly and southeasterly direction along the southerly highway limits of New York State Route 49 and the northerly property line of Tax Map Parcel Number 219.000-2-24.12 to its intersection with the westerly property line of Tax Map Parcel Number 219.000-2-25;

THENCE in a generally southerly direction along the westerly property line of Tax Map Parcel Number 219.000-2-25 to the southwesterly corner of said parcel;

THENCE in a generally easterly direction along the southerly property line of Tax Map Parcel Number 219.000-2-25 to its intersection with the southwesterly property line of Tax Map Parcel Number 219.000-2-26.1;

THENCE in a generally southeasterly direction along division lines between Tax Map Parcel Numbers 219.000-2-26.1, 219.000-2-26.2 and 219.000-2-27 on the northeast and 219.000-2-

24.12, 219.000-2-24.11, 219.000-2-24.10, 219.000-2-24.9 and 219.000-2-24.8 on the southwest to the most easterly corner of Tax Map Parcel Number 219.000-2-24.8;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel Number 219.000-2-24.8 to its intersection with the northeasterly property line of Tax Map Parcel Number 219.000-2-1.1;

THENCE in a generally southeasterly direction along the northeasterly property line of Tax Map Parcel Number 219.000-2-1.1 to the most easterly property corner of said Tax Map Parcel Number 219.000-2-1.1;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel Number 219.000-2-1.1 to its intersection with the northwesterly margin of Old Route 49 and continuing along the extension of said southeasterly property line of Tax Map Parcel 219.000-2-1.1 crossing Old Route 49 to its intersection with the southeasterly margin;

THENCE in a generally southwesterly direction along the southeasterly margin of Old Route 49 to its intersection with the northeasterly property line of Tax Map Parcel Number 219.000-2-40;

THENCE in a generally southeasterly direction along the northeasterly property line of Tax Map Parcel Number 219.000-2-40 to its intersection with the northwesterly shoreline of Fish Creek;

THENCE in a generally southwesterly direction along the northwesterly shoreline of Fish Creek as it winds and turns to it its intersection with the southwesterly property line of Tax Map Parcel Number 218.000-1-58.3;

THENCE in a generally northwesterly direction along southwesterly property line of Tax Map Parcel Number 218.000-1-58.3 to the point of beginning.

CONTAINING 144 acres of land more or less.

IT BEING the intent to describe Area 2 of the Town of Vienna Far East Water District utilizing the Town of Vienna Tax Map Number 219.000 and 218.000 and said Tax Maps are filed in the Oneida County Tax Mapping Department.

IT ASLO BEING the intent to describe the area shown on *District Formation Map - Area 2, Town of Vienna, Vienna Far East Water District* prepared by Bernier Carr and Associates and dated March 14, 2023.

Bernier, Carr & Associates, P.C.
15 Public Square
Watertown, New York 13601

At a regular meeting of the Town Board of

the Town of Vienna, Oneida County, New York, held at the Town Hall, 2083 NYS Route 49, North Bay, New York, on the 6th day of November, 2024, at 7:00 p.m.

PRESENT:

MICHAEL M. DAVIS, SR., Town Supervisor
JASON H. SPELLICY, Councilperson/Deputy Supervisor
JASON LAMB, Councilperson

DARRIN SMITH, Councilperson
MARY BETH McEWEN, Councilperson

In the Matter of

The Establishment of VIENNA FAR EAST
WATER DISTRICT in the Town of Vienna,
Oneida County, New York

**ORDER CALLING
PUBLIC HEARING**

WHEREAS, a written petition has been duly filed with the Town Board of the Town of Vienna, Oneida County, New York in relation to the establishment of a proposed water district to be known as the Vienna Far East Water District in the Town of Vienna, Oneida County, New York (the “District”), pursuant to Article 12 of the Town Law, which petition, together with a Map, Plan and Report, including an estimate of cost, accompanying same have been filed in the office of the Town Clerk and are available for public inspection; and

WHEREAS, said Map, Plan and Report, including an estimate of the cost, were prepared by BCA Architects & Engineers, duly licensed engineers by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the boundaries of said District shall be as described in “Exhibit A” attached hereto and hereby incorporated herein; and

WHEREAS, the capital improvements proposed for said District consist of the construction of a water distribution system which would connect the service areas to an adjacent water district owned and operated by Onondaga County Water Authority (OCWA), including watermains, water service laterals to the road right-of-way line, fire hydrants, and valves, all as more fully described in the Map, Plan and Report hereinbefore described; and

WHEREAS, the maximum estimated cost of said improvements is \$9,925,000; and

WHEREAS, the proposed method of financing the cost of said improvements consists of the issuance of \$9,925,000 serial bonds of said Town maturing in annual installments over a period not exceeding forty years, which will be payable in the first instance from the annual levy on all the taxable real property in said District deemed to be especially benefitted thereby in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due and payable, such amount being expected to be reduced by federal and/or state grants in aid; and

WHEREAS, the estimated cost of hook-up fees to the typical property in said District, being a typical one or two family home, is \$247.45; and

WHEREAS, the estimated cost of installation of a service line connection from the road right-of-way to the typical one or two family home in the District is \$6,500 per 50 feet; and

WHEREAS, the estimated cost of said District to the typical property therein, being a typical one or two family home, is \$1,080 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first-year costs to the typical property has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, said capital project for said District and the establishment thereof has been determined to be a Type 1 Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not

result in any significant adverse environmental effect and SEQRA compliance documentation is available on file in the office of the Town Clerk where it may be inspected during normal office hours; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said District and the improvements proposed therefor, all pursuant to Section 193 of the Town Law;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Vienna, Oneida County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Vienna, Oneida County, New York, shall be held at the Vienna Town Hall, 2083 NYS Route 49, North Bay, New York, on the **4th day of December, 2024 at 7:05 p.m.**, for the purpose of holding a public hearing to consider the establishment of the District in said Town as described in the preambles hereof, to be known as the Vienna Far East Water District, the petition, and the improvements proposed therefor, and to consider the Map, Plan and Report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this Order to be published once in the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Motion made by Councilman Smith and Seconded by Councilwoman McEwen

Councilwoman McEwen	VOTING	<u>Aye</u>
Councilman Smith	VOTING	<u>Aye</u>
Councilman Spellicy	VOTING	<u>Aye</u>
Councilman Lamb	VOTING	<u>Aye</u>
Supervisor Davis	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted.

Carol Huber, Town Clerk

NEW BUSINESS:

Matt Mallory, Chief Constable, interviewed Robert Chmielewski for Town Hall Constable and would like to hire pending permission from his other job as Constable.

Councilman Smith made a motion to hire Robert Chmielewski for the Town Hall Constable pending his permission from his other Constable job. Councilwoman McEwen seconded the motion.

Voting Record:

- Councilwoman McEwen Aye
- Councilman Smith Aye
- Councilman Spellicy Aye
- Councilman Lamb Aye
- Supervisor Davis Aye

Phil Amway, Assessor, asked for permission to buy a map holder costing up to \$450.

Councilman Lamb made a motion for Phil to spend up to \$450 for the map holder and Councilman Spellicy seconded the motion.

Voting Record:

- Councilwoman McEwen Aye
- Councilman Smith Aye
- Councilman Spellicy Aye
- Councilman Lamb Aye
- Supervisor Davis Aye

PUBLIC COMMENTS/CONCERNS:

Mike Piper wanted to know if the Company for the water project is going to install the water line to the house. The answer was no, only to the curb stop. The cost can be up to \$6500 up to 50 feet.

Rick Roberts wanted to know if there were any updates on the solar farm. Mike Piper said it has all been approved. How much covid \$ is left (ARPA). Supervisor Davis said that the generators and internet will use up the remainder of the money. He also asked if the Town roads need studies done to lower speed limits. Depends on the road.

EXECUTIVE SESSION:

Councilman Smith made a motion to enter an Executive Session at 8:30 for possible litigation. Councilman Spellicy seconded the motion.

Voting Record:

- Councilwoman McEwen Aye
- Councilman Smith Aye
- Councilman Spellicy Aye
- Councilman Lamb Aye
- Supervisor Davis Aye

Supervisor Davis made a motion to end the Executive Session at 8:59 pm. Councilman Spellicy seconded the motion. No action taken.

Voting Record:

- Councilwoman McEwen Aye
- Councilman Smith Aye
- Councilman Spellicy Aye
- Councilman Lamb Aye
- Supervisor Davis Aye

ADJOURNMENT:

Councilman Spellicy made a motion to end the Board Meeting at 9:00 pm, seconded by Councilman Lamb. All were in favor.

Respectfully,

Carol L Huber

Carol L Huber
Town Clerk