

December 6, 2021

The regular meeting of the Town Board of Vernon was held at 7:00 p.m. on the above date at the Town Office Building. Council members present: Randy Watson, Supervisor; Gene Bennati, Steve Adamkowski and John Peters. Also present: Tim Murphy, and 2 residents. Absent: Myron Thurston

Following the Pledge of Allegiance, there was a moment of silence. The meeting was called to order by Supervisor Watson at 7:02 p.m.

Supervisor Watson asked the council members if there were any additions or corrections to the minutes from the November 1, 2021 meeting. There being none, a motion to approve the minutes as written was made by Bennati, seconded by Peters. Ayes 4. Nays 0. Motion carried.

PUBLIC CONCERNS:

John Nortz spoke about the ongoing concern in regards to Carrick Road. He read a portion from the ZBA public hearing minutes for Steadman from many years ago. He read that the road has been in suspension since 1928 and can be opened by the Town of Vernon if the need were to show. The procedure to reopen are covered by the Town Law. He then referenced NYS abandonment of Town Highways section 205, that highways that have been qualified abandoned may be reopened. Carrick Road would be subject to be qualified as a Town Highway. He appreciates that the Town Board members have empathy for their issue. Since last month's meeting he has been working with Oneida County Soil and Water. They have put in an application for funding to FLOWPA (Finger Lakes Lake Ontario Water Protection Alliance). They expect that they will have funding to at least replace the main culvert which is a huge safety issue. They will take care of the whole thing including the engineering. They expect the money to be approved this month to then be used by the second quarter of next year. They hope the Board will piggy back this so they can get the rest of the road reconstructed. Watson mention he reached out to Delta Engineer to have them watch for any funding that may be available to the residents of Carrick Rd. Nortz brought up CHIP(Capitol Highway Improvements Project), EWR(Extreme Winter Recovery) and Pave NY. Highway Superintendent Murphy advised Nortz that those programs do not cover his situation. These programs are for roads that are already established. Nortz disagreed with Murphy as to whether this included qualified abandoned roads. Nortz believes that Carrick Rd. is already an existing road. He noted that Soil and Water will be taking care of the main issue which is the culvert pipe. Peters stated that Oneida County Soil and Water would not assist with the project if it was on a Town owned road. Nortz stated that it is not a private road. Board members advised that they can't build the road to NYS specs. The Town Board stated they were willing to help locate grants that would be available to the property owners of Carrick Rd. Bennati asked Nortz if he had spoke with Delta Engineering and suggested that he schedule an appointment with them to help give them direction of where to go for funding. Nortz disagreed and stated that they can not file an application for funding and the Town would have to do that. Bennati suggested that Nortz speak with an Attorney to help guide him as he feels Nortz does not believe the Town Board. Adamkowski asked if Oneida County Soil and Water said anything about drainage. Nortz said yes. Their main concern is Stoney Creek that runs through there. Adamkowski was wondering as he knows they are very sensitive about touching any waterflows. Nortz stated that Oneida County Soil and Water was willing to talk with the Town about this and believes the Town had previously worked with them on another project for mitigation. Adamkowski asked who they had spoken with at OCSW. Nortz stated that he had spoke with Jessica who was an Engineer. Adamkowski asked Murphy if he had been contacted by OCSW on this project. Murphy told them they had not contacted him. Murphy stated that they would not contact him if it was not considered a road. Nortz stated that they were very flexible on the length of the culvert. Murphy told him that to be a town road it would have to have a minimum of 10ft for each driving lane. Nortz disagreed with Murphy stating he had measured roads in the Town of Vernon that were under 20ft wide, such as Steuben Place. Murphy advised that Steuben Place is in the Village of Oneida Castle and not a town road. Ward Street is in the Village of Vernon. Nortz stated that NYS Dept of Transportation Local Roads listing has about 6 roads in the Town of Vernon that are 18ft. One of which is E. Seneca Street in Sherrill. Peters stated that the Board needs to move on to additional business. Nortz commented that he wished Town Attorney Rossi would respond to him. Peters told Nortz that Rossi has

already told him several times, no the Town can not take over the road in its current condition. Nortz stated that in November 1997 it was stated “if the residents wish to bring road to town specs, the Town would take over the road.” Peters stated that the residents need to bring it up to specs in order for the Town to do so. Nortz replied that they can’t. Peters told Nortz they can’t take tax payers money to build them a road. He said the homeowners chose to be on that road and they are not able to pay a million dollars to give them a private driveway. Property owners need to secure the funds to build said road. There are laws against the Town building a road. The Town is willing to help in any manner they can. However, they can’t. Nortz said he has documentation that a qualified abandoned road can be taken over and it is up to the Town.

REPORTS:

The following reports were presented: Town Clerk, Supervisor’s, and Codes Enforcement SWOCO; Watson reported that the budget was passed, and Highway Superintendent.

There were no reports from Planning Board/Zoning Board of Appeals, Assessors, Education and Libraries Intergovernmental Relations, Operations, Economic Development, County Legislator and Historian.

A motion to accept the above reports was made by Bennati, seconded by Peters. No discussion. Ayes4. Nays 0. Motion carried.

A motion to pay the bills was made by Bennati, seconded by Peters. No discussion. Ayes 4. Nays 0. Motion carried.

BUSINESS:

A motion to approve the following 2022 Town Board Meeting dates; January 3, February 7, March 14, April 11, May 9, June 13, July 11, August 8, September 12, October 3, November 7, December 5 & December 26 was made by Adamkowski, seconded Bennati. No Discussion. Ayes 4. Nays 0. Motion carried.

A motion to approve Audit of the Town Books for February 7, 2022 was made by Peters, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to approve 2022 Prospect Street Water Maintenance Agreement in the amount of \$9,460 was made by Bennati, seconded by Peters. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to approve renewal of Codes Office Contract with Village of Vernon and Village of Oneida Castle at the rate of \$33.00 per hour was made by Peters, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

A grant application has been submitted with WIIA for Vernon Center Water District.

Third quarter sales tax check was received from Oneida County in the amount of \$339,691.85.

Received Franchise fee check from Charter Communications in the amount of \$9,789.39.

Highway Department turned in scrap metal in the amount of \$7,102.95.

GOOD OF THE ORDER:

None

EXECUTIVE SESSION:

None

A motion to adjourn at 7:27 p.m. was made by Peters, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

Additions to minutes on file
in Town Clerk's Office.

Respectfully submitted,

Jennifer Champney
Town Clerk

This meeting was digitally recorded and is on file in the Town Clerk's office.

COMMUNICATIONS:

None