

Regular Meeting of the Verona Town Board

Oneida County, New York

6:00 pm on Monday **October 7, 2024**

Verona Town Office Building, 6600 Germany Road, Durhamville, New York

Board Members in attendance:

Scott Musacchio, Supervisor
Jeff Kahler, Councilman
Kenneth Brewer, Councilman
Fred Scherz Jr., Councilman
Dan Breckenridge, Councilman

Others in attendance:

Amy Kotwica, Town Clerk Dan Maciag, Codes Enforcement Officer
Debby Smart, Planning Board Secretary Sue Strain, Assessor
Tim Dodge, Water Operator in Responsible Charge

Citizens: 93 (came and went in waves)

Call to Order with Pledge of Allegiance @6:00pm

A. Supervisors' Report:

B. Approval of minutes from the September 4th & 19th, 2024, Regular & Special Town Board Meetings.

Councilman Brewer made a motion to accept minutes as presented.

Councilman Breckenridge seconded the motion.

All those in favor: 4

Any opposed:

Motion passed

C. Public Hearing: Veneto Housing Project Planned Urban Development Zoning Revision @ 6:15 pm.

Councilman Scherz made a motion to open the public hearing at 6:15pm

Councilman Brewer seconded the motion.

All those in favor: 4

Any opposed: 0

Motion passed.

- Overview of Veneto project – Adam with Marathon Engineering
- Currently zoned in three separate districts – we are looking to make it one PUD
- Entrance off Rt. 365 – a traffic study has been completed, at this time DOT sees no need for a traffic light

RC: Who is this benefiting?

Anyone can purchase the properties, once building is complete, they are not low-income housing

RC: Who will own the roads?

The town will take over ownership of the roads along with maintenance of the roads, once the project is complete.

RC: Who has oversight on the road construction?

The Town Highway Superintendent will work with both our Engineering Firm and Marathon Engineering will run inspections and set specs for the road build.

- Building is set to start this winter or spring, weather depending – Looking at a 1 – 5 year building plan, depending on how quickly the homes are sold.
- Building will not start until 3/4 of the units are sold. Phase I the townhouses in the front, Phase II will be the single-family homes in the back.
- The town will also own the sewer lines and water lines that will be running through the development.

RC: Will the additional tax revenue be enough to offset the services provided?

Yes – the Highway Tax will cover all maintenance

RC: Is this development within the VVS district?

Yes, no – it is in the Oneida School District currently.

RC: Was an environmental impact done?

Yes, a SEQR was completed and the board will be reviewing that tonight. All surface water will drain into the "blue" areas on the map – there is no "storm sewer" but there are methods in place to drain excess water.

RC: Once this is built will it just be purchased by the Oneida Indian Nation and go back off the tax roll?

We cannot dictate the sale or purchase of any privately owned property. Knowing the Twomey's I do not believe that will be the case, as this is an investment in the town.

RC: The portion in the back, will that be developed?

Not likely, the hardship to get sewer and water back there would be great, they are not protected wetlands, there are some sections that are designated wet lands.

RC: Do we have a record of the percentage of acres?

RC: Billy will inspect the roads?

The civil engineers will be overseeing the build with Billy, for compaction rate and density.

RC: Will the Town Homes be built and then sold or sold and then built?

That will be the second stage, they will be based on a specific building – 4 town home units per building. Times the builder will not build until the homes are sold.

RC: Is the nation capped at how much land they can purchase?

They can purchase 25,000 acres. We are notified every time there is a land purchase, when OIN purchased property, we get a portion of the taxes, until the land goes into the trust, then we get nothing. Currently, they own about 25% of the 80square miles that is Verona.

RC: What are the price ranges for the build?

Working with the builder right now to establish that range.

- We (Nick Twomey) are taking a significant risk in this project, it going to cost a lot of money, goal is to offer housing that is needed in this town and add funds to the tax base.

RC: I think we are lucky to have the Twomey's in Town and appreciate the invest they are making in our town.

Councilman Schertz made a motion to close the public hearing at 6:46pm.

Councilman Brewer seconded the motion.

All those in favor: 4

Any opposed:

Motion passed

D. Public Hearing: NYS Tax Cap Override @ 6:30 pm.

Councilman Scherz made a motion to open the public hearing at 6:47pm.

Councilman Kahler seconded the motion.

All those in favor: 4

Any opposed:

Motion passed

- We have done this for the past several years, we have not completed the budget as of yet – our goal is to maintain the present tax rate. The budget will not be done until the end of the month. Lossing land each year does not help the tax income to run the town. The county did not raise taxes for the 12th year in the row, that makes sense as they get an additional 24 million from gaming funds, and the host community was not included I that discussion. We are still at the 2.04 per 1,000 as of last Wednesday.

RC: Are we under the NYS tax law?

TB: Yes, we answer to the NYS comptroller

To put this all in perspective: the County right now is about \$9 per 1,000, the school is about \$35 per 1,000, the Town is at @2.04 per 1,000.

We do get money from OIN, \$350,000 it is in the form of economic development funds and is NOT guaranteed. The Town of Verona was never invited to the sit down with the state and County, as the Host community. This does not come close to the amount the town is out.

RC: Who plows the roads around their businesses?

TB: We do

RC: Can we make them seasonal road?

TB: We can not stop services, water, sewer, and we cannot neglect those roads.

You can get involved in politics to help with issues, like this – go to county meetings and speak out.

RC: Is there any amount that you are considering?

TB: The budget is a complicated thing, it is reviewed and reviewed – this is a long process – where can we cut, where is there additional revenue? We started at about 2.16 per 1,000 and have been able to shave it down to 2.04 currently, our goal is to keep it the same. If it goes over the 2%, it is not going to be much over.

RC: What is the total budget –

TB: right around the 5-million-dollar mark, we have been mandated by the state to update our dog control process, housing and pick up. There are unknown items that are in the budget that we have no say in.

RC: How long has the 2% tax cap been in place?

TB: 2008/2009 with Govern Cuomo – this is every year we would need to vote on this.

RC: Is the Tax Cap voted on by the Board or the People?

TB: It is voted on by the Board (RC: so, the people have no say) this is your say, right now in this public hearing.

RC: How long before we know if the Tax Cap has been exceeded?

TB: We will know by the next board meeting; the budget must be submitted to the County by 11/8. You can call us anytime or come to the next board meeting to get the answer.

RC: Resident Concern/Comment TB: Town Board

RC: Say you raise the taxes 10% and next year 2%, really, you are raising the taxes 12%
 TB: The only thing that will raise it up is if we lose more land. Every year we have a 2% cap.

RC: What about the Water district?
 TB: That is separate and covered by the residents that it serves.

RC: So, the big one is the Highway Budget? How can we cut the Highway budget?
 TB: Any volunteers to plow or pave? Reviewing the budget daily.

RC: you could save money with the asphalt and milling of the roads.
 TB: If you were on the County contract we could use you.

RC: You do not use the lowest bid on the contracts, you went with the high bid. Central Paving has the Oneida County bid.
 TB: you need to speak with Matt Baisley about it, I did not go with anything.

RC: you are the boss
 TB: The Highway Superintendent is elected and has no Boss.

RC: What does this have to do with the Tax Cap?
 RC: This is a highway tax, so these funds are applied to the highway.
 TB: Once the budget is complete, the elected official for that department can do what they see fit for the department, they share what the plans are with the Board, but ultimately do not ask permission. This is why we use Oneida county or State contract, it would cost additional to bid out the project ourself. We do not have a Town Tax – no money goes into the General fund – the funds collected go solely to the Highway.

RC: Are you voting tonight? You are going to vote tonight without a budget?
 TB: The way the state set it up, we must vote tonight just in case we go over. If we do not, the Town could be penalized. It is possible it will go up a percent, depending on where we are at.
 TB: We are currently at the same tax as last year, we feel confident we will be able to stay there, however, the state has given us the ability, along with every other municipality to go above the Tax Cap using this process. If something comes up in the next 3to4 weeks that will make us go to 2.06, this will give us the ability to do that.

RC: Is there a cap you can not exceed?
 TB: No
 TB: We pay tax here too, we scrutinize the budget for weeks, we do not want to pay anymore either.

RC: how many years has there been money left over?
 TB: there have been times when the HW Super would have a small amount unspent

RC: Maybe we need to tighten our belts a bit, people are not making any more money.
 TB: If we have a state mandate, we must compile. All the money is the towns, it is one budget.

RC: Long term project in the town, has there been any unseen expenses? For instance, the water project.
 TB: The water project has increase due to Covid – and that is a Capital Project and does not affect the budget.

RC: There has not been as much snow over the past few years, they are not out plowing like in the past. Shouldn't there be money left over there?
 TB: We still have to salt/sand and maintain the equipment, fuel prices have been going up – We submit the AFR every year and if we have money left over, we would 100% be questioned. We would be mandated to lower the taxes if that was the case.

RC: Is the nation still purchasing land like they were?
 TB: No, the last purchase was the LaQuinta.

Councilman Schertz made a motion to close the public hearing at 7:27pm.
 Councilman Brewer seconded the motion.
 All those in favor: 4
 Any opposed:
 Motion passed

Local Law No. 2 of the year of 2024
 A Local law to override the tax levy limit established in General Municipal La 3-c
 Upon a roll call vote the results were as follows:
 Councilman Breckenridge Aye
 Councilman Brewer Aye
 Councilman Scherz Aye
 Councilman Kahler Aye
 Supervisor Musacchio Aye

- E. County Legislator Report.
 Norm Leech:
- EMS provider can now medicate at the home or on seen.
 - Sales taxes up 3.46%
 - 2.4million Broadband expansion
 - Asbestos removal at the county building, coming to an end – work in progress for close to 15 years.
 - Parking garage at the county building – goes under the lawn, working on a few issues with that
- RC: Resident Concern/Comment TB: Town Board

- Keith Schiebel:
- Keeping Schools safe, hire special patrol officers for security through the Sheriff’s Office
 - More day care slots due to American Resue Plan
 - 2 Local Laws introduced, an effort to crack down on unlicensed sale of cannabis and regulate retail sales
 - 10 voting wards in the congressional election, in Verona
 - Budget Hearing for Oneida County on 11/7 in Utica 11/12 MVCC Rome Campus
- F. Public Concerns
- G. Reports:
1. Water Operator in Responsible Charge – Tim Dodge
Retired 2 water services on Rte. 365 DSNY requests
Flushed water mains in all districts Winterized fire hydrants in all districts
Approval for the Water Dept to attend the central New Water Works Conference in Canastota on October 17th at a total cost of \$35.00 – all three to attend at \$45 each
Motion to accept education expense made by Councilman Scherz.
Seconded by Councilman Breckenridge.
All those in favor: 4
Any opposed:
Motion passed
 2. Dog Control Officer – Sue Gardinier
4 complaints
 - 1 repeat – involved the Sherriff – was resolved3 Dog pick ups
 - 1 adopted out
 - 1 retrieved by owner
 - 1 Rover-Do-OverCourt ordered Seizure for Dog on Oneida St. will stay open until the dog is picked up
 3. Assessor – Susan Strain
Continuing normal office procedures
Processed 14 sales and sent out 8 welcome packets
38 open building permits
NYSAA annual meeting and conference will be 9/24-26
OCAA monthly meeting 10/17
 4. Codes Enforcement Officer – Dan Maciag
Building Permits 14 Stop Work Orders 1
Inspections 32 Property Maintenance 3
Footings 4 Violation Notices 3
Foundations 3 Certificate of Compliance 12
Framing 5 Certificate of Occupancy 3
Plumbing Heating 2 94 Building permits issued by 9/30/24
Insulations 2 totaling \$25,750 in fees
Septic systems or tanks 3
Misc inspections 13
 5. Planning Board – Peter Kaido
No one came in
Discussed Twomey Project and Bell Atlantic Cell Project
Make sure the letter goes out for the Planning Board follow through with this project – to all neighbors.
This would fall under the 500’ letter to all neighbors.
Does the planning board need to do another SEQR?
It will prob not be necessary, the engineers will have some say in that. The SEQR that was already done, was very extensive. The notification also is printed in the Rome Sentinel.
 6. Highway Superintendent – submitted by Wayne Rutz
Mowed Cemetery’s, parks, pump stations and grounds Replaced 13 culverts on Germany Road
Replaced 1 culvert on Sterling Road Cut shoulders
Ditched Germany Road Mowed Road sides
Installed catch basin on Blackmans Cors Rd, in Durhamville and Woodcreek Road

7. Town Clerk – Amy Kotwica

Decals 9

Dog Licenses 76

Certified Copies 20

Water Permit 1

Marriage Officials 1

Sewer Permit 1

Marriage Licenses 4

Building Permits 14
8. Zoning Board – no report, Susan Strain re-capped

One or two public hearings, non-eventful

short meeting no one came in
9. SWOCO – Ken Brewer

Looking at new mowers – replacing 1 mower of the 2

Budget not complete yet

14 municipalities are part of SWOCO
10. OCAOT – Fred Scherz

Next meeting 11/21 possible location The Marble Hill Inn

H. New Business:

1. Approve Payment of the MVP bill in the amount of \$30,869.91.

Councilman Scherz made a motion approve.

Councilman Brewer seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.
2. Complete SEQR Parts 2 and 3 for the Veneto Housing Project.

Councilman Kahler made a motion approve.

Councilman Brewer seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

Resolution 24-008 Proposed Action: Veneto Subdivision Resolution determining that the proposed Veneto subdivision project is an unlisted action and will not have a significant adverse impact on the environment
The question of the adoption of the foregoing resolution was duly put to a vote and was as follows:

Councilman Breckenridge	Aye
Councilman Brewer	Aye
Councilman Scherz	Aye
Councilman Kahler	Aye
Supervisor Musacchio	Aye

3. Discussion & Approval for a resolution to enact the PUD zoning change for Veneto housing project.

Town took lead agency for the project and letters were sent out to various agencies with a 30-day response period. We heard back from Fish and Game and DOT. No objections with Town being lead agency. Do not see the Planning Board being able to approve the project in November, there will be time to hear back from the DOT.

Summary from Rebecca on Part 2 and Part 3 SEQR (copy enclosed)

Resolution 24-009 Resolution to amend the Verona zoning ordinance to establish a planned unit development
The question of the adoption of the foregoing resolution was duly put to a vote and was as follows:

Councilman Breckenridge	Aye
Councilman Brewer	Aye
Councilman Scherz	Aye
Councilman Kahler	Aye
Supervisor Musacchio	Aye

Local Law no. 1 For the year 2024

A local Law to amend the Zoning ordinance and Zoning Map of the Town of Verona

The question of the adoption of the foregoing local law was duly put to a vote and was as follows:

Councilman Breckenridge	Aye
Councilman Brewer	Aye
Councilman Scherz	Aye
Councilman Kahler	Aye
Supervisor Musacchio	Aye

4. Discussion & Approval for a resolution to over-ride the NYS 2% tax cap.

See above.
5. Discussion and Approval of Amendment No. 1 to Town of Verona – Barton & Loguidice Agreement for the Route 365 Sewer District Comprehensive Pump Station Asset Renewal and Capacity Evaluation in the amount of \$35,000 for Project Development Assistance.

Paid for my OIN in proportion to the town and EDUs for a FEB 2027 completion
 Town has a draft Map and Plan for evaluation of the nearly 30-year-old pump stations
 OIN paid for those then, recommended about a 4 million upgrade project, plan of finance
 needs to be revised. Expand the map and plan to include all sewer districts. Then need to
 proceed with 202-b process.

Councilman Brewer made a motion approve.

Councilman Kahler seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

6. TAP funded Willow Place Roadway and Sidewalk Project update presentation by Barton & Loguidice.
 Rebecca presentation: there has been some delays on the project, multi rounds of DOT
 comments, next steps on the schedule – progressing the advanced design plans, approved DOT
 report, looking at final quantities and cost estimate. Town will be responsible for 25% and the rest
 up to 2 million will be from the grant. Goal on bidding the project in April of 2025. Keeping this
 time line is important, due to the TAP grant needs to progress due to a county main street grant
 \$480,000 will be reimbursed by the county. (see attached project schedule) Board needs to be
 aware of the sidewalk, near the connector road, and recognize the access driveway to LaQuinta,
 was going to come off the connector road, this is included in the current design, makes no sense
 to dig up sidewalks that have just been put in. B&L is looking for confirmation that this is the way
 the board wants it completed, not today.

Is the road being widened?

Yes, it will be wide enough for 2 cars passing at the same time, and right of way space on the side.

7. Discussion & Approval to reappoint BAR member Tammy Smolenski to a new term from 10/1/2024 to
 9/30/2029.

Councilman Scherz made a motion approve.

Councilman Kahler seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

8. Discussion & Approval to allow the Supervisor, Town Clerk and Highway offices to pay the \$120.00
 registration fee and book rooms & travel accommodations for the NYC Association of Towns training in
 February 2025. Early reservations will reduce the cost. Scott Musacchio, Amy Kotwica, Jenny
 Armstrong, Stephanie Doane, Billy Lohr, Dan Breckenridge and One other Town Board member will be
 attending.

Councilman Brewer made a motion approve.

Councilman Kahler seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

9. Discussion & Approval to allow the Town of Verona Court to apply for a JCAP grant for the 2024-2025
 grant cycle in an amount up to \$30,000.00.

Councilman Scherz made a motion approve.

Councilman Kahler seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

10. Discussion and approval to pay B&L Invoice #23 for \$1,196.87 regarding the Willow Place TAP Project.

Councilman Kahler made a motion approve.

Councilman Brewer seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

11. Discussion & Approval to transfer \$4,200.00 from 83104.10 to 83101.10 – Water
12. Discussion & Approval to transfer \$500.00 from 83104.10 to 90308.10 – Water
13. Discussion & Approval to transfer \$589.81 from 51404.3 to 51401.3 – Highway

Councilman Kahler made a motion to approve 11.12.&13

Councilman Scherz seconded the motion.

All those in favor: 4

Any opposed: 0

Motion carries.

14. Discussion to accept the resignation of Town Historian, Tom Kernan; effective 11/2/24.
Note: advertise for the position per normal procedures.
Councilman Scherz made a motion approve.
Councilman Brewer seconded the motion.
All those in favor: 4
Any opposed: 0
Motion carries.
15. Discussion & Approval to enact the revised Town Polices for social media, remote workers, fund balance and records management with assistance from the Association of Towns.
Updated Policies, in some cases we did not have them, we need to get them in the handbook.
Councilman Kahler made a motion approve.
Councilman Brewer seconded the motion.
All those in favor: 4
Any opposed: 0
Motion carries.

I. Vouchers:

1. Prepaids \$1,505,434.31
Includes a WD#3 substantially complete payment
Councilman Brewer made a motion approve.
Councilman Kahler seconded the motion.
All those in favor: 4
Any opposed: 0
Motion carries.
2. General \$ 29,701.84
Includes: Oneida Creek near Lenox (where two counties meet) cleanup to alleviate debris build up
Councilman Brewer made a motion approve.
Councilman Kahler seconded the motion.
All those in favor: 4
Any opposed: 0
Motion carries.
3. Highway \$321,805.27
Includes Plows/Frame fitting for new Plow Truck
Councilman Brewer made a motion approve.
Councilman Kahler seconded the motion.
All those in favor: 4
Any opposed: 0
Motion carries.

J. Adjournment

Councilman Scherz made a motion to adjourn at 8:09pm.
Councilman Brewer seconded the motion.
All those in favor: 3
Any opposed: 0
Motion carries.

Scott Musacchio, Supervisor: _____

Jeff Kahler, Councilman: Jeff Kahler

Ken Brewer, Councilman: _____ Absent

Fred Scherz Jr., Councilman: [Signature]

Dan Breckenridge, Councilman: _____

Amy Kotwica, Town Clerk: Amy H Kotwica