Town of Vienna
Town Board Meeting Minutes
September 02, 2026

ATTENDANCE:

Supervisor Jason Spellicy	Councilwoman Mary Beth McEwen- Absent
Councilman Darrin Smith	Councilman Doug Jordan
Town Clerk Carol Huber	Councilman Theodore Learned

CALL TO ORDER:
Supervisor Spellicy called the meeting to order at 7:00 pm. Followed by the Pledge of Allegiance and then a moment of silence for Sylvan Beach Fire Department Assistant Chief Ryan Voorhies. Supervisor Spellicy spoke of Mr. Voorhies involvement with the Town and North Shore Ambulance.

NOCCOG: LISA BELINGER
NOCCOG annual fall dinner meeting is on October 29th at the McConnellsville Country Club. Managing Social Media Webinar will be held on September 10th. Super COG meeting reservations are due September 10th. NOCCOG Executive Committee meeting on September 18th. NYAOT Legislative Conference is September 22nd and 23rd. Snow and Ice Control Operations for Local Highway Officials Workshop is September 24th. MRB Group webinar on September 24th will be on how development review addresses stormwater management. NYSAOTSOH 97th annual conference will be September 29th-October 2nd. Tug Hill Commission annual dinner will be October 8th. Oneida County has available a Veterans Capital Restoration Matching Grant Program.

COUNTY LEGISLATURE: Norman Leach
Neil C. Angell passed away. In the 80's and 90's served Vienna for 18 years. The DPW is currently looking into the 4-way stop sign situation, they are waiting for a resolution from the Town of Vienna. This will be the 3rd time trying to get this done. County sales tax is up 3.5%, gaming revenue is up 12.9% and bed tax is up 11%. This year the Air BNB tax has brought in $280,000. Approved 4 people for the Farmland Protection Board. Chobani has bought a facility in Allentown, PA. They are growing in every direction. They have had a 20% growth in three years. Approved $100,000 for the Rome Humane Society.

Supervisor Spellicy had a question about the gaming revenue sunset agreement.
Mr. Leach explained that the portion of that agreement starts disappearing in 2032.

NORTH BAY APPARTMENT UPDATE: ERIC KOESTER
Map plans were passed out to Board Members. The goal is to create a laundromat in the old kitchen for resident and public use. Also, create storage for resident and public use. He already met with the Planning Board for guidance and would like guidance from the Town Board on the next steps.

Supervisor Spellicy explained that the Planning Board would deny you because of the usage based on the designation of that property. The Zoning Board of Appeals would then look at a usage variance. The previous potential buyer went this route and was told no for a usage variance. A conversation with the Codes office and the head of the Planning Board, Orrin MacMurray, concluded that the best way to proceed would be to take that property and rezone that single parcel and make it Hamlet Commercial. The best use for that property for the current owners and future owners would be to change the zoning. The Board recommends to change this while the zoning laws are currently being looked at. The Town Attorney sees no issues with the change. The Board agrees with the recommendation. Mr. Koester should continue with going to the ZBA at this time, while the zoning laws are still being looked at.

APPROVAL OF MINUTES:
A motion was made by Councilman Jordan and seconded by Councilman Learned to approve the August 5, 2026 Town Board Minutes.

Voting Record:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Aye
Councilman Theodore Learned	Aye
Councilman Darrin Smith	Aye
Supervisor Jason Spellicy	Aye

AUDITED VOUCHERS:
A motion was made by Councilman Jordan and seconded by Councilman Smith to approve Abstract 9 of 2026 vouchers to be paid in the amount of $565,398.52

Voting Record:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Aye
Councilman Theodore Learned	Aye
Councilman Darrin Smith	Aye
Supervisor Jason Spellicy	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 /TAX COLLECTOR'S REPORT:
Town Clerk read her report. Monies received for the month totaled $6504.47
A motion was made by Councilman Smith and seconded by Councilman Jordan to approve the Town Clerk Report.

Voting Record:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Aye
Councilman Theodore Learned	Aye
Councilman Darrin Smith	Aye
Supervisor Jason Spellicy	Aye

Town Clerk was visited by Mary Finegan, County Clerk, who dropped off pamphlets for residents from the DMV. She also gave information about signing up with the County for fraud alerts, pertaining to anyone attempting to change the names on deeds. HEAP Outreach will be here on November 9 and December 7 from 9am to 4 pm.

ASSESSOR'S REPORT:
Filed with Clerk and uploaded to website.
Phil Amway presented Local Law 1 of 2026. A Local Law adopting the Provisions of Real Property Tax Law Section 458-a in relation to the Alternative Veteran Exemption.
Phil gave examples of the exemptions and math calculations. He proposes that changes need made in 3 steps. First step being, having a Local Law within the Towns of Vienna, to raise the cap values to match the County. The second step would be to advocate with Board of Legislators to raise the caps that were last adjusted in 1997. The final step would be to advocate the New York State Government to change the regulation to either eliminate the equalization part of the equation or to eliminate the equalization rate and the caps and just use a straight percentage. The State fixed this problem for the Volunteer Fire Fighters two years ago because they had the same issue and now it is just a straight 10%.

Supervisor Spellicy pointed out that this will increase the cap level by 50%. This will at least make us level with the County. He recommended that we hold a Public Hearing for Local Law 1 for 2026 at the next Town meeting on October 7, 2026 at 7:05 pm.

CODE'S REPORT:
Filed with Clerk will be posted on Web Site. Supervisor Spellicy read the report to everyone.

HIGHWAY DEPARTMENT: Superintendent Clayton Conover
Paving is done for this year. Campany Roofing dropped off supplies and pressure washed the roof. Speed humps have been purchased for Fells Road, will not put in until Spring. The Town Hall parking lot will be finished up on the next nice day.

Fuel Bids: Working on State Contracts right now which are a decent amount lower than bids we have received in the past.

Councilman Smith made a motion to advertise for fuel, propane and heating oil bids and Councilman Jordan seconded the motion.

Voting Record:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Aye
Councilman Theodore Learned	Aye
Councilman Darrin Smith	Aye
Supervisor Jason Spellicy	Aye

Snow and Iced reimbursement rates will be a 5% increase over the course of the 2- year agreement.

Sand Bids:
There was only one sand bid received from Present Hill Gravel. They supplied their material test report, Certificate of workers' compensation insurance and the certificate of liability insurance.

Screened Sand price per yard	7,000 @ $8.00 = $56,000.00
Delivery from L.P. Trucking	7,000 @ $5.25= $36,750.00
	Total= $92,750.00

They will hold the price if we would need more during the Winter.

Councilman Jordan made a motion to accept the bid for the sand and delivery from Preston Hill Gravel and Supervisor Spellicy seconded the motion.

Voting Record:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Aye
Councilman Theodore Learned	Aye
Councilman Darrin Smith	Aye
Supervisor Jason Spellicy	Aye

RESOLUTION 31 AND 32 OF 2026:
Supervisor Spellicy read following Resolutions as follows then voted.

RESOLUTION NO. 31 of 2026
REQUEST TO ONEIDA COUNTY DPW TO STUDY POSSIBLE NEED FOR A 4-WAY STOP AT THE INTERSECTION OF COUNTY ROUTES 50A and 54A

WHEREAS, the Town of Vienna has received multiple requests and inquiries from residents regarding the need for a 4 way stop at the intersections of Higginsville Rd (County Route 50A) and Vienna/Haskins Rd (County Route 54A), and
WHEREAS, The Town of Vienna Board is in agreement with the requests to perform a study to investigate the need and impacts of making this change to the involved county highways,
WHEREAS, The Town of Vienna is willing to pay the costs of signage and installation of such per NYSDOT rules and regulations,

BE IT RESOLVED, that the Town Board of the Town of Vienna has approved moving forward with the submittal of the request for a study to be performed by Oneida County, and if feasible, for a 4-way stop to be placed at the intersection of Higginsville (CR 50A) and Vienna/Haskins (CR 54A) Roads, both Oneida County Highways, located in the Town of Vienna.

Date: Wednesday September 2, 2026
Motion made by: Councilman Smith
Motion seconded by: Councilman Jordan

VOTING RECORD:	**MOTION CARRIED**
Councilwoman Mary Beth McEwen:	Absent
Councilman Doug Jordan:	Aye
Councilman Theodore Learned:	Aye
Councilman Darrin Smith:	Aye
Supervisor Jason Spellicy:	Aye

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

(SEAL) Carol L Huber

Carol L Huber
Vienna Town Clerk

RESOLUTION 32 OF 2026

The Bookkeeper is requesting resolution 32 of 2026 to fix an error of reporting from the resolution of 2024. Once this is passed, the Bookkeeper will fix the two employees that had under reported hours, at the direction of the Supervisor for the year 2024.

Resolution # 32 of 2026

STANDARD WORKDAY AND REPORTING RESOLUTION

Replacing Resolution 26 of 2024

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month(based on Record of Activities)
Elected Officials					
Town Clerk/ Tax Collector	Carol Huber	6	01/01/2024 - 12/31/2025	N	23.64
Councilman	Jason C Lamb	6	01/01/2024 - 12/31/2027	N	2.93
Town Justice	Terry L Coady	6	01/01/2022 - 12/31/2025	N	4.53
Highway Superintendent	Clayton Conover Jr.	8	01/01/2024 - 12/31/2025	N	25.13
Town Supervisor	Michael Davis	6	01/01/2024 – 12/31/2025	N	17.00
Appointed Officials					
Bookkeeper	Benedict Gasser III	6	01/01/2024 - 12/31/2024	N	12.22
Animal Control Officer	Clayton Conover III	6	01/01/2024 - 12/31/2024	N	2.44
Assessor	Phillip Amway	6	07/03/2023 – 09/30/2025	N	23.56

BE IT RESOLVED, that the Town of Vienna hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body. Dated 6/24/2024

Motion made by: Supervisor Spellicy

Motion seconded by: Councilman Jordan

VOTING RECORD:

Supervisor Jason H. Spellicy Aye

Councilwoman Mary Beth McEwen Absent

Councilman Doug Jordan Aye

Councilman Ted Learned Aye

Councilwoman Darrin Smith Aye

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

(SEAL)

Dated: September 2, 2026

Carol Huber

Carol Huber

Town Clerk

COUNCIL REPORTS:
Supervisor Spellicy:
NYS Canal Corporation had made a visit to both sides of the Canal trying to get some final designs and numbers. They also have been monitoring the level of the lake.

Received some information about the stolen grave markers and how to help get them replaced. Town Clerk forwarded the information to the Queen Central.

Water project funding: Received the final copy of our submission for the Community Development Block Grant Funding. We have been advised to apply for a few more grants to help assist with install costs. Our engineer firm will help with all the paperwork. I need permission from the Board to give the firm the go ahead with the paperwork, cost not to exceed $6,000 because they have a lot of the information already. Even if we get the 2.5 million in grant money, that still leaves the residents footing a few thousand dollars for the installation. The money being fronted by the General Account will be paid back once everything gets started.

Councilman Smith made a motion to apply for the funding, costing the Town up to $6,000, Councilman Learned seconded the motion.

VOTING RECORD:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	AYE
Councilman Theodore Learned	AYE
Councilman Darrin Smith	AYE
Supervisor Jason Spellicy	AYE

Oswego Road Mining: The Town Planning Board did send out a letter to the engineer that was hired by the Oswego Road Mining owner, requesting some of the items that were lacking from the file. The Codes Office did handle a noise complaint that was filed. DEC will continue to investigate further to make their determination.

Dr. Martha Link: Some residents had reported undrinkable water, and cloudy water in washing machines. There were some discrepancies in the application that was submitted. DEC was contacted and they did inspect the site and issued a warning and a letter of two violations. One being unpermitted discharge from the mine, and silt laden water was being discharged. The other violation was controls of discharge need to be spelled out and permitted before the ground is disturbed. They have 30 days to correct. DEC needs to be reporting us directly.

Councilman Smith:
Planning Board meeting is 9/17/26. Attended the Senior Picnic on 8/26/26 at noon at the North Bay Fireman's Field. About 40 people attended.

OLD BUSINESS:

NEW BUSINESS:
Budget: Councilman Learned attended a budget training. Town Clerk gave her budget request in the packets to look over. Council should begin to look at their budget. September 30, 2026 at 6:00 will be a special meeting just to handout the Budget to Council. Tentative Budget Workshop will be 10/14/26 at 6:00, the Preliminary Budget Workshop will be on 10/21/26 at 3:00. The Public Hearing will be at the November 4th meeting, time will be set at a later date.

Bids for Dusk to Dawn lights: No bids were turned in.

PUBLIC CONCERNS/COMMENTS:
Mr. Carpenter will send over some information to the Supervisor at a later time.

Dr. Carriann Ray:
Submitted questions to the DEC about the Sand Gravel Pit and received answers back that she will forward to the Town to keep on record.

Sea Lamprey issues: They did come around and knocked on doors and leave information. There is a podcast available of a meeting with DEC, Fish and Wildlife and a member of Canada. One concern is that there still had been no testing results for Little River which was treated in 2013 until now. Queen Central put an article in the paper with charts. The chart showed that the water was not clear of TFM for over 12 hours. They have been telling farmers that the water is safe for livestock to drink, which is not true. A FOIL request was sent about the TFM and received several papers which shows all the steps taken after treatment for 48 to 72 hours. Contacted an environmental lawyer, which said the problem that we have is an international issue between Canada and the United States and falling under a precedence that was from the 1950's from congress. This document was received through a FOIL request. Congress needs to make a change or use the EPA rules that state you are entitled to an Environmental Impact Review. Fish and Wildlife have the money to fix the Dam and the bridge in McConnellsville to prevent the lamprey from going any farther. Attended a conference in Lake George for the National Fresh Lake Association. None of the Vendors heard of the chemical TFM. Also received a FOIL request on the testing and effects of the chemical used on puppies. None of the results were good.

Supervisor Spellicy: The Great Lakes Commission has been much more responsive and informative since all of this began. We have never received any testing results. Sent an email off and asked why we have never been informed of when anyone will be showing up in the Town. This has opened up the avenues of communication.

EXECUTIVE SESSION:
Supervisor Spellicy made a motion to enter into Executive session at 8:31 pm for Personnel Matters and Councilman Smith seconded the motion.

VOTING RECORD:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Left Early
Councilman Theodore Learned	AYE
Councilman Darrin Smith	AYE
Supervisor Jason Spellicy	AYE

Supervisor Spellicy made a motion to come out of Executive session at 8:46 pm.

VOTING RECORD:	Motion Carried
Councilwoman Mary Beth McEwen	Absent
Councilman Doug Jordan	Left Early
Councilman Theodore Learned	AYE
Councilman Darrin Smith	AYE
Supervisor Jason Spellicy	AYE

No Action Taken

ADJOURNMENT: Supervisor Spellicy made a motion to adjourn the meeting at 8:46.5 pm all were in favor.

Respectfully,
Carol L Huber
Town Clerk