



May 15<sup>th</sup> 2015

# Vehicle Proposal for the Town of Cicero Highway Department

## 1<sup>st</sup> Vehicle

Highway Department Sign Truck

2016 Ford F250 Regular Cab 4X4

10,000# GVWR

Standard XL Trim

Snow Plow Prep Package

Daytime Running Lights

56" Reading Service Body

FOB Town of Cicero

6.2 Liter Gas V-8

w/Plow

43,679.24

(Snow Plow add \$5,500.00)

## 2<sup>nd</sup> Vehicle

Highway Department Pick Up's

2016 Ford F250 Extended Cab Pick Up Short Bed

10,000# GVWR

Standard XL Trim

Snow Plow Prep Package

Power Equipment Group

SYNC System

Bed Liner

Day time Running Lights

INC;

Snow Plow as per Town of Cicero Highway Department Specification

FOB Town of Cicero

6.2 Liter Gas V-8

\$38,815.00 X 2

## 3<sup>rd</sup> Vehicle

Class "4" Dump Truck

2016 Ford F450 Super Duty Chassis Cab W/Knapheide Dump Body

16,500# GVWR

Standard XL Trim

Contractor Grade Plow

Power Equipment Group

FOB Town of Cicero

6.7 Liter Diesel V-8

\$58,057.40

Less Trades

	<u>179,366.64</u>
-	32,000.00
	<u>147,366.64</u>



**2016 Ford F250 Super Duty 4 Wheel Drive Extended Cab Pick-Up Short Bed**

142" Wheel Base

10,500# GVWR

Electric Shift on the Fly

**Color**

All Available Regular Production Option Colors

**Interior**

40/20/40 Steel Gray Cloth Bench Seat

**XL Exterior Trim Level**

Air conditioning

AM/FM Stereo W/Clock

Trailer Tow

**Tires**

LT245X17 All Terrain Black Wall Radials

**Power Equipment Group**

Power Windows

Power Locks

Power Heated Mirrors

**XL Appearance Package**

**Includes:**

- AM/FM Stereo with Single-CD/MP3 player, digital clock, four (4) speakers and auxiliary audio input jack
- Bright chrome grille surround with black insert
- Bright chrome hub covers and center ornaments
- Chrome front and rear step bumper
- Cruise Control (steering wheel-mounted)

**Molded Cab Steps**

Engine Block Heater

Snow Plow Prep

50 States Emissions

Spare Tire & Wheel

Trailer Brake Control

Roof Clearance Lights

Splash Guards

AM/FM Stereo W/Clock and DC (Included with XL Appearance Package)

Steering Wheel Controls (Required With Sync)

Sync Hands Free System

Up-Fitter Switches

Remote Start

Rearview Camera  
Tailgate Step  
Drop In Bed-Liner  
Daytime Running Lights

<b>Net FOB Cicero NY W/6.2 Liter Gas V-8 W/3.73 E-Locking Differential</b>	<b>\$33,315.00</b>
<b>Plow Add</b>	<b>\$5,500.00</b>
<b>Total</b>	<b>\$38,815.00</b>



May 28<sup>th</sup> 2015

**Proposal for Budgeting for  
Town of Cicero Highway Department  
Sign Truck**

**2016 Ford F250 Super Duty 4 Wheel Drive Regular Cab Pick-Up Box Delete**

137" Wheel Base, 10,000# GVWR, 3.73 E-Locking Rear Differential

Color All Available Regular Production Option Colors

Interior 40/20/40 Steel Gray Vinyl Bench Seat

XL Exterior Trim Level

Air conditioning

AM/FM Stereo W/Clock

Trailer Tow

Tires LT245X17 All Terrain Black Wall Radials

Power Equipment Group

Power Windows

Power Locks

Power Heated Mirrors

XL Décor & Appearance Package

Chrome Front Bumper

Molded Cab Steps

Engine Block Heater

Snow Plow Prep

50 States Emissions

Spare Tire & Wheel

Trailer Brake Control

Up-Fitter Switches

Remote Start

Daytime Running Lights

Optional Reading Service Body

**Reading Utility Body**

**Model 98 ASW DA**

"A" Door Configuration for both sides

12, 14 and 16 Ga. 2 sided A- Galvanneal Steel Body Shell

Standard Galvanized Steel Shelving Package

Double Shell Reinforced Doors

Hidden Door Hinges

Paddle Activated, Rotary Style Latches

Slam Action Rear Tailgate

Recessed Rear Lights and Steel Step Bumper W/Recess Installed and painted to match

W/rear Step Bumper

Body Height 40", Compartment Depth 14 1/2", Floor 48 1/2"  
Body Width 77", Body Weight 1,100#  
Powder Coat, Reading Red

**Net FOB Cicero NY W/6.2 Liter Gas V-8** **\$35,949.24**  
**Add for Contractor Grade Plow** **\$5,500.00**  
**(This Price includes NYS Inspection and all Delivery Charges)**

**Additional Options Not Included Above Add**

Other than Reading Red	<del>\$300.00</del>
Trailer Plug	\$69.00
Class 3 Receiver Hitch	\$2,161.00
Aluminum Front Gravel Shield	<del>\$3,500.00</del>

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43679.24

Dump

2016 Ford F450 Super Duty 4 Wheel Drive Chassis Cab W/Dump Body and Snow Plow  
141" Wheel Base 60"CA  
16,500# GVWR

Color

All Available Regular Production Option Colors

Interior

40/20/40 Steel Gray Cloth Bench Seat

XL Exterior Trim Level

Air conditioning

AM/FM Stereo W/Clock

Tires

LT245X17 All Terrain Black Wall Radials

Power Equipment Group

Power Windows

Power Locks

Power Heated Mirrors

XL Appearance Package

**Includes:**

• AM/FM Stereo with Single-CD/MP3 player, digital clock, four (4) speakers and auxiliary audio input jack

• Bright chrome grille surround with black insert

• Bright chrome hub covers and center ornaments (SRW Only)

• Chrome front bumper

• Cruise Control (steering wheel-mounted)

Molded Cab Steps

Engine Block Heater

Snow Plow Prep

50 States Emissions

Spare Tire & Wheel

Trailer Brake Control

Roof Clearance Lights

Reverse Alarm

AM/FM Stereo W/Clock and DC (Included with XL Appearance Package)

Steering Wheel Controls (Required With Sync)

Sync Hands Free System

Up-Fitter Switches

Remote Start

Knapheide Cross-Member-Less Dump

9" Contractor Grade Plow (Various Models available)

Net FOB Cicero NY W/6.8 Liter Gas V-10 W/4.88 Limited Slip Differential \$52,188.00

Net FOB Cicero NY W/6.7 Liter Power Stroke Diesel W/4.10 Limited Slip Differential and Shift on the Fly \$58,921.00

## AGENDA

TO: Town Board

FROM: Jody L. Rogers, Director

DATE: June 4, 2015

RE: **AGENDA 6/10/15**

### Personnel:

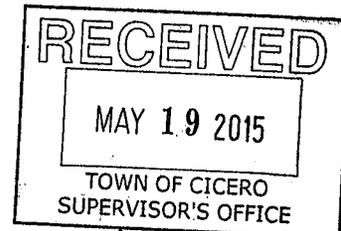
Resolve to appoint Peter M. Bardou, Recreation Supervisor, from Civil Service List #61027 with a salary of \$38,500 and a start date of June 17 to replace Julie LaFave. His references were contacted and a background check/DMV came back more than acceptable.

(I sent out 22 canvas letters. I interviewed 8 individuals on the list. The only resident on the list signed off as not interested based on wanting a minimum salary of \$56,000.)

INTER OFFICE MEMO



**DATE:** May 19, 2015  
**TO:** Town Board  
**FROM:** Chief Joseph Snell  
**RE:** Public Hearing for Stop at Matilda Gage and Asa Eastwood  
**CC:**



*JS 5/26/15*

Request the Town Board to establish a Public Hearing to install a Stop Sign on Matilda Gage at the northwest corner where it intersects with Asa Eastwood.

The intersection currently is serviced by a Stop Sign on Asa Eastwood at Matilda Gage. I reviewed the request and found that an additional Stop Sign listed above will allow traffic coming off of South Bay Rd. to survey the pedestrian traffic on Matilda Gage. Traffic coming off of South Bay appear to pick up speed as they enter onto Matilda Gage.

Attached is a petition signed by 23 residents requesting the Stop Sign.

Sincerely,  
  
Joseph F. Snell  
Chief of Police



June 1, 2015

**Cicero Town Board**

Town of Cicero  
8236 South Main Street  
Cicero, New York 13039

RE: Wallington Meadows Section 7B – Highway Security Reduction  
FILE: 101/61478

Dear Board Members:

The Developer has installed approximately 2,525-lf of asphalt top course on the road and also completed concrete gutter repairs for the above referenced project, which were noted in a letter from C&S Companies to the Town Board dated July 28, 2014. As noted in the letter the estimated value of the top course was \$22,860 and the concrete gutter repairs was \$1,540. Our office did not inspect this work as we were not yet under contract with the Town. However the Highway Department has indicated the work is complete and found to be satisfactory. The guarantee securities for the road should continue to be held.

If you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,  
**O'BRIEN & GERE ENGINEERS, INC.**

A handwritten signature in black ink that reads 'Stephen R. Snell'.

Stephen R. Snell, PE, CPESC  
Sr. Project Engineer

cc: Jessica Zambrano, Supervisor  
Chris Woznica, Highway Superintendent  
Shirlie Stuart, Comptroller  
Richard Hooper, Director of Code Enforcement  
Tracy Cosilmon, Town Clerk  
Bob Smith, Planning Board Chairman  
Robert Germain, Esq  
Dan Bargabos – LOK Development, LLC  
Mark Parrish, PE – O'Brien & Gere

**MEMORIALIZING THE STATE OF NEW YORK TO MODIFY THE COLD WAR  
VETERANS PROPERTY TAX EXEMPTION THAT PRESENTLY LIMITS QUALIFIED  
VETERANS TO AN EXEMPTION FOR TEN YEARS TO A LIFE-TIME EXEMPTION**

WHEREAS, the Town of Cicero wants to recognize and show appreciation to Veterans for their service and believes that it is good public policy to encourage them stay in their homes; and

WHEREAS, the current Cold War Real Property Tax exemption limits a qualified Veteran to claim the exemption for a maximum of ten (10) years; and

WHEREAS, the NYS Senate and Assembly previously considered a bill that would have changed the current exemption that has a ten (10) year limit to one with a life-time exemption, like other Veteran exemptions, and would have required local government approval; and

WHEREAS, on April 2, 2013, the Onondaga County Legislature passed a resolution endorsing the bill; and

WHEREAS, the bill passed the NYS Senate but not the NYS Assembly; now therefore be it

RESOLVED, the Town of Cicero requests the NYS Senate and Assembly to amend Section 458-b of the Real Property Tax Law to provide local government with the option of extending a life-time partial exemption from real property taxes, rather than the current ten (10) year limit; and, be it further

RESOLVED, the Town Clerk is directed to send a copy of this resolution to the various legislators representing the Town of Cicero at the state level.

**MEMORIALIZING THE NEW YORK STATE LEGISLATURE TO ENACT A REAL  
PROPERTY TAX EXEMPTION FOR CERTAIN NATIONAL GUARD MEMBERS AND  
RESERVISTS AT THE OPTION OF LOCAL GOVERNMENTS**

WHEREAS, Reserve and National Guard units serve a critical role in performing national and international missions; and

WHEREAS, the Reserve and Guard units also provide critical safety net services to local governments as well as front line services helping New Yorkers in times of need such as the major storms Sandy and Irene as well as the recent winter storm emergency that hit the Buffalo New York area; and

WHEREAS, the New York State Senate previously passed a bill, that did not pass in the Assembly, that would grant a five percent (5%) real property tax exemption to Reserve and National Guard personnel that completed twenty (20) years of service, and cannot be used in combination with any other veterans exemption; and

WHEREAS, the Onondaga County Legislature passed a memorializing resolution on March 5, 2013 requesting that the State of New York change the Real Property Tax law to allow local governments the option to grant such an exemption to recognize Reservist and National Guard members for their service and to potentially serve as a recruiting tool; now therefore, be it

RESOLVED , that the Town of Cicero requests that the State of New York change the Real Property Tax Law to allow local governments the option to grant Reserve and National Guard members, who have twenty years of service, a five percent (5%) exemption, and, be it further

RESOLVED, that the Town Clerk send a copy of this resolution to the members of the New York State Senate and Assembly that represent the Town of Cicero .

# Memo

To: Supervisor, Town Board, Zoning/Planning, Police  
From: Tracy  
Date: June 5, 2015  
Re: Firework Permit Approval – Lakeshore Yacht & Country Club  
**TBM: June 10, 2015**

Please find attached the Application for request from Lake Shore Yacht & Country Club for Saturday, July 3, 2015 at 9:30 – 10:00 pm. I have acquired all the necessary signatures and all the information from the Fireworks Coordinator for American Fireworks Display, LLC. I am requesting approval for the Supervisor/Deputy Supervisor to execute the Fireworks Permit and accept the \$75.00 permit fee.

If you have any questions, please feel free to contact me 699-8109 or [clerk@ciceronewyork.net](mailto:clerk@ciceronewyork.net), before the Town Board Meeting on June 10, 2015.

Thank you

Tracy

Date: June 10th, 2015

## Highway Department Agenda Items

**(A) PURCHASE:** Camera, tips, wiring harness for road striper

VENDOR: Franklin Paint

**AMOUNT:** \$4,000.00

ACCOUNT CODE: A33104

**( B) PURCHASE:** Assorted Hydraulic Hose-Reels, and asst. hose fittings.

VENDOR: Frank Murken Products

**AMOUNT:** \$ 6000.00

ACCOUNT CODE: DB513043

**( C) PURCHASE:** 1"X500 ' Sewer hose

VENDOR: Frank Murken Products

**AMOUNT:** \$1,368.75

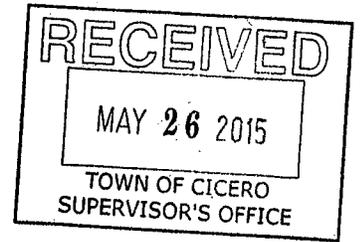
ACCOUNT CODE: DB513054

## AGENDA

TO: Town Board  
FROM: Jody L. Rogers, Director  
DATE: June 4, 2015  
RE: **AGENDA 6/10/15**

### Purchase Approvals:

ITEM: Remove and grind stump of dead spruce tree Riverside Cemetery (Kathan Rd., Brewerton (safety hazard) Please note the tree has to be climbed to be cut and removed as no trucks or equipment can access the tree through the cemetery grounds.  
VENDOR: Lumberjack Tree  
AMOUNT: \$1200  
Budget Code: A8810.4



May 26, 2015

To: Jessica Zambrano, Supervisor  
Town Board Members, Conway, Venesky BeCallo & Cushman

From: Sharon M Edick, Receiver of Taxes

Motion to approve the resolution to declare the HP1200 Printer, PHGDC58121, purchased in 1989, as surplus and of no further use as it is not repairable.

**“EXHIBIT A”**

**Miscellaneous Fees**

<b>Block Party Permit</b>	<b>\$25.00</b>
<b>Fireworks Permit</b>	<b>\$100.00</b>
<b>Junk Dealer's Permit</b>	<b>\$25.00</b>
<b>Junk Yard License Permit</b>	<b>\$100</b>
<b>Trash Hauler's License</b>	<b>\$200.00</b>
<b>Pawn Shops -Collateral Loan Broker</b>	<b>\$250.00</b>
<b>Tree/Brush Removal License</b>	<b>\$50.00</b>

**Hawkers/Peddlers/Solicitors/Transient Merchants**

<b>Calendar year license</b>	<b>\$250.00</b>
<b>Renewal of 30 day license</b>	<b>Eliminate</b>
<b>Individual Criminal Background Check</b>	<b>\$20.00</b>

**Food Vendors**

<b>30 day License</b>	<b>\$150.00</b>	
<b>180 day License</b>	<b>\$200.00</b>	<b>\$300.00</b>
<b>Renewal of 30 day License</b>	<b>Eliminate</b>	
<b>Individual Criminal Background Check</b>	<b>\$20.00</b>	

**Planning Fees (Subdivisions)**

<b>Administrative Subdivision</b>	<b>Eliminate Classification</b>
<b>Simple Subdivision</b>	<b>Filing fee \$100.00</b>
<b>Preliminary Plan Re-approval</b>	<b>Filing fee \$100.00</b>
<b>Minor Subdivision Preliminary &amp; Final Plan</b>	<b>Filing fee \$100.00</b>
<b>Major Subdivision Preliminary Plan</b>	<b>Filing fee \$500.00</b>

**<75 Lots or 20 Acres Commercial**

**Major Subdivision Preliminary Plan Filing fee \$500.00**

**75-150 Lots or 20-50 Acres Commercial**

**Major Subdivision Preliminary Plan More Filing fee \$500.00**

**Than 150 Lots or Greater Than 50 Acres Commercial**

**Major Subdivision Final Plan < 75 Lots or 15 Acres Commercial Filing fee \$500.00**

**Major Subdivision Final Plan 75-150 Lots or 15-50 Acres Commercial Filing fee \$500.00**

**Major Subdivision Final Plan More Than**

**150 Lots or Greater Than 50 Acres Commercial Filing fee \$500.00**

**Administrative Site Plan Eliminating Classification**

**Simple Site Plan Eliminating Classification**

**Minor Site Plan Filing Fee \$150.00 Legal Fee \$400.00**

**Eng. Deposit \$1300.00 (Add'l \$1000.00 for SWPPP if Required) OK**

**Medium Site Plan Eliminating Classification**

**Major Site Plan Eng. Deposit \$7,500-\$11,000 (Add'l \$1000.00 for SWPPP if Required)**

**Amended Site Plan Filing Fee \$500.00**

**Cut & Fill Permit \$50.00**

**Building Permit – Commercial \$75.00 + \$5.00/\$1,000.00**

**Temporary/Inflatable Pool \$35.00 (No Grading Allowed)**

**Fence Permit \$50.00**

**Wood Fireplace, Gas Fireplace, Heaters, Stove Inserts, Generators \$150.00**

**Flood Plain Development Permit \$50.00 + \$500.00 Engineer Fee Deposit**

**Work Started without Permit Double Permit Fee**

**Rescind Stop Work Order \$100.00**

**Re-Inspection (Work not ready for inspection/2nd Re-Inspection) \$125.00**

**Permit Renewal 25% of Original Permit Fee - Minimum \$35.00**

**Temporary Certificate of Occupancy \$15.00**

**Certificate of Occupancy Residential \$35.00/Unit Commercial \$100.00/Unit**

**Certificate of Compliance \$35.00**

**Zoning Compliance Letter \$25.00**

**Sign Permit \$35.00+\$3.00/sq.ft.**

**Electronic Message Board \$100.00 OK**

**Fire Inspection Fees**

**Fire Inspection/Operating Permit Annually \$75.00<5000 sq.ft/**

**\$100.00 5001 sq.ft to 20,000 sq.ft/**

**\$125.00>20,000 sq.ft**

**Placard Fees for Fire Related, Abandoned or Unsafe Structures \$35.00**

**Removal of Placard and New Placard \$75.00**

**Sprinkler Permit/Test \$250.00**

**Zoning Fees**

**Area Variance Residential \$250.00 - Commercial \$400.00**

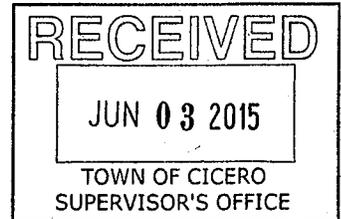
**Use Variance \$500.00**

**Sign Variances \$400.00**

**Variance After Work Has Begun Double Application Fee**

**CICERO TOWN  
ZONING/PLANNING  
OFFICE**

# Memo



**To:** Town Board, Highway Department

**From:** Richard Hooper, (Chairman of Drainage Committee)

**Dates:** June 4, 2015

**Re:** Town Board Meeting – June 10, 2015

I would like approval for the Town Board to enter into an agreement with Northeast Beaver & Predator Management (Gary Suter), 101 Lewis Road, Bernhards Bay, NY 13028 for the Town of Cicero. The term of this agreement shall be the 11<sup>th</sup> of June 2015 until the 31<sup>st</sup> day of December 2015. A copy of the agreement has been attached for your review.

**Resolution:**

Councilor \_\_\_\_\_ moved the adoption of a resolution for approval for the Town Board to enter into an agreement with Northeast Beaver & Predator Management (Gary Suter), 101 Lewis Road, Bernhards Bay, NY 13028 for the Town of Cicero, a municipal corporation of the State of New York, 8236 Brewerton Road, Cicero, NY 13039. The term of this agreement shall be the 11<sup>th</sup> of June 2015 until the 31<sup>st</sup> day of December 2015. Motion was seconded by Councilor \_\_\_\_\_.

Ayes - \_\_\_\_ and Noes- \_\_\_\_.

Please contact me prior to the meeting if you have any questions.

NORTHEAST BEAVER & PREDATOR  
AGREEMENT  
(2015)

This agreement by and between Northeast Beaver & Predator Management (Gary Suter), 101 Lewis Road, Bernhards Bay, NY 13028 for the Town of Cicero, a municipal corporation of the State of New York, 8236 Brewerton Road, Cicero, NY, 13039, (Town)

WITNESS

For and in consideration of the mutual covenants and promises contained herein, the parties hereby mutually agree as follows:

1. The Town designates Northeast Beaver & Predator Management (Gary Suter) as the party responsible for beaver control in the Town, and authorizes Northeast Beaver & Predator Management (Gary Suter) to trap and remove beavers from the town limits of the Town in accordance with the terms and conditions of this agreement.

2. The term of this agreement shall be the 13th day of May 2015 until the 31<sup>st</sup> day of December 2015. Northeast Beaver & Predator Management (Gary Suter) shall provide new license number as of October 1, 2015 (Gary Suter's - License #1198, expires September 30, 2015) to the Town simultaneously upon execution of this agreement.

3. Northeast Beaver & Predator Management (Gary Suter) will promptly respond to all notifications of problems from the officers and employees and agents of the Town, and Northeast Beaver & Predator Management (Gary Suter) will exercise his expertise in the collection and removal of all beavers, as directed by said officers, employees and agents of the Town.

4. The Town agrees to pay Northeast Beaver & Predator Management (Gary Suter) the sum of Fifty Dollars (\$50.00) for each nuisance animal removed by Northeast Beaver & Predator Management (Gary Suter). The Town agrees to pay Northeast Beaver & Predator Management (Gary Suter) Fifty and No/100 Dollars (\$50.00) for each beaver and each beaver dam that is destroyed and removed by Northeast Beaver & Predator Management (Gary Suter), so long as such removal is as per New York State permit. The

Town agrees that Northeast Beaver & Predator Management (Gary Suter) will not charge for removal of beavers found on all designated Town Roads. Northeast Beaver & Predator Management (Gary Suter) shall provide an invoice for any services rendered to the Town, to the attention of the Town Clerk, within thirty (30) days of providing the service.

All fees paid to Northeast Beaver & Predator Management (Gary Suter) pursuant to this agreement shall not exceed a total of \$1,000.00 without further authorization of the Town.

5. The Town agrees to provide Northeast Beaver & Predator Management (Gary Suter) with contact information for all persons calling the Town and relating problems regarding beavers, to which Northeast Beaver & Predator Management (Gary Suter) shall respond, such that Northeast Beaver & Predator Management (Gary Suter) may advise the party calling the Town of a Twenty-Five and No/100 Dollar (\$25.00) service charge for the first time that Northeast Beaver & Predator Management (Gary Suter) must go on or about the premises of the person calling. Northeast Beaver & Predator Management (Gary Suter) shall explain that this charge is a one-time fee per property per contract year and is meant to compensate Northeast Beaver & Predator Management (Gary Suter) for the necessary tracking, analysis, and other expert services performed in identifying the particular aspects of the problems on the premises of the party call the Town. It is understood that in no event shall the Town be responsible for this service charge and that it shall be the sole responsibility of Northeast Beaver & Predator Management (Gary Suter) to recover such service charge from the party calling the Town.

6. Northeast Beaver & Predator Management (Gary Suter) hereby agrees that he will indemnify and hold the TOWN harmless on account of any liability that the town may incur as a result of Northeast Beaver & Predator Management (Gary Suter) actions.

7. Northeast Beaver & Predator Management (Gary Suter) hereby warrants that he is licensed by the Department of Environmental Conservation of the State of New York and is skilled in the trapping and removal of nuisance animals and other pests.

8. The Town may terminate this agreement at any time upon providing thirty (30) days' written notice to Northeast Beaver & Predator Management (Gary Suter), via certified

11/8/15

mail, return receipt requested, at the address above specified.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this \_\_\_\_\_  
day of \_\_\_\_\_ 2015.

NUISANCE WILDLIFE CONSERVATION PERMIT \_\_\_\_\_ EXPIRES: \_\_\_\_\_

BY: *Gary Suter*  
GARY SUTER  
NORTHEAST BEAVER & PREDATOR MANAGEMENT

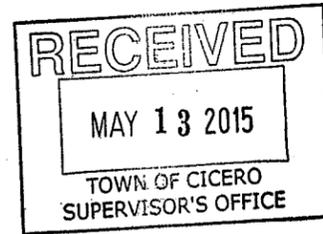
TOWN OF CICERO

BY: \_\_\_\_\_  
JESSICA ZAMBRANO, TOWN SUPERVISOR

HISCOCK & BARCLAY<sup>LLP</sup>

Matthew T. Kerwin  
Counsel

May 11, 2015



VIA CERTIFIED MAIL

Town of Cicero Town Board  
8236 Brewerton Road  
Cicero, NY 13039  
Attn: Jessica Zambrano, Supervisor

Re: Vito Buccina, III - Road Abandonment Request;  
5886 South Bay Road, Town of Cicero.

Dear Supervisor Zambrano:

We represent Vito Buccina, III, the owner of property located at 5886 South Bay Road in the Town of Cicero, which property is further identified as Tax Parcel No. 038.-02-03.0 (the "Property"). The property consists of a single family residence on a one acre lot with a driveway that accesses South Bay Road. Mr. Buccina, III acquired the property from his parents who took title to the Property in 1977 from Edwin and Agnes Coates. In connection with the conveyance to Mr. Buccina's parents, Edwin Coates provided an affidavit stating that the driveway was constructed in 1944 and had been in continuous use since that time. Since its construction in 1944, the driveway has crossed a paper road known as Harding Place that was never accepted by the Town, but to which title has been claimed by the owner of the parcel immediately to the north of the Property.

The purpose of this letter is to request that the Town Board take action to formally abandon all interest in the paper road known as Harding Place that was offered to the Town in 1923 as part of the Gurley Farms Subdivision. According to the subdivision map, a copy of which is provided, the Property was intended to front on Harding Place. However, Harding Place was never accepted and dedicated by the Town, and the subdivision layout for much of the surrounding area was subsequently amended, which resulted in the removal of Harding Place as a paper road.

As you know, the owners of property on either side of a paper road take title to the centerline of that road when a Town officially refuses to accept the road for dedication. Here, the Town never accepted the road, and the road was subsequently removed from the subdivision plans concerning the surrounding area. Accordingly, the boundary line of the Property that formerly was shown as fronting on Harding Place should now run to the centerline of that paper road. However, the owner of the parcel immediately to the north of the Property claims to have

One Park Place - 300 South State Street - Syracuse, New York 13202 hblaw.com  
mkerwin@hblaw.com Direct: 315.425.2820 Fax: 315.425.8552

May 11, 2015

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acquired title to the entire portion of Harding Place that is shown as fronting the Property. This, of course, is not the case.

To assist in your review of this matter, I have enclosed the following documents:

- Gurley Farms Subdivision Map, filed October 5, 1923, depicting the Property (shown as Lot 4) and Harding Place;
- Current Tax Map of the Property depicting the former location of Harding Place;
- Deed from Edwin H. Coates and Agnes M. Coates to Vito Buccina, dated September 1, 1977; and
- Deed from Elizabeth Verdile to Edwin H. Coates and Agnes M. Coates, dated June 2, 1944.

We respectfully request that the Town adopt a resolution or take such other action as deemed necessary to formally recognize the fact that the Town never accepted Harding Place, that it officially relinquishes any right or interest it had in Harding Place, and that Mr. Buccina, III's interest in the portion of Harding Place that was located adjacent to the Property extends to the centerline of such paper road.

Thank you for your attention to this matter, and please contact me at the number below if you require any additional information.

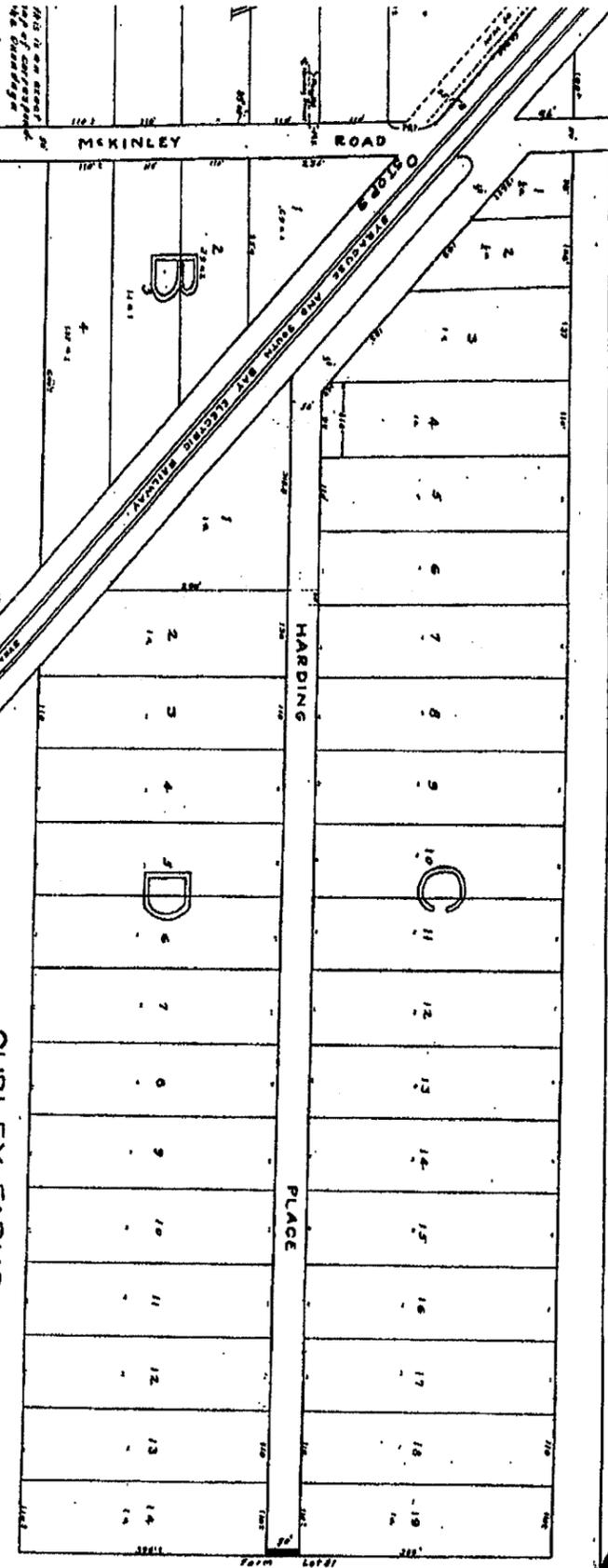
Very truly yours,



Matthew T. Kerwin

Enclosures

Cc: Robert Germain, Esq.



PART OF FARM LOT 87  
 TOWN OF CICERO, ONEIDA COUNTY  
 I certify that this plat was made from  
 a recent survey completed July 25, 1911  
 and is a correct copy of the original  
 On A. Adams, etc.  
 M. A. Adams, etc.  
**GURLEY FARMS**  
 NEAR  
**NORTH SYRACUSE**  
 DRAWN BY  
 PALMER & SHEPARD, CIVIL ENGINEERS  
 SCALE 1"=100'

Filed  
 October 5th 1911  
 C. C. Mead, Clerk

This is an abstract  
 map of a portion  
 of the original  
 plat of the  
 GURLEY FARMS

1869

1869





Rec'd: May 23, 1978  
Book: 81  
Page: 260

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STATE OF NEW YORK )  
COUNTY OF ONONDAGA) SS:

EDWIN H. COATES, being duly sworn, deposes and says that:

1. He is the same person as Edwin H. Coates, one of the grantees in a deed running from Elizabeth Verdile dated June 2, 1944 and recorded on the 22nd day of June, 1944 in the Onondaga County Clerk's Office in book 1105 page 283 etc.
2. That he is familiar with a survey made by Rowell & Associates dated March 25, 1977 under file number R-77027, which survey map is attached hereto and refers to lot number 4, Block C of the Gurley Farm Tract and being part of Farm Lot 67 of the Town of Cicero, Onondaga County, New York.
3. That the said individual map shows a gravel driveway, which traverses from the garage located upon said lot 4 and thence goes across the front part of the said lot 4 in a westerly direction and thence traverses westerly some more and crosses an unopened road, which road is 50 ft. wide.
4. The deponent represents to the purchaser, Vito Buccina, formerly of 127 Lynhurst Avenue, North Syracuse, New York 13212 that the said access driveway has been in continuous operation and use since the driveway was built in the year 1944, and that the said use has been open and undisturbed by any other parties including the Town of Cicero, and the County of Onondaga, and any abutting owners that abut against lot 4 of the said Gurley Farm Tract shown on the said map of lot 4 block C of the said Gurley Farm Tract.
5. The purpose of this affidavit is to perfect the title to the said lot.

Sworn to before me this

14 day of SEPTEMBER, 1977.

Edwin H. Coates  
Edwin H. Coates

James E. DeLois  
Notary Public