

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, January 25, 2012 at 6:30 p.m., at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jim Corl, Supervisor
Jessica Zambrano, Councilor
C. Vernon Conway, Councilor
Tim Burtis, Councilor
Tracy Cosilmon, Town Clerk

Others Present: Christopher Woznica, Highway
Sharon Edick, Receiver of Taxes
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Shirlie Stuart, Comptroller
Jolee Olszewski, Secretary to the Supervisor
Brad Brennan, Assessor
Anthony Rivizzigno, Town Attorney
Douglas Wickman, C & S Engineers

Absent: Lynn Jennings, Councilor

Mr. Corl indicated where the fire exits were and read the following statement:

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and therefore urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn off your cell phones and be sure to speak clearly into the microphones to enable all to hear.

The meeting was opened at 6:30 p.m. with the Pledge of Allegiance led by the Eagle Scouts. A moment of silence was observed in remembrance of our men and women serving in the Armed Forces in harms way.

S.E.Q.R.
(State Environmental Quality Review Act)

Supervisor Corl moved the adoption of a resolution that all actions taken tonight are Type Two (2) actions under the New York State Environmental Quality Review Act unless otherwise determined. Motion was seconded by Councilor Conway.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL OF TOWN BOARD MEETING MINUTES

Supervisor Corl moved the adoption of a resolution to approve the minutes of the January 11, 2012, Regular Town Board Meeting. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried*

APPROVAL OF ABSTRACT # 2 OF 2012

Supervisor Corl moved the adoption of a resolution to approve Abstract # 2 of 2012 as follows: Motion was seconded by Councilor Zambrano.

General Fund Voucher # 44 to Voucher # 126 In the amount of \$361,358.11
Highway Fund Voucher #10H to Voucher # 34H In the amount of \$177,133.21

Ayes- 4 and Noes- 0. *Motion carried.*

Supervisor Corl announced the honor of having special guest Matthew J. Driscoll, President and CEO for New York State Environmental Facilities Corporation. Matthew Driscoll will be giving a message from the Governor this evening.

PRESENTATION BY COMMISSIONER MATTHEW DRISCOLL, PRESIDENT OF ENVIRONMENTAL FACILITIES CORP., REGARDING GOVERNOR CUOMO'S STATE OF THE STATE MESSAGE

MATTHEW J. DRISCOLL
President and CEO
New York State Environmental Facilities Corporation

BIOGRAPHY

Matthew J. Driscoll was nominated for the position of President and CEO of the New York State Environmental Facilities Corporation (EFC) and approved unanimously by the EFC Board of Directors in December 2009. President Driscoll administers one of the most successful State Revolving Fund programs in the nation, managing over \$13.2 billion in assets. Under Mr. Driscoll's leadership, the Corporation extended EFC's award-winning Green Innovation Grant Program, keeping New York at the forefront of "green" urban and infrastructure planning.

In selecting Matthew Driscoll, EFC's Board of Directors acknowledged Mr. Driscoll's results-oriented leadership and creative problem-solving experience, along with his knowledge of the State's local municipal regulations, budget constraints and aging infrastructure challenges.

From 2001 through 2009, Mr. Driscoll served as the 52nd Mayor of the City of Syracuse. Elected to two terms, Mr. Driscoll's tenure in office was distinguished by his environmental and sustainability initiatives. As Mayor, Mr. Driscoll's action plan for energy conservation, sustainability initiatives and environmental protection efforts earned Syracuse the title of "The Emerald City" and recognition by Popular Science Magazine as one of the Nation's greenest cities (ranked #17).

Commissioner Matthew Driscoll – President and CEO of New York State Environmental Facilities Corporation gave a presentation of Governor Andrew Cuomo's 2012 State of the State Address. Specifically highlighting the following:

- Pension Mandate relief
- Medicaid Growth Cap
- Municipality Consolidation

Commissioner Matthew Driscoll then took questions from those present.

For further information please view the following websites:

New York State Environmental Facilities Corporation @ www.nysefc.org

Governor Cuomo's State of the State Address @ www.governor.ny.gov/stateofthestateaddress

RECOGNITION OF 2011 EAGLE SCOUTS

The following troop members were recognized for their Eagle Scout projects in the Town of Cicero during 2011:

Jody Rogers stated she was very privileged to be recognizing the four (4) gentlemen. The Town of Cicero, in the last twenty-five (25) years, had twenty-one (21) Eagle scouts work on projects throughout the town that have provided different types of construction, labor, and money to different facilities within the town. These young men represent what's best in this community and what's best in scouting.

Jody introduced the following Eagle Scouts who explained their projects and acknowledged the people that assisted them:

Doug Boyd – Troop 3112
 Sean Cooley – Troop 333
 Joe Correia – Troop 117
 Alex Folsom – Troop 116

Supervisor Corl made a motion to recess for approximately for five (5) minutes. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

BUDGET MODIFICATIONS

Supervisor Corl moved the adoption of a resolution to approve the following budget modifications as follows: Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

2011
BUDGET MODIFICATION

| FROM | \$ | TO |
|---|-------|-----------|
| B312040 POLICE CONTRACTUAL POLICE COMPUTER LABOR | 99.00 | B312054 – |

2012
BUDGET AMENDMENT
BREWERTON GRANT YEAREND CLOSING

| | |
|--|------------|
| A3789 ECONOMIC ASSISTANCE – BREWERTON | \$70406.31 |
| A69894 – ECONOMIC ASSISTANCE – BREWERTON | \$70406.31 |

**SET PUBLIC HEARING DATE FOR FEBRUARY 8, 2012 AT 6:30PM TO CONSIDER A
 LOCAL LAW TO REDUCE THE SIZE OF THE PLANNING BOARD FROM 7 TO 5
 MEMBERS**

Councilor Zambrano moved the adoption of a resolution to have a Public Hearing, to consider reducing the size of the Planning Board from 7 to 5 members, on February 8, 2012 at 6:30pm. Motion was seconded by Supervisor Corl.

Councilor Zambrano commented that we have been considering from going down from 7 to 5 members. It's a measure for efficiency and cost savings and is confident that having the 5 members will work out.

RESOLUTION SCHEDULING PUBLIC HEARING
ON PROPOSED LOCAL LAW

WHEREAS a local law, being proposed Local Law No. 1, 2012, a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board, of the Town of Cicero and

WHEREAS this Town Board desires to hold a public hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by this Town Board with respect to the adoption of the aforesaid Local Law at 6:30 on February 8, 2012, at Town Hall, 8236 Brewerton Rd. Cicero, NY 13039, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Ayes- 4 and Noes- 0. *Motion carried.*

SET PUBLIC HEARING DATE TO ACCEPT BIDS FOR THE 2000 JEEP CHEROKEE
SPORT, FORMERLY USED BY THE PLANNING AND ZONING DEPARTMENT FOR
FEBRUARY 22, 2012 AT 11:00 AM

Councilor Zambrano read the following:

The Town of Cicero is accepting sealed bids for a 2000 Jeep Cherokee Sport in as is condition. Sealed Bids must be received at the Cicero Town Clerk's Office, 8236 Brewerton Rd., Cicero, NY on Wednesday, February 22, 2012 by 11:00 am. Any questions please contact Zoning/Planning Dept. at 699-2201. The Cicero Town Board reserves the right to reject any and all bids. All bids are subject to approval by the Town Board.

Councilor Zambrano moved the adoption of a resolution to have a Public Hearing to accept bids for the 2000 Jeep Cherokee Sport, formerly used by the Planning and Zoning Department on February 22, 2012 by 11:00am. Motion was seconded by Supervisor Corl.

Ayes- 4 and Noes- 0. *Motion carried.*

RESOLUTION TO JOIN PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION
FOR WORKERS COMPENSATION CARRIER

Supervisor Corl moved the adoption of a resolution to adopt a resolution to join Public Employer Risk Management Association (PERMA) for Workers Compensation. He stated we did this at the beginning of this year; we just need it in the form of a motion. With this change our previous Worker's Compensation manager was Workers Comp Alliance. This is something since November of last year Supervisor Corl, Councilor Zambrano and Comptroller, Shirlie Stuart have worked on to allow the town to switch to PERMA. This endeavor and switching over to PERMA will save the town from our previous carrier exactly \$40,000 from the quote that was provided. With switching to PERMA and looking at a different Workers Compensation carrier what we'll need to do is in the next month or so is establish a safety committee and we'll be looking at all Workers Compensation cases within the town very closely and see how we can better serve the members of our work force to make sure that they have a safe work place and that these type of Worker's Compensation claims are avoided. Currently, our premiums are 13% higher than most municipalities based on the fact that we have so many claims and that's not acceptable. So, with the safety committee that will be set up we'll be looking at the claims, seeing how we can reduce them, provide training to avoid these situations and make the town a safer place to work. Supervisor Corl appreciates all the efforts Councilor Zambrano and Shirlie Stuart have put forth on this. This process was started a while ago. The proposal is to join Public Entity Risk Management Authority (PERMA). Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

RESOLUTION TO AUTHORIZE SUPERVISOR TO BECOME A SIGNER ON EMPIRE
NATIONAL BANK PER THE LOSAP PROGRAM FOR SOUTH BAY FIRE
DEPARTMENT

Councilor Burtis moved the adoption of a resolution to authorize the Supervisor to become a signer on Empire National Bank per the Length of Service Awards Program (LOSAP) for South Bay Fire Department. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL FOR THE PURCHASE OF A NEW E-MAIL SERVER AND E-MAIL
LICENSING IN THE AMOUNT OF \$10,739.59 (\$1980.00 LABOR, \$3,878.11 SERVER,
\$4,881.48 LICENSING) – FUNDED BY I.T.RESERVE

Supervisor Corl moved the adoption of a resolution to authorize an expenditure of \$10,739.59 to Computer Outlet for a new e-mail server and e-mail licensing. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL FOR THE ANNUAL SOFTWARE SUPPORT/MAINTENANCE

Tracy Cosilmon requested approval in the amount of \$1120.00 for the Annual Software Support/Maintenance for the Town Clerk's Office by BAS in the amount of \$1120.00

Supervisor Corl moved the adoption of a resolution to authorize an expenditure of \$1120.00 to BAS for the Annual Software Support/Maintenance for the Town Clerk's Office. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL FOR THE EXTENSION OF THE SERVICE AGREEMENT BETWEEN THE
TOWN OF CICERO AND THE TOWN OF SALINA ASSESSOR THROUGH
FEBRUARY 29, 2012

Councilor Conway moved the adoption of a resolution to approve the extension of the service agreement between the Town of Cicero and the Town of Salina Assessor through February 29, 2012. Motion was seconded by Supervisor Corl.

Ayes- 4 and Noes- 0. *Motion carried.*

ACCEPT RETIREMENT OF PENNY CHASE, JUSTICE CLERK EFFECTIVE
JANUARY 31, 2012

Supervisor Corl moved the adoption of a resolution to accept the retirement of Penny Chase, Clerk I, effective January 31, 2012. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL FOR SUPERVISOR TO SIGN AND EXECUTE A PENSION WAIVER FOR CHIEF SNELL UNDER SECTION 211/212 OF THE NYS CIVIL SERVICE LAW

Supervisor Corl moved the adoption of a resolution for the Supervisor to sign and execute a Pension waiver for Chief Snell under Section 211/212 of the NYS Civil Service Law. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL OF MEMBERSHIP FEES FROM THE CHIEF OF POLICE FOR THE ONONDAGA COUNTY CHIEFS OF POLICE AND THE CENTRAL NEW YORK CHIEFS OF POLICE IN THE AMOUNT OF \$230.00

Supervisor Corl moved the adoption of a resolution to authorize an expenditure of \$230.00 for the Onondaga County Chiefs of Police and the Central New York Chiefs of Police. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL OF MEMBERSHIP IN THE AMOUNT OF \$140.00 FOR MEMBERSHIP TO THE ASSOCIATION OF NEW YORK STATE YOUTH BUREAU, FOR DIRECTOR OF PARKS AND RECREATION

Jody Rogers requested approval in the amount of \$140.00 for Membership to the Association of New York State Youth Bureau.

Councilor Burtis moved the adoption of a resolution to authorize an expenditure of \$140.00 for the Membership to the Association of New York State Youth Bureau. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

APPROVAL FOR AGREEMENT BETWEEN THE TOWN OF CICERO AND RLB DEVELOPMENT, LLC TO LOCATE THE 2012 TOWN'S FARMER MARKET ON DRIVERS VILLAGE PROPERTY

Councilor Burtis moved the adoption of a resolution to approve the agreement between the Town of Cicero and RLB Development, LLC to locate the 2012 Town's Farmer Market on Drivers Village Property. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

YOUTH BUREAU AND PARKS AND RECREATION PURCHASES

Jody Rogers requested approval in the amount of \$6,977.00 for a replacement cab for the John Deere 4600 Tractor.

Councilor Burtis moved the adoption of a resolution to authorize an expenditure of \$6,977.00 for a replacement cab. Motion was seconded by Supervisor Corl.

Ayes- 4 and Noes- 0. *Motion carried.*

HIGHWAY PURCHASES

Chris Woznica requested approval in the amount of \$1,819.76 for the following items: 4 rear tires, mount/dismount, and valves for truck #18.

Councilor Burtis moved the adoption of a resolution to authorize an expenditure of \$1,819.76 for tires, mount/dismount and valves for truck # 18. Motion was seconded by Councilor Conway.

Ayes- 4 and Noes- 0. *Motion carried.*

PRESENTATION OF THE 2011 DRAINAGE REPORT BY
DOUG WICKMAN, C&S ENGINEERING

The 2011 Drainage Report can be viewed on the Town of Cicero website @ www.ciceronewyork.net.

AUTHORIZATION FOR SUPERVISOR TO SIGN AND EXECUTE
ARCHITECTURAL/ENGINEERING AGREEMENT BETWEEN THE TOWN AND C&S
ENGINEERS FOR THE DESIGN OF THE EAST CIRCLE DRIVE/DARLENE'S BROOK
BRIDGE REHABILITATION PROJECT

Councilor Zambrano moved the adoption of a resolution to authorize the Supervisor to sign and execute Architectural/Engineering Agreement between the Town and C&S Engineers for the design of the East Circle Drive/Darlene's Brook Bridge Rehabilitation Project, with an amount not to exceed \$77,206.72. Motion was seconded by Councilor Conway.

Ayes- 4 and Noes- 0. *Motion carried.*

DEPARTMENT HEAD INPUT

Town Clerk - None

Highway - None

Police - None

Comptroller - None

Parks and Recreation

(Emergency Purchases)

Jody Rogers requested approval for an Emergency Purchase (not to exceed \$3,500.00) for mechanical repairs to truck # 52-2002.

Councilor Zambrano moved the adoption of a resolution to authorize an expenditure (Not to Exceed \$3,500.00) for mechanical repairs to truck # 52-2002. Motion was seconded by Supervisor Corl.

Ayes-3 and Noes-0

Councilor Burtis Abstained. *Motion carried.*

Jody Rogers requested approval for an Emergency Purchase in the amount of \$2,350.00 to Onsite Development, for the removal of trees in Plank Road Park.

Councilor Zambrano moved the adoption of a resolution to authorize an expenditure in the amount of \$2,350.00 for the removal of trees in Plank Road Park to Onsite Development. Motion was seconded by Councilor Burtis.

Ayes- 4 and Noes- 0. *Motion carried.*

Tax Receiver

Sharon Edick stated January 31, 2012 is the last day of no penalties on taxes.

Assessor - None

Zoning - None

Attorney - None

Engineer - None

PUBLIC INPUT

Ron Ince stated he attended a meeting in November when the Town Board voted not to renew the current assessor's position. He inquired if we are advertising for a couple of part-time or a full-time assessor.

Supervisor Corl replied that they have not advertised for an Assessor or any part-time employees. Right now they're negotiating with the Town of Salina for the Shared Service Agreement that was currently held in the past.

Ronald Ince inquired if the town was going to renew the contract.

Supervisor Corl advised that the contract was null and void as of December 31, 2011. At the Organizational Meeting we had a written agreement with the Town of Salina to reinstate the Shared Service Agreement we had with them on an interim basis to negotiate to see if there's any possibility of resolving more of a long-term agreement.

Deborah Gardner announced the next meeting for the Committee on Open Government is February 7, 2012 at 6:00p.m. and the public is invited to attend as observers. She inquired what BAS stands for and was advised it is for Business Automated Systems.

Deborah Gardner would like it, in the spirit of Open government, if in the future when there's an acronym in the minutes it would also include what it stands for.

Supervisor Corl stated we can do that.

Deborah Gardner declared she never had a problem with the Assessor's Office.

Donald Snyder expressed his concern regarding the Section 211/212 for Police Chief Snell's Pension Waiver. He felt the Town would be in trouble if we did not follow the guidelines. He stated the Town needs to make sure we have checked the list and we have in fact made sure we have interviewed any of the people that are on the Civil Service list, to make sure they don't want the job as Police Chief before we give our current Chief a waiver. Mr. Snyder doesn't want Civil Service to come back on us because we haven't done that. He also inquired if we had in fact asked for that list or interviewed candidates that might want to qualify for that job.

Supervisor Corl stated that with the action that was taken tonight it would trigger the process of canvassing the list and allow the process to begin.

Mr. Snyder expressed his concern about the supervisor being a signer on Empire National Bank per the LOSAP Program.

Supervisor Corl explained that LOSAP program is for firemen who serve in the local fire departments, as volunteers, and upon the age of retirement they reserve a stipend, basically.

All the fire departments are participants in it and during the budget process in their budget there's a section in their budgets for LOSAP. Those funds are used to fund this program. Bridgeport goes to Sullivan County, so they administer the program. The other programs in the fire service, within the town have commissioners so they administer the program. South Bay does not have Commissioners, so the town administers the LOSAP program. The actual acronym is Length of Service Award's Program for firefighters. Previous Town Supervisor's were also authorized signers of that account.

Mr. Snyder inquired if the fees for the construction of Darlene's Brook Bridge Rehabilitation Project also included construction supervision.

Supervisor Corl stated it did not.

Mr. Snyder inquired as to how much money the comptroller will have to take out of the budget to start this project.

Shirley Stuart quoted \$77,000.00.

Ed Zaluski inquired if there were any figures on the new fire barn and who controls the cost.

Supervisor Corl advised Mr. Zaluski to contact the Chief or the President of the South Bay Fire Department for the exact cost.

Public Input was closed.

Board Comments

Councilor Burtis expressed his appreciation for the opportunity to serve and stated his goal is to keep the promise he made while campaigning to bring a new view to the town and he truly believes we need to look at new ways to save money.

Councilor Conway thanked everyone for attending the meeting.

Councilor Zambrano commented on Councilor Burtis' statement about saving money. We are looking for ways to do things differently and save money for the town.

Supervisor Corl said he had been asked about the absence of a fire department liaison at the Organizational Meeting and said after speaking with the board members and the people involved with the fire services, he felt we needed a person who had a good rapport to keep the lines of communication open with all the Town of Cicero fire departments. Supervisor Corl stated he has appointed Jim Ostrowski because of his extensive background with the fire service and feels he will do a great job.

Supervisor Corl also reminded everyone that we are in the bidding process for a town engineer and attorney. We have received a number of bids and on January 30, February 1st and February 6th, interviews will be conducted.

Supervisor Corl moved the adoption of a resolution to adjourn the Town Board Meeting. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes- 0. *Motion carried.*

There being no further business before the board, the meeting was adjourned at 9:10 p.m.

Tracy M. Cosilmon
Town Clerk