

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, March 23, 2011, at 7:00 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039.

Present: Judy A. Boyke, Supervisor  
Jessica Zambrano, Councilor  
C. Vernon Conway, Councilor  
Lynn Jennings, Councilor  
James Corl, Jr. Councilor  
Tracy Cosilmon, Town Clerk

Others Present: Christopher Woznica, Highway Superintendent  
Sharon Edick, Receiver of Taxes  
Jody Rogers, Director of Parks & Recreation  
Wayne Dean, Director of Planning & Development  
Shirlie Stuart, Comptroller  
Brad Brennan, Assessor  
Linda Losito, Secretary to Supervisor  
Anthony Rivizzigno, Town Attorney  
Ronald DeTota, II PE, C & S Engineers

Absent: Joseph Snell, Police Chief

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance.  
A moment of silence was observed in remembrance of our men and women serving in the Armed Forces in harms way.

Ms. Boyke 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.

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

Motion was made by Ms. Boyke, seconded by Mr. Conway, that all actions taken tonight are Type Two (2) actions under the New York State Environmental Quality Review Act unless otherwise determined.

The motion was approved as follows:

Mr. Conway: Yes  
Mr. Corl: Yes  
Mr. Jennings: Yes  
Ms. Zambrano: Yes  
Ms. Boyke: Yes

## APPROVAL OF TOWN BOARD MEETING MINUTES

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the minutes of the March 9, 2011 town board meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES  
OF MARCH 16, 2011

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the minutes of the Special Town Board Meeting of March 16, 2011.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Abstain
Ms. Boyke:	Yes

## DEPARTMENT HEAD INPUT

Town Clerk

Tracy Cosilmon announced that the 2010 Annual Financial Report for the Town of Cicero has been completed and is on file in the Cicero Town Clerk's Office and may be viewed upon request.

Highway - None

Comptroller – None

Park & Recreation

Jody Rogers stated that the Friends of the CanTeen received acknowledgement of the \$250,000.00 Grant to purchase and renovate the building adjacent to the High School, so we will be working our way through that process with our contract and hope to be able to close by the end of April and then start our work in May and June and be ready to open by Fall of 2011.

Tax – None

Assessor – None

Zoning – None

## APPROVAL OF ABSTRACT #6 OF 2011

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve Abstract #6 of 2011 as follows:

General Fund	Voucher #447 to Voucher #562	In the amount of \$2,298,837.45
Highway Fund	Voucher #149H to Voucher #174H	In the amount of \$ 161,149.20

The motion was approved as follows:

Mr. Conway: Yes  
 Mr. Corl: Yes  
 Mr. Jennings: Yes  
 Ms. Zambrano: Yes  
 Ms. Boyke: Yes

#### BUDGET MODIFICATIONS

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve the following budget modifications as follows:

Budget Modifications 2011  
 Town Board Meeting 3/23/2011

2011 MODIFICATIONS	AMOUNT CODE	FROM CODE	TO CODE
	\$ 90.00 A11104	JUSTICE CONTRACTUAL	A111041 COMPUTER LABOR
	\$1,000.00 A11104	JUSTICE CONTRACTUAL	A11101 OT JUSTICE OT

The motion was approved as follows:

Mr. Conway: Yes  
 Mr. Corl: Yes  
 Mr. Jennings: Yes  
 Ms. Zambrano: Yes  
 Ms. Boyke: Yes

#### APPROVAL OF 2011 ENGINEERING CONTRACT WITH C & S ENGINEERS, INC.

Ms. Boyke stated that all board members should have received the C & S letter.

Mr. Corl stated that the contract appears to be a little different from last year and the amount of \$31,440.00 for the retainer and additional amounts are the same.

Ron DeTota - They are the same amount and Shirlie verified that. It was our intent to make it the same.

Mr. Corl – The language appears to be a little different as to how it's broken up and the additional costs.

Ron DeTota didn't believe there was a change in costs, but that the words may have been modified. We will continue to give excellent service.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to accept the contract and authorize the Supervisor to execute the 2011 Engineering Contract with C & S Engineers, Inc., in the retainer amount of \$31,440.00.

The motion was approved as follows:

Mr. Conway: Yes  
 Mr. Corl: Yes  
 Mr. Jennings: Yes  
 Ms. Zambrano: Yes  
 Ms. Boyke: Yes

APPROVAL FOR SUPERVISOR TO EXECUTE A CONTRACT WITH  
C & S ENGINEERS, INC. TO PERFORM A SITE INVESTIGATION FOR A  
PORTION OF VOLMER CREEK EXTENDING  
FROM LAKESHORE ROAD TO LARCHMONT DRIVE

Ms. Boyke explained that the amount was previously approved and that this is for one of the major drainage items that is on our list this year.

Ms. Zambrano asked if the Committee has looked at it.

Ms. Boyke - Yes

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to authorize the Supervisor to execute a contract with C & S Engineers, Inc. in the amount of \$2,000.00, to perform a site investigation for a portion of Volmer Creek extending from Lakeshore Road to Larchmont Drive.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

APPROVAL FOR SUPERVISOR TO EXECUTE A CONTRACT WITH ONONDAGA  
COMMUNITY DEVELOPMENT RIVERFRONT PARK IMPROVEMENTS,  
PHASE I PROJECT CONTRACT

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to authorize the Supervisor to execute the Contract with Onondaga Community Development Riverfront Park Improvements, Phase I Project Contract.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

SET A PUBLIC HEARING TO ADOPT LOCAL LAW PURSUANT TO  
TOWN LAW SEC. 278 CLUSTERING

Tony Rivizzigno stated the board should have a copy of the proposed Local Law. Clustering is allowed in our town code presently and under section 278 of the Town Law the Town Board can give the authority to grant a cluster development to the Planning Board which is what this local law proposes to do. Clustering really is a way of taking a subdivision and giving the Planning Board more flexibility to approve this subdivision and it normally creates green space in a typical subdivision. Section 278 of the Town Law provides that the town can keep for itself the approval of any conditions that the Planning Board could set. A normal condition is, who is going to take care of the green space. I've drafted the law so that the town board would maintain that control and so, if there is green space to be maintained, either by the homeowner or a homeowners association, the Town Board must approve that before it goes into effect and before the final maps are drawn. Wayne has had some experience with 278 clustering and most towns have this, but the law provides that the Planning Board can't do this unless the Town Board gives them permission to do it through a Local Law.

Wayne Dean – The only thing I'd like to add to that is that when this was presented at the Planning Board, a portion of that property was set aside for apartments and it has already

been established that they would retain the green space and not the homeowner association.

Ms. Boyke – The apartments would be part of the green space?

Wayne Dean - Yes

Tony Rivizzigno – Once this goes into effect, that's going to have to come back before the board to be approved. The final say is with the Town Board.

Mr. Corl stated that they've already given us the approval of the current project at the last Planning Board Meeting.

Tony Rivizzigno – The Planning Board wants to do the cluster development, but just can't do it, without the Town Board giving them the authority to do it. That is what the Local Law proposes to accomplish.

Ms. Zambrano asked if maintenance of the green space will be addressed every time we have a clustering.

Tony Rivizzigno – Yes, that's correct. Anytime there is a cluster development, the Planning Board will negotiate with the developer as to how it's going to happen and then they will put a condition on the approval that the developer or homeowner must maintain the green space. Once that condition is applied to that development it will come to this board for approval before they can sign the final maps. They'll do everything up to a point and then the Town Board will have the final say. The purpose for this is to be sure that the green space created is taken care of.

Ms. Zambrano – It will be clear to everyone.

Tony Rivizzigno suggested this be put on the agenda for the next meeting.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to set April 13, 2011 at 7:00 p.m. at Cicero Town Hall, 8236 South Main St., Cicero, NY for a public hearing to consider amending Section 185-26 of Chapter 185 of the Town Code of the Town of Cicero regarding cluster development, to be known as a Local Law.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

APPROVAL OF CICERO CHAMBER 19<sup>TH</sup> ANNUAL COMMUNITY FESTIVAL  
PARADE PERMIT TO BE HELD JUNE 11, 2011 NOON TO 1:15 P.M.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the 19<sup>th</sup> Annual Parade Permit for the Greater Cicero Chamber of Commerce Community Festival to be held June 11, 2011 from noon until 1:15 p.m.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

YOUTH BUREAU PARKS & RECREATION STAFF APPROVALS  
SUMMER SEASONAL

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to approve the following list of Park and Recreation appointments as follows:

Staff Approval:

1. Hire Title: Recreation Attendant (Summer Day Camp – Returning)  
Budget Code: B7140.1  
Hire Date: June 20, 2011  
Hire Rate: \$7.50/hour

Gannon Andrews, 8100 Ashery Lane, Cicero  
Alisha Blasi, 6226 Kenlaren Circle, North Syracuse  
Aubrey Carrino, 6134 Dawns Ridge, Cicero  
Cody Latimer, 8855 Honeycomb Path, Cicero

2. Hire Title: Recreation Attendant (Summer Day Camp)  
Budget Code: B7140.1  
Hire Date: June 20, 2011  
Hire Rate: \$9.75/hour

Sean Pease, 7891 Rinaldo Blvd West, Bridgeport  
Laura Walker, 6828 State Route 31, Cicero

3. Hire Title: Recreation Leader (Summer Day Camp)  
Budget Code: B7140.1  
Hire Date: June 20, 2011  
Hire Rate: \$12.00/hour

Tanner Russell, 11 Holly Lane, Liverpool

4. Hire Title: Lifeguard  
Budget Code: A7150.1 (B7150.1 during WSI)  
Hire Date: June 6, 2011  
Hire Rate: \$8.50/hour (\$9.50 during WSI)

Nicholas Snow, 7355 Lakeshore Road, Cicero  
Benjamin Walczyk, 9530 Shepard Dr, Brewerton  
Mitchell Bower, 9443 Steamship Manhattan, Brewerton  
Richard Blackburn, 8568 Treeview Circle, Cicero

5. Hire Title: Lifeguard; Learn to Swim Coordinator; Asst Swim Facilities Mgr  
Budget Code: A7150.1 (B7150.1 during WSI)  
Hire Date: June 6, 2011  
Hire Rate: \$8.50/hour; \$10.50/hour during WSI; \$9.75/hour

Julia Davidson, 219 Willey Road, Bridgeport

6. Hire Title: Assistant Swimming Facilities Manager  
Budget Code: A7150.1 (B7150.1 during WSI)  
Hire Date: June 6, 2011  
Hire Rate: \$8.50/hour; \$9.75/hour (\$9.50 during WSI)

Jacqueline McCabe, 8448 Flat Car Circle, Cicero  
John McCabe, 8448 Flat Car Circle, Cicero

7. Hire Title: Swimming Facilities Manager  
Budget Code: A7150.1 (B7150.1 during WSI)  
Hire Date: June 6, 2011  
Hire Rate: \$10.50/hour (\$9.50 during WSI)

Sean McCarthy, 618 Boston Road, Mattydale

8. Hire Title: Park Laborer  
Budget Code: A7110.11  
Hire Date: May 9, 2011  
Hire Rate: \$8.50/hour

Dustin Jacobson, 8662 Weaver Road, Cicero

Zachary Maurer, 33 Church St, Parish

9. Hire Title:	Park Laborer
Budget Code:	A7110.11; A7150.11
Hire Date:	May 9, 2011
Hire Rate:	\$8.50/hour

Tim Gulino, 6117 Gaspe Lane, Cicero

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

**PARKS AND RECREATION AND YOUTH BUREAU PURCHASES**  
(Goose Control at William Park)

Motion was made by Mr. Jennings, seconded by Ms. Boyke, to authorize an expenditure not to exceed \$2,500.00 to Wild Goose Chasers of CNY Parish, NY for Goose Control at William Park, for the season, Budget Code A7150.45.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	No
Ms. Boyke:	Yes

**HIGHWAY PURCHASES**  
140N Marafi Stabilization Fabric

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to authorize the following Highway expenditures as follows:

**Discussion:**

Ms. Zambrano asked Chris if most of the expenses are for the spring.

Chris Woznica – Yes, they are for spring and summer road work.

\$3,150.00 to Allied Building Products, to purchase 10 rolls of 140N Marafi stabilization fabric, Account Code DB511045.

30 2x2x2 Catch Basins W/knock Outs

\$9,100.00 to Sunnycrest Inc., to purchase 30 2x2x2 catch basins with knockouts, Account Code DB5110.49.

10-2x2x4 Catch Basins W/knock Outs

\$4,170.00 to Sunnycrest Inc. to purchase 10-2x2x4 catch basins with knockouts, Account Code DB5110.49.

Grass Seed, Mulch Bales and Fertilizer (Lawn Repairs)

\$3,500.00 to Merritt Seed to purchase grass seed, mulch bales and fertilizer for lawn repairs, Budget Code DB5140.41.

Grass Seed, Mulch Bales and Fertilizer

\$5,000.00 to Merritt Seed to purchase grass seed, mulch bales and fertilizer for lawn repairs, Budget Code DB5112.42.

162 Yards of Topsoil for Lawn Repairs

\$3,000.00 to Gerber Topsoil to purchase 162 yards of topsoil for lawn repairs, Budget Code DB5140.43.

Topsoil, Sand Fill, item 4

\$10,000.00 to Brown Excavation to purchase topsoil, Account Code DB5112.42.

4 Week Sweeper Rental

\$15,000.00 to J & J Equipment, LLC, to rent a sweeper four weeks, Account Code DB5140.48.

Gutter Broom Sets and Main Broom Sets

\$3,000.00 to Crossroads Highway to purchase gutter broom sets and main broom sets, Account Code DB513055.

Assorted Street Sign Blanks

\$1,600.00 to Eberl Iron Works, to purchase assorted street sign blanks, Account Code A33104.

30-24x24 Frames & Grates

\$5,850.00 to Crossroad Highway, to purchase 30-24x24 frames & grates, Account Code DB5110.49.

Special Size Frames & Grates and Risers

\$10,000.00 to Syracuse Castings to purchase special size frames & grates and risers, Account Code DB5110.49.

Runner Crush & Stone

\$15,000.00 to T. H. Kinsella to purchase runner crush and stone, Account Code DB5110.42.

The motion was approved as follows:

- Mr. Conway: Yes
- Mr. Corl: Yes
- Mr. Jennings: Yes
- Ms. Zambrano: Yes
- Ms. Boyke: Yes

DISCUSSION AND PRESENTATION OF FARMERS MARKET

Ms. Boyke stated that there is no presentation this evening. Julie Raddell has taken on the challenge of bringing a Farmer Market to Cicero and we have located a place to do it. Due to the fact that there is so much involved in doing this, it is recommended that you do this a year in advance as it involves lining up farmers who wish to participate, that

already are committed to other areas. We're looking to start this in the spring of next year and the tentative location will be at the Twin Rinks Parking Lot as it is centrally located and has bus transportation. Kyle Palmer has been gracious to us by giving us permission to have it there. We will be working diligently on this, so if anyone has any ideas, or knows anyone who may have interest in this to contact our Parks and Recreation Department.

Ms. Boyke stated that there are a few things the board members would like to address.

Mr. Corl - At the last meeting we discussed the new legislation enacted by the County Legislature being 485A which encourages businesses to turn commercial property into mixed use property, which could be a valuable asset to the Hamlet of Brewerton, the Village of North Syracuse and perhaps Bridgeport. I would like the town to circulate a proposed Local Law for the Town Board to consider of which the board members and the Town Attorney have a copy and would like to ask the board to set a public hearing to consider that Local Law which would provide for an exemption from Real Property Taxes for qualified residential/commercial urban real property as authorized by Section 485A of the NY Real Property Tax Law.

Ms. Boyke asked if we had mixed use in the code.

Wayne Dean stated it is only in Brewerton and it would be allowable if you could stretch the interpretation to be a home occupation. The current code doesn't allow for a business to rent an apartment above it.

Tony Rivizzigno – I think that's correct.

Ms. Boyke – This would not be grandfathered and it would be from this day forward.

Wayne Dean explained that when the code was re-done, we were looking at some of the two and three story buildings in the Brewerton Hamlet. The vision at that time was to have those types of businesses up there, such as a small business on the first floor and apartments above. We would have to institute a new zoning classification anywhere else in the town.

Mr. Corl – This would be a tool to help the businesses that are looking at coming into the town and I feel Brewerton is a perfect example as is the Village of North Syracuse and also believe that they have something similar to this on their books as well. This would be a catalyst to help them come in and say, this is the project, we want to do and any improvements they make would be tax exempt.

Ms. Boyke – It says that it would be 8 years of 100% tax exemption. Is that what it is?

Wayne Dean – I do not have a copy of it in front of me.

Mr. Jennings - Does the property in question, have to be owner occupied?

Wayne Dean – At this time, we don't have any provisions, except for Brewerton and it isn't necessary for it to be owner occupied there. To fit anywhere else, it would have to be owner occupied and could be considered a home occupation, if you lived there and had a business in the same building.

Mr. Corl – Those making the improvements would be tax exempt for that 8 year period.

Wayne Dean – The property itself and the existing building would not be.

Mr. Corl stated that is how the county interpreted it and is mirroring what the county implemented. In order for any business to take advantage of this the town would have to adopt this County Legislation or similar legislation.

Wayne Dean asked if we will be looking at two stories like we have in Brewerton, where there is retail on the bottom floor and apartments above, or will you looking at any buildings with mixed use?

Mr. Corl stated that that it's all laid out in the local law.

Wayne Dean – I haven't seen it yet as I was gone today and all last week.

Ms. Boyke stated she would be sure Wayne was given a copy of the law.

Mr. Corl – It's pretty straight forward and encourages mixed use development.

Wayne Dean explained that if it is enacted, it may requires some other changes to other portions of the code.

Mr. Jennings stated that the thing that comes to his mind is Lisi's Barbershop on South Bay Road and he didn't know if that was a residence as well.

Wayne Dean - That is considered a home occupation and is different.

Motion was made by Mr. Corl, seconded by Ms. Zambrano, to set April 13, 2011 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY for a public hearing to consider an exemption from real property taxes for qualified residential/commercial urban real property as authorized by Section 485A of the NY Real Property Tax Law, to be known as a Local Law.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

Ms. Boyke stated that the board received a large package in regards to the Landings at Maple Bay and asked that the entire board look at this package carefully, review it and let her know their comments, or questions, or to contact Mark Marzullo of the Planning Board. We have been asked to put this on the agenda, but due to the size of the package I let them know that it won't be on the agenda until April 13, 2011.

Ms. Boyke also stated that the IT Committee has met and it was a very good meeting. Tomorrow at the Department Head Meeting, I'm going to be distributing the Town Computer and Internet Users Agreement Policy, with the terms and conditions number 310 and also the acceptable Internet Use Policy per Town Regulations 320. After review with the Department Heads and all those using computers within the town, we'll be asked to review and sign the agreement and that they fully understand the implementation of the policies within the town. This is the first step in getting ourselves standardized and regulated. Computer Outlet, Mike Frasier, Dave Colburn, Jeff Clark, are going to be working over and above the call, just to fix and repair our equipment. They will be visiting each department and sitting with most of you to determine, what your true needs are, or what type of software is needed for standardizing across the board. There are several ideas that have been discussed, but, the first thing is to implement the policies, which the town is in desperate need of making use that we have, before we go forward with it.

Ms. Zambrano – The board members are going to get a packet and we're going to review these policy and procedures for the next meeting?

Ms. Boyke stated she would like to implement the policies immediately. This is just a start to make sure we have something, as we don't have anything. We will amend these

as we go, because they will need to be critiqued. John Winters has presented these. Did you want to ask John something?

Ms. Zambrano stated that she wants to see the policies and procedures and thought that the board should see the policies and procedures before we ask all of the employees to sign something.

Ms. Boyke – Everyone is going to have an opportunity to look at it. I'm not going to ask anyone to sign anything until they've read them. Yes, I will have packages for everyone.

Ms. Zambrano – I think it is a board function to review this.

Ms. Boyke – You want me to wait two more weeks?

Ms. Zambrano – I feel it should be reviewed with Department Heads. I think we're running a little bit behind in trying to get these policies and procedures, up and right. We did make an issue to reserve some money for computers and there are some of us, who have an interest in this.

Ms. Boyke – We all have an interest in this.

Ms. Zambrano – Apparently not enough interest and we need to get this thing going.

Ms. Boyke – What do you mean?

Ms. Zambrano – I think we should take a look at the policies and procedures before they are fully implemented and before employees are asked to sign something. I did ask for it to be on the agenda and I expected to see something.

Ms. Boyke – The issue that we have at hand, is that they were all copied and unfortunately, I was missing a page which we realized at 5 minutes to seven and was one of the reasons why I was late. I will see to it that every board member gets it and obviously, we will implement them once everyone gets back to me.

Mr. Corl – You're going to distribute those to us and we'll vote at the next meeting to adopt those and circulate them amongst the Department Heads?

Ms. Boyke stated that she was going to distribute them to the Department Heads as well as the Town Board, so that everyone will have an opportunity to look at them. If there are any questions, the Town Board can move to accept them or change them.

Ms. Zambrano asked what the next step in this project will be once we get these policies and procedures.

Ms. Boyke – As I said, Computer Outlet will be coming in and going through each department. They are going to analyze the full system because we have three servers. They will make recommendations on all of that, including the fact that we have to make sure all of passwords. There are still several passwords that we need for the routers that I don't even have yet, which we realized at that time. They need administrative accounts, passwords, switch passwords for standardizing everything and making sure we have a policy in place, because we don't. This will be for laptops as well. There has been one meeting and we're looking to fix the infrastructure, looking at the business aspect of the network and to reviewing the video server and the position where the servers are right now.

Ms. Zambrano asked if there was a timeframe for speaking to all of the Departments.

Ms. Boyke – It will be as soon as Computer Outlet contacts with the town and they will have a discussion with all of the Department Heads. This happened all last night and John has not put the timeframe schedule in place, but, this will be immediately put into place.

Ms. Zambrano suggested that we get a timeframe so that everyone is available and know exactly how this is planned out. As I said, some of us are interested in this project and want it up and running in an organized way, with timeframes.

Ms. Boyke – As I said, Mr. Winters is working on that schedule and he will be presenting it as soon as he finishes it.

#### RFP for the Brewerton Project

Ms. Boyke stated that the RFP for the Brewerton Project was sent out and they received three bids and two that chose not to participate. The three bidders were Testone, Marshall & Discenza, Bowers and Company and Benn and Company. Shirly, Mr. Rivizzigno and I have interviewed Bowers & Company and Benn & Company and have found that the lowest RFP was from Benn and Company at \$125.00 per hour, not to exceed \$7,200.00. Bowers and Company rate was \$175.00 per hour and Testone, Marshall & Discenza was \$180.00 per hour. I would like to make a recommendation that we award the RFP Audit Contract to Benn & Company.

Motion was made by Ms. Boyke, NO SECOND to award the RFP Audit Contract to Benn & Company at \$125.00 per hour, not to exceed \$7,200.00.

#### **Discussion:**

Mr. Corl – Here's another decision where I didn't know interviews were going to be conducted. I do not have any of these quotes on paper. Secondly, I didn't know that there were going to be interviews of these particular firms for the audit, though I did vote in favor of going forward with the audit. I don't know how the other board members feel, but, I feel like I don't have any information for me to make this decision. I haven't had a chance to interview these organizations and haven't been afforded that opportunity and would have liked to have had the opportunity to do that.

Mr. Jennings stated that he had the opportunity and saw the 6 or 8 that were listed and of the top 3 that came in, he saw those amounts and Benn & Company was the lowest and were also a business in the Town of Cicero.

Mr. Corl asked Vern if he had seen the bids.

Mr. Conway – No

Mr. Corl asked Ms. Zambrano if she had seen the bids.

Ms. Zambrano - No

Mr. Corl asked why only two people saw these bids and why do only two people have the quotes in front of them.

Mr. Jennings – I don't have them in front of me, but, I had the opportunity to see them and that's what I'm saying. I come into the town hall frequently, and I stop and talk to the Supervisor and knowing this is something we've been working on and looking at, I asked her what was going on and if there was anything new and she showed me the document. That's how I became aware.

Ms. Boyke asked Mr. Rivizzigno if he wanted to add anything to that.

Tony Rivizzigno – No, normally, with an RFP the legislative bodies don't review them and it is set up by a committee, if it's the County, Town or whatever. The entire legislative body doesn't review responses. In this case, the responses are available and the numbers are there and speak for themselves. If the board wants to look at them, it's fine. Normally, you have a committee that reviews these responses and not the entire legislative body.

Mr. Corl – There is no Committee. Who's the Committee to do this?

Both Ms. Boyke and Tony Rivizzigno responded by saying it's the Liaison, the Attorney and the Comptroller.

Tony Rivizzigno stated that's the way it was done in the beginning.

Mr. Corl – No, nobody ever said that. The only thing we voted to do was to do an audit.

Tony Rivizzigno – If you want you can review the bids and you can put it off until next week.

Ms. Boyke – The bids are available and you all know that the bid date closed on Monday. No one visits me or comes to see me and you all knew it was a closed date. If you had that much interest, the bid date was closed at 1:00 p.m. on Monday.

Mr. Jennings - We have a motion on the floor and I'll seconded it and I think we should move forward with it. The people in Brewerton are asking questions and that's why the RFP was sent out to establish the audit and finally put closure to questions about Brewerton Revitalization and the monies that were allocated, what was spent and what was not spent.

Ms. Zambrano – I'm interested in the audit and I'd like to suggest that we should have a couple of Town Board Members involved in reviewing this information and if the information comes in, why can't the entire board get copies of that information? If the information comes in, why can't we get the information?

Tony Rivizzigno – I'd like to add that this came up at the pre-agenda meeting yesterday and the information was available. That's why you have pre-agenda meetings.

Ms. Boyke – They're bound copies and we received three.

Ms. Zambrano asked why it wasn't on the agenda as an agenda item. Why is it coming up now?

Tony Rivizzigno – The last interview was this afternoon. Like, I said, if you want, you can wait two more weeks. Nothing is going to change.

Ms. Boyke explained that the amounts were \$125.00, \$175.00 and \$180.00 per hour and Benn was the lowest so it only makes sense to use Benn, with the limit of \$7,200.00.

Ms. Zambrano - My concern is the process here. At this point and time, I can support \$125.00 per hour, but, I'm talking about the process. The information was there and is presented ahead of time. We're talking about money and shouldn't we have had at least a piece of paper to say what the numbers were? I think that's reasonable.

Mr. Jennings explained that as the Attorney said, the last interview was today. The information is there and we knew the closing date and when I come in I ask the Supervisor for any updates or items of interest that are out there.

Ms. Zambrano stated it would be helpful to have a couple of Board Members on a committee.

Mr. Jennings stated it would depend on the type of committee, because as Tony explained, this is not normally done with Board Members or executive people.

Ms. Zambrano – Maybe it should be.

Mr. Jennings – That would be something that would require a resolution, but, at this point, it isn't anything that's out of the ordinary.

Tony Rivizzigno explained that when we receive bids on other things, the board doesn't look at them at all. The Procurement Officer, whether it's Jody, Wayne or whomever, get bids in and they say, here's the lowest bidder and the board votes on it. That's not an unusual process.

Ms. Zambrano – I usually try to get the information ahead of time.

Ms. Boyke – **There is a second to the motion.**

The motion was approved as follows:

Mr. Conway:	No
Mr. Corl:	No
Mr. Jennings:	Yes
Mr. Zambrano:	Yes
Ms. Boyke:	Yes

#### Accept Check for Matilda Gage Plaque

Ms. Boyke stated that the following is not on the agenda and Tom Maffrici applied for a Grant for the Matilda Gage Homestead Plaque that is going to be put up at the old homestead of Matilda Gage in the vicinity of the cemetery on Route 11. The grant was \$1,064.00 and I am asking for the town to allow me to accept this check.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to accept the Grant check in the amount of \$1,064.00 from the Pomeroy Foundation, for the Matilda Gage Homestead Plaque to be erected in the vicinity of the cemetery on Route 11.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

#### Comptrollers Office Report on the Financial State of the Town of Cicero from 2010 Wednesday, March 30, 2011

Ms. Boyke announced that she would like to set a workshop meeting that is open to the public, for 4:30 p.m. on Wednesday, March 30, 2011 for a presentation by the Comptrollers Office on the financial state of the Town of Cicero for 2010, which will be held at the Cicero Town Hall.

#### PUBLIC INPUT

Ralph Smith stated that he requested an appointment with Judy and had spoken with Linda but hadn't heard anything and needed assistance and would explain his issue to her when he speaks with her. He also had an issue relative to trash removal and has found someone who can provide the service at less cost than the cost he's paying on his taxes. Ralph was concerned about people on fixed incomes and their inability to pay for food, medicine and other services and with escalating costs. He also was unable to get an appointment with the Assessor until the middle of April and is concerned about his property assessment and the assessments of other properties on Totman Road and wanted the town board to check them out.

Ms. Boyke told Ralph she'd be in contact with him to set up an appointment next week.

Brad Brennan explained that Mr. Smith met with GAR Associates and went over the review sheets at that time. There won't be any better comparables out there today as there was when you met with them. Those comp sheets are what we're going to need to

review until I get the information hopefully, in mid April. We will look, but, we're going to have to go back to the original document to see what was done.

Ralph Smith asked Brad to drive down Totman Road and look at those houses on the north side of his property.

Brad Brennan - For what purpose?

Ralph Smith – I want you to check out the houses that you're assessing compared to mine.

Brad Brennan explained that he thought the most productive thing would be to sit down with you when I have the information and we will look at the sales that were used and see if there are any better comparables out there. That would really be the best thing. Looking at those houses at random isn't going to help us until we're looking at your data also.

Ralph Smith – In all the years I did construction work, the only way you could do it, was by looking at it and I feel you should take a look at these.

Brad Brennan – If that's necessary, I have no problem with that. You have a complex property with multiple buildings on it. That's part of the problem and is why we need to sit down and look at all of the data and I'm glad to do that with you.

Ralph Smith – I've looked at a lot of data and a lot of different things but, you're doing the wrong thing, especially, for Seniors and especially, when people have lived on the farm for their entire lives. It is a rural area and has been since 1850. The Joss Farm and Abbys and others, have been there since way back when. I feel you need to come by and look at those houses. I haven't been able to fix my house in 20 years as I've been sick and feel that you're stealing the money away from the seniors. Am I right or wrong?

Brad Brennan – You're wrong, we did the evaluation and you had an informal review with GAR which is a good thing to do. When you get their decision in April and you are unhappy with it, come and see me and we'll go over it and I will go out there and inspect your property and do anything you want, but, we need the data.

Ralph Smith – I would like you to drive by and give me a report on it, before April.

Brad Brennan stated that he'd take a ride out there, but, it's not going to help us. I'll certainly do that.

Ralph Smith – I have an old barn that's falling down. He also understood that there is a Special District for Firemen. Is there such a thing as that?

Brad Brennan stated there is an Agricultural District, Yes. Agricultural Districts for exemption purposes have income requirements of at least \$10,000.00 a year. There has to be 5 acres or more and so a garden for your own use, would not qualify.

Ralph Smith stated that he's lived there a lifetime and have taken care of the land for over 90 years and can't understand how this is being classified, because it was a farm at one time all the way through.

Brad Brennan - It was classified as a farm, but, it's not now?

Ralph Smith – We quit farming in 1975 because we couldn't make a living at it.

Brad Brennan - Then it shouldn't be classified as a farm. If you're not using it as a farm, then it isn't classified as a farm.

Ralph Smith – We cut the weeds and cut the hay. What's that called?

Brad Brennan – Are you selling the hay?

Ralph Smith – No, we just cut it.

Brad Brennan – Then it is not an operating farm. It doesn't meet the criteria.

Ralph Smith – A rural farm is a rural farm, no matter where it is or what it is.

Brad Brennan – It's not being used as a farm, that's all I can tell you.

Ms. Boyke – We have determined that Brad is going to come out and look at your farm.

Ralph Smith – I want the board to look at the property and I want a written letter from all of you.

Ms. Boyke – You will get one from me and I can only speak for myself.

Resident thought that a nice quick way to distribute those bids for the audit would have been via PDF, but, then the Town Supervisor said they were bound. I would like to suggest that any RFP's that are issued, that you ask for electronic copies of responses, so that they can be immediately e-mailed to any interested party and at the top of the e-mail, I would suggest that you list Councilor Zambrano and Councilor Corl, which I say in all due respect. I would also like to announce my video tapes of the Town Board Meetings have been a little hard to find, so a new website has offered to host them and that website is [www.talkcicero.com](http://www.talkcicero.com). It also has a very nice forum and hopefully, you'll have a chance to visit. My primary purpose for being up here today is that I want to discuss the open government issues and it's interesting that it came up in previous discussions. Prior to the 2009 General Election, I received several flyers in the mail stating that the Democratic Candidate's of which 3 sit on the board now, supported open government. On December 9, 2010 I sent a request to the Town Clerk of documents that were referred to in Section B3 of the Waiver for the Chief of Police. I received a copy of the waiver but I didn't receive the attachment. On February 18, I still hadn't received the documents so I requested them again. The response from the Town Clerk stated that pursuant to the FOIL request she had forwarded this request to the Supervisor Office for a response. I sent a request to the Town Supervisor asking for these documents and still haven't received the documents or a response. How does suggesting that I contact a State Agency help restore confidence in the Town Hall for one of the pieces of literature that I got, or adhere to the principals of open government as espoused in the campaign literature. We hear so much about open government and haven't seen it. I've been attending these board meetings since 2007 and I haven't seen the open government that the citizens of Cicero want or deserve. When we don't get these documents, what are you trying to hide?

Ms. Boyke – Deborah, in response to your question. I did answer the e-mail that you sent me this week in regards to that. I will send it to you again. The packet for the waiver for the Police Chief was sent to the Civil Service and inadvertently Pam sent it without making a copy, so I have nothing. Every bit of that information is in the Civil Service Office. When they went to review for Chief Snell's waiver, they did have all that information at that time, so it is available.

Deborah asked if these documents were generated on a typewriter or a computer. If they were generated on a typewriter, I could understand that there wouldn't be a copy, but, if they were done on a computer it should be there or on the backup. Saying you do not have a copy is not an acceptable response.

Ms. Boyke – I don't have it Deborah.

Deborah - In December, when I first requested it, you should have gone to Civil Service and asked for a copy of it.

Ms. Boyke – I will request one for you.

Deborah – I appreciate that and when I get it, I'll be sure that everyone knows that I got it and will not keep it a secret.

Ms. Boyke asked if this was Deborah's only problem she has with this open government that you're talking about.

Deborah – No, I really don't and would have to go through some of my records and e-mails. I will tell you that my very first foil request that I had to file, I had to go to Bob Freeman to get a response, because the town refused to respond to it. This is ongoing as far as I'm concerned.

Engineer Comments - None

Attorney Comments - None

Board Comments

Mr. Jennings stated that Mr. Corl, Mr. Conway, the Supervisor and Tracy Cosilmon and himself had the honor of participating in Mayors for Meals, a program of Meals on Wheels. Tracy Cosilmon participated in delivering the meals and Jim, Vern, Judy and I prepared meals. If anyone has free time and wants to get involved, this is a wonderful program that is very beneficial to Senior's. The preparation of these meals is down to a science, with care given to meals needed for diabetics, etc. We started at 9:30 a.m. and by noon everyone was on the road delivering a bag lunch and a hot meal for dinner. The volunteers who drive do this at their own expense and are not reimbursed. I recommend that you stop over there to see how they do this fantastic program.

Mr. Corl stated that he has been on the Board of Director's for Meals on Wheels for 6 years. They do an excellent job and he has always participated in the Mayor's for Meals Program. It's really great to see the meals delivered to the seniors in our community. They not only look at this as a hot fresh meal, but as companionship and friendships are formed with the delivery of those meals. The Board of Director's are all Volunteers, along with everybody who works in the facility, except for a couple paid positions. It's a very organized program that provides very fresh food. It was nice to see so many elected officials participate in that event.

Ms. Boyke stated that she and Lynn worked in the kitchen for the Mayor's for Meals Program doing preparation. The care that is taken and the smoothness of how this runs, is incredible. No one would believe how efficient it is, being that everything is cooked and prepared fresh and is all put together with these volunteers. Tracy experienced going out making deliveries and realized what is out there and why people wait for folks to come, not only to bring their meals, but, to see a friendly face at the door. If you were to go to see Meals on Wheels, I would suggest, you go to volunteer, even if you do it for a day, because you will be amazed at that facility and how organized it is.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to adjourn the meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

There being no further business before the board, the meeting was adjourned at 8:30 p.m.

---

Tracy M. Cosilmon

Town Clerk