

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, April 14, 2010, 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  
Joseph Snell, Police Chief  
Jody Rogers, Director of Parks & Recreation  
Wayne Dean, Director of Planning & Development  
Shirlie Stuart, Comptroller  
Brad Brennan, Assessor  
Pamela Williamson, Secretary to Supervisor  
Anthony Rivizzigno, Town Attorney  
Ronald DeTota, II PE, C & S Engineers  
Douglas Wickman, C & S Engineers  
Catie O’Toole, Post Standard  
Farah Pike, Star Review  
James Fenken, Bryant Associates

Absent:

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 of your cell phones and be sure to speak into the microphones to enable all to hear.

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

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

## APPROVAL OF MARCH 24, 2010 MEETING MINUTES

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to approve the minutes of the March 24, 2010 town board meeting.

The motion was approved as follows:

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

APPROVAL OF THE APRIL 8, 2010  
SPECIAL TOWN BOARD MEETING MINUTES

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to approve the minutes of the Special Town Board Meeting of April 8, 2010.

The motion was approved as follows:

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

## DEPARTMENT HEAD INPUT

## Highway

Chris Woznica stated that there is a lot of illegal dumping behind Gander Mountain and he wondered if the Chief could address this and if it is the town's responsibility to keep picking this up, or would it be the developer, being Mufale Builders who is responsible for taking care of this. There are two hotels there now, and it is very unbecoming for the Town of Cicero. The debris consists of a little construction debris, but is mostly garbage. I feel that the property owner should also be policing it at least once a month. It's costing the taxpayers of this town money to keep this area clean.

Ms. Boyke stated that she appreciated Chris bringing this up and will get together with Wayne, the Chief and Chris to see what can be done about it.

Police – None

## Comptroller

Shirlie Stuart – The town has an account titled Highway Securities for the CLDC and I would like a resolution to close the account out and I believe the money should be turned over to the Highway Fund or the General Fund, which will require legal advice as to which fund it should go into, since there is no longer a CLDC.

Ms. Boyke asked how much money Shirlie was talking about.

Shirlie Stuart - \$9,785.88

Mr. Corl asked Shirlie to give further explanation.

Shirlie Stuart explained that according to the minutes this was set up on September 13, 2004 and it says that it was for Highway Securities. She asked Chris and he has no information on this and she isn't sure why it was set up though she requested it. It say's,

that instead of a Letter of Credit, it was a cash deposit, so we set up this account and put the money in it.

Ms. Zambrano asked if there has been any traffic of money in or out of that.

Shirlie Stuart stated that she didn't believe so and that there hasn't been any since she was here in January.

Mr. Corl – Where would you like these funds to go?

Shirlie Stuart – Either the General or the Highway Fund and I would think the Highway Fund as it is money just sitting there.

Ms. Boyke – It needs to be corrected and moved to the proper place.

Shirlie Stuart – It needs to be corrected and closed out.

Mr. Corl – So part of the motion will be that it is to be put in the Highway Fund.

Motion was made by Ms. Boyke, seconded by **No Second**, to move the Highway Securities in the amount of \$9,785.88 held for the CLDC to the Highway Fund.

**Discussion:**

Ms. Zambrano stated that it should go into the General Fund.

Shirlie Stuart stated that she had spoken with Tony Rivizzigno, earlier and believed it should go into the Highway Fund as it was set up for Highway Securities.

Mr. Corl asked Tony Rivizzigno if they should wait for him to determine where this money should go.

Tony Rivizzigno – You can make a motion to close the account unless you want to wait for a board's decision. I tend to agree with Shirlie that it was there for highway purposes.

Ms. Zambrano – We don't know why it was established.

Tony Rivizzigno – It was established for security for the construction of the road.

Shirlie Stuart – I have an outstanding invoice from O'Brien & Gere for \$501.00 and they are the ones who drew my attention to this by telling me that we had Highway Securities for the CLDC that could be used to pay them. That's when I said, I needed to look into this.

Ms. Zambrano – When was that work performed?

Shirlie Stuart – The invoice is dated 09/28<sup>th</sup> and the hours are printed out September 12<sup>th</sup> 2009 for Cicero Commons. All it says is labor expense. I've made two calls to O'Brien & Gere and no one has returned my call, so I can't answer what the labor expense is for.

Ms. Boyke – Under the circumstances, I think we'd better table this until we have clarification on both.

**DECISION TABLED FOR FURTHER INFORMATION**

Park & Recreation - None

Assessor

Brad Brennan stated that GAR Associates have sent out inventory mailers to the property owners they have visited on the northern part of the town. We also have a very nice employee from GAR, Nancy, who has been in our office all week to answer questions

from people who have either something incorrect or something they don't understand on their inventory. She has been here since Monday and we have had 50 people come to our counter on Monday, 20 on Tuesday and 41 today. She will be here tomorrow from 9:00 a.m. – 4:30 p.m. and Friday 1:00 p.m. to 7:00 p.m., if anyone has any questions about their inventory mailer that only went out to the northern half of the town. The southern half will be done over the next 6 or 7 months and after that, will receive their mailers.

Zoning – None

Tax

Sharon Edick requested approval for her to attend the NYS Receiver's and Collector's Conference to be held June 13 – 16 in Lake Placid. The registration fee is \$100.00 and the hotel expense is \$545.00 and she would be willing to drive a town car, if one is available. If not, I will tell you the mileage.

Ms. Boyke – Under the circumstance, with the seriousness we are experiencing with our cash flow, and you and others know, that I have asked for 15% to be turned back into our budget for obvious reasons. I would make a suggestion that we would be willing to pay for your registration to go to this conference and also allow you to take a town car, but, I would ask you to come up with your own hotel room and board expenses. That would be accommodating for you to go to the conference.

Mr. Corl asked Sharon to explain a little about this and why she is pursuing going this year.

Sharon Edick explained that she has been going since she was the Receiver of Taxes. She serves on the Board of Directors at the NYS level and also on the Onondaga County level. With some of the things that are going on this year with banks, there are some errors. My office spends a good amount of time, trying to correct things. There is some stuff going on with mortgages which is making it very difficult for homeowners. I like to go to these conferences as that is where I learn and we try to share information. Today, I had a meeting with the county and was given information that is going on. Going to these conferences keeps me up to date. The more knowledge, I have, the more professional I am at my job. I feel we need to be upscale in learning as we can possibly be, and that is why I've gone.

Mr. Corl – Some of the topics that will be discussed are legal updates, information on counterfeit bills, automatic clearing house tax payments such as credit cards, the internet, and corrections of errors, that you deal with a lot.

Sharon Edick explained that there is a lot of corrections in Onondaga County and this year, I was going to teach others, how to do them. Most towns don't have a lot, but Brad can attest to Salina's difference vs. Cicero's difference. We had 109 this year. We've wanted to take credit cards here for years to help people pay their taxes, but there are some issues and that came from the NYS Comptroller. We created Senate Bill 5781, which was presented to the Assembly and a Senate person in June of last year. One went immediately to the Senate and to the Assembly a short time later. We're waiting for that and it will be something that would give some relief to the tax payers.

Mr. Corl – You're asking for a total of \$645.00, which is budgeted?

Sharon Edick- Yes

Mr. Conway – We've paid for everybody else to go to NY City and I feel she is entitled to it and should have the entire \$645.00.

Ms. Boyke – Sharon, did go to NY City with us as well.

Sharon Edick explained that she did go to NY which is very different. The June conference is just Tax Receiver's stuff and doesn't touch on Town Clerk, or anything but what goes on in a Tax Receiver's Office. It is a lot more in depth than NY. I need to stay abreast and that is why I ask. I don't have much in my budget, but, going to school is a big thing for everyone's advantage.

Ms. Zambrano – Have you cut 15% out of your budget yet?

Sharon Edick – I haven't turned in my figures yet as I just closed out my town and county and just met with the county today to find out I was the first to be in total balance. I did tell Judy, that I was working on it and I'm doing my best to come up with the figures.

Ms. Zambrano stated that she would like to defer approval until we resolve the 15% because all of the other departments have theirs done.

Sharon Edick – I'm sorry, but I had to have a priority in closing my town and county.

Ms. Boyke asked if deferring this would be alright for Sharon, to get her reservations in.

Sharon Edick – It will be close, but I can use my credit card and go from there.

Ms. Zambrano – I would prefer to wait. The Supervisor was serious in the budget discussions and cutting budgets by 15%.

Sharon Edick – I never thought she wasn't serious, but, being at the end of my tax collection, I had to balance and that was my first priority. There are certain times and dates where NYS makes me responsible and NYS Property Tax Law, designates when things need to be in.

Ms. Zambrano – I think we're going to have to look at everyone's educational sessions and I will point out that you did go to NY City with Judy and I and Lynn was scheduled to go, but, he decided not to, in order to save money. That was a sacrifice from the administration.

Mr. Jennings – If we do this at the next meeting, we should be in good shape as the cut off date for the rooms, is May 22, 2010.

Mr. Corl stated that he agreed with Mr. Conway, that Sharon gathers important information to bring back to the town. He wanted to know, if other Department Heads, training would be withheld until their 15% cuts are made.

Ms. Boyke – I'll look at that as well.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to **table** Sharon Edick's request for \$645.00, to attend the Tax Receiver and Collectors Conference in Lake Placid until April 28, 2010.

The motion was approved as follows:

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

Engineer - None

Attorney - None

Town Clerk - None

APPROVAL OF ABSTRACT #7 OF 2010

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to approve Abstract #7 of 2010 as follows:

General Fund            Voucher #589 to Voucher # 698            In the amount of \$505,448.31  
 Highway Fund            Voucher #185H to Voucher #224H            In the amount of \$ 64,407.76

The motion was approved as follows:

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

BUDGET MODIFICATIONS

Mr. Corl asked for an explanation of A1340.1

Shirlie Stuart explained that it was for the Budget Officer that is in the budget, who will not be utilizing those funds of \$10,000.00 and that she has asked for a modification to move it to Contractual – Law. There are certioraris that are outstanding with no legal funds to pay for them, so, I would like to put that in that contractual line to pay for the services for the certioraris.

Mr. Corl asked for an explanation of the medical incentive.

Shirlie Stuart – It was legal medical incentive, BAN interest, Social Security and NYS Retirement that were all over estimated in the expenditure line and the Highway Fund, yet the medical and dental expenditure was under estimated by \$32,000.00, so we need to move the funds and do a modification out of those appropriation lines into the medical and dental expense line.

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

AMOUNT	FROM CODE		TO CODE	
\$ 3,000.00	DB51423	snow/fuel	DB513045	Motors//Starters/Alternator
\$ 2,500.00	DB90808	Legal/Union		
\$ 500.00	DB9060 MI	Medical Incentive		
\$ 8,597.97	DB97307	BAN – Interest		
\$ 10,000.00	DB90308	Social Security		
\$ 10,000.00	DB90108	NYS Retirement	DB90608	Medical and Dental Exp
\$ 150.50	B801046	Seminars/Conferences	B80204	Zoning Contractual
\$ 10,000.00	A1340.1	Budget Personal Services	A14204	Law - Contractual

The motion was approved as follows:

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

RECOGNITION OF THE CICERO CHILL MIDGET 18U TEAM  
FOR WINNING THE 2009-2010 SECTIONAL CHAMPIONSHIPS

The following individuals from the Cicero Chill Midgets 18U Hockey Team were awarded a certificate of recognition for winning the 2009-2010 Sectional Championship that were undefeated.

Connor Bennett, Sean Caza, Ben Ewald, Dan Forderkonz, Cory Gossiaux, Joe Gracz, Nick Hall, Zach Hall, Brian Hamilton, John Kennedy, Evan Merulla, Joshua Studt, Justin Tyler, Joshua Vivencio, Brandon Whipple, Alex Zubrowski, Cody Spadra, Will Berntovich and coaches, Randy Whipple, Chuck Lebenski and Joe Gracz.

A lot of credit is owed to Kyle Palmer who runs the rink in Cicero as we couldn't do a lot of this without him.

RE- SET PUBLIC HEARING FOR APRIL 28, 2010 ON REQUEST BY SEAYCO-  
THF, LLC, TO RE-ZONE A PARCEL OF PROPERTY LOCATED ON THE EAST  
SIDE OF NEW YORK STATE ROUTE 11 BETWEEN LINCOLN AVE. AND  
STEVENS DR., FROM REGIONAL COMMERCIAL TO GENERAL COMMERCIAL

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to re-set the date for a public hearing for April 28, 2010 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY to consider a request by SEAYCO-LLC, to rezone a parcel of property located on the east side of NYS Route 11 between Lincoln Ave. and Stevens Dr., from Regional Commercial to General Commercial..

The motion was approved as follows:

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

PUBLIC HEARING ON TOWN'S APPLICATION FOR THE 2010 COMMUNITY  
DEVELOPMENT BLOCK GRANT FUNDING CYCLE THROUGH ONONDAGA  
COUNTY AND TOWN'S PROPOSED FIVE YEAR CONSOLIDATION PLAN

Ms. Boyke stated that this is a public hearing as to the town's application for a Community Development Block Grant which funding is cycled through Onondaga County and the town's proposal for a five year consolidated plan.

Proof of publication and posting was presented to the Town Board by Town Clerk and was read as follows:

Notice of Public Hearing: Town of Cicero. Please take notice that Public Hearing will be held by the Town Board of the Town of Cicero on the 14th day of April, 2010 at 7:00 pm at the Town Hall, Town of Cicero, 8236 South Main Street, Cicero, New York to consider the Town's Application for the 2010 Community Development Block Grant funding cycle through Onondaga County as well as the proposed Town's Five Year Consolidated Plan as required by the US Department of housing and Urban Development information on the Town's projects is available at the Parks and Recreation Department, 8236 S. Main Street, Cicero, NY

Jody Rogers explained that it is named Riverfront Park Improvement Project Phase I. She stated that she had taken the map that was presented on March 26th, at a meeting that Supervisor Boyke had with the Brewerton Revitalization Committee as well as other members of the Brewerton Hamlet that was approved. I broke it into 5 different phases. The first phase of this project is the western side of the park which would include 400 feet of walking path, the installation of picnic tables, benches, fencing to delineate the area between private and public land on the south side of the property. The fencing would be a 6 ft. by 6 ft. posts with nautical rope, so that their view would not be obstructed, but, would give a delineation line between private and public land. There will be solar lighting and low level lighting along the path and landscaping. The total project

is assumed to be \$72,800.00 of which the town would be responsible for \$20,400.00 and the sources would be donations in the amount of \$7,800.00 to purchase picnic tables and benches. The town's in-kind portion from Parks & Recreation and Highway is \$7,600.00 for doing the ground work and \$5,000.00 will come from our Park Fund. \$52,400.00 is from Community Development for Phase I of this project.

The public hearing was opened at 7:34 p.m.

Speaking for:

Helen Carroll, Bennett St. Brewerton, NY stated that she was in favor of applying for this. Last year they applied for this and were turned down.

Resident – Where is this \$52,400.00 coming from?

Jody Rogers – The funds come from HUD, through Onondaga County Community Development and is money that is available through the county to do improvements to blighted, low income and one other. Brewerton has been designated as a blighted area and is eligible on the county map for funding if our project is selected.

Resident – Where did they get the money from?

Jody Rogers – The Federal Government from HUD.

Resident – Where does the Federal Government get the money from?

Jody Rogers – Your tax dollars.

Resident explained that it comes from you and I and that was the point she was trying to make. We're still paying for it, but, it's spread all over the country.

Tom Carroll, Bridgeport, NY, stated that he practices in Brewerton and is pleased to see this happening. There is an almost intimidating size project planned for the Hamlet that those of us who have involvement there are much in favor of. The cost is what's overwhelming. I'm very pleased to see that there is action being taken and progress is being made. I like the idea of breaking it up into bite size pieces and I am very much in favor of this.

Lori Sager, Cicero, NY stated that she knew that the Brewerton area has long needed updating and sprucing up as it is the gateway to the river. \$75,000.00 is recommended for the first phase of this project. I am not against the project, but, if and when we get the money, who is going to be fiscally responsible to insure that the money is going to be spent appropriately? There has been so much mismanagement in other phases of government that I'm concerned that if you have this big pot of money for Brewerton, who already received a \$100,000.00 grant and it was absorbed by other means and nothing has happened to Brewerton yet. To have \$75,000.00 available to make it better would be great, but, who is going to be in charge to be sure the money is spent appropriately.

Jody Rogers- So that you're aware, I believe this is going to be the 15<sup>th</sup> or 16<sup>th</sup> grant that the town has received over my time here with the town. I am totally responsible for the funds going out initially and I would work with Shirlie as the funds are reimbursed and come back into the town. It is a type of grant where we spend the money upfront first and then we are reimbursed by the County for the amounts that we spend up to a maximum amount that is awarded to us. This is a template type of program and we don't necessarily get what we ask for. We may get less, so we would modify the project accordingly. I have not had any problems to date, that I'm aware of with managing these grants. They are pretty cut and dry.

Lori Sager – Knowing that Jody is in charge makes me feel a lot more comfortable. If anyone can get blood from stone, she can.

Nick Chervinsky, Brewerton stated that he has been involved in the planning of the revitalization of Brewerton since it first started. It is very important that we apply for this funding to give this project a badly needed injection of enthusiasm as well as money to get this jump started.

Roger Bolling, Brewerton Fire Department stated that he has also been on the committee since its inception and he has noticed that we have dragged our feet quite a bit, but, it is finally looking like we're getting our feet off the ground. The people in town have been waiting a long time for us to start. They want to see dirt being turned over and I think we need to vote yes on this, to give the people something to look forward to and so they know that they are going to get what they need.

Dick Flaherty stated he has been in Brewerton for 20 years and in that time, we've seen some progress and improvement of Brewerton, but, it has been slow. The last couple of years or so, we're starting to see progress and I think this is something that we should continue with in order to keep the momentum going. I think it is very important to keep going, if we're going at a slow pace by making a step forward. Each step that we make will make an improvement to Brewerton making it a nice place for everyone to live and enjoy.

Joyce Linsley, Brewerton, NY stated that she just purchased the old Hardware Store and the apartments in the back, which is the old Barge Canal Office and is a very historic piece of property. I'm pleased to say it was my uncles and Grandfather's Hardware Store and I am going to try and renovate that into a Country Store and try and help the town, by making that as beautiful as I can to enhance the property around it as well. I must say, that with everything we've tried to do over the years that we're all getting a little discouraged. It is magnificent to have this promise now with grants and maybe some more optimism for the majority of the people of Brewerton. I am very grateful.

Speaking against - None

The hearing was closed at 7:42 p.m.

Jody Rogers explained that she needed to bring up the other part of this public hearing. We are also submitting a consolidated five year plan for the Town of Cicero. Our previous plan ran through 2009. I have put together a 2010 to 2014 plan and basically used park type of projects on it. The projects that are listed are only a listing and can be changed, modified or added to in any year at the public hearing. If the funds are not available for the town's share then it does not have to be put together, so you're not locked into anything. I did do the five year plan and I took the Riverfront Park project and broke it out over the five years, phasing it in and I also put into that project the Sheldon Park Creek Walk fishing access in Bridgeport. I put that out three years before I get into that. I made that a 2 phase type of project. That project is just one that I've been approached by some business owners in Bridgeport, in regards to doing something along Chittenango Creek from the bridge coming back towards the diner. It is in very preliminary stages, but, it is something that had been asked for by a number of the businesses there. We currently have a park along the creek and when we get to 2012, it's a project if we still want to move forward with, we can do it at that time. The five year plan is Riverfront Park Project Phase I and Phase II. Phase III and the Sheldon Park Creek Walk is Phase I and in 2013 Riverfront Park Phase IV and Sheldon Park II and in the fifth year are Riverfront improvements to try and move through the project that was put forth.

Ms. Zambrano told Jody that it was an excellent printout and she asked if the plan has been made available to the public.

Jody stated that she passed out 30 copies and told Farah Pike that I would get her the balance of the paperwork. The numbers on the five year plan are not steadfast numbers but, they're just very average estimates.

Ms. Zambrano – Next year, you will be applying for \$125,000.00.

Jody Rogers – I would be applying for Phase II of this project based on what the Brewerton Revitalization Committee would like to see done and where we are with what we're trying to do with the parking area. That number between now and next year could be \$200,000.00 and we would have to obviously scale back based on what the community can do and what funds we would have available to do.

Mr. Rivizzigno – You can adopt a resolution to apply for the grant as well as the consolidation plan in one motion.

Motion was made by Ms. Boyke, seconded by Mr. Conway, to authorize applying for the 2010 Community Development Block Grant Funding and also the Town's Proposed Five Year Consolidation Plan.

The motion was approved as follows:

Mr. Conway: Yes

Mr. Jennings: Yes

Ms. Zambrano: Yes

Mr. Corl: Yes, and I wish to thank the business owners and others who came out in support of this project and for your hard work over the years on the revitalization project. This has a lot of potential and hopefully, it will work out.

Ms. Boyke: Yes, and she thanked everyone stating that she was excited about seeing this project move forward and was glad to see it being done in small bits. That is the way to go, so that we are able to achieve it.

#### APPROVAL OF CONTRACT DOCUMENTS FOR WALLINGTON MEADOWS SECTION NO. 7, SUBDIVISION

Ron DeTota recused himself and turned the presentation over to James Fensken of Bryant Associates.

Ms. Zambrano explained that the project was deferred until this time in order to give our Planning Director an opportunity to review the contract drawings.

Mark Dadey with C & S Engineers stated that they were seeking approval for the Contract Drawings for Wallington Meadows, Section No. 7. Approval wasn't given the last time they were here as Wayne Dean did not have their comments. Plans were sent to him the next day and he gave me a set of comments last week. I revised all of the contract drawings to take into account all of his concerns. I sent a response letter and copied the entire board on it and Wayne is on board with it as far as I know. I am seeking approval of the Contract Drawings.

Wayne Dean – I have reviewed them and they have changed the drawings relative to my questions and concerns. I am on board with the drawings as he said.

Mr. Corl – On an unrelated matter, Jody, and I don't know if it is the appropriate time to bring this up, but, I got your letter of April 1, 2010 on the 277 fees.

Jody Rogers – I don't know if it would be this gentleman who would be responding to that or if it were someone else along the way. I gave the board a memo in regards to 277 park fees. This subdivision began in 1990 and the system that the Planning Board has dealt with over the years since we instituted 277 was as each section was developed. 277 fees were then brought up at that time. We went through a number of phases, I, II, and III and unfortunately did not get any money from IV and V and then when VI came in, we got our monies from Section VI. I just wanted to make sure that Section VII didn't go through without notifying the folks that they would owe the 277 fees for the number of lots they are developing in Section VII. I spoke with Wayne about it and I believe after these approvals go to the Planning Board at preliminary plat and I'm not sure of the

wording, it would be assessed at that time. My letter is so it doesn't slip through the cracks like the two large sections did which were IV and V.

Mr. Corl asked Mr. Rivizzigno if the town had any legal recourse over Sections IV and V, where those monies weren't collected on?

Mr. Rivizzigno – Who was the developer and was it the same?

Jody Rogers – No, it isn't the same developer. The developer told the Planning Board that the monies had to come from the original sub-division developer, which is not the case. Unfortunately, it went through the process without being assessed. I'm trying to jump on board ahead of time, and I have kept a list since 1987 in development and after I heard of this coming forth, I wanted to make sure that it stayed in the forefront.

Mr. Corl – Perhaps this is something we can discuss.

Mr. Rivizzigno- I will look into it.

Ms. Zambrano – When did IV and V come up?

Jody Rogers – I would say within two or three years past. I would have to look at my chart to tell you the dates, but, it has been quite some time.

Ms. Zambrano – We're going to be sure to collect for Section VII.

Mr. Corl – Right

Jody Rogers – Again, I'm just asking that it be brought up. I'm not sure if we missed deadlines again. I just wanted to be sure and gave Mark Marzullo a copy of the letter and spoke with him as well.

Mr. Corl – Thank you, this was important to bring up.

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve the Contract Documents as presented for Wallington Meadows, Section No. 7, subdivision development as presented and based upon review of the town's alternate engineer Bryant Associates, and to authorize the Supervisor to execute any documents necessary to effectuate such approval.

The motion was approved as follows:

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

Mr. Rivizzigno – Agenda item #12 can be removed until our next meeting on April 28, 2010 as we have not resolved this regarding siltation/erosion.

APPROVAL OF THE SILTATION/EROSION CONTROL AGREEMENT FOR  
WALLINGTON MEADOWS SECTION NO. 7, SUBDIVISION

**DEFERRED TO APRIL 28, 2010**

APPROVAL TO PAY LAN-CO \$70,652.78 FOR EMERGENCY REPAIRS AT  
ROUTE 31/PARDEE ROAD, HOGAN ROAD AND ALABAMA PATH

Shirlie Stuart explained that the dollar amount is \$70,652.78. There was a break in The Pastures in 2009 at 8404 Anglers Club. That dollar amount was \$2,860.03. We have an on going emergency at Route 31 and Pardee Roads which is a \$20,000.00 repair and also had a repair of the sanitary sewer lateral serving house number 6263 Alabama Path for

\$2,850.92 and we have a repair for a 10 inch sanitary sewer main in the right of way between Hogan Road and Circle Drive, for \$44,941.83. These repairs total \$70,652.78 and I need a board resolution to pay these.

Mr. Corl – That’s for Lan-Co and not engineering?

Shirlie Stuart – Yes and after these are paid, there is no more sewer fund. I am sitting on PO’s that I can not approve, because I don’t have the funds to pay them. We’re looking into funding for the consolidated sewer district.

Ms. Zambrano – Some of these are carried over from 2009?

Shirlie Stuart – Yes and there is another one that was approved that was carried over from 2009 into this year’s budget. We’ve budgeted approximately, the same amount of money as we had last year, but, we’ve had sewer breaks which are emergencies. Last year, probably, the same incidents happened and there were emergency breaks and funding ran out and they held them over until January to pay them.

Ms. Zambrano- The budget is \$90,000.00?

Shirlie Stuart – Yes, \$90,000.00 for repairs.

Ms.Zambrano – We’re wiping out the emergency money.

Shirlie Stuart – We’re wiping out the entire appropriation for the consolidated sewer district.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to approve an expenditure of \$70,652.78 to Lan-Co for emergency sewer repairs to Route 31/Pardee Road, Hogan Road and Alabama Path.

The motion was approved as follows:

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

**APPROVAL FOR THE RETIREMENT/RESIGNATION OF PART TIME OFFICER  
CURT MAJO, EFFECTIVE MAY 28, 2010**

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to accept with regret the retirement/resignation of part time Police Officer Curt Majo, effective May 28, 2010 after 21 years of service.

The motion was approved as follows:

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

**DISCUSS THE REVISED AGREEMENT WITH NAVAC FOR EMERGENCY  
AMBULANCE AND FIRST RESPONSE SERVICES**

Discussion:

Ms. Boyke explained that they received a preliminary agreement and that Chris Bittner came in and spoke with us and went over their contract with us. We are now waiting for their attorney to send it on to us.

Mr. Rivizzigno – That’s correct, we have revised the contract so that it will be a yearly contract. The ambulance service will come into the town some time before August 1, 2010, requesting what they want for the following year. We are okay for 2010 and have already approved that. Commencing in 2011, NAVAC would come in some time prior to August to make their request so that we can put it in the budget for 2011 and it will then be a year to year contract after that. It is totally within the board’s discretion as to grant that money or not. We sent that on to their attorney and are just waiting for them to get back to us.

Mr. Corl - The amount budgeted included a 3% increase over last year.

Mr. Rivizzigno- The budget is now \$26,500.00 and next year it will be whatever the board approves.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, that due to this discussion, the board will wait until we receive the contract back from NAVAC to approve.

The motion was approved as follows:

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

#### AWARD BID TO ENABLE THE POLICE DEPARTMENT TO PURCHASE ONE NEW PATROL CAR

Discussion:

Ms. Boyke explained that we received the bids to purchase a new patrol car and asked Chief Snell to speak to this.

Chief Snell – As you know, we budgeted for two patrol cars, and when the town board requested that we give back 15%, I agreed to give back one of the patrol vehicles that were budgeted and accept one patrol car for this year. I am going to ask that we move the award of this bid to the next meeting as I’ve been under the weather for the past few weeks and haven’t had the opportunity to review the bids. Due to the fact that we reduced it from two cars to one car, we want to make sure that the bids and the price for the vehicles is half of what the original bid was and to make sure, that the prices are accurate and well as look at the spec’s to make sure we’re getting what we asked for. To make the board aware, I am currently applying for a Byrne Grant, which is monitored and issued to the Department of Criminal Justice Services which is an annual Grant that comes out. It is a highly competitive grant this year, due to the fact that the money has been cut in half. There will be over 100 police agencies applying for less than a million dollars. I am applying for three patrol vehicles under this grant and I think we’ve got a good chance of getting at least one or two due to our budget situation and the fact that I had to give one vehicle back and the situation we have next year, where we are unable to purchase any vehicles. I think we have a good shot at it from the financial perspective and budget issue. I just wanted to make the board aware of that and I will keep you apprised of the status of the grant if it goes through.

Ms. Zambrano – Your original plan was to purchase 2 vehicles last year?

Chief Snell – Originally, I had requested four for 2010. When I requested vehicles for 2009, I was told that I would be able to purchase four, for 2010 and at budget it was knocked down to two and now I’m getting one.

Ms. Zambrano – That’s an excellent 15%.

Chief Snell – If you look at it from a two year perspective, it is. Just remember that at budget time. We have an excellent preventive maintenance program and I've spoken with Sgt. Lurcock, my fleet maintenance supervisor, who believes we'll be able to get through but, to make you aware, we'll probably have 7 cars that will have over 125,000 miles on them in 2011. We are repairing our vehicles as soon as something happens to make sure it doesn't turn into a major issue and we're hoping we can keep it all together for the next couple of years.p

Ms. Boyke – I appreciate your consideration and our urgency in our budget to give up one of the cars as well.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to **table** the award of the bid for one new patrol car, to the **April 28, 2010** Town Board Meeting.

The motion was approved as follows:

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

#### APPROVAL OF YOUTH BUREAU, PARKS AND RECREATIONAL STAFF APPOINTMENTS

Jody Rogers stated that she was requesting approval for seasonal staff for this summer. The appointments are going to be for lifeguards and she wanted to comment that with the 15% cuts and cuts from last year's budget, the beach this year will be opened less days and we will be open one less hour per day to try and bring the cost for operating our beach in line with our financial situation.

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to approve the following Youth Bureau and Parks and Recreation staff appointments as follows:

##### Lifeguard

Hire Rate: \$8.50/hour; A7150.1 (\$9.50; B7150.1 During Learn to Swim)  
Hire Date May 7, 2010

Julia Davidson, 219 Willey Road, Bridgeport  
Janice Knoop, 8483 Switch Lane, Cicero  
Jacqueline McCabe, 8448 Flat Car Circle, Cicero  
Benjamin Walczyk, 9530 Shepard Drive, Brewerton

##### Recreation Leader (Day Camp)

Hire Rate: \$12.00/hour; B7140.1  
Hire Date: June 21, 2010

Tanner Russell, 11 Holly Lane, Liverpool

##### Recreation Attendant (Day Camp)

Hire Rate: \$9.50/hour B7140.1  
Hire Date: June 21, 2010

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

##### Recreation Attendant (Day Camp)

Hire Rate: \$7.15/hour; B7020.1  
Hire Date: June 21, 2010

Julianna Daniel (added)  
Cody Latimer, 8855 Honeycomb Path, Cicero  
Kathryn Yates, 8560 Treeview Circle, Cicero

Park Laborers

Hire Rate: \$8.50/hour

Hire Date: May 25, 2010

Dustin Jacobson, 8662 Weaver Rd., Cicero, A7110.11  
 Kevin Rogers, 89 Blount Rd., Hastings A7110.11  
 Timothy Gulino, 6117 Gaspe Lane, Cicero A7110.11/A7150.11

The motion was approved as follows:

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

APPROVAL OF THE RESIGNATION OF CORBIE SANDERSON AS  
 RECREATION ATTENDANT

Motion was made by Ms. Zambrano, seconded by Mr. Corl, to accept with regret, the resignation of Corbie Sanderson as Recreation Attendant of the Town of Cicero Youth Bureau and Parks & Recreation effective Friday, April 23, 2010.

The motion was approved as follows:

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

YOUTH BUREAU AND PARKS AND RECREATION RESOLUTION AUTHORIZING  
 SUPERVISOR TO SIGN GRANTS

Jody Rogers explained that they received a grant in the amount of \$20,000.00 through Senator Valesky's Office for improvements to Skyway Park which would be the construction of public restrooms and the addition of a septic system. We are working in conjunction with the North Syracuse Little League, volunteers and funds from their program. The resolution is attached and is a lengthy one, but it is acknowledging that the Supervisor is authorized to sign all legal documents on behalf of the Town of Cicero.

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to authorize the Supervisor to execute the necessary legal documents on behalf of the town, for receiving a \$20,000.00 Legislative Initiative, through Senator Valesky's office for the construction of public restrooms and a septic system at Skyway Park Improvement project.

The motion was approved as follows:

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

RESOLUTION TO ACCEPT TOWN OF CLAY YOUTH SERVICE FUNDS

Jody Rogers explained that the Town of Clay is eligible for Youth Services Fund for their town and their desire is to waive their eligibility to the Town of Cicero for the CanTeen. I would like to request that the board adopt a resolution.

Note: Since the Town of Clay consolidated their police force, they no longer have a cash match for their Youth Service funds. A municipality can waive their eligible funds to a contiguous community. We are also serving youth from the Town of Clay in our CanTeen program and these funds are state entitlement funds distributed to communities in NYS based on a formula and population.

Motion was made by Mr. Conway, seconded by Mr. Corl, to adopt a resolution accepting the Town of Clay's Youth Service Funds for the CanTeen as follows:

**Be it resolved that:**

**The Town of Cicero will accept the waived eligibility for Youth Services funds from the Town of Clay in the amount of \$6,200.00. These funds require a 1:1 cash match which will be matched by funds from the Friends of the CanTeen 501C3, which are paid directly to the town of Cicero on a quarterly basis. These funds are for the 2010 calendar year.**

The resolution was adopted as follows:

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

**YOUTH BUREAU, PARKS AND RECREATION PURCHASE APPROVALS**

Motion was made by Mr. Corl, seconded by Mr. Jennings, to authorize an expenditure not to exceed \$2,475.00, to purchase 165 yards of playground mulch from B & B Lumber Company., Inc., Budget Code A7110.45 and A7150.42.

The motion was approved as follows:

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

**HIGHWAY PURCHASE APPROVALS**  
10" & 12" metal pipes and bands

Motion was made by Mr. Conway, seconded by Mr. Jennings, to authorize an expenditure of \$20,000.00 to purchase 10" and 12" metal pipe and bands through state bid OSG#PC64152 from Contech Construction Products/Crossroads Highway, Account Code DB5110.45, which is a budgeted item.

The motion was approved as follows:

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

Motor for truck #50

Motion was made by Ms. Boyke, seconded by Mr. Conway, to authorize an expenditure of approximately, \$2,500.00 to Genuine Parts for a motor for truck #50, Account Code DB5130.45.

The motion was approved as follows:

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

Crack Fill Various Roads

Motion was made by Mr. Conway, seconded by Ms. Zambrano, to authorize an expenditure of \$30,000.00 to purchase crack fill for various roads from Suit Kote, Account Code DB5112.55.

The motion was approved as follows:

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

#### PUBLIC INPUT

Tim Murphy, Noel Road stated that agenda item #9 was SEAYCO who is the sub-developer for WalMart. In a letter from the DOT dated May 15, 2006, Tom Seay, who was the developer for them indicates that in their letter of April 19, 2004 that prior to opening phase 2 of the development, the DOT will require left turning movements and the construction of left turn lanes on both Stevens Drive and the developments northern driveway. Until the northeast access driveway can accommodate left turning vehicles from a left turn lane, Phase 2 of the development is not approved. There is more there, but, I just wanted to give you the idea. Basically, WalMart wants to do the out parcels out front and we're not sure if the DOT is going to sign on it and I would like the town board to look into that.

Ms. Zambrano promised that she would look into it.

Edward Hansen, Eileen Ave. asked why we have all of the sewer breakages, in recently developed subdivisions such as The Pastures.

Wayne Dean - The Pastures involved removal of rocks and debris in the pipe which had to be dug up to remove them. The major repair was in front of the Mobile Station by Price Chopper and was the most expensive and I believe that was installed in the 1980's. The other is on Route 31 in front of Fastrac and I don't know the date that was installed, but I believe that has been there 40 or 50 years.

Edward Hansen suggested that we have a longer warranty on the sewers as the repairs are expensive.

Ms. Zambrano stated this is from 2009.

Mr. Corl – You're suggesting extended securities.

Wayne Dean – Securities cost money and we can hold them for any specified period of time, but, it drives up the cost of everything. If you drive up the cost for putting in sewers, it will drive up the cost for putting in a lot, the price of a home and everything and you're not gaining anything.

Edward Hansen – It isn't right for a builder to put in something and then a couple years later having it break and then we have to pay a lot of money to fix it.

Ms. Boyke – I agree.

Edward Hansen – I didn't think it was our responsibility to fix someone's lateral and I see that we did.

Wayne Dean – The town is responsible for the pipe from the mainline sewer to the property line of the owner. The lateral that is referred to from the property line to the house is the owner's responsibility.

Ed Hansen – This is something that should be considered when these projects are being done, so that we're not stuck like this again.

Ms. Boyke – We'll take a look at that.

Mary Jo Hoover referred to item #9 on the agenda (SEAYCO) stated that though the public hearing for the zone change hasn't been held yet, they are confident as they have the signs up on the out parcels on Route 11. There are two between Lincoln and Stevens and the other is the property by the now defunct Childtime and Racciati's Plaza. They have big signs or their realty signs. All three parcels aren't between Lincoln and Stevens Dr.

Ms. Zambrano – Childtime isn't part of that application.

Ms. Boyke – That is another parcel that they own and it has been vacated by Childtime and it's just up for sale.

Wayne Dean – There is a parcel north of Childtime that is not part of the zone change. The reason that they are going for the zone change is because of the depth of the lot. That is why they are going for the zone change on the three parcels south of the Hansen house, which is now the Credit Union and White's. The other parcel north of Childtime is not part of this, but, there is a parcel there, which was original to the whole plan. It was a parcel designated on the original subdivision.

Ms. Zambrano asked if there was a zone change for the last part.

Wayne Dean stated that he wasn't sure and would have to look and see.

Mary Jo Hoover – They still have their for lease signs up before the public hearing.

Ms. Zambrano – They own it.

Ms. Boyke stated they can publicize it and if someone was interested there would be a covenant in there, which the buyer would ask for, that in order for them to purchase or lease that property, that the zone change would be made.

Mary Jo Hoover – It would have to be pending the zone change?

Ms. Boyke – Yes and that would be part of any purchase or lease offer.

Engineer –None

Attorney – None

Zoning - Wayne Dean stated that he wished to clear up the confusion regarding burning in the town. **There is no open burning in the Town of Cicero at all.** The policing memo indicated that it would be okay after May 15<sup>th</sup>, but, in towns with a population of 20,000 or more, which Cicero is, there is no open burning allowed by the DEC and it is a DEC violation. The only fires allowed are recreational fires that are less than 4ft., in diameter and 3 ft. high and there are some restrictions put on those.

Highway – None

Police – None

Comptroller -None

Tax – None

Board Comments

Mr. Jennings- The board members and Highway Department received a letter from a 73 year old lady relative to picking up leaves. She felt that the leaves are picked up too early in the fall and I agree. Last year we had a collection from the town and after that was done there was a house down from me that had about 30 bags of leaves, which after they got soaked didn't look good. I agree with the lady that their pickup was too early as there were still leaves on the trees. She is requesting that we start later in the fall with picking

up and hold off until the end of November. They picked up pretty early in November last year and there were a lot of leaves and bags around my neighborhood after that date. I think this is something we need to look into.

Ms. Boyke stated that there have been several calls regarding that very same reason. I am trying to work something out regarding this.

Tracy Cosilmon announced that the town will participate in Earth Day on April 17, 2010 and that we would appreciate any participation from town residents. Our Highway Department will be open this Saturday until 11:00 a.m. to accept any type of pickup that anyone wishes to bring. We would appreciate any help as we have been doing this for several years. The town participants will be going out this Saturday at 8:30 a.m.

Ms. Zambrano – We mentioned at a meeting or two ago, that we needed to get a new drainage maintenance contract. We have an RFP that is almost ready to go and we will be trying to get one vendor to take care of the drainage issues in the town. We have an extensive list of drainage projects and these drainage issues continue to be an ongoing problem in the town. I just wanted to say that our Drainage Committee hasn't been activated until now and we will be meeting tomorrow. The following individuals are part of the Committee: Wayne Dean, Gary Repko, Chris Woznica, Vern Conway, Ron DeTota our Town Engineer, Gary Berger, Acting Director of the Onondaga County Soil and Water District has been invited to be a member, as he has a more global view of some of the issues, who's input will be important and also Don Snyder and myself. Hopefully, we will address these issues as time goes on. We haven't had a comprehensive drainage plan in the town since the 1970's. I hope to look into some funding sources to see if we can't get something updated and help us prioritize what the issues in the town are.

Ms. Boyke – In regard to the Police study, we have had numerous folks who have come forward and shown an interest. After looking at this, I have appointed John Winter as Chairperson, to head up this committee. He has gone through all of the folks of interest and has made a selection of Kevin Coyne, Don Haselmyer, John Muratore, Deborah Gardner, Peter Nasarenko, David Kirk, Bill West and Tom Beaulieu. In addressing the study regarding our Police, John has indicated that he has a mission statement that he plans on upholding to and he is going to start his meetings on Monday nights, with the first meeting on April 19, 2010. These will be closed meetings and he will be holding them here. He is open to anyone's thoughts or suggestions and has also tried to have a diversified committee. It will obviously be unbiased in regards to looking at the service that the town has and the safety that the town requires and lastly, the savings. Ms. Boyke thanked John Winters for his efforts and stated that information will be available on the website and that anyone can contact John as well.

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

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Tracy M. Cosilmon  
Town Clerk

