

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, May 12, 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

Absent:

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

Mr. Corl stated that he and other board members felt it was time to say thanks to a member of the community who provides community service. Typically the people that we honor have never held public office and are seldom in the public view. Instead, through their actions and lives these people exemplify and set the standard of what it means to be a good neighbor and Ed Zaluski, is one of these people. Ed is a regular at our town board meetings and most often he sits quietly observing, because he is genuinely interested and cares deeply about this town. He doesn't speak too often, but, when he does, you can bet he has something worthwhile to say. That isn't what makes Ed special. He grew up in neighboring DeWitt and after graduating from Fayetteville High School, Ed like many of his generation answered the call of duty and went off to serve his Country in WWII. He enlisted in the United State Army Air Corp., the forerunner of the Air Force and was sent to the Pacific theatre. At age 18 Ed, was the youngest crew member aboard his B24 Liberator Aircraft named Tricky Mickey. Ed, who was the Tricky Mickey's top turret gunner, flew more than 30 missions during the war including some dangerous flights over Iwo Jima, Shang Hi, China and the islands of Japanese homeland. After the war, Ed returned home and got a job at Crouse Hinds, where he worked for 44 years and he joined the Air National Guards 174th Fighter Air Squadron, based out of Hancock Field. He and his family have lived in North Syracuse, and eventually moved to his Oneida Lake home in Cicero, where he and his wife Betty, live today. Ed is very active in Veteran Affairs and often represents WWII Veterans at military events and if there is a ceremony, or a display of military aircraft anywhere in Central NY, chances are that you'll find Ed there talking about his experiences and the sacrifices made by his fellow servicemen and women. Most importantly, Ed stops at area schools to talk with our youngsters about WWII. He is one of the few veterans of the war that still does that today which includes Lakeshore Road School's, Flag Day

Ceremony, which is coming up. Ed once told me, that going to the schools, is one of the most important things he does because it provides our kids with a personal connection to the war and gives them an appreciation for the high price that many of our servicemen paid for our freedoms, which we far too often take for granted today. Many people have said that the generation of WWII was the greatest generation and perhaps, that's true. Knowing Ed as I do, I have no doubt that he would have risen to take on the challenges of any generation that he belonged to. America is truly lucky to have people like Ed Zaluski and we here in Cicero should be proud that he calls our town his home.

Motion was made by Mr. Corl, seconded by Mr. Jennings, to declare May 29, 2010, the Saturday, before Memorial Day as Ed Zaluski Day, in the Town Cicero.

The motion was approved as follows:

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

Jody Rogers - Being that the Month of May is Older American's Month in Onondaga County, the Young at Heart Club's Steering Committee and Glee Club will open the meeting tonight with a song. On behalf of all of our seniors they want to thank all of the members of the board for their continued support. The center means so much to all of us, and it is their second home, thank you. When we were thinking of a song, to open the board meeting with, this evening, we felt that at this time in our lives, that this song was perfect. Everyone was invited to join in the singing of Let There Be Peace on Earth. The Glee Club would also like to congratulate Ed who is a member of our Senior Center on his honor, tonight.

The Glee Club sang Let there be Peace on Earth.

Jody Rogers introduced Judy Dickson, Senior Coordinator of the Senior Center and Debbie Cooley.

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

Ms. Boyke stated that agenda item #10 is being taken off the agenda this evening and will be addressed at the next Town Board Meeting.

APPROVAL OF APRIL 28, 2010 MEETING MINUTES

Motion was made by Mr. Conway, seconded by Ms. Zambrano, to approve the minutes of 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

DEPARTMENT HEAD INPUT

Highway

Chris Woznica requested approval of an emergency expenditure of approximately \$6,500.00 including freight to purchase a hydraulic control valve and an unloader valve from Hi-Vac Corp for the sewer jet.

Motion was made by Mr. Conway, seconded by Mr. Corl, to authorize an emergency expenditure of approximately \$6,500.00 including freight to purchase a hydraulic control valve and an unloader valve from Hi-Vac Corp., for the sewer jet.

The motion was approved as follows:

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

Police – None

Comptroller – None

Park & Recreation

Jody Rogers stated that there is a lengthy article about the new younger generation of parks & Recreation Professionals and the highlight of this month’s article is Julie Raddell, our Recreation Supervisor. There is a discussion about her being involved in Parks & Recreation and lists that she is a member of the Cicero Youth Bureau Parks & Recreation. Four young folks were selected out of the entire nation and Julie was one of them. I just wanted to recognize her for another award that she has won for our department and for our town.

Zoning – None

Assessor – None

Tax – None

APPROVAL OF ABSTRACT #9 OF 2010

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve Abstract #9 of 2010 as follows:

General Fund	Voucher #770 to Voucher # 872	In the amount of \$359,335.32
Highway Fund	Voucher #253H to Voucher #280H	In the amount of \$ 81,912.30

The motion was approved as follows:

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

RETURN TO DEPARTMENT HEAD INPUT

Town Clerk

Tracy Cosilmon requested approval for the Greater Cicero Chamber of Commerce Community Festival, Fire Works Permit, to be held June 12, 2010 at 10:00 p.m. at Sacred Heart Church, Cicero, NY and to waive the fee as it is a not for profit organization. All of the necessary signatures and documents have been received.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the Fire Works Permit for the Greater Cicero Chamber of Commerce Community Festival to be held June 12, 2010 at Sacred Heart Church, South Main Street, Cicero, NY, commencing at 10:00 p.m. and to waive the permitting fee.

The motion was approved as follows:

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

Tracy Cosilmon stated that as a formality, the Comptrollers Office, needs approval to authorize the payrate of \$12.00 per hour each, for Joseph and Colleen Gunnip to work a total of 111 hours, effective April 10, 2010 on the records archive grant, originally approved at the Town Board Meeting of November 23, 2009.

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to authorize the payrate of \$12.00 per hour, each, effective April 10, 2010, for Joseph and Colleen Gunnip, to work a total of 111 hours on the records archive grant originally approved November 23, 2009.

The motion was approved as follows:

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

Tracy Cosilmon thanked Chris Woznica and Jody Rogers for their help on a couple of projects that were done this morning. Their team effort was greatly appreciated.

BUDGET MODIFICATIONS

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

**Budget Modifications – 2010
Board Meeting 05/12/2010**

	AMOUNT	FROM CODE	TO CODE
	Attached list		
Budget Amendments	B3389V	\$ 10,000.00 Revenue	Valesky Youth Grant
	B731OV	\$ 1,600.00 Expenditure	
	B73104IV	\$ 8,400.00 Expenditure	
	B3389E	\$ 1,936.00 Revenue	Buckle Up New York
	B31201E OT	\$ 1,936.00 Expenditure	

The motion was approved as follows:

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

Ms. Boyke – We have an additional budget modification in regards to the 15% reduction that was asked from all of the departments.

Shirlie Stuart – All of the departments were asked to review their budgets to see if they could possibly give 15% back. Everyone was very cooperative and we did accomplish that. This evening I have a budget modification to General Fund A of \$95,879.00 and I have a Budget Modification to Fund B of \$87,616.97. These funds will be transferred out of the Department's budgets and put into the Contingency line and it will stay there throughout the year and at the year end, when we do year end closing, it will be re-adjusted against the Appropriated Fund Balance. It has reduced us, taking from our savings account nearly \$200,000.00. I appreciate that all of the Department Heads have worked very hard and this was a really tough task. I know that at budget time, they were asked to do a great deal in cutting back and they were even able to give back more.

Discussion:

Mr. Corl asked Shirlie if she was going to open a separate new fund or include those funds in that we currently have in a Contingency Fund.

Shirlie Stuart – There is no Contingency Fund pro rated at this time and there were no funds appropriated in that line, so I am going to move this money into that and let it sit there.

Mr. Corl- The line exists though?

Shirlie Stuart – Yes, it does.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to accept the Budget Modification to General Fund A in the amount of \$97,879.00 and a Budget Modification to Fund B in the amount of \$87,616.97 to be put into the Contingency line as follows:

Fund	Code	Reduction	Adjusted Budget	Department	Fund Code	Reduction	Adjusted Budget	Department
A	10104	6000	34000	Town Board	B 31202	26250	26250	Police
	11104	1200	6800	Justice	312056	3034	3034	Police
	12201	1400	56287.63	Supervisor	312057	525	525	Police
	13154	3615	16385	Comptroller	70201OT	400	800	Personal OT
	13304	2685	5815	Tax Receiver	702040	400	600	Supplies
	135510T	2000	500	Assessment	702041	1000	2500	Supplies
	13551	5000	80956.75	Assessment	7020411	200	500	Postage
	14102	1000	0	Town Clerk	702042	50	200	Commission
	16204	5000	25000	Buildings	702046	300	1200	Staff Dev
	1620403	2000	8000	Highway Building	702047	200	1300	Brochure
	1620406	1500	6000	Police Building	702049	909.97	0	Misc
	162041	6000	27000	Buildings	80101	54348	158677	Personal Serv
	162042	3000	12000	Buildings	TOTAL	\$87,616.97		
	1620470	500	2000	Supplies				
	1620480	900	100	Landscaping				
	33102	1500	0	Traffic Control Equip				
	36504	2000	0	Demolition				
	51322	5000	0	Garage Equipment				
	51324	15000	50000	Garage				
	513241	1344	0	Weather Tracking				
	51824	2000	25000	Street Lights				
	677211	500	4000	Bus Driver				
	677240	500	700	Programs				
	677242	500	6000	Supplies				
	677243	300	580	Staff Development				
	677248	400	400	Sr Ct Renovation				
	677254	500	1500	Fuel				
	677255	125	655	Postage				
	71101OT	1500	2000	Personal OT				
	711011	2760	13240	Park Laborers				
	71102	2800	0	Equipment				
	711040	5250	11250	Supplies				
	711041	500	13000	Vehicle Operation				
	7110435	1300	0	Postage				
	711044	600	6400	Miscellaneous				
	711045	500	14300	Improv/Rehab				
	711053	50	250	Park & Ride				
	71501	5000	20000	Personal Services				
	715042	2300	2900	Improv/Rehab				
	715045	350	1175	Miscellaneous				
	75504	500	2500	Celebrations				
	84604	1000	1000	Disaster Cont				

Total \$95,879.00

The motion was approved as follows:

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

TIME TO BUILD AWARD PRESENTATION

Jody Rogers explained that the CNY Business Journal put out a plea for nominations for construction projects in 6 different categories. They teamed up with the Mohawk Valley, Binghamton and Rochester areas and we submitted the relocation of the Trolley Waiting Station, for the best historic preservation. The town out of all the people submitted, was selected as a finalist. They selected four for each of the categories. Our project was up against the Copenhagen Central School District, \$2,000,000 project. Dwightsville Gateway Apartments for \$3,000,000 and the Onondaga County Court House for \$6.2 million. Our project was \$2,000.00 and a lot of volunteer hours. They went through and showed all of the projects that were in the finals and never listed us. When they concluded the award, they said they had a special category that they created because the reviewers of the projects were very impressed with how the community came together, to make this happen. We were presented with the best historic preservation public service award, which they will have now added to their categories for years to come. The project was undertaken to preserve our history and it was through doing research, we're one of three remaining waiting stations, that are left from the Syracuse, Northern Electric Railway System, which was critical for North Syracuse, Cicero and Brewerton to develop

back in the early 1900's, before the automobile and after the horse and wagons. This is quite an interesting project. The Trolley Waiting Station sits on the old Plank Rd., but, it's a stones throw from Route 81 and the west side of Route 11 which was the trolley line that ran from South Bay Road to Brewerton. It never went any further, because they couldn't get over the river by building anything, so it stopped at that point. With that, they put this presentation together for the project which I thought we should share with the community.

Ms. Boyke - The Time to Build Historic Preservation Award was given to the Town of Cicero and Jody Rogers of Parks & Recreation

Ms. Boyke presented the following individuals with plaques for their help regarding the Trolley Waiting Station, being moved to its location in Cicero.

Bill Alley, Pete Ferstler, Leo Remillard, Loomis Pardee, Ray Schader, Chris Woznica and Joe Snell.

SEQR DETERMINATION AND APPROVAL OF REQUEST BY SEAYCO-THF CICERO MARKET, LLC FOR A ZONE CHANGE FROM REGIONAL COMMERCIAL TO GENERAL COMMERCIAL FOR PROPERTY LOCATED ON THE EAST SIDE OF NEW YORK STATE ROUTE 11 BETWEEN LINCOLN AVENUE AND STEVENS DRIVE

Ms. Zambrano explained that SEAYCO has requested a zone change from Regional Commercial to General Commercial for three out parcels located on Rte. 11. We had a public hearing at our last town Board Meeting to consider the changes and closed the public hearing at that time.

Eric Haselbauer, from Harter, Seacrest & Emery recapped the information that was discussed at the last meeting. On May 5, 2010, the Onondaga County Planning Board met and has determined that said referral for the Zone Change by SEAYCO- THF, Cicero Market LLC, for the property located on NYS Route 11 and it will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board. Both the developer and the board have found that the dialogue with the town and with the residents throughout this process has been very productive and helpful and they hope that this type of productive dialogue continues in the future as the development of these outparcels goes through the various processes in the town.

Ms. Zambrano stated that per the Onondaga County Planning Board's Resolution, the NYS Department of Transportation determined that there was no direct access to Route 11, to be permitted to the out lots 1, 2 and 3. The access to those parcels will be from the service road in the back.

Eric Haselbauer – That is correct.

SEQR

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to issue a negative declaration for the purposes of the State Environmental quality Review Act (SEQR) with respect to the zone change from Regional Commercial to General Commercial, which the Town Board has determined to be a Type I action as requested and presented by SEAYCO-THF, Cicero Market, LLC, for the property located on the east side of NYS Route 11 between Lincoln Avenue and Stevens Drive, and based on the long form environmental assessment form and other information reviewed by the Town Board.

The motion was approved as follows:

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

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve a zone change from Regional Commercial to General Commercial as requested by SEAYCO-THF, Cicero Markets, LLC, for property located on the east side of NYS Route 11 between Lincoln Avenue and Stevens Drive as presented and to be known as Local Law #3 of 2010, and because the Town Board has determined that the proposed zone change is generally consistent with the Town’s Comprehensive Plan and Zoning Ordinance, and is also consistent and compatible with the present zoning and conforming uses of adjacent and nearby property.

The motion was approved as follows:

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

Discussion:

Mr. Corl asked Eric Haselbauer if he will still be available to speak to the residents in this area that may have questions.

Eric Haselbauer stated that he and the Developer, Mr. Green would remain available to answer questions if they come up in the future.

Continuation of the vote:

Mr. Corl: Yes
Ms. Boyke: Yes

Ms. Zambrano thanked Mr. Haselbauer and stated that they have been assured, should there be any resident concerns, there will be meetings either face to face, or through conference and will be set up with THF Realty and SEAYCO and the WalMart Management.

DEFER APPROVAL FOR REHIRE OF SUSAN COPPINS AS PART TIME CLERK IN POLICE DEPT. TO 5/26/2010

YOUTH BUREAU, PARKS AND RECREATION APPROVAL FOR CLOSURE OF SOUTH HOGAN DRIVE, FOR THE CICERO GUS MACKER EVENT ON AUGUST 5-9, 2010

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to authorize closure of South Hogan Drive for the Cicero Gus Macker event to be held Thursday, August 5 – 9, 2010.

The motion was approved as follows:

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

YOUTH BUREAU, PARKS AND RECREATION APPROVAL FOR STAFF DELETION AND APPOINTMENTS

Change Budget Code from B7310.IYB to B7020.1 for Jennifer Smiley, effective May 17, 2010

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to approve a change from Budget Code B7310.IYB to B7020.1 for Jennifer Smiley, who replaced Corbie Sanderson, effective May 17, 2010 and to appoint Ethan Taylor, 9490 Bygone Dr., Brewerton, NY 13029 as Recreation Attendant effective May 17, 2010 at the payrate of \$10.00 per hour, Budget Code B7310.IV through the Valesky Grant.

The motion was approved as follows:

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

Motion was made by Ms. Zambrano, seconded by Mr. Boyke, to approve the staff deletion of Kevin Rogers and to approve the appointment of Keith Holmes, 26 Mirage Lane, Clay, NY and Frederick West, IV, 8565 Persian Terrace, Cicero, as park laborers effective May 25, 2010 at the pay rate of \$8.50 per hour.

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 PURCHASE APPROVALS

Motion was made by Ms. Zambrano, seconded by Mr. Corl, to authorize an expenditure of \$1,500.00 per County contract pricing for Suit-Kote to repair cracks in the tennis court at Central Park, budget code A7110.45.

The motion was approved as follows:

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

HIGHWAY PURCHASE APPROVALS (Spring repair for truck #41)

Motion was made by Mr. Conway, seconded by Mr. Corl, to authorize an expenditure of \$1,599.95 to Allied Spring, to repair truck #41, account code DB5130.44.

The motion was approved as follows:

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

(200 yards topsoil)

Motion was made by Mr. Conway, seconded by Ms. Zambrano, to authorize an expenditure of \$3,600.00 to purchase 200 yards of topsoil from Gerber Topsoil, account code DB5140.43.

The motion was approved as follows:

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

(Asphalt –Top & Binder –State Bid)

Motion was made by Ms. Boyke, seconded by Mr. Conway, to authorize an expenditure of \$500,000.00 to Barrett Paving Materials to purchase asphalt, top and binder through State Bid, 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

(Milling Roads)

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to authorize an expenditure of \$25,000.00 to Lan- Co Paving for milling roads, 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

(Operators and Equipment)

Motion was made by Mr. Corl, seconded by Mr. Conway, to authorize an expenditure of \$45,000.00 to Lan-Co Paving, for use of their operators and equipment, 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

(Carl Price, Mechanic & increase in salary completion of probationary period)

Chris Woznica requested that Carl Price be taken off his probationary period and for his salary to be increased to \$21.76 per hour effective May 10, 2010.

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to take Carl Price, mechanic, off his probationary period and raise his salary to \$21.76 per hour effective May 10, 2010.

The motion was approved as follows:

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

Chris Woznica stated that he had provided a list of the roads they anticipated repaving this year but, had to reduce that to 3.25 miles instead of 6 miles, and that may change.

2010 list of roads

**Lakeshore Rd. (Phase 2) from Williams park to
(Cicero Center Rd. to Lakeshore Rd. Elem.) 4200'
Button Road 3960'
Crabtree Lane West, 3538'
New Street 1003'
Rosewood Circle 4,488'**

Chris Woznica – We are going to be at the wire trying to do more than 3 miles of road this year.

Mr. Conway asked if Chris needed a motion on that.

Chris Woznica stated he received a memo from Jessica and thought we should wait until the next meeting in order to get a finalized list.

DECISION DEFERRED UNTIL THE NEXT MEETING

**APPROVAL FOR ESTABLISHING MANDATORY TRAINING FOR PLANNING BOARDS
& ZONING BOARD OF APPEALS AND MINIMUM
ATTENDANCE REQUIREMENTS FOR THE CICERO PLANNING BOARD**

Ms. Zambrano stated that she is the Liaison for the Planning Board and that Chairman Mark Marzullo, undertook the task of developing some training requirements for Planning Board Members. He involved the ZBA on this and they thought that they would also like to be involved in having a minimum requirement for training. This is a resolution to establish these training requirements for Planning Board and Zoning Board of Appeals Members.

Ms. Zambrano read portions of the resolution:

Discussion

Mr. Conway believed that this was incorporated in the code book years ago as training is mandated.

Mark Marzullo – Four years ago, the Planning Board adopted a minimum standard for attendance, but, they don't have the authority, as it is the town board that has to make that determination.

Mr. Conway – I know we did that several years ago for the Zoning Board.

Mark Marzullo – Attendance or training?

Mr. Conway stated that it was both and that was because people were going to Florida for four months and we didn't have enough people to make a quorum for a meeting. I know it was done for the Zoning Board 7 or 8 years ago.

Ms. Zambrano – The point is that it was done within the boards and not by the Town Board.

Mr. Conway – It was state mandated and brought up by the Town Board and think it is in the minutes 7 or 8 years ago.

Ms. Zambrano – Would it hurt to reissue it?

Mr. Conway – No

Mark Marzullo asked if the State mandates the four hours for both boards.

Mr. Conway – Yes

Mark Marzullo – They recommend that the Town Board clarify what's acceptable training and monitor it. I've look in the minutes 4 or 5 years and haven't found anything.

Mr. Conway – I was Chairman of the ZBA and it was done quite awhile ago.

Mark Marzullo – I found that it was interesting that the Planning Board had adopted a resolution for minimum standards of attendance and they don't have that authority. That is why I brought that back to my members and to Gary Natali, and that is why we're bringing it to you. I thought as long as we're doing the attendance requirement, we might as well verify training.

Mr. Corl stated that we're just reiterating Town Law 267-7A and that a State Law has been adopted regarding training and attendance requirements and that the language contained within this resolution is just about identical to 267-7A, which was adopted by the State.

Mark Marzullo – In four hours, they don't get into what they call acceptable training and say that the Town Board should make that clarification and that comes from the NY Training Federation.

Mr. Corl – The law is a little different and says that training can be provided in a variety of formats including and is not limited to electronic media distance learning, classroom training, etc. It's essentially the same.

Mr. Marzullo agreed.

Mr. Corl – It allows us to carry over four hours that members are required to have which the State Law also says you can carry over.

Mr. Conway agreed that it was fine to put it in.

Ms. Zambrano stated that she thought this tied in with the completion of training requirements and to re-appointments and was sure that it was there before.

Mr. Corl – That is part of the consideration for re-appointment. Eligibility to be re-appointed to such boards requires training and completing four hours. We're just reiterating the Town Law which has to be abided by anyways.

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to adopt the resolution establishing mandatory training for Planning Board and Zoning Board of Appeals Members as follows:

Model Resolution Establishing Mandatory Training for Planning Boards & Zoning Boards of Appeal

WHEREAS, the adoption and implementation of Local Land Use decisions have a profound effect on the character of a community and well being of its citizens; and

WHEREAS, the administration of Land Use Laws is a complex and highly diverse process that requires specialized knowledge and familiarity with the applicable law and regulations; and

WHEREAS, the Town of Cicero desires to provide, for the benefit of its citizens, a well trained and knowledgeable body of officials to administer the Local Land Use process.

NOW THEREFORE BE IT RESOLVED as follows:

1. Pursuant to the provisions of Town Law Section 267 and 271 all Planning Board and Zoning Board of Appeals members shall be required to complete at least four (4) hours of suitable training per year.
2. The authority to determine suitable training is hereby delegated from the Town Board to the respective Planning and Zoning Board Chairs, who shall note annually in Board minutes the selected training.
3. The training requirement may be satisfied by educational activities substantially devoted to planning, zoning or other land use issue such as (1) attending conferences, seminars or workshops; (2) participating in on-line training or tutorials; (3) attending college courses; (4) reading journal articles or books; (5) any other educational activities considered acceptable by the respective Board chair. Training may be offered by a municipality, regional or county planning office or commission, county regional or state planning federation, state agency, statewide municipal association, college or university or other similar entity.
4. A record of annual completion of training shall be maintained by the Town Clerk and a copy provided to the Town Board prior to considering a Planning

Board or Zoning Board member for reappointment. The Town Board shall consider, at the recommendation of the Respective Board chair, removing for cause, a Planning Board and Zoning Board of Appeals member for failing to comply with the Minimum Training Standard.

5. Suitable training in excess of four (4) hours per year may be accumulated and carried over into the succeeding year for the purpose of satisfying these training requirements.

The Resolution was adopted as follows:

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

Ms. Zambrano read portions of the Minimum Attendance Requirements and stated that there are pre-agenda meetings that are held for the Planning Board and those are not included as part of these requirements.

Mr. Corl asked Mark Marzullo if this applied only to his board and not the ZBA.

Mark Marzullo – That’s correct and I did share that with Gary Natali, Chairman of the ZBA and he didn’t really think they had a problem with attendance. We don’t either, and this is not mandated by the State, but, they say you can mandate it. My board really wants it, so that they know what the requirements are.

Mr. Corl – Several years ago the Planning Board adopted their own resolution, similar to this and they had no authority to do that. The town Board has to do that.

Mark Marzullo – Yes, that’s right.

Mr. Corl asked on what date this should commence.

Mark Marzullo suggested June 1, 2010.

Motion was made by Ms. Boyke, seconded by Ms. Conway, to adopt a resolution, accepting the Minimum Attendance Requirements for the Cicero Planning Board effective June 1, 2010 as follows:

**Town of Cicero
Minimum Attendance Requirements
Cicero Planning Board**

WHEREAS, the adoption and implementation of Local Land Use decisions have a profound effect on the character of community and the well being of its citizens; and

WHEREAS, the administration of Land Use Laws is a complex and highly diverse process that requires specialized knowledge and familiarity with the applicable laws and regulations; and

WHEREAS, the Town of Cicero recognizes the importance of a full compliment of Board Members at regular meetings.

NOW THEREFORE BE IT RESOLVED as follows:

1. Each Board Member, in order to remain in good standing, shall attend at least six (6) out of the last eight (8) meetings at any given time. Work sessions pre-agenda) meetings are not subject to the Minimum Attendance Requirements.
2. Each Board Member shall take all reasonable efforts to inform the Chairman, or the Zoning Office of any meeting he or she will be unable to attend. Said notice will be provided as early as possible
3. If a Board Member fails to meet the Minimum Attendance Requirements,

The Chairman of the Board may make a recommendation to the Town Board to remove the member for non-compliance.

4. Ad-hoc members, if any, are only asked to be in attendance when deemed Necessary by the Chairman, and is therefore exempt from the minimum attendance requirements.

The Resolution was adopted as follows:

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

PROPOSED PRESENTATION REGARDING THE DEVELOPMENT OF THE LANDINGS IN MAPLE BAY

Hal Romans, surveyor for the applicant MLSC Development are the contract purchasers for a piece of property which was shown in a powerpoint presentation, and was the old Fays Marina, located on the east side of Lakeshore Road, just north of West Murray Drive in Maple Bay. The name of the project is The Landings at Maple Bay and is approximately a 2.8 acre site that used to be an old commercial marina. The intent is to keep it as a private marina for 13 residential townhouse units in nature and to set up a Homeowners Association that would take care of the marina, all of the common lands, the private road, and the bulk of the residential units. This would all be maintained by the Homeowners Association. In addition the HOA would maintain all of the walkways, the exterior facades of the buildings, the roof and basically anything outside. It will have one private road and two driveways on the north end. (A parcel depicted in white, in the middle is a parcel that is not owned by the developer). The developer has a contract to purchase this property based upon us getting approval for this project and he has made attempts to contact that person, but wasn't successful today. The site is served by public sewers, water, and because the existing topography basically goes in the northeast direction towards the lake, we will have to deal with stormwater quality but, not quantity, because it discharges right to the lake. I picture something like an infiltration basin to handle the stormwater quality. If we're able to do that, we're going to have to do perc testing to verify the soil conditions. As we go through this preliminary phase with you tonight, we're hoping that you are receptive to this and that we can go in front of the Planning Board to continue the process. Thirteen residential units will have a minimal impact on traffic and would be far less than when it was a commercial marina. This is strictly a private marina and you would have to live within the development in order to use the marina. There would be no gas pumps, or no outside use by any person who is not part of the association. Mr. Romans showed pictures of what the proposed units would look like which are very nice and practical. We have completed the initial topography survey and have also taken an initial look at the sanitary and utilities so that we know that this site can support this project. Substantial buffering will be done along the south property line to accommodate any concerns for the adjacent property owners and around that out parcel. All of the plans would be submitted to the Planning Board for their review and obviously, we would be able to make any adjustments. It is a nice project for the town because it really is a marina that hasn't been functioning or used for many years and it would bring it back into use. The resulting infrastructure would be handled by the HOA as there are no roads. Stormwater would also be handled by the HOA and the only thing I see is that the sanitary sewers services will be public sanitary sewers going into the development and that's typical for any development. The HOA that is going to be set up will maintain the marina, the outside of the buildings, walkways and everything. As part of the project, we will be dredging out the marina as it has silted in over the years and is something we will have to do in conjunction with the Army Corp of Engineers and the NYS DEC. All of the property is in Onondaga County, in the Town of Cicero. The county line is the shoreline and it does not come into the marina. There is existing rip rap on the eastside of the marina that would be maintained and we would have a beach area on the southern portion in front of the three lower townhouse units and we will have a boardwalk or walkway around the perimeter of the marina. We do show a potential walking dock going towards Maple Bay. All the lighting will be handled by the HOA and is something we would go through during the process with the Planning Board.

Ms. Boyke asked if these are 3 bedroom 1½ bath townhouses.

Hal Romans – Yes and they will have a two car garage. The private road is only 300 feet long and we were thinking about doing something where we might have a little turn around between the two units, in case the fire department wanted something like that.

Ms. Boyke asked if the HOA will require no parking in driveways and side lots.

Hal Romans – Definitely, because people are not just buying a place on the lake, but it will be a walking community where people can walk around and have some outdoor activities. We show a fire pit and a pavilion and the whole idea is to keep the green space and not have boats and trailers or anything like that. The marina is to be used for their boats and if they are not going to have it in the marina then it has to be stored someplace. If they want to use their garage to store a boat and it fit, that would be ok. This developer has done a number of projects like this, west of here, towards, Rochester. A good number of them have HOA, so he is very familiar with the process. Once we get a little further along, we will submit documents to the town for their review.

Mr. Corl asked if they were going to go the route of a PUD, or will you?

Hal Romans – It will require a zone change. It is now R10 detached single family houses. It needs to be RM or something like that.

Mr. Corl asked if they have met with Mark Marzullo yet.

Hal Romans – We met at an informal meeting just to go over the idea of the project and what we would like to do. Obviously, if we went to a strict RM, and you use the town code for that, you could get approximately 20 plus units there. We're coming in well below what RM would allow there. The developer and I talked about it and it makes sense not to cram the site full of units and to keep it open and useable.

Ms. Boyke thanked Hal for his presentation and was told he could move on to the Planning Board.

Mr. Corl asked what their timeline was.

Hal Romans – We'd like to be under construction this year but, we're realizing that we may have to delay some of the marina work to accommodate the DEC and Army Corp of Engineers. Depending on how much dredging is required, it might be a simple permit.

RESOLUTION APPROVING ISSUANCE OF BUDGET NOTE FOR THE SEWER FUND

Tony Rivizzigno explained that the resolution is proposing that we would borrow \$150,000.00 from M & T Bank to be used in the Sewer Repair Fund which he understands has a zero balance, with a couple of bills outstanding as well. Based on the Budget Note the money would have to be paid back within a year.

Shirlie Stuart explained that it is for emergency repairs and that we have a few crises this year with our consolidated sewer districts. The funds are depleted and we are in need of having something there. We have engineering bills that are outstanding and I am just holding on to those until we do the Budget Note. This note will be paid back by a tax levy and it will be stated in the next budget to raise the taxes, and it will be paid off.

Ms. Zambrano – This is a fund that started with 90,000.00.

Mr. Corl – What have the costs been so far for sewer repair?

Shirlie Stuart – There have been different breakages this year and we also went into this with a \$25,000.00 deficit this year. Something early in December caused it to be depleted, so going into this budget, the \$25,000.00 wasn't appropriated, so we went in with the existing \$90,000.00 which is what is appropriated every year and right off the top we had to take \$25,000.00.

Mr. Corl asked how much it has cost for these emergency type sewer breaks.

Shirlie Stuart - \$65,000.00

Mr. Corl asked if a BAN was looked at.

Shirlie Stuart –We don't want to do anything long term. The \$150,000.00 is for consolidated and would be spread throughout the entire town.

Mr. Rivizzigno – The borrowing is for \$150,000.00 but it doesn't necessarily mean you will use it.

The Budget Note Resolution to be approved as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF BUDGET NOTES IN AMOUNT NOT TO EXCEED \$150,000.00 FOR CONSOLIDATED SEWER DISTRICT FUND

WHEREAS, Section 29.00(2) of the Local Finance Law authorizes a town which adopts an annual budget to issue budget notes during any fiscal year for expenditures for which an insufficient or no provision has been made in the annual budget for said fiscal year, provided that the amount of such budget notes shall not exceed five percent of the amount of such annual budget or the portion thereof relating to an improvement district, in the case of district expenditures; and

WHEREAS, the facts and circumstances necessitate the issuance of budget notes to be applied to the Consolidated Sewer District Fund for the payment of costs related to emergency sewer repairs, for which an insufficient amount was made in the budget for the current fiscal year; and

WHEREAS, no other funds are available with which to pay such emergency sewer repair costs; and

WHEREAS, it is now desired to authorize the issuance of budget notes in an amount not to exceed \$150,000.00 to be applied to the Consolidated Sewer District Fund for the purpose of paying such emergency sewer repair costs;

NOW THEREFORE, BE IT

RESOLVED, that pursuant to Local Finance Law § 29.00(2), the Town of Cicero is authorized to issue budget notes in an amount not to exceed \$150,000.00 to be applied to the Consolidated Sewer District Fund to pay the costs of emergency sewer repairs, for which an insufficient provision was made in the annual budget of the Town for the current fiscal year; and be it further

RESOLVED, that such notes shall mature not more than one year after the date of issuance thereof and such notes shall be sold in a manner and shall contain such terms and other details as may be determined by the Town Supervisor pursuant to the provisions of the Local Finance Law.

Motion was made by Ms. Boyke, seconded by Mr. Conway, to authorize borrowing a \$150,000.00 Budget Note from M & T Bank, for one year to be put in the Sewer Fund for emergency repairs.

The motion was approved as follows:

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

REDUCTION IN SECURITIES FOR GULFSTREAM SECTION 6
SUBDIVISION FROM \$60,000.00 TO \$47,500.00

Mr. Rivizzigno explained the request from the developer for Gulfstream. When the subdivision was started, there was a \$60,000.00 Lump Sum Security deposit made in accordance with the town's policy. Since that time, 48 lots remain to be built, of all the sections. Mr. Tucci has done 12 lots in Section 6 with 48 left to be done. Based upon the number of undeveloped lots he has requested that security be reduced from \$60,000.00, to \$47,500.00.

Motion was made by Mr. Conway, seconded by Ms. Zambrano, to reduce the Lump Sum Securities being held in the amount of \$60,000.00 to \$47,500.00 on the request of the Developer for Gulfstream Subdivision, Section 6, upon the recommendation of the town's attorney.

The motion was approved as follows:

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

NAVAC AGREEMENT

Mr. Rivizzigno – The agreement provides that NAVAC would come to the town by September 1st. with their proposed budget amount for the following year. We had put in the agreement that we would take 60 days to respond to them and that we would give them an answer by November 1st. They would like a response by the middle of September for their planning purposes, which would give the town roughly one meeting to make that decision. If the town is willing to do that you can approve the agreement and I'll make the change of the date that we need to respond. This is a one year contract that is renewable every year.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to accept the requested change made by NAVAC, to change the response date in the NAVAC Agreement to September.

The motion was approved as follows:

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

Update by Helen Carroll regarding Brewerton Revitalization

Helen Carroll stated that the Brewerton Committee has discussed a recommendation by Judy Boyke to form a Non Profit Business Management Association and the committee has decided not to do that. The committee has agreed that the first priority is to obtain those two houses on Bennett Street. The owners are becoming very apprehensive about this, and we need to do something. They requested that I ask you if it was reasonable and if we could expect the town to include \$400,000.00 in the next budget to allow us to accept the grant money needed to purchase the two properties near the park. \$320,000.00 would then be repaid to the town, so the actual cost to the town would be a 20% match or \$80,000.00. Many of us think it is unreasonable and impossible for local businesses to fund \$400,000.00. Since it is a town park we think rightly, that the town should be the source of that funding. They also were wondering if there has been any other funding that the town may be looking into. We have \$6,500.00 that has been pledged for the project once underway, but, it is our understanding, that it is against the law and is illegal to collect money for a government project and that you can not take money, you can only take in house kindness.

Tony Rivizzigno – Who's taking the money?

Helen Carroll – They'd like to have a fund raiser and if we were to collect money it can't be used towards matched grants.

Tony Rivizzigno – It wouldn't be used as a match grant. It would be a donation to the town if you collected money and you can make a donation to the town.

Ms. Boyke stated that she could answer Helen's question at this time regarding the request to put \$400,000.00 in the budget as we are currently borrowing \$150,000.00 for sewers and are repairing some roads. We haven't even begun to look at the budget for next year. I am meeting with the DOT next week in regards to what we can do to obtain those two homes. I am continuously meeting with Saratoga every two weeks and I am pressuring them to get a finalization of their design, which isn't complete yet. It hasn't even been finalized to be presented to the DOT. Once the Department of Transportation receives that, it is going to take them 6 weeks or so to either accept it or give their recommendations or do any changes. We are continually working with Saratoga because they are contracted to finish their portion of the project. We have looked at (BOA) brown areas in Brewerton and have tried to designate some other areas. With that, we would have to apply for the Grant as well. Every Grant that you apply for obviously, is a match coming from someone. We're still waiting for the Grant we applied for through the County to do the walkways, picnic tables, barbeque pits, etc., to show some effort of start.

Helen Carroll – The Committee would like to know why you can't get a loan? That would pay that off and all you would have to do is put in the matching funds of \$80,000.00 into the budget next year, as that's all it would cost the town.

Mr. Rivizzigno explained that because the State DOT will be the entity that acquires the homes and they will not do that until they approve the plan. Obviously, they haven't gotten that yet, so we can't do anything with the houses as it is a DOT situation. It will be at least two months before they even take any action.

Helen Carroll – Doesn't the town have to pay for it first and then they reimburse us?

Ms. Boyke – Yes, that's correct. We have to have the money in the bank first.

Helen Carroll - If you were to borrow \$400,000.00, no money changes hands. They will just give you a piece of paper and next year you would put it in the budget which will meet the match and then it will cost us only \$80,000.00. I know that sounds like a lot, but, we're only five miles down the road and it's like we don't exist. People are getting mad and it's ridiculous. There has to be help somewhere.

Ms. Boyke stated that because of the closing of the State Dock, that's an indication that the State doesn't have any money either to come in and refurbish that and they have no intentions of opening it.

Helen Carroll – That's why we raised the money to get the floating pier. They weren't going to replace it because there was no commercial going through any more. The guys who do the buoys, can tie up on our side of the river. It affect's Brewerton a lot because they can't walk over there.

Ms. Boyke also stated that they need to do an archaeological study which consists of two phases, that haven't been done yet. If artifacts are found, we're done. I asked Saratoga, why that wasn't done first. We've gone through \$780,000.00 and now we find we have to do this. The first phase cost over \$12,000.00 and Phase two is about \$24,000.00. Now we have to do this study, before we can even take those houses down. Each day another road block is thrown at us regarding this project that I am trying to work through. As far as borrowing the money, you've asked, we'll consider, but, there is no guarantee.

PUBLIC INPUT

Don Snyder, Mud Mill Road read the following:

TO: Cicero Town Board
FROM: Donald L. Snyder
DATE: May 12, 2010

I have attended a number of Town Board meetings and the information flow between the Town Board and public is improving. I feel to continue this improvement in the communication and interaction with the Taxpayers of Cicero we need to make available the breakdown of each Abstract that is approve by the Board.

I request the Town Board consider the publishing, on the Town web site, of all approved Abstracts in detail. This will allow the taxpayers to see where the money goes. It will also help the Taxpayer understand how the approved Town Budget gets spent through out the fiscal year.

Thank you for your consideration in this matter.

Don Snyder read the following:

TO: Cicero Town Board

FROM: Donald L. Snyder

DATE: May 12, 2010

On Tuesday May 4, 2010 the Post Standard published an article regarding the Brewerton Revitalization Project. The article stated that \$785,000 has been spent to date. We all know that not one shovel of dirt has been turned.

I request the Town Board ask the Town controller to make Public the breakdown of the funds spent or committed to date. The details should include the following:

Date of payment
To whom the payment was made
Amount of payment
Work done for the payment
Date the Town Board approved or committed the work to be done
Source of the funds expended

I also request that the Town Board ask the Controller to make public all outstanding grants and funds and what the Town has to do to hold onto or get these funds and grants.

Thank you for your consideration in this matter.

Ed Zaluski asked if they could use the term eminent domain for those properties.

Mr. Rivizzigno - The DOT who will be the entity acquiring the houses indicated they could use eminent domain if they chose to do it, but, it's still the same amount that comes from the same budget. If they can't reach a reasonable number with the owner of the property they could take it by eminent domain, but, they still have to pay for it.

Lori Sager, Cicero NY stated that the board approved expenditures for the Highway Department of about \$545,000.00 for asphalt, equipment and equipment operator to repair some roads. Is that for 3 ½ miles?

Chris Woznica – Yes and it will probably be more with the spill in the gulf because it will drive the prices up higher.

Lori Sager – There are potholes on the corner of Vernon and Chetwind and people are upset.

Chris Woznica – We patch everyday, but, the patch that is available today, because of companies going green, doesn't stay in the holes for more than a day or so. Call the office and we'll send them out, but, they are out there nearly everyday. The chemicals they use today don't adhere.

Lori Sager stated she was flabbergasted at the cost.

Stephanie Pyle coordinator of the Canal Days, wished to give an up date on the Canal Days and Blessing of the Fleet. It is an event that is organized by Brewerton Canal Days, and the intent is to bring back the tradition of the Blessing of the Fleet into the area and to raise public awareness of Brewerton and its waterfront. The Community Festival is truly going to be a Community Festival with participation from the Fire department, Boy Scouts, ambulance and the Coast Guard Auxiliary, who will be doing boater safety. In February we requested use of the stage from the Parks & Recreation Department and to use some of the garbage cans for litter. The Cub Scouts will volunteer to help with that aspect. I am requesting that the board reconsider that, to alleviate some of the cost of the festival. The festival will incur the disposal of the garbage and also insurance, with the Town of Cicero as additional insured on the policy. The entertainment will

consist of Karate demonstrations and a local dance studio will perform. There will be nothing loud or obnoxious. There will not be any bands or things of that nature.

Jody Rogers stated that the stage is 12' by 16'.

Mr. Corl asked if there have been any discussions with Jody regarding this.

Stephanie Pyle – Yes

Jody Rogers explained that they talked in February at their initial meeting but, the discussion with the Supervisor was that my staff would be on overtime, because we would have to set it up as it is our property. I would have to have my staff out there on Saturday, and then on Saturday afternoon to take it down, so that it doesn't end up where it shouldn't be. I don't have the funds for those kinds of things, especially, when we just cut back on our part time help as well as what my full time guys are doing. It came down to a matter of cost.

Joe Snell – Based on our initial meeting, I know there was some need to shut down roads, monitor traffic and being that it's Father's Day, I assume that none of the Volunteer's who are grandfathers, are going to be available to work that day. I have an overtime issue as well, to have an officer or two up there to monitor traffic.

Ms. Boyke stated that it is unfortunate and that the planning of your event is a wonderful thing, but, on the other hand, we're in a difficult situation, with our finances. Perhaps the Fire Department could allow the use of their mat, so that they perform on that. We still aren't able to provide your request.

Stephanie Pyle – As far as the road closure, I would just like some no parking signs along the first half of Bennett Street, to keep an emergency lane free and just a closure of the park. There would be no parking in that area.

Ms. Boyke stated that the fire department has those signs and asked if this will mainly involve the Blessing of the Fleet and some demonstrations.

Stephanie Pyle – Yes, and the Coast Guard Auxiliary expressed interest in getting involved in this. They want to promote Brewerton and Boater Safety. The Brewerton Library is also getting involved in this as a second venue and will be doing things at the Library. The main intent of this is to bring people to the waterfront and to promote Brewerton and the beauty of the area. If there are any proceeds, they will go to the Brewerton Fire Department.

Ms. Boyke – Why would you not put this toward the Brewerton Revitalization?

Stephanie Pyle – Brewerton Fire Co. is very important to the community and that's where the effort will go this year.

Mr. Corl asked Chief Snell if he was aware of the exact plans for this event.

Joe Snell - No, the last thing I heard, was that we were going to close Bennett Street down.

Stephanie Pyle – I'm not sure that's necessary.

Joe Snell - My concern is that I know how these things can get out of hand. If it became busy and there were violations, and we would have to tow vehicles and that would be against the nature of what we are trying to accomplish, with \$100.00 tow bills. We don't want that to happen. That was my concern, in not being involved with this. As I said, our last meeting was to shut down Bennett Street. I have not been involved but, I hope it goes well and smoothly. If it becomes a safety issue, we will do what we have to do to provide safety and make sure the community and Bennett Street is safe. We will also need to pass a resolution to put No Parking Signs up to allow us to enforce it. They have to be legal and we would need to create a temporary Local Law.

Mr. Rivizzigno – You would have to go through an entire Local Law Process, which requires a public hearing.

Joe Snell – That's why I suggested closing it, as it would be simpler.

Ms. Boyke – Obviously, this needs more discussion.

Tim Murphy, Noel Road stated Baldwinsville holds a Carp fishing tournament and if you go to the Gateway of Oneida Lake, it has some of the best catfishing around. If you wanted to market anything, you may want to market that.

Helen Carroll asked if she was able to secure some garbage cans for the Canal Days, could the town pickup the garbage?

Ms. Boyke – There would be a cost involved.

Helen Carroll was upset and stated that everything they try to do they get slapped in the face and that there has to be some answers somewhere.

Ms. Boyke – It is not my money.

Helen felt like no one was trying to help.

Mr. Jennings suggested that even if they supply the cans to them, they could still get rid of the trash.

Resident stated that she believed she understood Helen's frustration, and reminded her, that according to the Post Standard, this town has paid \$785,000.00 towards the revitalization of Brewerton. It is not her fault and isn't the fault of a lot of people, because nothing has been done with that money. I think she needs to understand that the taxpayers have put out a lot of money. I also would like to apologize if I have offended anyone.

Secondly, I would like to commend not only Tracy for her due diligence with all of my FOIL requests, but also to all the people she has forwarded them to. I have gotten them in an extremely timely manner. I wish to thank her and Shirlye Stuart, Sharon Edick and anyone I'm leaving out, for that.

Lastly, if an organization finds Indian artifacts in Brewerton, does that mean the whole revitalization is down the drain?

Ms. Boyke – Yes, it means it is stopped until further investigation to clarify what the artifacts are. This includes Indian Burial Grounds verses and arrowhead.

Resident – Is this typically one of the first things that is done with the development of this project. Is it in Stage I or Stage II or do you do it at the very end.

Ms. Boyke and Mr. Rivizzigno stated it should have been done as part of the SEQR.

Resident – That SEQR is done at the start of the project?

Ms. Boyke – Yes

Mr. Corl – The Brewerton Revitalization Project isn't a developer driven project. The town is obligated to provide the infrastructure and the planning, which has been done. There is still a website done regarding the Brewerton Revitalization Project. There have been code revisions and a plan for that whole Hamlet area. When people say there has been absolutely no work done, that isn't necessarily true. A lot has been done there. Streetscape work has been done and a lot of businesses because of the initiative of the town have invested and redone or expanded their businesses. There are many small businesses that have done that. Many hours of work have been done by the Committee to keep things going up there. I know there has been negative press on it as to nothing being done, but, if you look at the details, a lot of the foundation has been laid for future development up there. This is a long term project as to future development and things take time.

Resident – I understand that, but, I think you should be directing those to Helen, as she is the one who has concerns that nothing has been done and I happen to agree with her.

Ed Stever, 8330 Doreen Ave. stated that he has a drainage problem that has been going on for a long time. They put in a housing project and swale and after the grass came up about 4 inches, they filled it in. I've made complaints to the town and nothing seems to happen. Landscape tiles have been put against the fence to the top of it. I've asked for a set of asbuilt drawings and feel like I'm not going to get them and that I'm getting the run around. Why can't I get a set?

Wayne Dean – We just received the FOIL and we are looking into it. We got back to him and said we were looking for it. When we find it, we'll get you a copy of it.

Stephanie Pyle asked if revitalization is the only way that there will be lighting put in that park. It's spooky at night and teenagers hang around, there are drugs, vandalism to boats and area houses. Do we have to wait for the revitalization project to go through for that to happen?

Ms. Boyke stated that she had a meeting with Al Stirpe a week ago in regards to lighting at the park. Because it is still a State Park and although we do maintain it, I impressed upon him, the safety issue of that and he is pursuing it. I also spoke with Warren Darby recently, because he approached me on the same issue. I mentioned to him, my proposal to Al Stirpe and his going to the State. Warren is also going to speak with Al in regards to that. We're looking for something, because we are all aware of the thefts, the damage, a couple of suicides, drug deals and whatever being created in that area being a dark and desolated area at night. We are working on it. Stephanie Pyle asked if the town is taking advantage of any Grants available through the Erie Canal authority. They have a lot of Grants for the promotion of Canal town's which Brewerton is.

Ms. Boyke stated that per Carmella and in regards to the Canal System, that due to the budget constraints going on in Albany right now, any Grants will open up next year.

Jody Rogers – A number of people have spoken about the park and your statement is correct. It is a State Park area and not a Town Park. We have a lease or permit to use and that's all we have. We need to be very careful and I have been semi – warned through the people that I work with that the Canal Ways are State properties. Anything that is done up there has to have their approval. I believe if those houses are removed, that property becomes the Town's property, but, a lot of that will be parking lot and also a building along Route 11, if the project goes through. We need to be very clear when we're talking and putting things in the paper that it is State land, not Town land and be clear on that.

Board Comments

Engineer Comments

Ron DeTota – There has been some discussion about the budget and the cost that the town has incurred due to sanitary sewers repairs. A picture of the sanitary sewer that goes under Route 31 across from the Fastrac property along the Park to Ride Property was shown. It is a severely deteriorated pipe and the bottom has totally worn away from that. The bracing that supports that pipe is located in casing underneath Route 31. The conventional way to make this repair is to excavate and cut open the road and provide maintenance, protection of traffic, make the repair, close it up and allow traffic to progress across it.

CNS Engineer, Chuck Stanton, was asked what the typical cost would be to make this repair.

Chuck Stanton stated that you could be looking at anywhere from \$100,000.00 to \$200,000 for that alone.

Ron DeTota – That could deplete that budget in no time at all and that's without actually making the repair for it to function as designed. The process to make the repair was by using hot steaming air which solidifies and causes no interruption of traffic and the work was completed. The total cost hasn't exceeded \$25,000.00 and was roughly 35 feet. The old way was about \$200,000.00.

Ed Zaluski – How long will that last?

Ron DeTota – It will last a long time and is very durable. It stands up to abrasion and velocity.

Tax – None

Zoning – None

Attorney – None

Comptroller - None

Town Clerk – None

Highway – None

Board Comments

Mr. Corl stated that John Winters, who is the Chairman for the Police Study Committee would like to start hosting three listening sessions throughout the town. Before the Police Study Committee did that, he wanted the board's consensus, to make sure there is no objection to his committee having a listening session amongst the residents in the area of Bridgeport, the Senior Center and Brewerton. They've met 4 or 5 times already gathering information and they thought this would be helpful for them to determine their course of action.

Ms. Boyke – We also spoke with John Winters and I think that it's a great idea. I am not quite sure how they are going to get the message out, but they have indicated that people will be given 3 minutes to state an opinion. It will only be messages from the public and there will be no open discussion, or no answers to any of the questions.

Mr. Corl – Yes, the way he described it, it's not like a forum where there is question and answers. It is for them to gather information from residents and what they are thinking about. They will be responsible for coordinating it and getting the word out.

Ms. Boyke – I think it's a good idea.

Mr. Jennings stated that about a week ago he attended a dinner and our own Councilor, Jessica Zambrano, received a Nurses Lifetime Achievement Award for service and dedication rendered. It was presented by the Central Counties Professional Nurses Association of which Jessica was a Board Member of the Central Counties Professional Nurses Association and she was also a Past President of the CCPNA. Most noteworthy, Jessica was the Coordinator for a Statewide Health Program for the Indians. Jessica received a plaque and there was a fine dinner at Traditions and is she very deserving of this.

Ms. Boyke – To make everyone aware, this is a DEC Law. We talked about open fires and the DEC has been out and about and they are making arrests. The website is www.dec.ny.gov. If you go on there, it gives all of the information. The only fire that is legal is a 3ft by 3ft fire, no higher than 4 ft. You can not burn anything but non preserved wood and it has to be natural wood. Pallets are acceptable. There are no household burn barrels allowed and there are a lot of regulations. Remember, it's not the town, but is the DEC. Everyone needs to be aware, because they are making arrests. For one particular individual, the fine even though he was unaware, was \$1,200.00 and a misdemeanor goes in your record. I am just making everyone aware.

There being no further business before the board, the meeting was adjourned at 8:58 p.m.

Tracy M. Cosilmon
Town Clerk

