

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, June 8, 2011, at 7:00 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039.

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

Others Present: Christopher Woznica, Highway Superintendent
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Steve Procopio CEO – Zoning Office
Shirlie Stuart, Comptroller
Linda Losito, Secretary to Supervisor
Anthony Rivizzigno, Town Attorney
Douglas Wickman, C & S Engineers

Absent: Brad Brennan, Assessor
Wayne Dean, Director of Planning & Development
Sharon Edick, Receiver of Taxes

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 clearly into the microphones to enable all to hear.

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

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

The motion was approved as follows:

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

APPROVAL OF TOWN BOARD MEETING MINUTES

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the minutes of the May 25, 2011 town board meeting amending page 19 to say Darlene and not Doreen..

The motion was approved as follows:

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

DEPARTMENT HEAD INPUT

Town Clerk

Tracy Cosilmon announced that the Cicero Rabies Clinic will be June 27, 2011 from 5:00 p.m. to 7:00 p.m. and will be held in the Highway Garage.

Highway

Chris Woznica requested approval of an overage expenditure to Crossroads Highway in the amount of \$694.00 that was PO# 16569.

Motion was made by Mr. Conway, seconded by Mr. Jennings, to authorize an overage expenditure of \$694.00 to Crossroads Highway.

The motion was approved as follows:

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

Chris also requested approval of an emergency expenditure in the amount of \$2,111.46 to Aqua-tech for a vacuum hose.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize an emergency expenditure of \$2,111.46 to Aqua-tech for a vacuum hose, Account Code DB513055.

The motion was approved as follows:

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

Police

Chief Snell stated that two new vehicles arrived this week and the invoices arrived with them, but, they did not reflect the trade in value off the four cars. We are notifying the company, that until we get that reflected on the invoice that we aren't going to be doing anything with the cars and aren't paying them.

Comptroller

Shirlie Stuart stated that she had an invoice from Germain & Germain and needed approval for payment in the amount of \$1,656.65 for litigation, concerning building and codes violations.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to authorize an expenditure of \$1,656.65 to Germain & Germain for litigation concerning building and codes violations.

The motion was approved as follows:

Mr. Conway: Yes
 Mr. Corl: Yes
 Mr. Jennings: Yes

Discussion:

Ms. Zambrano: I thought there was a limit on the amount that was going to Germain & Germain for this litigation.

Ms. Boyke stated she didn't recall that as this is going to be ongoing as it hasn't been totally resolved.

Tony Rivizzigno – We're going to trial.

Continuation of the vote:

Ms. Zambrano: Yes
 Ms. Boyke: Yes

Shirlie Stuart stated that she and her deputy have been reviewing the Human Resource portion of our job and I have gone over some of our current insurance carriers and have come across our disability where we have two different carriers. I have taken Guardian which we currently have for Town Hall Employees and our PBA Members and Zurich, which is our Highway Disability Insurance Company and have combined them. By doing so and cleaning it up, everyone will have the same benefit across the board and I believe it will save about \$6,000.00 per year. I will be switching everything over to Guardian and keeping everyone on the same benefit program.

Ms. Boyke – Good

Shirlie also explained that Excellus Blue Cross Blue Shield Dental Coverage is due July 1, 2011. As we stated during the budget process, it did increase and the percentage was 11.61%. We did appropriate enough money and I wanted to keep you abreast of that and I'll be signing that agreement as of July 1, 2011.

Ms. Boyke – We anticipated that so we budgeted for it.

Parks & Recreation

Jody Rogers thanked the Cicero PBA for the donation of the flowers at Route 31 and Pardee. Bill Alley planted them for us. I would also like to thank Tracy for planting the flowers at the Town Hall. I also want to remind everyone that the Cicero Community Festival is this weekend. The car show is Friday night with entertainment and the parade is Saturday June 11th at noon. The gazebo project that we received money for at William Park will begin next week and the beach will open next Saturday, June 18th. Lastly, the Town of Clay consolidated their Police Force and no longer match money for youth service funds that they're eligible for and they are willing to waive those dollars to the Town of Cicero for the CanTeen. The amount is \$8,450.00, which is a matched amount and there is a resolution that Lynn has. I need a resolution to except those dollars.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to adopt the following resolution as follows:

Resolution for CanTeen Funds

Being that the Town of Clay is eligible for youth service funds for their town and their desire is to waive their eligibility to the Town of Cicero for the CanTeen, I request the following resolution.

Be It Resolved the Town of Cicero will accept the waived eligibility for Youth Service Funds from the Town of Clay in the amount of \$8,450.00. These funds require a one for one cash match, which will be matched by funds from Friends of the CanTeen. These funds are for the 2011 calendar year.

Note, that since the Town of Clay consolidated their Police Force as our Parks Director just said, 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. These funds are State Entitlement Funds distributed to communities in a New York State based on a formula and population.

The resolution was adopted as follows:

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

Zoning

Steve Procopio stated he had a request from the resident from 6389 Jane Ln., who would like to erect a shed. Their usable yard is about 30 ft. from the rear of their property due to an easement. The easement would be encroached by about 6ft. by this shed. There is a detention area behind the property and the shed would not affect the drainage or inhibit access for maintenance to the detention facility.

Ms. Boyke stated she had looked at the survey and asked how far over the drainage line would be.

Steve Procopio – It will be 6 ft. The shed is 10' x 12' and they intend to put it in the middle and have 6ft in the easement.

Ms. Boyke asked what would happen if they moved the shed forward 6 ft.

Steve Procopio – There are trees there, that would be in the way.

Ms. Boyke – What if they turned it sideways?

Steve Procopio - They could possibly do that and would be in 5 ft, rather than 6ft.

Ms. Boyke – Why don't we take another look at relocating it, turning it, or putting it on the other side of the lot.

Steve Procopio – That's a consideration, but, it's more aesthetic reason why they have chosen this spot.

Ms. Boyke – Per our drainage discussions and Vern can attest to that, we've talked about trying not to put things in the drainage easements.

Mr. Corl – A couple of months ago we allowed someone to put something in the easement. This isn't creating a uniform system here. These folks will look at the record

and see that a few months ago we approved something in an easement. We've approved pools, concrete slabs in the last few years.

Steve Procopio – That's a possibility. I think these folks heard from a neighbor that this was a possibility by requesting it from the board. You know the Zoning Office doesn't condone placement like this.

Mr. Corl – Right, the position has never been that you liked that, whether it's you, Wayne or others, going back further.

Ms. Boyke – We haven't denied it, it's just that I would ask as part of the Drainage Committee to revisit it, to see if we can eliminate as much as possible from being put in the easement.

Steve Procopio stated he'd do that.

Mr. Conway – We should put in here that they should be notified that if for some reason it has to be moved, it will be at their expense.

Steve Procopio – That would be part of it and we'll request a waiver.

Mr. Corl stated the attorney draws up the waiver and they sign it.

Ms. Zambrano – It will be discussed at the next Drainage Committee Meeting for their recommendation and will be decided at the next board meeting. .

Mr. Corl suggested that the property owners be present, so that we can ask questions.

Steve Procopio stated he would.

Ms. Zambrano – The last time we approved a waiver was for the Wilson's on Deena Course and I had requested a copy of that waiver. Do you know if it has been executed?

Steve Procopio – I believe it has and I will check on that.

Ms. Zambrano – I would like a copy of that and any waiver.

Steve Procopio requested a public hearing for a zone change on Brodhead Drive. There is a new owner at 6 Brodhead, which is a large parcel and he wishes to subdivide the building lot from the parcel for sale for residential use. The property is zoned General Commercial as are the adjoining properties on Brodhead. I believe this property is all General Commercial as it used to be part of Don Brodhead's property, which was Boat's a Float Marina. At some point the properties were subdivided and built on residentially. Some research that I've done looks like use variances were granted to build those homes there. I don't believe that would be a viable option today and it would make more sense if they were all residential and to re-zone them to R-10. Boats a Float will remain General Commercial.

Ms. Boyke asked if Mr. Caprara filed a formal application for a zone change.

Steve Procopio – No, this was Wayne's suggestion. We did something similar to this on Murray Drive a few years ago and rezoned the parcels that were on West Murray to R-10 to reflect their use.

Ms. Boyke asked if it would be appropriate for him to file a formal application.

Tony Rivizzigno – Someone would have to do the SEQR and describe the parcels. There needs to be some description. The Town could do it, and we'd have to do our own SEQR, but, we also have to describe which parcels we're changing the zone on.

Ms. Boyke asked Steve or Tony to get in touch with Mr. Caprara to get a formal application before holding a public hearing.

Mr. Conway – We did change those on Murray Drive from General Commercial because they were supposed to be done 30 years ago.

Ms. Boyke – We need a formal application.

Tony Rivizzigno – More importantly, we need a description. Whether the town does it, or Mr. Caprara does it he'll pay a fee to the town for environmental assessment, etc. The town can do that on its own.

Ms. Boyke – Somebody would have to pay that fee too.

Tony Rivizzigno – Someone also has to describe where the lots are.

Mr. Conway – The Brodhead Dr. area was changed years ago and the property all through there on the lakefront was change. I believe four or five parcels were changed to residential.

Ms. Boyke stated that Steve looked into it and they got use permits.

Steve Procopio – A couple that I looked at are zoned General Commercial on the map we have.

Mr. Conway recalled the change being made 10 or 15 years ago.

Tony Rivizzigno stated we've run into a situation before, where the zoning map wasn't correct and Tracy found a resolution. I'd be more comfortable if we looked in that direction as opposed to the map. You may be right it may have already been done.

Ms. Zambrano stated that Mr. Rivizzigno raises an issue that we don't have a current zoning map and that issue was brought up last year. I believe we should bring it up again.

Tony Rivizzigno – I would strongly recommend that.

Doug Wickman submitted a proposal last year to make it a digital map, which will show all of the parcels in the town plus the zoning superimposed on it. You could always modify it digitally and it could be used to serve other purposes too. It would keep records of many different things.

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, for C & S Engineers to resubmit the proposal for a new zoning map at the next Town Board meeting.

The motion was approved as follows:

Discussion:

Mr. Corl – Didn't you provide us a letter on this last year?

Doug Wickman – Yes, but, I'd like to see what we said in that again as that proposal may have expired.

Mr. Corl asked Jessica if she was asking Doug to provide updated information on cost.

Ms. Zambrano – Yes, on the proposal.

NO MOTION OR VOTE WAS NEEDED.

Mr. Conway stated that there are maps on top of the cabinet.

Doug Wickman – The maps that you have don't show a whole lot.

Mr. Conway stated that they are just zones and colors.

Doug Wickman – We’re talking about superimposing a map that shows all of the lots in the town which is available at the county and is digital and is something you superimpose the zoning on, which would give you a nicer representation.

Ms. Zambrano asked if this would also show easements.

Doug Wickman – It could, but, that would be a big step.

Ms.Boyke – And a larger expense.

Ms. Zambrano restated that Mr. Wickman will submit a proposal for the next meeting for the board to consider, relative to a zoning map.

Attorney - None

APPROVAL OF ABSTRACT #11 OF 2011

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to approve Abstract #11 of 2011 as follows:

General Fund	Voucher #959 to Voucher #1053	In the amount of \$665,792.34
Highway Fund	Voucher #304H to Voucher #327H	In the amount of \$ 76,586.37

The motion was approved as follows:

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

BUDGET MODIFICATIONS

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

Budget Modifications 2011
Town Board Meeting 6/8/2011

2011	AMOUNT	FROM CODE	TO CODE
	\$14,000.00	A144404 ENGINEER CONTRACTUAL	A81604 LANDFILL

The motion was approved as follows:

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

APPROVAL FOR SUPERVISOR TO EXECUTE A CONTRACT WITH C & S ENGINEERS, INC. FOR MAINTENANCE OF DRAINAGE FACILITIES

Discussion:

Doug Wickman stated that this covers their efforts for the town for our attendance at the Drainage Committee Meetings and for going out and taking a look at complaints and recommending actions, or no actions. In every case, it’s an on going effort which we project would continue through November.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to authorize the Supervisor to execute a contract in the amount of \$44,000.00 with C & S Engineers, Inc., for maintenance of drainage facilities.

Discussion:

Mr. Corl – Last July issues came up where it was approved half way through the building season to address maintenance issues. A lot of these services should have been negotiated when we negotiated the initial retainer agreement at the beginning of the year. I believe last July, I made the comment that this should have been done earlier. I would have liked to have seen this addressed back in January, so that we have a full package as to the maintenance of drainage facilities and general retainer, so they could be negotiated at the same time.

Ms. Boyke – Part of this request is due to the fact that the Drainage Committee changed course. Originally, it was going to be material.

Doug Wickman explained that it's very difficult to understand what the effort is going to be, that's being asked of us, so that's why we waited until now. We now have a better understanding of what is going to be asked of us. We actually had a proposal a couple of weeks ago and things have changed since then. Because of the changes that have been occurring this year and the approach that has been taken, we really haven't had a good understanding of our level of effort until this point. I do agree 100% that these things should be done in the beginning of the year and if things are consistent from year to year, we're certainly in a position to do that.

Mr. Corl – I understand. I think last year there was about \$50,000.00 for drainage and a separate type of retainer and I voted against it. This one is for about \$44,000.00. I'm saying, that a lot of these things we could negotiate and could have been included in the first retainer we signed at the beginning of the year.

Ms. Boyke explained that this is because we decided to have the engineers do the preliminary study and look and determine the project with the Drainage Committee instead of just allowing the contractors to do it. We changed that path, so that we have more control over what is being done and we split that into two packages for maintenance and improvements.

The motion was approved as follows:

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

APPROVAL FOR SUPERVISOR TO EXECUTE A CONTRACT WITH C & S
ENGINEERS, INC FOR DESIGN AND CONSTRUCTION PHASE MAINTENANCE
AND IMPROVEMENT OF DRAINAGE FACILITIES AND
CONTRACT NO. 1-2011

Doug Wickman explained that this is the first bundle of improvements, which is a new approach where we are designing the listed improvements in this contract. We will be laying out the design of the facilities doing a necessary survey and putting together the specifications so we can put it out for bid for these improvements, so that the board will have a better understanding of what the cost is before the project begins. This represents the modified approach.

Ms. Boyke – After the bids go out, will these be coming before the board?

Doug Wickman – No, this will be a package and you will have a total price for this package. As part of this contract we will estimate the cost of these projects before they go out for bid.

Mr. Corl – The next portion is to advertise for bids to go out.

Doug Wickman - Yes, we will be advertising for bids.

Mr. Corl - This \$11,000.00 is for these 5 projects?

Doug Wickman – That’s right.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to authorize the Supervisor to execute a contract with C & S Engineers, Inc., for design and construction phase maintenance and improvement of drainage facilities, Contract No. 1-2011 in the amount of \$11,000.00.

The motion was approved as follows:

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

APPROVAL TO ADVERTISE FOR BIDS DRAINAGE MAINTENANCE CONTRACT

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to authorize C & S Engineers to advertise for bids and receive sealed bids for a Drainage Maintenance Contract, on June 21, 2011 at 11:00 a.m. at Cicero Town Hall, 8236 South Main St., Cicero, NY 13039.

The motion was approved as follows:

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

DISCUSSION AND IMPLEMENTATION OF IT INFORMATION TECHNOLOGY POLICIES

Discussion:

Ms. Boyke stated over the past six weeks the Department Heads have been reviewing an IT Policy and have sent back their suggestions. The IT Committee has gone over them and has not finalized it, but, it is necessary that we implement putting these policies in place because we don’t have any and then they will be amended and modified after they’re implemented. Also, within this package is the form that will be required by Town Employees to the town to acknowledge the fact that the equipment they have is for town business only and not personal use. Obviously, this is something that all large towns and corporations, and businesses have in place. It is mainly for the fact of limiting social networking and those that come into place like facebook, twitter, etc. I’d like to open this discussion to the board.

Mr. Jennings stated he’d like to mention that he has read this three times and didn’t have any problems until something was mentioned. He thinks we need to eliminate personal use on e-mail on a town network and that the internet is to be used for business only. Jody occasionally goes on to check the weather channel for the parks and beaches, that’s reasonable, but, I don’t see any need for anyone to have personal use of e-mail. Mr. Corl stated that his understanding the last time we discussed this, is that we were going to implement and take a look at the Department Heads input and the comments that were made by Chief Snell regarding security of information, such as criminal

investigations and things like that. It doesn't make sense to me to implement and then to modify down the road. Why don't we work with the Department Heads to implement what they would like to see happen and then move forward with an implementation. The Chief and I talked about this a while ago and about some of the concerns he had. It is an 8 page document and I don't think it has been amended.

Ms. Boyke stated that it hasn't been yet.

Chief Snell - The last time I saw it was when the original draft came out, when you asked for suggestions. Over a month ago, I submitted my suggestions to Mr. Winters, and have yet to see any revised document at all. My concern is the way its written right now, is that there is unauthorized persons that could have access to confidential information. A lot of things that are covered in there are things that we do on a daily basis, would be in violation of that policy.

Ms. Boyke – Mr. Winters was asked if he cared to speak to Chief Snell's comment.

Mr. Winters – Number 1, I think its important that any policy is better than none at all, which is where you are right now. I understand your concern Joe, of some of your employees going outside of the policy and I think that can be dealt with.

Chief Snell – The other part is the access part of it. The policy draft that I read said that the Town Board and the IT Manager had access to all information since they own the system. My concern is that much of the information that we deal with, through the e-mail system that we are sending out is confidential law enforcement sensitive information and daily to our officers through our e-mails, as well as on the internet. All of our officers are on ciceropd.us which goes through our e-mail service.

John Winters – That is something the town needs to work through, because the holistic view of the IT resource is the towns resource and if you have information, that is so sensitive that it can't go through a town e-mail server, I think we really have to work on it.

Chief Snell – I would think any Police Department would have those issues, John.

John Winters – I don't pretend to be a Police Officer.

Chief Snell – The last thing I'd want is to have some citizen finding out about a criminal investigation or something we're looking into and getting that information out publically. That's violating the entire system which literally could open up a situation where the Town Board could find themselves criminally responsible.

John Winters – This policy does not have any lack of restrictions, it put more restrictions on.

Chief Snell – What I read originally said that the Town Board and the IT Manager, whoever the Town Board appoints has full access to all information.

John Winters – Yes, and I think that's an appropriate organizational policy.

Chief Snell – I think that needs to be revisited.

John Winters - I can't decide for you, it's up to the board to decide.

Mr. Jennings – Under item number 2 under 320, acceptable technology, it says privacy rights. It's all e-mail files electronic data and storage media and posted, created and maintained and stored on town technology shall remain town property, subject to town control and inspection at its discretion. The Town Supervisor or his/her designee may access all such files and communications to insure system integrity and to ensure

employees are complying with requirements of town board policy 310 in these regulations. All use of town technology services is audited for its simple use.

Chief Snell explained that he didn't have a problem with that part of it and that the problem is that he'd like to see in that policy due to the law enforcement issues that we have and the security issues we have and he felt that the Chief of Police should be part of that process. If you had to look in our system, you would come to me with whatever you wanted to look at and we'd discuss it and find out if it's appropriate and then I'd look into it. That's why I'm, the Department Head.

Ms. Boyke – I agree.

Chief Snell – You may not be the next Supervisor five, ten or two years from now. If this policy is in place and if it's not modified and done right the first time, I'm fearful that we could have ourselves an issue.

Ms. Zambrano – I just wanted to say that I attended the last IT Committee meeting and there was extensive discussion about those very issues that you raise. The point is, we don't have any policy and procedures and I think the committee members were certainly willing to take the policy and procedures and work with them. No policy and procedures should be set in stone. I think that everyone recognizes that and I think the Supervisor agrees with that concept that the committee was proposing. The point is that we've had policies and procedures and we need to get something on the books. We need to get started someplace, Joe.

Chief Snell – Ms. Zambrano – I agree with you 100%, but, my concern is, in putting the responsibility on you, especially a criminal responsibility for a future investigation, should something get out. I'm not saying one of you would do it.

Ms. Zambrano – We've had leaks already.

Chief Snell – I gave my suggestions three weeks ago and I don't think the committee has had the opportunity to re-write these and put that in there. They didn't do it.

Ms. Zambrano – I understand that and I think the commitment from the committee is that they will work on this, but, they need authorization from the board that we are going to have a policy and procedures to amend. I think, John, that you and your committee members and the people from Computer Outlet were totally dedicated to the idea of working with the individual departments to address those concerns. As a Town Board Member, I'm trying to give you reassurance that your concerns will be addressed.

Chief Snell – I understand that if these are implemented tonight, that tomorrow when we violate these procedures, we're not going to be brought up on charges by the Town Board. We will violate those procedures.

Ms. Boyke – No, that's not the case because we will make it in the resolution that it is to be put into place with modifications that have already been suggested, that have been reviewed by the committee and the committee is sending forth their recommendation to implement the proper verbiage in it.

Chief Snell – I am not trying to be argumentative but, I'm expressing my concerns.

Ms. Boyke – I understand.

Chief Snell - You're not liable for anything?

Ms. Boyke – Absolutely no and I understand what you're saying, but, what's in place now, Joe? How does that stop me or anyone from doing it anyway? Is there anything in place?

Chief Snell – I think we partitioned the server off, so you wouldn't get to it anyways. The policy would change that, and would require us to give you that access.

Ms. Boyke – I understand that, but, I certainly couldn't get it, unless I came to you in the first place.

Ms. Zambrano – There is a lot that needs to be changed with the system. I recognized that, but, we've got to start somewhere.

Chief Snell- I understand completely and agree with you, but I want to get it out to all of you, and have an opportunity to express my concerns on the issues to all of you. I think it is important that you hear my concerns.

Ms. Zambrano – I appreciate that.

Ms. Boyke –The partition that we put in place, so that we were able to gain more control over the system is still in place and I do not have access to it.

Chief Snell – I give credit to the committee. They've done a wonderful job on the policies. Again, I just want to make sure that my concerns are addressed.

Mr. Corl – If this is adopted, you're saying if somebody, board member, or whoever asks you to access information, per this policy, you would have to do it.

Chief Snell - I would be obligated by the town board to give you that information and I would probably have to deny that request.

Ms. Boyke – It would be through me, unless I appoint someone else. It's not going to happen.

Jody Rogers – I tried to implement a policy with some of my staff in the Parks Department and none of those employees or Teamsters could sign anything until it is approved by the Teamsters. I'm guessing, that none of my staff will sign anything, unless it has gone to the union to be reviewed.

Ms. Boyke asked Tony Rivizzigno to speak to this.

Someone stated it was an organizational issue.

Tony Rivizzigno - I don't know whether the unions will consider this a condition or term of employment, but, I can certainly speak to them. I wouldn't think they would object to this as it is the only place it exists.

Ms. Boyke – Its towns and corporations.

Tony Rivizzigno stated he'd look into this.

Ms. Boyke – Obviously, these forms would be submitted to all Department Heads and at that time they would have an opportunity to refuse. In the meantime, Tony will speak with Mark May or whomever in regards to it.

Shirlie Stuart – Will it be part of their personnel file.

Ms. Boyke – Yes, because each employee is required to sign to acknowledge the fact that they are aware of no personal use of computers.

Shirlie Stuart – It will be part of their employment package.

Ms. Boyke – Yes

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to implement the Policies and Procedures of No. 310 in Acceptable Technology Use Regulation of 320, to the Town of Cicero Employees and to also include the technology of internet use agreement that includes social networking and also the Technology Internet Use Agreement that includes social networking.

(Copy available in Town Clerk's Office for view)

The motion was approved as follows:

Mr. Conway: Yes

Mr. Corl: No, I think we should check with the unions first and get all Department Heads and incorporate that, before we pass this policy.

Mr. Jennings: Yes, but it's dependent on what transpires between the unions and if that becomes a factor.

Discussion:

Ms. Boyke – It would be part of an amendment.

Mr. Jennings – As far as I'm concerned, I don't think that would have to be factored into the Acceptable Use Internet Policy, as that would be a separate issue as well. The signing of the agreement could come later.

Ms. Boyke – It will come later, but, is part of the package. That's the key part of this because we have no control at all of any employee within the town for personal use. Therefore, the signing of the applications is more important than the rest of the policy procedures.

Mr. Jennings – How are we going to monitor that at this time and who is going to monitor the acceptable use?

Ms. Boyke – That's part of the committee that's been discussed. Once that's happened, they have access to go in. You can put parental blockers on, if you want all of that, or they can go in and check computers sporadically. It's an easy way to do that especially, within the town.

Continuation of the vote:

Ms. Zambrano: Yes

Ms. Boyke: Yes

Ms. Boyke read the following summary from Computer Outlet's proposal as follows:

This correspondence is in reference to the IT related interviews for each department within the Town of Cicero.

SUMMARY OF PROPOSAL

Computer Outlet will interview the head of each department and discuss the hardware and software needed to perform daily duties. As part of the interview process we will discuss the following topics:

1. Job related activities on the computer
2. Programs in use for completing your computer-related tasks
3. Remote access requirements (work performed outside of the office)
4. Laptops or other portable computer/devices
5. Printers/Scanners/Copiers – Local/Network
6. Online applications/FTP/Telnet/Web Applications/Email
7. Additional IT needs in order to perform your tasks

8. Data Security, Backup, Storage

Make recommendations to the Town regarding hardware and software upgrades and security.

Make recommendations to the Town regarding IT policy as necessary.

Proposal Pricing

We estimate the interview process to take between 10 -15 hours (not to exceed \$2,000.00)

Submitted by

Michael Frasier

President

Computer Outlet

email@mikefrasier.com

Motion was made by Ms. Boyke, second by Ms. Zambrano, to authorize an expenditure not to exceed \$2,000.00 to Computer Outlet for the services outlined above by the Supervisor.

The motion was approved as follows:

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

Ms. Boyke read the other portion of the package proposal from Computer Outlet as follows:

Computer Outlet

This correspondence is in reference to the computer hardware and software inventory for the Town of Cicero.

SUMMARY OF PROPOSAL

Computer Outlet will provide all the necessary tools/utilities and labor to gather detailed information about all of the computers, laptops, printers and peripherals, (approximately 45-50 computers) currently in use by the Town of Cicero. The inventory will require a technician(s) to evaluate each individual computer, laptop and printer. We will provide the following detailed information:

PCs Make, Model, Serial Number if available
 Warranty Coverage (if Available)
 Operating System and Version
 Operating System Product Key/License
 Operating System Service Pack Level
 Hardware Specifications
 CPU
 Memory Capacity/Usage
 Hard Drive Capacity/ Usage
 Attached Devices (ie Printers)
 Installed Software and Product Keys/Licenses
 Antivirus Status
 Shared Files and Folders
 Network information (IP Address/Etc.)
 System Name

Printers Make, Model Serial Number if Available)
 Warranty Coverage (if Available)

Connection Type (USB, Network)

Network Name

- . Determine number of CALs needed for Windows Server and Exchange Server
- . Client Access License
- . Make recommendations to the Town regarding hardware and software upgrades and security.
- . Make recommendations to the Town regarding IT policy as necessary.

Proposal Pricing

We estimate the inventory process to take between 10-20 hours, (not to exceed \$2,500.00)

Michael Frasier
 President
 Computer Outlet
email@mikefrasier.com

Ms. Boyke stated that part of this action is because the computers we have in place are old and are refurbished and don't have the memory capacity and the software, particularly Windows and also having the proper license. We don't have this inventory or any answers and don't have any control of this at all. Once we have this in place we will look for a preventive maintenance program, which will allow us to upgrade departments as it becomes available.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to authorize an expenditure of \$2,500.00 to Computer Outlet for the services listed above.

The motion was approved as follows:

Mr. Conway: Yes

Discussion:

Mr. Corl stated that these should have been agenda items because the only thing on the agenda was IT policy and nothing related to these expenditures, so people may not know they were going to be discussed this evening. Secondly, the place to start, would have been for Department Heads submitting to the town an inventory of what they have and what their needs are and then we could evaluate that and saved on some of these expenditures.

Continuation of the vote:

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

Discussion:

Ms. Boyke – In regards to Jim's comments, we've had these two proposals in the package for over a month, while they were brought up at a previous town board meeting. This is part of the policy package. As far as going to Department Heads, we did do that. We have a general idea, but the purpose of this is to get in depth now with the licensing and warranties and the security as we do not have a handle on that.

Ms. Boyke: Yes

**YOUTH BUREAU & PARKS & RECREATION PURCHASE APPROVALS
 (SUPPLIES FOR SUMMER DAY CAMP)**

Motion was made by Mr. Jennings, seconded by Mr. Corl, to authorize an expenditure of \$1,200.00 to S & S Worldwide to purchase supplies for the Summer Day Camp Program to be reimbursed via fees, Budget Code B7140.40.

The motion was approved as follows:

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

HIGHWAY PURCHASES

Motion was made by Mr. Conway, seconded by Ms. Boyke, to authorize an expenditure of \$5,000.00 to Gerber Topsoil for 263 yards of topsoil, Account Code DB511242.

The motion was approved as follows:

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

Ms. Zambrano explained that just prior to the Town Board Meeting, she proposed a resolution regarding Section 284 of the Highway Law in regards to milling and paving in the Town of Cicero roads as follows:

RESOLUTION REGARDING SECTION 284 OF HIGHWAY LAW IN REGARD TO MILLING AND PAVING OF TOWN OF CICERO ROADS

1. The training, milling and paving within the budget allotment of portions, (equivalent to approx. 2.73 miles) of the following roads; Lakeshore Road (phase 3) , Tartan Dr. N. & S., Welland, Crabtree Lane west, New Street, Lawton Rd., Factory St. and Muskrat Bay Road.
2. Should the Town receive funds under the Consolidated Highway Improvement Project System (CHIP), funds estimated in the 2011 budget (approx. \$148,000) would be used toward completing the overlay blacktopping project of Mudmill Rd. (approx. 1 mile).

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to adopt the resolution regarding Section 284 of Highway Law in regard to milling and paving of Town of Cicero Roads inserted above.

Discussion:

Mr. Corl asked Chris if there would be enough budgeted for all of those 8 roads that are being proposed. What will happen if you're short?

Chris Woznica explained at the last meeting that these are a tentative list of roads for us to do. As of right now, we will be close, but, should have enough, but, with the escalating price of asphalt, we may have to drop a road. But, for now, I'd say yes, this is the goal.

Ms. Boyke – If those are real close any leftovers will go to Mudmill.

Chris – Yes

Ms. Zambrano – This addresses the Mudmill portion with the CHIPS money if there is money left over.

Continuation of the vote:

The Resolution was adopted as follows:

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

PUBLIC INPUT

Deborah stated she had 3 issues she wished to mention. Where did Clay get the \$8,000.00 plus dollars? Did they get it from the State of NY?

Jody Rogers -Yes, our municipalities are eligible based on their population and this comes from NYS.

Deborah – Where did NYS get the money?

Ms. Boyke – Out of their budget that is allocated every year.

Deborah – Where do they get it from?

Someone in the audience said from the Taxpayers.

Deborah – I want people to know that. Also Knitting in Public Week starts this Saturday to June 19, 2011. Stop and make a comment if you see someone knitting in the Library or restaurant. Judy was invited to join them at the Great Northern Mall on Tuesday at 11:00 a.m., by the food court.

Deborah was also glad to see the town is going into the 21st century in the area of policies and procedures with computers, as this is overdue. She understood Chief Snell's concerns and would guess other Department Heads such as Comptroller, Town Clerk, etc. have the same issues. That being said, someone needs to audit the Police Department. I believe our Chief of Police is an honest man but, will not always be our Chief of Police, so someone needs to keep track of what the Chief of Police is doing and someone else needs to keep track of what the Supervisor is doing. As Mr. Winters said, this is a town system and should be one system and not dividing it up.

Mr. Winters – I want to make it plain to everyone, that it is not the intent of the Committee to monitor, observe, interfere with the operation of the Departments in any way. The purpose of the policy is simply to have documentation that allows the organization to take appropriate action, should there be a violation. Other than that, the thrust is to have a solid IT infrastructure, that meets the needs of the organization that is maintainable and sustainable. That is why we need the other two study pieces done.

Tom Beaulieu stated he had a question about the IT System and one was pointed out, by one of the Councilors. Under Discussion and implementation, IT, since it has been on the books for a couple of weeks or a months and I've argued this point a million times. When you are going to expend our money and we're paying for it, we'd like to know how much it's going to cost. One figure was \$2,000.00 and the other \$2,500.00. Break it down so we know an agenda or I go to the town website, I can see what it's going to cost that night. It's not just a carte blanc or an approval of an abstract. These are small numbers and this isn't an abstract we're talking about. I think its incumbent upon the board that they put together an agenda that we have these numbers available to us.

Ms. Zambrano stated that the proposals Ms. Boyke spoke about can be included in the minutes.

Tom felt they should have been on the agenda.

Ms. Boyke apologized and stated it was part of the previous package.

Tom Beaulieu – We have a right to know, because it is our money.

Ms. Boyke – Absolutely and I don't argue the point.

Tom Beaulieu – I appreciate that. The other point is that I've been part of the Police Study Committee and I know John's Chairmanship covers every base and I'm sure he did an excellent job. I have a problem that the Police Chief made some suggestions about three weeks ago and I don't think those were addressed. I assume that they go to the Town Board and I'd like to know why the Town Board isn't addressing his concerns. His department is probably impacted more than any other department with these decisions. When he comes forward with some suggestions, I don't understand why the Town Board has ignored that and not acted on it or brought him in on discussions. Is there some explanation for that?

Ms. Boyke – No one came to me Tom other than Mr. Jennings, after receiving the comments. We had an IT meeting last Thursday and with that copies of that were given to all of the IT Committee to look at and evaluate.

Mr. Corl stated that on April 9th the chief sent an email outlining his concerns that he addressed this evening.

Tom Beaulieu – If the meeting was held last Thursday and the Chief had some concerns, why weren't his concerns addressed or why wasn't he brought into the meeting?

Ms. Zambrano – The discussion at the meeting was that the Department Heads had submitted their concerns that would be addressed. The problem has been that we have not had any policies and procedures in place.

Tom Beaulieu – I appreciate that, but that isn't the question. The question is, he had some concerns and they haven't been addressed.

Ms. Zambrano – Yes, that's the Department Heads and I think the commitment in order to go forward is to get something on the books so that we can go forward. I don't think his concerns are not going to be ignored at all.

Ms. Boyke stated they are not and that they meet once a month

Tom Beaulieu – You don't have steps 1 -10 set up.

Ms. Boyke – We will have at our next meeting, because input has come from the committee and the policies have been implemented and now we can amend the policy that is now in place.

Tom Beaulieu – Now that you have approved that policy and I offend that policy what is my punishment? What would be the punishment in the case a town employee doesn't follow the procedures.

Ms. Boyke – Obvious punishment in any corporation is a warning, unless it is excessive and then I believe it would be suspension or leave. Under any normal policy, once it's put into place, it starts with a warning. Because, we have no means to go in and check, the suggestion of the policy being in place, will let every employee know that there is a personal policy in place.

Tom Beaulieu – I also heard discussion regarding whether or not the unions would accept it. I would think any government department for even private corporation, once they set a policy as Ronald Reagan, did for the air controller, and you don't like it, you can go and find another job.

Ms. Boyke – That's correct.

Tom Beaulieu – That's the way it should be.

Ms. Boyke – That is correct as it is the corporation, who institutes the policy.

Jeff Ranger stated he had a question about the assessment procedure. They went through the whole thing in February as did many other residents and they never got an answer back from them, or the town or the county. We called over today and were told it was too late.

Ms. Boyke – I understand what you're saying. This whole process is being handled by the Assessor's Office. The town and I, have no control over that department at all.

Jeff Ranger – They said letters were sent out, but, we never received anything. It isn't one property, but is two. I can understand one letter being lost in the mail, but, two.

Ms. Boyke – I agree and know that there were approximately 90 letters that came back for various reasons. Ms. Boyke asked Jeff for his address.

Jeff Ranger stated it is 6115 Griffin Dr. and their response was, tough.

Ms. Boyke – I know what their response is and I've heard that. I will check with Mr. Brennan tomorrow and will follow up on your address to make sure it was mailed to you as they are supposed to have the list. What is your other address?

Jeff Ranger – It's East Taft Road and I can give you a tax map number which is 058.-03-02.4, which is vacant land.

Engineer Comments – None

Attorney Comments - None

Board Comments

Mr. Conway asked Steve Procopio if there was anything that we can do about cleaning up the old Cady's garage.

Steve Procopio stated he would take a look at it.

Ms. Boyke stated that she believed that this was something Deborah wanted us to look at and I believe Maureen has that on her agenda.

Mr. Conway stated that he still hasn't heard back from Widewater's regarding the old Sports Page. When I did talk to them, they knew it was in very bad disrepair.

Mr. Corl told everyone in Brewerton that they did a fantastic job this past weekend, with the parade and all their hard work and festivities. It was great to see so many people out there celebrating. I believe they have more plans for throughout the summer and here in Cicero.

Ms. Zambrano stated that she received a copy of Tony Rivizzigno's letter to the attorney for WalMart about the noise issues. Have you gotten any response?

Tony Rivizzigno stated he hasn't but sent a letter after the last board meeting. I have spoken with him and told him a letter would be coming and explained what the problem was and he was sure they'd want to cooperate, but I haven't heard any response.

Ms. Zambrano – What do you recommend for the next step.

Tony Rivizzigno – I can call him.

Chief Snell stated that they have received no complaints since the letter went out and have not responded to any noise complaints.

Ms. Zambrano stated she received a copy of a letter from Bryant Associates asking for more funds to be deposited for Wallington Meadows, to cover their costs. Do you know what has happened with that?

Shirlie Stuart – It goes to Zoning first and then to the Supervisor's Office.

Ms. Boyke stated that a letter was submitted and she asked Tracy if she received a copy.

Tracy Cosilmon stated she got a copy of the letter.

Shirlie Stuart stated it wasn't securities, it was for additional engineering fees and they were requesting more funds for that.

Ms. Zambrano – What is going to happen with that?

Shirlie Stuart - Nothing is done until we get the funds. Once we get the funds a work order will be given to Bryant Associates to proceed forward.

Ms. Boyke – Combat is aware.

Ms. Zambrano – Is there a follow up with Combat Construction? Is it a period of time?

Shirlie Stuart – Bryant hasn't done anything.

Ms. Zambrano stated that Bryant has assured her that they have fees to bill and that is why they're requesting that the money be deposited.

Shirlie Stuart – Then you need to back up a little bit, cause Bryant shouldn't have done anything without a work order. If they have done any work without a work order, it's Bryant's problem.

Ms. Zambrano stated that Bryant followed up to do some work that was required and they just haven't billed for those fees.

Shirlie Stuart – There is a whole procedure.

Ms. Zambrano explained that she has a copy of the letter where they have said, they need more money and they're asking for a particular reason.

Shirlie Stuart - Bryant has to follow up with them and not the town.

Ms. Boyke – They need to contact Combat Construction and let them know.

Mr. Jennings stated he also brought this letter in to Shirlie to see what it was for and she said the same thing she is saying and that they needed to submit a work order to proceed before any action was taken.

Shirlie – There is no money there. Whatever they are billing for, should have had a work order connected to it, which means we had the funds here and have the ability to pay them. If they didn't have a work order, they shouldn't have continued to do any engineering until they got additional funds from Combat.

Ms. Boyke – The procedure is that they notify Combat and it's not the town that notifies Combat as we have no way of knowing.

Shirlie Stuart - It's up to the engineers to get in touch with Combat.

Ms. Zambrano – They have been in contact with Combat.

Mr. Corl – Bryant is working off the original amount of \$26,891.00 that they asked to be set aside for services. This is for additional costs that they didn't project, so Bryant will have to take responsibility to follow up to get what they feel they are entitled to.

Ms. Boyke asked Jessica, if Bill Kubera asked her to bring this up.

Ms. Zambrano – No, she had meetings with him 3 weeks ago where they talked about the entire situation regarding Wallington and releasing securities for \$35,000.00 that was approved for release.

Shirlie Stuart – They had that the next day.

Ms. Zambrano – Yes, but, that wasn't the issue, it was trying to understand what the situation was. I do know that Bryant has done more work on that and there isn't money.

Shirlie Stuart – You understand, what I'm saying, they shouldn't have done any work unless they had a work order.

Ms. Zambrano – They were trying to fulfill the obligation to the town to inspect the properties in Wallington.

Ms. Boyke stated that she will call Bill Kubera tomorrow and talk to him about the procedure. Also at the last Town Board Meeting, Helen Carroll had dropped off the Committees selection relative to benches and sidewalks for the Riverfront Park. There was a meeting called by Saratoga Associates and the DOT and Doug Mills suggested since the Oneida and Onondaga Indians have taken an interest in this project, along with a representative from the Historical Society that they want to be a part of the Phase II digging. Doug is trying to coordinate that, but along with that comes the authority given by the two private properties to go ahead with Phase I, which is the digging. That is still in process and they've been authorized to do it. Because we have new players, it becomes more encumbering to all of us, while we wait. I wanted to let everyone know that was still in the works and that obviously, we're going forward with it, but we have to wait.

Ms. Boyke stated that the Brewerton festivities were very nice, and she reminded everyone that the Classic Car Show is Friday night and the Community Festival Parade starts at noon. There will also be activities on the field. We will also have a presentation at 4:30 p.m. for the Cicero Cheerleaders.

Motion was made by Ms. Boyke, seconded by Mr. Corl, to adjourn the Town Board Meeting.

The motion was approved as follows:

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

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

Tracy M. Cosilmon
Town Clerk

