

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Monday, June 22, 2009, at 6:30 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039.

Present: Chester A. Dudzinski, Jr., Supervisor
James Corl, Jr., Councilman
Charlotte Tarwacki, Councilor
William Rybak, Councilman
C. Vernon Conway, Councilman
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
Jeanne Kulesa, Comptroller
Brad Brennan, Assessor
Bonnie Smith, Secretary to Supervisor
Heather Cole, Esquire, Town Attorney
Michelle Baines, O'Brien & Gere

Absent:

The meeting was opened at 6:30 p.m. with the Pledge of Allegiance.
A moment of silence was observed in remembrance of our troops that are in harms way.

Mr. Dudzinski 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.

Motion was made by Mr. Dudzinski , seconded by Mr. Conway, that all actions taken tonight are Type Two (2) or Unlisted actions and have a negative impact on the environment unless otherwise determined.

The motion was approved as follows:

Mr. Conway: Yes
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

APPROVAL OF JUNE 8, 2009 MEETING MINUTES

Motion was made by Mr. Corl, seconded by Mr. Rybak, to approve the minutes of the June 8, 2009 town board meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DEPARTMENT HEAD INPUT

Highway

Chris Woznica stated that they had an emergency purchase for a fuel tank for truck #20 and that he needed approval of \$1,380.00 to Stadium International for this repair.

Motion was made by Mr. Dudzinski, seconded Mr. Conway, to authorize an expenditure of \$1,380.00 to Stadium International to repair the fuel tank on truck #20.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Chris stated that they started milling Hiller Drive today and that there is a lot of dirt in the millings and Barrett Paving is coming out to look at the millings, to see if they want to buy them back. If not, I'm going to have quite a stockpile of millings to get rid of. Last year we just gave them away to residents who needed them.

Mr. Rybak asked if any of it could be used for the Police Chiefs project.

Chris Woznica – No

Mr. Dudzinski asked the board members if they had any objection to Chris giving it away as he did before.

Board members responded no.

Chris stated that the millings were given away in 5 load increments on a first come first serve basis.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to authorize Chris Woznica to give away the millings to the residents of Cicero in 5 load increments for the first month on a first come first serve basis.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Police

Chief Snell, thanked Jody for putting together a great parade and the Chamber for putting on another successful Community Festival.

Park & Recreation - None

Comptroller - None

Attorney – None

Engineer - None

Zoning

Wayne Dean asked for permission for ZBA Member Chuck Stanton, to attend training seminar to be given at OCC and the cost is \$70.00 and is a budgeted item. He was the only one to respond.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway to authorize an expenditure of \$70.00 for Chuck Stanton, to attend a training seminar at OCC which is a budgeted item.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Assessor - None

Tax – None

Town Clerk

Tracy Cosilmon explained that the air conditioning unit in the Zoning Office is broken and I need approval in the amount not to exceed \$3,200.00 to replace it.

Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki to authorize an expenditure not to exceed \$3,200.00 to replace the broken air conditioner in the Zoning Office.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Tracy explained that the existing duct work in the Justice Office needed some attention as the cold air blows directly onto three desks now, making it very uncomfortable. The duct work would be moved away from the desks at a cost not to exceed \$1,300.00.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to authorize an expenditure not to exceed \$1,300.00 to relocate the air conditioning duct work away from the desks in the Justice Office to make it more comfortable for the employees.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

APPROVAL OF ABSTRACT #12 OF 2009

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve Abstract #12 of 2009 as follows:

General Fund	Voucher #1253 to Voucher #1357	In the amount of \$316,298.83
Highway Fund	Voucher #294H to Voucher #325H	In the amount of \$309,250.61

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

BUDGET MODIFICATIONS

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the following budget modifications:

Highway

<u>FROM</u>	<u>CODE</u>	<u>ACCT</u>	<u>AMOUNT</u>	<u>TO</u>	<u>CODE</u>	<u>ACCT</u>
	DB511242	Roadside Drainage	240.00		DB514043	Topsoil

Amendments

Sewer Expense	SS81204	1997	7,500.00
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The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

PUBLIC HEARING FOR EXTENSION OF THE CROSSING LIGHTING DISTRICT

Proof of publication and posting was presented to the Town Board by Town Clerk.

The public notice read as follows:

PUBLIC HEARING NOTICE: TOWN OF CICERO

A sketch and proposal have been prepared by National Grid relating to the extension of an existing lighting district in The Crossings residential subdivision. The existing lighting district serves parcels located on a portion of Hessler Farm Path, John Gray Drive, and Alethena Club Court, and will be extended to include the entire residential subdivision. The sketch and proposal have been filed in the Office of the Town Clerk of the Town of Cicero. The proposed district will encompass the properties on Hessler Farm Path, Kings Hotel Place, Rally Days Trail, Joss Farm Way, Wrights Hotel Course and Island Road. A complete list of properties to be included in the extension is available in the Town Clerk's Office.

The improvements consist of an electric street lighting system serving the proposed district as set forth in the sketch and proposal now on file at the Clerk's Office. The maximum amount to be expended for the performance or supplying of the electrical street lighting service by National Grid shall be contracted by the Town Board of the Town of Cicero acting for and on behalf of the proposed light district, for the illumination of streets or highways in the proposed light district as set forth in New York State Town Law Section 198(6) at a total annual charge presently estimated to be \$18,519.33 (approximately #139.25 per parcel) per annum. Said expense shall be levied and collected from the parcels of land within the proposed light district.

The Town Board will hold a public hearing to consider the creation of the district and relevant matters on June 22, 2009, at 6:30 P.M., at the Cicero Town Hall, 8236 South Main Street, Town of Cicero. The environmental significance of the proposed district will be considered at that time. All persons interested in this matter shall be heard.

Dave Bottino representative of National Grid stated that The Crossings will have the same lights that currently exist there and will be an extension of 25 more lights with one additional light at Island Road, which will light up the entrance of The Crossings.

Mr. Dudzinski – The estimated cost will be \$139.25 per parcel and there is no doubt that it will probably go up.

The public hearing was opened at 6:40 p.m.

Speaking for - None

Speaking against:

David Martin, 6279 Island Road stated that his property is part of The Crossings, but is out on Island Road away from The Crossings. The only thing I do is look down over The Crossings and I have a problem with the lights as they aren't going to do me any good.

Mr. Dudzinski – You are in the same situation that Mr. Joss is in, but, you are all included in The Crossings designation.

David Martin - This happened in the Town of Clay with a drainage ditch in the Meadow Wood Development. A group of people got together and wanted a drainage swale with culverts and covers in it and the town agreed to do it. There were a number of people who didn't have a problem with the drainage swale and were easily moved out of that cost factor for that as it didn't affect them. Fortunately, I was one of those people. Only 7 or 8 houses of that 53 or 54 house development were able to be moved out of there because they didn't have a drainage swale problem and weren't part of that.

There are 4 houses including my neighbors on either side of me, who couldn't be here tonight, that won't get any value from the lights, so it doesn't mean that we get the same benefits as those down in The Crossings. I think there should be some type of variance made for those properties up on Island Road.

Heather Cole – When you are creating the district, one of your obligations is to insure that every property included within the district is benefited by the improvement. If in taking a look at that map it doesn't appear to you that those properties are going to be benefited by the improvement, you can exclude them from the district.

Mr. Dudzinski - They don't and I agree with them.

Ms. Tarwacki also agreed.

Heather Cole explained that she needed to know which properties that should not be included. There is an attachment to the resolution that you may use to approve this, that includes all of the parcels, but, we will just eliminate those parcels from the list of included parcels because you are finding that they are not benefited.

Mr. Dudzinski - The number will change a little bit.

Heather Cole – You are correct, because we are dividing the overall cost, by a lesser number of parcels, so the cost per parcel will go up slightly.

Mr. Dudzinski – We can pass a resolution that excludes the four (4) houses on Island Road.

Heather Cole – There is a light located right at the entrance of the development. I am not sure if that one is going to benefit anyone of those parcels. So, you should take a look at that.

Mr. Dudzinski – I believe that is the one that is at the intersection.

Heather Cole – Correct, but I don't know if that benefits anyone of those four (4) parcels. You need to take that into consideration.

Ms. Tarwacki – I think that light has to do with a safety issue at the intersection, but the individual homes on Island Road won't benefit.

Wayne Dean stated that the owner of the property on the corner stopped into his office today and was against being included in the district.

David Martin stated that he owned the other vacant lot on the corner.

Mr. Dudzinski stated that in looking at the map it appears that there may be a light on that parcel.

David Martin - Good, that may help sell the property. (Mr. Martin looked at the map.)

Mr. Corl explained that National Grid designates where the lights should be and not the Town Board.

Mr. Dudzinski stated that a letter was received from Kevin Nograsko who voiced some opposition in regards to some type of neighborhood organization and I want it known that we do not get involved in neighborhood organizations, or associations and have nothing to do with that. It is amongst the neighbors. He also commented that he is against the lights.

Mr. Rybak – We have the maps outlining the proposed lighting. Have all the people, who signed the petition, been privileged to the information?

Heather Cole – It has all been available in Tracy's Office, though I don't know if anyone has availed themselves to look at it.

Individuals were given the opportunity to look at the map.

Mr. Corl asked Mr. Bottino to give an overview of how the lighting district is laid out.

Mr. Bottino – When a lighting district is laid out, we look for intersections, change of grades, curves in the road and try to do it with as little damage to somebody's property. We try to avoid cutting driveways whenever possible and we look at the spread of light. We look at the best lay out for that we can make for the area.

Individual - What is the price you estimated that on and is it continuous for ever and ever?

Mr. Bottino – No, it's a tariff for that year. Our tariff this year works out to approximately \$13,000.00 and change for 25 lights that we are installing. They break that down by the number of people who will be involved which is how we came up with \$139.00, which will change because you just lost 4 lots.

Mr. Dudzinski – It was \$139.25 per parcel and it could remain the same or go up.

Mr. Bottino – It could, but as our tariff price goes up we increase the prices to the town.

David Martin – How did this all come about?

Mr. Dudzinski – We were approached by an individual that lives in The Crossings.

Heather Cole – The town board received a petition for over 60% of the assessed value in there to extend the district to the whole area.

Mr. Dudzinski explained that the board does not start any type of lighting districts.

The hearing was closed at 6:50 p.m.

Board Comments – None

Heather Cole - If the town board is going to act I would ask that it be done on the resolution that was prepared and we will delete the 4 Island Road properties from that resolution.

Motion was made by Mr. Dudzinski, NO SECOND, to approve the proposed lighting district extension for The Crossing Lighting District, Ext. at the approximate cost of \$18,519.33 per annum and approximately \$143.66 per parcel per the following resolution.

Discussion:

Mr. Rybak - In that letter, the party didn't like the lights and stated he had put up a carriage lamp in his front yard. The cost for that is a one time charge which you pay whenever you turn the light on or off. Streetlights on the other hand are going to be there forever and there will be a tariff on your taxes forever. I think you would get just as much coverage from carriage lamps in their front lawns and they could control whether they wanted it on, or off. They could also put them on timers.

Mr. Corl explained that one of the things they have done in The Crossings, is to pass petitions for the whole district. Over in The Pastures, there are 7 or 8 different lighting districts and as each road came in one at a time, it would extend the district. The Crossings was covered as a neighborhood, which will be easier for the Comptroller from an accounting standpoint. It sounds as a group, they want streetlights.

Mr. Dudzinski - **We have a motion on the floor and need a second.**

The motion was seconded by Mr. Corl to approve the following Resolution:

**RESOLUTION
Extension of The Crossings Lighting District**

WHEREAS, a plan and report relating to the extension of a proposed Town of Cicero lighting district, prepared by National Grid, has been filed with the Town Clerk, in accordance with the Town law; and

WHEREAS, a resolution was duly adopted by the Town Board on May 27, 2009 reciting the improvements proposed, the properties included within the proposed district extensions, and stating all other matters required by law to be stated, and specifying June 22, 2009 at 6:30 p.m. at the Town Hall, 8236 South Main Street, Cicero, New York as the date, time and location of a meeting to consider the proposed lighting district extension and to hear all persons interested in the subject and to take such action is required or authorized by law; and

WHEREAS, notice was published and posted as required by law; and

WHEREAS, a hearing on the matter was duly held by the Town Board on June 22, 2009 at 6:30 p.m., at the Town Hall, and all persons interested in the matter were heard; and

NOW, THEREFORE IT IS RESOLVED AND DETERMINED that:

1. The notice of the hearing was published and posted as required by law, and is otherwise sufficient;
2. All property and property owners within the proposed district extension are benefited thereby, and the properties with addresses on Island Road shall not be included within the District;
3. All property and property owners benefited are included within the limits of the district extension;
4. It is in the public interest to extend the district;
5. The extension of the district be approved; that the performance or supplying of electrical street lighting service by National Grid be contracted by the Town of Cicero Town Board acting for and on behalf of the lighting district for illumination of streets or highways in the district pursuant to the provisions of Section 198(6) of the Town law of the State of New York at a total annual charge presently estimated to be approximately \$18,519.33 (approximately \$143.66 per parcel) per annum, which expense shall be levied and collected from the several lots and parcels of land within the lighting district, and that the lighting district shall be designated and known as The Crossings Lighting District in the Town of Cicero situated wholly outside of any incorporated village or city, and consists of the parcels listed on Exhibit A.

EXHIBIT A

Tax Map No.	Property Address	Legal Description	Property Owners
053.-07-17.0	6283 Hessler Farm Path	Crossings Sec 2 Lt 111 Map # 10294	Brian S & Janine M. Turner
053.-07-16.0	6287 Hessler Farm Path	Crossings Sec 2 Lt 112 Map #10294	Jeff K Yager
053.-07-15.0	6293 Hessler Farm Path	Crossings Sec 2 Lt 113 Map #10294	Mark G. & Janine M. Bishop
053.-07-14.0	6297 Hessler Farm Path	Crossings Sec 2 Lt 114 Map # 10294	Mark A & Denise C Ball
053.-07-13.0	6303 Hessler Farm Path	Crossings Sec 2 Lt 115 Map # 10294	Michael J & Renee F Cleveland
053.-08-18.0	6280 Hessler Farm Path	Crossings Sec 2 Lt 16 Map # 10294	Scott D & Laju M Oliver
053.-08-19.0	6286 Hessler Farm Path	Crossings Sec 2 Lt 17 Map # 10294	David A & Amy S Lawler
053.-08-20.0	6292 Hessler Farm Path	Crossings Sec 2 Lt 18 map 3 10294	James W Townes
053.-08-21.0	6298 Hessler Farm Path	Crossings Sec 2 Lt 19 Map # 10294	Michael & Christine L Winahradsky
053.-08-22.0	6302 Hessler Farm Path	Crossings Sec 2 Lt 20 Map # 10294	Craig R & Jeanette M Elwood
053.-08-23.0	6306 Hessler Farm Path	Crossings Sec 2 Lt 21 Map # 10294	JMG Inc
053.-08-24.0	6310 Hessler Farm Path	Crossings Sec 2 Lt 22 Map # 10294	JMG Inc
053.-05-28.0	8003 Kings Hotel Pl	Crossings Sec Map #10293, 10/31/05 Lot 94	John F & Marianne Houck
053.-05-27.0	8007 Kings Hotel Pl	Crossings Sec 1 Lt 93 Map # 10293, 10/31/05	Martin J & Sharon M Sherlock
053.-05-26.0	8011 Kings Hotel Pl	Crossings Sec 1 Lt 92 Map # 10293, 10/31/05	Clayton G & Michelle L Steinfest
053.-05-25.0	8015 Kings Hotel Pl	Crossings Sec 1 Lt 91 Map #10293, 10/31/05	Jason J & Kimberly H Phelps
053.-05-24.0	8019 Kings Hotel Pl	Crossings Sec 1 Lt 90 Map # 10293, 10/31/05	Donald R & Jacqueline A Powers
053.-05-23.0	8023 Kings Hotel Pl	Crossings Sec 1 Lt 89 Map #10293, 10/31/05	Pino Cesario
053.-05-22.0	8027 Kings Hotel Pl	Crossings Sec 1 Lt 88 Map #10293,10/31/05	Tina Fortino
053.-05-19.1	8031 Kings Hotel Pl	Crossings Sec 1 Amd Lt 87A map # 10486,8/4/06	Kenneth G & Loretta A Bowne
053.-06-01.0	8016 Kings Hotel Pl	Crossings Sec 1 Lt 127 Map # 10293, 10/31/05	William C & Terri B Patton
053.-06-02.0	8024 Kings Hotel Pl	Crossings Sec 1 Lt 133 Map # 10293, 10/31/05	James Cahill & Jodi A Brown
053.-06-03.0	8032 Kings Hotel Pl	Crossings Sec 1 Lt 132 Map # 10293, 10/31/05	Thomas L & Donna J Hoag
053.-06-04.0	8036 Kings Hotel Pl	Crossings Sec 1 Lt 131 Map # 10293, 10/31/05	Timothy C & Melissa L Sprinkles
053.-06-06.0	6289 Rally Days Trl	Crossings Sec 2 Lt 129 Map #10294, 10/31/05	James G Overtoom
053.-06-07.0	6283 Rally Days Trl	Crossings Sec 2 Lt 128 Map # 10294, 10/31/05	Jeffrey M & Kristen M Hill
053.-07-02.0	6276 Rally Days Trl	Crossings Sec 1 Lt 126 Map # 12093, 10/31/05	Timothy A & Tammy M Graham
053.-07-03.0	6280 Rally Days Trl	Crossings Sec 2 Lt 125 Map # 10294, 10/31/05	Brian P & Kari K Greer
053.-07-04.0	6284 Rally Days Trl	Crossings Sec 2 Lt 124 Map # 10294, 10/31/05	Charles P & Michelle R Klasen
053.-07-05.0	6288 Rally Days Trl	Crossings Sec 2 Lt 123 Map # 10294, 10/31/05	Jacqueline Donegan
053.-07-06.0	6292 Rally Days Trl	Crossings Sec 2 Lt 122	David M & Megan H Costa
053.-07-07.0	6296 Rally Days Trl	Crossings Sec 2 Lt 121	David L Houghton

		Map # 10294, 10/31/05	
053.-05-01.0	7986 Joss Farm Way	Crossings Sec 2 Lt 67 map #10294, 10/31/05	Stephanie Atkins
053.-05-02.0	7992 Joss Farm Way	Crossings Sec 2 Lt 68 Map #10294, 10/31/05	Benjamin C & Sarah J Peterman
053.-05-03.0	7996 Joss Farm Way	Crossings Sec 2 Lt 69 Map #10294, 10/31/05	Tatiana & Aderson Possamai
053.-05-04.0	8000 Joss Farm Way	Crossings Sec 2 Lt 70 Map #10294, 10/31/05	Herman D Brewster, Jr
053.-05-05.0	8004 Joss Farm Way	Crossings Sec Sec 2 Lt 71 Map #10294, 10/31/05	David J & Barbara E Witek
053.-05-06.0	8008 Joss Farm Way	Crossings Sec 2 Lt 72 Map #10294, 10/31/05	Cheri Kay D Barnett
053.-05-07.0	8012 Joss Farm Way	Crossings Sec 2 Lt 73 Map #10294, 10/31/05	John R McCallops
053.-05-08.0	8010 Joss Farm Way	Crossings Sec 2 Lt 74 Map #10294, 10/31/05	Jonathan E & Tracey J Spilka
053.-05-09.0	8020 Joss Farm Way	Crossings Sec 1 Lt 75 Map #10293, 10/31/05	Michael L & Suzanne K Francis
053.-05-10.0	8024 Joss Farm Way	Crossings Sec 1 Lt 76 Map #10293, 10/31/05	Salvatore & Joanne Copani
053.-05-11.0	8028 Joss Farm Way	Crossings Sec 1 Lt 77 Map #10293, 10/31/05	Sean M & Deanna Miller
053.-05-12.0	8032 Joss Farm Way	Crossings Sec 1 Lt 78 Map #10293, 10/31/05	Jason R & Tina J Robinson
053.-05-13.0	8036 Joss Farm Way	Crossings Sec 1 Lt 79 Map # 10293, 10/31/05	Nermin & Sabina Sabic
053.-05-14.0	8040 Joss Farm Way	Crossings Sec 1 Lt 80 Map #10293, 10/31/05	Summerset Homes, LLC
053.-05-15.0	8044 Joss Farm Way	Crossings Sec 1 Lt 81 Map #10293, 10/31/05	Summerset Homes, LLC
053.-05-16.0	8048 Joss Farm Way	Crossings Sec 1 Lt 82 Map #10293, 10/31/05	Lloyd B O'Brien & Kevin P Hebert
053.-05-17.0	8049 Joss Farm Way	Crossings Sec 1 Lt 83 Map # 10293, 10/31/05	Gary Daprano
053.-05-18.0	8045 Joss Farm Way	Crossings Sec 1 Lt 84 Map #10293, 10/31/05	Donna Rodgers
053.-05-20.1	8037 Joss Farm Way	Crossings Sec 1 Amd Lt 85A Map # 10486, 8/4/06	Neil & Judith Ford
053.-05-21.1	8025 Joss Farm Way	Crossings Sec 1 Amd Lt 86 A Map # 10486, 8/4/06	Brian R & Susan D Anderson
053.-06-05.0	8013 Joss Farm Way	Crossings Sec 2 Lt 130 Map # 10294, 10/31/05	Douglas J & Linda L Cerio
053.-07-08.0	8007 Joss Farm Way	Crossings Sec 2 Lt 120 Map # 10294, 10/31/05	Thomas A & Audrey A Rudy
053.-07-09.0	7999 Joss Farm Way	Crossings Sec 2 Lt 119 Map # 10294, 10/31/05	Michael J & Melinda R Fortino
053.-07-10.0	7993 Joss Farm Way	Crossings Sec 2 Lt 118 Map # 10294, 10/31/05	Michele L & Mark K Warsaw
053.-07-11.0	7989 Joss Farm Way	Crossings Sec 2 Lt 117 Map # 10294, 10/31/05	Joseph Obernesser
053.-07-12.0	7985 Joss Farm Way	Crossings Sec 2 Lt 116 Map # 10294, 10/31/05	Terrence Reynolds
053.-08-37.0	7941 Joss Farm Way	Crossings Sec 3 Lt 35 Maps #10478, 7/28/06	Franco Musumeci
053.-08-38.0	7929 Joss Farm Way	Crossings Sec 3 Lt 36 Maps #10478, 7/28/06	Summerset Homes, LLC
053.-08-39.0	7923 Joss Farm Way	Crossings Sec 3 Lt 37 Maps #10478, 7/28/06	Loscombe Custom Homes, Inc
053.-08-40.0	7919 Joss Farm Way	Crossings Sec 3 Lt 40 Maps #10478, 7/28/06	Loscombe Custom Homes Inc
053.-08-41.0	7915 Joss Farm Way	Crossings Sec 3 Lt 39 Maps #10478, 7/28/06	N.E. Homes Inc
053.-08-42.0	7911 Joss Farm Way	Crossings Sec 3 Lt 40 Maps #10478, 7/28/06	Summerset Homes, LLC
053.-08-43.0	7907 Joss Farm	Crossings Sec 3 Lt 41	Summerset Homes,

	Way	Maps #10478,7/28/06	LLC
053.-08-44.0	7903 Joss Farm Way	Crossings Sec 3 Lt 42 Maps #10478,7/28/06	Martin Custom Homes
053.-09-01.0	7976 Joss Farm Way	Crossings Sec 2 Lt 58 Map # 10294, 10/31/05	JMG Inc
053.-09-02.0	7970 Joss Farm Way	Crossings Sec 3 Lt 57 Maps #10478,7/28/06	Paul & Mary Sweeney
053.-09-03.0	7964 Joss Farm Way	Crossings Sec 3 Lt 56 Maps #10478,7/28/06	Karl D & Natalie S Mortensen
053.-09-04.0	7960 Joss Farm Way	Crossings Sec 3 Lt 55 Maps #10478,7/28/06	Kristine & Juan Cervantes
053.-09-05.0	7956 Joss Farm Way	Crossings Sec 3 Lt 54 Maps #10478,7/28/06	Christopher R Rinoldo
053.-09-06.0	7952 Joss Farm Way	Crossings Sec 3 Lt 53 Maps #10478,7/28/06	Kenneth A & Kimberly H Kronenberg
053.-09-07.0	7948 Joss Farm Way	Crossings Sec 3 Lt 52 Maps #10478,7/28/06	Summerset Homes, LLC
053.-09-08.0	7944 Joss Farm Way	Crossings Sec 3 Lt 51 Maps #10478,7/28/06	Greentree Builders Inc
053.-09-09.0	7940 Joss Farm Way	Crossings Sec 3 Lt 50 Maps #10478,7/28/06	N E Homes Inc
053.-09-10.0	7932 Joss Farm Way	Crossings Sec 3 Lt 49 Maps #10478,7/28/06 partial assessment	William W & Dorothy L Stevens
053.-09-11.0	7928 Joss Farm Way	Crossings Sec 3 Lt 48 Maps #10478,7/28/06	Anthony J & Margaret R Darienzo
053.-09-12.0	7924 Joss Farm Way	Crossings Sec 3 Lt 47 Maps #10478,7/28/06	Greentree Builders Inc
053.-09-13.0	7918 Joss Farm Way	Crossings Sec 3 Lt 46 Maps #10478,7/28/06	Kevin M & Kelly A Ekbon
053.-08-25.0	6311 Wrights Hotel Crse	Crossings Sec 3 Lt 23 Maps #10478,7/28/06	Edwin & Paula J Markell
053.-08-26.0	6309 Wrights Hotel Crse	Crossings Sec 3 Lt 24 Maps #10478,7/28/06	JP Morgan Construction Co Inc
053.-08-27.0	6307 Wrights Hotel Crse	Crossings Sec 3 Lt 25 Maps #10478,7/28/06	Michael P Valerino
053.-08-28.0	6305 Wrights Hotel Crse	Crossings Sec 3 Lt 26 Maps #10478,7/28/06	Richard & Nancy Battista
053.-08-29.0	6303 Wrights Hotel Crse	Crossings Sec 3 Lt 27 Maps #10478,7/28/06	Harley & Diana Hinton
053.-08-30.0	6301 Wrights Hotel Crse	Crossings Sec 3 Lt 28 Maps #10478,7/28/06	Michael T & Kimberly P Mierek
053.-08-31.0	6299 Wrights Hotel Crse	Crossings Sec 3 Lt Maps #10478,7/28/06	Phillip A & Heidi L Bush
053.-08-32.0	6297 Wrights Hotel Crse	Crossings Sec 3 Lt 30 Maps #10478,7/28/06	William M & Ann Marie Files
053.-08-33.0	6295 Wrights Hotel Crse	Crossings Sec 3 Lt 31 Maps #10478,7/28/06	David J Falcone & Jessica E Tran
053.-08-34.0	6293 Wrights Hotel Crse	Crossings Sec 3 Lt 32 Maps #10478,7/28/06	Kevin T & Melissa L Nogrased
053.-08-35.0	6291 Wrights Hotel Crse	Crossings Sec 3 Lt 33 Maps #10478,7/28/06	Fredrick T & Barbara L Spicer
053.-08-36.0	6289 Wrights Hotel Crse	Crossings Sec 3 Lt 34 Maps #10478,7/28/06	Cromp Custom Builders Inc
053.-10-01.0	6284 Wrights Hotel Crse	Crossings Sec 3 Lt 66 Maps #10478,7/28/06	James M & Christina E Aiello
053.-10-02.0	6286 Wrights Hotel Crse	Crossings Sec 3 Lt 65 Maps #10478,7/28/06	Leonardo Medico
053.-10-03.0	6290 Wrights Hotel Crse	Crossings Sec 3 Lt 64 Maps #10478,7/28/06	Gregory T & Nicole K Capsello
053.-10-04.0	6294 Wrights Hotel Crse	Crossings Sec 3 Lt 63 Maps #10478,7/28/06	Summerset Homes, LLC
053.-10-05.0	6302 Wrights Hotel Crse	Crossings Sec 3 Lt 62 Maps #10478,7/28/06	Summerset Homes, LLC
053.-10-06.0	6306 Wrights Hotel Crse	Crossings Sec 3 Lt 61 Maps #10478,7/28/06	Cromp Custom Builders Inc
053.-10-07.0	6308 Wrights Hotel Crse	Crossings Sec 3 Lt 60 Maps #10478,7/28/06	Cromp Custom Builders Inc

053.-10-08.0	6310 Wrights Hotel Crse	Crossings Sec 3 Lt 59 Maps #10478, 7/28/06	Michael Carwell & Kelly Kunkle
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Discussion:

Mr. Conway asked how many houses are in the development.

Mr. Dudzinski – It is almost built out.

An individual stated there are 100 houses built in there now.

Mr. Conway – If we take out 4 houses that brings the number to 96.

Heather Cole – Even lots that don't have houses on them are included within the district. There are 130 lots total.

Mr. Rybak – If there isn't a house on it, then they didn't have a say in the petition.

Continuation of the vote:**The Resolution was adopted as follows:**

Mr. Conway: Yes
Ms. Tarwacki: Yes
Mr. Rybak: No

Discussion:

Mr. Corl: The lights will not go in until next year. It will be part of our budget process for this year, to add a line item. They weren't going to be installed until 2010.

Continuation of the vote:

Mr. Corl: Yes
Mr. Dudzinski: Yes

Mr. Bottino – I thought they were going to be installed in 3 months, or we can do something else.

Mr. Dudzinski – We can put them in within 3 months, but, we just won't pay you until next year. That's about how it's going to work.

Mr. Bottino – When you give us the approval, that's when they're going in.

Mr. Dudzinski – That sounds fair.

CONTINUATION OF PUBLIC HEARING FOR
FRANCHISE AGREEMENT WITH VERIZON

Heather Cole stated that there was also a representative from Verizon in attendance, should anyone have any questions. The Town Board should have received information from their office regarding the fact that the NYS Public Service Commission has made a decision with regard to the Franchise Agreement between Verizon and the Town of Clay. Based on that decision and information from the board, you are now in the position to act on whether or not, to approve the Franchise Agreement with Verizon in the Town of Cicero. If you wish to do so, there is a sample resolution included for you to move on, if you wish to do so.

Mr. Rybak – When will they be finished with the whole procedure?

Denise Reidy, Business Manager for Verizon explained that the plan is within five years of the effective agreement Verizon will have built the entire town. There are some areas of exclusion which is out of territory for them, so they will not build out. They do have a majority of the town built out at this time. As part of the Franchise Agreement, we will spell out the time line, in terms of how long it will take to build out. You can go to our website and you can also put in our name and address and we can tell you when we'll be in your area. One of the first indications that we are in there, is if it's underground, our construction folks will come through and they will put a hanger up that they are deploying the fiber. If it is aerial, you won't necessarily get a notice.

Heather Cole – I think the public hearing for this is still open, so you may want to close it.

Mr. Corl – Does this include the 2 D Language?

Heather Cole – No, it does not.

The public hearing was closed at 6:58 p.m.

Board Comments:

Mr. Conway stated that the lines that are currently up are very poor and that every time we have a rain storm, they loose their telephone service at his office for two or three days. He thought it is very important that we get this through the town in less time than 5 years.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to approve the Franchise Agreement with Verizon and to authorize the Supervisor to execute the necessary documents.

RESOLUTION

AWARDING A CABLE TELEVISION FRANCHISE TO VERIZON NEW YORK INC. TO PROVIDE CABLE SERVICE TO THE TOWN OF CICERO AND APPROVING A CABLE FRANCHISE AGREEMENT WITH VERIZON NEW YORK INC.

WHEREAS, the Town of Cicero (the “Town”) is a franchising authority in accordance with Title VI of the Communications Act of 1934 (the “Communications Act”), and is authorized to grant cable television franchises pursuant to Article 11 of the New York State Public Service Law, and Title 16, Chapter VIII, of the Official Compilation of Codes, Rules and Regulations of the State of New York (the “Cable Laws”);

WHEREAS, VERIZON NEW YORK INC. (“Verizon”) is upgrading its existing telecommunications and information services network pursuant to authority under Section 27 of the New York Transportation Corporations Law and Title II of the Communications Act, and Verizon desires to use its network to provide cable service in the Town;

WHEREAS, Verizon submitted a written application for a cable television franchise to the Town on or about February 10, 2009 (the “Verizon Application”), which the Town has reviewed;

WHEREAS, due negotiations between the Town and Verizon have resulted in a proposed “Cable Franchise Agreement between the Town of Cicero” and Verizon New York Inc.,” which proposed agreement was filed with the Town on or about March 30, 2009 (“Verizon Franchise Agreement”); and

WHEREAS, on April 27, 2009, at a regularly scheduled Town Board meeting a public hearing was held on the proposed Verizon Franchise Agreement at which members of the Town Board, Verizon and the public were given notice and opportunity to comment, and the public hearing was generally continued at each regularly scheduled Town Board meeting until June 22, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cicero Board finds that it approves the character of Verizon; and be it

FURTHER RESOLVED, that the Town Board finds that Verizon is legally, technically, and financially and otherwise qualified to meet the cable-related needs and interests of the Town and will meet all statutory and regulatory non-discrimination requirements; and be it

FURTHER RESOLVED, that the Town Board finds that although the terms of the proposed Verizon Franchise Agreement are not identical to those of the franchise agreement with the incumbent operator, the terms of both agreements contain no

economic or regulatory burdens which when taken as a whole are greater or lesser than those burdens placed upon one another; and be it

FURTHER RESOLVED, that the Town Board authorizes the award of a non-exclusive franchise to Verizon to own, construct, operate and maintain a cable system along the public rights-of-way within the Town in order to provide cable service, which authorization is made in accordance with the applicable provisions of Title VI of the Communications Act and the Cable Laws; and be it

FURTHER RESOLVED, that the Town Board authorizes the Supervisor of the Town to enter into a franchise agreement with VERIZON NEW YORK INC., in a form approved by the Attorney for the Town, and to execute any other documents necessary to effectuate the granting of the franchise on behalf of the Town of Cicero.

The Resolution was adopted as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

CONTINUATION OF PUBLIC HEARING FOR
SNELLER ROAD SPEED REDUCTION

Mr. Dudzinski – We had the public hearing for the reduction of speed on Sneller Road area two weeks ago. I did speak with the County DOT and they did go out and work with the owner of the property and cut some brush and trees and they say that the site distance has improved dramatically and that they do not believe the reduction of speed is necessary any longer. So, for the people who are here, I'm sorry you had to come out for that period of time. The speed limit on the curves will remain 35 mph and it will continue to be the other speed on the other part of the road.

Mr. Rybk – The only problem I have with this is that we've had this on the table. We've reduced the speed limit on Mud Mill Road down to 35 mph. We're going to leave this road at 55 mph because the County says that's fine and they can give a cut to a person who is building a house.

Ms. Tarwacki – That's not the case. It's not going to be a home it's going to be a development. When you're finished I'd like to give some input here.

Mr. Rybak – All I'm saying, is that it has been on the table for a speed reduction and now we're walking away from it. If God forbid, somebody has an accident on that road, because of excessive speed, they're going to come back to the town because we did nothing with it and left it at 55 mph.

Ms. Tarwacki stated that she thought that the County interfered because they knew this was a development and not just one driveway for one home. I was pretty flabbergasted when I first heard about this and that the County was saying they couldn't put homes there. Why would they interfere with one home? Then I find out it is for a whole development and then I would understand why the County would say they weren't happy with a curb cut at this particular location. A really good representation wasn't given of what this whole thing was about. We fell into that premise as well as the people who came here, because they acquiesced their objection, based on what we heard and that this was one home. It isn't one home it's going to be a development.

Heather Cole - That hasn't been approved by the Planning Board yet. I understand your point, but so that everybody understands, it is still being reviewed by the Planning Board.

Ms. Tarwacki stated that she felt that was pretty deceitful.

Wayne Dean explained that the County got involved because a person wanted a driveway for their house and that is what they looked at. He is creating 7 or 8 lots and 3 of them are fronting on Mud Mill Road, where the speed limit is already reduced. The other 3 or 4 and including the person's house are on Sneller Road. The County became involved because the person requested a driveway permit, which is required as part of the building permit process. We don't give a building permit unless there is a driveway permit. They didn't interfere as it is part of their duty to do that.

Ms. Tarwacki – There was more information that should have been brought forward for those who were here to speak and for them to make a decision.

Mr. Rybak - I think my point is being missed here. Take that out of the mix, houses, or no houses, what I'm saying, is that we've had this on the table to do a speed reduction on that road because it is 55 mph. The Chief did a speed study down there and the majority of the people were going 47 mph.

Chief Snell – Yes, about 45 mph.

Mr. Rybak – My point now, is if something were to happen down the road, where somebody has a fatal accident or a serious injury accident out on Sneller Road because speed is involved, they're going to come looking at us because we did nothing about the excessive speed. That is all my point is and I could care less about driveway cuts. All I'm saying is that we're putting the town at risk for litigation in the future.

Ms. Tarwacki – I am not objecting that we should have this at 45 mph or whatever and I'm saying we have to make decisions with the right set of information. A lot of people came to voice their opinions.

Mr. Dudzinski – A suggestion was made at the last meeting that a compromise was made amongst the people and that they wouldn't have a problem with the speed limit being 45 mph.

Ms. Tarwacki – They did that because they were feeling bad when the lady said she couldn't get her house built.

Mr. Dudzinski – The public hearing is still open and if somebody wants to make a motion to set a speed reduction, feel free and we'll vote on it.

Mr. Corl – I think it is important to understand that we sent the Chief out there to study the area. He provided a written recommendation saying that it should be reduced to 40 or 45 mph based on the information that was gathered. I do agree with you, Bill, that this could be problematic in the future if nothing is done.

Mr. Rybak – It is public information and is out there now.

Ms. Tarwacki – I don't disagree that there should be some safety considerations made. I'm just saying, we should have had all of the facts, or maybe I should have had all of the facts.

Mr. Dudzinski - If somebody wants to make a reduction, make a motion.

Motion was made by Mr. Rybak, seconded by Mr. Conway, to reduce the speed on Sneller Road to 45 mph except on the curves where it is posted with yellow and black signage to a 35 mph. suggested speed to be known as a local law.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes, because it's the right thing to do and not because the wool was pulled over people's eyes.
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

CONTINUATION OF PUBLIC HEARING FOR ZONE CHANGE FROM AGRICULTURAL TO R10 FOR 119, 118,117,116, 115,113,110,109,108,107,106,105,104,103,102,100 AND LV PALMER LT 19 1146697 LOCATED ON OAK DRIVE, ALSO A ZONE CHANGE FROM AGRICULTURAL & GENERAL COMMERCIAL TO GENERAL COMMERCIAL FOR 5641 AND 5643 BEAR ROAD AND 7777 BREWERTON ROAD

Mr. Dudzinski asked Wayne Dean if we have received the County's recommendation.

Wayne Dean – No, we haven't, they meet tomorrow.

The public hearing Deferred once again, to July 27, 2009.

PUBLIC HEARING TO CONSIDER TO CONSIDER A PROPOSED EXCHANGE OF A
PORTION OF PROPERTY ON RIVERFRONT PARK FOR A PAPER ROAD
(TELFORD ROAD)

Proof of publication and posting was presented to the Town Board by Town Clerk.

The public notice read as follows:

**PUBLIC NOTICE
TOWN OF CICERO**

Please take notice that the Town Board of the Town of Cicero will hold a public hearing on Monday, June 22, 2009, at 6:30 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039, to consider the following proposal: the Town will abandon an undeveloped and unutilized 12' wide right-of-way identified on property tax maps as the northernmost extension of Telford Road in the Hamlet of Brewerton. Said right-of-way is immediately adjacent to real property owned by Robert Popyk, known as 5557 Telford Road and identified as tax map number 111.-01-14.1. The Town will transfer ownership of this right-of-way to Mr. Popyk. In consideration for this transfer, Mr. Popyk will transfer ownership of a 12' strip of real property lying westerly of the easterly property line of property owned by Mr. Popyk, known as 5445 Bennett Street and identified as tax map number 112.-01-03, to the Town of Cicero. Any resolution of the Town Board to proceed with this proposal will be subject to permissive referendum.

Tracy M. Cosilmon, Town Clerk.

Mr. Popyk, 8764 Riverside House Path , Brewerton is the owner of the property at 5557 Telford Road and also the owner of the oldest house in Brewerton, which we just put a historic plaque on at 5445 Bennett Street. This house will be adjoining the Riverfront Park. There is a paper street that practically touches the house on Telford Road. We are offering to exchange Telford and have it deeded over to us in exchange for 12 feet that will be a larger portion given to the park when it gets developed.

Mr. Dudzinski asked Chris Woznica if he has had a chance to look at this.

Chris Woznica – No, I have not.

Mr. Dudzinski – Are you familiar with Telford Road?

Chris Woznica – A little bit.

A map was presented for Chris to look at.

Chris Woznica – I don't have a problem with it.

The public hearing was opened at 7:41 p.m.

Speaking for:

Helen Carrol, 5419 Bennett Street, Brewerton, NY stated that she approved of this as it will be a benefit to Riverfront Park when it is done.

Speaking against - None

The hearing was closed at 7:43 p.m.

Board Comments:

Mr. Conway felt it is something we should do and would be an improvement to the other properties down there and the park.

Mr. Dudzinski – A piece of property that goes through someone's lawn is basically worthless in my opinion and if we can get 12 more feet on Riverfront Park it would be a better situation.

Heather Cole – If you move forward, that you do so, based on a permissive referendum requirement, because you are dealing in Real Property and technically abandoning what can be considered Town Real Property on Telford Drive, so the resolution should be subject to Permissive Referendum.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, , to authorize the town to abandon an undeveloped and unutilized 12' wide right of way identified on property tax maps as the northernmost extension of Telford Road in the Hamlet of Brewerton, Tax Map number 111.-01-14.1 with Mr. Popyk, transferring ownership of the 12' strip known as 5445 Bennett Street , Tax Map number 112.-01-03 to the Town of Cicero, subject to permissive referendum.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

PUBLIC HEARING TO CONSIDER A FORM BASED CODE
FOR THE HAMLET OF BREWERTON

Proof of publication and posting was presented to the Town Board by Town Clerk.

The public notice read as follows:

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Cicero on the 22nd day of June, 2009, at 6:30 p.m. at the Town Hall, Town of Cicero, 8236 South Main Street, Cicero, New York to consider the following: the adoption of new zoning regulations for portions of the Hamlet of Brewerton. The proposed regulations are a form-based code that will apply to propose zoning overlay districts to be known as the "Hamlet Gateway" and "Downtown Core" districts. A draft is available for review in the Town Clerk's Office.

Paul Fritz affiliated with EDR, which is a planning and design firm in Syracuse, NY passed out handouts and stated that a copy would be made available on the Town's website in the near future. He has been working with the Town of Cicero on their Hamlet revitalization plan since 2006. This is a plan that was adopted by the Town in October of last year. Mr. Fritz gave a brief presentation on the zoning code and to try and get across what the intent of this zoning code is and what it is all about as it is very closely tied to the revitalization plan that was just mentioned. Tonight is a time, to introduce the zoning code that has been out there on the town's website for awhile. I don't believe the board is going to vote on this tonight and that the public hearing will be extended.

Heather Cole – That is correct, because the County Planning hasn't done the referral yet, so it will have to be deferred to the next meeting.

Paul Fritz – We will allow comments, written and spoken. Written comments may be given to me or Tracy or the Board up until the end of the month which is Tuesday, June 30, 2009. That would give us time to make some revisions if we have to, before the next Town Board Meeting.

Secondly, it would be remiss if I did not give some kind of background to the zoning code. I know I did this a little bit in October, but I think it deserves some sort of sequence to this project, so that everybody understands how we got to where we are today. I have broken my presentation into two parts. The first part is brief and is about the strategic revitalization plan and what came out of it. It is important to remember that our plan looked at the Hamlet of Brewerton from the river down to Orangeport Road and 81, east and the Town of Clay on the west. The purpose of our plan was to create a vision to guide future projects, assist in grants, which the plan already has done for the town and to use as a tool for developers interested in coming to the Hamlet of Brewerton. For those who participated in the project, there were some key things that were pulled out from the very beginning. That was the interest of improving the appearance of the Hamlet and improving the safety and identity. I want you to understand this as it ties with the zoning of the Hamlet of Brewerton. The other priorities of the plan were Bartell Road and Route 11, which were identified as key focus areas. We also identified as consultants 3 major principals that were important to revitalizing the Hamlet and which will lead into future projects. That is making sure that there is a distinct identity in the Hamlet, which will make it a more marketable place, organizing the physical elements, which is your public grounds and streetscape down from your curbing and sidewalks, street trees, etc. and then making sure there is a sense of convenience for pedestrians, bicyclists and any type of visitor coming to Brewerton. After we accumulated those planning principals we did a build out plan for the Hamlet and focused on Bartell Road and Route 11. We talked about mixed use, pedestrian amenities, streetscape enhancements, opportunity for on street parking and improving off street parking. Part of the build out plan was to try and illustrate that in a graphic form. We tried to respect the past as it is your resource and we're trying to build on the principals you have in the Hamlet, especially in the down town core. We tried to illustrate the past, your current situation and the design elements such as pedestrian enhancements, walkways, identity markers, and we said, there should be something custom made for the streetscape, and façade improvements for the buildings. We also came out with an implementation section and there were three major items on the list that we wanted to accomplish for the Hamlet in the near future. Those were design standards, streetscape improvements and waterfront improvements. All of those are in line and are going to happen in the near future because there is funding for streetscape and waterfront improvements. The second part is the zoning code and I am here to tell you about its components and its

area and what it will do for the Hamlet. This project started back in March and if anyone has been through a zoning project, they take a while, because you need to be careful in what you propose and they really aren't cookie cutter, if you do it right. What we have tried to do since 2008, is to come up with a plan that is very specific to the Hamlet of Brewerton. We've had several advisory committees and had over 10 committee meetings, almost on a monthly basis, that were spread out through this year long process. The representative on our Zoning Committee, were landowners on our project area, the Town Attorney, Planning Board Chairman, some ZBA Representatives, Wayne Dean and the Towns Engineer. We talked about the Form Based code a little, when we adopted the plan itself which was back in October. We looked at starting the downtown core which was defined as a couple blocks just south of Guy Young Road up to Bennett Street. As we got further into this project, we found we needed to look at the transition area to the downtown core, which is the stretch of Route 11 down to the end of our study area for our Hamlet and our plan, which are Miller Road and Orangeport Road. We came up with two districts, the Downtown Core and the Hamlet Gateway District, which is the area immediately south of the Downtown Core District. They are parcels fronting Route 11. We tried to illustrate this for the code which was pointed out and they tried to illustrate some of the principals they wanted to capture in our code. After they looked at what they wanted to do and accomplish, they looked at types of zoning. Through recommendation from us and our experience working with Onondaga County and other places, such as Saratoga Springs and other villages and Towns in Central NY, we recommended that the town look at a Form Base Code, which is the name of the code for the two districts that I just identified. A Form Base Code looks at zoning a lot differently than conventional zoning codes do. Typically, conventional zoning codes look at use, impact and form with an emphasis on use. The existing zoning in our Form Base Code, right now, is General Commercial and it talks about the uses that are allowed and less about impacts and form. The Form Base Code has a heavier emphasis on form and less on use. Use is still an important part of it, but, the emphasis is more on the form of the environment on that street. There are form based things in our public realm which is our streetscape out to the frontage or facades of our private buildings. Those things include, building heights, build to lines, which is a term to define setbacks, facades and how they relate to the street. It is preferred in this corridor, that the facades are parallel to the street. It is also preferred that the architectural treatments have a sense of commonality. We are not trying to dictate the exact architectural treatment, but, there are some materials and practices that should be used to reflect a sense of history in the Character of the Hamlet of Brewerton. It is preferred that parking is screened and doesn't front the street and should be to the side or rear of the property. In mixed uses, it is important to understand that what we tried to do is allow a mix of uses, which is commercial and residential, which makes it more lively and active destination. I hope the summary that I've handed out gives you a summary of the existing zoning and the proposed zoning and why we made some of the changes. I thought it would be good to go through the organizing principals and headings in zoning to be, more clear as to the intent of the code. One of the organizing principals in the code is how buildings front the public streets and sidewalks. A preferred type of frontage in some areas would be porches, stoops or shop fronts. We tried to outline dimensional regulations in a user friendly format by illustrating a preferred building scenario. We also talk about setbacks, building height, frontage types and parking placement. We believe we have organized the uses in a user friendly format. It is one table and one sheet and we provide backup descriptions, which is something the current code for the Town of Cicero does not. We have gotten more specific, not only for uses, but, for other components of the code as well. We talk about architecture standards and guidelines and it is important to point out that we have standards which are law, some architecture standards, such as materials and then there are guidelines, which are recommendations. The purpose of the Form Base Code is to guide development and make it more predictable. We've combined standards and guidelines and I have to say that the majority of the code as it exists is 80% guidelines and 20% standards on the architectural component. We talk about landscape standards which are specifically for dealing with parking lots. Another standard is for signage in both districts and what the desire is. We are not trying to take away from businesses, but, we are trying to reduce the clutter along Brewerton and preventing future clutter on the street. Finally, part of the new zoning code is definitions. There is some terminology that is new to the Town of Cicero and has been used by the County and in other communities. In the end we have a table which will be helpful to both districts, types of permits, and how to handle them in this code. This code is user friendly and will help the community understand what they're going to get and make it more predictable and hopefully revitalize the Hamlet of Brewerton. It is a huge step for the Town of Cicero to take this initiative. I am a believer that this is going to do great things in the Hamlet. I would be glad to take any questions.

Ms. Tarwacki – Does, that say, that if somebody wants to paint their property, they have to go to the Planning Board. It is number 9, where it says paint planning board review required.

Paul Fritz – No, I think in this situation if it were a commercial entity Wayne could make the call or the development person, would be able to make the call on that. As I look at this, it is the older version as it doesn't talk about the Hamlet Gateway. It should be able to be handled by Wayne.

Ms. Tarwacki – That needs to have qualifications.

Paul Fritz – The fact of the paint aspect is that we don't have any set standards on color, but, only guidelines, which would be helpful to someone, trying to improve the hamlet. We provide some recommendations about the historic use of colors. What we don't want is neon colors.

Ms. Tarwacki – Taking this all the way to the Planning Board would be over the top.

Mr. Fritz's summary will be available on the Town's website.

The public hearing was opened at 7: 50 p.m.

Speaking for:

Dr. Carroll stated that he is in favor of the Form Base Code but, he almost decided to speak on the other side of this, being not in favor. The reason is that I've had experience with this so far and it has been very difficult for me. Ms. Tarwacki, you just brought up something that says, yes, it must be brought up before the Planning Board regarding paint, and then Paul, said, no. I think there have been some things that have been less than clear. I received from this board a waiver to build during the moratorium and I understand that during a transition period there are going to be some speed bumps along the way. Unless, I misunderstand what I was told, and my architect and my engineer understood at various meetings, it wasn't until tonight that I understood that a patient entry doorway on Route 11 was required. I've spent time and money trying to figure out a way to have my real entrance at the back of the building because all of my patients drive to the office and still accommodate what I thought was a requirement of the Form Base Code, that there be a Route 11 entry. This is the only objection I have to this. I can't build my dental practice with an acceptable floor plan, beginning with the existing building I have now, with a door forced on me on Route 11 and yet, that's what I thought I was forced in to. Paul helped me understand this tonight and I appreciate that. I have been going months and have spent many dollars and have made many revisions, trying to figure out how I can accommodate this doorway with the function of my practice. Without going through a great detail, the way a dental office flows, has its own character like any other business does. The design that I have actually submitted and I guess has been approved by the Town Board and may go to the County next, I'm not sure how it goes, but, I'm going to pull because I can't live with it. I feel it is important and this construction, is because I need to grow. In order to grow, I need another Dentist. I want the other Dentist to be next to me and not at opposite ends of the building. We've tried over and over and have spent hours trying to move the rooms around, so that they will fit and accommodate this door, where people would be able to walk in from Route 11. It absolutely, can not happen. We have confidentiality and safety concerns. It can not be a functioning door. Maybe, I've misunderstood for the past 6 months that it didn't have to be a functioning door. If that's the case, I'm pulling that plan and submitting another one without a functioning door. If it is the case, I am going to pull the project and try and get some relief. I have been elucidated tonight, and I thank Paul for the information. I am in favor of this, but, I would point out that at least now, and between me, my architect and engineer, we've had a difficult time understanding what we thought was required.

Mr. Dudzinski – First of all, I'd like to thank you for being patient, because I've been at some of those meetings. I can understand your frustration. You have been very accommodating. We do have the Planning Board Chairman here and he will probably frown when I make this comment. You started before we came up with any of these new rules. You were the one who said, tell me what I need to do within reason and I'll do it because I want to be in with the project. I don't want to look like the new guy that did something wrong. I want to start the flow and I want to start the design.

Dr. Carroll – That's correct.

Mr. Dudzinski told Pat Leone, that he didn't agree with the front door and that it has been his position from the beginning.

Dr. Carroll – And mine.

Helen Carroll, Bennett St. stated that she was in favor of this and wished to thank the board for allowing her to be part of this. It has been very enjoyable and educational.

Bob Popyk, 8764 Riverside House Path, was in favor of this. We've been dragging this for along time and there are a lot of hurdles to cross over. I am in favor of it with a little common sense, which would go a long way. This is not Manhattan or Toronto, this is Brewerton and I'd like to fluff it up just a little and this is a great start.

Mr. Dudzinski stated that Mr. Popyk has taken it upon himself to clean up some properties and started before this project began, as did Dr. Carroll. The River Rat has a full bait shop and boat slips.

Individual - I have been coming to the board meetings for two years and it has dragged on for a long time and Dr. Carroll certainly has my sympathies. My question is that we've seen some of the time lines, but can we see some of the projects timelines for the future, so that we can see what the town hopes will happen and when it will happen. I know those things are all subject to revision, but that would be something that would be very helpful for people to see.

Mr. Dudzinski – Unfortunately, when you're dealing with Federal and State Government things have a tendency to slow down and they are much slower than I would like. As we see in Albany, things sometimes come to a halt and we hope that doesn't happen with this project.

Individual - Any project should be managed with timelines.

Heather Cole – I can give some insight into that. The town has received word from the Department of State that there are two additional Grants that have been awarded through the Local Waterfront Revitalization Program. That's the dollars that help the town prepare not only the revitalization plan, but this Form Base Code. When those projects get going, there's required to be a Work Program Agreement between the Municipality and the State. There are two years worth of work program agreements that have been agreed upon between the Town and the State that are waiting to have the final ok to be funded. One of them deals with improvements to Riverfront Park and one deals with streetscape improvements. At this point it is really in the hands of the State depending on when they decide to release those Work Program Agreements to us. There is also the money that was received from Senator Schumer. That money is in the NYS Department of Transportation's Budget. The town is in the process of selecting a consultant to help design additional transportation related improvements in the Hamlet, which will probably consist of streetscape improvements and new public parking. I think Chet is going to mention that at the end of the meeting. That is also something that is moving along. The timetable for that is to actually have shovels in the ground to start doing things by the end of this year.

Individual – Is any of this in writing?

Heather Cole – Sure

Individual – A time line or project line?

Heather Cole – Not at this point. The Town Board approved a project proposal for that Schumer money that yes, is in writing and yes, suggests a suggested timeline. Timelines is as effective as we can make them given when the State decides to work with us.

Individual - So, there is no timeline for the entire project?

Heather Cole – The entire project is a bunch of different components. There is no timeline for the entire project because it is made up of a bunch of different components.

Mr. Corl – What we're doing is providing the structure for future development. They're providing guidelines and the Town of Cicero is not going to be developing the project per say. It's more or less going to be business driven. We're setting up the framework and these are the parameters to work under and we're encouraging new businesses.

Heather Cole – Sure and the dollars are hopefully for the Town to actually do streetscapes improvements and to create transportation related improvements like parking lots. The Work Program Agreements have been approved and you are in the process of selecting a consultant for what I kind of refer to as the Schumer Fund. But, no, there is no timeline for the project as a whole because it is a product of a bunch of different components.

Mr. Corl – These things as a whole will continue to drive new businesses in along with current businesses redeveloping in that area.

Ms. Tarwacki – We should apply for stimulus money to help us employ the design people and administrative folks. We'd be employing a ton of people with stimulus money this way.

Town of Cicero Resident stated that he wished to comment on the plan. In the past, I've supported any work that was done in Brewerton, Bridgeport or Cicero. I think Churchill said it pretty accurately one time that no good deed goes unpunished. We spent \$200,000.00 and I believe you accepted a plan around January of 2007. If we're coming in a year and a half later and changing the code up there, why won't some of those provisions looked into at that point and time for the plan that we had and accepted less than a year and a half ago? Are there any comments from the board? This was done by Kent and O'Brien & Gere Engineers.

Heather Cole – That plan did reference the Strategic Revitalization Plan for Brewerton.

Resident – It did? It didn't give any of the form based additional costs we'd be going through to change zoning.

Heather Cole – No, but, it is contemplated in there. When the Town Board accepted it, they did so as a caveat that it should include references to the form based to the Brewerton Revitalization Plans and the overall efforts to that area.

Resident – It would be interesting, but, I haven't been able to locate it.

Heather Cole – I don't think it was in the plan, I think it was in the Town Board's resolution.

Resident – How much additional money are we going to spend for the additional code changes?

Heather Cole – I think that the Work Program Agreement bills have been submitted for that. It is just a matter of being reimbursed by the State at this point. I could be wrong about that, but, that was my understanding.

Resident – How much money is this going to cost the town or is it coming out of the money that is coming out of the money Washington is sending to us.

Mr. Dudzinski – Whatever the cost, we'll get back with you and have Jeanne research it for you.

Mr. Fritz – The code is coming out of the original DOS Grant which is the \$200,000.00 you're speaking of. The code that we're talking about tonight came out of that fund. You really have got a plan and the code out of that.

Resident – Councilor, you said something about the town not being a partnership in this, but, technically, you are. Even if you aren't fronting the money, it's a project that's going to be both private and governmental, where the government is actually providing the stimulus to bring in that private development up in the town.

Heather Cole – I said it was a public and private partnership.

Mr. Corl explained that you have infrastructure, codes and things of that nature and if businesses see that the town is investing in promoting and making those necessary repairs, whether it's streetscapes, sidewalks, or whatever, you're going to get new businesses to come in and look at the area, as well as the older businesses saying, they're going to invest money in their property. It's going to be good for business.

Resident – The time has come not only for Brewerton, but, to take a look at Cicero at some point and take care of sidewalks, tip up curbing, shoulders that we need so that we don't have people walking out in the road.

Pat Leone, Planning Board Chairman stated that he is speaking on behalf of the Planning Board. First of all I will speak on behalf of being a part of the Advisory Committee. We worked hard and long to put together this Form Base Code. Planning is about the future. Dr. Carroll is dealing with today, and he could leave his business with another occupant in that business. The Form Based Code was designed to welcome occupants through a front door. We and I am one vote of seven, looked at the Form Based Code in its infancy, through what we have today. We looked at Dr. Carrolls project and tried to bring that project along the best we could to merit what he's trying to do with his business and what we're trying to do with Brewerton overall. I thought we met half way several times, but, apparently tonight I'm hearing something different again. I believe in the project, I believe in Dr. Carroll's project. I think what he has on the table and what we've accepted as a Planning Board at this point and time works well for what we're trying to do in Brewerton. Remember, planning is a process it is not something that is going to happen tomorrow, but, you need to look at the vision for that community and that is what we've done. I wouldn't walk away from it at this point as it would be the worse thing for Brewerton.

Gary Cannerelli - O'Brien & Gere stated that he was in attendance tonight on behalf of the Chamber of Commerce and also as part of the Advisory Committee. When the Chamber of Commerce first got me involved in this back in the mid 90's, they asked me to serve on a committee called the Brewerton Bay Association. This has been an awful long time coming. The Chamber has tried to help Brewerton to get businesses up there. I think this board and the town has done a great job with this project. I think Paul did a great job tonight explaining how this project started and all of the steps that were taken. In the Form Base Code there may be some tweaks. I'm not a planner, I'm an Engineer, so there may be issues whether its paint or zoning or things that could be tweaked a little better, but the thing that I would like to say is being part of the process over the last 20 years, I think the thing that we saw at the meetings up in Brewerton, was the number of people from Brewerton, who came out. It wasn't just the people on the committee and not just the businesses. This started grass roots and got everybody's ideas and concepts. As I said, this may not be 100% perfect, right now, and may need some tweaking, but,

I think this is the right step and we ought to follow the lead of what the people and businesses in Brewerton want and try to work with them to get the best possible code that we can get.

Dr. Carroll explained that the process he went through was unpleasant and the idea that we went half way makes me curl a little bit. A couple of quotes: One was to me, from the Planning Board Chair, in public. You are the first one out of the chute so I have to make an example of you. That's meeting nobody half way. Secondly, at a Planning Board Meeting, when the Chair was seated where you are Mr. Corl, and I'll give you my best quote, which you will find in the minutes, which is as close as I can get, was Dr. Carroll, probably feels like I shoved this down his throat and I do. So, we didn't meet anything half way. The process for me to get here was a nightmare. Had I known, I never would have started. I am speaking in favor of this code, but the process was unacceptable.

Pat Leone – For the record, I don't recall saying that.

Mr. Dudzinski – We're not here to debate, we're here to speak in favor or against.

Speaking against – None

Mr. Dudzinski – We can't close the public hearing on this.

Heather Cole – Let's keep it open pending the County Planning Board's referral and as Paul mentioned, people can submit comment to him or to Tracy through the end of the month if they have reviewed the code and have any comments, questions or concerns. The goal is for a final draft to be presented back to the board within ten days of your next meeting, so that you have the full 10 days, before you may act on it, which is the legal requirement.

Ms. Tarwacki explained that she can see the frustration in Dr. Carroll's mind and that her comments earlier were pretty sarcastic regarding stimulus money to pay for more administrative stuff. When I was listening to some of the people who came in front of us a year ago asking for guidelines as they wanted to get started and I said yeah, and we've been fooling around for quite awhile and we're not started yet. I am the type who wants to get going and not mull it over and chew on it forever. I am trying to voice something that has been inside me all along. This is all good stuff happening for Brewerton.

Heather Cole – You're finally there. This is it.

Ms. Tarwacki stated that as an Independence Party person, she liked less government interfering in our lives. A guideline is good, but, I cringed as with this going on and on and is glad that it is done now, though she is hearing that it isn't done now. She however feels Dr. Carroll's pain.

Mr. Corl – No small business owner should have to come before us with this amount of frustration to develop a business and to reinvest in the community. The question is how can the process be made easier and perhaps that can be something that can be done between now and when we close the public hearing.

Heather Cole – I would hope, once the regulations are adopted, we won't be in the limbo phase, where we know they're coming, but, they're not the law yet, which is certainly a fraction or a part of what I think Dr. Carroll thinks, and I don't want to speak for him. I think that was part of his concern, that he was trying to comply with something that isn't the law yet and wasn't in its final form yet.

Mr. Corl – As part of the process when this is implemented, a future developer can be given information as to what is expected of him, right up front.

Heather Cole – Exactly, that is why the committee decided to set it up the way it is as a stand alone document, that can be handed out by itself as a portion of the zoning code, without it being inter- disbursed in all different parts of your zoning code. It is a stand alone document, so hopefully, it will be a little bit easier for people to review and look at.

Ms. Tarwacki explained that the other part of that, which makes her feel uneasy is that Heather spent a lot of time putting together the Master Plan and then we only accepted it, we didn't adopt it. So, it's not a document that people can rely on. Everybody can come to this board and ask for an exception and they get it. We've spent a lot of money, time and talking, in trying to get it squared away and we only have guidelines.

Heather Cole – No

Ms. Tarwacki – My comment about paint and the Planning Board, is making me very nervous, that this is a guideline and is not what we're going to do, if somebody really doesn't want to do it.

Mr. Fritz – Color is a guideline, because they are debatable. Everything else is clearly spelled out from roof types and materials. If you go through that, there are standards. The plan was the first step and the zoning code is what you can enforce and implement that plan with. It is one part of it. The next is building the infrastructure. You are getting there and are going in a sequence that you should be going in.

Mr. Corl stated that we would be adopting this and wished to make one comment on the accepting verses adopting. When the town accepted the Master Plan, we were a growing town of 29,000 to 30,000 people that were in the middle of development. When this plan was accepted two or three years ago, that was the way to go because it is a document that can be modified to some extent and you're not locked in by adopting it. That was the premise for it and the reasons why there was acceptance of that, rather than adoption.

Mr. Dudzinski thanked everyone for being patient. There are rules and regulations that we have to follow and when you're working with the Federal and State Government, it is very slow. When it starts, you will see some dramatic changes in Brewerton.

The hearing was left open.

PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM
GENERAL COMMERCIAL TO R-10 MURRAY DRIVE
TAX MAP NUMBERS 076.-01-41.0, 076.-01-40.0 AND 076.-01-39.0

Proof of publication and posting was presented to the Town Board by Town Clerk.

The public notice read as follows:

TOWN OF CICERO
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Cicero on June 22, 2009, at 6:30 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, New York regarding the adoption of a Local Law of the Town of Cicero for the year 2009 which would amend the Town of Cicero Zoning Ordinance as follows:

The following properties in the Town of Cicero, New York, presently located in General Commercial District as defined in the Town of Cicero Zoning Ordinance adopted June 5, 2001, are hereby rezoned and designated Residential R10 under said Ordinance, subject to all regulations created and established relative to said Residential R10 district.

Tax Map No./SBL	Property Address	Reputed Owner
076.-01-41.0	7520 Murray Drive W.	Toni J. and Frank. L. Thompson, Sr.
076.-01-40.0	7524 Murray Drive W.	Elizabeth and John Zelesnik
076.-01-39.0	7528 Murray Drive. W.	Anita M. and Walter R. Buffum

Subject to easements and restrictions of records.

Please take further notice that the environmental significance of the proposed Local Law will be reviewed at said public hearing.

Any resident of the Town of Cicero shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at Cicero Town Hall, 8236 South Main Street, Cicero, New York.

Wayne Dean stated that these are 3 parcels along Murray Drive adjacent to the Marina. One of them is vacant and a private individual wanted to put a house on it and we realized that it was zoned commercial. The two other parcels are zoned commercial but, have residences on them and should be zoned residential. That is why we requested the change to residential for the 3 parcels.

Mr. Dudzinski – Basically, we're trying to clean up the zoning.

Wayne Dean – Yes

The public hearing was opened at 8:00 p.m.

Speaking for:

Barry Zalesnik stated that he was one of the people involved and that the other lot is owned by his neighbor. He hopes his neighbor will be allowed to put his house there. I've lived there for 28 years and never knew that we were zoned commercial and I'm glad that it is finally getting straightened out.

Walt Buffum owner of the vacant lot is hoping that he will be able to start building soon, if everyone approves it. He also stated he appreciated everything that is being done for him.

Pat Leone – Chet as the Planning Board Chairman, I am very familiar with that area and it would be tough if somebody came to us and said they wanted to put in a store, which they would have the legal right to do. It would be out of place.

Mr. Dudzinski – I agree.

Mark Dorgan, 7521 Murray Drive stated there was never a business down there and that he also had a letter from John and Rita Fogarty, who are also in favor of the zone change on West Murray Dr. to R10.

Speaking against – None

The hearing was closed at 8:10 p.m.

Board Comments:

Mr. Conway stated that when Don Brodhead built that down there, he had the 3 lots on that side of the canal in the back and they were supposed to be residential lots back in 1961. How they got zoned commercial, I don't know. I am in favor of changing the zoning to R-10.

Heather Cole – The Town Board Members should have received a short environmental assessment form that would declare that rezoning these properties will have no significant environmental impact and if you are agreeable with that, you could move on that.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to declare that the rezoning of the properties on Murray Drive, being 7520, 7524, and 7528 per the State Environmental Quality Review, Short Environmental Assessment Form for unlisted actions, have no significant environmental impact on the environment as presented.

The motion was approved as follows:

- Ms. Tarwacki: Yes
- Mr. Conway: Yes
- Mr. Rybak: Yes
- Mr. Corl: Yes
- Mr. Dudzinski: Yes

Zone Change Murray Drive

Motion was made by Mr. Conway, seconded by Mr. Dudzinski, to approve the zone change from General Commercial to R-10 on Murray Drive, Tax Map numbers 076.-01-41.0, 076.-01-40.0 and 076.-01-39.0 to be known as a local law of 2009.

The motion was approved as follows:

- Mr. Conway: Yes
- Ms. Tarwacki: Yes
- Mr. Rybak: Yes
- Mr. Corl: Yes
- Mr. Dudzinski: Yes

PUBLIC HEARING TO CONSIDER AMENDMENT TO LOCAL LAW 154-1 OF THE CODE PERTAINING TO SOLICITOR'S LICENSES

Proof of publication and posting was presented to the Town Board by Town Clerk.

The public notice read as follows:

TOWN OF CICERO
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Cicero on the 22nd day of June, 2009, at 6:30 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039, regarding amendments to Cicero Code Chapter 154, Peddling and Soliciting. Copies of the proposed local law are available for review in the Town Clerk's Office.

Tracy M. Cosilmon
Town Clerk

Discussion:

Wayne Dean explained that Chief Snell, Heather, Tracy and he, have been working on and is something that hasn't been addressed in the code. They are trying to clean it up and give the town a little more control over these solicitors that come in. We have broken it apart into two separate laws. One is for solicitors who go door to door and the other is for people that such as a hotdog salesman down the street that is in a fixed location temporarily.

Ms. Tarwacki – Would that person have to get a permit.

Wayne Dean – Yes he would, but, I believe he has one.

Heather Cole – The law says that anybody that was established prior to when this is adopted is grandfathered, but, anyone afterward would have to.

Ms. Tarwacki – How about the ice cream man who drives around?

Heather Cole – Yes, that is covered.

Ms. Tarwacki – How about Jehovah Witnesses?

Heather Cole – Charitable solicitor's are exempted.

Mr. Corl – What about not for profit's, such as the Boy Scouts, doing a chicken barbeque?

Heather Cole – There also exempted.

The public hearing was opened at 8:16 p.m.

Speaking for:

Ms. Tarwacki – I think it's a good idea from a taxpayer's point of view.

Chief Snell – I would also like to speak in favor of it as it does two things. One it improves the application process. In the past, we would get several names and we'd run record checks and all of the photo ID's would be on one piece of paper and they would not individually have to fill out an application for a license indicating whether or not that they've ever been arrested or charged with a crime or a felony. Also, in the past, they did not sign over a waiver, for us to run a criminal history check on them individually. This application process, plus hopefully, the fee charge will make it more efficient for us to run a records check and also liability issues against the town for running them. The second part of this is the enforcement part. In the past we've had some solicitor's going door to door. Everyone that comes to my door ends up talking to a Police Officer as I call one right over, due to the fact, that if they don't carry a license with them, most of them don't have photo ID's with them and they say who they are, they could be anybody. What this process will do, will require each individual solicitor for that organization, to carry a license and attached to that license, will be a photo ID of that individual, to say that the person on that license is the person who they say they are and we will be able to ID the person right there. From a safety perspective, we're protecting the residents of the Town.

Mr. Rybak – It would be accountability to both the Town and to the residents.

Chief Snell - Exactly

Speaking against:

The hearing was closed at 8:20 p.m.

Board Comments:

Mr. Conway – I think it is a good thing to do it.

Motion was made by Mr. Conway, seconded by Mr. Corl, to adopt the amendment to the Solicitors License, Chapter 154-1 of the Cicero Town Code, to be known as a Local Law of 2009.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Heather Cole - There was also a schedule of recommended fees that we put together that hopefully you will adopt by separate resolution. If the town is in agreement with those fees, I would ask that you do that as well.

Mr. Corl read the following into the minutes:

Article I

Hawkers, Peddlers, Solicitors 30 day License is \$50.00
 Renewal License is \$15.00
 Replacement License \$15.00
 Individual Criminal Background Check \$10.00 per individual

Article II

Food Vendors for a 3 day license is \$50.00
 120 day License is \$200.00
 Renewal License \$15.00
 Replacement License \$15.00
 Individual Background Check \$10.00

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to approve the fees for Hawkercs, Peddlers and Solicitor's in the Town of Cicero as presented.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DEFER PUBLIC HEARING FOR BRUSH CUTTING LEGISLATION TO JULY 27, 2008

DISCUSSION OF INDEMNIFICATION AGREEMENT FOR IMPROVEMENTS IN HANCOCK AIRPARK

Lori Deitz with the Hancock Field Development Corp., stated that they are the entity that is redeveloping the Hancock Airpark, which was the former Airforce Base on Taft Road. Last year we upgraded some roads, that we would now, like to transfer to the Town of Cicero. One of the requirements is security of some sort and I am here to see if we could do this indemnification in lieu of posting actual funds, because we are not for profit, and we have about \$12,000.00 in the bank and would not be able to come up with \$50,000.00 if we needed to. We have been able to do the road work and everything based on Grants that we've had approved. I do have some more Grants coming forward, but, they are in the same boat as you, with the State and Federal Government in getting things approved and getting through the paperwork.

Heather Cole – Generally speaking, the policy in the town is to accept securities. That is what you do in different locations, when utilities and roads are going to be dedicated to the town and of course you want to be concerned about possibly setting a precedent for allowing an indemnification agreement in lieu of securities. This developer is trying to present you with

special circumstances as to why the typical policies and procedures shouldn't be followed. If the Town Board wants to accept that, it is their prerogative and we would work with the developer to put together an agreement that we felt best protected the Town under those circumstances. The Field Development Corporation's Attorney has provided me with a proposed agreement and we've had some changes going back and forth. I feel confident that we could agree on something, if that is what the Town Board wanted to do.

Ms. Tarwacki – Don't we already have a precedent where some of the developers only get a letter rather than post securities?

Heather Cole – No, a Letter of Credit is a form of security.

Mr. Dudzinski – There's a big difference as they are basically a form of Government Agency.

Lori Dietz – We're actually a Lessee of the County of Onondaga, who owns the property that we are developing and selling. Right now, most of the property is tax exempt and as we put roads in, we're able to subdivide and sell it and put it back on the tax rolls.

Ms. Tarwacki – You're tax exempt because the County owns it.

Lori Dietz – Correct, and prior to that, the Federal Government owned it.

Mr. Dudzinski – I don't have a problem with it. If something were to fall apart, I know exactly where your office is downtown and would be in touch quickly.

Lori Dietz – This agreement does say that if there were a problem, we will step up to the plate. It just doesn't hold X amount of dollars for 2 or 3 years unavailable to me to do operations at this point.

Mr. Rybak asked Chris Woznica if the roads have been inspected.

Chris Woznica – Yes and I don't see any problems with it and O'Brien & Gere did the inspection.

Wayne Dean stated that they look very good and that the work was done by Lan Co. I've been there a couple of times to go over things.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to accept the Highway Indemnification Agreement for all securities that Hancock Airpark needed to post to include roads, sanitary sewers, and storm sewer facilities as presented.

Discussion:

Heather Cole – It requires them to indemnify the Town for having to repair anything.

Ms. Tarwacki – I wanted to be sure that was spoken.

Mr. Corl and they have to sign this agreement of course.

Heather Cole – Yes they do.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF AWARD OF CONTRACT FOR REASSESSMENT PROJECT

Discussion:

Brad Brennan stated that they received 3 responses to our request proposal for the reassessment project. We reviewed those. The office of Real Property Services, Chet, Charlotte and myself reviewed all of the printed proposals. We then interviewed each contractor of the 3 responses. We found that GAR Associates was the most responsive to the proposal. We were most impressed with their public relations set up, the technology that they are going to use in digitizing photos and property record cards. We did select GAR Associates.

Mr. Dudzinski asked what the cost was per parcel. Was it \$68.00?

Ms. Tarwacki – Yes, \$68.00 per parcel.

Brad Brennan – The amount I have per parcel is \$65.14 from GAR Associates.

Ms. Tarwacki stated that when she listened to their presentation and was most favorable to the communications they will use with each taxpayer. They will hold classes to help people get through the process and to show them how to fill out paperwork and how to agree or disagree. I was very impressed with that, as this will be difficult for some people as well as hard on some people. The more help we can give, the more we're doing our jobs as the servants of the taxpayers of this town. I think that they will do a good job. I appreciated all of the companies who took the time to make their presentations. It was not easy and some of the questions that were posed were tough.

Mr. Dudzinski - GAR was very professional and they didn't run away from any tough questions. When a question was asked, they had an answer. What impressed me the most was that they are going to hold meetings and they will let you sign up online. They plan to limit the size of the classes to 50 or 60 people and I believe they said they'd have as many meetings as needed to help everyone understand the process.

Heather Cole – Has there been any discussion of payment with the contractor? I know there is a section of the agreement that talks about that, but, it was left blank for now. I want to make sure that the Town Board and the Contractor are comfortable that can be resolved.

Brad Brennan – That is something that Jeanne was looking into. That is flexible and we haven't decided if we're going to do it over two years or three years. They are open to any of those payment plans.

Jeanne Kulesa – At the meeting, they expressed that they could be very flexible with getting payments to them. We had a meeting asking if we could bill part of this into next years tax plan and make a payment then and through the following year. Nothing formal was done to pay it. Obviously, what ever they need us to do, we will get them paid. We may have to borrow.

Mr. Dudzinski – Could we have a representative from GAR come up front and answer that question if they can.

Cindy Baire, Vice President of GAR stated that they did express that they were willing to work with the Town and that they are also willing to go out of force if necessary, as they have that flexibility. We left it blank purposely, because there weren't any discussions as to what the Town's needs might be. We are willing to work with you and do whatever we can to make it palatable for everybody.

Heather Cole – Can we agree, that if you move forward tonight that you approve the contact and then we come back and approve the payment schedule at a later date?

Mr. Dudzinski – I have no problem with that.

Ms. Tarwacki – We do have a pretty aggressive start time and there wouldn't be another meeting for the beginnings of what is required.

Cindy Baire – I did forward a contract to Brad to forward to your Attorney, to look at. It has been looked at by several attorneys so, I'm sure she was pretty comfortable with the language. We are open to some suggestions if there are any. We are on a very tight timeframe, so the sooner we can get this done and signed, we can get going. We have a lot of things to do within the next four weeks especially, to get everyone notified and comfortable with the process.

Ms. Tarwacki stated that in this day and time, all government agencies are squeezing, so being able to plan it into the next cycle would be important for us.

Cindy Baire – Absolutely

Individual asked where this company is from and will it be \$65.00 times 13,000 parcels?

Ms. Tarwacki – Yes and they have offices in Buffalo and in Albany and they have the ability to draw people from different areas, in order to accomplish what needs to be done. One of the things that concerned us, was that several of the companies who came were talking about hiring some people right away and that they were going to over hire 37 extra people, just because they

knew they were going to lose some and some wouldn't be appropriate. The plan of people to actually do the work was a little bit loose and I didn't want anything to be incorrect or not up to par in measuring and the work of evaluating people's properties.

Mr. Rybak – Didn't they say also, that the other companies were going to have to train these people?

Ms. Tarwacki – Yes, they would have to train people or they were going to try and operate with five folks, to get all of this done by next January. That seemed a little scary to me and farfetched in saying they could accomplish this.

Individual – If it was approved tonight, will they be starting in a month or so?

Ms. Tarwacki stated that she believed that the starting date would be July 1st. Is that not correct?

Brad Brennan – I don't have the schedule in front of me, though it is pretty quick.

Ms. Tarwacki – When we were doing interviews, the bids said, they needed information and that things would begin in July, maybe not day 1, but the beginning of July.

Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki, to award the bid to GAR Associates, Inc. to do the re-evaluation of properties in the Town of Cicero and to set the payment schedule at the next meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF WORKPLACE VIOLENCE POLICY

Heather Cole – Back in 2006, NYS adopted some legislation to insure that places of public works such as your town hall were amused as possible from violence in the workplace. That was the result of some public employee's across the State that have been attacked and been subject to violence in the workplace. I think the town actually implemented some procedures around the time that this legislation was adopted such as making sure there were half doors in some offices and postings that no unauthorized personnel beyond certain points. In roughly three years that legislation has been adopted, the Department of Labor has put together rules and regulations for how to implement the Workplace Violence Policy. Those regulations were promulgated a couple of months ago and there is a very aggressive time table for complying with them. The Town Board should have received a manual from the Department of Labor on how to do that. Your first step is to adopt a generic policy statement and to post in your Town Hall that says we oppose workplace violence and that you are going to create a policy to insure that our workplace is as safe as possible. I suggest if you would like to adopt that statement this evening that you need to designate a contact person, should there be an instance of workplace violence. I think probably, the Town Clerk, is the most likely person for those issues. You would also need to perhaps, put together a committee to look at the ways safety could possibly be improved in your Town Hall and implement any changes that the committee would think were appropriate.

Ms. Tarwacki – I'm not sure that the Town Clerk is the best person to notify about possible violence in the workplace.

Heather Cole – That office is the clearing house for most everything that is why I picked her, but, it is your prerogative to pick somebody else.

Ms. Tarwacki – I would think that we would notify the Police Department.

Heather Cole – It is just a reporting form. It's not for her to solve the problem. It's for the incident to be reported to her and for her to take it to the appropriate personnel to have it dealt with and not for her to solve the problem.

Mr. Dudzinski asked Charlotte, who she would suggest.

Ms. Tarwacki – How about the Supervisors Office?

Mr. Dudzinski – That’s fine with me.

Mr. Corl – Would Chet appoint the committee?

Mr. Dudzinski – I have to give that some consideration.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to adopt a Workplace Violence Prevention Policy Program Guidelines, with the Supervisor being the contact person to report any workplace violence.

Town of Cicero
Workplace Violence Prevention Policy & Incident Reporting

The Town of Cicero is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests or other individuals by anyone on The Town of Cicero property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements to NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Management and Authorized Employee Representatives will have an ongoing role in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Town of Cicero has identified response personnel that include a member of management and an employee representative. If appropriate, the Town of Cicero will provide counseling service or referrals for employees.

All Town of Cicero personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: Chester A. Dudzinski, Jr.
Title: Supervisor
Department: Supervisor’s Office

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF FLEX TIME POLICY

Discussion:

Jeanne Kulesa stated that the Board should have received a memo from her regarding a flex time policy. When our auditor from NYS was here, before he left, he felt there were certain things that we should put in place in the Town and one of them that he felt was from our handbook, that it lacked a flex time policy. It is a very small statement, which I will read. There is one little thing I would like to add to the end that Heather thought was important.

Flex time policy should be based on an employee’s standard work week or day. All hours worked beyond an employee’s standard work week/day should be considered flex time hours. These hours may not be paid out to an employee. Only full time permanent non union employees may accumulate flex time and flex time may be accumulated and carried over each year. This will be an amendment to the Employees Handbook, to be included in the Employee’s Handbook and distributed to all employees. This affects a very small portion of employee’s in the town as most are in some kind of collective bargaining unit.

Jeanne Kulesa – I need authorization from the board to pass this and I will take care of distributing all of it to the all of the employee's.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve an amendment to the Employee's Handbook, to provide flex time hours as presented.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	No
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

APPROVAL OF DENTAL PLAN CHANGE FOR NON TEAMSTER EMPLOYEES

Jeanne Kulesa stated that the board should have received a memo from her concerning the Dental Insurance. July 1, 2009 is our renewal date for dental and we were approached by our representative stating that there is a fairly new plan that might be beneficial to the employees of the town. For a nominal increase the benefits given and paid out as reimbursement are significant. The only thing changed is the amount we pay. The contributions made by the employees would not change percentage wise. If they are paying 8% or 12%, they will remain paying those percentages. The most anyone's will go up is a little over a dollar to get this better coverage. If not, we'll renew with the old coverage. The only caveat is next year they may call you and tell you that they have cancelled the plan we have right now as they are in the process of changing things and that is one plan they are going to do away with. I would like permission from the board to upgrade our plan and have the Supervisor sign the paperwork

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize the town to upgrade the non Teamsters Employees Dental Plan to a newer plan and to authorize Supervisor to execute the paperwork.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

APPROVAL TO HIRE MARY BETH TOGNI, REAL PROPERTY APPRAISAL AIDE, START DATE JUNE 25, 2009 AT A YEARLY SALARY OF \$35,000

Discussion:

Brad Brennan explained that he and Charlotte interviewed 5 people interested in the position for Real Property Appraisal Aide, and they were solicited from the Civil Service list. We did select Mary Beth Togni, who has had real estate and management background that impressed us. I am asking the board to appoint her effective June 25, 2009 at the pay rate of \$35,000.00. I did a study on the salary and there are three positions similar to this or that are exactly the same as this and towns that are similar to ours and \$35,000.00 was the average.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to hire Mary Beth Togni for the position of Real Property Aide effective June 25, 2009 at the yearly salary of \$35,000.00.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Heather Cole – You will need to clarify if this position is going to be part of the Teamsters Collective Bargaining Unit. I think the Supervisor spoke with the representative of the Teamsters today. Is it going to be in or out of the bargaining unit?

Mr. Dudzinski – It should be in.

Heather Cole – It isn't a supervisory roll as far as I know.

Mr. Dudzinski - They would be sharing work.

Ms. Tarwacki – It is still up to the person to decide whether they want to join or not.

Should we vote on it, should the person want to avail themselves of becoming part of the bargaining unit, or should we save it for another time?

Mr. Dudzinski – I think we should save it for another time.

APPROVAL OF RANGE AGREEMENT WITH BRIDGEPORT ROAD AND GUN CLUB

Chief Snell stated that he has provided the board with a copy of the contract with the Bridgeport Rod and Gun Club. Their Board of Directors approved the proposal at their meeting last Thursday. I have met with Chris Woznica at the site, and it is very doable to dump dirt there at a minimum cost to build the berms up. It is a win, win, for us as we will have a significant reduction over time for qualifications.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve the Range Agreement with Bridgeport Rod and Gun Club.

The motion was approved as follows;

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

YBPR SUMMER STAFF CHANGES

Motion was made by Mr. Corl, seconded by Ms. Tarwacki, to approve the following Youth Bureau and Park and Recreation staff changes as follows:

Staff Deletions

Tyrell Newton
Kelly Spagnoletti
Catherine Sweeney

Staff Title Changes

Previously approved as Recreation Leaders (\$9.50/hr; B7140.1
Change Title/rate of pay to – Recreation Attendant (\$7.25/hr; B7140.1

Briana Echols
Nicole Kerry
Brittney Lindley
Laura Walker

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

YBPR PURCHASES

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize an expenditure of \$1,529.96, to purchase double clean mulch at \$17.00 a cubic yard delivered from Green Scapes, Inc., Budget Code A7110.45.

The motion was approved as follows:

Mr. Conway:	Yes
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

PUBLIC INPUT 3 MINUTES PER SPEAKER

Sherry Mitchell, 6121 Diffin Road stated she was talking with her neighbors and we have some foxes running around. I was just wondering how we deal with nuisance animals.

Tracy Cosilmon – The town actually has a contract with Bill Berry Wildlife. You can give my office a call as I have your address. There are foxes in that area and he is addressing the situation. Some of your neighbors have already brought this to our attention. If Bill catches it the town pays most of the cost but, you're responsible for \$15.00.

Sherry Mitchell – One of the things I noticed when I was looking at the Brewerton Revitalization Plan reminded me that we were supposed to put a sidewalk out front. At one point we were talking about doing that and I was wondering what ever happened to that project.

Mr. Dudzinski stated that we got an estimate of cost for it last year, though he couldn't recall off the top of my head, but it was a lot of money.

Tracy Cosilmon – I brought it before the board and they decided not to do it. The State came out, and they had some type of problem with some surveying issues. It's really at their level right now. It also wouldn't adjoin to anything right now, for that kind of money as there is no sidewalk area for it to adjoin to.

Individual – If it's going to cost \$65.00 and change to have all of the parcels reevaluated, why don't you just put it on next years tax bill?

Mr. Dudzinski – We're checking into that.

Mr. Rybak – We're seeing if we are able to do that.

Individual – I hear the term Permissive Referendum and I think I understand it, but, could someone please explain it.

Heather Cole – A Permissive Referendum is one in which voters have to submit a petition with a certain number of signatures in order to actually have the resolution sent to a formal vote. That is different than a Mandatory Referendum. With a Mandatory Referendum, it automatically goes to voter approval.

Cicero Resident – Again, Tracy, the baskets and banners and flags add a lot to downtown Cicero and I congratulate you on all the effort you put in. Do you have the Park's Department water them quite a bit?

Tracy Cosilmon – Yes and they do a great job.

Cicero Resident – The other thing I wish to comment on is the striping of the town is 100% better with the new machine that Chris bought. For the quarter million dollars you spent, we'll get a big bang for our buck.

Inaudible response.

Resident - It was \$55,000.00? Great job!

Resident – My other comment would be as Ms. Mitchell pointed out, if we were going to be putting sidewalks in, at some point we have got to begin to look at Cicero Hamlet. We need some shoulder work, tip up curbs and we need places where people can actually walk. People that go

into these businesses shouldn't have to walk in the road. At some point there can be a sidewalk in front of the Town Hall, but, it's got to go from somewhere to a completion and I hope that happens someday. My last comment is, when we consolidated the Tax Assessor Department in our Town with Salina, I thought it was supposed to be a cost savings benefit. By adding this \$35,000.00 job, I think we're spending more than we were previously. Does anyone have a number as to what the budget is going to be in the Assessor's Office now?

Brad Brennan – I think with this position we will be spending more. The board has always been aware of that as was the Reassessment Committee, knowing that when we take the step to do the reassessment project, we will need that extra person to maintain it. So, it is an investment in our future to keep that investment current.

Resident – It is that, but why did somebody throw the terms out as a tax savings move, because it certainly wasn't going to be that and is misleading?

Brad Brennan – At this point, you are saving money. My salary is less than your previous Assessor was getting, so there was a savings there.

Resident – But, overall it is costing us more and we were told it was a tax saving consolidation and it hasn't turned out to be that.

Board Comments:

Mr. Conway – I would like to thank Chris and Jody for their help. I don't know how much the blacktop cost, but, last Tuesday, the \$14,000.00 job at the park in the town was taken care of in four hours.

Jody Rogers – I have a PO for \$950.00. I wish to thank Vern and Charlotte for coming out and O'Brien & Gere for sending people out as well and Chris and my staff did a great job. Hopefully, it will last for awhile.

Ms. Tarwacki thanked Jody for being on top of it. It took a group of people to get it done, but, thanks for being on top.

Mr. Rybak – Thanked Jody and her staff and the Chamber, for the wonderful job they did with the parade and festival. It went off flawlessly.

Mr. Dudzinski – The town has received proposals from firms hoping to act as the contract for transportation related improvement in the Hamlet of Brewerton. These improvements will be funded by the money the town receives from Senator Schumer that is currently held by the NYS Department of Transportation. The project will involve creating additional parking in the Hamlet and improving the streetscape that goes hand in hand with other revitalization efforts in Brewerton, such as new zoning regulations discussed tonight. The funds we receive from Senator Schumer will go a long ways towards the overall revitalization effort in Brewerton, which start with our creation of a strategic revitalization plan funded through the NY State Local Waterfront Revitalization Program. We're continuing to work for that program and I am personally very grateful to our local Brewerton residents and businesses that have been so enthusiastic about the revitalization efforts. There enthusiasm has been more than just lip service. Many of them, like Dr. Carroll who was here tonight, Judge Walczyk, have already spent significant amounts of there personal money to improve their properties in Brewerton. In order to keep moving forward, we need to form a small committee to interview these consultants in accordance with the DOT's procedures. I've asked that Jeanne, Wayne, Vern, Heather and Helen Carroll from Brewerton, sit on this committee with me, to conduct the interviews. The DOT advises that the Town Engineers can not sit on the committee. My office has made contact with the contractor to set up the interviews. The committee will use the DOT's rating criteria and I will report back to the board of the committee's selection.

Tracy Cosilmon – There is free fishing weekend on June 27th and 28th. Our rabies clinic is Monday June 29, 2009, at the Highway Garage from 5:00 p.m. To 7:00 p.m.

There being no further business before the board, the meeting was adjourned at 8:45 p.m.

Tracy M. Cosilmon
Town Clerk

