

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, August 25, 2010, at 7:00 p.m., held at the South Bay Fire Department, 8819 Cicero Center Road, Cicero, NY 13039.

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

Others Present: Christopher Woznica, Highway Superintendent
Sharon Edick, Receiver of Taxes
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Wayne Dean, Director of Planning & Development
Shirlie Stuart, Comptroller
Brad Brennan, Assessor
Pamela Williamson, Secretary to Supervisor
Anthony Rivizzigno, Town Attorney
Ronald DeTota, II PE, C & S Engineers
Catie O’Toole, Post Standard

Absent:

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

Ms. Boyke indicated where the fire exits were and read the following statement:

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and, therefore, urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn of your cell phones and be sure to speak into the microphones to enable all to hear.

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

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

The motion was approved as follows:

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

APPROVAL OF JULY 28, 2010 MEETING MINUTES

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve the minutes of the July 28, 2010 town board meeting.

The motion was approved as follows:

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

DEPARTMENT HEAD INPUT

Highway

Chris Woznica explained that many of the millings were sold to Barrett Paving and that Parks and Recreation will be taking 10 to 15 % of what is left. At a previous meeting, the board suggested that we charge for them and I'd like to know what they would like me to do.

Ms. Boyke – It doesn't sound like we will have much left. Do we have anyone interested in them?

Chris Woznica – We have about 6 people who want them.

Ms. Boyke – Do they know that we would be charging?

Chris Woznica – Yes

Ms. Boyke – I believe we suggested that the charge would be \$25.00 a load.

Ms. Zambrano stated that she felt it was a good idea to charge a fee to compensate for the staff and labor time, truck use and other costs associated with the Town Highway Department delivering the millings. I think we should get something for them and I would go as low as \$20.00. We need to recoup something for the service being provided.

Ms. Boyke – Where will this money be applied?

Shirlie Stuart stated it will be applied to the Highway Fund.

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to set the fee at \$20.00 per load for delivery of millings to people interested in buying them, and for the Town Comptroller and Town Clerk to handle the money and receipts.

The motion was approved as follows:

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

Police

Chief Snell stated that on Monday, he provided the town board with his response report to the Police Study.

Ms. Boyke – We have that in our possession.

Ms. Zambrano – Did the Police Study Committee get to see that?

Chief Snell – No, they did not.

Ms. Boyke offered the members of the committee a copy of it after the meeting, if they wanted it.

Chief Snell recommended that this be kept under the FOIL act and that he instructed Tracy that it should not be released because we are in contract negotiations with the Union and there is some sensitive information that should only be privy to the Town Board.

Ms. Boyke asked Mr. Rivizzigno, if that was correct.

Tony Rivizzigno – If they are agency records that pertain to the contract negotiations that is correct.

Ms. Zambrano – Are there agency records?

Chief Snell – There are budgets mentioned and next years proposals are in that report that could be a problem down the road to the contract negotiations. It’s up to the board if you release it or not.

Ms. Boyke – I would have liked to have known that this was a confidential piece of information.

Chief Snell – It’s not confidential, it’s up to the board whether they release it or not. I’m only advising you of my opinion.

Mr. Jennings - If they know it’s out there, they can FOIL it.

Chief Snell – It’s not able to be foiled under the FOIL Laws, under Agency Records, because there are current contract negotiations with the bargaining unit going on now. Until those negotiations are completed, legally, that report does not have to be released.

Mr. Corl asked Tony Rivizzigno, to take a look at the report and after some discussion we can determine who can, or can’t have that.

Comptroller

Shirlie Stuart requested approval for an emergency purchase for a backup system for the town’s computer system at the town hall. Three quotes were received in my office from Wayne Freeman, and she made the decision to go with Network Security Associates in the amount of \$2,840.00.

Motion was made by Ms. Boyke, seconded by Mr. Corl, to authorize an expenditure of \$2,840.00 to Network Security Associates to purchase a backup system for the computer system in the town hall.

The motion was approved as follows:

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

Park & Recreation

Jody Rogers requested approval for the following staff appointment.

Motion was made by Mr. Jennings, second by Mr. Conway, to approve the appointment of Michelle Szymanoski, 1136 Vine St. E-7, Liverpool, NY as a Center Monitor at the Can Teen effective September 7, 2010 at the pay rate of \$10.00 per hour up to 20 hours per week.

The motion was approved as follows:

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

Town Clerk

Tracy Cosilmon stated that she received information from the Board of Elections regarding the 2010 Polling Sites which are listed as follows: They will be put on the town’s website and are as follows:

TOWN OF CICERO
2010 Polling Sites

DISTRICT

1,15	Cicero Town Hall	8236 S. Main St., Cicero
2, 8	South Bay Fire Dept.	8819 Cicero Center Rd. Cicero
3, 7, 14	Bellwood Baptist Stationq	445 Church St. N Syracuse
4, 11, 21	Brewerton Fire Station	Route 11, Brewerton
5, 6, Clay 10	No. Syracuse Village Community Center	700 South Bay Rd. N. Syracuse
9, 10	Cicero Fire House	8379 N. Main St. Cicero
12, 1 8	Cicero Senior Center	5924 Lathrop Dr. Cicero
13, 20	St. Francis of Assisi Church (The Parish Center)	7820 Bridgeport Minoa Rd. Bridgeport
16, 17, 24, 28	Believers Chapel	7912 Thompson Rd. Cicero
22, 26, 27	J. H. Spire American Legion	5575 Legionnaire Dr. Cicero

Tracy Cosilmon also explained that she needed approval for a Fireworks Permit, retroactive to August 14, 2010. She had a request from Vincent Speziale of American Fireworks to do a display for a wedding to be held at the Lakeshore Yacht and Country Club. All of the necessary paperwork and signatures were in order and a \$75.00 permitting fee has been received.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize a Fireworks Permit retroactive to August 14, 2010 as requested by Vincent Speziale of American Fireworks, to be held at the Lakeshore Yacht Club for a wedding, subject to a \$75.00 permitting fee.

The motion was approved as follows:

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

Engineer - None

Assessor

Brad Brennan requested approval for Mary Beth Togni, to attend a course offered by the State Office of Real Property Tax Service being offered at no charge for field review and he would like his Appraisal Aide to have authorization to attend that. The course is being offered in September and I believe it is four days. She will be driving her own vehicle and will not be requesting mileage. The only thing we are requesting will be the fees for parking in downtown Syracuse.

Discussion:

Ms. Boyke believed the course was for 3 days and asked Brad if there would be any issues with this as it will be during peak time in the Assessor's Office.

Brad Brennan – No, the coverage will be sufficient.

Motion was made by Ms. Zambrano, seconded by Mr. Corl, to authorize Mary Beth Togni, to attend a course offered by the State Office of Real Property Tax Service, for field review at no charge to be held in Syracuse, NY in September.

The motion was approved as follows:

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

Zoning – None

Tax

Sharon Edick reminded everyone that the school bills will be mailed the beginning of September and they will include the exemption forms for any person, who has filed for an exemption in previous years. For those who will be 65 this coming year, you will have to go to the Assessor's Office to get a form and fill that out. They will need to be in the Assessor's Office by March 1st. I have no figures yet and some of the school boards haven't even met yet. As soon as our office gets the bills, we will be hopping. Please be patient. I am receiving many calls as people are trying to plan budgets, but, I can't help yet.

Brad Brennan thanked Sharon for mentioning the exemptions. People who will be 65 by December 31, 2011, will be eligible for the Low Income Seniors and the Enhanced STAR, even though the application is due by March 1, 2011 and as long as one spouse is going to be 65 by December 31, 2011.

Ms. Boyke asked Wayne Dean if they were going to address the item of Fire Hydrants.

Wayne Dean stated that he looked at and felt that the request is reasonable. He forwarded the information the Cicero Fire Department but he has not received a response yet relative to the four hydrants in Wallington Meadows, Section 7. Wayne didn't know if there was anyone in attendance from the fire department that may wish to speak to this.

Someone said that Mr. Pangaro would be at the meeting later and that he would be able to answer the questions.

DECISION TABLED TO LATER IN THE MEETING

Ms. Zambrano asked if this was something that the Town Engineer gets involved with.

Ron DeTota stated that he did have the opportunity to review the submission at the pre meeting workshop yesterday and found that it does meet engineering standards as required by the town.

APPROVAL OF ABSTRACT #15 OF 2010

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve Abstract #15 of 2010 as follows:

General Fund	Voucher #1424 to Voucher # 1536	In the amount of \$384,158.97
Highway Fund	Voucher #414H to Voucher #433H	In the amount of \$ 84,276.75

The motion was approved as follows:

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

APPROVAL OF ABSTRACT #16 OF 2010

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to approve Abstract #15 of 2010 as follows:

General Fund	Voucher #1527 to Voucher # 1634	In the amount of \$601,820.19
Highway Fund	Voucher #434H to Voucher #452H	In the amount of \$ 79,319.11

The motion was approved as follows:

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

BUDGET MODIFICATIONS

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

Shirlie Stuart stated that she wanted to draw attention to one thing, which is a \$10,000.00 give back. The Pre-School Program originally planned for two sites in the 2010 Budget and they utilized one, giving back \$10,000.00, unused, so we put it back into the contingency.

**Budget Modifications – 2010
Board Meeting 08/25/2010**

AMOUNT	FROM CODE	TO CODE
\$2,000.00	A711045 IMPROV/REHAB	A711011 PARKS/LABORERS
\$ 600.00	A715042 IMPROV/REHAB	A71501 PERSONAL SERVICES
\$ 50.00	A711010T PARK OVERTIME	A711011 PARK LABORERS
\$ 30.00	B714040 SUPPLIES	B714042 MISC
\$ 25.00	B715012 LEARN TO SWIM	B715047 CONTRACTUAL – LEARN TO SWIM
\$2,000.00	A162040 BUILDINGS	A16204070 SUPPLIES
\$ 381.00	A1620460 BUILD. CONTRACTS	A162040 BUILDINGS
\$ 500.00	A1620403 BUILDING-GARAGE	A1620490 BUILDING WATER
\$ 2,400.00	A1620403 BUILDING GARAGE	A1620405 BUILDING- P&R POLE BARN
\$10,000.00	B714010 PERSONAL SERVICE (PRE-SCHOOL)	B19904 CONTINGENT ACCT.

Budget Amendments

\$ 7,411.00	B73101CO COPS
\$47,431.00	B73101YB YOUTH BUREAU
\$14,169.00	B73101FR FRIENDS OF THE CANTEEN
\$ 3,921.00	B7310402FR FRIENDS OF THE CANTEEN
\$ 5,310.00	B731042FR FRIENDS OF THE CANTEEN
\$20,400.00	B3389C0 COPS
\$26,041.00	2705FC FRIENDS OF THE CANTEEN
\$14,800.00	B3389ST STRIPE
\$ 2,465.00	B2005 EXTENDED DAYCARE (NEW REVENUE ACCT)

The motion was approved as follows:

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

Shirlie Stuart announced two workshops coming up. One is for the Fire Protection Agreements which is scheduled for September 14, 2010 and the other Budget Workshop is for the Tentative Budget, which will be held on September 17, 2010 at 9:00 a.m.

Shirlie asked Tracy if a motion was needed.

Tracy Cosilmon – No, only an announcement.

**PUBLIC HEARING ON PROPOSED LOCAL LAW NUMBER 6 OF 2010
AMENDING THE TOWN'S PEDDLING & SOLICITING LAW AND
CONSIDERATION OF A REVISED FEE SCHEDULE**

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 25th day of August, 2010, at 7:00 P.M. at the South Bay Fire Department, 8819 Cicero Center Road (corner of Lakeshore Road and Cicero Center Road), Cicero, New York, to consider the following: a local law that amends Chapter 154, Peddling and Soliciting, of the Town Code of the Town of Cicero. The extent of the amendment will be reviewed by the Town Board at the public hearing. The local law shall be available for review in the Town Clerk's office.

The public hearing was opened at 7:20 p.m.

Speaking for:

Mr. Rivizzigno stated that the amendment to the Local Law was a result of our problems with charitable organizations. What we basically did was to exempt solicitors, peddlers and food vendors at a community event which is defined in the local law. We amended the law to exempt food vendors who are charitable organizations, exempted solicitors who have obtained a permit or license from the town, to sell items, a town sponsored Farmer's Market, or similar type event. We also amended the code so that the terms of the licenses are set by town board resolution, which is in a separate resolution, which sets the fees that we have been talking about changing. That will be a separate resolution, once you have adopted the local law.

Speaking against - None

The hearing was closed at 7:21 p.m.

Board Comments:

Mr. Corl stated that as Tony already mentioned, this was implemented a few years ago and the basis for this, was to have some control over folks selling things in neighborhoods, such as door to door sales people. We have found that some things needed to be tightened up and Tony has gone over this to tighten up the language.

Tracy Cosilmon – I would like to add, that our Chief of Police, Joe Snell, was active in helping us, do the background checks that are necessary to be sure people going door to door, don't have any history and they are given in a timely fashion, which is important to say.

Mr. Corl told people to contact the town if they had any questions regarding someone soliciting in their neighborhood, to see if they are properly registered with the town and have the right to be here.

Mr. Jennings stated that since there are two resolutions to this law and said he should read the fee schedule aloud before enacting the law.

Mr. Rivizzigno stated that the fee schedule can be changed at anytime by resolution. So, once the local law is set, you can adopt this fee schedule today, and if you want to change it next month, you could and the local law will stay in effect.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to approve the Local Law that amends Chapter 154 of the Town of Cicero Code to provide for amendments to the Peddling and Soliciting Law, to be known as Local Law 6 of 2010.

The motion was approved as follows:

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

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the revised schedule for licenses under the Towns Peddling and Soliciting Law as follows:

Peddling and Solicitor Law – Fee Schedule

Article I Hawkers, Peddlers, Solicitors, Transient Merchants

10 day Transient Merchants License	\$250.00
30 Day License	\$ 50.00
Calendar Year	\$200.00
Renewal of 30-day License	\$ 15.00
Replacement License	\$ 15.00
Individual Criminal Background Check	\$ 10.00

Article II – Food Vendors

1-day License	\$ 25.00
30-day License	\$ 50.00
180-day License	\$200.00
Renewal of 30-day License	\$ 15.00
Replacement License	\$ 15.00
Individual Criminal Background Check	\$ 10.00

The motion was approved as follows:

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

PUBLIC HEARING ON RENEWAL OF FRANCHISE AGREEMENT
WITH TIME WARNER CABLE

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 25th day of August, 2010, at 7:00 P.M. at the at the South Bay Fire Department, 8819 Cicero Center Road (corner of Lakeshore Road and Cicero Center Road), Cicero, New York, to consider the following: the renewal of an agreement with Time Warner Cable regarding its cable franchise in the Town of Cicero. The extent of the renewal will be reviewed by the Town Board at the public hearing.

Discussion:

Mr. Rivizzigno stated that the proposal for the Time Warner Agreement is that the State Law requires us to approve their Franchise, so that they can operate within the town. The proposed Franchise Agreement is virtually identical to the one we have been operating on for the last ten years. Part of that agreement provides that Time Warner will put a Roadrunner Internet connection in any municipally owned building as long as it is 200 feet of an existing connection. The rest of it is the same as the old one. Currently, there is a 3% franchise fee that the town board could choose to keep or increase. We just need to have this public hearing before you approve it, and you don't have to approve it tonight. Unfortunately, the Time Warner people couldn't be here tonight as they had a conflict. If there are more questions, we can adjourn this for another night.

Ms. Boyke – I think that we should defer this so that we can chat with them a little.

Mr. Rivizzigno – I don't know if there is anyone here this evening who wishes to speak for or against it.

The public hearing was opened at 7:30 p.m.

Speaking for - None

Speaking against:

Deborah Gardner stated that she has Time Warner in her home and wouldn't want the town to not renew this. She stated that she had a couple of questions.

Q. The Town Attorney mentioned paragraph 3.10 and that Time Warner will provide one outlet to a Library, or to public or parochial schools, or any building owned by the town. The former contract, paragraph 15A, says that Time Warner would provide and maintain a single service outlet to any school, Police Station and firehouse and municipally owned building. So, I am wondering if the Police Station and any sub-stations we may end up with, and if the firehouses, will be included in this new contract? I would also like to know if this means the town hall will soon have public access to Wi-Fi in the town hall.

The next paragraph I'd like to address is 12.1, which states that Time Warner will not discriminate in providing services or its employment practices based on age, race, creed, color, national origin or sex. Will you please consider asking Time Warner to include sexual preference, gender identity, in that list. I am sure Time Warner doesn't discriminate in either of these areas, but, I think they should also be included, this is 2010.

The hearing was closed at 7:31 p.m.

Discussion:

Ms. Zambrano pointed out that the revenues that we have gotten at a 3% rate in 2009, was \$240,000.00. The proposal as presented by Time Warner is to continue 3%. It is to bad that someone from Time Warner wasn't here, as I would like to ask them some

questions. If we were to considered an increase in the revenue rate what that would mean as far as passing on the fees to the customers? I wouldn't want large fees, but, this is an age where everything is going up, so I think we should consider the possibility of getting additional revenue from a slight increase. I am a Time Warner customer and I don't want to see my cable rates go up, but I think it is reasonable to consider a slight increase. Also, I also agree with the statement that was made, to have cable outlets in all of the buildings. I am not sure if the CanTeen Center is specifically mentioned or not. Right now, we don't own that building.

Jody Rogers – The Friends of the CanTeen will own that building and we will lease it from the Friends.

Ms. Zambrano – If it's a leased building, can we try to get a cable outlet?

Mr. Rivizzigno – Yes, the contract says, owned or operated by the town. I have already spoken to Time Warner about this and they are agreeable to put an installation in any of our buildings. It isn't a problem for them.

Ms. Zambrano – The language in the agreement speaks to a lump sum payment once a year and in fact we have been getting quarterly payments. I think that is a good thing for our cash flow.

Mr. Rivizzigno – It will be quarterly payments.

Ms. Boyke – The other part of the contract that we will be looking into is 15 year time frame. We would like to discuss the possibility of shortening that. 15 years is too long a time.

Ms. Zambrano – Things are changing so quickly, that I think 10 years is a long time too.

Ms. Boyke -That is something we will discuss.

Mr. Corl asked if it would be possible to have a representative from Time Warner at the next meeting.

Mr. Rivizzigno – Yes, unfortunately, they had a conflict tonight, or they would have been here. I told them we were going to have a public hearing and that we could keep it open if we had to.

Mr. Corl stated that it would be interesting, if we had questions prior to their coming and that he would like to know if we increased the rate if it would affect the consumer.

Mr. Rivizzigno – I can answer that question now. The answer is yes. The Franchise Fee is paid by the cable users and not paid by the company, though it goes through the company

Ms. Boyke – We will leave the public hearing open and defer decision to the next board meeting to be held on September 8, 2010 and asked if she needed a motion.

She was told that a motion wasn't required.

MS. BOYKE - THE HEARING WILL REMAIN OPEN

AUTHORIZATION OF A BOND ANTICIPATION NOTE (GAR ASSOCIATES)

Discussion:

Shirlie Stuart stated that the original BAN was done in October or November of 2009 and now we're just acting on that resolution. It is simply a BAN for \$400,000.00 and the scheduled payments for GAR Associates, this year was \$400,000.00. We need to borrow for that.

Ms. Boyke – This was not part of any budget, prior to that.

Shirlie Stuart explained that it was part of this year's budget. They budgeted for it in 2010 and you will see it in the budget and the resolution was done in October or November of 2009. Tony has all of the necessary paperwork that went along with that resolution.

Ms. Zambrano asked if this was specific to GAR.

Shirlie Stuart – Yes

Ms. Zambrano stated that the resolution as written, doesn't mention GAR. Is it possible to add that so that it is part of the record?

Mr. Rivizzigno explained that the original Bond Anticipation Note doesn't mention GAR specifically. It just mentions for the assessment of the town. There isn't a specific name of a vendor, so the Bond Anticipation Note, just repeats what the original Bond Resolution was. There is no mention of GAR specifically, but, that is what it is for.

Ms. Zambrano asked if our paperwork will specify that it's to cover the GAR payment as she wants everyone to know that and that's what she wants.

Mr. Rivizzigno explained that the resolution is simply a resolution authorizing the Supervisor to execute a BAN Agreement in the amount of \$400,000.00 pursuant to the Bond Resolution dated November 5, 2009.

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to authorize the Supervisor to execute a Bond Anticipation Note Agreement with GAR Associates in the amount of \$400,000.00 pursuant to the Bond Resolution dated November 5, 2009.

The motion was approved as follows:

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

APPROVAL OF SILTATION AND EROSION CONTROL AGREEMENT FOR HANCOCK AIRPARK INFRASTRUCTURE AND ROADWAY IMPROVEMENTS, PHASES IV AND V

Discussion:

Ron DeTota stated that due to a conflict of interest, he needed to reclude himself from this item.

James Fensken, Bryant Associates, explained that they looked at different phases of completion and what would be needed to stabilize the site and recommended the amount of \$68,500.00 to be posted for required security for Hancock Airpark Infrastructure and Roadway Improvements for Phase IV and V prior to construction.

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to authorize the Supervisor to execute the Siltation and Erosion Control Agreement with Hancock Field Development Corporation for the Hancock Airpark Infrastructure and Roadway Improvements, Phases IV and V, as presented, upon Hancock Field Development Corporation providing the required security of \$68,500.00.

The motion was approved follows:

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

RENEW INTERMUNICIPAL AGREEMENT BETWEEN TOWN OF CICERO AND
NORTH SYRACUSE FOR SHARE SERVICES

Ms. Boyke stated that she had a proposal from Mayor Browning in regards to the Shared Services Agreement that we have been doing in the past. It is due to renew in September and I would like to defer it to our next meeting so that we have time to review and have a discussion on it.

Mr. Corl asked Wayne Dean how the Shared Services Agreement is working out.

Wayne Dean – It is hectic but it is working out and we're getting through it.

Ms. Boyke – It is my understanding that their codes enforcement is getting up to speed.

Wayne Dean explained that they have hired a part time woman and she is working 19 hours per week and is becoming familiar with everything. She's doing a good job.

Ms. Zambrano expressed concern about this agreement. Cicero is getting some income or revenue from this, but she is concerned that all of the responsibilities have not been carried out in the Zoning Department. She is interested in having a discussion about staffing and perhaps organization of the Zoning and Codes Office and would like to pursue this when they receive a little more information.

Deferred decision regarding the Shared Services Intermunicipal Agreement until September 8, 2010 Town Board Meeting.

RELEASE OF THE LANDSCAPING BOND FOR WALMART

Discussion:

Ms. Boyke stated that in the bond release that we have which is dated June 30, 2005 is in the amount of \$59,000.00 and is the Landscaping Buffer Agreement Bond for the WalMart site. She asked Wayne Dean if the check list was done.

Wayne Dean – Yes, it was done years ago and I rode around in the spring and everything seems to be in order and that is why I recommended releasing it.

Ms. Zambrano didn't think we should make SEAYCO THF, wait any longer for this release and she wanted to know if it would be possible to get a written statement from Wayne, as requested last time, to that effect as she felt there should be some sort of staff report stating the agreement has been met.

Wayne Dean – I gave my recommendation to Pam early this afternoon and she said she would forward it to everyone.

Pam stated it was sent.

Ms Zambrano read Wayne Deans memo as follows:

Date August 25, 2010

I recommend that Seayco-THF be released from their obligation to extend the Landscaping Buffer Agreement (Bond # 104521468) regarding the landscaping for the Walmart site. This original agreement dated June 30, 2005 was for an amount of \$59,000.

Ms. Zambrano stated that she was perfectly willing to submit a resolution to release this, but, would actually like a statement saying that the conditions were met. I think that I was clear about that before and in my communications with you.

Wayne Dean – I'll do that but, thought that would suffice.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to release the Landscaping Bond for the WalMart site in the amount of \$59,000 conditioned upon a written statement stating that all of the terms of the agreement have been met.

The motion was approved follows:

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

ACCEPT THE RESIGNATION OF SERGEANT ANDREW SCHERER
EFFECTIVE AUGUST 31, 2010

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to accept the resignation of Sergeant Andrew Scherer, effective August 31, 2010 with regret.

The motion was approved follows:

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

YOUTH BUREAU, PARKS AND RECREATION PURCHASE APPROVALS

Extended Day Camp Expenses

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize an expenditure of \$2,465.00 to New Dimensions Properties LLC for Extended Day Camp expenses to be reimbursed via participant fees, budget code B7140.43.

The motion was approved as follows:

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

Canopy for John Deere 1600 Tractor

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize an expenditure of \$1,408.50 to North Syracuse Lawn & Snow to purchase a canopy for the John Deere 1600 Tractor, budget code A7110.41.

The motion was approved as follows:

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

Playground pieces

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to authorize an expenditure of \$1,759.00 including shipping and handling to RE Woodson, Inc., to purchase playground pieces replaced on Valvoline Instant Oil Playground unit at Central Park, which was installed in 1997, Budget Code A7110.45.

The motion was approved as follows:

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

Replace two doors and a frame on parks garage

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize an expenditure of \$1,452.00 to BR Johnson, Inc., to replace two doors and a frame on the parks garage, Budget Code to be determined.

The motion was approved as follows:

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

HIGHWAY PURCHASES

Radiator

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to authorize an approximate expenditure of \$3,500.00 to Stadium International to purchase a radiator for truck #18, Account Code, DB5130.55

The motion was approved as follows:

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

Box Beam Guide Rail for Rosewood Circle

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize an approximate expenditure of \$3,500.00 to Crossroads Highway, to purchase a box beam guide rail for Rosewood Circle, Account Code DB511242.

The motion was approved as follows:

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

Traffic Sign Material

Motion was made by Mr. Conway, seconded by Mr. Jennings, to authorize an expenditure of approximately, \$5,000.00 to 3M Traffic Safety Systems to purchase traffic sign material, Account Code A3310.4.

The motion was approved as follows:

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

Miscellaneous size traffic sign blanks

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to authorize an expenditure of approximately \$1,800.00 to Delo Welding to purchase miscellaneous size traffic sign blanks.

The motion was approved as follows:

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

POLICE STUDY COMMITTEE

Ms. Boyke stated that the Police Study was going to be presented and that the Committee was in attendance. This is not a public hearing and there will be public input and I ask that if you speak for or against, that you try not to be repetitive. Tonight is nothing more than a discussion and the board is seeing this in full for the first time along with the rest of you. I would ask, if you come up to speak, that you keep it to 3 minutes. As far as asking questions of the Committee, they are not prepared fully, to answer them. As far as having open discussions, it is not going to be a debate this evening. I would appreciate your cooperation and will turn the meeting over to John Winters, who is the Chairperson of the Police Study Committee.

POWER POINT PRESENTATION OF THE POLICE STUDY

Mr. Winters stated the purpose of the committee was to determine what we have in the Town of Cicero and to make recommendations to the board. Everyone who worked on the committee met weekly and worked very diligently.

THE PRESENTATION IS ON THE TOWN'S WEBSITE FOR ANYONE WHO
WISHES TO VIEW IT

www.ciceronewyork.net

on the first page of the website on the right hand side, under download

Ms. Boyke thanked the committee for all of their efforts in preparing this study and opened the meeting to the public for their input.

PUBLIC INPUT 3 MINUTES PER PERSON

Deborah Gardner – I would like to know who the three companies were that bid on the backup system.

Shirlie needed to look up the information and responds later.

Deborah Gardner asked what a \$10.00 fee for a background check gets us. It doesn't seem like a lot of money for a comprehensive background check.

Chief Snell - I don't know what you mean by comprehensive the way your expectation is, but, what we're allowed to run is a records check as to whether they have an arrest record, as well as if there are any warrants for their arrest. There have been some individuals that we have taken off or restricted from not soliciting in the town. We want to make sure sex offenders are not soliciting in the town or anyone who has an arrest warrant. That's what you get for your \$10.00.

Deborah asked if it is Town wide, State wide, or Nation wide.

Chief Snell - Generally it is CNY as you can't do a State wide one.

Shirlie Stuart stated that in response to Deborah's question, three quotes for the backup system are as follows:

Dell in the amount of \$3,506.65
Rovaldiscount.Com, in the amount of \$2,900.00
Network Securities Association in the amount of \$2,840.00

Deborah Gardner reminded the board that we have a lot of fine companies in Cicero, Onondaga County and CNY and suggested that we look to do business with them before we go to online companies. I also wanted to mention the workshops. I went to the pre meeting yesterday and found it interesting and I am pleased that they're going to be held again. In the past Mr. Corl has criticized the workshops as he feels people come to town board meetings so that they can be fully informed. He also complained that there is no record of what goes on at these meetings, what decisions are made or what was discussed. He suggested that workshops be moved to 5:30 p.m. Wednesday night, to be more convenient. First there is no convenient time for everyone. At 5:30 p.m. some people are enjoying dinner with their family and then helping children with homework. Others work 4:00 p.m. to midnight. Weekends are inconvenient for a lot of people. Traditionally weddings are held on Saturdays and some religions consider Saturday the day of rest and would not be able to attend and many people work weekends including some town employees.

Ms. Boyke – Your 3 minutes are up.

Deborah – May I finish?

Audience – No

Ms. Boyke – This is public input and is not strictly for the Police Department.

Deborah continued: We see the board go into Executive Session where no minutes are taken and we don't know what is discussed or what decisions are made and we might only know the general topic. If the board is only discussing those items on the short list of what is allowed by law, the meetings are legal, yet they're secret and the workshops are not. Lastly, what about the budget workshops? I requested copies of the minutes from the 2008 – 2009 budget meetings and there are no minutes as none were taken. Now I've been to two budget workshops that I remember, so I know that the town board did meet to discuss the upcoming budget. If my recollection is correct, these meetings were held

during the day and the time was probably inconvenient for many of the Taxpayers of Cicero. No minutes were taken. The public according to Jim Corl's criticism of the current pre-meeting workshop, did not have the opportunity to listen to an open discussion between board members concerning something that directly affects them, which is money. Why did Jim Corl, not complain about these meetings in 2008 and 2009 or prior years? Will he criticize the budget workshops this year because of the time they are held and the lack of minutes? I wonder if he'll even attend them. Thank you for listening, there is a lot more that goes on in the town than the Police, which I worked very hard on.

Mr. Corl – Yes, you did, Deborah, and I thank you for your time and everyone else's time. We talked about the pre agenda workshops that we initiated in January of this year and after several months they were discontinued. About a month or so ago, they were re-initiated and my objection to those was due to the fact that the Town Board as a whole sits down the day prior to a meeting at 3:00 p.m. in the afternoon to review everything that we discussed here this evening. My objection was to limit discussions and decisions that are made prior to the meetings that people attend. People want to see open government and want to see local government unfold before their eyes. That is my concern in having these pre-agenda workshops offered as a compromise. A few other towns have these pre-agenda workshops which are held right before their regular Town Board Meetings. People who attend the regular Town Board Meeting could come a little earlier if they wanted to see some of the inner workings of local government. My goal and objective is to make sure everybody who attends these meetings is fully informed about the background and the thought that goes into the decision making, and when they see their Councilors vote on an issue, they have an idea of the discussion that has occurred. I appreciate your comments though.

Deborah Gardner – We're not going to agree on this.

Mr. Corl – Probably not

Ms. Boyke – Before we proceed, Mr. Pangaro is here from the Fire Department to comment on the hydrants.

Mr. Pangaro – We've had a chance to review them and all of the hydrants are up to his standards.

WALLINGTON MEADOW SECTION 7, FOUR HYDRANTS

Motion was made by Ms. Boyke, seconded by Mr. Corl, to accept the application submitted by OCWA, to install four fire hydrants in Wallington Meadows, Section 7, per the recommendation of the Town's Code Office, the Fire Department and the Town engineers review.

The motion was approved as follows:

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

Continuation of Comments:

Anthony Salfero, President of the NYS Union Association represents the Town of Cicero PBA and its Members. I would like to comment on a few things that need to be straightened out which were incorrect. The one that I will highlight for the public is, General Municipal Law, 207C. The Town does not pay the Police Officer until he dies. That is absolutely not the law and is incorrect. Regarding hard numbers, there is nothing in this report that tells you what the Sheriffs Office is going to cost. I have the numbers here, yet they are not in this report. The adopted total budget for 2010, for everything was \$1,277,751.00. If the Sheriff's Office were to provide two Police Officers 24/7, in 2010 they would charge the town \$1,493,694.16. They had an increase in 2011 of 8.75% at a 1.625 million plus and in 2012, 1.768 million or 8.5%. If the town seeks three

officers 24 hours a day, why aren't these numbers in their report? \$2,293,000 plus, 2011 \$2,494,000 plus, and in 2012 another 8.82% or \$2,014,000 plus. That means this budget this year is \$215,000.00 less than what the Sheriff's Office, would have charged. If you want any assistance or help we will be glad to work with you Ms. Supervisor and the Town Board. Thank you.

Bonnie Smith stated that as a former employee and as a resident of the town, that our Police Department has always done a great job. Their response time and the efficiency of the Department and Chief Snell, is wonderful. If a call was received from a Senior Citizen, they called back the person within 5 minutes, making sure that person feels safe because they looked into their concern. As a Town Board, I think your first and foremost priority is the safety and well being of the residents of this Town. There is also something to be said for their knowledge of the town and the people and how fast they respond. They are the best. Chief Snell, runs a great ship and his workers are the best. We live here because we feel safe.

Ed Zaluski stated that he and his wife have lived in Cicero for 54 years and has never had a problem with our Police Department and felt if it isn't broken, don't fix it.

Jimmy Tortorelli stated he was in supported of the Cicero Police Department and agreed that if it isn't broken, don't fix it.

Ron Barling felt that the cost to the town of \$63.00 a year based on a \$109,000.00 home for police protection is less expensive than is spent for groceries and believes they should stay.

Anne Ruggeri was also in support of keeping the Cicero Police Department and Chief Snell and likes the e-policing.

Jim Corl, Sr., I think the committee did an excellent job in putting this together and it contains a lot of good information. My problem with the process is, it was stated by one of the board members at one of the January meetings that this was going to be put on referendum in November. I don't know if we're backing into this process and that is my concern. Was it a done deal before it started?

Ms. Zambrano – If you're referring to me Mr. Corl, I never made the statement that it would be a referendum, no matter what. What I said, was that it had been brought up to us as we went door to door and that we owed it to those people who were concerned about the Police Department to at least look at it and have a choice. That is what I stated.

Dick Webb, Chief of the VIP's who has been associated with the Cicero Police Department for 11 years as a volunteer and I want to make sure the residents of the Town of Cicero understand what they will loose if they loose the Police Department. You will loose a lot of good volunteers that are there for a lot of occasions. We are there, when and where we're needed, regardless of the weather. I think we should keep it in mind. Secondly, on August 7th and 8th, the Town of Cicero was host to the Gus Macker Basketball Tournament which was very successful. The town should know that they have a Girl Friday, Saturday, Sunday, Monday and Tuesday. I have never seen a person so involved and had so much going on at one time, and had her hands around everything that was going on. The Town should be proud of Mrs. Jody Rogers.

A resident thanked the entire committee for all the work they did and she knew it, as she is married to one of the members. I can tell you, that there is more paper in our house than has ever been before. They did a wonderful job and they are not committed to any one of the things that they have said. I do think we have options and I do think we have to consider the amount of money in the future as well as in the present. I thank the committee for bringing it to my attention. For all of you, who will have this information in front of you at some point and time, just really study that and don't just get into personalities or into people. It isn't all that we have. We have lovely people in our town and I really enjoy most all of them, but, I just don't think we can make intelligent and informed decisions with just thinking about people's personalities and what they do or don't do for us. So, let's go from there and learn from the whole experience.

Resident – When Mr. Raulli suggested consolidating their Police with the Sheriff's, I know of two letters to the papers that stated that they should keep their police force local. One was written by a retired State Trooper from Clay and the other was written by me, which was sent to the Post Standard and never got printed. So much for our free press. The gentleman asked if there were any students from Government here tonight.

Ms. Boyke – I don't think so.

Resident – With about 30,000 residents of this town, I would say that this is a pretty poor showing of such an important matter. If we consolidate with the Sheriff's, which I wouldn't object to, but, I would discourage, what's the next step to save money from some suggestion from a Town Board Member or resident. I don't think you would want a Federal Police Force. I think we should keep our local police force as they know our residents and they will stand by the residents. If we have outsiders come in, such as a Federal Police Force, it's happened in history before and I have the documentation right here. It is an article entitled Lesson's to America from the White Rose. Many of you may know what the White Rose Society was in Germany, or you may have forgotten, or you might not know. I suggest you read this. I think Mr. Raulli, should have studied more history and less arithmetic, because he said he could save residents for each parcel about \$50.00 per year by going with the Sheriffs. If there are any students in Government, who may want to read this article, I suggest they do.

Ms. Boyke closed the public input portion of the meeting.

Engineer Comments - None

Attorney Comments - None

Board Comments

Ms. Boyke highly recommended that for those who didn't attend the Gus Macker, that they keep their eyes and ears open for next years event. It was a phenomenal thing that came to Cicero and the participation of volunteer services and people was unbelievable. Thanks go to Jody Roger, Julie Raddell, Toni Brauchle, Lori Lake, from Friends of the CanTeen. It was so impressive to see these people dedicate time on a dead run from Thursday until Sunday when they cleaned up. On Monday morning when you went over there, you would never have known anything ever went on at Hogan Road. I would like to have a round of applause for Jody, our Parks & Recreation and every volunteer including our Police, our Fire Departments, NAVAC, and everyone. It would be nice if we had that type of participation at all of our events.

Mr. Corl expressed to Jody that she did a great job and although he was away, he heard it was wonderful. He also thanked all of the committee members who spent a great deal of time for their efforts. It is also a good time to recognize all of the Police Officers within the town that do an outstanding job. They put their lives in harms way to protect us each and every day. I think through the listening sessions that were hosted by the committee, the same type of response was given and there is a great deal of support for them. The slide showed about 80% in favor. The committee obviously has the most respect for our Police Force. Most everyone, is probably wondering what the next step is in this. That is subject to board discussion. There is a lot of information that has been presented this evening. We have additional information provided by the Chief which will have to be hashed through by the board. We're going to have to do a lot of thinking and discussion and go from there. I don't know if the Supervisor has any thought as to the direction that is next.

Ms. Boyke – Obviously, the presentation was for everyone and was seen for the first time this evening. We all need to digest this, understand it and discuss it amongst the board. The next step will come from a recommendation made by the board.

A resident asked if there was going to be a question and answer session on this.

Ms. Boyke – It is impossible for us to answer any questions, because of the fact that we have just seen this study ourselves. If anyone has a question or wants to talk to me or any of the board members, please feel free to contact us via e-mail, or phone call and we will be happy to set up an appointment to discuss your questions. We'll do our best to answer them.

Mr. Corl suggested that if this is going to be a topic of discussion that we have it as an agenda item as opposed to something on the pre agenda workshops, so that people are aware of what the next step will be. We will be looking at this at our September meeting and the study will be on the website tomorrow.

Mr. Conway thanked everyone for coming this evening and wished there would be more participation like this at the Regular Board Meeting.

Mr. Jennings stated that as Liaison for the Parks & Recreation I wish to thank the following volunteers for the Gus Macker as follows: Julie Raddell, who put a lot of effort into this program, Toni Brauchle, Judy Dickson, Bill Alley, Mike Hogan, Jen Smiley, Jenna Ogden, Jody Rogers, Steve Procopio, Tracy Cosilmon. I met with Vince Hollopeter the other day and he couldn't say enough about what went on. When I spoke with Julie Raddell a couple of days ago, she told me she was going out of town to another Gus Macker event. I wish to commend Jody and her staff and all the volunteers, it was fantastic.

Jody Rogers – I just want to say that Joe Snell and his crew, Dick Webb and his professionalism in doing all the communications at the command post. NAVAC, North Syracuse Fire Department, Cicero Fire Department were tremendous people, professionals and were there at every turn and helped the event tremendously. There are so many people to thank. I did not do this alone. It was a huge committee of people, a lot of hours and we all appreciate the support from everyone. Thank you.

Ms. Zambrano asked how much was raised.

Jody Rogers – We ended up raising \$20,000.00 almost \$21,000.00 of the \$30,000.00 that we need to raise annually for the CanTeen Program. We had 173 volunteers who put in over 1,400 hours of service to this event. It took almost 9 months to plan and pull off and we're already looking to next year. Both of our presenting sponsors being Drivers Village and Price Chopper have already said they're on again. Thank you.

Ms. Boyke stated there was little or no incidence. It was very professionally done.

There being no further business before the board, the meeting was adjourned at 9:00 p.m.

Ms. Boyke thanked everyone for coming and thanked the South Bay Fire Department.

Tracy M. Cosilmon
Town Clerk

