

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, December 28, 2011 2011, at 7:00 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

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

Others Present: Christopher Woznica, Highway  
Sharon Edick, Receiver of Taxes  
Wayne, Dean, Director of Planning & Development  
Shirlie Stuart, Comptroller  
Linda Losito, Secretary to the Supervisor  
Brad Brennan, Assessor  
Ron Detota, C & S Engineers  
Anthony Rivizzigno, Town Attorney

Absent: Judy A. Boyke, Supervisor  
Jody Rogers, Director of Parks & Recreation  
Joseph Snell, Police Chief

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.

Mr. Jennings 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 clearly into the microphones to enable all to hear.

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

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

The motion was approved as follows:

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

## APPROVAL OF TOWN BOARD MEETING MINUTES

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to approve the minutes of the December 14, 2011 Town Board Meeting.

The motion was approved as follows:

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

## DEPARTMENT HEAD INPUT

Town Clerk

Tracy Cosilmon announced that the Town Hall will be closed on Monday January 2, 2012 in observance of New Years.

Tracy announced that the Planning Board Meeting is rescheduled for January 9, 2012 at 7:00 p.m.

The 2012 Organizational Meeting is scheduled for January 4, 2012 at 6:30 p.m. and the Town Board Meeting is scheduled for Wednesday, January 11, 2012 at 6:30 p.m.

Highway

Chris Woznica requested approval to issue a PO on January 1<sup>st</sup> or 2<sup>nd</sup> in the amount of \$500,000.00 for the upcoming salt budget. We generally do a blanket for the full amount of this purchase.

Mr. Jennings asked if there was a possibility to do \$100,000.00 now and get some documentation in writing.

Chris Woznica – I won't need it before the 2<sup>nd</sup>, but, you'll have the information in your mail boxes on the 2<sup>nd</sup>. We always do a blanket PO for \$500,000.00.

Ms. Zambrano – Even when you do a blanket PO, I think the board deserves something in writing to that effect.

Chris stated he could do that.

Mr. Corl – At the next meeting, we'll have a formal resolution to that effect after you receive the information.

Shirlie Stuart – He'll do an emergency PO at the first of the year, but, he needs a resolution for approval of a PO. I don't care, what dollar amount you put on it, or I issue an emergency PO for an amount of dollars and then you will approve it at the next meeting.

Chris Woznica – We've always done \$500,000.00. Sometimes you have to order salt in between board meetings. I can't call you every time I need salt and that's why we do a blanket PO for \$500,000.00. This is the way it has been done for the 12 years since I've been here.

Ms. Zambrano – Instead of approving a blank PO, I think the board deserves something in writing ahead of time to consider, rather than spending \$500,000.00 without it being on the agenda for consideration or giving us an opportunity to speak to you ahead of time.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize that a PO in the amount of \$500,000.00 for salt, effective January 3, 2012.

**Discussion:**

Mr. Corl – I know there is a motion on the floor , but if we did \$100,000.00 now and at that point, you could issue a memo to the board and we could go forward with the remainder of the portion.

Mr. Jennings – If that works, **I will withdraw my motion** at this time and we'll go with \$100,000.00 and you will get approval at the next meeting.

Chris Woznica – In 12 years, the board has never called me for that information. You are welcome to call my office if you have any questions. No one ever calls me.

Motion was made by Mr. Corl, seconded by Mr. Jennings, to approve a PO for \$100,000.00 for salt effective January 3, 2012.

The motion was approved as follows:

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

Tax

Sharon Edick – The NS School Board has passed a resolution to accept a partial payment program and I'm still waiting to hear from the Village of North Syracuse, Central Square, ESM and Chittenango. They have not had board meetings, but, I am assuming there is some movement as I've had a lot of phone calls. The Town and County Tax Bills will be mailed January 1, 2012 and are due by January 31, 2012 with no penalty. We've saved about \$749.00 in postage this time.

Assessor - None

Zoning – None

Mr. Jennings – We will be going into a brief Executive Session this evening.

Comptroller

Shirlie Stuart stated that she needed approval to pay an attorney fee for ongoing Certiorari's in the amount of \$10,871.59.

Mr. Corl stated that these are the various ones that were provided by Tony Rivizzigno.

Motion was made by Mr. Corl, seconded by Mr. Jennings to authorize an expenditure of \$10,871.59 to pay the attorney for ongoing Certiorari's.

The motion was approved as follows:

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

APPROVAL OF ABSTRACT #24 OF 2011

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to approve Abstract #24, of 2011 as follows:

General Fund Voucher #2454 to Voucher #2571 In the amount of \$459,015.75  
 Highway Fund Voucher #779H to Voucher # 799H In the amount of \$106,122.52

The motion was approved as follows:

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

BUDGET MODIFICATIONS

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

Budget Modifications 2010 2011  
 2011 Modifications

AMOUNT	FROM CODE		TO CODE	
\$13,257.92	SD85404 0400	DRAINAGE CONTRACTUAL	SD90808 0400 TEAMSTERS LEGAL	415.92
			SD90308 0400 SOCIAL SECURITY	4062.8
			SD90108 0400 NYS RETIREMENT	8778.2
\$ 367.94	A162040	BUILDING CONTRACTUAL	A1620403 HWY GARAGE	367.94
\$ 1,300.00	B312043	GAS	B312046T UTIL. POL. TRLER	1300.00
\$ 650.00	A677246	SENIOR UTILITIES	A677245 SENIOR MISC.	
\$ 510.00	A14404	ENGINEER CONTRACTUAL	A81604 ENGINER LANDFILL	
\$11,500.00	A90108	NYS RETIREMENT	A142044 ATTY. LITIGATION	
\$ 93.44	A13301 OT	TAX PERSONAL SRV.	A133041 TAX COMPUTER LABOR	
\$ 2.54	A13301 OT	TAX PERSONAL SRV.	A13304 TAX CONTRACTUAL	
\$ 367.94	A1620403	HWY GARAGE	A162042 TELEPHONE	
\$ 1,806.59	A33104	TRAFFIC CONT CONTRACT	A14404 ENGINEER CONTRACTUAL	
\$ 8.61	A36204	MISC SAFETY EXP.	A362041 MARINE BEACON	
\$ 38.36	A50104	SUPT. OF HWYS CONT.	A362041 MARINE BEACON	
\$ 83.15	A677255	POSTAGE	A6772471 CLEANING	23.2
			A677242 SUPPLIES	59.95
\$ 177.27	B312040	POLICE CONTRACTUAL	B312042 AUTO REPAIRS	
\$ 33.59	B312040	POLICE CONTRACTUAL	B312047 TRAINING	
\$ 39.96	B312040	POLICE CONTRACTUAL	B312049 FLARES/FIREARMS/QUALIFY	
\$ 145.46	B312040	POLICE CONTRACTUAL	B312051 COPIER/LEASE	
\$ 100.00	DB90608 CA	HWY CLOTHING ALLOW.	DB90608 CDL CDL BENEFIT	
\$ 2,786.10	A141044	CODE BOOK	A14101 TOWN CLERK PERS. SERVICES	
\$ 233.00	A141042	TOWN CLK COMP LABOR	A14101 TOWN CLERK PERS. SERVICES	
\$ 2,500.00	A141011	TOWN CLK PERS. SERV.	A14101 TOWN CLERK PERS. SERVICES	
\$ 3,405.95	A1620403	HWY GARAAGE	A14204 ATTY. CONTRACT	3322.76
			A142041 ATTY UNION NEGOT.	83.19
\$ 1,209.63	A1620406	POLICE BUILDING	A142041 ATTY UNION NEGOT.	
\$ 46.97	A50104	SUP OF HWY CONTRAC.	A362041 MARINE BEACON	
\$ 4,000.00	B31204 S	POL. SHIFT DIFFERENTIAL		
\$ 8,766.40	B31202	POLICE EQUIPMENT		
\$ 8,000.00	B312040	POLICE CONTRACTUAL		
\$ 2,339.00	B312041	POLICE UNIFORMS		
\$ 8,679.00	B312042	POLICE AUTO REPAIRS		
\$ 1,964.00	B312046	POLICE TELEPHONE		
\$ 390.00	B3120435	POLICE POSTAGE		
\$ 1,017.79	B312046 T	UTILITIES POLICE TRAILER		
\$ 1,083.63	B312047	POLICE TRAINING		
\$ 3,500.00	B312048	POLICE RADIO/EQUIPMENT MAINT.		
\$ 813.37	B312042	POLICE AUTO REPAIRS		
\$ 653.44	B312049	FLARES/FIREARMS/ QUALIFY		
\$ 800.00	B312050	POLICE CAMERA SUPPLY		
\$ 501.29	B312052	COMMU POLICING MATERIALS		
\$ 220.00	B312053	POLICE MEMBERSHIP RENEWALS		
\$ 137.00	B312054	POLICE COMPUTER LABOR	B312043 POLICE GAS	900.00
			B3120 OT POLICE PERS. SRV. OT	4745.18
			B31201 POLICE PERS. SRV.	37219.74

The motion was approved as follows:

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

#### YOUTH BUREAU AND PARKS AND RECREATION PURCHASES

Motion was made by Mr. Jennings, seconded by Mr. Corl, to authorize and expenditure of \$1,322.43 to Home Depot, to purchase materials to build a shed to replace the existing one destroyed by the wind storm on 12/14/11, Budget Code A6772.45.

The motion was approved as follows:

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

#### EXECUTIVE SESSION

Motion was made by Mr. Jennings, seconded by Mr. Conway, to enter into Executive Session for the purpose of litigation, with the Town Attorney, Shirlie Stuart and Brad Brennan and the board will reconvene.

The motion was approved as follows:

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

The Meeting adjourned into Executive Session at 7:10 p.m.

The Meeting reconvened to regular session at 7:28 p.m.

Mr. Jennings stated that he made the motion, which was seconded by Mr. Conway to return to open session.

Tony Rivizzigno requested a board resolution to approve the Tax Certiorari for Home Depot for the years 2008, 2009. The original value was \$9,059,183.00 and the total stipulated value is \$8,023,365 and was reduced by \$50,755. For 2009/10 the original full value amount was \$9,059,183 and the total stipulated value is \$8,023,365 for a difference of \$50,755.00. For 2010/11 the total original full value was \$9,059,183 and the total stipulated value is \$8,023,365 for a difference of \$50,755 and for 2011/12 the total Original Full Value was \$7,768,700 and the total stipulated value is \$7,768,700 for a difference for purposes of refund calculation \$0.

Motion was made by Mr. Corl, seconded by Mr. Jennings to approve the Tax Certiorari for Home Depot as presented.

The motion was approved as follows:

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

Tony Rivizzigno also stated that he needed a resolution to settle a lawsuit in the amount of \$2,500.00 for John Delooze.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve settling a lawsuit in the amount of \$2,500.00 for John Delooze, as presented.

The motion was approved as follows:

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

#### PUBLIC INPUT

Mark Peninski stated that he has been looking at the 2011 and 2012 budget which shows the adopted budget, but doesn't show what was actually spent in 2011 for each of the items. Is there any way to get those numbers?

Shirlie Stuart asked that she be given another couple of weeks and she'd have those.

Dan Curran, Cicero Mills Road, thanked the board for what they've done throughout the year.

#### Engineer Comments

Ron DeTota wished everyone a Happy New Year.

#### Attorney Comments

Tony Rivizzigno wished everyone a Happy New Year.

#### Board Comments

Mr. Corl stated that going into next year, he'd ask that any expenditure's be put in writing to the board for the Wednesday meeting. It will be helpful for all of the board members and for the assembling of the agenda. He will provide a memo to everybody to that effect.

Mr. Corl also wished everyone a safe and Happy New Year and is looking forward to 2012.

Ms. Zambrano offered the same sentiments. It has been a year that has a lot of excitement in it. There has been a lot of hard work done by board members as well as Department Heads. I think the next board is going to try and work extra hard to have a smooth transition and address the issues. Happy New Year's to everyone.

Mr. Conway wished everyone a happy and safe holiday.

Mr. Jennings stated that Judy Boyke had surgery on December 27<sup>th</sup> and is doing fine. Thank God, everything has worked out in her favor. I would also like to thank the Department Heads, the Board and the people that attend these meetings and I hope to see a few new faces in the upcoming new year. I also wish the best of luck to our new Supervisor Elect, Jim Corl, return Councilor, Vern Conway and Deputy Supervisor, Jessica Zambrano.

Motion was made by Mr. Jennings, seconded by Mr. Conway, to adjourn the Town Board Meeting.

The motion was approved as follows:

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

There being no further business before the board, the meeting was adjourned at 7:34 p.m.

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Tracy M. Cosilmon  
Town Clerk