

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Monday, May 11, 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
Sharon Putman, Deputy Town Clerk

Others Present: Christopher Woznica, Highway Superintendent
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Wayne Dean, Director of Planning & Development
Jeanne Kulesa, Comptroller
Brad Brennan, Assessor
Heather Cole, Esquire, Town Attorney
Mark Parrish, O'Brien & Gere
Michelle Baines, O'Brien & Gere
Tom Leo, Post Standard
Sarah Hall, Star News

Absent: Tracy Cosilmon, Town Clerk
C. Vernon Conway, Councilman
Sharon Edick, Receiver of Taxes
Bonnie Smith, Secretary to Supervisor

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. Corl, 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: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

APPROVAL OF APRIL 27, 2009 MINUTES

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the minutes of the April 27, 2009 town board meeting and inserting the resolution from page 7.

The motion was approved as follows:

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

DEPARTMENT HEAD INPUT

Highway

Chris Woznica stated that he received two quotes for the paint and primer work for truck #49 and that he has decided to go with Northside Collision at the cost of \$2,477.50 who supplied the lowest bid.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure of \$2,477.50 to Northside Collision to do paint and primer work on truck #49.

The motion was approved as follows:

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

Police - None

Park & Recreation

Jody Rogers thanked Chris Woznica and Rick Mutter for all the help they have given at Sleeth Park. She also announced that William Park will open May 23, 2009.

Comptroller – None

Engineer- Michelle Baines stated that the draft MS4 is available for review and that she will discuss it at the May 27, 2009 meeting.

Attorney - None

Zoning – Wayne Dean asked the board for approval to board up and secure a vacant property located at 8975 Florence Street located off Route 11. The taxes haven't been paid in two years and we are trying to contact the estate as the basement is full of water.

Mr. Dudzinski asked what the cost would be to secure the building.

Wayne Dean wasn't sure and estimated an approximate figure of \$150.00.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure not to exceed \$150.00 to secure the building at 8975 Florence Street.

The motion was approved as follows:

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

Assessor

Brad Brennan announced that that he has received a list of candidates from Civil Service for the position of Real Property Appraisal Aid and that he will be looking over the list and will keep the board informed relative to holding interviews.

Town Clerk

Sharon Putman stated that the Town Clerk’s Office is requesting authorization to dispose of a Hewlett Packard 1200 printer that was used in her office that has broken and is not able to be repaired.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to declare the old HP 1200 Printer formerly used in the Town Clerk’s Office as surplus and to authorize for its disposal.

The motion was approved as follows:

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

APPROVAL OF ABSTRACT #9 OF 2009

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve Abstract #9 of 2009 as follows:

General Fund Voucher #870 to V#989 In the amount of \$579,720.88
 Highway Fund Voucher #210H-239H In the amount of \$106,952.19

The motion was approved as follows:

Mr. Conway: Absent
 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

From	Code	Acct	Amount	To	Code	Acct
	DB51101	Pers.Srves	\$ 5,418.56		DB19104	judgments & Claims

Parks/Rec has amended the Budget for the Canteen – expense and revenue
 The new budget numbers are:

Revenue	2009	Deferred 2010	Expenses	
B3389CC		\$ 5,000	B73101 CO	6,010.00
B3389COPS	\$39,006.00		B73101 FR	11,892.00
B2750FR	\$14,000.00		B73101 YB	63,500.00
B2770LK	\$ 1,889.00		B7310401 CO	1,500.00

B277OLK		\$	7,111	B7310402 CO	3,420.00
B3389ST	\$14,800.00			B7310402 FR	108.00
B3389V	\$ 7,800.00			B7310403 CO	750.00
B3389YB	\$32,005.00			B731041 FR	2,000.00
B3389YB		\$	11,448	B73101042 CO	4,101.00
B3389V		\$	7,200	B731042 LK	1,889.00
B2705TCI	\$12,400.00			B7310421 CO	710.00
B2705VNS	\$ 8,000.00			B731044 CO	3,495.00
B2705TOS	\$ 7,600.00			B7310944 ST	14,800.00
B2705TOC	\$13,000.00			B731044 YB	9,505.00
	\$150,500.00		\$30,759	B731046 CO	5,720.00
				B731042V	6,510.00
				B7310421 V	1,290.00
				Benefits	<u>13,300.00</u>
					<u>150,500.00</u>

The motion was approved as follows:

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

SET PUBLIC HEARING DATE FOR SPEED REDUCTION ON SNELLER ROAD

Discussion: Chief Snell stated that he was asked to look at Sneller Road for a possible speed reduction of which a speed and volume study was done on April 28-29, 2009. The current speed limit is 55 mph and the related roads are Ladd Road which is 40 mph and Mud Mill Road which is 35 mph.

The 85 percentile speed was 47 miles per hour. 63.9% of all traffic was below 50 mph. To stay consistent with other roads in the town I would recommend that the speed be reduced to 40 or 45 mph. with 35 mph warnings on curves. Based on non-scientific speed study this should not have a significant impact on the users of the road as this road is experiencing an increase in homes being built and has two areas with limited visibility due to the curves.

Discussion was held as to whether the reduction of the speed limit should be reduced to 40 or 45 mph. or to 35 mph.

Wayne Dean explained that the reason this has come about is that a person was buying a home in this location and had a driveway concern that has been brought before the Planning Board and that he wanted to speak with the County in relation to this.

Heather Cole stated that she would prepare a Local Law to reduce the speed to 40 mph with the speed limit being 35 mph on the curves to be discussed at the public hearing.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to set June 8, 2009 at 6:30 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY, for a public hearing to consider a speed reduction on Sneller Road to be known a Local Law.

The motion was approved as follows:

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

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 191146697 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

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 May 11, 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 Agricultural 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
036.-02-01.0	119 Oak Drive	Mary & Leonard Gowlak
036.-02-02.0	117 Oak Drive	Vernon & Margery Law
036.-02-03.0	115 Oak Drive	Edward Sobotka
036.-02-04.0	Lv Palmer LT 19 1146697	Edward Sobotka
036.-02-05.0	109 Oak Drive	Jovana Thornton
036.-02-06.0	107 Oak Drive	Steve Coelho
036.-02-07.0	105 Oak Drive	Stephen Porubek
036.-02-08.0	103 Oak Drive	Raymond & Olga Grant
036.-02-11.1	5623 Bear Road	Anna Pacheck
036.-02-10.1	5627 Bear Road	Anna Pacheck
036.-02-09.1	5629 Bear Road	Anna Pacheck
036.-03-10.1	5637 Bear Road	Ronald Hongo & Ronald Sharpe
036.-03-11.1	5635 Bear Road	Ronald Hongo & Ronald Sharpe
036.-03-12.1	100 Oak Drive	Ronald Hongo & Ronald Sharpe
036.-03-13.0	102 Oak Drive	Robert & Kelly Gorman
036.-03-14.0	104 Oak Drive	Mireya, Ricardo & Marcellus Fernandez
036.-03-15.0	106 Oak Drive	Patricia Major
036.-03-16.0	108 Oak Drive	Kenneth Herbert
036.-03-17.0	110 Oak Drive	Robert Burden
036.-03-18.0	113 Oak Drive	Hubert & Michelle Andrus
036.-03-19.0	116 Oak Drive	Dennis & Patricia Brown
036.-03-20.0	118 Oak Drive	Kenneth & Heather Marzullo

Subject to easements and restrictions of records.

And also, the following properties situate at Brewerton Road(US Route 11) and Bear Road, Town of Cicero, New York, presently located in Agricultural and General Commercial districts as defined in the Town of Cicero Zoning Ordinance adopted June 5, 2001, are hereby rezoned and designated General Commercial under said Ordinance, subject to all regulations created and established relative to said General Commercial district.

Tax Map No./SBL	Property Address	Reputed Owner
036.-03-04.1	7777 Brewerton Road	Tullys
036.-03-09.1	5641 Bear Road	Phyllis Placanio
036.-03-08.1	5643 Bear Road	Shelmar Company, Inc.

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 explained that this request has come about due to a person on Bear Road who wishes to subdivide her property. All of the property is agricultural on Oak Street. We would like to change the remaining properties to Residential and the parcels on the corner of Bear Road to General Commercial.

Heather Cole explained that the properties on Bear Road near the Coppertop is zoned General Commercial.

Wayne Dean explained that they have found several areas in the town, where there is spot or pocket zoning such as this, where zoning was never done, but the parcels around there have been rezoned.

The public hearing was opened at 6:45 p.m.

Speaking for:

Steve Porubek, Oak Drive asked what this would mean for them and how would it effect them.

Brad Brennan stated that if a residential home is converted to commercial there would be a change to the value, but as long as you're still using it as a residence there is no impact.

Steve Porubek asked if the properties that are on Bear Road include the properties to the west of Oak Drive and could that possibly open up interests for commercial development being that those properties are less than nice?

Wayne Dean – The parcel that you are talking about, west of Oak Drive, is the one that the woman wants to subdivide and make it residential facing Oak Drive, rather than facing Bear Road.

Heather Cole showed Mr. Porubek a map of the properties.

Wayne Dean - The woman has indicated that she may take the house down on the corner. The parcels that are being zoned residential are the ones east of the driveway from the Coppertop. Next to the big white building, there are two parcels that are still zoned agricultural, that we would zone to commercial.

Mr. Dudzinski - Is that big white house still zoned AG?

Wayne Dean – That was zoned GC already.

Mr. Corl asked Mr. Porubek if he had a chance to look at the difference in the regulations for R-10 and what that will mean to the property owners.

Mr. Porubek – No.

Mr. Corl – I didn't know if anyone has come in to talk with Wayne, relative to what that classification would mean.

Mr. Dudzinski asked Wayne to explain it.

Wayne Dean – Right now, with it zoned agricultural, you're allowed an agricultural business on those lots and a one family dwelling and a private garage. If it's zoned residential, the uses basically, stay the same. They are allowed a one family residence and an enclosed accessory building and a private garage. Basically, the uses are the same, but it just limits somebody coming in and wanting to put animals in, or in agricultural, you're able to open a boarding facility for dogs for overnight and things like that. There are different uses, that aren't listed here.

Mr. Dudzinski- Basically, there's a little more protection for the homeowner.

Wayne Dean – Yes

Mr. Porubek – If there are already dogs there?

Mr. Dudzinski asked if they meant family dogs.

Mr. Porubek – No, these are being trained. Would that change that?

Wayne Dean – It may, but, we weren't made aware of it and haven't had any complaints.

A resident explained that there is a house, on Oak Drive that has English Bull Terriers, which are big dogs. They breed them there, and sell puppies from there at times. There are quite a few dogs there.

Another resident stated that there are 3 Pitbull's and 6 or 7 cats there in a two bedroom house.

Resident – That's the house that the woman wants to subdivide. There are 9 or 10 cats there and probably 5 or 6 dogs.

Resident – No one can go near the house.

Mr. Rybak – We have two different situations here. We have a person who is commercially breeding dogs and a place that needs to be checked for health violations.

Resident – The Police have been there before and nothing has been done.

Mr. Dudzinski asked Wayne what we do in this situation.

Wayne Dean – My office hasn't received any complaints. I will speak with Barbara in the morning and see if she's received any complaints or is aware of it.

Resident – We called the Police and they came, but nothing was done.

Mr. Dudzinski – Was the call for kennel or for the dogs on the corner?

Resident – Dogs on the corner. We haven't called or complained about the kennel. This just seemed like a good time to bring it up.

Resident – It decreases the value of the house. If someone wanted to sell their property, they can't, because of what is on the corner.

Mr. Dudzinski asked Chief Snell if there was anything he could do on his end.

Chief Snell stated that he will research any calls we've had down there to find out why we were there first of all. I am not aware of anything or any problem.

Resident stated that they have been dealing with this situation for two or three years.

Mr. Dudzinski stated that the Police will check their end and Wayne will check his end.

Mr. Rybak asked if there are children at the house that they are speaking about.

Resident – Yes, there are two younger children.

Mr. Dudzinski asked that the residents contact Wayne as we will need to get some information as to who you are and where you are and a phone number and then we can go from there.

Mr. Corl – I think we are also waiting for some information from the County on this request, so between now and perhaps when we come back and make a final decision, you or your neighbors may want to speak with Wayne, or review the R-10 classification, to see how it would effect you.

Speaking against - None

The hearing was left open pending County comments.

Mr. Dudzinski agreed, due to the concerns that were brought up. We will make a decision at the next meeting or when the County gives us their recommendation.

PUBLIC HEARING FOR FASSTRAC ROUTE 31 AND ROUTE 298
SEWER PETITION PLANS

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

The public notice read as follows:

NOTICE OF PUBLIC HEARING: TOWN OF CICERO

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Cicero on the 11th day of May, 2009, at 6:30 P.M. at the Town Hall, Town of Cicero, 8236 South Main Street, Cicero, New York to consider a petition for improvements to the Lakeshore Sewer District, Contract No. 72. Said improvements will include the construction of approximately 105 linear feet of 8-inch diameter sanitary sewer and appurtenances to serve the existing convenience store at the intersection of Route 31 and 298. The improvements are to be financed by the petitioner and will be dedicated to the Town of Cicero at no cost. Petition plans are available for review in the Town Clerk's Office.

Jeff Hillenbrand, Plumbley Engineering stated that he was representing the owner of the property located at the intersections of Route 31 and 298 and his client Glider Oil. They are proposing to extend the Lakeshore Sewer District for the installation of approximately 105 linear feet of 8 inch diameter sanitary sewer main to serve the existing Fastrac Facility. The design flow is 25,000 gallons per day, will be conveyed to Brewerton waste water facility through the existing town and county facilities. The cost of installation will be borne fully by the developer and turned over to the town upon completion and acceptance.

Mr. Dudzinski asked Michelle Baines if she had any comments on this.

Michelle Baines – No, we did a review letter which was dated April 17, 2009 and went over that at the last meeting. We were comfortable with the drawings and had only a few minor comments.

The public hearing was opened at 7:00 p.m.

Speaking for - None:

Speaking against - None

The hearing was closed at 7:01 p.m.

Board Comments:

Ms. Tarwacki – I have no objection after reviewing all of the information.

Heather Cole – If the board is going to move forward on this, I would ask that you do it on the resolution that has been prepared, so that it can be included in full in the minutes. For the public's interest, that resolution sets forth essentially, all of the items that Mr. Hillenbrand advised of and the particulars of the project.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the sewer petition plans for Fastrac on Routes 31 and 298 as presented in the resolution as follows.

RESOLUTION
Improvements to the Lakeshore Sewer District – Contract No. 72
Fastrac Convenience Store Site

WHEREAS, the Cicero Town Board has received a petition and petition plans from Glider Oil Company, Inc. (the “Petitioner”), including an estimated cost, which will be borne solely by the Petitioner, relating to improvement of the facilities of the Lakeshore Sewer District in the Town (the “District”), consisting of the of the construction of approximately 105 linear feet of 8-inch diameter sanitary sewer and appurtenances, to serve the existing Convenience Store at the intersection of Routes 31 and 298 in the Town of Cicero; and

WHEREAS, at a meeting of the Town Board held on April 27, 2009, the Town Board adopted an resolution specifying that the Town Board would meet to consider the petition and petition plans on May 11, 2009, at 6:30 p.m. at the Cicero Town Hall, and to hear all persons interested in the subject; and

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

WHEREAS, a public hearing was held at the time and place specified in the resolution and notice, and all persons desiring to be heard were heard; and

WHEREAS, the project was determined to be a Type II action under SEQRA;

NOW, THEREFORE, IT IS RESOLVED:

1. it is determined that it is in the public interest to make the improvements as
described in the petition and petition plans, at an estimated cost of \$12,000.00, which shall be paid for by the developer and will then be dedicated to the Town of Cicero at no cost;
2. there will be an annual operation and maintenance charge by the Town of Cicero for the Lakeshore Sewer District, which is currently \$7.00 for 2009 but is subject to change in future years;
3. there will be an annual charge by the Onondaga County Sanitary District for transmission and treatment of sewage, which in 2009 was \$318.37 per unit, with one unit being equivalent to 140,000 gallons of water; and
4. this resolution shall take effect immediately.

The Resolution was adopted as follows:

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

PUBLIC HEARING FOR AMENDMENT TO CICERO CODE CHAPTER 179
STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL

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

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 11th day of May, 2009, at 6:30 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039, regarding amendments to Cicero Code Chapter 179, Stormwater Management and Erosion and Sediment Control. The amendment will contain language present in a model ordinance prepared by the New York State Department of Environmental Conservation and is proposed in connection with the Town’s New York State Pollutant Discharge Elimination System (SPDES) Permit. The primary purpose of the legislation is to ensure that the Town’s Stormwater Management Officer will be responsible for conducting inspections of stormwater management practices and that appropriate plans and designs are submitted to the Town. Copies of the proposed local law are available for review in the Town Clerk’s Office.

Discussion

Heather Cole – In reviewing your Stormwater Legislation in order to ensure compliance with this years permit, I discovered that there was a fairly minor provision omitted from you code. Basically, what that provision says is, that the Town of Cicero, Stormwater Management Officer is responsible for conducting inspections of stormwater management practices. All applicants are required to submit asbuilt plans for any stormwater management practices located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer. That is the main purpose for this public hearing. There are also a couple of minor additions being made to the legislation as well.

The public hearing was opened at 7:02 p.m.

Speaking for - None

Speaking against - None

The public hearing was closed at 7:02 p.m.

Board Comments:

Mr. Rybak thanked O'Brien & Gere and Wladis Law Firm for finding this.

Motion was made by Mr. Rybak, seconded by Mr. Dudzinski, to approve the amendment to the Cicero Code, Chapter 179 entitled Stormwater Management and Erosion and Sediment Control, as presented, to be known as a Local Law of 2009.

The motion was approved as follows:

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

APPROVAL OF HANCOCK AIRPARK 6TH AMENDED FINAL PLAN SECURITIES

cc TB 5-6-09
TC, comd



May 6, 2009

Town Board
Town of Cicero
P.O. Box 1517
Cicero, New York 13039-1517

Attention: Chester Dudzinski, Jr., Supervisor

RE: Hancock Airpark Sections A and B,
6th Amended
FILE: 0101/25439.357 & 42155

Dear Board Members:

Hancock Airpark Sections A and B, 6th Amended consists of improvements to General Irwin Boulevard and Stewart Drive in Hancock Airpark. The Developer has completed construction of the sanitary sewer, drainage facilities and roads in general compliance with the approved drawings, with the exception of the items listed herein. These utilities are to be dedicated to the Town for operation and maintenance. We have estimated the value of these facilities to determine the amount of security to be posted with the Town. The following summarizes the necessary securities required for the guarantee period:

1. Sanitary Sewers	\$ 57,200 @ 10%	=	\$ 5,720
2. Storm Sewers	\$ 51,250 @ 10%	=	\$ 5,125
3. Roads	3,200 lf @\$10/lf	=	<u>\$ 32,000</u>
			\$ 42,845

We recommend the Code Enforcement Office and Town Highway Superintendent be consulted to identify additional securities that may be required as a result of their review.

If you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

Gary D. Cannarella, P.E.
Vice President

- cc: Jeanne Kulesa, Comptroller - Town of Cicero
- Tracy Cosilmon, Town Clerk - Town of Cicero
- Patrick Leone, Chairman - Town of Cicero Planning Board
- Wayne Dean, Director of Planning and Development - Town of Cicero
- Chris Woznica, Highway Superintendent - Town of Cicero
- Heather Cole, Esquire - Wladis Law Firm, P.C.
- Lori Dietz - Hancock Field Development Corporation
- Ralph Whedon - O'Brien & Gere

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Discussion:

Michelle Baines stated that the board should have received our letter of May 6, 2009. This relates to improvements that were done within the Hancock Airpark, Sections A and B, being General Irwin Blvd and Stewart Drive. This includes sanitary sewers, sewer improvements, drainage improvements and road work. We developed then necessary securities that are required for the guarantee period. For the sanitary sewers it is \$5,720.00, for storm sewers it is \$5,125.00, for the roads it is \$32,000.00. The total is \$42,845.00.

Mr. Dudzinski asked Wayne if he had any comments.

Wayne Dean - No.

Ms. Tarwacki - Nothing additional is recommended?

Wayne Dean - No.

Chris Woznica – We're all set too. The roads are beautiful.

Michelle Baines – To add to that, we are recommending the release of the erosion and sediment control securities which are in the amount of \$12,627.00. The developer would like to apply that to the guaranteed securities that he needs to post.

Mr. Dudzinski – Should we do these together or separately?

Heather Cole – Why don't you authorize the release of those securities and approve the second round and we can work with the developer to make sure they are posted in the manner that the developer is most comfortable with.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl to release securities in the amount of \$12,627.00 for erosion and sediment control and to apply them to the guaranteed securities for Hancock Airpark, Sections A and B.

The motion was approved as follows:

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

Accept Securities Hancock Airpark, Section A and B

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the acceptance of securities as set forth in O'Brien & Gere's letter dated May 6, 2009, with the developer posting securities for sanitary sewers, storm sewers and roads for Hancock Airpark, Sections A and B as presented.

The motion was approved as follows:

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

APPROVAL OF GULFSTREAM SECTION NO. 6
RELEASE SEDIMENT AND EROSION CONTROL SECURITY

Discussion:

Wayne Dean – We have looked at Section 6 of Gulfstream which is the road that connects the back part to the front part. I am recommending the release of the Sediment/Erosion Control Security in the amount of \$46,124.00, which can go back to the developer. Everything is fine with it.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the release of securities in the amount of \$46,124.00 for Gulfstream Section No. 6 for Sediment and Erosion Control.

The motion was approved as follows:

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

DISCUSSION OF ZONE CHANGE FOR 7528 MURRAY DRIVE
TAX MAP NO. 076.-01-39.0

Discussion:

Wayne Dean - A gentleman came to his office who purchased a lot at 7528 Murray Drive, which is down by past Boats Afloat Marina and is by the county sewage pumping station. He wants to put a house on it. We have reviewed it and have determined that the lot was zoned General Commercial and would not allow or give him a building permit. Because of that, he has gone to the ZBA to try and get a variance and was not successful at the last meeting and was deferred to the next meeting. After discussion with everybody, it was felt that if his lot and two adjacent lots which have houses on them, are zoned General Commercial, it may be best to go for the zone change from General Commercial to Residential for the three lots, rather than just the one lot and do spot zoning. We are requesting that the three lots being lot numbers be changed from General Commercial to R-10.

Mr. Dudzinski – You need to set a public hearing date.

Wayne Dean – Yes

Heather Cole – Let's try the second meeting in June for that, so we can be sure it gets down to the County and you get a response in time.

Mr. Corl asked Wayne if the owner has submitted a packet to him.

Heather Cole – This is much like the situation you addressed in item number 8 on the agenda. I don't think it is going to be property owner driven, but, it's going to be the Town Board determining that it is in the best interest of the town to do it.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set the date June 22, 2009, at 6:30 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY for a public hearing to consider a zone change for three properties on Murray Drive, lot numbers, 76-01-41, 76-01-40 and 76-01-39.

The motion was approved as follows:

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

DISCUSSION OF SOLICITOR'S LICENSES

Discussion:

Chief Snell stated that he met with Heather and Tracy about a month ago to discuss revising the Solicitor License from the Local Law that we have. The current Local Law, was developed back when we had Charlie Chips Delivery Man and Milk Man. With the growth of the town, we've now become a target for many solicitors and we need to get control of it. By control I mean, giving my people the ability to identify that they have a permit and a license and that the people we are allowing to go home to home, don't have criminal records and are the kind of solicitor's and businesses we want coming into the town. We have gone through draft #1 and are on draft #2 right now. I just sent it back to Heather with several other comments and changes we need to make before we can put a final draft together and before we can bring it before the board.

Heather Cole – The Chief and I spoke this morning and we thought if you were to set a public hearing for the second meeting in June, that it would give us plenty of time to get a solid draft to you for review. You could get back to us with any comments that you wanted to make regarding it.

Ms. Tarwacki – One may be a time frame that they are allowed.

Heather Cole – That is actually addressed in there, but, Wayne has actually had some additional thoughts on that. We're trying to work between the three offices that deal with it the most, which are the Clerks Office who, issues the license, the Police Office, that has to enforce it and Zoning, who comes into play to be sure everyone's needs are addressed.

Mr. Dudzinski asked if that included fees.

Heather Cole - Fee's is yet another issue.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set the date June 22, 2009 at 6:30 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY for a public hearing to consider amendments to Local Law 154-1 of the Code, pertaining to the Solicitors Licenses.

The motion was approved as follows:

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

APPROVAL OF FIREWORKS PERMIT FOR 7707 TOTMAN ROAD

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve the fireworks permit for Mr. & Mrs. Joynt to be held June 13, 2009 at approximately 9:30 p.m. at 7707 Totman Road, North Syracuse, NY subject to them paying a \$75.00 permitting fee.

The motion was approved as follows:

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

APPROVAL OF FIREWORKS PERMIT FOR GREATER CICERO CHAMBER OF COMMERCE, JUNE 13, AT SACRED HEART CHURCH

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve the fireworks permit for the Greater Cicero Chamber of Commerce, to be held at Sacred Heart Church on June 13, 2009 and to waive the \$75.00 permitting fee as they are a not for profit organization.

The motion was approved as follows:

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

APPROVAL OF J. H. SPIRE AMERICAN LEGION POST 787 PARADE PERMIT TO BE HELD ON MAY 25, 2009 AT 9:00 A.M.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve the Parade Permit for the J. H. Spire, American Legion Post 787, which will be held on May 25, 2009 at 9:00 a.m.

The motion was approved as follows:

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

DONATION OF \$500.00 TO THE J. H .SPIRE AMERICAN LEGION POST 787

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak to authorize that a donation of \$500.00 be given to the J. H. Spire American Legion Post 787 to help defray costs for the Memorial Day Parade, which is a budget item.

The motion was approved as follows:

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

APPROVAL FOR JOHN DALESSANDRO TO ATTEND FUNDAMENTALS OF
DATA COLLECTION CLASS JUNE 8 -12, 2009 AT THE ONONDAGA COUNTY
ORPS TRAINING CENTER

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize John Dalessandro to attend the Fundamental of Data Collection Class to be held June 8 -12 at the Onondaga County ORPS Training Center, with no mileage reimbursement as he will use his own car but, with \$35.00 reimbursement for parking.

The motion was approved as follows:

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

YOUTH BUREAU STAFF APPOINTMENTS

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the following Staff Appointments as follows:

Lifeguard

Hire Rate: \$8.50/hour; A7150.1 (\$9.50; B7150.1 During Learn to Swim).

Hire Date: May 8, 2009

Chad Leuthauser, 8838 Lombardi Drive, Cicero

Kyle Sager, 7916 Galileo Circle, Bridgeport

Recreation Attendant (Preschool Day Camp)

Hire Rate: \$7.25/hour; B7140.12

Hire Date: June 20, 2009

Catherine Sweeney, 8827 English Road, Brewerton

Recreation Attendant (Fall, Winter, Spring Staff)

Hire Rate: \$7.15/hour; B7020.11

Hire Date: May 12, 2009

Juliana Daniel, 8889 Michigan Ave. Cicero, NY

The motion was approved as follows:

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

YBPR PURCHASE APPROVALS
Tumbling Instructions

Motion was made by Ms. Tarwacki, seconded by Mr. Dudzinski, to authorize an expenditure of \$1,120.00 to New Generation Gymnastics for tumbling instructions to be reimbursed via fees, account code B7020.44.

The motion was approved as follows:

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

Topsoil

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure of \$1,170,00 per County Contract to purchase 60 cubic yards of topsoil from Jack Brown & Sons for Sleeth Park, account code A7110.45ST, Funds from Stripe Grant Money.

The motion was approved as follows:

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

RESIGNATION OF JENNA PETERSON, AS RECREATION ATTENDANT

Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki, to accept the resignation of Jenna Peterson, with regret effective May 20, 2009.

The motion was approved as follows:

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

EXECUTIVE SESSION

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, that we move into Executive Session to discuss the employment history of a particular person and I ask that the Comptroller and the Attorney join us and we will be reconvening.

The motion was approved as follows:

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

The meeting adjourned into Executive Session at 7:15 p.m.

The meeting reconvened from Executive Session at 7:30 p.m.

Heather Cole – Sharon, Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki, to return to open session. We have no items of outstanding business.

PUBLIC INPUT 3 MINUTES PER SPEAKER

Helen Carrol thanked the board for lifting the moratorium in Brewerton on the three properties. If you have not been up there, you need to go up and see the improvements they've made on the old Bait Shop and Sports Shop and Bovia's Insurance on Main Street. They look awesome, so things are happening in Brewerton.

Mr. Dudzinski – I understand that the old Theisen's Marina, called River Rat is open and selling bait and there are going to be a lot of boats docked there.

Attorney – None but, Happy Birthday, Mr. Corl.

Engineer Comments - None

Board Comments

Ms. Tarwacki was happy to receive in her mail today a thank you from OCCRA regarding all the volunteers, from the various municipalities that participated in the 2009 Earth Day litter cleanup. This is the 1st year in the last 5 or 6 that I wasn't able to participate because of a wedding that I was required to go to. Evidently they collected enough trash that was equivalent to 19 African elephants. Congratulations to everyone.

Mr. Dudzinski – I had the opportunity to attend a transportation forum at C&S Engineer's today with Congressman Dan Maffei. There were about 60 people there and he brought back a lot of interesting information in regards to the stimulus money. He agrees with every one else in the room, that money moves extremely slow when it comes to the distribution of any type of funds. It was a great informative meeting that we had.

There being no further business before the board, the meeting was adjourned at 7:30 p.m.

Sharon Putman
Deputy Town Clerk

