

STATE OF NEW YORK  
 ONONDAGA COUNTY  
 TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on **Wednesday, April 13, 2016** at **6:30 p.m.** at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

**PRESENT:**

Mark Venesky	Supervisor
Mike Becallo	Councilor
C. Vernon Conway	Councilor
Dick Cushman	Councilor
Jonathan Karp	Councilor

**OTHERS PRESENT:**

Christopher Woznica	Highway Superintendent
Joseph Snell	Police Chief
Jody Rogers	Director of Youth Bureau, Parks & Recreation
Robert Germain	Germain & Germain, Town Attorney
Stephen Snell	O'Brien & Gere, Town Engineer
Tracy M. Cosilmon	Town Clerk

Supervisor Venesky opened the 7<sup>th</sup> regular meeting of the Town Board at 6:30 p.m. by noting the locations of the three emergency exits, asked that all electronic devices be silenced and noted if anyone had difficulty hearing to bring it to the Board's attention.

Councilor Conway led the Pledge of Allegiance, and then requested a moment of silence for our troops in harm's way.

**Approval of Town Board Meeting Minutes**

Councilor Conway made a motion to approve the Town Board minutes from the Regular Town Board Meeting held on March 23, 2016. Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Approval of Abstract Numbers 13, 14 & 15**

Councilor Cushman made a motion to approve Abstract #13 (dated March 30, 2016), Abstract #14 (dated April 6, 2016), and Abstract #15 (dated April 13, 2016) as they were presented. Motion was seconded by Supervisor Venesky.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Budget Modifications/Amendments**

Councilor Cushman made a motion to accept the Budget Modifications/Amendments as presented:

<b>FROM</b>		<b>\$</b>	<b>TO</b>	
A19904	Special Items Contingent	2814.91	A162040 SB	Building South Bay \$1800.00
			A1620406	Police Building \$345.73
			A19402	Purchase of Land/Equip Capital \$669.18
A162040	Buildings	172.89	A1620406	Police Building
B312043	Police Fuel	600.00	B312049	Police Flares/Firearms/Qualify
A715043	Parks Porta Johns - Beach	200.00	A711049	Parks Porta Johns
A711049	Parks Supplies	100.00	A711049	Parks Porta Johns
A1620405	Parks Pole Barn	2900.00	A715042	Parks – Beach Improvements

**2016 BUDGET AMENDMENTS**

<b>Revenue</b>			<b>Appropriations</b>
DB599	Hwy Appropriated Fund Balance	\$100,000	DB511255 Capital Paving

Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Presentation by Andrew Trombley and Sean Carroll – Onondaga County**

The presentation for the Shared Services agreement was postponed until a future date.

**Public Hearings**

• **2016 Community Development Block Grant**

Supervisor Venesky: This Public Hearing is to consider the Town's application for the 2016 Community Development Block Grant funding through Onondaga County as well as the amendment of the Five Year Consolidated Plan as required by the U.S. Department of Housing and Urban Development.

Supervisor Venesky: I have proof of publication and posting.



**DATED: March 27, 2016**

**TOWN BOARD OF THE TOWN OF CICERO  
COUNTY OF ONONDAGA, NEW YORK  
BY: TOWN CLERK**

Jody Rogers: The Community Development Block Grant that I would like to submit is basically piggy-backing on the grant that we got for this year for the Skyway Park Playground. The unit that we are going to put in this year at the park is just one unit with many different activity appendages around it. The grant that I'd like to put in for 2016 will include:

- A sidewalk from the playground area to the parking lot, which is also the pavilion.
- Free standing playground equipment; swings, and then a climbing wall, and then four to five other pieces of equipment like a teeter totter, a 'whirly' type of thing.

All of the pieces of equipment we want to put in will be accessible and inclusive to any and all children. There are some specific items within this list that were recommended and asked for by residents after we installed the playground at Central Park. This mirrors Central Park's playground; we had more money to do that playground. This project, because of the amount of money and the cost of this playground, we are doing it in two phases. The total amount of money is \$62,500.00. Fifty thousand is the request from Community Development and the balance is going to be made up by tax dollars, in-kind services, and Eagle Scout projects to complete the Town's share of this.

I know that putting this in will increase use of the park not only in the daytime but also in the evening when there is organized recreation going on there for the children that are not involved in Little League; they have a safe place to go and do something purposeful while their families are participating in Little League.

In order to have our Five Year Consolidated Plan to submit this project, I need to update the plan which is from 2015 to 2019 by putting this project on that plan.

Supervisor Venesky solicited any questions from the Board.

Councilor Cushman: Is there a weight limit on the climbing wall?

Jody Rogers: I'm not sure. It is for children 5 to 12 years old.

Councilor Becallo: Jody, how high is that climbing wall?

Jody Rogers: I don't have the actual dimensions with me, but it's recommended by the ASTM (American Society for Testing and Materials) which is for the playground safety consumer products. The fall zone for all of this equipment is at least 1foot of hardwood mulch and it is all installed per specifications. I can get that information for you. If we get the grant then we will go forward with the different pieces of equipment.

Councilor Becallo: It can't be that high if it's 5 to 12 [years old].

Jody Rogers: It's not like the ones that you've seen that are 20 feet high.

Supervisor Venesky opened the public hearing at 6:39 p.m.

Speaking for –

A resident asked who wrote the grant. Supervisor Venesky told the resident it was Jody Rogers. The resident then asked how much it cost the town besides Jody's salary. Supervisor Venesky told the resident that besides Jody's salary he didn't think it cost the town anything.

Speaking against –

None.

Supervisor Venesky closed the public hearing at 6:40 p.m.

**Resolution:**

Supervisor Venesky moved for the adoption of a resolution to resolve that the Town Board hereby approves the submission of an application for the 2016 Community Development Block Grant funding through Onondaga County and to approve the amendment of the Five Year Consolidated Plan as required by the U.S. Department of Housing and Urban Development. Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

- **Consider Amendment to Chapter 210-12 “COMMERCIAL DISTRICTS”**

Supervisor Venesky: The purpose of this legislation is to allow for the development of large scale apartment complexes in large commercial zones to facilitate mixed use environment high density residential uses in proximity to available commercial services. This initiative is considered upon a recommendation by the Town of Cicero Planning Board.

Supervisor Venesky had proof publication and posting.

<p><b>PLEASE TAKE NOTICE</b> that the Town of Cicero Town Board will hold a Public Hearing for April 13, 2016, commencing at 6:30 p.m., local time, to consider Local Law No. 4 of the Year 2016 Amending Chapter 210-12 "COMMERCIAL DISTRICTS" to add "Apartment Developments with more than 24 Residential Units" to the list of "Allowable Uses" for the General Commercial District (adding 210-12 E(2)(i)), Regional Commercial District and General Commercial Plus District zones by incorporation into the Town of Cicero Code. The purpose of this legislation is to allow for the development of large scale apartment complexes in large commercial zones to facilitate mixed use environment high density residential uses in proximity to available commercial services. This initiative is considered upon a recommendation by the Town of Cicero Planning Board. By the order of the Cicero Town Board</p>
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DATED: March 27, 2016

TOWN BOARD OF THE TOWN OF CICERO  
COUNTY OF ONONDAGA, NEW YORK  
BY: TOWN CLERK

Bob Smith, Planning Board Chair: In talking to developers and looking at planning initiatives, both by the County and State DOT (Department of Transportation), the Federation, and attending all of the classes that you've paid for, one of the things that's been moving forward is 'High-density Growth' so that we are burning up less land, more open spaces are preserved, and in our case one of the constant things that we get from NYS DOT is what we can do about the traffic.

In this situation there are a few things that were discussed regarding the apartments that you should be aware of:

First, our society (for whatever reason) is moving more toward apartments. The demand is huge and not everyone wishes to live in Downtown Syracuse. There is a demand for them, and obviously then there's developers out looking for them. They are looking for apartments that are within walking distance generally of services. If somebody wants to drive to an apartment complex and then they want to be able to walk to a service that meets a couple of needs; it meets the needs of the people who are living in them. It also meets the needs of the community because we are not having people drive home and then get their car out to drive to get a quart of milk. It's a solid planning concept that has been used across the country. It's what we go to the training for - 'high-density' works. In Cicero's case, we have a number of commercial areas where the services are in place. Through a lot of time and effort, we have pedestrian walkways, and that's going to be expanded with a federal grant for a million dollars along Route 11. We also have 'orphan' neighborhoods, and one is Lincoln Ave. (which really brought it into focus for us on the planning board; having done a project recently because it is totally surrounded by commercial property). The only thing that's allowed in that zone right now would be more commercial property. When we looked at that there is no opportunity for us to buffer. A common planning tool would be that you would put a residential neighborhood in, then you would put in rental units (apartment units), and then put in your commercial. That would help buffer the residential, single ownership homes. It's obvious the value of those homes is hurting right now because they literally could have another Walmart right in their front yard. It's not a disparaging comment on Walmart, but it hurts the property values. People aren't going to buy a home, and that comment I am making with 22 years in the real estate business. People aren't looking to buy a home immediately adjacent to a commercial property. They also aren't looking to build under power wires or things like that, but when someone is renting an apartment they tend to accept those things, and in many cases they want to be there because the services are there, so it would give us an opportunity to try to predict, and we have a number of these so called 'orphan neighborhoods' that were built years ago and are now totally surrounded by commercial property. There's very little we can do at the moment to preserve them, so that would help us in that endeavor.

Apartment complexes will add substantially to a tax base without adding to the town services. We know that the County is fighting us. The County has continued to fight us on the development of residential properties and there is good reason for that; expansion of sewers, infrastructure, a number of issues, along with keeping open spaces. The County however, (I don't know this works, I'm just taking this from water and environmental protection) apparently apartments generate a lot less sewer and water usage because of whether they're not home or whatever the reason is they generate less sewer and water. They also allow you to use commercial property. That also doesn't have a lot of value commercially anymore. I know that the Town is involved with at least one commercial developer in a tax case where they are saying the property is basically worthless. Well as you look at it from a commercial application, it probably may have very little value because the commercial is already built out in the front and nobody is going to want to build more commercial behind it. So I don't know how that goes, but you're actually, by adding the use that we could use, you could add substantial value to the property because now there is a viable use for the property. A perfect example of this is right in Clay. If you travel out Route 31, I think everyone is probably familiar with where Kohl's and Target, and Home Depot is located, there was a large piece of property out behind those commercial entities - it was doing nothing. Morgan Communities came in. It was approved for the apartments that now exist and there was also a single family neighborhood adjacent to it. The apartments are all market rate apartments and did very well. In fact, I believe they're building them as they go. The single family homes never take off because nobody wanted to purchase property right behind or next to commercial properties. And look at it, they just didn't do it, but the apartments are full. It's almost the same situation you have along Route 11 in a number of cases; it's a perfect example. And right now, if it hasn't already been accomplished, they are trying to change the zoning from the single family that never took off; they are trying to change it so that the developer can build more apartment units that are generally rented before they are built. That's a perfect example of the situation that we have repeated in our town. One difference is a lot of areas that we have actually are close to services, and they also can be part of neighborhoods. The addition is the Town Board (this board and has previous boards) have been very interested in increasing economic development in our town, particularly in the core around Route 11. Well, part of attracting businesses is providing them with a marketplace, and a high density marketplace will help you fill those spaces and will help you improve and upgrade your

business district because the people are there. There are parcels and land (and I am not suggesting, I am just using them as an example; there are no applications in front of us or anything like that), but you take parcels like behind the Sun Auto next to the Lincoln Avenue neighborhood, the traffic is terrible coming out of Lincoln Ave. We couldn't add to that, but there is a number of ways in and out. Someone who is there who comes home from work from Upstate Medical, or whatever, young people who are generally not purchasing at the moment, unless they have to - they come home. They can walk to fitness clubs, restaurants, grocery stores, gift stores, drug stores. It's perfect. We have perfect opportunities by making change in the use; Planning Board would still be doing Site Plan approvals and we would be going through getting the sidewalks and stuff put in to turn them into communities. But it will also, by making a change to the classification and adding the use you, the Town Board, are generally put in a situation where there are claims of "spot" zoning because a developer comes in and asks to change a parcel so that they can make a use of it. You always hear the fact, 'well, its spot zoning' because you're doing one parcel; there is some validity to that. This is not doing that. You are making a change in any of these parcels and by allowing the use you also allow the Planning Board, who is appointed by this board, to say "it's just not a good area for an apartment building" or "it is." Right now there are people out there who are looking to build them, and a lot of them will add 6 million plus to the tax base, but they're not going to come in. First, they are not going to do "spot" zoning. They are not going to get into legal issues. This is a practical way to do it that we have done and other communities have done to allow the use; that's the basis of it. It's just a tool for us to be able to get better planning done, to help with the economic development in the town. Plus, it's one of the few things that the County is interested in doing. They even have grants for high density growth. That's the basis of it.

Supervisor Venesky: Well we certainly don't want to do "spot" zoning. That's nothing that we want to do. Traffic is a huge consideration, especially on the Route 81 and Route 31 area, people getting in and out of there. So I like the idea that if we are going to add residences that they are multi-unit, that people can walk to the services and not have to drive anywhere further.

Supervisor Venesky opened the public hearing at 6:51 p.m.

Speaking for –

None.

Speaking against –

Carol Pardee: I'm against it. I don't care to have more apartments. It's going to create more traffic and we already have a problem in Cicero. If they want apartments let them come before the town and get it straightened out. Don't put this in writing.

Ron Kasowski: What I understand is, by listening to Mr. Smith, they built single family homes and they built apartments. Now on Fairview Ave., all the houses face that area. People have rented the apartments, but nobody bought the homes. So if these people want to sell their houses and move (because a lot of them have retired) no one is going to want to buy their houses. So are you for the people or are you for a project? That would be up to you guys.

Cicero resident: I am neither for, nor against. But I would like to point out that people don't walk these days. There are not too many people that are going to walk wherever they are located; even if it's two blocks down they are going to get in their car.

Tim Murphy (referring to a piece of paper he had): The first portion was where did the zone change come? But I see that Mr. Smith went over that pretty good. We also said 'was there some project that motivated this,' and he also said that there wasn't. So I assume that that's true.

Tim Murphy: I have often heard how residential apartment buildings drain municipal resources with lighting, sewers, schools, police, fire, etc. With a 12% tax increase last fall, isn't this zone change counter-productive to this elected board's fiduciary responsibility to the residents of this town to protect their interests?

Supervisor Venesky: Yes. But I disagree with you, respectfully. First of all, we didn't have a 12% tax increase.

Tim Murphy: How much was it?

Supervisor Venesky: It was an 8.2 percent tax increase, overall. Secondly, we have to look after, and it is our responsibility to look after, the interests. Here is the bottom line: if we build single family homes there is a greater cost to the community and to the taxpayer because now we've got to plow, now we have to maintain the roads, and there is a cost associated with that, and we also own the sewer system, so there is a cost associated with that as well. So if we entertain multi-unit, market rate apartments (that to Mr. Smith's point will pay the Town of Cicero 6 million dollars), when I look at that tax wise, and the fact that we are not plowing it, we are not fixing the roads, we are not maintaining the sewer system; we are maintaining the pipes up to the one large building, which is a lot less than maintaining them up to multi-unit buildings. I think that's good for the taxpayer. I think it puts money into the pockets of the town. In those high commercial areas they are already zone commercial; you have commercial property there. What the impact is going to be on the individual home, I can't speak to that. But, if you own a home that's surrounded by a commercial district, I can't change that – we didn't do that.

Tim Murphy: Yes you did, though. They changed the zoning with The Commons and never even told the neighbors. So if you were doing this zone change tonight you would do the same thing by identifying that to the neighbors that abut those commercial areas, so they should at least know that you were changing the zoning, just to bring up that point of correction.

Supervisor Venesky: It's gone back and forth. And not to get into a debate, because I will not do that here. There are people who have brought up the questions, 'how do you talk to people', 'how do you notify people'. Well, we put it on the website. We put it in the paper. We announced the public hearing at the last meeting; it's in the Town Board minutes. If people choose not to read the newspaper, if they choose not to look at the website, if they choose not to read the minutes... I don't have a good answer for you.

Tim Murphy: You guys used to send out postcards. You don't do that anymore.

Supervisor Venesky: No we don't. Under certain circumstances I think that the Town would but it's very costly to do that, and at some point people have to take responsibility for themselves.

Tim Murphy: I appreciate your answer to that. That was a toughy.

Tim Murphy: Since most of Cicero's commercial arterial connective corridors are already stressed with carrying capacity and costly maintenance that we are bonding for wouldn't it be a better policy to follow Clay with large lots and single family homes on five acres?

Supervisor Venesky: I'm sorry?

Tim Murphy: In other words, large lots. Clay has a policy where you have 5 acres for a house. I think if Onondaga County is against our development for a residential when we do that...

Councilor Cushman: Well, Clay doesn't do that. A hundred-thousand square feet, which is about 2.4 acres.

Tim Murphy: That's a good policy.

Councilor Cushman: That's because they don't have sewers. If they had sewers they can go with the 15,000 square foot lot just like we do.

Tim Murphy: Why would we have zoning designations if you are going to mix residential and commercial on this scale? Aren't they incompatible uses? Think of back-up beepers, large snow plows, car alarms, delivery trucks, transient people, and the 4 a.m. street sweepers, which is what we have at Walmart – its paradise. The safety issue and liability alone should be considered when sidewalks are limited and rarely plowed in

winter. The Town of Cicero is already well known for its terrible traffic problem. This isn't smart planning, its poor planning. Enough of being the joke of the county.

Supervisor Venesky: I respectfully disagree with you again. We are going to have the Commissioner of the Department of Transportation, who will be here on May 5<sup>th</sup>, Matt Driscoll himself. He calls the shots with the State. I have invited him to look at the traffic situation and make some recommendations; he has agreed to do that.

Tim Murphy: Back-up beepers, the safety liability issues. In other words, if you are plowing snow on the sidewalks for a walkable community I consider that to be a joke around here because half the year its winter and they don't plow them anyway.

Supervisor Venesky: I am meeting with the Department of Transportation (DOT). We are going to discuss sidewalks and putting them in, and one of the things that we are going to be talking about is how we are going to maintain the snow on those sidewalks. So I have a plan, but I want to talk to them about it first. But if you take a look at that Route 11 corridor, there is an awful lot of people who walk to get to those jobs and to get to the Dairy Queens, and to get to those things, and we need to address it with sidewalks. If you look at the safety issue there, and I look at all of this, it needs to be addressed and we are going to address it. We are on it.

Tim Murphy: Well Walmart has been here 10 years and they can't connect theirs. They must be short on money or something.

Supervisor Venesky: We haven't been here 10 years.

Tim Murphy: Well Walmart has.

Supervisor Venesky: Well I know that, but this board has not been here 10 years.

Tim Murphy: They had a tax break that just stopped this year, but they still can't fix the sidewalk out front?

Supervisor Venesky: I addressed that with DOT on a phone call that I had with a lady; we talked about that this morning. We are on it. We are not shooting from the hip here, but we are trying to do things right, so that will be addressed.

Tim Murphy: Will there be tax breaks and subsidies associated with building residential in a commercial zone like the Empire Zones? Are they getting any kind of tax breaks?

Supervisor Venesky: First of all, we will take it on a project by project basis. I think that once we are done doing what we want to do to promote business in the Town of Cicero, especially on that Route 11 corridor. I think they will be coming to us. I don't think we are going to have to have to give them tax breaks – I am not in favor of them.

Tim Murphy: Thank you. I believe in that.

Tim Murphy: Are all of these apartments to be rented at market rate and not 'affordable' or low income?

Supervisor Venesky: We have to by law, entertain anyone that brings anything to us, I believe. But my focus is market rate apartments; if we are going to build them.

Tim Murphy: The reason I ask this is one wonders if the President's Affirmatively Furthering Fair Housing Rule won't come into play? Many hard working residents of Cicero would not like to be discriminated against in forcing suburban diversification with a transformative federal plan for immigrant focused career pathway programs. Onondaga County is a sanctuary county. We now have a Welcoming Community Refugee Resettlement Preferred Community Partnership For a New America, one with a densely-populated urban feel. They have that in the City of Syracuse and they are trying to push it onto the suburbs.

Supervisor Venesky: I will not speak to that. However, if a project like that comes I am sure that you will have an opportunity to speak to it.

Tim Murphy: We live in a rapid pace society and Cicero already has horrific traffic delays. Why would we want to significantly increase traffic congestion from large-scale apartment complexes and high density residential uses? We already went over that.

Tim Murphy: This zone change initiative is being considered upon recommendation of the Town of Cicero Planning Board. The Chairman, Mr. Smith, is a reasonable man and a detailed administrator; but this zone change has too many negative unintended consequences that must be considered.

Tim Murphy submitted a copy of his questions and comments with multiple signatures to Tracy Cosilmon, Town Clerk:

Cicero Town Board Public Hearing Wednesday, April 18, 2016, Concerning an Amendment to the zoning laws of allowable uses to include large scale apartment complexes in large commercial zones.

Where did the idea for this zone change come from? Who or what is it? Is there some proposed project that motivated this zone change?

Have often heard how residential apartment buildings drain municipal resources with lighting, sewers, schools, police, fire, etc. With a 12% tax increase last fall, isn't this zone change counter-productive to this elected board's fiduciary responsibility to the residents of this town to protect their interests?

Since most of Cicero's commercial arterial connective corridors are already stressed with carrying capacity and costly maintenance that we are bonding for, wouldn't it be a better policy to follow Clay with large lots and single family homes on five acres?

Why would we have zoning designations if you are going to mix residential and commercial on this scale? Aren't they incompatible uses? Think of back-up beepers, large snow plows, car alarms, delivery trucks, transient people, and the 4 a.m. street sweepers, etc. The safety issue and liability alone should be considered when side walks are limited and rarely plowed in winter. The Town of Cicero is already well known for it's terrible traffic problem. This isn't smart planning, it's poor planning. Enough of being the joke of the county.

Will there be tax breaks and subsidies associated with building residential in a commercial zone like the Empire Zones?

Are all of these apartments to be rented at market rate and not "affordable" or low income? One wonders if the President's Affirmatively Furthering Fair Housing Rule won't come into play? Many hard working resident of Cicero would not like to be discriminated against in forcing suburban diversification with a transformative federal plan for immigrant focused career pathway programs. Onondaga county is a sanctuary county, we now have a Welcoming Community Refugee Resettlement

Preferred Community Partnership For a New America, one with a densely-populated urban feel.

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Joyce Krichbaum 5809 Noel Rd  
 5814 Noel Rd  
 Elizabeth Jassone 5816 Noel Rd  
 Jennifer DeCook 5809 Noel Rd  
 Michael Rouble 5810 Noel Rd  
 David Decker 5809 Noel Rd  
 Chris Drake  
 Shawn McGannon 5813 Noel Rd Cicero  
 Jan Francis 5805 Noel Rd Cicero  
 Ronald Sotherton 5847 Noel Rd  
 Patten Barbanks

Timothy Murphy  
5806 Noel Rd

Supervisor Venesky solicited any further discussion.

Doug Wickman: I have to admit that I don't know whether I am for or against this because I don't know too much about the details of it. The way it is worded here on the agenda it says that they are just going to add the additional use of apartments to this and any other changes in what has to take place in that zone. If that's the case then I would have some concerns. The apartment complex that Bob Smith talked about in Clay is close to the commercial zoning, but it is not in the same zone; they are right behind one another. The apartment zoning in Clay sets forth the density of the apartments. It sets forth how many parking spaces are required. It sets forth the amount of green space that is going to be there. It sets forth buffers, and it does it in a way that sets forth a relatively high quality of life. I would be concerned if a developer came in here to put apartments in with very, very high density without using adequate green space without providing for a high quality of life. I think that would be contrary to the best interests of the Town of Cicero if we are allowing a development to take place that does not provide for a good quality of life, and in that case I would be against it.

Councilor Becallo: Mr. Wickman, I believe there is a big gap between of trees, between those apartments that you are talking about off of Route 31. Isn't that correct? Don't they buffer it?

Doug Wickman: Well there are other apartment complexes in Clay that are very close to commercial areas. It is a good idea to have apartment complexes close to commercial areas for all the reasons you stated, and the one that's in Clay that Bob mentioned is very, very successful; it has a waiting list. The company that built that complex is out of Rochester and they did a very, very good job, but it fit within a detailed zoning requirement in Clay that set forth how many apartments you could have per acre. It set forth all those other requirements. But if you are just going to add a use to a commercial zone you are not doing that; you are not setting forth all those requirements.

Councilor Cushman: Having spent eight years on the Planning Board and several years with Mr. Smith, there is a detailed process in the planning process for every single development that goes in. We've always addressed traffic. We've always addressed parking spots. We've addressed signage. There's a complete process no matter what you are building anywhere in the town. There still is a process that you have to go through, so all of those things would be addressed during the normal Planning Board process, I believe. Is that not right Mr. Smith?

Bob Smith: Correct.

Councilor Cushman: So to just say that we are just throwing "High-density" with no other planning; the process is already there.

Doug Wickman: I know exactly what you are saying Mr. Cushman, I understand that completely. But my concern is that, for instance if you have 20 apartment units per acre and you allow that and somebody wants to come in and propose 20 per acre, the Planning Board has really no way of saying 'no' to that. That kind of a density, in my opinion, would fail. Usually you want to have like five or six units per acre; that's pretty dense. Those types of apartment complexes have worked in Suburban Central New York. But if you don't say how many units you are allowed to have per acre as a maximum, then the developer can do whatever he wants and the Planning Board is not in the position to say 'no' because it's not in the zoning. It doesn't say how many units you can have per acre, so I would say that this is risky.

Supervisor Venesky: Do you have anything else you would like to add to that Mr. Smith?

Bob Smith: We have a number of apartments that have already gone through the planning process. They have all been successful. There's any number of examples. I know Mr. Cushman was on the board when we've done some of them; they are immediately adjacent to commercial areas. New Country, I believe was one of them. You know part of the thing is that this is also market driven. A developer isn't going to come in here to try to build a complex that's going to fail because it's taxed already. They are not like they are coming in here and they are going to want to put this next to the SAGE

(Semi-Automatic Ground Environment) Building off Taft Rd. There is some practicalities. Too often we try to go to the absurd; that's what we try to regulate. We just finished a complex up in Brewerton, Mr. Loscombe's. I can't remember the name of it, but that was a process and there was the zoning; there is no direction there. Actually, there is no direction for parking regulations in the Town of Cicero at all. Every time someone comes in it used to be that we put down as much pavement as we could, but since our stormwater issues and learning how to do it better, we make them justify every single space of parking that they put in. That was the case with Mr. Loscombe. And that's the case with any other commercial. In fact, the Planning Board made them take some parking out in some cases. We just try to have a reasonable expectation. But, no one is going to come in here and invest millions of dollars to build a complex that is going to fail. I don't know what the zoning is up there, but there's no trees. You can look right from the apartments pretty much over at the stores, and people do walk in between because it is a short walk. It isn't always easy. If you're at Lincoln Avenue (and we just had to do a home occupation there) you go down there, the traffic is impossible. If you can walk to the store next door or across the lot you are going to do that. It's just the point of what's practical. Mr. Cushman is right, every project that we do in this town goes through a process and we ask the same questions; the parking, the impact on traffic, the impact on the sewers. I mean we have instituted policies even to help with the capacities. So the answer to your question on that, yes. We even picked the colors to some degree of what Mr. Loscombe's buildings were. I think it's a beautiful complex. Everybody that's up there, and he invested \$40,000 in the stormwater system and according to some of the neighbors that we've talked to its improved the drainage situation where their sump pump is running, because he basically finished the stormwater system that was never finished. So I mean if they are done right, and Mr. Cushman's point is 'we have to do them right', but at the present moment there is very little incentives. Nobody wants to go out on Route 31 past South Bay Road and in the middle of .... with no services and put up a multi-million dollar apartment complex. In the same vein, nobody is going to come in and invest a million dollars and put in an apartment complex in a heavy commercial zone because nobody is going to want to live there. Nobody is going to want to live in the middle of Hancock Airpark.

Supervisor Venesky: If I'm hearing you, no.1: we don't have a project in front of the board. There are processes that any developer and any project that's brought before the board that will be vetted, so we are going to look at the whole traffic situation. We have a problem with traffic, that's why Matt Driscoll is coming to look at it. All of those things are going to be taken into consideration. We don't even have anybody who wants to come in, but what we are trying to eliminate is:

1. Driving. That's a subjective thing. People are going to get in their cars. They are not going to get in their cars. And they are not going to walk. But if we have sidewalks, and we will have sidewalks in that area or in any commercial area where we develop because I think it's a requirement right that we put sidewalks in.

Bob Smith: We have been requiring sidewalks for the last eleven years, at least. A previous board actually passed a resolution asking that the Planning Board continue with that because...I don't know. You would have to be blind. I mean the Chief's guys are out there. People walk along Route 11, and they walk in the middle of winter. The sidewalk is not being maintained. It is an issue. I think the previous board passed a law but it needs to be enforced or we need to come up with a plan because it's just unbelievable to see people dragging their shopping carts or getting off a bus and then having to try to walk along Route 11, especially at night because we've got some of the worst lighting that you have ever seen. I don't know about anybody else, but I know that I've driven up Route 11 in a rain storm, and all of a sudden you see somebody off your right-hand mirror and your heart goes in your mouth. It says a lot about a community; that we don't care about...not everybody can afford a car. In our case, along Route 11 we have neighborhoods, we have senior housing, people who may not be able to drive and we build services. And we want people to come here and work in those services who may not be able to afford vehicles. We have people walking from the Village of North Syracuse to jobs at Price Chopper, Tully's, and all the service industries which will pay you \$15.00/hr. pretty soon, but to make those people walk in the street without any care is just wrong.

Supervisor Venesky: We are going to address it. And we will address it this year. We are not going to do 'spot' zoning. That's one of my concerns. As long as we have the assurances, and I do, I am confident in the procedures that the Planning Board follows when a developer brings something in front of you. Knowing that, we also have to make ourselves attractive to people who want to invest money in our community and to people who are going to pay taxes. In my mind, if someone wants to build in a commercial zone anyway, and the service is readily available, I am all for allowing them to come in front of the planning board. If by passing this it allows them to say 'look, I want you to look at this', 'I'd like to do it', it doesn't mean they are going to get what they want, but it may open up the opportunity for people to look at us a little differently in some of those areas.

Bob Smith: The Planning Board also isn't without resources at our disposal. It isn't that we have to approve anything that comes in unconditionally if it's an allowed use. Certainly, Onondaga County Planning Board sends us recommendations, sometimes modifications that we have to listen to. But the other thing is the Planning Board can legally, and we have gone all the way to the Appellate Division in Albany and won those cases, we have the ability to say 'we need mitigation'. A developer may decide that it's not worth the mitigation that we asked for. Let's say in the case of apartment buildings, if there is a certain number, and I believe this restricts apartment buildings of a minimum of twenty-four or twenty-five, so you're getting a substantial complex. If the Planning Board says you have to put a red light in or if you have to do something to mitigate the traffic, which is not cheap. I believe the last one I know we did for an apartment complex was up at the corner by the post office and the Cicero Planning Board refused to approve it unless the mitigation was done prior to the issuance of any building permits. I believe the bill for that was \$650,000. Now the apartment developer decided that the \$650,000 was worth his investment and they made it, but that was a requirement of the Planning Board that that be installed and completed before. It's not entirely correct to say that we just have to approve whatever comes in. If the Planning Board does their job, and I think they have been, they are going to require mitigation and if it makes economic sense the developer sense, if it doesn't make economic sense then they don't do it; they go and do something else. There is a process in place, and there has been for years.

Judy Boyke also wanted to speak.

Supervisor Venesky asked Mrs. Boyke if she was 'for' or 'against'.

Judy Boyke: I'm against. First of all, the younger people of today (because I am a realtor and I work with all ages and all types of sales) they demand instant gratification. As far as walking anywhere, it would only be because they were running because they were working out. As far as publication, we have found that no matter what we do, first of all people don't get a newspaper anymore and if they do it might be the time when the publication wasn't in it, so I think that is almost redundant. As far as computers, the age group of people, there is a gap. That's another situation, so that eliminates part of them. There is a new development in Brewerton that is beautiful, but it has a reflection on Walnut Street and Woodlawn as far as property values. The people looking at houses over there say 'how many more complexes are they going to build around here', so the people over there are concerned about the value of their property. Route 11, when you talk about building on Route 11, and people walking to different areas, are you talking about Route 11 towards Brewerton?

Supervisor Venesky: Specifically, we are talking about sidewalks that will run from Bear Road to about 300 feet north of Caughdenoy Road. That's the first project that we will be discussing with the Department of Transportation next week.

Judy Boyke: As far as these apartment complexes, I have three clients that live in the complex that Bob [Smith] is talking about in Clay behind Wegmans and over in that area. They are young adults who have just gotten out of college and for a two-bedroom they are paying \$1,450.00 a month. It's like a hotel over there. When you go in you have to take an elevator. It's a hotel. It's unbelievable, and that's the only thing that they had immediate occupancy to because they are readily available. As soon as they are in all they are doing is transitioning to buy a house. There are people buying houses out there; I don't know what Bob is doing, but I am doing very well. When you talk about walking,

most people who are walking do not have transportation. It's unfortunate, but they don't. On Route 11, for some of the commercial buildings that have been built, they are in the position where they are because the Planning Board told them that's where they had to put it; specifically Walmart, and the direction that it's facing. The property behind Walmart, I know that that property has been on the market and no one wants to buy it because they don't want to be behind this commercial property; part of that was from the Planning Board. Also, there's a stigma about builders building in Cicero because they are upset, and we all know that. The road specifications were one of the big things. In all of the districts, the General Commercial, the Regional Commercial, all of those that you are talking about, in each one of them it says: *Other uses if the Planning Board finds that such proposed use meets the Statement or the Intent and is of the same general character and intensity as those uses allowed. The Planning Board is authorized to construe the Subsections liberally and broadly to allow it happen.* Why do we have to change the zoning when they have that liberty to do that?

Supervisor Venesky: My understanding is that if a developer wants to put multi-unit apartment buildings in a commercial area that it is eliminated at this point, what this allows is for a developer to come in and look at that and then our Planning Board and those people will look at that and look at the use. So all we are doing is expanding the use so that if we have a developer come in and wants to construct a multi-unit building he/she would not have to go through a zoning process to do that. It would reduce the cost of doing business in Cicero, and the Planning Board would be the vehicle that would actually look at that and determine whether or not the use they wanted, or whatever they wanted to do was appropriate there.

Judy Boyke: So why don't we as a town become more friendly and open this up to these developers to come in and sit with the Planning Board and have this open discussion in regards to what it is that they want to build?

Supervisor Venesky: We are doing that Ms. Boyke. They are already doing it.

Judy Boyke: If you are doing it then why do you have to change this?

Supervisor Venesky: If a project comes before the Board and the project is deemed to be of value or something that we want to do, or that's good for the area (a good fit for the area), then we just probably eliminated in Zoning time/costs, public hearings; we have streamlined the process, which is what we need to do in the Town of Cicero. By the way, we are going to become the most business friendly while we preserve the quality of life in our neighborhoods, and that's a huge caveat. We are shedding the label of 'anti-business' and 'hard to do business', I've had developers tell me that. Moving forward, we are going to be a much friendlier business when it makes sense for the Town of Cicero and makes sense for the quality of life in the neighborhoods that would be in the vicinity. We need to do that because we need a huge infusion of tax money into this town. So, if we can make it easier to do business, for folks to do business with us - then I'm all ears. If we can eliminate costs for a potential developer to come into our town - then I want to hear about that. And I think (unless I am wrong) that that's what we are trying to do. We are not saying that we are opening up the town to wholesale development; that's not good for the Town of Cicero, not good for the folks here, and I think that we are taking precautions; we are not shooting from the hip. We know that we have traffic issues; they have been ongoing traffic issues for years and years. The Commissioner of DOT (Department of Transportation) will be here on the 5<sup>th</sup>, so we are addressing those traffic concerns. We are going to fix it to the best of our ability, or the State is going to fix it.

Judy Boyke: I'd like to see where your magic wand is.

Supervisor Venesky: I have no magic wand.

Supervisor Venesky solicited any further questions.

Loomis Pardee: How much land does one of these buildings take up?

Supervisor Venesky: I can't speak to that.

Loomis Pardee: Could you put like six houses in the same houses that this area was, or ten houses?

Supervisor Venesky: Well, I don't know because we have no project in front of us, so I have nothing to compare it to.

Loomis Pardee: Well my question is, he [Bob Smith] made the statement that there was less sewage coming from this than there would from residential. I don't agree with that. You've got 25 complexes. They are going to take as many showers as they would if they were in a house. So you've really got twenty-five families in there that I'm sure you could not get 25 houses in.

Supervisor Venesky: I can't speak to that.

Loomis Pardee: That was my question. I would say it's going to be more sewage, not less.

Tim Murphy: How many stories high, too?

Supervisor Venesky: That's a good question. Each individual project would be looked at individually.

Tim Murphy: Can you leave the public hearing open so that we can review some of these questions?

Supervisor Venesky: Review them, to what extent?

Tim Murphy: We've got a whole bunch of questions here to review. Why would you close it?

Supervisor Venesky: I'm not going to close it. I have asked everyone that wanted to speak if they would speak, and if no one else wants to speak then I am going close it. With all due respect, we are not going to sit here until 11 o'clock tonight.

Tim Murphy: Are you going to leave the public hearing open for future comments?

Supervisor Venesky: This is a public hearing, so no I am not going to do that. We set a public hearing. We publicized the public hearing. We put it on our website. We advertised it in every way with every vehicle that we have available to us. If people choose not to come then why would I want to leave that open?

Tim Murphy: It doesn't make sense, with all due respect to you.

Supervisor Venesky: If no one else wants to speak then I will close the public hearing.

Supervisor Venesky closed the public hearing at 7:26 p.m.

Supervisor Venesky solicited any further discussion from the Board.

Councilor Cushman: I just say, after being many years on the Planning Board that they always look at alternatives as well. Just for an example, the one that Bob [Smith] used with Lincoln Ave. situation, if they were to use that property behind Sun, for example Sun has already put a new road back there outside of their parking area. They could connect with a connecting road to that entire loop on Lincoln and come out to a traffic light, which would be midway between Walmarts and Caughdenoy Road, and maybe alleviate the traffic problem that the people that live on Lincoln have, which would improve their quality of life. You have got to look at all the possibilities that can be done during the Planning Board process, and Bob [Smith] can tell you that it's not a quick one, two, three, and then out the door; it's a process that takes many months and everything is looked at. So I think I personally have confidence in the Planning Board that they will do the right thing on each of these projects when they come in. I don't think they are going to put anything off that is going to hurt the town. And I don't think any developer is going to spend that kind of money unless it is going to be a benefit to them as well. I think we have done all that we can do to protect ourselves.

Supervisor Venesky: We have closed the public hearing and if there is no further discussion from the Board, Mr. Karp if you would give us SEQRA (State Environmental Quality Review Act) please.

**Resolution:**

**SEQRA:** Councilor Karp moved for the adoption that the consideration of **Local Law No. 4 of the Year 2016** amending **Chapter 210-12 “COMMERCIAL DISTRICTS”** to add “Apartment Developments with more than 24 Residential Units” to the list of “Allowable Uses” for the General Commercial District (adding 210-12 E(2)(I), Regional Commercial District and General Commercial Plus District zones by incorporation into the Town of Cicero Municipal Code is a Type II action for the purpose of SEQRA (State Environmental Quality Review Act) Compliance. The proposed action requires no other permitting authorities outside the Town and is not subject to SEQRA.

Motion was seconded by Councilor Cushman.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo voting no.*

**DECISION:** Councilor Karp moved for the adoption of resolution approving proposed **Local Law No.4 of the Year 2016** amending **Chapter 210-12 “COMMERCIAL DISTRICTS”** to add “Apartment Developments with more than 24 Residential Units” to the list of “Allowable Uses” for the **General Commercial District** (adding 210-12 E(2)(I), **Regional Commercial District** and **General Commercial Plus District** zones by incorporation into the Town of Cicero Municipal Code.

Motion was seconded by Councilor Cushman.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo voting no.*

**Engineering Services – O’Brien & Gere:**

- **Oxbow Road – Bank Stabilization Project – Permitting, Design and Construction Services**

Councilor Becallo: This proposal is for engineering services in accordance with bank stabilization improvements along Chittenango Creek near Oxbow Road. This project was made possible based upon the Town’s receipt of a \$75,000.00 grant received through the NYS Water Quality Improvement Program (WQIP).

Councilor Becallo moved for the adoption of a resolution for the Supervisor to execute the proposal from O’Brien & Gere to provide Engineering Services related to the permitting, design and construction of bank stabilization measures within the limits of Chittenango Creek near Oxbow Road. The estimated fee is \$29,300.00 and would be billed against on an hourly basis in accordance with our Master Professional Services Agreement. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

- **Davey Road – Drainage**

Councilor Becallo: The Town Board previously approved an amount of \$53,614.83 on [at the] October 14, 2015 meeting to complete drainage improvements at this location. However, only \$33,129.83 was invoiced as the Contractor was unable to complete the restoration due to weather conditions and we would like to complete the final restoration this Spring. It is projected the total cost to complete the work will be under the original approved amount by around \$2,400.00.

Councilor Becallo moved for the adoption of a resolution to approve an estimated amount of \$18,000.00 to LaFleur Constructors, Inc. to perform restoration improvements as a result of drainage repairs completed in the Fall of 2015. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

### New Class of License

Councilor Karp moved for the adoption of a resolution creating a new class of license for Hawkers and Peddlers. Such license shall be referred to as a "Town Sponsored Event License," shall be valid only for the sale of food at town sponsored events, and shall be available for an annual fee of \$125.00. Such licenses shall be valid for the entire calendar year in which they were purchased, and all purchases of such licenses shall be subject to the approval of the Department of Parks and Recreation. Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion.

Councilor Becallo: How many events do we have here that actually have food sales at them?

Jody Rogers: Right now we are planning five this year that we already have scheduled.

Supervisor Venesky solicited any further discussion from the Board. There was none.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo opposed.*

### **Bond Anticipation Note:**

- **\$4,800.00 for the preparation of the 2016 Bond Anticipation Note (BAN)**

Councilor Cushman moved for the adoption of a resolution for the approval to pay Fiscal Advisors \$4,800.00 for the preparation of the 2016 Bond Anticipation Note. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo opposed.*

- **\$4,045.00 to Orrick for bond counsel relative to 2016 Bond Anticipation Note (BAN)**

Councilor Cushman moved for the adoption of a resolution to approve payment of \$4,045.00 to Orrick for bond counsel relative to the 2016 Bond Anticipation Note (BAN). Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo opposed.*

### **Future Highway Department Facility**

Councilor Conway moved for the adoption of a resolution to approve the proposal from the MRB Group for the Pre-Design Programming Services for the proposed Town Highway Department Facility on Route 31 in the Town of Cicero, for a total amount of \$6,000.00. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion.

Councilor Becallo: Where are we with the sewer hook-ups? Are there any at that property?

Supervisor Venesky: No, not yet.

Councilor Becallo: Is that going to be part of this proposal design?

Supervisor Venesky: Yes.

Supervisor Venesky solicited any further discussion from the Board. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Parks and Recreation Department – Personnel**

Councilor Karp moved for the adoption of a resolution to appoint the following individuals:

- Adam Gates as Swimming Facility Manager, at a pay rate of \$13.00/hour effective May 20, 2016
- F. Quinn Chmarak and Mitchell Brown as Lifeguards, at a pay rate of \$10.00/hour effective May 20, 2016
- Jennifer Foley and Christine Fleury as Recreation Leaders, at a pay rate of \$14.25/hour effective June 21, 2016
- Megan Evans and Mike Brisson as Recreation Leaders, at a pay rate of \$11.50/hour effective June 21, 2016
- Jillian Gorman, Jackie Kleist, Caitlyn Tackley, Abby Tolbert, Olivia Procopio, Elizabeth Fehrman, Marina Fay, and Jessica DeStefano as Recreation Attendants, at a pay rate of \$10.00/hour effective June 21, 2016

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Assessor's Office**

Councilor Conway moved for the adoption of a resolution to authorize the Supervisor to execute an agreement for the following copier services:

A lease agreement with BIX Consultants for [one] XEROX 7556 Black/White/Color Copier to be located at the Assessor's Office, in the amount of \$137.00 per month (60 month lease), which includes the service contract. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion.

Councilor Becallo: I looked in the proposals. It says 'for anything over 60,000 copies', how much is it if we go over?

Supervisor Venesky: I don't know if we would go over 60,000 copies.

Councilor Becallo: I kind of want to know before I vote on that. Can we delay this until the next meeting? I just saw it a few minutes ago.

Supervisor Venesky: I don't know. What does the Board want to do? She needs a copier. Why wouldn't we ask that question prior to the meeting so that we would have the answer?

Councilor Becallo: I saw it a few minutes before I came walking in the door. Some of us work.

Supervisor Venesky: The rest of us work. What would the Board like to do? Do you want to hold it or do you want to take the vote.

Councilor Karp: It's a legitimate question.

Councilor Cushman: It is a legitimate question.

Don Snyder: If you read her justification it sounds like she has covered that because it used to be a minimum number per month. She has taken it to a yearly total.

Councilor Becallo: Does it specifically say it?

Don Snyder: It says "Lease will include up to 60,000 copies/prints per year. Being offered copies per year rather than per month saves us on average during our busy time."

Supervisor Venesky: If you take a look at the resolution Ms. Tavernese did for us it says 'If you have any questions please contact me before the next board meeting'. But, I will go ahead and defer this until the next meeting so that you can ask the question.

Councilor Becallo: Thank you Mark, I appreciate that. I really do.

Supervisor Venesky: I would also appreciate it if you prepared for our meetings.

**The agenda item was deferred until the next meeting, to be held on April 27, 2016.**

#### **Comptroller's Office**

Councilor Cushman moved for the adoption of a resolution to approve the proposals from Benn & Company CPA's, PLLC, for the completion of 2015 audits and to authorize the Supervisor to execute such agreements:

- \$5,500.00 for the South Bay Fire Department Length of Service Awards Program (LOSAP)
- \$1,600.00 for the Employee Deferred Compensation Plan
- \$2,100.00 for Town of Cicero ~~Justice Department~~ Courts

Councilor Karp: I would like to point out for the record that it's not called the Justice Department anymore.

Motion was seconded by Councilor Karp with it being amended to change the name of the Justice Department to "Courts".

Supervisor Venesky: Duly noted.

Ayes – 4, Noes – 1, and Abstentions- 0. *Motion carried. Councilor Becallo voting no.*

Councilor Becallo: I am opposed. A true independent audit would be outside of this town.

#### **Highway Department**

Councilor Conway moved for the adoption of a resolution to approve the following purchases:

- \$3,153.75 to Stephensen Equipment for additional charge for the new asphalt recycler hot box
- \$1,460.00 to Josall Syracuse Inc. for repair to leaky roof on Town Highway Department [Highway Garage Roof]
- \$1,187.55 to Tracey Road Equipment for steering assist cylinder #22 (badger)
- \$1,341.00 to Long Park Tire for four (4) tires for Truck #15
- \$1,165.07 to J.C. Smith for shovels, rakes, scrapers and lutes
- \$4,000.00 to Tracey Road Equipment for nozzles, repair kit, diaphragm, pendant control Truck #93
- \$20,834.75 to Crossroads Highway for 1,595 gallons traffic paint and beads
- \$20,000.00 to Steel Sales for plastic pipe (for drainage jobs)

Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Parks and Recreation Department – Purchases**

Councilor Karp moved for the adoption of a resolution to approve the following:

- \$1,100.00 to RLS to replace the metal trim around garage doors and corner of building
- \$2,000.00 to Fun Flicks for movie series at William Park (rental of projector and 22' screen for 5 movies)
- \$1,000.00 to Criterion for movie licensing for 5 movies
- \$32,184.00 to Lan-Co Companies for repairs to the William Park Seawall
- \$1,200.00 to MS Unlimited for rental of 4 portable toilets for the season at the parks)
- \$1,906.00 to North Syracuse Central School District for school use fee
- \$4,500.00 to Maxian & Horst for design and construction documents for the Skyway Park playground project through the Community Development Grant
- \$50,000.00 to Suit-Kote for cold mix pave at Central Park
- \$7,500.00 to Suit-Kote to crack fill parking lots at the Senior Center
- \$2,800.00 to Lumberjack Tree Service for removal of two (2) maple trees at Riverside Cemetery

Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion.

Councilor Cushman: The \$1,200.00 for the limited rental on the porta potty, don't we have a bathroom facility out there?

Jody Rogers: These are for Central Park, Gateway Park, Plank Road and William Park. The restrooms are not open during the day. Central Park we put in the playground and that restroom is only open in the evening. Plank Road doesn't have restrooms, and neither does Gateway Park.

Supervisor Venesky solicited any further Board discussion.

Councilor Becallo: The \$50,000 for Suit Kote, we didn't come up with a better idea?

Steve Snell: Chris and I met with Jody out there and looked at the parking lot, and I've also contacted Suit Kote. We went through what through the process of improving that parking lot. We do feel that using the cold mix paving is the best option out there. It is a little bit more flexible, and they are going to seal over the top of the paving once they are completed. One of the biggest issues is getting drainage off the parking lot, so we may look into doing a smaller part of the parking lot; because the \$50,000 is not to pave the entire parking lot, but it's to do kind of the worst area of the parking lot. There is no drainage out there. There are no catch basins - there's nothing. And there's really not room to put catch basins in because of grade issues that we have. So what we are going to look at doing is try to shim some of the parking lot to direct water off of it a little better than it is today. Right now, it's pretty flat and there are pot holes everywhere. The idea is work with Suit Kote on that. Jody is going to be contacting them and I can step in and help also with that.

Supervisor Venesky: Chris, I know you and I have talked about that. You concur with what we are doing?

Chris Woznica: Yes. We've got to do a bunch of patching for her out there.

Councilor Becallo: Can we use road millings?

Chris Woznica: No. Millings won't last. There's no asphalt in it; it won't adhere to anything.

Councilor Becallo: But didn't you say that this would be underwater next year anyway?

Chris Woznica: What I said was it was not as stable. But when we looked at it, after talking with Steve [Snell], we are going to do a little more drainage out there for Jody. Also, we spoke with Jody's guy out there, Bill Alley, and they are going to look at maybe not plowing it quite so much in the winter time to keep the water and the frost out of the parking lot so it won't heave so much.

Jody Rogers: Chris is right. We are going to absolutely close that bottom off. There will be no traffic through that lot at all without having that equipment on it, and what not. It should last longer, and both Chris and Steve said that would be a good thing. So I am just going to notify both leagues that we will shut off everything off in the buildings and leave it for the winter.

Chris Woznica: The more you plow that in the winter the deeper the frost will get into that ground and into the parking lot breaking up. If you leave the snow on it it's insulated. That parking lot should last a lot better now.

Councilor Becallo: But we are still going to have drainage issues out there, correct?

Chris Woznica: We are going to try and address some of the drainage issues this spring with it. It's just so flat out there.

Councilor Becallo: Gravel. Raise it up and then road millings on top of that. That would be much cheaper wouldn't it?

Chris Woznica: No. They won't last.

Steve Snell: You wouldn't be able to put stone. You would be rebuilding the entire parking lot. You would be in the hundreds and thousands of dollars to do that parking lot with hot mix asphalt. If you were looking to provide something like that the hot mix is more expensive than the cold mix.

Councilor Becallo: Gravel, raise it up and then road millings over that.

Chris Woznica: The problem with road millings is you don't get fine millings, you get big chunks and they don't compact in. Believe me, I have them in my barn driveway and it's a mess; you trip on these chunks all the time and I don't think you want people tripping out there in the parking lot. Millings don't compact, they don't adhere together, it's worse than runner crush; runner crush will at least compact, these don't compact at all.

Jody Rogers: People can't push wheelchairs or strollers through that kind of material either in that parking lot and we have a lot of folks that are using that to watch ballgames and football games and they won't be able to access through the lot if it's just a loose, straggly top.

Chris Woznica: Believe me Mike you don't want millings out there.

Councilor Becallo: I really appreciate your technical answers.

Steve Snell: Asphalt pavement for a dedicated parking lot you would want millings for maybe an overflow lot; adjoining something for overflow parking or something like that may be a consideration, but here it's pretty much dedicated to that.

Supervisor Venesky solicited any further Board discussion. There was none.

The motion had already been seconded by Supervisor Venesky.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Planning and Zoning Department (Codes Enforcement) –  
Municipality Software Assurance Maintenance Agreement**

Supervisor Venesky moved for the adoption of a resolution to approve \$8,816.60 for the General Code annual Municipality Software Assurance Maintenance Agreement. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion.

Councilor Becallo: Expensive software.

Supervisor Venesky: It's very expensive.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Police Department**

Councilor Becallo moved for the adoption of a resolution to approve the following:

- \$20,048.66 of which \$15,000.00 is being covered by the New York State Grant through Assemblyman Stirpe's Office for the purchase of the Livescan Fingerprint Unit from Biometrics.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

- \$1,360.91 to Driver's Village for maintenance invoices for the Police Department vehicles, which includes two (2) remaining invoices from February and all of March 2016.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Trash & Recycling services for Town Hall/Highway and Police**

Supervisor Venesky moved for the adoption of a resolution to authorize Butler Disposal Systems to provide trash/recycling service for the Town Hall, Highway and Police on a weekly basis, at a monthly cost of \$266.69 month, effective June 1, 2016 through December 31, 2016, and for the Supervisor to execute the agreement. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion.

Supervisor Venesky stated that there were three bids and Butler was the lowest.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Set Public Hearing**

Councilor Karp moved for the adoption of a resolution calling a Public Hearing on April 27<sup>th</sup>, 2016 commencing at 6:30 p.m. local time to consider proposed amendments and additional language to Chapter 105 (Firearms and Weapons) of the Cicero Town Code by Local Law adoption procedure. The purpose of the proposed amendment is to create a limited exception allowing transit with weapons across public grounds for the purpose of engaging in lawful hunting activities. A draft of the proposed changes will be posted on the Town website prior to the Public Hearing. Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Discussion Items:**

- **Purchase of 6658 State Route 31 – Future Highway Department Building**

Supervisor Venesky: We have closed on the 6658 State Route 31 property which will be the future highway department building. Thank you for that, the Town of Cicero now owns it.

- **Website update**

Supervisor Venesky: We have hired a Website Content Coordinator. We also have been working with a developer to make the Town of Cicero's website more user-friendly, and I think better represent to people who we are to those folks that touch us electronically. So everything is going to be a lot easier to use. We've been beta testing it and we've been looking at it; we are not ready to vote on it. It's not done, but we will certainly bring it in front of the Board. I think that most folks are going to be very happy with the new look of Cicero and the functionality of that website.

- **Earth Day**

Tracy Cosilmon reminded everyone that Earth Day is Friday and Saturday, April 22<sup>nd</sup> and 23<sup>rd</sup>. She said it's a great event and a chance for friends, neighbors, and coworkers to clean up our community. The Town Hall participates; the Board members and everyone goes out every year and cleans it all up. She told everyone that every little bit counts. The Parks and Recreation department gets their vehicles ready for us to use and our Highway Department is there on Saturday from 8 a.m. until noon, so anyone can bring their bags there as long as the sticker is on them. Anyone with questions can contact the Town Clerk's Office at 699-8109.

### Public Input

Carol Pardee: You had five or six people come up and speak against that [public hearing for "Commercial Districts], four of you went right ahead and voted for it - no questions of 'should we check into it further' or nothing. So that tells me don't ever get up here and speak again.

Supervisor Venesky: Mrs. Pardee, no because we actually did do homework. We do look at things, research things and talk about things prior to the board meeting; that's being prepared. So with all due respect, we had looked at what we are doing. The other thing too is that not every decision that this board makes not everyone is going to agree with it, but sometimes we have to make a decision. I was satisfied with the research that we had done.

Deborah Gardner: Will the Justice Department audit uncover any theft or misdirection of funds that may have happened similar to the internal audit the Town's comptroller conducted during the Boyke administration?

Supervisor Venesky: I can't answer that, it hasn't been done yet.

Deborah Gardner: Is it designed to uncover it?

Supervisor Venesky: Absolutely, yes.

Deborah Gardner: Please consider putting public hearing notices on the Town's Facebook page and tweeting them, a Twitter account is free. Social media is preferred by many, especially young and kind of young people, over web sites and newspapers.

Deborah Gardner: If I understand the minutes correctly, Mike [Becallo] did not want to enter the room where the mailboxes are located because three other councilors were in the room. I certainly understand Mike's reluctance to enter the room and appreciate it. Perhaps the next time, Mike will just call out to them and ask two to leave the room for a couple of minutes.

Deborah Gardner: Does the town have an intranet? If so, if you have an intranet all of these documents can be posted on the intranet so that each councilor would have virtually instant access to the documents. It would also save reams of paper. As many of you know, an intranet differs from an internet in that an intranet is a private network that can be accessed only by those people given authorization. This would also help solve the problem of accessing mailboxes and give councilors more time to prepare. Reading a resolution quickly at or just before a meeting can lead to suggestions that that particular councilor is not as prepared as he should be. You've got a website just make it an intranet. Mike can explain it better than I can.

Supervisor Venesky: I know what an intranet is and I'll check into it. First of all, just so you know on Friday afternoons we publish the agenda internally; it does not go on the website. But there is an agenda on Friday, and the supporting documentation is also attached. So any documents, one would not have to come in here and use the mailbox. In regards to pushing the information to folks, we talked about that just today. There is a way with the new website that is

not unlike the E-Policing, where those that want that information can enter their email address and then they can unsubscribe if they want to, so that every time there is an update to something, because we are going to make a website that is more user-friendly, and is going to be more functional to the people who 'choose' to use it. That's the key 'choose', not everybody wants to look at papers, emails, you know if you don't look - you don't look. But for those who want it we are looking at a mechanism that will push that information to you; not unlike E-Policing. So it's in your mailbox if you want to open it up and read it; what we are doing. If you want to read about whatever we are doing, notices, whatever, it will be pushed to you if you choose to see it.

Deborah Gardner: I think that is an excellent idea. That's something that we, when we were on the Committee for Open Government, one of the things we suggested. But Facebook and Twitter are extremely effective. I don't use them, I don't care for them, but I am one person.

Supervisor Venesky said if we post something on the Facebook page we will get, within hours, almost 1000 hits. Chief Snell has a Facebook page for the Police Department and within 24-48 hours will get 12,000 hits.

Judy Boyke: You said that you closed on the Route 31 property. The Town owns it?

Supervisor Venesky: Yes, that is correct.

Judy Boyke: So all the documents that were required with the contingencies would be available?

Supervisor Venesky: Absolutely.

Judy Boyke: Okay. I have a question then, on the abstract it's \$166,877.30. On the purchase offer there was a ten thousand dollar deposit to be credited at closing. And the purchase price was \$156,500.00, so there is over ten thousand dollars that was paid to somebody.

Supervisor Venesky: We had the owner of the property remove the existing structure. They did that for us. We did not do it, so we included that in the price.

Judy Boyke: You said that he would do it.

Supervisor Venesky: He did it. That is correct. So what are you asking me?

Judy Boyke: I'm asking you why did we pay ten thousand dollars more than the purchase price.

Supervisor Venesky: We didn't.

Robert Germain: We credited for the ten thousand. We didn't post the ten thousand.

Judy Boyke: So another words, you didn't get ten thousand dollars when this purchase offer was written?

Robert Germain: Correct.

Judy Boyke: Isn't that illegal?

Robert Germain: No.

Judy Boyke: Yes, it is. You are supposed to put ten thousand dollars in escrow.

Supervisor Venesky: Mrs. Boyke, I appreciate your comments, I really do. But to accuse us of doing something illegal, I take offense to that. And if you think that we have done something illegal than take it to the authorities.

Judy Boyke: I'm sorry. But if I don't deposit ten thousand dollars it's illegal; I have a license.

Supervisor Venesky: We do not do illegal things here. Honestly, I take offense to that.

Judy Boyke: Well I apologize for that. But as a licensed realtor I have to take a deposit and a deposit has to be put down on a legal contract. That has to be put into escrow. That was my question.

Supervisor Venesky: Okay. Well bring this to law or file something. But I don't believe we did anything illegal, and I'll stand by my attorney.

Supervisor Venesky solicited any further questions.

Dewey Schryver: I'd like to this time to thank Mr. Becallo for listening to Mrs. Boyke in regards to the Lighting District Consolidation and then voting no on it by professing that he is looking into it further. As a result of this passing my bill for lighting is increasing. I'm not getting any better service, so why should I have to pay more? I must be paying for somebody else's lighting.

### **Adjournment**

Supervisor Venesky made a motion to adjourn the Town Board meeting.

Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

There being no further business before the Board the meeting was adjourned at 8:09 pm.

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Tracy M. Cosilmon  
Cicero Town Clerk