

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

Deputy Supervisor Meyer called the Cicero Town Board Regular Meeting to order on Wednesday, April 22, 2015 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Deputy Supervisor Meyer said the Town Clerk would call the roll.

Councilor Becallo: I had a quick question before we actually start it to Mr. Germain if I would be allowed to, just a quick question, New York Town Law 42, New York Code Section 42 Deputy supervisor (it's the first line) it says: *The town board of any town may, at any time establish the office of deputy supervisor.* As well as in Town Law Manual §7-13 Deputy supervisor. It says Establishment; appointment; duties: *The town board of any town may at any time establish the office of deputy supervisor.* Simply put, New York State Town Law authorizes the Town of Cicero, if it so chooses, to establish a deputy supervisor in the Cicero Town Code. I did research and I did a little fact finding in the town code and I was just looking for any information pertaining to the actual establishment, clearly stating the establishment of the position of deputy supervisor in the Town of Cicero, by the Cicero Town Board, in the Cicero Town Code. Again, I could not find anything or [a] chapter that established the position of deputy supervisor.

Robert Germain: If you are asking me if I know, I've only been around for a couple of years. I wasn't here as long as they've had a deputy supervisor. I imagine they've had one for a long time, they had one when I first came on.

Councilor Becallo:

I typed it on the computer; the computer town code. I typed in *deputy supervisor*, the only reference I could find in the Town Code to deputy supervisor was Chapter 5-1 Inability or absence of Supervisor. Nowhere else did I find an establishment of the position, anywhere.

And I went on even further to look at other towns, for instance, as close as the Town of DeWitt, Chapter 48. SUPERVISOR, DEPUTY. It says: [HISTORY: Adopted by the Town Board of the Town of DeWitt 2-9-2009 by LL No.1-2009. Amendments note where applicable.] Editor's Note: This local law also superseded former Ch. 48, Supervisor, Deputy, adopted 1-3-1978 by resolution.

So, §48-1. Office established; purpose: The Town Board in accordance with §42 of the Town Law of the State of New York, hereby establishes the position of Deputy Supervisor, in order that the holder of said position shall be available to act during any absence or inability of the Supervisor to act or if said office of Supervisor should become vacant, and if you could find that I am okay with it, but I can't find it anywhere in the Town Code that establishes the position of deputy supervisor in the Town of Cicero.

Robert Germain: I could look. You just told me just now. I need time to look it up or look into it.

Councilor Becallo: Could you look into it now?

Robert Germain: I'm not the town record keeper and I don't know what records the town might have on this.

Councilor Becallo: I have the code book in front of me, right here, and you have your computer you can look it up fairly easy and just type in "deputy supervisor".

Robert Germain: I know the town law sections of our town to establish a town supervisor, you were correct when you quoted it. What's the question, whether Cicero ever did that or not?

Councilor Becallo: That's correct, yes.

Robert Germain: I wouldn't know. It would be in the town records.

Councilor Becallo: I'm just going to say it to the Board, if Mr. Germain won't look it up for us I don't feel that we should move on if we don't know that this has actually been established as a position or not.

Robert Germain: This isn't a question of me not looking it up; I said the records that you seek are town records, if and when it was ever established. I don't have access to those right now.

Councilor Becallo: The computer. The Town Code on the computer, that's the Town Law. That's the Town Code. I also have the Town Code book with me. You can use this book.

Robert Germain: I don't think you are understanding what I am saying. I think you are correctly citing the portion of Town Law that says the Town can establish the office of deputy supervisor.

Councilor Becallo: And I'm asking you if you could clarify if the Town of Cicero has established that position.

Robert Germain: And I think I answered that I don't know. I'd have to look at the town records. I don't have access to them in front of me.

Councilor Becallo: And I'm okay with giving/allowing you time to look that information up before we move on with this meeting because again, if we illegally move forth with this meeting...again, everything in this meeting it's illegal and null and void.

Robert Germain: I don't know. I've answered that I don't know.

Councilor Becallo: Would you look it up please?

Robert Germain: Mike, I said I would look it up. I need access to the town records to see...

Councilor Becallo: Your computer online is the town. I have the town code book in front of me as well.

Robert Germain: That's not where this would be. But I think what you're saying...

Councilor Becallo: It's a local law that needs to be passed; of course it would be in town code.

Robert Germain: I'm not going to argue about it, I don't know. I don't know.

Councilor Becallo: Then if he doesn't know then...

Deputy Supervisor Meyer: Mike, I'll be glad to help you maybe with this if you would like some information. The gentlemen to my left [Vern Conway] was the deputy supervisor for a while. I think some of the folks who have been around here for a while, even just a few months ago, remember that Mr. Burtis was designated as the Deputy Supervisor for the books; he's been around awhile. Or remember that Roy Mallette and some other people were deputy supervisors, so I think it is a matter of tradition/experience as far as whether it has been acted upon is pretty well established.

Councilor Becallo: Again, I ask the same question "where in the Cicero Town Code?" I understand that it has been practice, but where in the town code does it state that this position exists? I couldn't find it. I asked the town lawyer to look...

Robert Germain: The town lawyer said it may not be in the town code. So if you have the ability to establish the position, it may be as simple of as a hundred-years ago the Board did a resolution establishing there would be as Deputy Supervisor, and then every year at the organizational meeting I believe someone else is appointed. But in order to give you a good answer on that, I'll look into it. But it's certainly been the case for many years, I think you'd agreed with that; and it's under this. But it wouldn't be something in the town code, you're getting...you're not on the right page there.

Councilor Becallo: Well why the Town of DeWitt, as well as other towns, put it in the town code?

Robert Germain: I don't know.

Deputy Supervisor Meyer: Okay, thank you for that input.

Councilor Becallo: Anybody else from the rest of the board?

Deputy Supervisor Meyer: Okay, we will continue with the agenda. The Clerk will call the roll.

Councilor Becallo: Again, I also asked you the question and you never answered my question about why we are taking roll tonight. We've never taken roll before.

Deputy Supervisor Meyer: Because I think in a moment we will cover that. Thank you.

Tracy Cosilmon, Town Clerk called the roll:

Present:

Dick Cushman, Councilor  
Mark Venesky, Councilor  
C. Vernon Conway, Councilor

Mike Becallo, Councilor: I technically don't know what to say at this moment and time because I asked the question; obviously the town lawyer was not willing to look it up for us to see if it was even legal if we could be proceeding with this meeting, because this meeting may be an illegal meeting.

Robert Germain: I think you're misunderstanding that...

Councilor Becallo: I am the Town Councilor at this moment. I am talking. I would appreciate it if you would be quiet for one second. I believe this meeting is an illegal meeting, so I am in quandary right now of whether I should say I'm present or whether I'm not present, and I wasn't given a definitive answer either way of whether this position was established or not.

Ed Zaluski: It's been established. Let's get on with the meeting.

Deputy Supervisor Meyer: Okay, thank you. Will the Clerk continue?

Tracy Cosilmon, Town Clerk continued to call the roll:

Present:

William Meyer, Deputy Supervisor

Others Present:

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

Absent:

Jessica Zambrano, Supervisor

Councilor Conway led the Pledge of Allegiance and requested a moment of silence for our troops overseas.

Deputy Supervisor Meyer welcomed everyone to the April 22<sup>nd</sup> Regular Meeting of the Cicero Town Board and read the following statement:

I would like to point out the emergency exits at the rear of the room, plus the one up here in the front here to my right.

Please silence you cell phones or other electronic devices so that the meeting is not unnecessarily disturbed. If you wish to speak on your cell phones, I'm sure you can find space outside or in the hallway.

Deputy Supervisor Meyer: I am sure you've noticed that Supervisor Zambrano is not here. I've been advised by council that I am not a voting member at this meeting, so when we go through the voting you'll notice that.

Deputy Supervisor Meyer: The Town Board acknowledges the importance of full participation in the public meeting; there are sign-up sheets there at the back, so you will be called during that part of the agenda.

**APPROVAL OF MINUTES**

Councilor Conway – The Town Board Meeting Minutes from the Regular Town Board Meeting held on April 8, 2015, I make a motion that we approve them. Motion was seconded by Councilor Venesky.

Ayes- 3 and Noes – 1. *Motion carried.* Councilor Becallo: I oppose, again, for all of reasons I stated above. I think this meeting is an illegal meeting.

**APPROVAL OF ABSTRACT NUMBERS 15 & 16**

Councilor Cushman moved the adoption of a resolution to approve Abstract 15 (dated 4/4/15) & Abstract 16 (dated 4/22/15) as presented. Motion was seconded by Councilor Venesky.

Deputy Supervisor Meyer said there was a motion and a second. He solicited any discussion, in which there was none.

Councilor Becallo said it was 5 o'clock today and he didn't receive Abstract 16. He asked if anyone else received it.

Councilor Cushman and Councilor Venesky said it was in the mailbox. Councilor Venesky said he called her on it.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: Again I oppose. Again, I view this as an illegal meeting.

Abstracts can be viewed on the Town's website: [www.ciceronewyork.net](http://www.ciceronewyork.net)

**BUDGET MODIFICATIONS/AMENDMENTS**

TOWN BOARD MEETING  
04/22/15

Councilor Cushman moved the adoption of a resolution to accept the budget modifications and amendments as posted:

2015

BUDGET MODIFICATIONS

FROM		\$	TO	
DB513045	Motors	2000.00	DB513043	Hoses
A16204	Buildings Contractual	1500.00	A1620460	Contracts
SD85404 1997	Drainage Contractual	309.97	SD19304 1997	Special Items - Judgements

2015 BUDGET AMENDMENTS

Revenue

Appropriations

Motion was seconded by Councilor Venesky.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: I am opposed for the same reasons I stated above. I believe this meeting is an illegal meeting.

**60<sup>th</sup> ANNIVERSARY PROCLAMTION OF THE SOUTH BAY FIRE DEPARTMENT**

Deputy Supervisor Meyer said the 60<sup>th</sup> Anniversary for the South Bay Fire Department is a major event. He said there were a few parts to this. First would be a power point presentation, then a resolution that Councilor Venesky would do, and then they would have an opportunity to have the members of the department out in front.

Tracy Cosilmon, Town Clerk gave a power point presentation which showed pictures of the fire department, members who have served throughout the 60 years, equipment they have used, rescues, parades they attended and pictures of some of the blazing fires they've responded to.

The presentation can be viewed by going to the front page of the Town's website:  
[www.ciceronewyork.net](http://www.ciceronewyork.net).

Councilor Venesky thanked David Kirk for putting the presentation together and Tracy Cosilmon for her work on that also.

Councilor Venesky: I think I speak for the entire Town Board when we thank the South Bay Fire Department for their professionalism. The service that you have provided to our community, and the heroism of your members; we are all grateful for that. I have a little something here, just some information about South Bay:

The South Bay Volunteer Fire Department was established in August of 1955 by a group of concerned citizens who realized that the area needed organized fire protection. With a surrounding community poised for development due to the installation of water, gas, and sewer lines, 35 volunteer firefighters worked nights and weekends to build the first 36'x40' concrete block firehouse literally by hand. They mortgaged their homes for the construction and the first piece of equipment which was a 1939 Buffalo Pumper/Tanker purchased for \$3000.

The department was created to serve an area approximately 10 square miles, located mid-way between Cicero and Bridgeport on the south shore of Oneida Lake. In the past 60 years the South Bay Fire Department has had 18 chiefs, with our own Vern Conway serving as Chief from 1974-1976, and again from 1985-1987. They currently have 30 active members and have responded to approximately 15,000 calls since opening in 1955.

Councilor Venesky congratulated the South Bay Fire Department members.

Councilor Venesky introduced the following proclamation to the South Bay Fire Department from the Town:

**LEGISLATIVE RESOLUTION** commending The South Bay Fire department on occasion of Recognition of the 60<sup>th</sup> anniversary of its founding.

**WHEREAS**, Volunteer firefighters and fire departments not only provide the critical service of fire protection but also engage in other activities of great benefit and importance to the communities they serve; and

**WHEREAS**, it takes a special dedication, a strong desire to help others and a tireless Sense of community to forsake precious time with family and friends to respond to The signal that a neighbor is in need; and

**WHEREAS**, the members of the South Bay Fire Department are renowned throughout Central New York and the Nation as their reputation is synonymous with excellence in the field of fire protection, prevention, and response to emergencies; and

**NOW THEREFORE**, be it proclaimed that the Town of Cicero is proud to commend: The entire South Bay Fire Department on their dedication to the community and congratulate them on their 60 years of service.

**Awarded this 22<sup>nd</sup> day of April 2015.**

Signed by Jessica Zambrano, Supervisor.

Motion was seconded by Councilor Cushman.

Councilor Becallo [to Robert Germain]: Did you get the answer to that? I don't want to say no to this. All I asked for was an answer and you guys are all getting mad at me; all I wanted was an answer. Do we have an answer yet, or no?

Robert Germain: No.

Councilor Venesky: Can we hold it until after we finish our presentation? I ask that we do that, please.

A plaque was presented and picture was taken:



**Back row** (pictured left to right): Firefighter Sean Judge, Fire Police Lieutenant Chester A. Dudzinski, Jr., Councilor Venesky, Councilor Conway, Councilor Cushman, and Firefighter Kevin Carey. **Front Row**: Deputy Supervisor Meyer, President Tom Dorn, Chief Dan DeLargy, past Chief Ed DeGray, Chris Woznica (Highway Superintendent), and Councilor Becallo.

Deputy Supervisor Meyer said they had a motion and a second. He asked if there was any discussion on this, in which there was none.

Ayes – 4 and Noes – 0. *Motion carried.*

### BREWERTON AMBULANCE

Deputy Supervisor Meyer said there was a representative present from Brewerton Ambulance.

Michael Stassi, Director and President of Brewerton Ambulance: We sat down with Jessica, our attorney/your attorney, and discussed the contract that we should do with the Town; we were doing them and then we weren't, we'd like to continue to do them. This year we proposed \$90,000 for this year. Then next year would be \$95,000, and the following year \$100,000. We know the referendum originally said *maximum of \$100,000*; our intent really was:

- \$100,000 from the Town of Cicero,
- \$10,000 from West Monroe (which they are doing),
- \$10,000 from Clay,
- and \$10,000 from Hastings.

We have a meeting tomorrow with Clay. We finally were able to meet with them, and hopefully next week we will have a meeting with Hastings to pitch in their fair share. I understand where people are coming from; that you know that we are paying for them. The majority of the calls are in the town of Cicero; probably like 70 to 72 percent and on top of that we do about 220 mutual aid calls in the town of Cicero that are not in our district; in North Syracuse, sometimes even Mattydale, to assist NAVAC. We really have covered our territory with this \$100,000. We got

\$100,000 the first year, then it dropped to \$90,000, and then it has gone up, but we completely understand that. I've never had an issue with working with the Board when it comes to the money. Originally it was stated that we wanted to keep it under 2 percent. It was after 2008/ 2009 when everything got hit hard, so we agreed to lower it and work together. This year I was kind of taken back because we never got a chance to meet with you guys - it was just cut by 5.1 percent. And the thing is we staff lease with TLC, and TLC does have losses. Rural Metro had losses. NOCA (Northern Oswego County Ambulance) when they were here they didn't have losses because they were non for profit. TLC has threatened to pull out because they didn't receive the full \$100,000 this year, but instead I gave up my stipend at the beginning of the year to save this ambulance. Every director is making \$50,000/\$60,000 a year. Somebody is making \$149,000 a year, but I was making \$12,000 a year - but I gave that up so we could save TLC from pulling out. We also asked the fire department to have TLC not pay rent to the fire department this year and the fire department agreed; so everybody is working together. We understand that you had to cut costs. All I was saying to Jessica is I just wish we knew and not at the end, because when we started making our way back up to that \$100,000 mark and we got dropped down to \$90,000, and like I said to her, you guys are trying to keep in that 2% tax cap and save funds. I'm a commissioner with the fire district, I completely understand about that. Whether some of my fellow commissioners do or not, I do understand that we do have to take cuts at some times. We did try to take the onus off the town board by originally having a public hearing, and a public meeting, and passing a resolution, or a public vote, so basically it's on the taxpayers and it was overwhelmingly supported; I think we only had 6 no votes. It is a large amount, and we've always said that \$100,000 from Cicero, ten, ten, and ten. We understand we can't ask for more because it just says *maximum amount* and we don't plan on it. The only way we would is if we cannot provide the service, if nobody else will help if TLC does pull out. We have spoken to NOVA, NAVAC, EAS, and SOVAC, they're all for non for profit. It worked under NOCA so we believe it will work better and break even or make a little money, and when I say make a little money that's kind of *put it away for a rainy day*. We took in \$346,000 last year; \$104,000 of it was tax money and the rest was from billing. We bill the insurance companies and there are times we have to bill the patient. Basically, with that money it added to like \$346,000. TLC has losses because they are for profit; their costs are higher. NOVA gave us a price of \$350,000. EAS gave us a price of \$338,000, and SOVAC gave us a price for \$330,000. The losses that TLC [incurred] were around \$98,000 to \$200,000. I don't have an exact number because they're not giving us the exact number; it's a ball park figure. I definitely know it was \$98,000 just from reviewing the paperwork that they did submit; some of the funds I guess they couldn't break down so it was more of a ball park figure. The same thing with Rural Metro, we asked them if they'd be interested in coming out here and they said *listen, we'll do anything to help you out*, say if TLC does pull out at the last minute. We do have a 30 day clause, after we met with Jessica the first time and she told us sorry the \$90,000 is already collected, and I know I wasn't here, I had surgery; a couple of representatives came and asked you if we can get an extra 10,000. It was only really to save us from TLC having to pull out: TLC gave us a pull out date of May 31<sup>st</sup> and they offered 7 in the morning until 7 at night, and then rely on mutual aid - we can't do that. We promised the taxpayers with this \$100,000 we would provide service 24/7, 365. The issue is, is we do 750 calls a year, transport maybe 500 or so, you only get so much income because Medicare and Medicaid are just set billing rates and we can't go after a patient that has Medicare, and I believe you can't even go after them if they have Medicaid. So the people that do have insurance are self-paid; just like anything else in this world or government - you've got to pay, unfortunately. TLC gave us a set date of May 31<sup>st</sup>, they then asked if the fire department would reduce the rent and we've agreed to that. Right now TLC made a counter-offer of staying 'til December 31<sup>st</sup>, and they are going to revisit the rent for the fire department. The reason why that fire department receives rent is because the mortgage is about \$35,000 a year; we don't charge them any more for storing the ambulance or for heat/National Grid, or stuff like that, so we did get this contract spelled out. We had a couple changes, like I said we did meet with Attorney Bob Walczyk and your attorney, and we really think that it's a fair contract and I hope you guys think the same thing. We've made cuts everywhere we can and if we have other agencies willing to do it for less so we don't have to worry about TLC pulling out, or having to pull out because of the losses, I mean he's lost money over 5 or 6 years and I understand that. We were upfront with him, although it put us back a little bit. So really with SOVAC (if we do go with SOVAC), the fire department donated a fly car, an old chief's vehicle, to the ambulance. SOVAC was looking for a chief's vehicle, so if we do do that they are looking to give us an ambulance, fully equipped; it's a used one but it's in great condition for swapping of the fly car that we've just got and we didn't get any bids on it to sell it; I am a commissioner, but I of course abstained from the vote. Like I said we don't know for sure if we are going to go with another agency, but we definitely want to keep an ambulance in Brewerton. Like I said, I do a lot of hard work and I was a volunteer; I've been 22 years as the Director. I did get a stipend for gas mileage and all that; it was about \$12,000 year for a couple years but I sacrificed that to save our ambulance. The fire department sacrificed to keep the ambulance in Brewerton, and I know that you guys have had to sacrifice by making cuts.

Deputy Supervisor Meyer said he was going to give the board members an opportunity to ask questions and that there was a resident who had some questions.

Councilor Conway moved the adoption of a resolution to approve the three-year agreement with the Brewerton Ambulance. Motion was seconded by Councilor Cushman.

Deputy Supervisor Meyer solicited any discussion from the Board.

Councilor Becallo: When I vote the citizens talk first.

Deputy Supervisor Meyer explained they were going to do that, he was just trying to give the board members an opportunity for discussion first.

Public Input:

Judy Boyke said she was glad Mr. Stassi was there that night so that he could possibly answer one question that we've been asking over a year now and that is *the purchase of the previous building where \$43,000 was appropriated to this building*, and she still has not gotten an answer from any of the board members.

Mike Stassi told Judy Boyke he wasn't sure which building she was talking about.

Judy Boyke said it was in his budget [2013 Brewerton Ambulance Budget].

Mike Stassi: That's actually rent payments. We rented a building. We were at the fire station for like a month. TLC didn't want to stay there because there were some accusations that we were leaving the lights on and not shutting the television off; kind of like housekeeping things. So Dave Butler wanted to pull out and we found a building to rent, and that's what that is. We didn't buy a building, we were only paying rent. But like I said, to save costs I negotiated going back to the fire department for a lot less than what we were paying over there; rent and Niagara Mohawk and all that were just way too much.

Judy Boyke read to Mr. Stassi from the 2013 Ambulance Budget:

- Down payment purchase of building instead of renting \$-20,000
- Building Mortgage Payment \$ -23,000.00

Mike Stassi: It's an error. We were going to buy the building, but we didn't. We received it back, I must have forgot to add it back in there. We didn't buy a building.

Judy Boyke: Do you have a purchase offer showing that you put this purchase offer in to purchase it.

Mike Stassi: No. It was a verbal agreement with the owner. We were going to buy it and then Dave didn't want to buy it. I can check and see if we have an original purchase offer, sure. And this is the first I've heard of this. If somebody would have asked me, I have no problem getting it to you; we have nothing to hide.

Judy Boyke: Well like I said, I've been asking for a year; particularly Mr. Venesky because he agreed and volunteered to go and ask.

Mike Stassi restated that they never bought a building.

Deputy Supervisor Meyer asked Judy Boyke if she had any further questions on the contract itself.

Judy Boyke said the original contract was put into order on August 27, 2007. She has a copy of that and Tracy does also. She had some paperwork she wanted to give to all of the Board; it has a lot of information. Judy said one of the main things is that since 2007 the residents in the fire protection district and the fire district in Brewerton have been paying for this. The fact that they are also being billed to their insurance company's raises the question, *what are we paying for?* What are we paying for if we are still going to be billed? (tape change) She said in the previous contract that has been in existence and been used since 2011 when it was signed in January that there are stipulations in there that require the ambulance service to produce financial records to show exactly, not their checkbook, but to show the vouchers, to show exactly where this money that we the taxpayers are paying for where it's going, and so far that hasn't been produced as well. She knows that they have been paid their money for this year; therefore, she doesn't see that it's an emergency for anyone tonight to vote on this until they have looked at all the documents and make sure that this is a good contract. She feels that it is a fly-by-night contract, it is open-ended, and the fact that Jessica [Zambrano] was involved in negotiating it when she openly admitted that

she is a personal friend of Mr. Stassi. Judy said she brought that up as well, and it's in the minutes that she admitted that.

Mr. Stassi: It's for the financials. I believe we have submitted all of our 990s [Return of Organization Exempt from Income Tax] for all the years that we've done that. I don't know if Shirlie Stuart is here, but she should have them. We've given everything that they have asked for over the past couple of months regarding that, and I believe yearly we submitted a 990 and it does spell out where the money goes.

Deputy Supervisor Meyer asked Mr. Stassi if he could summarize that if he has questions from the board members on the financials that he would respond to them.

Mr. Stassi: Absolutely. And as far as paying the \$100,000 and billing your insurance company, right now I believe there's a law that even the fire departments or fire districts that receive tax money can bill your insurance company for costs, and I also know that several other agencies throughout the state do the same thing. The \$100,000 was really only to offset the costs. It costs anywhere between \$300 to \$30,000, to a TLC high end close to \$500,000, and that's not buying a new rig. A new or a new/used rig is about \$1,700 to \$2,500 a month. The life pack for the ambulance is \$30,000; this is why we chose to go with another agency, because a lot of them had that equipment so we didn't have to ask for more money and ask for more upfront costs. We could do it on our own, it would be close, but we definitely would ask for more money. These bigger agencies can absorb those losses; it's also like Medicare and Medicaid, you're paying into it and you don't get to use it until a certain time. And I understand where you are coming from about the double-dipping, but it is legal. You're basically paying for the ambulance to be there, and throughout the years TLC has provided a back-up ambulance, so that's what we promised the taxpayers, really to give you 24/7 [service].

Deputy Supervisor Meyer solicited any discussion/questions from the members of the board.

Councilor Venesky asked Robert Germain if he redid the contract.

Robert Germain said he did.

Councilor Venesky asked if he had discovered any issues.

Robert Germain said no. They used the previous contract as a guide; cleaned up some of the language and the numbers. He said they had two meetings on it.

Councilor Cushman asked if there was a line on the budget that separates the tax monies paid for this ambulance service and where that money goes on the abstract, and also if we can show the transfer?

Someone from the audience said it shows a single payment.

Mr. Stassi: Last year we made a single payment to TLC because it's for the previous year, so we give them a single payment upfront, so really the \$90,000 is from last year because we don't get the check until March, so January to January. So every time we get the check in like March we are paying for the year lost, or January/February/March, so all the money was given up front. Now that TLC has threatened to pull out because of the loss we are only giving them a monthly amount out of both taxes. As far as the line item, I believe it's a special district with you guys to collect the taxes; I believe its Brewerton Ambulance special district.

Judy Boyke said Mr. Germain had the task about 6 weeks ago to be looking into the ambulance district and she just was curious if he finished looking into it.

Robert Germain said he looked at all the original documents from when the district was established, including all the resolutions and the vote, and so on, because he wanted to see how it was established because it matters what exact type of district it is versus how it can be taxed, and so on. He also obtained from the district all of their organizational stuff; their Certificate of Good Standing, he got their filings and also their by-laws, and looked at those. What he was really mostly concerned with was how they were originally established, and there was a referendum that was approved by the voters and that's what he really wanted to know.

Judy Boyke said she gets all that.

Mr. Stassi told Robert Germain that there was a question with the pass through with the tax district and asked him if he would explain that.

Robert Germain: A tax district was established; it allowed taxation up to \$100,000 for this service. In my view and in the law's view the Town, although it's a pass through, we still have several obligations among them are to:

- review your budget,
- to include it into our budget, whatever the pass through amount is,
- to approve the amount, which means it's not necessarily the set \$100,000; it was established up to \$100,000, so it's the Town Board's jurisdiction and their duty to look into that, and
- we also have the obligation to enforce the contract once it's in place.

Deputy Supervisor Meyer said they had a motion and a second. He asked if there was any further discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

## PERSONNEL MATTERS

### Highway Department:

Councilor Conway moved the adoption of a resolution to:

- Transfer Steve LaRochelle to a Motor Equipment Operator (MEO) position at a pay rate of \$24.74/hour effective April 19, 2015.

Motion was seconded by Councilor Venesky.

Deputy Supervisor Meyer asked if there was any discussion on this item, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

Councilor Conway moved the adoption of a resolution to:

- Transfer James Baldwin to a Labor Crew Leader position at a pay rate of \$25.80/hour effective April 19, 2015.

Motion was seconded by Councilor Venesky

Deputy Supervisor Meyer asked if there was any discussion on this item.

Councilor Venesky said he had an opportunity to interview Mr. Baldwin and he thinks he is going to be a fine addition to our Highway Department.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: I'm opposed for the same reasons stated above.

### Parks and Recreation Department:

Deputy Supervisor Meyer told Councilor Becallo that he had him down for Parks & Rec and that he respected his position, so he asked Councilor Becallo if he would like someone else to address those.

Councilor Becallo said that would be good and thanked him.

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

- Andrew Osborne, Jacob Christian, Benjamin Mayers as Park Laborers (Seasonal) at a pay rate of \$9.00/hour, with a start date of 5/18/2015

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

Councilor Venesky moved the adoption of a resolution to appoint:

- Jillian Gorman, Megan Evans, Thomas Bartyzel and Jacquelyn Kleist as Recreation Attendants at a pay rate of \$9.00/hour with a start date of 6/22/15

Councilor Venesky moved the adoption of a resolution to appoint:

- Jennifer Foley as a Recreation Leader at a pay rate of \$12.50/hour with a start date of 6/22/2015

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

Councilor Venesky moved the adoption of a resolution to appoint:

- Christine Fleury as a Recreation Leader at a pay rate of \$10.50/hour with a start date of 6/22/2015

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

Councilor Becallo told Deputy Supervisor Meyer that it was a no vote for the appointment prior to this one (they didn't get that in). That resolution shows the correction.

#### **SET PUBLIC HEARING TO CONSIDER PROPOSED LOCAL LAW 2 OF 2015**

Councilor Cushman moved the adoption of a resolution calling for a public hearing May 13, 2015, commencing at 6:30 P.M., local time to consider proposed Town of Cicero Local Law No.2 of the Year 2015 requiring Prior Written Notice of Highway Defects to supersede in its application to the Town of Cicero, subdivisions 1 and 3 of section 65-a of the Town Law. Said Local Law is entitled "Prior Written Notice of Highway Defects Required." It is the intention of this Law to bolster the Town's legal protection from liability by requiring additional notice of defective conditions be filed with the Town Clerk. Motion was seconded by Councilor Venesky.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

#### **PERMA WELLNESS GRANT**

Deputy Supervisor Meyer said Shirlie from the Comptroller's Office saw notice for a grant and she made application, along with the folks from the Parks department, and the grant was awarded.

Councilor Venesky moved the adoption of a resolution accepting a Public Employees Risk Management Association (PERMA) Wellness Grant:

WHEREAS, the Town of Cicero applied for and has been awarded a Wellness Grant from PERMA to educate employees on choosing healthy dietary options with a focus on lunch, and

WHEREAS, healthy dietary choices will provide long term benefits to the employees and the taxpayers, and

WHEREAS "Health Awareness Day" shall be designated and lunch provided in the town's meeting hall open to all town employees to show healthy dietary options and to show how to make smart nutritious work lunches, and

WHEREAS the grant covers related expenditures to a maximum of \$400.00 through May 31, 2015, and

WHEREAS the PERMA grant shall cover the costs of a registered dietician, food and related paper products with no local match;

NOW THEREFORE BE IT RESOLVED, the Cicero Town Board accepts the Public Employees Risk Management Association (PERMA) wellness grant for \$400.00 and authorizes the Town Supervisor to sign all documents to accept the grant.

Deputy Supervisor Meyer said the key parts that he liked was the no local match, and thank you to the Parks folks for participating in this.

Motion was seconded by Councilor Cushman.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: Opposed, for the same reasons stated above.

### COMPTROLLER'S OFFICE

Councilor Cushman moved the adoption of a resolution to approve the payment of \$1,123.58 to Premier Printing, Inc., for the printing of the "Official Statements and Sale Notices" and for renewal of the BAN. Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion.

Councilor Becallo: Did we ever get a copy of the Official Statements and Sales Notices?

Deputy Supervisor Meyer said he didn't have it and asked Tracy Cosilmon if she did.

Tracy Cosilmon replied no.

Deputy Supervisor Meyer told Councilor Becallo they got a sheet outlining the money.

Councilor Becallo said if they were going to approve a resolution for the actual Official Statements and the Sales Notices he figured they would get a copy of those, but apparently not.

Deputy Supervisor Meyer told Councilor Becallo that Tracy Cosilmon would get it for him.

Deputy Supervisor Meyer solicited any further discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

### HIGHWAY DEPARTMENT

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

- \$1,250.00 to Commercial Truck Tire for the purchase of two (2) front tires for Truck #19
- \$4,000.00 to 3M for the purchase of sign film material
- \$4,000.00 to Tracey Road Equipment for the purchase of strainer assembly, flange, elbow parts-sewer jet #93

Motion was seconded by Councilor Cushman.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

**PARKS AND RECREATION DEPARTMENT**

Councilor Venesky moved the adoption of a resolution to approve the following:

- \$1,006.03 to Burdick Ford for repairs to Truck #51, 2008 Ford Pick-up (to replace air bag module and tire pressure sensor and band)
- \$2,010.00 to the North Syracuse Central School District for the School use for Winter/Spring Recreation programs

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

**PLANNING AND ZONING DEPARTMENT (Codes Enforcement)**

Councilor Cushman moved the adoption of a resolution to approve the following:

- Set the bid date of May 13, 2015 at 10:00a.m. for proposals to issue a request for Brush, Grass, Rubbish, Weeds, Pool Clean-up and Control and Boarding-up properties for the year 2015 for the Town of Cicero.

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion.

Councilor Becallo: How many properties was it, do we know?

Deputy Supervisor Meyer: Last year, or are we talking about the next one?

Councilor Becallo: The properties that will be set for bid for the rubbish.

Deputy Supervisor Meyer responded that this would be future, not past. Councilor Becallo said right for 2015. Deputy Supervisor Meyer said he did not know what it was for 2014.

Deputy Supervisor Meyer solicited any further discussion, in which there was none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: I am opposed for the same reasons stated above.

**BREWERTON REVITALIZATION**

Councilor Venesky stated this is a multi-phase project that the Town approved. He said the bridge was one of the final parts of the revitalization project. The board walk that was going to run from Riverfront Park under the Route 11 Bridge, terminating on the east side of Route 11, the grant for that expires this year and the DOT has advised us on Monday, April 13<sup>th</sup> that they are not going to renew it.

Councilor Venesky read the following resolution:

Inasmuch as the New York State Department of State has advised us on Monday, April 13, 2015 that there will be no further extensions to the Environmental Protection Fund (EPF) Grant #7010 beyond December 31, 2015, I move for the adoption of a resolution to relinquish this grant and return the funds back to the NYS DOS. This grant money was dedicated to building a boardwalk from Riverfront Park, under the Route 11 Bridge, terminating on the east side of Route 11.

Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any questions from the Board.

Councilor Becallo said does that mean we are giving back money.

Councilor Venesky said no, it's just money that we are not getting. It doesn't mean that it's done; it's just unfortunately we are not going to be able to do it this year. It's his understanding is that the Department of Transportation has notified us that they will be doing work on that bridge, so he's not quite sure that even if we were able to go through with it that it could have been done this year.

**Public Input:**

Judy Boyke said this grant came to us during her term in office and she did not sign it for the reason that there was so much else going on with the Brewerton Revitalization that there was no way that it would even get to that point. The other part of it is she just wanted to go on record that she was accused of not signing it; it's not that she didn't sign it, she chose not to to save the town having to have this happen because she knew that it would expire before it even got a chance to be used. Plus the fact that part of the revitalization was really denied by the County because of the liability of the walkway going underneath that bridge and leading to the other side where it just led to a very small piece of land.

Deputy Supervisor Meyer solicited any further Board comments, in which there were none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

### **FIREWORKS PERMIT**

Deputy Supervisor Meyer said this would be with the Cicero Chamber of Commerce and it's an annual item. He said the Chief and Zoning have signed off on it.

Councilor Venesky made a motion that we adopt the request for the fireworks to be held by the Cicero Chamber of Commerce Festival held at Sacred Heart Church on Saturday, June 13, 2015 at dusk (they have all the paperwork that has been approved by the Chief) . Motion was seconded Cushman.

Deputy Supervisor Meyer solicited any discussion from the Board.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: No, for the same reasons stated above.

**Fireworks Resolution:**

WHEREAS, The Greater Cicero Chamber of Commerce has conducted a parade, festival and fireworks in Cicero for many years which promotes local organizations and businesses, and

WHEREAS, the Greater Cicero Chamber of Commerce is a not for profit organization, and

WHEREAS, the Greater Cicero Chamber of Commerce has completed an application for a fireworks permit with the Display Company American Fireworks, LLC for June 13, 2015, and

WHEREAS, the fireworks application has been approved by the Cicero Police Chief, Cicero Fire Chief, Cicero Director of Codes; now, therefore be it

RESOLVED, the Cicero Town Board approves the Greater Cicero Chamber of Commerce fireworks permit for June 13, 2015 and authorizes the Town Supervisor to sign the Permit Application,

AND BE IT FURTHER RESOLVED, that the \$75.00 permit fee shall be waived.

### **TOWN WEBSITE**

Councilor Cushman moved the adoption of a resolution approving the Website Maintenance Agreement between the Town of Cicero and Code Munkeys in the amount of \$850.00 per year, and authorizing the Supervisor to execute said agreement. Motion was seconded by Councilor Conway.

Tracy Cosilmon said she had copied all of the Town Board with a little background regarding Code Munkey's Dan Lovell, so that some of the new members of the board that didn't have the

pleasure to work with him in the past had some information on him. Dan Lovell was previously the web developer for over 10 years with town. She explained that we recently had a very serious issue with our website and he took the initiative and took care of it, so at that time we asked him if he wanted to maintain the site. Tracy said Dan Lovell is very thorough, he knows his stuff, and she highly recommends him.

Deputy Supervisor Meyer solicited any Board comments, in which there were none.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: I am opposed for the same reasons stated above.

### MORATORIUM WAIVER

Councilor Venesky moved the adoption of a resolution approving a hardship exemption for Richard Ladouceur owner of 9166 Brewerton Road (Tax Map No. 108.-01-01.6) from the newly enacted Local Law #1 of the Town of Cicero known as the “2015 Route 11 Corridor Temporary Moratorium” to allow for the application and issuance of a building permit to construct a pole barn on the property for storage. Granting of this exemption will not have an adverse effect on sanitary sewer systems being studied in the corridor. Motion was seconded by Councilor Conway.

Deputy Supervisor Meyer solicited any discussion from the Board members.

Councilor Becallo: The Board established this moratorium not even a month in and here we are already having to grant a waiver to a citizen, when the citizens came up to us and every one of those spoke negatively of the moratorium. This study, I believe could have been conducted without a moratorium and now we are costing Richard Ladouceur money because he had to hire a lawyer - so with the undue hardship that we applied to him.

Public Input:

Judy Boyke read part of the letter from Mr. Ladouceur’s attorney [Anthony C. LaValle] stating: *My client wishes to sell this lot to another but has been informed that he cannot do so without a waiver of the building permit moratorium currently in effect.* Mrs. Boyke said she doesn’t understand what this has to do with Mr. Ladouceur selling his property.

Councilor Cushman: Apples and oranges. I agree. There’s nothing in the local moratorium that permits or prohibits anyone from buying or selling on Route 11; it has nothing to do with it.

Judy Boyke: Exactly. And that’s why with this letter that they’re considering this a hardship, that’s why I don’t understand and furthermore, Mr. Smith made it very clear that the question was asked about a waiver and he said that there would be *no* waivers.

Lee Salvetti: I am Lee Salvetti. Richard couldn’t be here tonight so I came in his place. I’m the real estate agent. The contract that he has before him is contingent on this gentleman getting the zoning to put up that pole barn, and if he can’t get the zoning or make application for it then he is not interested in buying the property. Richard’s had this property since 1987 or 1988, he wasn’t able to build on it and he’s been trying to sell it for the last 10 years. Here is a great opportunity that he is going to miss if he can’t get the waiver.

Deputy Supervisor Meyer solicited any further Board comments or discussion, in which there were none.

Ayes – 2. [Councilor Venesky and Councilor Becallo voting yes]

Deputy Supervisor Meyer said he heard Councilor Venesky. He asked Councilor Becallo if he voted yes. Councilor Becallo said he did for the undue hardship we caused this individual.

Opposed-2. [Councilor Conway and Councilor Cushman voting no]

Deputy Supervisor Meyer asked Councilor Conway what his vote was. Councilor Conway said he was opposed.

Ayes – 2 and Noes – 2. *Motion not carried.*

Deputy Supervisor Meyer: We have 2 yeses and 2 noes. The resolution fails.

**DISCUSSION ITEMS**South Bay Fire Department/Oneida Lake:

Deputy Supervisor Meyer said we heard from the South Bay Fire Department folks, they do a whole lot of good work, and one of the parks that they do a lot of good work at is Oneida Lake; one of the major resources of this community, and they do a great job with helping and protecting our residents there.

Lions Walleye Tournament:

Deputy Supervisor Meyer said there is a lot of fun on the lake and one of those fun events is the Lions Walleye Tournament coming up, so if anyone knew anyone that may be interested he encouraged them to get involved; it's a great organization and a great event for the community.

Deputy Supervisor Meyer asked the Board members if they had any further items.

Request for a stop sign for Jamboree and Meltzer:

Councilor Venesky said we received a memo from Chief Snell and he thinks there was a request for a stop sign. He asked Chief Snell if he would speak to it.

Chief Snell said over the winter he received a concern from the Highway department regarding the intersection of Jamboree and Meltzer. A lot of it pertained to the buses and the traffic coming out of the ice rink, which is a private road, not a town road. There is no controlled intersection, although one stop sign on Jamboree, but nothing coming out of Jamboree onto Meltzer (the straight-of-way there). He received a call 2 weeks ago from the Director up at the cottages, expressing a concern with the amount of the pedestrian traffic, the speeds, and the people not slowing down for that intersection, and the traffic coming out of the ice rink, so he went up and looked at it, he looked at it different times of the day and he does agree that there is an issue up there and there should be a four-way stop sign, although he thinks all we can do is recommend a three-way because part of it is a private road; we would have to get the ice rink to agree to put a stop sign there on their property.

Councilor Venesky said so it's clearly a safety issue.

Chief Snell said it is a safety issue and he believes that requires a public hearing to enact a local law on it.

Deputy Supervisor Meyer solicited any further items from the Board for discussion.

Councilor Cushman said at the last meeting Mrs. Boyke had asked about Abstract #14, a line about unpaid water bills, checking into that with the Comptroller, that's a pass through T-account; what happens is when anyone doesn't pay their water bill it gets added onto their County tax bill, and at the time when they come and pay their taxes that amount is subtracted and passed through and paid to Onondaga County Water Authority (OCWA). So we really don't know in advance how big or how small that line is going to be, it depends on who doesn't pay their water bill for whatever reason.

Sharon Edick, Receiver of Taxes:

Councilor Venesky commented that Sharon Edick, our Receiver of Taxes is on vacation, but he wanted to acknowledge her. Sharon was able to receive Town & County settlements that included interest on our investment accounts for the town, and she was able to generate \$28,316.50 for the town and he just wanted to commend her for that.

**PUBLIC INPUT**

Don Snyder told the Board members that he would implore them to please think about the waiver that they just denied; to think about that just a little bit longer. He said Mr. Ladouceur is a fella that evidently from what he's heard, has land in our town that for 10 years he has been trying to sell it and he can't sell it because the guy that wants to buy it wants to put a building on it, and right now we've got a moratorium on issuing permits on that site. Don Snyder said Bob Smith stood here and said if someone came here with a hardship we could in fact approve that waiver. There was a gentleman here when we had that public hearing that said he now was going to go elsewhere because he was getting ready to look at buying property along this corridor for his business. Do we really want to say no to a member of our town that has a piece of property, that wants to sell it and put a pole barn on it; pole barns on Route 11, that's what we've got along that road even though we have four or five different kinds of zonings. Couldn't we just think about that again for a minute or two? He told Councilor Conway that he was amazed that he voted no to this because he knows he is very much pro-business in this town. Don suggested that they maybe

have a little bit of a discussion about it and see if we can maybe give that individual that waiver; he thinks maybe that we've missed the boat on this one if we don't do that.

Fay Gregory said she was back again asking for help. She said she doesn't know how far we've gotten with this, but she was here two weeks ago about the property across the street from her, which is Sun Auto's parking lot. She brought some pictures of said area. Deputy Supervisor Meyer asked Fay Gregory if he could make copies of the pictures and give them to the Board. She said yes.

Councilor Becallo asked Fay Gregory if she was in the middle of the street or on the corner.

Fay Gregory responded that she was in the middle.

Councilor Becallo said he had driven by there last weekend and he saw that the dirt comes right up to the corner houses. He said that the whole street is dirt.

Fay Gregory said that Target, WalMart and Wegmans have huge buffers, fences, and trees. Their backs of their homes are to these stores; our homes are facing this property. She said our front windows, our living rooms and our bedrooms; that's what we look at. When this is completed we will have over 800 cars, maybe more, to look at; they're storing them but that doesn't mean it's okay because they're storing them and that doesn't mean it's okay because it's not an auction and they're not selling them out of that lot – we are still looking at 'em. She said she had mentioned before about us selling our homes. She wants to improve some things on our home and she doesn't know whether to go ahead or not, because she's not going to get any of the money back; they probably have 20 to 25 years left to live there and that's how they don't want to live there. She said the Planning Board said they were going to try to co-exist with the residential people and the commercial areas, this is not co-existing. If you believe that's co-existing - that's just commercial; absolutely. She said she's going to keep coming back and she's going to try to get more help with this, but she doesn't know how because unfortunately everybody thinks that she is wasting her time and her energy.

Councilor Cushman asked Fay Gregory if she had attended the Planning Board meetings on this. And when they did the site approval did she know what they said was going to be the buffer; was there going to be a fence, a burm, and trees, or whatever. What did they tell her? What was on the plans?

Fay Gregory said that's what she said the last time she was here, the trees were going to be planted closer together and now they were planted much further apart; they're 25ft. apart now. It's going to take 10 years for those trees to grow and whether they are going to get maybe 13ft. around, diameter wise, so that isn't much. We gave them a whole list of our concerns, and our concern was this fence, even a sound fence, and we were told that would be maintenance to the fence; so that wasn't even discussed.

Councilor Cushman asked if they had talked about a burm at all.

Fay Gregory said no, that they even asked for a second public hearing because they had three different plans on the screen and we only knew of one that was at the public hearing and then it was changed and we didn't know it was changed. She added that when they put it up on the screen the print is so small and everything that you can't see it, so they didn't realize it until they got home with the map that they had purchased and looked at it and realized what had been said; but verbally it was different than what was told. She said we did want the fence. We gave them a whole list and we asked for the meeting to be open until each of our concerns was addressed, and not all of them were addressed. She said she's not trying to blame anybody for anything, we just want it better.

Deborah Gardner said she just wanted to take the opportunity to thank Deputy Supervisor Meyer because he is serving the town unpaid, and she knows that she appreciates that because she also knows that the supervisor has already put him to work. She told him thank you very much.

B.J. Potter from Route 11 said he would like the town to reconsider that waiver because he thinks that whole moratorium should have been rescinded right from the start. They've already had everybody that spoke up against it at the public output and now this is the second person that's been looking to build in the town of Cicero. He knows several others that would be interested in purchasing property to open businesses on Route 11 but they want to do it right away, and they don't want to wait the 6 months to see what happens based on speculation from a race track that's not even in our county. He said he would appreciate it if the Town Board would visit that moratorium.

Judy Boyke said she just better clarify herself, she was not against the waiver for Mr.Ladouceur, she was against the moratorium as she had spoken before. The fact that she did say that there were several properties that were for sale and the fact that they probably wouldn't be able to be sold. She said she also agrees with everyone that spoke. She asked who is doing the report since the moratorium was put into effect.

Councilor Cushman said right now we have the lady that's the head of the County Planning Board that's working with Bob, and he wasn't sure who else, but they are working on looking at both the infrastructure as well as the zoning through what we call the Route 11 corridor. He said we haven't had any feedback from them yet; it's only been not quite a month since we passed that resolution.

Judy Boyke asked if he knew how far into Brewerton this went.

Councilor Cushman said it was only supposed to go to the Brewerton line. He said he has looked at a lot of maps and he doesn't see a Brewerton line on the maps.

Judy Boyke said she thought the Brewerton line was considered at O'Mara because there is the core, the Hamlet of Brewerton Revitalization that has their own moratorium, so she was just curious because it was stated that it went to the bridge and it never really was clarified. But she really does think that we do have a serious situation; that she did bring up in regards to being a realtor herself and selling a property that the time now is to sell and to build and September is going to be too late.

### ADJOURNMENT

Councilor Cushman moved the adoption of a resolution to adjourn the Town Board meeting.

Motion was seconded by Councilor Venesky.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo: For the same reasons stated above.

There being no further business before the Board the meeting was adjourned at 8:03 p.m.

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Tracy M. Cosilmon  
Town Clerk