

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

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The Cicero Town Board held their regular meeting on Wednesday, February 26, 2014 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jessica Zambrano, Supervisor  
Tim Burtis, Deputy Supervisor  
C. Vernon Conway, Councilor  
Mark Venesky, Councilor  
Mike Becallo, Councilor

Others Present: Tracy Cosilmon, Town Clerk  
Christopher Woznica, Highway  
Jim Meyers, Police  
Robert Germain, Germain & Germain, Town Attorney  
Bruce W. Letts, C & S Companies, Town Engineer

Supervisor Zambrano indicated where the fire exits were and read the following statement:

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and therefore urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn off your cell phones and asked all Town Councilors to speak clearly into the microphones to enable all to hear. If anyone is unable to hear please let them know so they can take any corrective action.

Councilor Conway requested a moment of silence be observed in remembrance of our men and women serving in the Armed Forces in harm's way.

The meeting was opened at 6:30 p.m. with the Pledge of Allegiance led by the Webelos from Pack 32 and the Boy Scouts from Troop 116.

**APPROVAL OF TOWN BOARD MEETING MINUTES**

Deputy Supervisor Burtis moved the adoption of a resolution to approve the minutes of the February 12, 2014 Regular Town Board Meeting. Motion was seconded by Councilor Becallo.

Ayes- 4 and Noes – 0. Abstained – 1. Councilor Conway – absent from last meeting.  
Motion carried.

**BUDGET MODIFICATIONS**

Supervisor Zambrano stated there were no budget modifications.

**PERSONNEL MATTERS**

*Accept resignation of Heidi Mahan, Part Time Police Officer effective February 13, 2014*

Councilor Venesky moved for the adoption of a resolution to accept the resignation of Heidi Mahan, Part Time Police Officer, effective February 13, 2014. Motion was seconded by Supervisor Zambrano.

Ayes – 5 and Noes – 0. Motion carried.

**HIGHWAY DEPARTMENT**

*Repair of (3) Three Road Striper Paint Nozzles*

Councilor Conway moved the adoption of a resolution to approve \$1,670.00 to Crossroads Highway for repair of (3) three road striper paint nozzles.

Councilor Becallo said he had called Crossroads Highway, along with other vendors and had done some research and questioned Chris Woznica regarding the costs for the nozzles.

Chris Woznica explained that there was an error; the approval request is for the pumps that need to be rebuilt, not for nozzles.

Councilor Conway asked if they were going to vote on this.

Councilor Becallo said he was obviously going to say no because they didn't ask for the right thing.

Supervisor Zambrano stated they did not have a second on the motion so she suggested that they table it and have it resubmitted.

*Fifty (50) 10 foot Unistruts and 3 foot bottoms (sign posts) and 25 Deliniators*

Councilor Conway moved the adoption of a resolution to approve \$3,250.00 to Eberl Iron Works for fifty (50) each of 10 foot Unistruts and 3 foot bottoms (sign posts) and 25 Deliniators.

Councilor Becallo asked Chris Woznica to explain what the items were.

Chris Woznica explained that these items were for stock for the upcoming summer season; they are the sign posts and the inserts (this are all under state bid); they damage and rust out so they have to replace them.

Motion was seconded by Councilor Venesky.

Ayes – 5 and Noes – 0. Motion carried.

Councilor Becallo told Chris Woznica it would make it so much easier if in fact when he put these items on the agenda if he put what the item is, a summary of the item, a summary of why he needs it and a summary of how much he has in stock; it would be so much easier that way.

Councilor Venesky said he did have the detail for what this was for.

Councilor Becallo commented that it was for the wrong thing.

Supervisor Zambrano clarified the communications once again and said she expects the liaisons to get the information to the questions answered before they get to the meeting and for everyone to have the same information.

Councilor Becallo said if anyone has any questions on any of these, we represent the communities; this is what we are here for. We have the right to ask every question we want because we answer to the public who are sitting in these seats.

Councilor Venesky said he would make a note to make sure everybody else gets what he gets.

**PARKS AND RECREATION DEPARTMENT***Fertilizer*

Councilor Becallo moved the adoption of a resolution to approve \$2,256.00 to Northern Nurseries for Fertilizer – 96 bags at \$23.50 per bag (costs shared by Youth Leagues and Town). Motion was seconded by Supervisor Zambrano.

Ayes - 5 and Noes- 0. *Motion carried.*

*Grass Seed*

Councilor Becallo moved the adoption of a resolution to approve \$3,652.00 to Northern Nurseries for Grass Seed – 44 bags at \$83.00 per bag (costs shared by Youth Leagues and Town). Motion was seconded by Deputy Supervisor Burtis.

Ayes - 5 and Noes- 0. *Motion carried.*

**POLICE DEPARTMENT***Accept Grant in the amount of \$695.00 for the purchase of a  
MedReturn II Drug Collection Unit*

Deputy Supervisor Burtis moved the adoption of a resolution for the acceptance of a grant in the amount of \$695.00 from Kinney Drugs for the purchase of a MedReturn II Drug Collection Unit. Motion was seconded by Supervisor Zambrano.

Supervisor Zambrano explained that the police department has participated in this program to buy these containers so that people can bring their prescription drugs to a central location and then they are disposed of.

Councilor Becallo said this is for all year round whereas before we were only able to do that two times out of the year.

Ayes - 5 and Noes- 0. *Motion carried.*

**TAX RECEIVER'S OFFICE***\$2,460.00 to Business Automation Services (BAS)*

Councilor Becallo moved the adoption of a resolution to approve \$2,460.00 to Business Automation Services (BAS) for yearly support maintenance program uploads for 2014. Motion was seconded by Councilor Conway.

Ayes - 5 and Noes- 0. *Motion carried.*

*Accept Revised Cooperative Investment Agreement of NYCLASS (New York Cooperative Liquid Assets Securities System), and for the Supervisor to Execute the Agreement*

Councilor Becallo moved the adoption of a resolution for the Town of Cicero to accept the revised Cooperative Investment Agreement of NYCLASS (New York Cooperative Liquid Assets Securities System), and for the Supervisor to execute the agreement. The new agreement reflects language changes that 1) brings the NYCLASS Investment Policy into conformity with all applicable NYS General Municipal Law public funds investment guideline, streamlines the steps for certain amendments to allow the Governing Board to amend operational aspects as necessary (with 30 days' notice to all participants), and to allow for the potential creation of other investment options as market conditions change or improve over time. Motion was seconded by Supervisor Zambrano.

Ayes - 5 and Noes- 0. *Motion carried.*

**SET PUBLIC HEARING DATE TO CONSIDER ADOPTION OF PROPOSED  
LOCAL LAW 1 OF 2014 TO BE KNOWN AS THE  
“BEST VALUE COMPETITIVE BIDDING LAW”**

Councilor Venesky moved the adoption of a resolution calling a Public Hearing on March 12, 2014 commencing at 6:35 p.m. local time to consider adoption of proposed Local Law 1 of 2014 to be known as the “Best Value Competitive Bidding Law” using the best value award methodology in the competitive bid process according to Section 103 of the General Municipal Law and defined in Section 163 of the State Finance Law. The purpose of this local law is to allow the Town of Cicero to take advantage of the newly passed legislation (Amendment of Section 103 of the GML/A08692/S6117) allowing for the greater procurement options that are swifter and more cost effective. The legislation also allows municipalities’ greater flexibility in awarding bids that may escalate over time due to inferior performance of goods or services. Motion was seconded by Supervisor Zambrano.

Supervisor Zambrano explained that we are required to go out for the competitive bidding process. So, if we enter into a purchase contract that is going to cost more than \$20,000.00 or a public works project that is going to cost more than \$35,000.00 then we have to go out for competitive bidding. That was before this “Best Value” option came along; this is an alternative to allow greater flexibility in providing services. This “Best Value” concept was actually presented at an Association of Towns conference she attended last week. It has been on the books since 2012, and if we want to go with the “Best Value” option in this competitive bidding process we first have to pass a local law. This is to set the public hearing to have comments about the local law. We will publish the draft of the local law and the paperwork will be on the website for review.

Ayes - 5 and Noes- 0. *Motion carried.*

**PUBLIC INPUT**

Loomis Pardee said he thought there would be a big crowd at the meeting tonight wanting to express their concerns over the Fire district and protection district taxes. All the people that worked on getting the voters out to vote NO should have been out getting the “no” voters to come to the meeting tonight and express their concerns. The letter that was sent out against the fire house insinuated that they wanted the commissioners to get the message – this is the town board’s problem and not the commissioners. The commissioners can’t make the changes – the town board is the only one that can make changes. Most voters wanted the fire hall but don’t agree with the difference in taxes between the two (district & protection). You, the board members need to change this now. Doesn’t the board have the ability to set the tax protection rate?

Supervisor Zambrano said the tax protection district rates are negotiated at budget time.

Loomis Pardee asked who sets the rate – how much they are per thousand, the Town Board does right? The commissioners can’t change it. The insinuation was that the commissioners had to change it and they can’t it’s the Town Board that does the changes.

Supervisor Zambrano explained that they have embarked on getting together with the fire department to discuss this issue. We need to develop a plan. We need to see who’s going to be involved and what the steps are that need to be taken. We haven’t had that discussion yet. They already have a meeting scheduled to start that discussion.

**ADJOURNMENT**

Supervisor Zambrano moved the adoption of a resolution to adjourn the Town Board Meeting. Motion was seconded by Deputy Supervisor Burtis.

Ayes - 5 and Noes- 0. *Motion carried.*

There being no further business before the Board, the meeting was adjourned at 6:56 p.m.

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Tracy M. Cosilmon  
Town Clerk