

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, June 25, 2014 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

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

Others Present: Christopher Woznica, Highway Superintendent  
Joseph Snell, Police Chief  
Robert Germain, Germain & Germain, Town Attorney  
Bruce W. Letts, C & S Companies, Town Engineer  
Jody Rogers, Director of Parks and Recreation  
Richard Hooper, Director of Code Enforcement  
Tracy Cosilmon, Town Clerk

Absent: Jessica Zambrano, Supervisor

Deputy Supervisor Burtis informed all persons interested to sign the sheet in the back of the room for the opportunity to speak about any agenda item before the Town Board discusses it.

Deputy Supervisor Burtis 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.

The meeting was opened at 6:30 p.m. with the Pledge of Allegiance.

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.

#### **TOWN BOARD MEETING MINUTES**

Councilor Conway moved the adoption of a resolution to approve the minutes of the June 11, 2014, Regular Town Board Meeting.

Councilor Becallo asked if the minutes were going to be approved.

Deputy Supervisor Burtis stated that he would like them approved tonight.

Deputy Supervisor Burtis seconded the motion.

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

#### **BUDGET MODIFICATIONS**

There were no budget modifications.

## COMPLETE STREETS

*Presentation by Kathy Mogle from the Onondaga County Department of Health about Towns adopting policies to help their residents live healthier, particularly by providing opportunities for residents to exercise. She wants us to think about creating bike paths.*



Complete  
Streets.pptx

Kathy Mogle said the program that she works specifically with is called *Creating Healthy Places to Live, Work and Play in Onondaga County*. She is asking town and villages to adopt a Complete Streets policy. “Complete Streets” is really about making our roads accessible for everyone. All the Complete Streets policies are saying is every time we do road construction, we will consider doing things to our roadways to make them useful for not only cars, but also for our children, pedestrians, runners, bicyclists, etc. Kathy showed a video about what a Complete Streets would look like. When we have Complete Streets, that includes signage, that includes walkways, we know that helps to reduce accidents, and automobile accidents as well as pedestrian and bike riding accidents. She was asking for a policy that doesn’t cost anything. It doesn’t cost money to make a policy that says if we do road construction, we will think about how we can make it a little bit better for others versus just cars.

Kathy Mogle left packets of additional information on Complete Streets which can be viewed in the Town Clerk’s Office.

Deputy Supervisor Burtis solicited questions from the Board.

Councilor Becallo asked the Board how this would affect the Cornell Roads program financially.

Deputy Supervisor Burtis said it would definitely have an effect on the roads program. He told Kathy Mogle that Supervisor Zambrano had announced at the last Town Board meeting that the New York State Department of Transportation has secured a grant for \$992,000.00 to install sidewalks on the west side of Route 11 from Bear Road to 300ft. north of Caughdenoy Road.

Tom Beaulieu asked if they were aware that we have actually been pursuing a Share the Road program here in Cicero that started about three years ago. We have 22 miles that are already signed in Cicero; it’s a great place to ride. He worked with Jim Corl on the program when he was the Supervisor, and at a meeting held by County Legislator Jim Corl the night before, they presented to the Commissioner to give us another 20 miles. We have two major intersections in this town right at our four corners of the two major bicycle routes in New York State; Route 11 and Route 31, so they are pursuing getting additional signage; the signs are basically about \$100-\$120 each. Some people may want to walk a mile to go the store, but we have problems, we can’t even finish connecting the sidewalks in the town let alone worry about putting bicycle lanes in. His question for the Supervisor was who was going to pay for all this. If our County Executive wants to have us participate, then she has to be able to say that they are going to help us fund these types of things; the County has to be able to participate, as well as the State down the road. When are we going to step forward as a town and take our Master plan, which we spent \$200,000.00 for, and say we are going to implement a program so it’s a sharing of sidewalks and roadways that everyone in the town could be proud of.

Kathy Mogle told Tom Beaulieu she would bring his information back and would address his budgetary concerns that are a reality.

Councilor Becallo said that he did some research on Smart Growth policies and read upon his research the following:

Creating Complete Streets means transportation agencies must change their approach to community roads. By adopting a Complete Streets policy, communities direct their transportation planners and engineers to **routinely design and operate the entire right of way to enable safe access for all users**, regardless of age, ability, or mode of transportation. This means that every

transportation project will make the street network better and safer for drivers, transit users, pedestrians, and bicyclists – making your town a better place to live.

Councilor Becallo summarized, that although grant monies would be used to create Complete Streets, sometimes that money would be used for other features of the roadway, causing a narrower roadway to be built, in favor of a sidewalk or bike path, or using properties along a roadway creating a negative impact on property values.

Deputy Supervisor Burtis said more information is available by going to the website: [www.ongov.net/health/healthyplaces](http://www.ongov.net/health/healthyplaces).

## PERSONNEL MATTERS

### A. Police Department

Deputy Supervisor Burtis moved the adoption of a resolution to hire Matthew Lee Burdick for the position of fulltime police officer effective July 13, 2014 with a starting pay rate of \$41,181.00.

Motion was seconded by Councilor Conway.

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

Matthew Lee Burdick was sworn in by Tracy Cosilmon, Town Clerk.

### B. Parks and Recreation

Councilor Becallo moved the adoption of a resolution to hire the following individuals:

- Jacob Christian for the position of Park Laborer at a pay rate of \$8.75/hour, effective June 23, 2014.
- Margaret Hauenstein for the position of Recreation Attendant at the Cicero Senior Center at a pay rate of \$12.00/hour, effective June 30, 2014.

Motion was seconded by Councilor Venesky.

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

### C. Highway

Councilor Venesky moved the adoption of a resolution to end the one-year probation periods of MEO (Machine Equipment Operator) Troy Engebretsen and MEO (Machine Equipment Operator) James Baldwin with a resultant increase in pay of \$24.26/hr., respectively, effective July 14, 2014.

Motion was seconded by Councilor Becallo.

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

Councilor Becallo announced that the first person to speak prior to the next agenda item was Judy Boyke.

(Public Input on Agenda Item)

Judy Boyke said there seems to be an increase; in the attachment, they were up to 48 parcels instead of 32. Of those 48, they are talking about going from Industrial to General Commercial Plus. There are 7 parcels that are in there that are Residential; there are houses on them, within the scope of where they are trying to do Commercial. She said we had an issue a while back when they changed the zoning on Route 11 from the Cicero intersection to Mud Mill Road and they changed the whole thing to Commercial. There were several residential properties on that as well and those folks now cannot sell their property because they are in the wrong zone and we did have a situation where that came up and the person could not sell their property because the bank will not insure those properties. She encouraged the Board to take a harder look at this zone change and not be quite as zealous on pushing it through because it appears that it is an issue and it is not ready to be passed.

Councilor Venesky told Judy Boyke that they were not voting on anything that evening, it was a public hearing.

**PUBLIC HEARING TO CONSIDER A PROPOSED ZONE CHANGE FROM REGIONAL COMMERCIAL TO GENERAL COMMERCIAL PLUS FOR 32 PARCELS WITHIN THE TRIANGULAR AREA BOUNDED BY TOTMAN ROAD, NORTHERN BLVD., AND EAST TAFT ROAD, AS PER ATTACHED LIST**

Deputy Supervisor Burtis said he had proof of publication regarding the public hearing.

The public notice read as follows:

**TOWN OF CICERO PUBLIC HEARING NOTICE**

**MOVE,** THE ADOPTION OF A RESOLUTION CALLING A PUBLIC HEARING JUNE 25TH, 2014 COMMENCING AT 6:30 LOCAL TIME TO CONSIDER A CHANGE OF ZONE FOR 31 PROPERTIES LOCATED ON THE NORTH SIDE OF EAST TAFT ROAD BETWEEN NORTHERN BOULEVARD AND THOMPSON ROAD FROM REGIONAL COMMERCIAL TO GENERAL COMMERCIAL PLUS ZONE CLASSIFICATION ON THE BOARD'S OWN MOTION. THE SUBJECT PROPERTIES ARE DESCRIBED AS FOLLOWS:

Property Address 6239 East Taft Rd. 6267 East Taft Rd. Totman Road - 056.-02-20.1 6279 East Taft Rd. Running Ridge Road - 056.02-21.2 East Taft Road - 056.-02-12.3 7401 Round Pond Road 6273 Running Ridge Road 6313 Running Ridge Road 7496 Round Pond Road 6261 East Taft Road 7380 Totman Road East Taft Road - 056.-02-12.3 7380 Totman Road 7350 Round Pond Road 6288 Running Ridge Road Northern Blvd - 056.-02-11.1 6339 Running Ridge Road 7502 Round Pond Road 6265 East Taft Road 6345 East Taft Road 6255 East Taft Road 6226 Running Ridge Road 6274 Running Ridge Road 7351 Round Pond Road 7400 Round Pond Road 6225 Running Ridge Road 7470 Round Pond Road 7488 Round Pond Road 7515 Round Pond Road



**DATED:** June 10, 2014

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

Deputy Supervisor Burtis said the individual property owners contiguous to the zone change area were notified in writing of this public hearing.

Public Hearing was opened at 7:06 p.m.

Speaking for –

Tom Beaulieu said he wanted to follow up on some comments that he made at the last meeting when he hadn't had a full grasp of what we were planning to do. He had participated on the Beacon North part of it about 12 years ago when we were first starting to deal with Regional Commercial and General Commercial. The different types of plans that we were looking at including Beacon North, is basically something new to the Town of Cicero. What we were looking at was the footprint for Beacon North, trying to bring in a company like National Grid which was NiMo at the time. Some of the other large companies like Syracuse Development were in there and they wanted to expand so they were looking at them in particular. They may not have seen the big prize overall and he thinks that is what they are trying to do now. But he thinks it is important that if there are residential properties in there it has to be filtered out somehow; the banks are not going to write loans. Also, he thought at one point we had 1,000 feet deep industrial zone from Route 11 up to Mud Mill that was an industrial zone and that has been modified.

*Speaking against –*

Judy Boyke said she was speaking against the zone change right now because of the “no clarity” in it, but also because she noticed that 2 new properties were added from Wheatley Road. There are approximately 9 properties on Wheatley Road and their all in the same zone, the 056 Zone. She was concerned that only 2 properties on Wheatley Road were incorporated in this.

Deputy Supervisor Burtis said he did not see Wheatley Road on his list.

Judy Boyke said that was because it was on the new list.

Don Snyder he was *not* speaking against it, he was just worried about the whole thing. He said on one of the sheets, and maybe it has a second location, but it says Cantech Automotive, 6267 E. Taft Road, if that's the Cantech that he knows of then it's just up the street before you even get to Gillette then that is not bounded by what they just said with Totman, Northern Boulevard, and Taft Road. Are they talking about this company having two properties, one in this triangle and another one is across from the new landscaper?

Councilor Venesky said his understanding was they were just talking about the Taft Rd. location, but they would get clarity on that.

Rocco Cannata said he was the owner of Cantech Automotive, one location on Taft Road and was *speaking for* this because this was holding up a project that he needs to do. He said as far as he can see the public hearing is for 32 parcels. He asked if those were the folks that were notified. One of the Board members said that was correct. He said it was for Regional Commercial to General Commercial Plus, nothing about Residential to Commercial, The properties in Beacon that are for sale can't be sold because they're not large enough.

Councilor Venesky said he was *for* this project and he was prepared to vote yes on it that night; he wants Rocco Cannata to expand his business. He asked Judy Boyke where she found the new list.

Judy Boyke said it was posted on the website.

Councilor Venesky said he only saw the original list; he was not aware that there was a revision of that list. He asked Tracy Cosilmon about the list with the additional properties.

Tracy Cosilmon said she did not put the agenda items on the website; it was done by the Supervisor.

Councilor Venesky apologized for the mix up. He said he wants to make sure that what we do is right. He wants this to go ahead.

Rocco Cannata said the clock was ticking for him; they've been working on this since September of last year.

Councilor Venesky said he needed clarification on this. He asked Robert Germain if he could shed some light on this; we have two lists now of properties, one with 32 and now we have a list showing additional properties.

Robert Germain said he would keep the hearing open, adjourn to the next meeting and resolve whatever the issue is.

Deputy Supervisor Burtis asked Rocco Cannata if he could give a short version of where he has been through this journey.

Rocco Cannata said he/they went in for a site plan approval for their side lot. At the time he had talked to the Zoning Officer, Wayne Dean who assured him that he didn't need one, so they went ahead and did what they needed to do. In September when they applied they were pretty much told it was wrong, so they had to come up with a complete site plan and at that time they found out that their zoning was not going to work for them. They had an addition in '06, so he thought that they were zone correctly in 2006; and if they weren't then the Board missed it. He has been working with the Supervisor, Vern Conway and Mr. Smith to get this resolved.

A resident asked if all the properties had to be done together or could this man's property be done individually.

Deputy Supervisor Burtis stated that all the properties needed to be done together.

Robert George was in support of Cantech, but was not in favor of the overall project. He stated that the Planning Board process and site plan process was wrong and that the Town Board needs to take a look at the overhaul of this process. He felt that the Town of Cicero was trying to get more big-box stores in the area and was not worried about the small businessman.

Deputy Supervisor Burtis solicited any Board comments.

Councilor Conway stated that Mr. Smith should be present at the next Town Board meeting because he was involved in this zone change.

Deputy Supervisor Burtis stated that they would close the public hearing.

The Public Hearing was closed at 7:27 p.m.

Deputy Supervisor Burtis stated that a Special Town Board Meeting date will be announced within the next 10 to 14 days for further discussion on this topic.

### **PARKWAY COMMONS**

Robert Germain stated that this item came to us from a law firm in Rochester. It was to help fix a mistake that was made several years ago. Parkway Commons is not doing any business in the Town of Cicero, they are actually from the Town of Greece. In order to change their Certificate of Incorporation, they wrote in there that it needed the Town of Greece and the Town of Cicero's consent. It was written wrong many years ago by the Rochester law firm.

Deputy Supervisor Burtis move the adoption of a resolution authorizing the Supervisor to execute Consent on behalf of Parkway Commons, LLC, approving a change in the filed Certificate of Incorporation as a Not-for-Profit Company based upon a proposed merger between Unity Health Systems, Inc. and Rochester General Hospital. Parkway Commons, LLC was incorporated in 1990, and it is owned by Unity. The specific language of the original filing required consent of the Town of Greece and the Town of Cicero in order to file an amended Certificate.

Motion was seconded by Councilor Venesky.

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

#### **HUMAN RESOURCE COMPLIANCE AUDIT**

Councilor Venesky moved the adoption of a Resolution to hire Strategic Management to complete the Town of Cicero's Human Resource Compliance Audit for a fee of \$3,900.00. This is a budgeted item and does not require additional quotes due to the specialty nature (Acquisition of professional services) which is defined within the Town's Procurement Policy, Section 6.0.

Motion was seconded by Councilor Conway.

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

#### **POLICE DEPARTMENT – SLETPP GRANT**

Councilor Conway moved the adoption of a resolution to approve the purchase and installation of 9 Icom F5011 VHF Radios from CNY Emergency Vehicles for installation and Icom for the radios to be paid for under the NYS 2013 SLETPP Grant. The total grant was for \$5,800.00 and this purchase amounts to \$5,221.00.

Motion was seconded by Deputy Supervisor Burtis.

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

#### **WALLINGTON MEADOWS**

Councilor Venesky moved the adoption of a resolution to reduce securities currently on a deposit with the Town of Cicero by Combat Construction for Wallington Meadows Section 7A in accordance with the letter recommending these reductions received from C & S Engineers dated June 18, 2014. Release of the following securities:

Overland Drainage	\$8,300
Utility	\$8,950
Install concrete gutter around 8 catch basins	\$6,000
Repair of cracked concrete gutter near lot no. 141	\$ 500
Cleaning of drainage structures	\$1,000
Installation of 6" underdrain on lot nos. 133, 135-139	\$7,500

Motion was seconded by Councilor Conway.

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

#### **PARKS AND RECREATION**

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

- A. Purchase: Repairs to John Deere tractor hydraulic pump  
Vendor: Cazenovia Equipment  
Amount: \$1,110.76

Motion was seconded by Deputy Supervisor Burtis

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

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

- B. Purchase: Fencing modifications for tennis courts at Skyway Park  
Vendor: Atlas Fence  
Amount: \$1,200.00

Motion was seconded by Deputy Supervisor Burtis

Ayes – 3 and Noes – 1 Councilor Becallo voted against this purchase because he was opposed to the original project. Motion carried

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

- C. Ball Field materials for Central Park (athletic field marker, Play Ball product) to be paid by Cicero Little League Participant Fee  
Vendor: Northern Nurseries, Inc.  
Amount: \$1,013.20

Motion was seconded by Councilor Venesky

Ayes – 4 and Noes – 0. Motion carried

**SET BID DATE FOR JULY 14 AT 10 A.M. - CICERO TOWN HALL –  
ADVERTISEMENT NOTICE TO CONTRACTORS- CENTRAL PARK NEW**

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

Councilor Becallo read the following advertisement:

The Town of Cicero is requesting sealed bids for the demolition of existing tennis courts and the installation of new playground equipment, fencing and landscaping. Drawings and specifications are available for searching & viewing at [www.planandprint.com](http://www.planandprint.com). Click on the PlanWell Public Planroom Bar, then click on Public Plan room. Documents will be available June 30, 2014. A refundable plan deposit of \$30.00 is required and Plans can be shipped for an additional delivery and handling charge. All bids must be received at the Town Clerk's office, Town Hall, 8236 Brewerton Road, Cicero, New York 13039 by 10 am July 14, 2014. A pre-bid meeting will be July 7, 2014 at 10 am at the site. The contract specifications and drawings may be examined free of charge at the Town Clerk's office, 8 am to 4 pm, Monday thru Friday (315) 699-8109.

Motion was seconded by Deputy Supervisor Burtis.

Ayes – 4 and Noes – 0. Motion carried

**MELTZER COURT LIGHTS**

**THIS AGENDA ITEM WAS TABLED UNTIL THE NEXT AVAILABLE  
MEETING**

**HIGHWAY DEPARTMENT**

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

- A. 5 sets Carbide Blades  
Vendor: Steel Sales  
Amount: \$3,450.00  
Other quotes: Crossroads Highway - \$3,500.00  
Oswego Tool and Steel \$3,650.00
- B. 900 yds. #2 Stone/Runner Crush  
Vendor: TH Kinsella Inc.  
Amount: \$10,000.00
- C. Repair to radio repeater  
Vendor: United Radio  
Amount: \$2,000.00

Motion was seconded by Deputy Supervisor Burtis

Ayes – 4 and Noes – 0. Motion carried

### **CHAPTER 210, SECTION 210.18 SIGNS**

Update by Councilor Becallo and Councilor Venesky on committee activities to date.

Councilor Becallo stated that he and Councilor Venesky have co-chaired the sign committee to rewrite the sign law in the town. We talked to the Chamber of Commerce and sent out an email to all the members of the Cicero, Brewerton and Bridgeport Chambers. The first email went out to the Cicero Chamber last night and he can say positively that he had over 20 business owners contact us about the sign committee. He reached out to these owners and asked them for their availability for the first committee meeting. They will be setting up a meeting within the next few weeks.

(Public Input on Agenda Item)

Judy Boyke stated she had a concern in validating all of the paperwork that was presented regarding this matter. She found it very interesting that Mr. Becallo made a statement about the actual March 10<sup>th</sup> Town Board Meeting being on YouTube and the day after it was mentioned, it was gone. Accordingly to YouTube, it says that the video has been removed by the user.

### **SHARED SERVICE AGREEMENT**

Move the adoption of a resolution approving the proposed “Contract Addendum” inter-municipal agreement between the Town of Cicero and the Town of Salina affirming the termination date of December 31, 2014, for the “Shared Services Agreement” previously executed by the parties and authorizing the Supervisor to execute same.

NO MOTION TO PROCEED AT THIS TIME

### **DISCUSSION: BRIDGEPORT**

Councilor Becallo stated that when he was running for office and was walking through Bridgeport, he kept being told that there was the need for a local grocery store. He would like to coordinate a meeting in Bridgeport to see what the interests are in potential opportunities. He stated that he would get back to the Board with an update in the future.

### **PUBLIC INPUT**

Don Snyder asked Councilor Venesky and Councilor Becallo if they had the opportunity to check on the hours for the Justice Department and why we cannot avail ourselves to them on Fridays.

Councilor Venesky stated that he had talked to Judge DeMarche and asked him why we had people in the office and were not responding to the public. He said in the last budget that the Town went through, he is running that office with one less person and they use Fridays for catch-up days.

Don Snyder asked about the bid for the park. He wondered why the contractors were given 10 days from the time the drawings were available and the bids are due, he asked Jody what that was all about.

Jody Rogers stated because of only one meeting in July and with the 4<sup>th</sup> of July, everything got moved. The bids were released on the 30<sup>th</sup> and that was the quickest she could get things back. Jody stated that if the Board wanted to change the bid date, they could.

Judy Boyke stated to Councilor Becallo that she was a Chamber member and she did not get the email regarding the sign committee.

Councilor Becallo stated that he would check into that.

Judy Boyke asked about the abstract, there is a line item for M&T Bank Corporation Trust and it is a Type M for Mud Mill water, \$17,631.00 and a debit. She wanted to know if anyone knew what that was.

Councilor Venesky stated that he could guess what that is for. He felt that that was for a bond payment.

Councilor Becallo stated that he would check with the Comptroller and get back to the Board on that issue.

A resident stated that there were 4 issues in her neighborhood that were resolved of within 10 days. This resident stated that regarding the sign and ethics committees, she could not find anything about those on the Town's website. There were no contact numbers for anyone that was interested in being on any of those committees. This resident stated that she felt that residents should be included in the sign committee.

A resident said that since she has been attending Town Board meetings, she was glad that the Public Hearing portion before each agenda item has been allowed tonight.

A resident asked if it was possible to find out what period of time was covered on the DA's audit on former employee, Mary Cole.

Councilor Venesky stated that he thought as a private citizen, that this information could be obtained through FOIL.

Councilor Becallo asked this resident if they would want to be on this sign committee and stated that they need to have as many businesses on this committee as possible.

Robert George wanted to thank the Board for having the Public Input Agenda items at this meeting. They did come across very well. He liked the idea that they were put before the actual agenda item. He felt that the Town Board Meeting portrayed a very positive feeling tonight.

Robert George asked for the voting of abstracts to be put back into the agenda. The Board should take back control of the finances of the Town. Not one check should get paid until the Town Board reviews it and approves it.

Robert George stated that the issue with the Town Assessor is still open. It is crystal clear that the current contract expired March 14<sup>th</sup> of this year. The only document that states differently is the forged document, the one that was put on the website within the last month or so. He felt that the Town Attorney should re- review those documents.

Robert George stated that there was a YouTube video from the March 14, 2012 meeting that a lot of people saw and down loaded by other means. That video has disappeared since then. He felt that the Town Board was in a better position to review this issue, and in a better position to obtain the evidence, than he was.

Robert George gave a detailed list of charges that he felt needed to be investigated by the Town Board regarding the review of the Cooperative Agreement to Share Assessor Services by the former and present Supervisors.

Councilor Venesky stated that he has asked for legal counsel and is acting on the advice of legal counsel which he believes to be correct. He feels that this is a matter for the District Attorney. Based on what he was told by legal counsel, is that we have an agreement.

Robert George asked if Robert Germain could lay on the record his reasons for his assessment.

Councilor Venesky stated that he would not ask Robert Germain to speak. It would be up to him.

Robert Germain stated that he chose not to speak. He would share legal advice with the Board at any time.

Robert George asked Robert Germain if his information could be obtained through a FOIL.

Robert Germain stated he did not know what happened with previous versions of that contract. That was before his time. He did not have anything to do with the contract himself. He did not have an opinion of what happened there.

Robert George felt that this was a big issue that needed to be addressed.

Tom Beaulieu stated that the Board was presented with a draft resolution from Kathy Mogle of Onondaga County Health and wondered if a decision would be made to participate on this program or not.

Deputy Supervisor Burtis stated that he was not ready to vote on this resolution tonight.

#### ADJOURNMENT

Deputy Supervisor Burtis moved the adoption of a resolution to adjourn the Town Board Meeting.

Motion was seconded by Councilor Becallo.

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

There being no further business before the board, the meeting was adjourned at 8:29 p.m.

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Tracy M. Cosilmon  
Town Clerk