

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, March 25, 2015 at 6:30 P.M. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

PRESENT:

Jessica Zambrano	Supervisor
Mike Becallo	Councilor
Dick Cushman	Councilor
Mark Venesky	Councilor

OTHERS PRESENT:

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

Absent:

C. Vernon Conway	Councilor
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Supervisor Zambrano opened the meeting at 6:30 p.m.

Supervisor Zambrano read the following statement:

Welcome to the 6<sup>th</sup> regular meeting of the Town Board for 2015.

I would like to point out the emergency exits at the back of the room, two back there, one up here.

Please silence you cell phone or other electronic devices so that the meeting is not unnecessarily disturbed. If you have to speak on your cell phone, please exit to the back hallway or go outside. We also ask the audience to keep chatter to a minimum, so as not to disturb others.

The Town acknowledges the importance of full public participation in all meetings and hearings. We therefore urge all who wish to address the Board to utilize the microphone at the front of the room. If anyone is unable to hear, let us know, we'll try to make the necessary adjustments.

Supervisor Zambrano said Councilor Conway could not be with us tonight and asked Councilor Becallo if he would lead everyone in the Pledge of Allegiance.

Councilor Becallo asked everyone to remain standing for our soldiers who are overseas, here as well, and for our law enforcement and first responders.

**Announcements:**

Supervisor Zambrano said there would be no executive session that evening, and that she would be tabling the motions for items No.7 and No.8 for the Bond Anticipation Note and the Section 284 Highway Agreement. Also, Supervisor Zambrano stated that she thought she was going to entertain a motion to set a special town board meeting to take up those subjects later on.

Councilor Becallo asked Chris Woznica if the roads that were up for this year were posted on the website.

Supervisor Zambrano said the agreement is posted.

Councilor Becallo said then the roads that are up for this year should be as well, and that follows specifically the Cornell Roads.

Chris Woznica said not necessarily. To an extent it follows the Cornell Roads; what happens is if we are doing Road A, which is due this year in Cornell Roads, and Road C is due in two years, if all of us are right there then we do both.

Councilor Becallo said he just wanted to point out, and he doubts they are on the list, and he knows a lot of the roads are in bad shape, but a lot of his neighbor have expressed concern so he drove around Diffin, Stone Arabia, and Parker House, and it is a warzone. He doesn't know how Chris got the plows up and down this year – it's bad.

Chris Woznica said this February was bad, it destroyed the roads.

Councilor Becallo told Chris Woznica if he could just go out and just look at them he would appreciate it.

Chris Woznica said they will look at all of them.

Supervisor Zambrano said we do have the Cornell Roads Program that has a twenty (20) year plan about when roads are supposed to be done. She pointed out that the Highway Superintendent assesses the roads on an annual basis and makes adjustments to the Cornell Roads Program based on what he feels is current need. She said it is impossible to get to all of the roads, so it's a difficult decision she is quite sure.

**Approval of Minutes:**

Councilor Cushman noted on page 2 of the minutes there was a duplicate in the last paragraph of page two there was an extra of Development Block.

Supervisor Zambrano made a motion that the Town Board Meetings from the Regular Town Board Meeting held on March 11, 2015 be approved with the correction that was pointed out by Councilor Cushman. Motion was seconded by Councilor Cushman.

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

**Approval of Abstract Nos. 11&12:**

Councilor Cushman moved the adoption of a resolution to approve Abstract Nos.11 (dated 3/18/15) and Abstract No. 12 (dated 3/25/15) as presented.

Motion was seconded by Councilor Venesky.

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

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

**2014 Yearend Budget Modifications/Amendments and 2015 Budget Modifications/Amendments:**

Councilor Cushman moved to accept the budget modifications/amendments as presented:

Supervisor Zambrano seconded the motion.

Councilor Becallo said with the 2014 Yearend Budget Modifications, and he would check with Shirlie, but the medical insurance shows up a lot, he just wanted to know for the overall budget was medical insurance over budgeted or under budgeted for.

Supervisor Zambrano said she thinks it was over budgeted if we are taking money from it to make justifications someplace else. She thinks the overage was probably from staffing.

Councilor Becallo said he noticed the same for highway retirement and the highway worker's compensation.

<b>TOWN BOARD MEETING</b>				
<b>03/25/2015</b>				
<b>2015</b>				
<b><u>BUDGET MODIFICATIONS</u></b>				
<b>2014 Yearend Budget Modifications</b>				
<b>FROM</b>		<b>\$</b>	<b>TO</b>	
<b>Fund A</b>				
A13151	Comptroller Personal Services	1020.41	A13154	Comptroller Contractual
A14201	Attorney Union Negotiation	544.32	A1315435	Comptroller Postage 94.08
			A13154	Comptroller Cont 450.24
A142041	Attorney Union Negotiation	2019.48	A142041	Attorney Town Code
A51322	Garage Equipment	1778.35	A51324	Garage Contractual
A677255	Senior Postage	3.55	A677254	Senior Fuel
A51322	Garage Equipment	211.21	A51824	Street Lighting
A90608	Medical Insurance	2293.35	A908098	Flex and TPA Admin
<b>FROM</b>		<b>\$</b>	<b>TO</b>	
<b>Fund B</b>				
B312011	Police Salaried	533.87	B312014	Police Admin Clerk
B312049	Flares/Firearms/Qualify	48.44	B312047	Police Training
B70201	Parks OT	45.64		
B702040	Parks Supplies	307.81		
B702041	Parks Office Supplies	81.08		
B7020411	Parks Postage	202.36		
B702042	Parks Commission Cont	117.46		
B702043	Parks Cont	204.39		
B702048	Parks Special Activities	278.06		
B702052	Parks Computer Labor	353.00	B70201	Parks Personal Serv 1065.40
			B702011	Fall/Winter Staff 206.88
			B702012	Commission Clerk 80.00
			B702044	Program Expenses 237.52
B714040	Parks Supplies	256.91		
B714043	Extended Daycamp	30.00	B702044	Program Expenses 286.91
B19104	Unallocated Insurance	832.21	B702044	Program Expenses
B801045	Zoning Map Update	136.23	B801043	Zoning Car Maint
B90608	Medical Insurance	11745.16	B90308	Social Security
B90608	Medical Insurance	1435.95	B90608MI	Medical Incentive
B7310401	Parks Office Supplies	202.50	B73101 OT	Parks OT
B7310401	Parks Office Supplies	51.56	B731042	Parks Utilities
B312040	Police Contractual	1554.47	B312042	Police Auto Repairs
B312043	Police Gas	4970.57		
B3120435	Police Postage	525.09		
B312046	Police Telephone	657.75		

B312046T	Police Utilities	229.96			
B312048	Police Radio/Equipment	1449.59			
B312049	Police Flares/Firearms/	45.71			
B312050	Police Camera Supply	223.47			
B31205	Police Copier	375.00			
B312053	Police Membership	220.00	B31201 OT	Police OT	8697.14
B312042	Police Auto Repair	1554.47	B312041	Police Uniform	
B312011	Police Salaried Services	2638.15			
B31201H	Police Holiday Pay	1160.28			
B31202	Police Equipment	200.00			
B312040	Police Contractual	6576.15			
B312042	Police Auto Repairs	4839.48			
B312043	Police Gas	61.67	B31201	Police Personal	15475.73
B19104	Unallocated Insurance	4590.28	B31201 OT	Police OT	4581.08
			B31201L	Police Longevity	9.20
B90308 C	FICA – Canteen	4957.23	B90308	FICA	
B19104	Unallocated Insurance	118.53	B31201	Police Personnel	
B80101 OT	Zoning OT	60.39			
B801011	ZBA Board	1603.80			
B80102	Zoning Equipment	3450.02			
B80104	Zoning Contractual	2495.85	B80101	Zoning Personnel	
<b>FROM</b>		<b>\$</b>	<b>TO</b>		
<b>Fund DB</b>					
DB513047	Hwy Sweeper/Repair	1436.02			
DB513048	Hwy Batteries	1487.61			
DB513049	Hwy Payloader/Repairs	342.42	DB513046	Hwy Filters/Truck Misc	
DB513042	Hwy Tires	1920.00	DB514047	Hwy Brush Hauling	
DB514040	Hwy Summer Fuel	300.00	DB514042	Hwy Brush Hauling	
DB90108	Hwy NYS Retirement	22050.48			
DB90408	Hwy Worker's Comp	16229.10	DB51421	Hwy Snow Payroll	19144.81
			DB514211	Hwy Snow OT	10315.88
			DB514212	Hwy Wingers	1974.44
			DB514243	Hwy Snow Fuel	632.67
			DB90608 CA	Hwy Clothing Allow	26.72
			DB90608 EX	Eyecare Reimburs	426.78
			DB90608 MA	Hwy Meal Allowan	2740.00
			DB90608 MI	Hwy Medical Allowa	3018.28

**2014 Yearend Budget Amendments**

	Debit	Credit	
A510	5117.30		
A1570	Charges (Demolition - Admin)		190.05
A1589	Public Safety Income - Charges		4927.25
A960		5117.30	
A86644	Code Enforcements		5117.30
 <b>Reserves</b>			
	Debit	Credit	
A960		269.97	
A599	269.97		
A111029	DWI		269.97
A510	1900.00		
A599		1900.00	
A2089	277 Fees		1900.00
A510	14544.00		
A599		14544.00	
A2004	Park Users Fees		14544.00
A510	1200.00		
A599		1200.00	
A2260	Stop DWI		1200.00
A599	26918.98		
A960		26918.98	
A7110459	277 Fees		26918.98
A599	5954.63		
A960		5954.63	
A168022	Equipment Reserve		5954.63
A599	1350.00		
A960		1350.00	
A90608	TPA		1350.00
A599	19309.00		
A960		19309.00	
A7110459 CF	Cicero Falcons Reserve		1559.07
A7110459 CL	Cicero Little League		8469.35
A7110459 CS	Soccer		3084.65

A7110459 NL	N Syracuse Little League		6195.93
A599	2338.52		
A960		2338.52	
A135521	Star Reserve		1338.52
A599	25697.00		
A960		25697.00	
A162040 BFI	Building Repair Reserve		25697.00
A510	2753.77		
A960		2753.77	
A3060	JCAP		2753.77
A11104	JCAP		2753.77
B599		9731.87	
B510	9731.87		
B2260	Stop DWI Reserve		9731.87
B599	5651.87		
B960		5651.87	
B312019	Stop DWI		633.50
B312019 OT	Stop DWI		5018.37
B599	1790.00		
B960		1790.00	
B90608	TPA		1790.00
<b>Yearend Budget Amendment for Grants</b>			
A510	2753.77		
A3060	JCAP		2753.77
A960		2753.77	
A11104	JCAP		2753.77
B510	754.22		
B3389G	Bullet Proof Grant		754.55
B960		754.22	
B31202G	Bullet Proof Grant		754.55
B510		21400.00	
B2705FC	Friends of the Canteen		15000.00
B2705TOC	Town of Clay Donation		3000.00
B2705TOS	Town of Salina – Youth Center		2400.00
B2705VNS	Village of North Syracuse – Youth Center		1000.00
B510		5440.20	
B599	5440.20		
B3389YB	State Aid – Youth Programs		5440.20
B510	5664.00		
B599		5664.00	
B3389CO	COPS		5440.20
B510	15845.20		
B3389YB	State Aid – Youth Programs		15845.20
B960		15845.20	
B73102	Parks Equipment		15845.20

<b>TOWN BOARD MEETING</b>				
<b>03/25/2015</b>				
<b><u>2015</u></b>				
<b><u>BUDGET MODIFICATIONS</u></b>				
<b>FROM</b>		<b>\$</b>	<b>TO</b>	
<b>A13554</b>	<b>Assessor Contractual</b>	<b>42500.00</b>	<b>A13551</b>	<b>Assessor Personnel</b>
<b>A162040</b>	<b>Town Building</b>	<b>918.05</b>	<b>A1620403</b>	<b>Hwy Garage</b>
<b>B312040</b>	<b>Police Contractual</b>	<b>500.00</b>	<b>B312055</b>	<b>Computer Software</b>
<b><u>2015 BUDGET AMENDMENTS</u></b>				
<b>Revenue</b>			<b>Appropriations</b>	
<b>B510</b>	<b>7901.50</b>			
<b>B2705FC</b>	<b>Friends of the Canteen</b>		<b>7901.50</b>	
<b>B960</b>	<b>7901.50</b>			
<b>B73102</b>	<b>Canteen Equipment</b>		<b>7901.50</b>	

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

**Recognition of Julie Raddell:**

Supervisor Zambrano: Every year the Central New York and Parks Society recognizes excellence by a professional with over five years in the field, in the field of Recreation, Parks and/or Leisure Services by honoring him or her with the **David M. Guokas Memorial Award**. It is bestowed upon an individual whose efforts and actions have made a significant contribution to the advancement of the leisure field and demonstrates active participation in community service. This year’s recipient can be seen lending a hand at many community organizations and volunteering at fundraisers and benefits. She is the catalyst behind the **Gus Macker Three-on-Three Basketball Tourney**, a major event held annually in Cicero; it makes a lot of money for the CanTeen. She has served as a Recreation Supervisor in the Town of Cicero’s Parks & Recreation Department since 2006 while working full time and continuing to give one-hundred and ten percent, and some days it’s more, she completed her Master’s Degree in Recreation and Parks Management creating and implementing the Cicero Farmer’s Market as her thesis project. To add to all of this, we were just notified last week, that Julie has been awarded the **Outstanding Service Award by the New York State Recreation & Parks Society**, she will be receiving her award on April 27, 2015 at Saratoga, New York at the State Conference. Without further delay, please help me congratulate this year’s winner of the **David M. Guokas Memorial Award**, and the **Outstanding Service Award to Julie Raddell**, a true example of what these prestigious honors represent.

The audience applauded and congratulated Julie.

A picture of Julie Raddell was taken with the Town Board Members.



Pictured left to right: Councilor Venesky, Councilor Becallo, Julie Raddell, Supervisor Zambrano, and Councilor Cushman

**Bond Anticipation Note:**

The agenda item was tabled.

**Section 284 of the Highway Law Agreement:**

The agenda item was tabled.

**Public Hearing:**

Supervisor Zambrano said there has been discussion of implementing a moratorium to study the commercial corridor between Route 31 and Brewerton.

Supervisor Zambrano stated she had proof of publication in the newspapers. She said these proofs of publications are routinely and consciously provided to her by the Town Clerk, who is very astute at getting these things done on a timely basis.

The public notice read as follows:

**TOWN OF CICERO PUBLIC HEARING NOTICE**

**PLEASE TAKE NOTICE** that the Town of Cicero Town Board will hold a Public Hearing for March 25, 2015, commencing at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Rd., Cicero, NY 13039 to consider the adoption of a six-month moratorium against the approval of new commercial and residential building and development within the Route 11 corridor from the intersection of Route 31 north to Brewerton. The purpose of this moratorium is to allow the Town to continue to study and consider substantial changes to the Town's Sewer Expansion Policy within the defined study area. By the order of the Cicero Town Board.

**DATED:** March 12, 2015

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

Supervisor Zambrano called up our Planning Board Chair, Bob Smith to introduce the topic and discuss a little bit of why a moratorium should be considered.

Bob Smith: The main reason is, after 10 years on the Planning Board, we frequently hear *why didn't we get it right* when we look at Route 31, on a consistent basis. Recently, over the last year, we have become aware of a major economic development generator just over the border; it's 1.1 miles if you measure it on Pictometry from our border. It would be a NASCAR race track, potentially a SUNY college school, a number of features that are going to attract on weekends, possibly, forty-thousand people, easily. During the week it's going to be full time racing apparently, checking with Watkins Glen, they rent their track out to race car clubs, and I guess they come down and drive these cars around, but they stay in area hotels, and eat out, and shop and things like that because a lot of them are couples and not both people can drive the car at the same time apparently. So anyway, with that in mind, and then recently we became aware of the fact that there potentially, that our ice skating rink would like to expand with another sheet of ice, possibly a swimming pool, and one of their concerns is we don't have enough hotel capacity (apparently the parents come with the kids and they stay for weekends), so at the southern end we have potentially large economic development, and then we have a huge one up and just over our border. In between Route 31 and the County line we have, and I counted them today with Mr. Hooper, the Zoning Director, we have at least seven different classifications. We are talking, this is about a 4 mile stretch of road, this town is notorious for this sort of situation, but we have R10, R15, (small pieces, but they are there) Agricultural, we have a piece of Industrial, we have P.U.D., we have Agricultural, and we have General Commercial Plus, and General Commercial; he thinks it comes out to seven. That's quite a few. Getting ready for, potentially we are going to get a lot of commercial development, and knowing that the Board has been working with trying to get the sewers connected so that we have infrastructure up there. One of the things we had the meeting with the infrastructure, Matt Driscoll, former Mayor of Syracuse, was nice enough to come, and he recommended that we do something because every agency that we deal with when we apply for money when we ask DOT to fix the road it has been consistently *what are you doing about planning*. And we haven't done a good job. Anything that comes to the Planning Board has to be considered in the venue of what the zoning is, so we can't deny something because we don't like it, we don't think it's an appropriate use, it is what it is because that's the zoning that has been assigned by our elected officials. It's tough for a developer. If you are going to come in and put \$16 million dollars into a hotel or an endeavor like that, first off, if the zoning isn't appropriate to attract those uses it adds a lot of expense because no matter how you do it they are going to have to come to this board, they're going to have to ask for a zone change, that means engineers, it means attorneys coming in and talking to this board and filing fees. Then, they are going to have to be referred to the County, and then you are going to refer them to the Planning Board and they are going to go through the process, and inevitably the zone change turns into a Site Plan Approval and it ends up being dragged out and expensive. Then as soon as they get the zone change they have to turn around the Site Plan process, which will involve a whole new set of lawyers, engineers, county referrals; it's expensive. The other concern, if you're a developer and you are going to be sinking a lot of money into the ground, is what's going to be next door. You want to have some consistency so that zoning laws aren't only restrictive, they protect the people around them; the property owners that are there. I think if you listen to seven different zoning classification, those protections are kind of weak because the reality is we have Agricultural, and I can tell you where the Agriculture is, it's on the right-hand side going north between 81, and it's a small portion. That isn't going to fly, which means whoever comes in is going to ask for a change to whatever zone they want to use at the time whether it's consistent or not; it's expensive. Having bad zoning actually inhibits the economic development that we are talking about.

The other reason is what do we want for the town, and that has to be at least the opportunity, which is what a moratorium is. I asked for a six-month moratorium, that's a fairly short period of time. I know a comment was made that *well, this is the building time of the year*, well I have three applications that would not be covered by a moratorium because they are already filed, they're already in front of the Planning Board. If you are going to develop something six months is not a long period of time. I know Dick Cushman has served on the Planning Board, our process is two to three months alone and the applications have been filed; we're in front of it. Where basically a moratorium would say *we're not doing anything*, it doesn't mean that you are changing the zoning, you may decide not to change the zoning, I'm just saying that given our past history and what we have hopefully learned from it that we're just saying to the community, to developers, we're going to try to get it right, we're going to look at it, determine it's right, determine it's wrong, if you're going to make changes making changes takes time. I mean, you guys have to, if you're going to make a zoning change you're going to have public hearings, I know you're going to have to hold public hearings (you are going to want to have everyone's input); you're required to do at least one. You're going to want a have a referral back to the Planning Board so there's going to be a meeting there; a zoning change doesn't happen overnight, and I think everybody here at the Town Board realizes that; especially we just went through the

case with the business on Taft Road (Councilor Venesky said the business was Cantech). We found their zoning was wrong. It took an added expense to his project and it must have added five months, easily. And during the course of that we found out that entire Beacon North Economic Development Plant there was zoned appropriately; it was Regional Commercial and almost nothing in there was compatible, so if they wanted to expand we fixed that. But my point is that it took time. Six months is pretty aggressive, and if you're developing at least you are going to want to know that the Town's trying to get it right and that's all a moratorium is. It's six-months. It's a narrow piece of property, four miles worth of road; I think we discussed 500 feet. It doesn't matter what the distance is on each side, but it just says that we are going to take a look at it. It isn't saying, I mean you may decide we are just going to leave it the way that it is - I can't imagine that because some of the pieces aren't even conforming. But, at least we took a look at it and ten years from now, if the area goes crazy, we are not going to have people coming back, as they should, saying *why did you do this*, that's all the moratorium does. I just want to see the Town Board and the people in the community have an opportunity to say *there's going to be big changes, how do we want to handle them* – that simply put, is why I am asking for it because Planning Board, as Dick Cushman knows, we have to hear anything that comes in as long as it's in the right zoning district – we can't change it.

Councilor Cushman said he thinks it's important to let the public know we have already contacted the County Planning and have them onboard already, so that's going to not fast track, but speed line a little bit of the process; if you have them on board and they are aware of what we are trying to do and the changes we are trying to make it makes the whole process move so much better.

Bob Smith: It does that, but it also sends a message to partners that we have; whether we want to have them along or not, it sends a message that we are serious about doing the best we can with doing the right thing. County Planning is very much on board. I know some of the board members were at the meeting, and Megan Costa from the County Planning, but she unequivocally said that this is a great idea, County Planning will work with us, she's going to the Syracuse Metropolitan Traffic Council (SMTC) to try to get them to help us; taking a look at it and studying it. And I think Former Mayor Driscoll made it very clear that the expectations of the state (if they are going to participate) was that we have a plan, and he thought that the economic development was great. I mean it's a big addition to our tax base, if we put up a couple \$12 million, \$16 million dollar hotels. And you know if someone's going to sink in that kind of money they want to know that there is consistency and what their neighborhood is going to look like; nobody wants to put \$16 million dollars into a hotel complex, maybe with a restaurant, and then next door have something come in that's going to immediately devalue their property. Possibly, one of the considerations for the Town Board would be *do we want to increase the surface requirements, or something, so that we can have some larger parcels available*. You may also want to look at a new zoning classification. I believe DeWitt has one that actually promotes hotels and restaurant. But all the moratorium does is say that you have time to look at those issues and that we can have a dialogue in the community – that's all it says. The spring applications are in, we have three.

Councilor Becallo asked Bob Smith if he could tell them more about what happened during that meeting that was on Monday with Former Mayor Driscoll.

Bob Smith said Mark Venesky organized it, but it was a good meeting.

Mark Venesky said it was a good meeting. He had had a previous meeting with Former Mayor Driscoll and talked to him about it, and then asked him (Former Mayor Driscoll was excited about the project), thought it would fit into exactly the type of projects that the Governor was looking for and he asked him if would help us, if he would guide us, or give us some guidance. Former Mayor Driscoll offered to come and have the meeting, we called a workshop. We had the Town Board together, the members who were here, along with Megan Costa from Onondaga County Planning, Bob Smith, Former Mayor Driscoll, Legislator Kathy Rapp, and Legislator Tim Burtis, the Supervisor, Councilor Dick Cushman, Councilor Conway and our Town Engineer, Steve Snell.

We talked about:

- what we wanted to do or what we were thinking about,
- the potential economic impact of that race track going in on the other side of the river (to Bob's point, it was agreed that 40,000 to 44,000 people per event was within the realm of possibility),
- the sewage capacity with the Brewerton Sewage Plant,
- we also talked about the plant, the Governor had given a \$1.2 million dollar grant to the Town of Hastings to improve their sewer facility,

- we talked about a regional initiative, if that was possible, although that did not seem to generate a lot of interest or possibility,

and basically, Mayor Driscoll was very excited about it; he suggested that what we needed was to put together an engineering plan that laid out what we wanted to do, and I believe that County Legislator Rapp was going to get us an Economic Impact Statement (believed that one had existed with the Donnelly people in Hastings) and she was going to reach out and see if she could get that, and we would include some of those numbers in the proposal that Steve Snell is putting together for us. Councilor Venesky said it was a very positive workshop and he thinks people left with a very positive attitude about this potential project.

Councilor Becallo said how much is that proposal going to cost.

Steve Snell: We haven't started developing any proposal yet. We are trying to work with the County, we are asking for some direction on what the application would consist of. So, once we have that we can determine what would be required to develop the cost estimate for it.

Supervisor Zambrano said this is just the start of the process, so that means what Councilor Venesky has organized was to put, the starting point (she thinks), to get everybody together talking about the same topic and making sure that everyone wanted to move in the same direction, so as Steve said plans will be developed.

Bob Smith: Whether the sewer moves forward or not, my point was that you should look at the zoning. I think it's probably going to be very helpful to you that you've looked at it and you can document that we've actually studied the zoning; especially with the County Executive, County Planning, the Waste Water, and Environmental Protection. But for us, even if that wasn't to occur, I think we still would want to try to control, plan, and benefit the most from this opportunity – that's the point.

Councilor Venesky said we have not taken a look at it in the time that he has been here. We haven't had a good long-term plan, he thinks, for the Town of Cicero and he thinks we would all agree that we are well overdue to put together a long-term plan as to where we need to go, and where we need to go economically in this town.

Bob Smith said we did have a Comprehensive Plan, and it is available on the website, but when that plan was done nobody was anticipating a NASCAR race track, a SUNY school, within just a little over a mile of our border. And the \$1.2 million grant, according to Mayor Driscoll, gets the sewer plant up there large enough capacity to handle the race track itself.

Councilor Cushman said that's it.

Bob Smith said that's it.

Councilor Becallo asked what type of SUNY School is it going to be.

Councilor Cushman said SUNY Oswego is going to put in...

Bob Smith said SUNY Alfred is contemplating; they are working on the culinary part of the school and the automotive, which really would seem like a perfect fit. He thinks they are probably looking at that because if you are within ten miles of a SUNY School, or so many feet, it's tax exempt all of a sudden, but that's an Oswego County issue; it's not ours. But, if we have the infrastructure we can use it to the Town's best opportunity – that's what this is about.

Supervisor Zambrano said the SUNY idea is not definitive; she doesn't want anyone to think that's definitive.

Bob Smith said no it's not, it's contemplated.

Supervisor Zambrano said one of the projects that maybe Bob Smith is referencing, talks about wanting to put a 2 inch forced main sewer line in, which future development would prohibit tie-ups and tie-ins into that. So that's why she thinks this sewer project is very important. She asked if the Comprehensive Plan talks about sewers at all, putting sewers in on Route 11.

Bob Smith said he didn't recall.

Supervisor Zambrano said she didn't recall either.

Bob Smith said that would be the fourth project, but as he understands the State DOT would have to use the state highway right-of-way to install this forced main sewer; which would be a private sewer.

Supervisor Zambrano said a private sewer on a state highway is one of the things to consider as we go forward with this study.

Bob Smith said New York State DOT didn't seem too excited about having a private sewer in their right-of-way.

Supervisor Zambrano said it just points to the fact that the Town needs to be more definitive about what they want to see as far as economic development and zoning in that corridor.

Supervisor Zambrano and Councilor Venesky thanked Bob Smith.

Supervisor Zambrano solicited any Board comments before she opened the public hearing.

Board comments: None

Supervisor Zambrano opened the public hearing at 7:03 p.m. for those people who wanted to comment either for, against, or just to comment.

PJ Potter of 8662 Brewerton Rd., (Route 11) said he had several concerns. He said this moratorium is supposed to be about studying the sewers, but yet we have seemed to turn it into the zoning. Whereas, the corridor is already a commercial corridor and we have a zoning board of appeals, and he understands the process that he was speaking about where somebody would have to go through several processes to make something happen, but we already have that in place. He has lived there all his life and they put sewers through, up to the Commons area at Meltzer Court, back in the 90s and there has been nothing that has happened since those sewers went through. So if this moratorium is about sewers, why aren't we going from Meltzer Court north with the moratorium versus going all the way back to Route 11 is one question that he has a concern with.

Supervisor Zambrano commented that she didn't think the moratorium is just about the sewers.

PJ Potter said well that's how it was presented.

Supervisor Zambrano said it's not just about the sewers; it's about studying the zoning that's there and the sewer project actually was being discussed before the idea of a moratorium came into effect (she thinks that's correct).

Councilor Becallo said the public hearing actually says: *The purpose of this moratorium is to allow the Town to continue to study and consider substantial changes to the Town's sewer expansion policy within the defined study area.*

Bob Smith said exactly.

PJ Potter said and as the corridor is already designed as a commercial corridor; there's a lot of structures that have been there for well over fifty years with the same usage. He is just concerned that by looking at all these zoning changes that you're going to put a tax levy on top of whatever the current rate is, until the usage change, he doesn't see as that would be fair to the current owners of the existing properties with what tax rate base they are paying right now. Also, should the Town be speculating on private properties? In the past they've had some projects that didn't work out very well; the Twin Rinks for example. And with an expansive corridor on Route 11, what about the Route 31 traffic corridor and the already heavy load of traffic that's on that corridor? Will that handle any more traffic to get traffic to Route 11 without substantial work on that? And it seems like we're speculating on something that's happening in a totally different county that already has a sewer that they're going to be put in place with a lot of vacant lots right north of where the race track is going to be. In last week's minutes they were talking about infrastructure and bringing jobs into the town. He asked if anything happened about the Northern Boulevard industrial corridor to try to promote that area to bring jobs into the area as well. Finally, just in reflection of the past issue regarding the whole mess with the fire district and the fire protection district, and several of these big-box stores that kind of beat the fire district tax by the setback from the road, he thinks that should also be addressed if you are looking at it in this Route 11 corridor so somebody doesn't get a free ride from the fire district tax versus paying the fire prevention district tax.

Judy Boyke said she was speaking against the moratorium. First of all, reason being was that it was misrepresented in the public hearing, not stating anything in regards to zoning, therefore, if anyone were to look at this notification they would not have any idea that you were speaking about zoning. She said there's truly no clarification for the specific sewers that we are talking about, it says Route 11 corridor to Brewerton, as so stated by Mr. Potter. There are already existing sewers on one end and Brewerton has existing sewers from O'Mara Drive all the way to the bridge. Therefore, the corridor has obviously narrowed extensively. She was fortunate enough to be checking the website and did find the meeting of the 16<sup>th</sup> of March. She was amazed that Mr. Becallo wasn't there; every other single board member was there. The notice stated that it was a Town meeting. Judy Boyke told Mr. Venesky that in the minutes he said that they're having another meeting on the 16<sup>th</sup> and the Governor's representative will be here by request. She told him that she is really surprised that if this was such a meeting of interest that he did not bring it up and invite the public that was sitting at the meeting; she did hear him say that, that is why she went in to check what that meeting was.

Councilor Venesky told Judy Boyke that it was a public meeting and in fact, she attended it.

Judy Boyke said that she did, but she only found it by accident. She really thinks that it would have been an interesting meeting for others to attend because she did take some notes. She said she'd like to know first of all, how many cards were sent out to any of the residents that would be affected by this sewer or zone change, and who sent them out.

Supervisor Zambrano asked Tracy Cosilmon and Bob Smith if they knew.

Tracy Cosilmon said she was not asked to.

Judy Boyke said so no one on the corridor was notified of this public hearing that is going to affect their livelihood.

Councilor Venesky said there was a public notice.

Judy Boyke said she understands that.

Councilor Becallo said he also realizes that there was a public notice, and he did not want to fight with anybody or anything, but he didn't find anything in his mailbox. He found out from Judy that there was a meeting on Monday. He found out on Monday, the day of the meeting. And, he knows there are mishaps that happen, he understands. He's not accusing anybody of anything, but he would have wished we would have made that more public because again, we are supposed to represent the community and transparency is what we are supposed to be about - that's not. He said that there could have been a mistake made and that's fine.

Judy Boyke said well, the statement was made in the minutes that cards would be sent out – so they weren't.

Judy Boyke said listening to the public, our representatives, Mr. Driscoll stated, because he said that the most important thing is who is going to pay for these sewers and he reiterated that several times. Because he said certainly these new big-box, or whatever, that you are anticipating coming in does not plan on paying for that all by themselves. He also made the statement, because you looked to him for financial help, and first of all he said you must have a comprehensive plan. Mr. Snell was there and he was spoke to about it. She was surprised that there was nothing on the board meeting tonight that said anything about where are you going to get the money to pay for that plan, no less not start it if this is such an important situation. Mr. Driscoll also said that if and when this plan has been written, looked at, accepted, and proposed you will go at the bottom of the list; that means Cicero will go at the bottom of the list of the money allocating, and he said that would put you three years out right now. So looking to the state, or anyone to help us put these sewers in is far and few in between.

Judy Boyke said Kathy Rapp spoke of the pumping stations, and Oak Orchard has not been fully cleared to accept any more to its capacity. It was also stated that Brewerton is undersized and a new pumping station would have to be built in order to accommodate the sewers.

Judy Boyke said a couple of things that she looked up in regards to the sewers (and she found it interesting as she went through all of the zone changing), and she really would like to know looking at zone changes, and we are talking about the process and how long it takes, obviously looking at it, and no one has proposed that there would be no reason for a moratorium because anyone who shows an interest, they are already three months out even if they are thinking about it. And the fact that there was some spot zoning done on the corridor of Route 11 last year and it was pretty interesting because J&J Equipment applied for a zone change just to move their

business across the street only to find that they couldn't do that because it was a brownfield, so that never happened after the zone change was made. The ice rink has sewers, and their sewers they pay 13.14 units or \$5,403.04 for their sewers. Now a brand new project in Cicero is the Mandorla Cottages. There are thirteen (13) buildings with several residents. There is only one unit that they are paying for at \$411.00 for the sewers. Does anybody have any idea why, or obviously they were given an exemption, so that tells us that any big-box coming in will be an exemption; that's the only way that they're going to be baited to get here.

Judy Boyke said she really thinks that the other situation is that Mr. Smith, along with herself, are realtors. Mr. Smith is Chairman of the Planning Board. She doesn't think that it is a good idea for the Chairman of the Planning, with the opportunity that he has in regards to businesses coming in here and an opportunity to capitalize on commissions that he should be this close to the zone changes and making these decisions, forcing people to not be able to go and apply, even when zoning is correct, to even put up a garage. That they have to go before the Planning Board and it is controlled; their livelihood is being controlled. She believes that it is darn close to being a conflict of interest.

Councilor Venesky asked Bob Smith if he wanted to speak to that. He said they've covered this ground before; as far as conflicts of interest and where Bob Smith stands as the Planning Board Chairman.

Bob Smith said he would love to speak about that because Mrs. Boyke served as Supervisor while she was a realtor and representing residential real estate, which she knows that's all he has ever represented. There's nobody building houses, he has never done a commercial transaction in his life; he wouldn't anyway because he has been serving on the Planning Board for ten years, so he doesn't even do them in other towns. He said Judy Boyke knows that. He understands that Judy Boyke may be against the zoning but this was not even suggesting what the zoning should be, and she knows that. There was no discussion in the meeting about big-box, because big-box is a great scare tactic and it's just great to say. He heard all the conversation about hotels, restaurants, things that would service the industry, and by the way, would bring a large tax increase; we've gone through this. If Mrs. Boyke has no issue with her serving as Supervisor (who does make the zoning changes) the Board does it, the Planning Board doesn't; everything the Planning Board does is according to law and is subject to review by the New York State Supreme Court. Bob Smith said he knows a developer who wanted to put in a Homeowner's Association, who wanted to do a condominium association from Rochester, and he knows that he was called into her office and told that he was going to have to do a homeowner's association because that what she wanted to; that's improper. She's a realtor, she is. She knows people who know about real estate should be involved, but for her to even suggest (and he has worked with her for twenty years), it's absolutely...to prove her point to say that 'oh because he's a realtor, he shouldn't be involved with the Planning Board', well, that should also go for a supervisor – and that's wrong.

Councilor Becallo said so is this public hearing about the sewers or the zoning changes.

Bob Smith said it has nothing to do with the sewers.

Councilor Becallo said then why does it say "sewers".

Bob Smith said he didn't write our agenda.

Councilor Becallo said he was not complaining.

Bob Smith said he knows, but he is a little upset about. All he has ever talked about was he wants the community to talk about the situation. You have seven different zoning situations; some of which don't even work for any development, in one corridor that you know you're going to have economic development in; it seems that we should at least have a conversation.

Councilor Becallo said so basically, what we just talked about for the last half an hour has nothing to do with the agenda item that's currently on the piece of paper (the agenda that was in front of him).

Bob Smith said the moratorium was what we are talking about; not the sewers.

Councilor Venesky said we can make a million excuses why we can't do anything. He was born and raised in this community; he has lived here all his life. He has three grandchildren, and he has one son left who lives here. And all you read in the newspapers and all you hear is why we can't do things, why it can't happen, why we can't make things happen, why we can't grow, nada, nada, nada, nada. Well, let's turn it around, because if you take a look at the Town of Cicero and you compare it to the rest of the county we are a little bit behind in our long-term

planning, in the outlook of where we want to go and our tax situation, and what kind of town we want to have. Do we want to have a discussion? Do we want to sit down and have a comprehensive, intelligent plan that's put together by all of us as to where we want to go and what we want our community to be; whether we want it to stay in neutral, keep going in reverse, and come up with reasons why we can't, we can't, we can't.

Councilor Venesky told Councilor Becallo that the sewers are part of the issue; without infrastructure this town will not grow commercially, period. That is not Mark Venesky's idea.

Councilor Becallo said he was not arguing that point. We just had our Planning Board Chair up here talking about...

Supervisor Zambrano said just a minute, one person at a time.

Councilor Venesky said the County Planning brought up a good point. Former Mayor Driscoll brought up a great point; he said you know you really got to take a look at the zoning around that to make sure that whatever you do is done intelligently, correctly, and with a lot of thought and input. Councilor Venesky said he thinks we ought to have the moratorium. He thinks we ought to have the county planning; we have to do that before county planning will come in and take a look at it all and then make recommendations to us as to what we want to do, and we will make an intelligent decision together on what we want our town to look like.

Councilor Becallo said he wasn't arguing. He just wanted to make sure that the agenda matches that.

Mr. Potter asked if we are going to look at the moratorium for the sewer plan, or are we going to look at it for the zoning plan.

Councilor Venesky told Mr. Potter his understanding is we are going to bring in some people who are pretty smart, who know their business and know their discipline, and they are going to take a look at it for us, and they are going to make recommendations as to what they feel we should do. He said the race track is coming. We can take advantage of it, or we can choose to stick our head in the sand; it's up to us.

Mr. Potter stated that he had looked at a lot of large race tracks as well, and...

Supervisor Zambrano told Mr. Potter that he needed to come up [to the microphone] and not speak from his seat.

Mr. Potter said he has also been to several large race tracks, which if you drive right by the race track you don't see anything; the town has grown around it. A lot of these fans come in with camper trailers; they park on the grounds, they get their services from the race track itself, so to speculate that everything is going to grow our direction versus that little hub right there in Hastings where the track is going to be; where there is also plenty of room for expansion with vacant land up there; that's a lot closer without coming back over the bridge in Onondaga County. With cheaper tax rates in Oswego County to start with, he's just saying that he thinks that it's being based on speculation at this point. He doesn't disagree with looking at it and trying to put a plan together, he'd love to cash out; he has twenty-five acres he'd like to cash out on and go retire in the Bahamas.

Councilor Venesky said he and his wife have been to a number of NASCAR races and the Hampton Inn and Days Inn like to see them when they come, and if we don't have those where do we have to stay in, and he thinks people will as well. He agreed with Mr. Potter that you do have a large camper population, he wasn't disagreeing with him; they are on the same side. He told Mr. Potter he doesn't believe in luck.

Mr. Potter said but just to jump right in and go after the zoning changes and maybe look at raising the taxes with nothing be developed yet, on speculation, he thinks is wrong.

Supervisor Zambrano told Mr. Potter that this is part of the planning process.

Mr. Potter said this is why he is putting his two cents in.

Supervisor Zambrano thanked him for that. She said people are coming to a lot of conclusions and speculating you know, and it's an opportunity to take a look to see what it is that we want to do; what the town should do. Planning, she thinks is all important and there has been precious little planning in this town.

Ray Schader said he doesn't know anything about the zoning, and he has no idea what you get out of each one. He asked what is going to be done with this moratorium. Is it going to take six months? And if somebody wants to come and build something there are they going to put his name on the list, and say well when we get this list done we are going to see what kind of zoning we are going to put in this area? Is that how that's going to work?

Supervisor Zambrano said there are seven zoning districts out there and she thinks it's an idea that maybe we need to reduce that, a moratorium is a moratorium, but applications can come in but they won't be processed until the end of this moratorium is passed; we haven't passed it yet, so we are prepared to make a resolution, she thinks tonight to impose it. So applications will come in and they will be on hold for the six month period of time if this passes. Hopefully, we will get a better idea of the direction the town wants to move in to develop their corridor.

Ray Schader said last year there were people were complaining because their property was commercial and they couldn't get the insurance on it and we made changes to take care of that, or something. Is that what happened, he's not sure, all he knows is what he heard in this town meeting.

Supervisor Zambrano said she didn't remember the specifics.

Ray Schader said they've got a house there, they can't get insurance on it because the banks won't give them insurance if it burns down or something. Is that what's going to happen? If you make that all again commercial then the same thing is going to happen. He said he doesn't have the answers to this, he just has the questions.

Supervisor Zambrano said we don't have the answers yet either, that's why we want to take a look at it. She thinks that's a fair statement, we just want to take a look and see where we want to go with it.

Bob Smith said Mr. Schader's point is well taken. There was a situation, as Mrs. Boyke is aware, all of us in real estate have faced, it affects, if you're zoned commercial and you have a residence; and unfortunately that has happened in a lot of places in the county where we turned, like Route 31 or Route 11 that was a fairly quiet, country road, state highway, has turned into more of a commercial corridor. When someone's house would burn down they would have to get a building permit to come back in and we couldn't issue a building permit because it would be a non-conforming use. The Town Board, Jim Corl was the Supervisor, fixed that because someone else was also trying to transfer title to their home and people would go out and mortgage, well nobody would take the loan because if the house burned down there was no way to rebuild it so it wasn't possible for the insurance. The Town Board, he doesn't know the exact mechanism, but they fixed that. So, if you are in a non-conforming use and you live in your house and it burns down and you transfer your title there is a mechanism in the Town Code's Office so that could be fixed and people could mortgage their property and sell it and if there was a catastrophic fire they could rebuild their home. They may not be able to expand the use, because we don't allow anywhere in this state to expand a non-conforming use, but you could rebuild the non-conforming use and that was the change in the Town Law, to Mr. Schader's point, and it left a lot of people, they couldn't sell their homes, but that existed, and with all the mortgage changes it really came to light. So that was fixed. And again, he wanted to reemphasize we are not deciding what the zoning is. All we are asking is that we have a discussion. Those people who are against the zoning should come in and hear it if there is a change even promoted. But, we ought to have the opportunity to discuss it as a community. He said he is not recommending any zone changes. He is not recommending that we don't make any zone changes. He is not making any recommendations except that we talk about it before we get in the same situation as we have on Route 31. It's ridiculous to wait until the train's passed just to say I want to get on. That's all that he is asking is that we look at it as a community, both sides, for or against, maybe some of the changes people will like, maybe some they won't, but we ought to at least talk about it because we know that there are changes coming - that's all this is. This is not about deciding where we are going to put sewers, or where we are going to change this zone. You have some stuff, you should look at it because you can't even use it because it's a non-conforming use; the lots aren't even big enough. That's all that this is about, us having a discussion and having an opportunity to come up and say what we want - that's all that this is about.

Supervisor Zambrano thanked Mr. Smith.

Don Snyder said he has a little problem with what we are doing. He did not read the notice; he didn't care about zoning on Route 11 so he wasn't aware of that. But if normally (sitting on the Zoning Board of Appeals), we know that if someone wants to change something and they are coming to us, the people around them/across them/behind them are informed and they come to a meeting and they listen to what we are talking about. He is just wondering if this needs to be

postponed for one meeting, and that we need to put a notice out that is very clear what it is that we are doing and at the same time send the people that are the property owners that will be involved in these changes are aware. Nobody may show up, but as we have said we have tried to be as clear as we can with what we are doing, and it sounds right now that there is a possibility that someone could come to us and say *no I didn't go to the meeting because I got a septic system and I don't care about sewers, but I do care about the zoning on my property*, and he's just concerned that maybe we goofed up and maybe we need to say we made a mistake in our notice that we put out; we need to be a little clearer with that. He definitely thinks we need to look at the zoning; he doesn't have a problem with that, and he knows that you've got to look at that before the sewers, but he's just wondering if we ought to really think about take a step back, yep we are going to do this, but let's make sure we do it so everybody that's going to be affected is notified just like we do with any other ZBA situation.

Supervisor Zambrano said there have been made many good points made tonight, and she thinks those will all be taken into consideration. She also believes that as we go forward with this study that there will be more public hearing; this is not going to be the end of the opportunity for the public to comment.

Deborah Gardner: – I am against the moratorium for different reasons. Let's look at past actions. On April 23, 2014, when Mr. Becallo's business partner complained about the code for signs and how they inhibit him from putting up signs for his business, which is located in Syracuse, the town voted 4 to 1 to put a temporary moratorium on those laws and take a look at the laws. Here it is 11 months later and the town has yet to take formal action on these codes. Now, how is this moratorium really any different? The Town of Cicero Town Board, please note that's plural, drag their collective heels on such things and has for years. Also, what is the purpose of the moratorium if waivers can be issued? This may result in accusations of favoritism or conflicts of interest. Have your study without the moratorium, please.

Supervisor Zambrano said I think we have clarified Ms. Gardner that there wouldn't be waivers; if the moratorium was imposed there would not be waivers.

Councilor Becallo told Bob Smith he said at last meeting, that he believes that we could have waivers.

Bob Smith said you could.

Councilor Becallo said then why even do it. This whole thing, this needs to get dragged on...

Supervisor Zambrano said it's a moratorium, it's a moratorium, and it's a moratorium.

Bob Smith said if you choose you can put waivers in, but that's a Town Board decision; that's an avenue you could pursue or could not, but either way it's your choice.

Supervisor Zambrano said we will figure that out later.

Councilor Becallo said we'll go about it and figure it out later, like we always do.

Someone said you can make an exception.

Tracy Cosilmon said it's in the local law.

Neil Germain said he thinks what you are talking about is not necessarily a waiver term, it's a hardship exemption.

Mrs. Boyke thanked Deborah Gardner. She said she appreciated the fact that she said it would be better to have the discussion without the moratorium; she wholly agrees. She said first to clarify Mr. Smith's accusations.

Supervisor Zambrano said she really doesn't think that we need to get into these...

Mrs. Boyke told Supervisor Zambrano she appreciates it, but she needed the opportunity to make one statement and she would not drag it out. Mrs. Boyke said first of all, it was hearsay she is sure that Mr. Smith had. She did not ever have anything to do with a homeowners' association anywhere. The issue is dead as far as she is concerned, that it was nothing more than hearsay. But, she really believes that because we are talking about a moratorium for zoning, and furthermore, there are no zoning people here to even answer any of the questions. She thinks that it needs to be delayed, and be effectively notified to anyone that is involved because in the real estate business we have something called "fair housing", you cannot pick your neighbors. So she

thinks we should be more fair to the public and look at this and truly be voting on something that we are here for to vote on.

Owen Pugh from Shady Pond Drive in Brewerton is a small business owner, looking to purchase a property in the corridor; looked at several pieces of property for sale. He heard about the potential moratorium and he's not interested in buying any of them; he is sure this has been beaten around. He said what about the property that is for sale? What about the people that are selling the property? Some of them may not have six months if the moratorium goes through; nobody is going to want to move up there because nobody can get a building permit for any improvements. He asked if the Town Board has addressed any of this.

Councilor Becallo said no they haven't.

Owen Pugh said so is it possible to come up with this plan and this study without a moratorium.

Councilor Venesky said based on what he has been told, no. Our State representative and our County representatives he thought were pretty clear that this was a good idea, and a good first step, and to get Megan Costa of Onondaga County Planning engaged; she thought this was a good idea. He said we are not looking to change any zoning. We are not looking to harm anybody. But to Bob's point, and to some of the others point earlier, we need to move forward. We need to take a first step. We need to open it up where we can have some people come in and take a look at our zoning, take a look at where we need to go, make some intelligent recommendations and then we'll have public hearings. And people will tell us, and people will decide where we want to go, but if we say no we are not going to have hearings, no. We want you to come and take a look at our zoning. We want you to make some recommendations, but we are going to dictate to you the terms of your engagement, at your cost to do that - he doesn't know if that's really fair. He told Mr. Pugh he understands his point, they are not there to harm anybody.

Owen Pugh said it should be brought to light that there's a lot of property for sale in that corridor.

Councilor Venesky said yes, there is.

Owen Pugh said what happens to the property owners that are trying to sell this property.

Councilor Venesky said he didn't see where it would prohibit anyone from selling anything. And actually, if the County and the State of New York agreed to help us and put sewers in and help develop that corridor you are probably going to, he would guess; help pop the value of that property.

Owen Pugh said he would imagine, but he is looking to buy a piece of property now. Not in six months. He is looking to buy a piece of property now so obviously it is going to take a little bit of time to close and things like that, but he wants to pull a permit.

Councilor Venesky told Owen Pugh that he thinks he has to look at the greater good.

Owen Pugh said good enough.

Councilor Becallo said the "greater good", we just sent a business packing. He just wanted them to know that. He said good luck in Clay.

Supervisor Zambrano closed the public hearing at 7:39 p.m.

Supervisor Zambrano asked the Board what there will was. She said there have been several suggestions made, one that we not go into a moratorium at this point, one that we delay it until there are appropriate notices, and she is not sure whether notices were mailed out or not.

Councilor Becallo said our citizens have spoken this evening and not one has said anything positive.

Councilor Venesky said they had a couple of citizens speak. He said first of all, there was notice of the meeting, it was published notice. We also had a public meeting and workshop here that was open to the public.

Supervisor Zambrano said that was also published.

Councilor Venesky said that was published as well. He said yes, he is all for it and he would take the vote tonight on the moratorium going. At least it gets the process going, it gets Onondaga County engaged. It allows us to have an intelligent plan, and some intelligent recommendations

developed and presented to the Board and then presented to the people of this town. We have too many times we have people saying why we can't do things; he has a million excuses of why we can't do things. He wants to start hearing how we can do things. How can we make it better? How can we grow? How can we develop win-win situations for the town and the people who live in it, not why we can't do it. He's saying let's make that first step tonight, and ask the County to come in and help us.

**Resolution:**

**SEQRA:** Councilor Venesky moved the adoption of a resolution that the adoption of Local Law 1 of the Town of Cicero enacting a six (6) month moratorium prohibiting any new zoning or building requests in the Route 11 corridor as described and presented to the Board is a Type II action involving no other permit granting agency outside the Town. The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an EIS. (Environmental Impact Statement)

Motion was seconded by Councilor Cushman.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo voting no.

Councilor Becallo: I am opposed for the reasons I stated above. We did have citizens show up tonight and not a single one has suggested anything positive in this motion, or approved it anyway.

**DECISION:** Councilor Venesky moved for the adoption of a resolution approving Local Law 1 of the Town of Cicero enacting a six (6) month moratorium against any new zoning or building requests or other construction related activity as more particularly described in the proposed Local Law provided to the Board. The purpose of this Local Law is to allow the Town time to further investigate and study issues related to the Town's sewer policy within the defined corridor as well as to receive and consider implementation of formal recommendations for possible changes to the Town Code.

Motion was seconded by Councilor Cushman.

Ayes – 3 and Noes – 1. *Motion carried.* Councilor Becallo voting no.

Councilor Becallo: I am opposed for the reasons I stated above.

Supervisor Zambrano said the record will show that Councilor Becallo opposed both motions.

**Personnel Matters:**

- **Parks and Recreation Department**

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

- A. Employment of Alexis Davis and Rachel Lingenfelter as Recreation Attendants at a pay rate of \$8.75/hour effective April 6, 2015
- B. Employment of Jennifer Foley as Recreation Leader at a pay rate of \$10.00/hour effective April 6, 2015

Motion was seconded by Councilor Becallo.

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

**Highway Department:**

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

- \$2,227.18 to Grainger for EZ deck shelving units and additional shelves for stock room

Motion was seconded by Councilor Becallo.

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

**Parks and Recreation Department:**

Supervisor Zambrano moved the adoption to approve the following:

- \$1,141.25 to Lowes for Field Marking Paint (CNY CO-OP Purchasing)

Motion was seconded by Councilor Cushman.

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

**Planning Board:**

Councilor Cushman moved the adoption of a resolution to appoint Greg Card as Ad-Hoc member for the Planning Board, effective immediately through December 31, 2015. Motion was seconded by Supervisor Zambrano.

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

**Police Department:**

**Councilor Venesky** moved the adoption of a resolution approving a Change Bank in the amount of \$20.00. Motion was seconded by Councilor Becallo.

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

**Discussion Items:**

Supervisor Zambrano said there were no discussion items.

**Parks & Recreation 50<sup>th</sup> Anniversary:**

Supervisor Zambrano announced that April 2, 2015 we are celebrating the 50<sup>th</sup> Anniversary of our Parks & Recreation Program. There will be a celebration at the American Legion from 6:30 to 8:30 p.m. and everyone is invited.

**Schedule a Special Town Board Meeting for Monday, March 30<sup>th</sup>, 2015:**

Supervisor Zambrano made a motion to schedule a Special Town Board Meeting for Monday at 9:00 a.m. [March 30<sup>th</sup>] in order to consider the items that we tabled tonight, that is passage of a bond anticipation note for the Highway Paving Program and to also consider approval of the Section 284 Highway Agreement for Road Paving for 2015.

Councilor Venesky asked Supervisor Zambrano if she would have the paperwork done by Monday morning, if everything will be in ready for the vote.

Supervisor Zambrano said well we hope.

Councilor Becallo said he had a quick question on that. He told Mr. Germain he didn't know if he could answer this one, but tonight as-is, how many people would have to vote yes for those to pass.

Supervisor Zambrano said Councilor Becallo was talking about the bond anticipation note.

Neil Germain said three.

Supervisor Zambrano said no, four. We need a super majority so we need four.

Councilor Becallo said "Is that the true reason why we didn't vote on this this evening?"

Supervisor Zambrano said the paperwork isn't completed. She is assured that we will have the paperwork no later than Friday.

Councilor Becallo said "Is that why you are having it at 9:00 a.m. in the morning, because you know I won't be here?"

Supervisor Zambrano said she hopes to have the paperwork Friday afternoon. She said we could have it Friday afternoon at 4 o'clock, but she thought 9:00 a.m. would probably be better.

Councilor Becallo said he would appreciate 5 o'clock or 4 o'clock on Friday.

Supervisor Zambrano said she had already made a motion to have it on Monday at 9:00 a.m. on Monday. She asked if there was a second for that.

Councilor Cushman seconded the motion.

Ayes - 3 and Noes - 1. *Motion carried.* Councilor Becallo opposed.

### **Public Input:**

Carol Pardee said three of you have shown us tonight that you don't care about the taxpayers, and I thank Mike Becallo for paying attention for the taxpayers.

Deborah Gardner: There are three items I'd like to bring up. First, Mr. Venesky, how are you and the rest of the board going to act on the sign issue? Please notice the way I've worded it.

Councilor Venesky said they were prepared to take action on the sign issue, and unfortunately Mr. Becallo was unable to attend the last workshop meeting.

Councilor Becallo explained that his dear friend had passed.

Deborah Gardner stated the second up is last week I sent an email to all of you on the board regarding the letter sent to the New York attorney general and the New York State comptroller regarding the Ethics Committee report. Now I had FOILED the letters and the Town Clerk's office does not have a copy, at least not as of last week. I heard only from Supervisor Zambrano; she does not have the letters. May I please have a copy of these letters?

Councilor Venesky clarified I will always tell you the truth. When those letters were typed...

Deborah Gardner questioned typed?

Councilor Venesky stated yes, they were typed.

Deborah Gardner asked on a typewriter?

Councilor Venesky stated I am assuming, or a word processor or whatever Tracy uses. I came in with notes. I had no formal letter. It was not on letter head. I wrote that up; both of the letters and shared them with other members of the Board in private telephone conversations and then brought those to Tracy to be typed up. Unfortunately, and this is really what happened, they got mailed out (he told Tracy he didn't think she had a copy), I don't have a copy. The only thing I

have, because Tracy called me after your foil request and said "Mark can you, do you have copies of the letter. I didn't copy them," and I said let me look for them. I said "I'll check because I have a home office" and I went ripping through stuff and I said "I don't have them, all I have is the notes," and that's the truth.

Deborah Gardner stated well, I find it hard to believe that this day and age that it's not on a hard drive someplace, or if it was accidentally deleted it might be in the recycle bin, or backups are made, I believe nightly, so I am sure that letter is out there.

Councilor Venesky stated I can't speak to it. The only thing that I had were my notes, they were signed by the other councilors and off they went. So I only had my notes.

Deborah Gardner asked would anybody please check with who is ever in charge of IT (Information Technology) to see if you can retrieve it off of the computer's hard drive or from a backup file.

Councilor Venesky asked if that was possible.

Supervisor Zambrano said it's possible.

Tracy Cosilmon asked Councilor Venesky if he had a copy of his notes.

Councilor Venesky noted he does have the notes.

Tracy Cosilmon clarified the letter itself I didn't personally do, someone else did in my office on a typewriter.

Councilor Becallo asked aren't there some documents that you have to use a typewriter for?

Tracy Cosilmon responded there are.

Councilor Venesky stated we are not attacking Tracy. People make mistakes. I make mistakes. But we correct the mistakes and move on. Talking to Tracy, I honestly believe I brought in notes, she had it typed up and off they went.

Supervisor Zambrano added let me say something here. Those letters were about me. I was assured that I would get copies of those letters and I never did.

Councilor Venesky noted that he did not get copies either.

Deborah Gardner told Supervisor Zambrano I will FOIL them and make sure that you get a copy. My last issue is a little long. It is called a minutes.

Deborah Gardner read the following regarding the minutes:

There are errors in the minutes of March 11, 2015. During the discussion of a public hearing for a moratorium, Bob Smith stated: "We think there is a fifth industrial but we haven't located it" as opposed to what is written "they think there's a fifth, that they have to go to regarding that corridor." He also stated that "The Department of Transportation's biggest concern with Cicero, when we go to them for help is that we don't have a plan," not "we don't have the funds", as stated in the minutes.

Bob also stated: "That's the reason I have done planning for as long as I have. Every day I open my mailbox and we just...today's call was for a used car shop and a storage facility. But every day, not every day but at least 3 or 4 times a week..." In the minutes, this statement is described as "inaudible."

Councilor Becallo said he did upwards to 50 projects with the aesthetics of race tracks and sports facilities. What does the use of "aesthetics" mean? What he actually said was "50 projects or studies of race tracks and sports facilities." Also, what was "inaudible" in the minutes was actually "in the long run."

There was quite a discussion about Watkins Glen and a little Talladega thrown in. The entire discussion was left out. Because it was omitted, readers of the minutes will not know that Councilor Venesky is a car guy.

Mike asked, Councilor Becallo asked: "What's the point of the moratorium?" The minutes has this statement as "inaudible."

Mr. Venesky stated: "then we can go to the State and tell them that we have done due diligence, now we want..." and then the minutes reflect that the end of his statement was inaudible. Well, he said "Now we want your money." He further said that he had been advised that was the proper way to do it.

Now I didn't go through the entire discussion 'cause that's enough. But I did go on a little further.

Further in the minutes state that Councilor Conway moved for the adoption of a resolution to approve an amount "Not to exceed \$8,000 to Environmental Products & Services." If you listen to the audio, Mr. Conway stated "not to exceed \$88,000." And you all voted "Aye" to this amount.

I understand the intent of the resolution but no one corrected him. Also, the Town Clerk has informed me that "The resolutions are normally written as they are presented at the meeting." Yet you all voted to accept these minutes as accurate.

At the May 28 and June 11, 2014 board meetings much ado was made about a change to the minutes of March 14, 2012. The change in these minutes was handwritten and initialed so it is obvious to the reader that a change was made. In these recent minutes, the Town Clerk has arbitrarily made a change or changes and once the audio recording is destroyed there is no record of what was actually said.

What other small or large changes have been made between the spoken and written words that you all blithely approve?

I suggest that you urge the Town Clerk to use a digital recorder. I do believe that a microphone can be placed so that nobody will be inaudible. There should be less inaudible and the files can be upload to the Town's web site and stored for a longer length of time.

Discussion:

Supervisor Zambrano stated that she does know that the Town Clerk's Office was having trouble with the tape from the last Town Board meeting. I heard part of it. There was a lot of it was static. I agree that part of it was inaudible. I'm one of those people who does not believe in verbatim minutes. I believe that is a waste of time. I know that many people here want actual dialog, but when you are transcribing like that I don't think that you will get accuracy all of the time. It is a known fact that the Town Board does not need to approve minutes and that the minutes are the purview of the Town Clerk. They are not the purview of Town Board members nor are they the purview of the audience. The Town Clerk was elected to do that job and she does it to the best of her ability.

Deborah Gardner asked will you, or the Town Board, try to urge her to use a different method of recording?

Councilor Becallo said we can't. That is up to Tracy. She is an elected official just like we are.

Supervisor Zambrano asked the Town Clerk if she would consider digital recording.

Tracy Cosilmon noted we do have a digital recorder which the Planning Board currently uses. We had a problem with our sound system that was addressed by the sound system contractor. It has been addressed.

Supervisor Zambrano stated Tracy is working on it and is very conscientious in her efforts to try and satisfy everyone.

Councilor Becallo noted Ms. Gardner attendance at every meeting and suggested that Ms. Gardner be paid to some filming. Lysander has a system called PACTV, where someone

is paid to film the meeting. We would have the opportunity for minute accuracy with video. It's an idea.

Deborah Gardner noted it's an idea that was brought up by the Open Government Committee, the idea of streaming the meeting. But video recording like Lysander does is an excellent alternative. I would like to see that myself.

Tracy Cosilmon clarified that by New York State Law board minutes have to be typed up into bound books. But they do not have to be verbatim.

Supervisor Zambrano added verbatim minutes is an undue burden upon the Town Clerk.

Deborah Gardner stated will ask you to listen a little closely to the amount because environmental services could walk in here with a \$12,000 bill and you did approve up to \$88,000.

The Supervisor asked if there were any other comments.

A resident asked has anything been looked at, if or what, to equalize the rate between the fire district and the fire prevention district.

Supervisor Zambrano noted that is not ours to equalize so no, nothing has been done.

The resident added everyone said that it was the Town Board that is the only one who can change that.

Supervisor Zambrano said we don't set the fire district rates. They do that. If you are talking about the Cicero Fire Department or Brewerton Fire District, both of those have higher fire district rates than the fire protection rates. They would like us to raise those rates. It is a significant difference. If you listened to the comments from the budget hearings it would be a great burden to the people.

There were no other comments.

**Adjourn:**

Supervisor Zambrano 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 8:01 p.m.

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Tracy M. Cosilmon  
Town Clerk