

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, May 14, 2014 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

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

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

Supervisor Zambrano read the following statement:

This is the 9th regular meeting of the year.

I would like to point out the exits at the back of the room – there are two at the back and one up front to the audience’s left.

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

The Town acknowledges the importance of full public participation in all meetings and hearings. We therefore urge all who wish to address the Board and others in attendance to utilize the microphone at the front of the room. If anyone is unable to hear, let us know so that adjustments can be made.

I just wanted to acknowledge the passing of former Supervisor, Roy Mallette. He died on Monday, and he had been at Francis House. I saw him a few weeks ago and I’ve been trying to get back to see him. When I saw him, he was still smiling and trying to be in good spirits. He made many contributions to the town and he was also quite a character; somewhat of a curmudgeon in his later years, and he was always complaining to us about not being able to hear, sitting in the audience, he couldn’t hear. So several supervisors’ went round and round with him about those things, but he had the best interest of the town in mind so just keep a good thought for Roy Mallette.

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.

APPROVAL OF TOWN BOARD MEETING MINUTES

Councilor Conway moved the adoption of a resolution to approve the minutes of the April 23, 2014 Regular Town Board Meeting. Motion was seconded by Councilor Becallo.

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

couple of the houses that are going to do rehab for short-term people, so if you go in and have a hip-replacement or work on your knee, you will be able to come out here, get a little rehab at one of the houses and it would be the same rehab you would get at any institution but be in a very home-like environment. You would be able to look out the windows at the ponds and the deer and get some great care, some great food and hopefully get you home, fast. He has worked in nursing homes his whole career and this is one of those times where he can say this is a nursing home that he would go to. This is the facility that you would want to go to. This is completely different.

Steve Volza, Chief Operating Officer explained what's unique about these cottages is in Central New York we are the only one of this kind. Statewide, this is one of only the four developments, so he thinks Cicero has a lot to be proud of. Cicero helped them introduce this new concept to Central New York. It's very unique. It's a household model. It's not institutional, whatsoever, it will be something unique to the marketplace here in Central New York.

Supervisor Zambrano asked what the total numbers of beds are.

Steve Volza replied 156. They are all individual bedrooms and they are all private.

Supervisor Zambrano said someone had asked her what they do about married couples.

David Mooney explained that what usually happens in a skilled nursing facility is they would have two rooms that the couples each would have and they could have their bedroom in one room and the other room would be a living room. They couples would have to have two rooms just in case they wanted to have separate quarters at night.

Ed Zaluski asked if they were all the same price.

Steve Volza stated there will be people living there on Medicaid, Medicare and private insurance; so there will be a variety of different prices/scales.

Deborah Gardner asked if these were just bedrooms or do they have a little, small living area for televisions and chairs.

Steve Volza said they brought a floor plan; there is a lot of space.

David Mooney said everyone has their own private room, but the centerpiece of this is a family room where everybody joins in on various activities or just during the day; a large private dining room, also a private family room, and a private den for certain individuals.

David Mooney explained that the individuals that are living here are really people who are of skilled nursing and require 24hours of skilled care.

A resident asked David Mooney if he could define "skilled nursing care".

David Mooney answered that the person would require the services of a nurse 24 hours a day; dressing, wound care, treatments, rehabilitation, etc.

Carol Loomis asked why they aren't offering assisted living.

Steve Volza said Loretto is the largest provider of assisted living. They have well over 1,000 units of assisted living, and it is much different than skilled nursing; there are people living in apartments and don't require the 24hour oversight.

David Mooney said each room will have the ability to have a television, bathroom, etc.

Someone in audience asked if the homes specific to the care level.

David Mooney stated that they are going to try and have 3 homes that do short-termed rehab care and then the other homes are going to be a variety of different services.

Supervisor Zambrano asked how employees they would have.

David Mooney answered 300 employees.

Someone asked what the rates would be.

Steve Volza said the range would be anywhere from \$400-\$450 per day.

Supervisor Zambrano asked if that was the rehabilitation rate. She was told they are going to have 3 of the cottages that will specialize in Medicare rehabilitation and the idea of those three cottages is to move those people in and then get them back home again. The whole idea is very short-term rehabilitation and very intensive.

This is actually a replacement facility for the Rosewood facility that is downtown.

Someone in the audience asked if the residents would be provided with Wi-Fi and she was told that they would.

Supervisor Zambrano stated that she had spoken to Kati Nappi about using the Town Hall as a recruitment day for employees.

Supervisor Zambrano asked who should Cicero residents that are currently housed in other nursing homes, contact and was given the following number: (315) 469-5570, but they will be advertising.

Supervisor Zambrano asked Steve Volza if he would send us the contact information so we can put it on the town's website.

Steve Volza replied absolutely.

ANNUAL FINANCIAL REPORT FOR 2013

Supervisor Zambrano gave an overview of the following two pages:

Town of Cicero, Cicero, NY
County of Onondaga
2013 year-end financial condition of each fund, not including special districts:

	<i>Fund A (Town-wide, including Village)</i>	<i>Fund B (Outside of the Village)</i>	<i>DB (Highway Fund)</i>
Revenues	\$2,980,006.29	\$2,927,959.85	\$3,929,775.83
Appropriations	\$2,926,558.97	\$2,728,616.70	\$3,924,348.10
Appropriated FB	\$ 0.00	0.00	0.00
Used to balance	(\$313,199.00)	(\$18,115.00)	(\$158,235.00)
2013 budget			
Unappropriated Surplus 2013	\$ 53,447.32	\$199,343.15	\$5,427.73
2013 Year-end FB	\$1,694,562.37	\$810,694.60	\$1,544,926.11
Appropriated FB (Funds needed to Balance the 2014 budget)	\$314,981.00	\$106,751.00	\$276,972.00
2013 Unappropriated Fund Balance	\$1,379,581.37	\$703,943.60	\$1,267,954.11
IT Reserve	\$ 27,323.37	Seized Property Reserve \$798.72	TPA Reserves 5,475.45
DWI Reserve	\$ 6,590.00	DWI Reserves \$7,575.47	
Star Program Reserve	\$ 14,307.45	TPA Reserve \$7790.00	
Building Reserve	\$100,028.77		
Park Reserve (277)	\$118,429.57		
League Reserves	\$26,202.29		
TPA Reserves	\$3625.00		

The completed 2013 Annual Update Document and Financial Notes have been submitted to the New York State Comptroller's Office in Albany on April 30, 2014 and may be viewed at the Town Clerk's Office or on the Town's website. This document has a fully detailed explanation of yearly activity in each fund,

including special districts. The AUD also contains a full debt schedule of bonds, bond anticipation notes, and lease agreements along with schedule of bank accounts and balances.

I wanted to highlight a few points about the Town's financial experience in 2013, specifically about the A, B, and DB Funds, which reflect our operating expenses.

To balance the 2013 budget, we had appropriated \$489,549 from the three fund balances. I am happy to report that because of Supervisor Jim Corl's strong leadership and Comptroller Shirlie Stuart's careful monitoring of expenditures, we did not have to use that \$489,549. Better news is that we had surpluses of \$53,447 in Fund A, \$199,343 in Fund B, and \$5,427 in the DB Fund. In other words, we added a total of \$258,217 or just over a quarter of a million dollars to our fund balances in 2013.

Most of those savings were realized in Fund B, which covers our Police Department, the Code Office, and some Parks and Rec programs. The biggest surprise was how much revenue was actually generated by the Codes Office. Based on historical data, we had estimated that we would generate about \$80,000 in fees. We actually brought in about \$192,000 from fees alone. This is a testament to the thriving economic development in Cicero and businesses wanting to locate or relocate here in our Town. We do need to credit Code Enforcement Officer Steve Procopio for his leadership of the Codes Office in 2013.

The 2015 budget preparation is underway. We will work hard to achieve a sound fiscal budget and continue to find options to consolidate services, improve infrastructure, maintain our public safety and continue to provide beautiful parks and recreation programs for everyone. While we still have more ground to cover, getting to this point has been a story of hard work, teamwork, and dedication. You – the Town Board, our professional staff, our citizen boards and commissions, the residents and businesspersons whom we serve, and our government partners, Town of Salina, and the Town of Clay – together we have made this town stronger, we are ready to face the daunting financial challenges of 2014. We will work together to reduce spending to offset lost revenues and will achieve bringing governmental services to our community without large tax increases. All levels of governments are experiencing difficult times, but I believe at the local level we have the opportunity to make the greatest difference by being reachable and sensitive to our community needs.

In closing I would like to again acknowledge the effective leadership of Supervisor Jim Corl, the diligence and counsel of our Budget Officer Jim Rowley, and the absolute dedication of Comptroller Shirlie Stuart in keeping us on the straight and narrow when it came to daily expenditures.

Respectfully submitted,
Jessica Zambrano
Supervisor

ESTABLISH STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS, AND TO REPORT DAYS WORKED TO THE NEW YORK STATE AND LOCAL SYSTEM

Councilor Conway moved the adoption of a resolution to establish Standard Work Days for elected and appointed officials, and to report days worked to the New York State and Local System (RS2417-A) specifically for Judge David C. Bruffett, Jr. Motion was seconded by Supervisor Zambrano.

Supervisor Zambrano commented that we need to establish a work hour day for our judges, for retirement purposes.

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

PERSONNEL APPOINTMENTS

Deputy Supervisor Burtis stated each councilor had a packet from Jerilee Stevens, Chair, Board of Assessment Review which includes the resumes of all the folks that she considered before making the recommendation.

Deputy Supervisor Burtis solicited any questions.

Councilor Becallo asked how many hours per week these positions are.

Supervisor Zambrano said for the Greeter she anticipates that there will be one day. She thinks that there are only two cases that have signed up for review, from the last she heard, so she doesn't expect that we would have a greeter for more than a day (maybe a 5 hour time frame), so at \$10.00 an hour she doesn't think that we are looking at more than \$50.00.

Councilor Venesky asked if they might have a second day.

Supervisor Zambrano replied that if they do a second day than it might be another 5 hours.

Councilor Becallo asked what exactly does a Greeter do.

Supervisor Zambrano explained that the Greeter organizes the people and makes sure that the paperwork is with them when they go in to talk to the board.

Councilor Venesky asked if they could hold that to 10 hours, if that's going to exceed 10 hours. We don't think that is going to happen right?

Supervisor Zambrano replied not at this point, but if all of a sudden they get an influx...they are only talking \$10.00/hour and 10 hours max.

A. Board of Assessment Review

Deputy Supervisor Burtis moved the adoption of a resolution to appoint the following individuals to the Assessment Review Board for 2014:

- Terri Dewey, Cicero, for the position of Secretary at a rate of \$12.50/hour
- Tracy Sadowski, Kirkville, for the position of Greeter at a rate of \$10.00/hour

Motion was seconded by Supervisor Zambrano.

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

B. Parks and Recreation

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

- Jennifer Foley as Recreation Leader at a rate of \$12.00/hour, with a start date of 6/16/14
- Christine Fleury as Recreation Leader at a rate of \$9.75/hour, with a start date of 6/16/14
- Gannon Andrews and Haley Wodarczyk as Recreation Leader at a rate of \$9.75/hour each, with start dates of 6/16/14
- Thomas Bartyzel, Marina Fay, Alicia Sherlock, Kathryn Scott as Recreation Attendants at a rate of \$8.75/hour each, with start dates of 6/16/14
- Jacquelyn Kleist as a Recreation Attendant for Extended Day Camp at a pay rate of \$8.75/hour, with a start date of 6/16/14
- Brian Echols as Recreation Attendant at a rate of \$8.75/hour, with a start date of 6/16/14
- Nicholas Snow as Swimming Facilities Manager at a pay rate of \$10.50/hour, with a start date of 06/01/14
- Mitchell Bower as Assistant Swimming Facilities Manager and Learn to Swim Coordinator at a rate of \$10.00/hour, with a start date of 6/01/14
- Richard Blackburn, Zach Dengos, Tyler Lawrence, Jacob Mekker, Andreu Nutter, Mackenzy Nutter as Lifeguards at a rate of \$8.75/hour, but with a rate of \$9.75/hour for the Learn to Swim Lessons, with start dates of 06/01/14
- Dan Gulino, Andrew Osborne, and Zachary Maurer as Park Laborers at a rate of \$8.75/hour each, with start dates of 5/27/14

Motion was seconded by Supervisor Zambrano.

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

C. Police Department

Councilor Conway moved the adoption of a resolution to appoint Matthew Ware as an Officer of the Cicero Police Department on a part-time basis at a rate of \$18.80/hour, effective 5/13/14. Motion was seconded by Councilor Venesky.

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

Supervisor Zambrano explained that Matthew Ware is actually a replacement for another officer that resigned a couple months ago.

TAX RECEIVER

Approve Professional Conference fees for Sharon Edick

Councilor Venesky moved the adoption of a resolution to approve professional conference fees of \$340.00 for Sharon Edick to attend the New York State Association of Tax Receivers and Collectors seminar at the Double Tree in Syracuse on 6/08/14-6/11/14. Motion was seconded by Councilor Becallo.

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

PARKS & RECREATION PURCHASE APPROVALS

*Professional Services for Construction and Bid Documents for Central Park Playground Project-
DASNY grant (Concept drawing portion approved in 2013)*

Councilor Becallo moved the adoption of a resolution for purchase approval of the following services and equipment:

- \$6,640.00 to Maxian and Horst for Professional Services for Construction and Bid Documents for Central Park Playground Project – DASNY Grant (Concept drawing portion approved in 2013)
- \$2,000.00 (not to exceed) to Home Depot for lumber, concrete, miscellaneous hardware for benches (part of Central Park Playground Project DASNY Grant)
- \$2,429.29 to Sparky's Residential Electric for lighting and miscellaneous switches for light controls at Skyway Park Pavilion (paid by North Syracuse Little League participant fee fund)
Other Quote: Mac Electric \$3151.55
- \$3,368.00 to NSCSD, Treasurer for School Use for Winter & Spring Programs via program fees

Motion was seconded by Supervisor Zambrano.

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

2015 Ford F350 with V-Plow

Councilor Becallo asked how this truck would be financed.

Supervisor Zambrano explained that they have a proposal towards the end of the agenda to finance it as a BAN (Bond Anticipation Note).

Councilor Becallo stated that they went over it yesterday in their Public Workshop.

Deputy Supervisor Burtis added that the BAN can be rolled over into a bond at any time.

Councilor Becallo moved the adoption of a resolution to approve \$47,496.30 (NY State Contract #E-12-13-PFTH) to Van Bortel Ford for Truck Replacement. Replace 2002 Chevrolet dump truck with plow with 2015 Ford F350 with v-plow off of State Contract.

Motion was seconded by Supervisor Zambrano.

Ayes - 4 and Noes- 1. *Councilor Becallo opposed stating he disagrees with the method of financing, but he does understand the importance of that truck.*

Justification: The truck has seen 13 winters of plowing and has extensive under carriage rust. It was purchased in 2002 for \$34,438 and we have spent over \$13,200 to date on repairs. The mechanical problems and is nickel-diming the Town with repairs. The metal dump box which is critical to our operation is worn thin and will need extensive welding to build up the bed of the box. In evaluating the truck's longevity, we have determined that it will not hold up to another season of hauling equipment, hauling materials, and plowing. It has been listed on the long range plan for replacement in 2013 but was not included in that budget. NOTE: This truck was in the Parks and Rec original budget submission

for 2014 but was removed after discussions with the Budget Officer and the Supervisor for leasing/BAN purchase in 2014.

Other Quotes not from State Contract:

Burdick Ford	\$51,132.50
Delacy Ford	\$51,319 (price with straight blade plow)

HIGHWAY DEPARTMENT

Pipe

Councilor Venesky moved the adoption of a resolution to approve \$13,700.00 to Steel Sales for Pipe. 220' of 35" x 24" of 14 ga. solid aluminized cmp pipe & bands & 80' of 30" solid cmp pipe & 100' of 49" x 33" solid cmp pipe. Motion was seconded by Councilor Becallo.

Other quote: OSWEGO TOOL: \$15,074.62

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

Purchase approval for (2) 2015 Mack Granite GU712-6-wheelers

Councilor Becallo asked if this was also on the financing.

Councilor Venesky and Supervisor Zambrano said yes.

Councilor Venesky moved the adoption of a resolution to approve \$390,925.78 to Beam Mack for (2) 2015 Mack Granite GU712-6-wheelers.

Councilor Venesky explained that they agonized over this purchase, but they came to the conclusion: They had two trucks that are truly by anyone's standards, they have just rotted out. They have made some adjustments in our purchasing and have gone to a stainless steel box on these trucks which he thinks are going to last longer with the salt usage that we have. Another thing too, if you take a look at the winter that we had, we also have a responsibility to you the public and to ourselves and our families to make sure that roads are plowed and our highways are open and operable for police, fire and emergency personnel as well.

Deputy Supervisor Burtis said in their public workshop they had the day before, they had two gentlemen, Mr. Ollie was here, and then another gentleman who we are using to help us through these bond anticipation notes and actually doing some consolidating of what we've done in the past and actually get more interest rates; he thought they gave us a very good presentation and it was well received by all of them. He thinks they all understood the numbers and the concepts, they did go through it quite a bit, and he's been involved with it from the start and this is different for him, personally, as far as how to pay for things. But at this time, given the environment that we have, given interest rates and given some opportunities that we have and then also the mandates and the things really are beyond their control, he thinks we have an opportunity here for this cycle to make a good decision.

Councilor Becallo said he wished more people had showed up to that meeting, but all they heard from was one company which was Fiscal Advertisers and Marketing, and yes he wants our business, so he came through and did a very nice presentation – it was fantastic. He disagrees with the method of financing; he understands how important this equipment is, it's just the way that the financing is set up – he disagrees with it.

Councilor Venesky said they had a public meeting the day before, and it was an informational meeting. A lot of things were said and he is not happy with some things and with the way they transpired this year; he's not pointing fingers at anybody, he thinks they have had their backs to the wall on a couple of things, but as a board they will be sharper next year and have a little bit more anticipation into some of the expenses that they anticipate. He supports this purchase today.

Supervisor Zambrano explained that the original purchase plan was for one truck this year and a couple of heavy duty pick-up trucks. They had quite an extensive discussion and they did look at alternatives to see if they could rehab one of the big trucks and get some more mileage out of it without having to buy

a new truck, but that just didn't become feasible because the replacement wouldn't have been so great. She thinks they all came to the realization that the trucks were in such poor condition, so much money would have needed to be put into it that it just wasn't feasible, so we need to keep our highway paving program going forward. We need to make sure that the highway department has the equipment they need to do not only the job in the summertime for summer work, which these trucks do double duty, and also for snowplowing.

Councilor Conway said if they spent fifty or sixty thousand dollars and only got two years out of the truck then it would have been wasting money; on one of them the rear end was gone, and the case/the housing rotted out and it was \$18,000 alone for just new rear ends so it wasn't feasible to fix these trucks; if it had been possible then they would have done it. One of the trucks the cab was rotted out on it and it's not that they aren't being washed; it's just if you put a truck in a building that's heated to keep the salt from not freezing than they rot out. They felt this was the cheapest way to go and the trucks were 13 years old. They have one that was 7 years newer and they're having the box rebuilt in that one.

Both of the trucks they are replacing are 13 years old.

Chris Woznica, Highway Superintendent stated that the replacement plan was to replace one of the trucks this year and one of the trucks next year, so all they did was swap – they took the two pickup trucks off for this year and moved the truck for next year onto this.

Supervisor Zambrano stated that they amended the agreement to make this adjustment at this time. She thinks it's important that we try to plan ahead for our budgeting purposes and they are trying as much as possible to stick to this. None of them like the decision that they had to make but she doesn't think there was a choice at this time.

Motion was seconded by Councilor Conway.

Ayes - 4 and Noes- 1. *Councilor Becallo opposed stating he disagrees with the method of financing.*

Deputy Supervisor Burtis stated that they did also look at something that had been done in the past as far as lease-to-own and our representative did give us a comparison for us on what that would like and given the interest rate that we think that we are going to be able to get on the BAN (bond anticipation note), down around 1.75 or maybe as low as 1.5 or 1.25; based on numbers that worked out better than the lease to own.

Councilor Becallo restated that it was from Fiscal Advisors & Marketing that wanted our business and they didn't hear from anyone else.

*Repairs to Truck #12, Grass Seed, Traffic Paint and Glass Bead,
Control Cable for Sewer Jet*

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

- \$1,675.00 to Schneider Brothers for Repair to rear gate uprights-both sides truck #12

Other quote: JPW \$2,258.00

Councilor Venesky explained that the gate on the back of the dump truck (obviously it pivots so that it opens), but it's completely rotted out so it's definitely a safety hazard but it was repairable so they went that route.

- \$3,500.00 to Merritt Seed for Grass seed. 1,225 lbs. grass seed (35 bags), 80 bales mulch, 40 2.5 bags fertilizer (covers approx.120, 000 sq.ft.)-County bid
- \$19,600.00 to Crossroads Highway for Traffic paint & glass beads.
Other quotes:
Sherwin Williams \$19,800.00
Franklin Paint \$20,100.00

- \$1500.00 (not to exceed) to Tracey Road Equipment for control cable for our sewer jet
Councilor Venesky was on Torchwood Lane with Chris Woznica and they are replacing pipe in anticipation of replacing the road surfaces and the control cable unfortunately broke.

Motion was seconded by Councilor Conway.

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

Deputy Supervisor Burtis asked Chris Woznica if they ask for the traffic paint & beads every year.

Chris Woznica replied yes.

Equipment Trade of 2013 Bobcat S750

Councilor Conway moved the adoption of a resolution approving an equipment trade of a 2013 Bobcat S750 and purchase for the Town Highway Department of a 2014 Bobcat Skid-Steer Loader S750 with warranty and options from Bobcat of Central New York, pursuant to Product Quotation number 17028D017466, dated 05/02/2014, a copy of which has been supplied to the Town for a net purchase price not to exceed \$1.00 after equipment trade as quoted. This resolution also authorizes the Supervisor to execute any documents necessary to effectuate the matter, including but not limited to contract documents and a bill of sale. Motion was seconded by Councilor Becallo.

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

Chris Woznica explained that they bought a brand new 750 last year; they buy them on state contract, and they save so much money by buying on state contract that Bobcat can't sell a new machine and make the profit that they can on the new machine so they are shipping so many used machines overseas, mainly to Russia, that they are in dire need of used machines; so they can take our used machines (which is practically brand new) and sell it for a higher profit margin than they can selling a brand new machine to them. So they offered us a brand new machine for \$1.00 and they will take ours and make money on it selling it overseas.

NORTHERN BOULEVARD SPEED REDUCTION

Supervisor Zambrano explained that this is in anticipation of the Thompson Road construction project from Believer's Chapel to South Bay Road to commence this summer and it will also be completed this fall.

At the intersection of Believer's Chapel the County is going to install a 4-way traffic signal, the road will be widened with extra turn lanes and it will be repaved.

Thompson Road from South Bay to Route 31 was completed a couple of years ago and this is the rest of this project. So the County has asked us to reduce those speed limits around that intersection in anticipation of that construction that's going to be taking place sometime this summer, probably June or July.

Supervisor Zambrano moved the adoption of a resolution to amend the speed limits on Northern Boulevard and Island Road as follows: The northerly approach to the intersection on Northern Boulevard adjacent to the Totman Road intersection be reduced to 45 mph. The portions of Northern Boulevard southbound from the intersection will remain at 55 mph and reducing the west bound approach on Island Road toward the intersection be reduced from 45 mph to 35 mph from approximately 750 feet east of the intersection of Joss Farm Way with Island Road. This is all pursuant to the letter and sketch map provided by the Onondaga County Department of Transportation, a copy of which has been provided to all Board members.

Councilor Becallo asked if the reductions were going to be temporary.

Supervisor Zambrano replied that they could be temporary.

Councilor Becallo asked if normally when there is construction, don't they usually put up the orange speed limit signs that are temporary, that slow down the traffic.

Supervisor Zambrano answered they will do that, but they want to slow down the traffic coming into the intersection during the construction period because of high accident rates.

Councilor Becallo said those construction temporary signs usually do that and they cover up the current traffic speed limit signs with wood.

Supervisor Zambrano explained that the town has to do this. We are a suburban town so we are the ones that adjust these limits, on County roads as well.

Councilor Venesky thinks they just want our “buy-in” to be able to lower the speed limit whether they put up a temporary sign or not while the construction is going on.

Councilor Becallo said he would say “yes” if it is for a temporary time but if it’s for full time than it’s a “no”.

Supervisor Zambrano explained that once the construction is completed we can go back and raise the speed limits.

Councilor Becallo said he would second it if they set it for *temporary*.

Councilor Becallo asked Robert Germain if they could do that.

Robert Germain replied that as this is written it is a permanent situation, you can change it at a later date, you have the ability to put a time frame on it; you have the ability to do all three, it’s whatever the Board’s pleasure is.

Robert Germain explained that you need a resolution to lower the speed limit. The Town has the right to do it because we are a Suburban town by resolution; it needs to be clearly defined, the areas that they are going to lower the speed limit to. If you want to define a term or if you have a time frame in mind we can consider that, but the way that this is done it’s a permanent change; you would have the ability to come back and do it by the same method at a later date or not, but it’s up to the Board.

Chief Joseph Snell explained that the Town Board did request the County do a street light request. The County did a speed study as well, so the County is requesting this and he thinks it’s an appropriate request because you have a 4-lane at Northern Boulevard going northbound at 55 mph and then you would be slowing them down through Totman Road up at 45 mph before the lights coming up. He doesn’t have a problem with this, he thinks that they are good changes to make based on the speed that the road already has. In the case of the County, if you are going southbound it remains 55mph from the light on, that’s not changing anything.

Supervisor Zambrano stated there was a motion on the table and asked if there was a second.

Motion was seconded by Councilor Venesky.

Ayes - 4 and Noes- 1. *Councilor Becallo opposed - because of the reasons he had already stated.*

Motion carried.

TOWN CODE SECTION 210.18 Signs

Status report and discussion on the ‘stay’ on the Town Code relative to signage and efforts to amend the code language

Supervisor Zambrano stated that at the last meeting they had a “stay” that started out as a “moratorium” and then it became a “stay” and there was some discussion about changing the code so she wanted to inquire with the Town Board members who is doing what with this. Our Town Attorney has not been involved in this code language, so they need to have a bit of discussion on how this is being handled.

Councilor Venesky said the *intent* initially was that we want a business-friendly town. We want people to be able to want to do business in the town of Cicero and he thinks, and he is new, but they had kind of a crazy meeting that night, they had business owners who felt that the Town Code was wrong and that their businesses were being penalized, so they made a resolution to just kind of hold back and take another look at it. On the 22nd of this month we are going to have a workshop, which is open for the

public, for everyone to attend (they have invited Mr. Smith our Planning Board Chairman and Gary Natali from the Zoning Board of Appeals). It's a two-fold type of thing; it also allows us (the new Board members) to have a good, working relationship with the other public servants. He thanked Bob Smith, who was in attendance, for his cooperation. They put together a workshop that will be open to the public on the 22nd at 5:00 pm at the Cicero Town Hall.

Councilor Becallo said he would like to invite and have business owners in our town to not only come to our meeting but participate and help create this law, because everyone has to be equal in the fact that they understand the law and if you are able to help create the law these issues won't happen again – that's his hope.

Supervisor Zambrano encouraged all Town Board members to discuss the process for sign enforcement with the Director of Code Enforcement.

Robert Germain said he would write, as they speak, another resolution amending the previous resolution made at the last meeting; it just has to go by resolution because we are using equivalent doctrine so we can make another resolution to amend that one, amending the "stay" to delete the "stay" with the regard to right-of-ways and sidewalks.

Councilor Becallo said he was glad to see there were signs on Route 11 finally. He goes to other towns and those towns are open for business. There are signs everywhere. You come to Cicero – there are no signs, no nothing. That's what the sign *stay* was to be pro-business, again, because this is Cicero. This is America. We need to make money. Again, businesses help with the tax base. *Pro business*. And every excuse they always make is called "safety" and he understands safety like anybody else but they are signs.

Councilor Venesky told Councilor Becallo that he was not making an excuse, he is genuinely concerned about safety and people in this town and he doesn't think there is anyone, certainly more pro business than Mark Venesky. On the hand, he is not going to have a housewife or a resident of this town pull around a vehicle because he or she cannot see and get t-boned because we allowed something in a right-of-way that should be open, where people can see.

Supervisor Zambrano asked where they are with the *Sign* language and asked Councilor Becallo if he was working on the *Sign* language amendments.

Councilor Becallo replied yes. But it wouldn't be just himself.

Supervisor Zambrano asked Robert Germain if he could please address how we change code language.

Robert Germain explained that *Sign* codes are a large scope of work but that's the way to do it. He would suggest they start with a circulation of drafts by a committee, but then once those drafts have been circulated to everyone and completed you will call a public hearing. You can call an informational hearing first to get the word out, but then you have to call a public hearing, hold it through a regular local law process and enact a new ordinance; we would have to do SEQR on that obviously, but he would take care of that as we go.

Supervisor Zambrano asked Councilor Venesky if he was proposing to have a work session...

Councilor Venesky replied that they are looking at the 22nd of this month; it will be Thursday night at 5:00pm. This is going to be an informational meeting and they certainly invite the public –this is your town.

Supervisor Zambrano told Councilor Venesky it was item no. 21 on our agenda. For clarification, for a work session there is no public participation. Is he looking for participation with the Planning Board and the ZBA, and Town Board or education of Town Board members and then have an informational session after that or does he want to make this an informational session.

Councilor Venesky said this was an informational thing for the Town Board, and the other elected officials such as Planning and Zoning and their folks so we can ask questions and get the answers that we need and then input from us as well on some of the issues that come up. There are a variety of issues: they are looking at some of the fees, Cut & Fill permits, Permit fees, that type of thing might be discussed as well. He would invite anyone to email him or call him at any time. He thinks we need to have a meeting where we can just put everything on the table and get the facts and the information out there so they can make a better decision on the people's behalf, with their input as well.

Supervisor Zambrano proposed that they continue with the idea of the work session for Town Board education and then Councilor Becallo is very interested in having an informational session for input from the public, but she thinks that needs to be at another time.

Town Board Work Session Resolution:

Councilor Venesky moved for the adoption of a resolution to schedule a Town Board Work Session for Thursday, May 22nd, 2014 at 5:00 pm with members of the Planning Board and the Zoning Board of Appeals at the Town Hall and for the Town Clerk to publish this meeting and to ensure public participation.

Supervisor Zambrano added to the resolution - and public participation is to be present but no public input at that time.

Motion was seconded by Deputy Supervisor Burtis.

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

Sign Resolution:

Councilor Venesky moved the adoption of a resolution amending the Board resolution passed at the April 23rd, 2014 meeting calling for a complete moratorium/stay of enforcement regarding "signs" to delete application of the stay with regard to enforcement in the road rights of way and sidewalks and specifically authorizing the Code Department to resume enforcement efforts in these areas only in the interest of public safety. Motion was seconded by Supervisor Zambrano.

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

BOB SMITH, PLANNING BOARD CHAIRMAN

Discussion on zone changes for the properties on the north side of East Taft Road between Northern Boulevard and Thompson Road

Supervisor Zambrano introduced Bob Smith, Planning Board Chairman and said he had a proposal for the Town Board.

Bob Smith, Planning Board Chairman said it wasn't exactly a proposal; it comes as a direct result of code enforcement in the town. This is a situation that was created by a Town Board back in the 70's. In September of 2013, the Planning Board received an application for Site Plan approval that included the expansion of an existing business in the town. The applicant is here tonight. That was September 9th of 2013. His business was built and opened in 2006. He came in as standard part of the site plan review. His parcel is zoned Regional Commercial. When they changed it to Regional Commercial it makes his parcel and about 31 other parcels non-conforming parcels.

Councilor Venesky asked Bob Smith if there was any history as to why it was changed.

Bob Smith replied that since 1977 most of the people are no longer around that did it. They changed the zoning to Regional Commercial, which supports that kind of development.

Bob Smith said they changed it in 1977 into Regional Commercial District, which is designed to provide for those large scale commercial enterprises which draw on a market at least county-wide.

Councilor Venesky said we will take anybody who provides jobs and pays taxes in the town of Cicero. He asked Supervisor Zambrano if they could get that on the agenda.

Supervisor Zambrano asked Robert Germain for clarification. They need a resolution in order to entertain this and they refer it to the Planning Board?

Robert Germain replied that their first step would be to move the adoption of a resolution calling a public hearing and then decide whether you want to refer it or not, and start the process that way, if that's the Board's pleasure.

Supervisor Zambrano asked Robert Germain if he had written a resolution.

Robert Germain replied yes. He had written one up. He has also recommended sending a form letter, whatever, to each of the individuals on the list; just notification.

Resolution calling a public hearing 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:

Councilor Venesky moved the adoption of a resolution calling for a public hearing May 28th, 2014 commencing at 6:30 p.m. 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. A list of the properties to be included in the change and map of same has been supplied to the Board Members with this resolution. Motion was seconded by Councilor Conway.

(Bob Smith and Robert Germain corrected Councilor Venesky who had originally said Residential Commercial instead of the correct verbiage, "Regional Commercial"— the resolution above reflects that change).

Robert Germain explained that they will set the public hearing. If the Town Board decides that they want to refer it to the Planning Board, you can do that at that hearing. You probably wouldn't close the hearing at that time; you would want to hear from as many people as possible. He does suggest sending an individual form letter to each of these owners advising them of the action.

Supervisor Zambrano asked Robert Germain if he could help us with that letter.

Robert Germain replied absolutely.

Deputy Supervisor Burtis asked if the public hearing is open, then you invite Planning to give an opinion, then you leave that meeting open.

Robert Germain said he would leave that meeting *open*, so that they could receive the recommendation of the Planning Board and then consider that, and then also the public could weigh in on whatever those recommendations may be.

Deputy Supervisor Burtis asked if that would be at another meeting.

Robert Germain replied yes.

Deputy Supervisor Burtis said so they are looking at a couple of meetings away.

Robert Germain replied yes, because it's not our motion, it's not a one meeting deal; we need a referral from the Planning Board as well and it will probably take at least those two. That way we would also do a SEQR before we do a final resolution.

Supervisor Zambrano asked for confirmation. They are having the public hearing on the 28th and we are going to get letters out to the 31 property owners before the 28th to make them aware right?

Robert Germain said yes. He could do one then.

Motion was seconded by Supervisor Zambrano.

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

AMERICAN LEGION POST 787

*Approval for issuance of parade permit &
for Town to release \$500.00 to help defer costs of the Memorial Day Parade Ceremonies*

Councilor Becallo moved the adoption of a resolution to approve the issuance of a parade permit to Post 787 for the Memorial Day Parade in the Town of Cicero on Monday 5/26/14 at 9:00 a.m., and to authorize the supervisor to execute the permit with Post 787.

Councilor Becallo moved the adoption of a resolution to approve the Town to release \$500.00 to help defer the costs of the Memorial Day Parade Ceremonies. Motion was seconded by Councilor Conway.

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

SPDES ANNUAL REPORT

Bruce W. Letts, C & S Companies, Town Engineer explained that currently there are six (6) tasks the Town has to complete to be in compliance with their MS4 status. Currently, and they've discussed these at prior meetings, two of the tasks are done by the Central New York Stormwater Coalition at a cost of \$3,600. One of the tasks is done by Onondaga County Water Department of Water Environment Protection at no cost. And there are three tasks that are left over for the town to complete; that's what these services would be. Basically they would compile the information from the other two entities, as well as the information that the Town has collected throughout the last past year. They (C&S) would prepare a report and present the highlights of it at a town board meeting, once it was green lighted then they would submit it to the Department of Conservation. The hope is that as the Codes department becomes more and more familiar with the procedure, they might be able to take over part or all of what C&S does; they can show them.

Councilor Conway moved the adoption of a resolution to approve C&S Engineers, Inc. to provide engineering services for the preparation of the NYSDEC SPDES (New York State Department of Environmental Conservation State Pollutant Discharge Elimination System Program) Phase II Annual Report and associated services for the permit year, March 10, 2013 to March 9, 2014, for a fee not to exceed \$1,800, as required by the NYSDEC and authorizing the Deputy Supervisor to execute the associated contract.

Councilor Becallo said they had the original resolution and it says *for the Supervisor to execute*, why did it change to Deputy Supervisor?

Supervisor Zambrano stated she decided to abstain.

Ayes - 4 and Noes- 0. Abstentions – 1. *Supervisor Zambrano abstaining.*

Motion carried.

CODES OFFICE

Councilor Conway moved the adoption of a resolution to purchase a one-year subscription for the NFPA (National Fire Protection Agency) manuals with online access to the NFCSS All Access program, at a cost of \$1,165.50. Motion was seconded by Supervisor Zambrano.

Supervisor Zambrano commented that these manuals are necessary for the Codes Office, and they haven't been purchased in many years, so it's time that we got the Codes Office the information that they need.

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

COOLING TOWER

Councilor Conway moved the adoption of a resolution for authorization of the advertisement of bids to replace the cooling tower and install new air-cooled condenser for the Cicero Town Hall. Said bids are to be received at the Town Clerks Office, 8236 Brewerton Rd., Cicero, before May 28th, 2014 at 11:00 a.m. local time. A copy of the proposed Bid Specifications will be available for inspection at the Town Clerks Office. Motion was seconded by Councilor Becallo.

Supervisor Zambrano stated that this was something that was planned for some time.

Tracy Cosilmon explained that the cooling tower has been put on hold for several years and it does need to be addressed; it is a budgeted item. Tracy recognized Don Bloss (and Don Snyder) for their time and knowledge of helping her to put everything together to save the town money; he has come out several times on his own time to help us to do this process. And in the interim of this process specifications have been formatted for the demolition of the cooling tower, a very old cooling tower that actually has rusted parts. The last budget workshop that they went to in 2013, she actually brought the rusted parts to show everyone the seriousness of the issue. The cooling tower itself, is high-maintenance. The reason she is asking for sealed bids on this is that she thought this would be a cost, according to our procurement policy, not to exceed anything \$9,999.00 needs sealed bids to be put out, so she is just trying to be proactive on this because of the amount of copper that would have to be extended out to put this air cooler condenser in so aesthetically instead of it being out in front of the building it could be in back where our cooling tower is out of the way. We have had C&S look at this and give his recommendation, they have got the specs together. If the bids do come in over \$9,999.00 we would be prepared and we will have done it properly.

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

SEALED BIDS FOR HIGHWAY VEHICLES

STATE OF NEW YORK
Onondaga County
Town of Cicero

SS:

The Cicero Town Clerk received Sealed Bids on May 14th, 2014 at 11:00 a.m., at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY, from individuals who submitted a bid on all or any of the following Highway vehicles:

- A. 1997 International 10-Wheel dump truck with wing and 1-way snowplow
- B. 1991 6-Wheel truck with salter

BIDDER NAME		TOTAL BID
Barry Bushneck Cazenovia, NY	A. 1997 International 10-Wheel	\$1859.00
	B. 1991 6-Wheel truck with salter	\$1153.00
Chet Ornoski Cicero, NY	A. 1997 International 10-Wheel	\$1505.00
	B. 1991 6-Wheel truck with salter	\$1010.00
JSSJR Enterprises, Inc. (Village Truck Sales) Lanesboro, Massachusetts	A. 1997 International 10-Wheel	\$3890.00
	B. 1991 6-Wheel truck with salter	\$2890.00
	Both vehicles awarded to JSSJR Enterprises, Inc.	
	Awarded Bid total	\$6780.00

*Please note: Bids that are **bolded** in the TOTAL BID COLUMN were **awarded** for that individual item.*

Proof of publication and posting dated April 13, 2014.

Councilor Venesky moved the adoption of a resolution to award the following bids to JSSJR Enterprises, Inc. for a total of \$6,780.00:

- A. 1997 International 10-Wheel for \$3,890.00
- B. 1991 6-Wheel truck with salter for \$2,890.00

Motion was seconded by Councilor Conway.

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

TRASH & RECYCLING SERVICES FOR TOWN HALL/HIGHWAY/POLICE

Deputy Supervisor Burtis said they have received different quotes for the trash & recycling services for Town Hall/Highway/Police.

Deputy Supervisor Burtis moved the adoption of a resolution to authorize Butler (the lowest bidder) to provide trash/recycling services for Town Hall/Highway/Police on a weekly basis, at a monthly cost of \$266.69, effective June 1, 2014 through May 31, 2015 and authorize the Supervisor to execute the agreement.

Quotes:

Butler Disposal Systems - \$266.69 per month
 Casella Waste Management - \$438.00 per month
 Feher Rubbish Removal, Inc. - \$320.00 per month
 Syracuse Haulers Waste Removal, Inc. - \$386.45 per month

Motion was seconded by Councilor Becallo.

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

RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT

Deputy Supervisor Burtis moved the adoption of a resolution to authorize purchases of heavy equipment.

Robert Germain asked that the entire resolution be read. We have to advertise and do an Estoppel certificate which says in its text that we also read the entire thing. We have to do a certificate as a filing component with every bond issue or BAN (Bond Anticipation Note).

BOND RESOLUTION DATED MAY 14, 2014.

A RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT FOR THE TOWN OF CICERO, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$392,000 AND AUTHORIZING THE ISSUANCE OF \$317,000 SERIAL BONDS OF SAID TOWN TO PAY A PORTION OF THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cicero, Onondaga County, New York, as follows:

Section 1. The purchase of heavy equipment for the Town of Cicero, Onondaga County, New York, each item of which costs \$30,000 or more, is hereby authorized at a maximum estimated cost of \$392,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) By the issuance of \$317,000 bonds of the Town hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- b) By the expenditure of \$75,000 current funds of said Town hereby authorized to be expended therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Cicero, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to

be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution takes effect immediately and supersedes and replaces the bond resolution dated January 2, 2014 for such purpose.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Deputy Supervisor Burtis asked Tracy Cosilmon to call the roll.

Supervisor Zambrano stated they had to second the motion.

Motion was seconded by Supervisor Zambrano.

Tracy Cosilmon took roll call, which resulted as follows:

Councilor Venesky:	Yes
Deputy Supervisor Burtis:	Yes
Supervisor Zambrano:	Yes
Councilor Conway:	Yes
Councilor Becallo:	No

Ayes - 4 and Noes- 1. *Councilor Becallo voting no* – he disagrees with the method of financing.

Motion carried.

Supervisor Zambrano asked Robert Germain if they were in order on that.

Robert Germain replied yes.

RESOLUTION AUTHORIZING PURCHASE OF DUMP TRUCK AND SENIOR CITIZENS' BUS

Deputy Supervisor Burtis stated that this was all a part of the finance meeting they held the day before. There is a repayment plan scheduled; they do have a plan for these bonds as scheduled and they looked out as far as 10 years, but they are going to look more closely at the budget impact for the next 5 years and they resolved to do that so they can get true costs put into place once they have nailed down the consolidation of other bonds and what we actually got for the interest rates of these.

Councilor Conway commented that he thinks that they will have a smoother process next year; they asked Mr. Rowley yesterday for a 5 year plan, he wants to see some numbers. They also asked Shirlie Stuart to give the project out 10 years exactly what our obligations are going to be and what our tax receipts are going to be and this plan here can be tweaked, so if they feel moving forward that they need to tweak it than they have the opportunity to do that.

Deputy Supervisor Burtis said the plan is to consolidate. They were going to consolidate from rates that we are paying currently. The exact rates are: 3.12, 3.11, 2.05, 2.1, 2.1 and we are looking to consolidate all of that and then also put these new items that we are working on tonight into that bond, put it on a payment going forward, and they are hoping to get an interest rate of 1.75 to 1.5, or lower. What they are planning to do is pass a short form instead of a long form; if we went and did a long form there's a possibility with more information to the borrowers that we could get a lower rate than that, but with doing the short form that is the interest rates they think they are going to be.

Deputy Supervisor Burtis told Robert Germain that he had a question. In this bond resolution the two numbers, the dump truck is \$47,500 and the bus is \$49,500 that totals \$97,000.00, the bond is \$97,100.00 can we do a not to exceed? The numbers don't line up.

Robert Germain said looking at it then, that he supposes that there is a typo here; we could say not to exceed the \$97,100.00 when he's reading the text.

Deputy Supervisor Burtis asked if he needed to fix the cost of the dump truck or the bus.

Robert Germain replied that he did not know what the right number would be.

Deputy Supervisor Burtis asked if he would then just say cost not to exceed.

Deputy Supervisor Burtis read the following:

BOND RESOLUTION DATED MAY 14, 2014.

A RESOLUTION AUTHORIZING THE PURCHASE OF A DUMP TRUCK AND SENIOR CITIZENS' BUS FOR THE TOWN OF CICERO, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$97,100 NOT TO EXCEED AND AUTHORIZING THE ISSUANCE OF \$97,100 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cicero, Onondaga County, New York, as follows:

Section 1. The purchase of a dump truck and senior citizens' bus for the Town of Cicero, Onondaga County, New York, is hereby authorized at a maximum estimated cost of \$97,100 not to exceed. The cost of the dump truck is \$47,500 with a period of probable usefulness of fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. The cost of the senior citizens' bus is \$49,500 with a period of probable usefulness of five years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$97,100 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law allocated as set forth in Section 1.

Section 3. The faith and credit of said Town of Cicero, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. This resolution takes effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows and that's in the form of a motion:

Motion was seconded by Supervisor Zambrano.

Tracy Cosilmon took roll call, which resulted as follows:

Councilor Venesky:	Yes
Deputy Supervisor Burtis:	Yes
Supervisor Zambrano:	Yes
Councilor Conway:	Yes
Councilor Becallo:	No

Ayes - 4 and Noes- 1. *Councilor Becallo voting no* – he disagrees with the method of financing.

Motion carried.

EXECUTIVE SESSION

Supervisor Zambrano stated the Board needed to enter into Executive Session to discuss pending litigation.

The Town attorney was invited into executive session, and Supervisor Zambrano stated the Board would be reconvening, hopefully with a decision.

Motion was seconded by Councilor Venesky.

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

The meeting adjourned into executive session at 8:38 p.m.

Supervisor Zambrano stated she had made a motion to terminate their executive session. The motion had been seconded by Councilor Becallo.

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

The regular meeting reconvened at 9:00 p.m.

Councilor Venesky moved the adoption of a resolution authorizing and approving settlement of the New York State Supreme Court Tax Certiorari action titled Sun Hotels LLC, or *Sun Hotels vs. the Town of Cicero*, Tax Map No. 090.-01-34.2 on property located at 5875 Carmenica Drive, Cicero, New York commonly known as Comfort Suites, by reducing the tax year assessments for the pending years 2011, 2012, 2013 to \$3.5 million dollars including payment of negotiated refunds in an amount not to exceed \$12,000.00 in accordance with the terms and conditions outlined in a memorandum from Germain & Germain to the Town Board as well as authorizing the Supervisor and the Town Attorney to execute the proposed stipulation of settlement in the matter and any and all documents necessary to complete the transaction. Motion was seconded by Supervisor Zambrano.

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

UPDATES/NEWS

Supervisor Zambrano gave some updates on the following topics and said comments were welcome:

Carmel Runne

Supervisor Zambrano stated that the applicant for the Carmel Runne zone change has withdrawn the application. We had imposed a number of additional studies to be done and in the absence of a buyer they felt that this was a little bit too hard financially to carry that out.

Narcan Program

Supervisor Zambrano stated that there was a press release yesterday about our Narcan Program.

Chief Snell said if you have been watching the news lately you've probably seen that the United States and Onondaga County is experiencing a problem with heroin addiction. Since January 1st there have been recorded about 30 overdoses of heroin that EMS first responders have responded to in Onondaga County; we've had three in the Town of Cicero alone since January 1st. The Narcan Program is a program the State set up for emergency responders and the State is buying the first round of medication, which we call *Naloxone*, it is a drug that's short, generic for Narcan. What Narcan allows them to do is for emergency responders to be able to provide this Narcan drug to anyone who is suspected of an heroin overdose. This drug has no side effects. It requires them to do is to have at least a paramedic on staff. One of our officers was issued a prescription by the New York State Department of Health in the name of the Cicero Police Department so they were able to purchase these medications from NAVAC and they will carry those medications in the car. Each officer will be trained on how to use these medications

and in order to use them they are required to be CPR and AED trained, and also to be trained by our paramedic officers on how to:

- implement this drug
- how to identify what a heroin overdose looks like, and
- when to implement it

They are excited that they have the opportunity and to be able to help; this is something at least they've got some ability to help people and bring them back from definite death.

Supervisor Zambrano asked Chief Snell how many police departments have implemented this program.

Chief Snell replied that right now they are the first police department in Onondaga County to implement this program; he is sure that there are going to be many that are going to follow.

Terrorism Prevention Program Grant Award

Chief Snell stated that every year the state comes out with the New York State Terrorism Prevention Program Grant Awards. Each county administers the money and works with all the local police agencies in distributing the money to the local agencies and they set up the criteria of what the money can be used for based on what the money can be used for the Department of Homeland Security has determined necessary. We have received about \$6,000.00 for this year to be able to purchase radios, additional radios, and mobile radios in our cars so we will be able to have local communications. This funding will allow us to purchase the new narrow-band radios with the narrow-band frequencies putting us in compliance with the FCC. We are also notified that we will be receiving another \$11,000 for advanced firearms training at the New York State Training Center in Oriskany, New York and that \$11,000 will cover all the personnel costs so there will be no costs to the taxpayers in the Town.

Legislative Gazette

Supervisor Zambrano announced that there was a new publication, with very nice pictures taken by our staff, called the *Town of Cicero*. This was put out by the Legislative Gazette and we actually solicited some articles from our Town Historian and from the people at Loretto. It talks about the Cornell Roads Program, the Shared Agreement with Salina for the Assessor, it highlights the Cicero Chamber of Commerce, particularly with the festival coming up, and it talks about Riverfront Park. This was no cost to the Town, we just had to try to get some ads, and people to advertise (the more people we got to advertise, the more copy space we were allowed). She encouraged everyone to take some and said they will be distributing copies in different places around the town, in Brewerton and in Bridgeport. It's a nice thing and a lot of credit goes to people who help put this together – Jody Rogers was very helpful, Tracy and other department heads were very helpful, particularly the ones that wrote the articles.

South Bay Road Rehabilitation

Supervisor Zambrano and Councilor Venesky went to a meeting with the County Department of Transportation where they were talking about the renovations of South Bay Rd., it's about 2 ¼ miles from the Mattydale circle up to Bear Road; it's mostly repaving of that stretch of road. They will be taking out some areas that have been asphalted to be more in conformance with the Save the Rain program, they are going to be replacing, some curbs and some guardrails. It's a project worth around \$2 million dollars and it came from Federal highway money. The construction part of it won't take place until next year. So, in 2015 there will be some major renovations going on to South Bay Rd. There was a public hearing and there is information that says exactly what they are going to do on various parts of all the roads.

Councilor Becallo told Supervisor Zambrano that before they start with the public input he had two (2) motions that he would like to present:

Motion that the finalized agenda be completed and posted on the website Friday at 4:00 p.m. prior to the Wednesday, Board Meetings:

Councilor Becallo made a motion that the finalized agenda be completed and posted on the website Friday at 4:00 p.m. prior to the Wednesday, Board Meetings

Councilor Becallo stated that he would like a roll call vote if the motion gets a second.

Deputy Supervisor Burtis asked Councilor Becallo what the time was and would that be the Final agenda.

Councilor Becallo replied 4:00 p.m. on Friday and that would be the final agenda.

Supervisor Zambrano explained that they had gotten information very late having to do with our financial programs. She puts together the agenda. They need to work together on this. She tries. She did get a preliminary agenda out on Friday night. She can't promise that every time there is a going to be a final agenda done on 4:00 p.m. on the Friday before the Wednesday.

Councilor Becallo asked if he had a second.

Deputy Supervisor Burtis asked Councilor Becallo if he could go to Monday and what time.

Councilor Becallo said he could go to Monday at 4:00 p.m.

Councilor Venesky seconded the motion.

Councilor Becallo said there was a second on the floor and asked for a roll call vote.

Supervisor Zambrano asked Tracy Cosilmon to take a roll call vote.

Tracy Cosilmon took roll call, which resulted as follows:

Councilor Venesky:	Yes
Deputy Supervisor Burtis:	Yes
Supervisor Zambrano:	No
Councilor Conway:	Yes
Councilor Becallo:	Yes

Ayes - 4 and Noes- 1. *Supervisor Zambrano voting no.*

Motion carried.

Public Input for agenda items only at the beginning of the meeting with the regular Public Input at the end of the meetings

Councilor Becallo made a motion to have the Public Input for agenda items only at the beginning of the meeting with the regular Public Input at the end of the meetings.

Councilor Becallo asked if he had a second.

Deputy Supervisor Burtis stated he would like to table it and they could come back to it.

Supervisor Zambrano stated they would put this as an agenda item for next time.

PUBLIC INPUT

A resident asked what alternate method of financing Councilor Becallo would recommend.

Councilor Becallo said they only heard from one group and lease to buy is what they've done. It's a fixed rate. Again, with these interest rates with the borrowing, they can fluctuate and he disagrees with the method of repaying. It was set up as a ladder, and they said eventually the numbers will go down and it means that more borrowing will go on top of it. He's not for borrowing, he doesn't like borrowing money. He disagrees with the method of financing and he would have preferred for lease-to-buy.

Supervisor Zambrano said she will do her best. She likes Friday at 4:00 p.m. better.

Kathy Knittel who lives behind WalMart said last year she sent a complaint because WalMart put speed-bumps in, did they allow them to do it? She owns the flower shop in Cicero and when she moved her shop she had to come in before them and tell them every single thing she was going to do. She has lived in Cicero for 35 years now and she was not asked if these speed bumps can be put in. Last night at 11:00 at night, 2:30 and 5:50 this morning she was woken up again. She was told that they were spoken to again today. It's not working. She doesn't know why they can't just make them take those speed bumps out. She went over and talked to WalMart and they told her. it's not their problem and they have to care for the safety of their people. Why can't they route it around the other way or get rid of the speed bumps. Also, in regards to the Sign discussion from last month, she owns a flower shop and she had put signs out the day before Valentine's Day and at 7:30 in the morning somebody came and ripped her \$500.00 worth of signs and threw them in your dumpster. They also took down the balloons. What were signs and balloons really hurting for 24 hours to help Cicero?

Councilor Venesky told Kathy Knittel his understanding was that our zoning guy was going to talk to WalMart last time and this was the first feedback that this was not effective. He is willing to speak with WalMart as well and he will carry that message to WalMart.

Councilor Becallo stated that they had another complaint come in last Friday and they sent it on to Richard Hooper, Director of Code Enforcement.

Richard Hooper advised them that since the last meeting, when they addressed the WalMart issue, they have not received any complaints; so they have no way of knowing whether the problem had been resolved. This is private property, this is commercial property, and they can't just tell them to remove the speed bumps.

Supervisor Zambrano asked Chief Snell if he had any comments on private property. The problem is WalMart is zoned properly and they are using speed bumps. Is there anything they can do about noise, they do have a new noise ordinance.

Chief Snell replied that he would have to research the noise ordinance.

Kathy Knittel asked if they weren't allowed to put the speed bumps in and they didn't ask for permission than why they can't make them take them out.

Supervisor Zambrano said WalMart did not need their permission to put it in.

A resident addressed Deputy Supervisor Burtis who had said in regards to the sign issue, the moratorium, with what he knew now he wouldn't have voted on that. He asked Deputy Supervisor Burtis to elaborate on it. They basically wanted Deputy Supervisor Burtis to review everything, for example: stealing people's signs without going through the court system. Why would he do it different now?

Deputy Supervisor Burtis explained that they made a resolution that they kind of did in a hurry. Looking back he did not have enough time to think about it. It was too quick for him. So yes, he is interested in talking about signs. Obviously they are going to talk about signs.

Mr. Rizzo said it does have to be addressed. He found his \$400.00 in a truck; they should give them a citation, go through the court system and let the judge decide on it. Are they going to be able to sit down with them and discuss this and come up with a better plan for everybody?

Councilor Venesky told Mr. Rizzo he thinks that is what they are doing. He took his complaint very seriously. . If business owners are telling us something's wrong than we will address it.

Councilor Venesky assured Mr. Rizzo that they were not going to steal his signs and throw them in dumpsters.

Supervisor Zambrano told Mr. Rizzo that she expected that they will have an informational session at some point, after the workshop.

Councilor Venesky told Mr. Rizzo they were going to work together to fix this.

Richard Hooper, Director of Code Enforcement commented on the signs. He said they never remove signs that are past the 20ft. right-of-way; they haven't done that. Secondly, they talk to the merchants/vendors first and see if they will pull them in. If they don't pull them in the second or third time then they will pull them.

Councilor Venesky told Richard Hooper that he knows he will tell the business owner if their within the 20ft. to move it and if the business owner/vendor doesn't move the sign they will see that Richard Hooper enforces the law.

Mr. Rizzo said just to know the law – 20ft. from the road/sidewalk. They are going to have to be fair, do the job and do it right.

Judy Boyke asked why the workshop for financing the budget not put on the website.

Supervisor Zambrano told her it was.

Tracy Cosilmon advised Judy Boyke that it was under Public Notices.

Judy Boyke said she had a concern in regards to the financing. If they found almost a half-million dollars, most of it coming from the Highway area, then why wasn't this money used to be applied to buying these vehicles.

Councilor Venesky said he was not sure where they were with the sewer issue that they have. That it is best that they leave the fund balances alone until they have a better feel of what the tax cap is going to be for us as a town and also, what our responsibility is going to be to the County when it comes to the sanitary sewer system.

Judy Boyke asked if the open position for the Greater and the Clerk for the Assessment Board of Review was that posted on the employment area as an open job, because it is a paid job.

Supervisor Zambrano said she didn't believe so. She believes the Chairperson of the Assessment Review Board processed the candidates that she had.

Judy Boyke said she couldn't help but notice the problem that she brought up in regards to paying Syracuse Haulers for hauling the Town's trash. She brought it up as a question and never received an answer from anyone from the Board, but she sees that we now have hired someone new. How is it possible to go out for bids in two weeks and hire someone if it's only been two weeks or a little over two weeks?

Supervisor Zambrano explained to Judy Boyke that the Procurement Policy states that we need to solicit quotes and Tracy Cosilmon got four (4) quotes; including previous haulers, as well as the current ones.

Judy Boyke said if they had that, why was that not included in all the disclosures/attachments for this evening and the fact that she was not even given a courtesy call thanking her for bringing that to their attention.

Supervisor Zambrano thanked Judy Boyke.

Judy Boyke said when they talk about something with the agenda, she obviously was a party to that for a couple of years, understanding it is very difficult to put an agenda together, but if you need to vote on something it is called a "special meeting" and you can call a "special meeting" as long as you have the agreement of the majority of the Board to make a decision to vote on something singular and not have to have a full agenda.

Judy Boyke thanked Bob Smith for not looking into spot zoning.

Bob Smith, Planning Board Chair advised Judy Boyke that Richard Hooper is the Director of Code Enforcement not Planning and Zoning.

Supervisor Zambrano stated the Codes Enforcement officers do have a tough job. They go out, they see the signs, they go and they talk to the people where there are signs where they are not supposed to be. They provide a copy of the Sign code and they leave it there. Lots of times the property owners aren't there, the workers are there and they fail to tell the property owner – we have seen this. But, no sign gets pulled the first time out, not even the second or third time.

Robert George asked about sidewalks. Are they referring to sidewalks in front of strip malls where they put a little tiny A-frame? Is that going to now be illegal and their signs are going to be stolen tomorrow?

Supervisor Zambrano asked Richard Hooper if he was taking the signs off from the sidewalks like in front of La Taqueria.

Richard Hooper replied that they are going to talk to the people. Most of the people that have the A-frames, that are spending money on them, they talk to them. It's the little signs that are on the little metal inserts, like the political signs, those will be gone if they are within the 20 ft. Any other signs such as A-frames and that, they talk to the merchant. They keep, for anyone that is interested, they have a program called *Municipity* so they can show you what's being enforced, when it's enforced and how it's enforced. They've taken pictures of what they completed prior to this moratorium that wasn't legal; they all know that, ninety-seven percent of this town has been cleaned up. They would be happy to do a presentation to show the difference. If they want it looking like Salina or Clay...that's not what he wants. From Bear Road into Salina – it's a mess! A lot of businesses respect the fact that they are cleaning it up and everything is looking nice. They are going to enforce.

Robert George said when Mr. Hooper refers to 96%, there are a lot of business owners all over the town of Cicero who are angry about the enforcement of the signs. The issue wasn't the enforcement; it was the absolute prohibition of signs, it was the abolition of signs and then the enforcement of that abolition. He's glad the town took the position that it did in the last few weeks and a lot of business owners have expressed to him great pleasure with what the Town Board has done; which is to permit them, but regulate them and that is what this time period is for the Town Board to come up with laws but in the meantime have people not have their signs stolen.

Supervisor Zambrano said there is a process where you can get a waiver where signs are not located.

Robert George said there are signs that are still non-conforming use variances that must be left as a matter of law and then you have new signs that have to comply with current law. There is a disadvantage to a new person relative to an older person, for instance he knows a business that has an electrified sign that would be illegal in today's code. He suggested that they at least give the businesses the courtesy of a letter.

Supervisor Zambrano explained that Councilor Venesky, in particular, has taken pains to reassure everyone that they are going to take a comprehensive look at it and try to address the issues.

ADJOURNMENT

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

Motion was seconded by Councilor Venesky.

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

There being no further business before the board, the meeting was adjourned at 10:15 p.m.

Tracy Cosilmon
Town Clerk

