

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, September 11, 2013 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jim Corl, Supervisor  
Jessica Zambrano, Councilor  
C. Vernon Conway, Councilor  
Lynn Jennings, Councilor  
Tim Burtis, Councilor

Others Present: Tracy Cosilmon, Town Clerk  
Christopher Woznica, Highway  
John Baldini, Police Sergeant  
Neil Germain, Germain & Germain, Town Attorney  
Bruce W. Letts, C & S Companies, Town Engineer

Absent: Christopher Woznica, Highway Superintendent

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

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and therefore urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn off your cell phones and be sure to speak clearly into the microphones to enable all to hear.

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

Councilor Jennings requested a moment of silence in remembrance of our men and women serving in the Armed Forces in harm’s way and in remembrance of 9/11.

Tracy Cosilmon showed a slide show of pictures of areas throughout the Town of Cicero that had displayed 9/11 memorials.

S.E.Q.R.  
(State Environmental Quality Review Act)

Supervisor Corl moved the adoption of a resolution that all actions taken tonight are Type Two (2) or Unlisted actions under the New York Environmental Quality Review Act unless otherwise determined. Motion was seconded by Councilor Conway.

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

APPROVAL OF TOWN BOARD MEETING MINUTES

Councilor Jennings moved the adoption of a resolution to approve the minutes of the August 28, 2013 Regular Town Board Meeting. Motion was seconded by Councilor Burtis.

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

Councilor Burtis moved the adoption of a resolution to approve the following budget modifications that he read as follows:

BUDGET MODIFICATIONS

**TOWN BOARD MEETING**

**09/11/2013**

**2013**

**BUDGET MODIFICATIONS**

FROM		\$		TO	
A14104	Town Clerk Contractual	1197.78		A35104	Dog Control Contractual
A142041	Attorney Union Negotiation	3000.00		A142042	Attorney Town Code \$2000.00
				A142044	Attorney Litigation \$1000.00
B714043	Extended Day Camp Supplies	381.64		B714040	Day Camp Supplies
A677251	Senior Computer Labor	106.25		A677243	Staff Dev Training and Meals
A711044	Park Misc	541.59		A711040	Park Supplies
DB19304	Hwy Judgements and Claims	30000.00		DB51302	Machinery Equipment

**2013 BUDGET AMENDMENTS**

**Revenues**

**Appropriation**

Motion was seconded by Councilor Conway.

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

**ACCEPT \$7,750.00 FROM BREWERTON REVITALIZATION COMMITTEE (Helen Carroll) FOR IMPROVEMENTS TO RIVERFRONT PARK TO BE USED IN CONJUNCTION WITH ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDS**

Supervisor Corl stated that we had some exciting news from Brewerton and announced that Helen Carroll was in attendance. Helen, over the course of the last several years was able to garner up a lot of support for some redevelopment of Riverfront Park. We just broke ground on the improvements this past week utilizing Community Development money. Helen spent a lot of time going to businesses, going to her friends and neighbors, and garnering support to help with the match for the Town’s share of the match for utilizing these funds. He thinks it is a great project and our Parks department has been working really hard with our Highway department; John Guariglia from Saratoga and Jody have been doing a great job up there and everything is really coming together.

Councilor Zambrano moved the adoption of a resolution to accept \$7,750.00 from the Brewerton Revitalization Committee (Helen Carroll) for improvements to Riverfront Park to be used in conjunction with Onondaga County Community Development Funds. Motion was seconded by Councilor Jennings.

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

A round of applause was given to Helen Carroll.

Supervisor Corl thanked Helen and told her that everyone appreciates all of her efforts.

PUBLIC HEARING TO CONSIDER THE ACQUISITION OF A TO BE  
CONSTRUCTED SANITARY SEWER LATERAL SYSTEM AND IMPROVEMENTS  
FOR LOPRESTI HOMES CORP. FOR THE PROJECT COMMONLY KNOWN AS  
THE LANDINGS AT MAPLE BAY AS WELL AS THE APPROVAL OF THE  
CONTRACT DRAWINGS FOR THE LANDINGS AT MAPLE BAY SANITARY  
SEWER SYSTEM (REVISED MARCH 11<sup>TH</sup>, 2011)

Supervisor Corl asked Bruce Letts to give some background information on this.

Bruce Letts introduced Bill Morris, a representative from W-M Engineers, P.C.

Bill Morris stated that they did the design for the sewers. The Landings at Maple Bay is a 13 Lot subdivision on Oneida Lake. When it was originally proposed it was proposed as a condominium and so the sewers could be private because you would have a single property owner that would own the sewers. Then it was switched to the Homeowners Association. At that point they were told by the Onondaga County Health Department that it could not be a private sewer system, it would either have to be owned by the municipality or it would have to form a transportation corporation, (which for 13 houses it is not a reasonable alternative), so they then came back to the Town. It is within the existing Cicero Consolidated Sewer District #3, so it would just be an extension. The sewers would be installed by the Developer and turned over to the Town, at no cost to the Town and the units will pay the standard sewer district charges.

Supervisor Corl asked Bruce Letts to expand a little bit about the sewers being public. He knows that there have been some conversations with the Onondaga County Department of Health, and they have actually requested and required this.

Bruce Letts replied that was correct. There was some, as Bill had mentioned, once it became no longer condominiums and individual private properties the health department requirement is that the sewers serving the individual properties be owned and operated by the municipality.

Supervisor Corl said he thinks that the use of condominiums in other municipalities, although it's a side-related issue, have really not been favorable due to some tax exemptions that he thinks that go along with those. Obviously it's an outside issue but he knows at one point there was a consideration but then they came back with this project.

Proof of publication and posting was presented to the Town board by Town Clerk.

The public notice read as follows:

**TOWN OF CICERO PUBLIC HEARING NOTICE**

**PLEASE TAKE NOTICE** that there will be introduced before the Town Board of the Town of Cicero, County of Onondaga and State of New York, an application to **consider the acquisition of a to be constructed sanitary sewer lateral system and improvements for the Lopresti Homes Corp. for the project commonly known as the Landings at Maple Bay as well as the approval of the contract drawings for the Landings at Maple Bay sanitary sewer system revised March 11<sup>th</sup>, 2011.**

**PLEASE TAKE FURTHER NOTICE** that the public hearing will be held on the aforesaid application at the Town Hall, located at 8236 Brewerton Road, Cicero, New York 13039, on the **11th** day of **September 2013**, commencing at approximately **6:30 P.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

**DATED:** August 28<sup>th</sup>, 2013

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

Public Hearing was opened at 6:44 p.m.

Speaking for – None

Speaking against – None

Public Hearing was closed at 6:44 p.m.

Supervisor Corl solicited any comments or discussion from the Town Board.

Board Comments –None

Supervisor Corl moved the adoption of a resolution that the Town Board accept the design of the sewer system for the Landings at Maple Bay as proposed and approved and reviewed by the Town Engineer and that said system be public for the requirement of the Onondaga County Health Department. Motion was seconded by Councilor Jennings.

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

#### SET PUBLIC HEARING DATE TO EXCEED THE NEW YORK STATE TAX CAP

Supervisor Corl said as a precautionary measure, as they did last year, they would like to at least have in place the ability to exceed the Tax Cap. They are continually working on our budget; they had a workshop that day and obviously it is their goal to stay within the 2%, but as a safeguard they should have this in place.

Supervisor Corl moved the adoption of a resolution to set the date for September 25, 2013 beginning at 6:30 p.m. at Cicero Town Hall, 8236 Brewerton Road, Cicero, NY for a public hearing to exceed the New York State Tax Cap. Motion was seconded by Councilor Zambrano.

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

#### SET PUBLIC HEARING DATE TO CONSIDER A ZONE CHANGE FROM NEIGHBORHOOD COMMERCIAL TO AGRICULTURAL FOR A PORTION OF THE PROPERTY LOCATED AT 5860 SOUTH BAY ROAD (Tax I.D. # part of 038.-02-05.2)

Supervisor Corl moved the adoption of a resolution to set the date for October 9, 2013 beginning at 6:30 p.m. at Cicero Town Hall, 8236 Brewerton Road, Cicero, NY for a public hearing to consider a zone change from Neighborhood Commercial to Agricultural for a portion of the property located at 5860 South Bay Road (Tax I.D. # portion of 038.-02-05.2). Motion was seconded by Councilor Jennings.

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

#### YOUTH BUREAU, PARKS & RECREATION DEPARTMENT APPROVALS

Councilor Jennings moved the adoption of a resolution to approve the following purchase approvals:

##### Purchase Approvals

- A. \$6,098 to Denzak Recreation Design Supply for 4 Picnic Tables for Riverfront Park Project – Community Development funded
- B. \$1,185 to Vitale for 60 yards of topsoil to complete new pavilion area at William Park
- C. \$8,785 to Denzak Recreation Design and Supply for (7) six foot benches for Riverfront Park Project – Community Development funded

Motion was seconded by Councilor Zambrano.

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

## Staff Appointment

Councilor Jennings moved the adoption of a resolution to approve the following staff appointment:

Travis Trudell, as Recreation Attendant, effective September 3, 2013 at a rate of \$10/hour

Motion was seconded by Councilor Zambrano.

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

APPROVE \$1,000.00 TO C. MATTES INC. FOR POOL PUMPING AT  
446 CHURCH STREET TO REMEDIATE UNMAINTAINED POOL

Supervisor Corl moved the adoption of a resolution to approve \$1,000.00 to C. Mattes Inc. for pool pumping at 446 Church Street to remediate unmaintained pool at said location. Motion was seconded by Councilor Conway.

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

Supervisor Corl explained that they had previously ordered that the pool be filled in because it was a public safety hazard.

## HIGHWAY DEPARTMENT PURCHASE APPROVALS

Councilor Burtis moved the adoption of a resolution to approve the following purchase approvals:

- A. \$82,000 to American Rock Salt for 2000 tons salt
- B. \$1,365.70 to Commercial Tires for Front tires for Gradall #53
- C. \$3,500 to Universal Metal Works for 2-Oil pans w/bolts
- D. \$3,500 to Lumberjack Tree Service for various roadside tree removals

Motion was seconded by Councilor Zambrano.

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

HIGHWAY DEPARTMENT EQUIPMENT PURCHASES (PURSUANT TO THE  
5 YEAR MAINTENANCE PLAN AS ADOPTED ON AUGUST 28, 2013)

Supervisor Corl explained that at the last board meeting they had asked Chris Woznica to go out and take into consideration various quotes for a Skid Steer Loader, a 10 Wheel large dump truck and a pickup truck. They are going to defer the Skid Steer and the 10 Wheel large dump truck purchases. Chris is still investigating the matter and would like two more weeks and he will be there for the next meeting.

However, the Board was provided a memo relative to the pickup truck which is also on the plan that the Board adopted and it came back from various quotes that had been obtained, one of them was from Burdick Ford.

Councilor Burtis stated that this was in the plan for the highway purchases and they have all the information. He solicited any questions from the board.

Councilor Jennings replied that it says "Rebate GPC" and asked what is GPC ? The grand total is like \$28,000, but it was around a \$7,711.00 rebate.

Supervisor Corl explained that it was a contract price. The original MSRP is \$40,170.00, but after everything is taken into consideration the total amount is \$28,386.50, for a Ford F150.

Councilor Jennings added GPC was Government Pricing Contract.

Councilor Zambrano asked Councilor Burtis if he knew what was going to happen to the truck that the new one was going to replace. Were they trading it in?

Councilor Burtis replied that they did not have a trade in.

Supervisor Corl explained that part of the plan, as to why they are purchasing this truck, is this will be Chris' and then they will need another one that will go down and be used for the roads.

The vehicle that they are replacing is inoperable; the frame is cracked, so it will go to auction.

Councilor Zambrano stated that there were two other quotes: \$31,550.00 and \$32,185.00. The quote for \$28,386.50 was the best price.

Supervisor Corl said that the truck is on the lot so he thinks that we will be able to actually obtain it in the next few days.

Councilor Burtis moved the adoption of a resolution to approve the following equipment purchases for the Highway Department pursuant to the 5 Year Maintenance Plan as adopted on August 28<sup>th</sup>, 2013:

- A. \$28,390.00 (Not to exceed) to Burdick Ford for a 2013 Ford F150

Motion was seconded by Councilor Conway.

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

#### RESOLUTION TO SUBMIT JUSTICE COURT (JCAP) GRANT APPLICATION FOR 2013

Supervisor Corl stated there was a list of various things that the Justice Court will be applying for, which is subject to change. The total amount that we can ask for is \$30,000 and they might be a little bit less than that, but part of the motion that he is going to make is so that they can go up to that amount.

Supervisor Corl moved the adoption of a resolution to submit the Justice Court (JCAP) Grant application for 2013 up to \$30,000. Motion was seconded by Councilor Zambrano.

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

#### RESOLUTION ASKING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO INVESTIGATE THE INTERSECTION OF CICERO CENTER ROAD AND STATE ROUTE 31 FOR INSTALLATION OF A THREE COLORED TRAFFIC CONTROL DEVICE OR OTHER SAFETY MEASURES TO BE IMPLEMENTED

Supervisor Corl stated that Chris Woznica had asked him to include this because he had safety concerns with the intersection of State Route 31 and Cicero Center Rd. As Dave knows, it is a dangerous intersection not only for our motorists but for our Highway Department; as they pull out of there the houses are very close to the road. He thinks a similar resolution was done several years ago now, so they will take another look at that and hopefully the Department of Transportation (DOT) takes a look at that for a possible traffic control device or other safety measures.

Supervisor Corl solicited any Board comments.

Councilor Zambrano stated that anyone who has seen that corner knows that it's a safety hazard due to the lack of visibility with the two houses.

Councilor Jennings asked if this was the same area where the church may come down.

Councilor Burtis replied yes.

Councilor Jennings said it was the Methodist church, a white church that might come down and a veterinary clinic or something in that area might be built. He said it might create a little more traffic.

Councilor Zambrano moved the adoption of a resolution asking the New York State Department of Transportation to investigate the intersection of Cicero Center Road and State Route 31 for installation of a three colored traffic control device or other safety measures to be implemented. Motion was seconded by Councilor Jennings.

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

#### RESOLUTION TO ACCEPT ROADS, UTILITY EASEMENTS AND DRAINAGE EASEMENTS FROM HANCOCK FIELD DEVELOPMENT CORPORATION

Supervisor Corl stated they were going to pass this agenda item. They actually approved the roads in that development on November 28<sup>th</sup>, 2012. The attorney for the airpark sent a correspondence to his office for him to sign on July 2<sup>nd</sup>. It had already been approved by the board. So he will sign the necessary paperwork that they had already authorized him to do.

#### RESOLUTION TO SET A TOWN BOARD BUDGET WORKSHOP FOR SEPTEMBER 25, 2013 AT 5:00 P.M.

Supervisor Corl moved the adoption of a resolution to set the date for September 25, 2013 commencing at 5:00 p.m. at Cicero Town Hall, 8236 Brewerton Rd., Cicero, NY.

Supervisor Corl stated that it was a public meeting at the Town Hall for the board members.

Motion was seconded by Councilor Burtis.

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

#### PUBLIC INPUT

A resident said that at the last board meeting there had been a discussion about the Gus Macker.

Supervisor Corl told her that we don't have the final numbers yet, but they will get them.

Councilor Jennings told her that they will be presented to her at the next meeting according to Jody.

Supervisor Corl told her that he would also get her the letter she was looking for.

Don Snyder, Mud Mill Road asked if the Parks department has to go and get a permit to drop

60 yards of topsoil at Williams Park. They said when you dump more than 10 yards of something in your yard you have to get a permit.

Supervisor Corl replied yes. They have a new Cut & Fill permit and the Town is, (and he did speak to Robert Germain), exempt from its own code. However, our attorney and engineer have been monitoring it. He said Bruce Letts had actually gone out there if that was correct to make sure that this would create no drainage issues.

Don Snyder said he is hoping on the C.Mattes, \$1,000.00 for - its pool pumping and pool filling in?

Supervisor Corl replied that was just for the pumping of the pool.

Don Snyder asked how it costs \$1,000.00 to pump water out of someone's pool. Do they have to put it in a truck and haul it away?

Supervisor Corl replied yes. It had to be hauled away. There was probably a formation of about a foot of algae and sludge and it has to be disposed of in a certain manner. When it goes to the dumping and there is fee. It was quite a mess.

Don Snyder asked if this cost would be tacked on to this person's tax bill.

Supervisor Corl replied yes.

Tom Beaulieu said they had talked about the striping being done on Route 31. It's amazing that they actually striped correctly. Off Route 11 on Route 31 they also put in what they call centerline audibles. Which has the tendency to startle you if you are riding a bicycle, because when people move across the center line it sounds like somebody's tires are coming off their car. It's a ¾ mile no passing zone that was established there. He didn't think that they would close the whole thing up; he thought they might extend a ¼ mile up to Boyke Farm Road so that if you get stuck behind a slow tractor trailer or dump truck you would be able to get by, but they closed that right up. He is going to send an email for actually getting that work done and the other phase of that is the speed limit and hopefully that will get done to. He originally sent a letter out to Assemblyman Stirpe, maybe 6 years ago, regarding the intersection at Cicero Center Road and Route 31, because at that time he doesn't believe the new flashing, caution lights were up – we'll need to request that. He said they had a discussion at one point about putting up some more bicycle, share the roads signs and some of the speed limits on some of the County roads. Something similar as to what was done on Mud Mill where they lowered the entire speed limit to 35 m.p.h.

Supervisor Corl said he did talk to Chris Woznica, and after the paving is done he did agree to do that stretch that Tom had pointed out for the "Share the Road" signs. He believes it was Weaver Road.

Supervisor Corl thanked Tom for calling the Department of Transportation.

#### EXECUTIVE SESSION

Supervisor Corl made a motion to go into Executive Session to discuss issues relative to public employees collective-bargaining negotiations and employment history of particular employees pursuant to Public Office Law Section 105. Motion was seconded by Burtis.

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

Supervisor Corl stated that they would be reconvening.

Supervisor Corl asked Neil Germain, Town Attorney to join them.

Supervisor Corl announced that Cicero Fire Department is having an Open House, as they do on every 9/11. He believes it goes from 6:00 to 9:00 p.m., so anybody that can make it over there they would greatly appreciate it.

The meeting adjourned into Executive Session at 7:06 p.m.

Supervisor Corl made a motion to reconvene into Regular Session at 7:37 p.m. Motion was seconded by Councilor Burtis.

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

Supervisor Corl moved for the adoption of a resolution to pay retroactive and adjusted salaries to non-union employees per attached Schedule A (Confidential Memorandum), in the amount of \$67,146.18, with a 2% increase of the adjusted salary beginning January 1<sup>st</sup>, 2014. Motion was seconded by Councilor Jennings.

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

Neil Germain asked Supervisor Corl to ask if there were any abstentions.

Supervisor Corl asked if anyone wanted to abstain from the vote.

Abstains – 0

Supervisor Corl stated it was Ayes - 5 and Noes – 0 in favor.

#### ADJOURNMENT

Motion was made by Councilor Jennings to adjourn the Town Board Meeting. Motion was seconded by Councilor Zambrano.

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

There being no further business before the board, the meeting was adjourned at 7:37p.m.

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Tracy M. Cosilmon  
Town Clerk