

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held a Special Meeting on Friday, August 8, 2014 at 9:00 a.m., at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

**Present:** Jessica Zambrano, Supervisor  
C. Vernon Conway, Councilor  
Mark Venesky, Councilor

**Others Present:** Robert Germain, Town Attorney  
Bruce W. Letts, Town Engineer  
Richard Hooper, Director of Codes Enforcement  
Tracy Cosilmon, Town Clerk

**Absent:** Tim Burtis, Deputy Supervisor  
Mike Becallo, Councilor

Supervisor Zambrano indicated where the fire exits were. She also encouraged everyone to utilize the microphones located in the front of the room and asked for cell phones to be silenced.

The meeting was opened at 9:00 a.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.

**Public Hearing to consider the construction and acquisition of sewer and drainage facilities as well as roadway located on lot 29 of the Town owned by Mandorla Gardens Housing Development Fund Company, Inc. , and located at 5410, 5411, 5421, 5430, 5431, 5441, 5450, 5461, Meltzer Court and 8777 and 8687 Jamboree Drive commonly known as The Cottages at Garden Grove:**

Supervisor Zambrano emphasized that *The Cottages at Garden Grove* is a non-for-profit health care facility. It is the first major health care facility that we have in the town; it has 156 beds, 300 employees and the project cost \$26 million dollars. The other thing that she personally wanted to recognize about this project is that it is a nursing home; skilled nursing beds for people needing that level of service (which is the highest level of service outside of acute care). This really is a very unique model; she thinks this is probably the second or the third nursing home of this type in the state, so we are very privileged to have this very special kind of facility in Cicero. Cicero will be a role model for the other nursing homes that will come after this one.

Supervisor Zambrano had proof of publication and posting for the Special Town Board Meeting and the public hearing.

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 construction and acquisition of sewer and drainage facilities as well as proposed roads located on part of Lot 29 in the Town of Cicero owned by Mandorla Gardens Housing Development Fund Company, Inc. (Loretto Project-Meltzer Court – 5410 5411 5421 5430 5431 5441 5450 5451 5460 5461 Meltzer Court and 8777 and 8687 Jamboree Drive) Lakeshore Sewer District, and the Oneida Lake and Chittenango Creek Drainage area and the construction of said roads and facilities having been completed in acceptance with the Plans and Specifications thereof; The Town Engineers' having certified that

the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under dates of July 2<sup>nd</sup>, 2014 and July 24<sup>th</sup>, 2014: Overland Drainage Facilities Guarantee - \$3,000.00; Stockpile Stabilization - \$9,000.00; Maintenance Guarantee - \$14,500.00; Road Guarantee \$8,600.00; Monument Deposit - \$1,800.00; Stop Sign Installation - \$200.00; Future Engineering/Inspection Fees - \$3,200.00 as set forth in an Agreement between the Town of Cicero and Mandorla Gardens Housing Development Fund, Inc., proposing that the town accept title to such facilities.

**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 **8th** day of **August 2014**, commencing at approximately **9:00 A.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

**DATED:** July 31, 2014

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

David Mooney, Director of Loretto said this project was probably the most enjoyable project out of the 6 nursing homes he built throughout his career; the project was born out of a federal heal grant. Surprisingly, Cicero fell in as the recipient of the searching for the resolution to the redistribution of long-term care, and as they re-crafted some of the older facilities they identified the need for a new facility. They identified the model, and then walked through land in Onondaga County and discovered that Cicero was not only the right spot, but this was really the right community because of the demographics of the population and the location of all the other healthcare facilities. Now they are done, they have created 12 beautiful homes, and they are poised to move people from a facility that is one of the most challenged facilities, as far as the physical plant and location. The people and staff are excited to move. Cicero will now be a center for long-term care and he believes that this will now open up opportunities for other levels of long-term care and care services that will service this sight and service the area. Mr. Mooney said the buildings and roads are finished and encouraged everyone to see the new creation.

Public Hearing was opened at 9:15 a.m.

Speaking for –

Judy Boyke congratulated Loretto on their project. As a realtor she has heard of many people who have applied and some who have been accepted. She asked what this public hearing was for because the infrastructure is in and this has to do with lots 29 & 28 (which Lot 28 is in Clay).

Supervisor Zambrano said she was going to let Robert Germain explain because he has done most of the paperwork to make sure that we meet all of the requirement; there has been a ton of work in the last month as far as the documents that needed to be prepared, everything having to do with bills of sales, deeds, etc.

Robert Germain said he has been doing road dedications for years and he has a certain process for doing them. Part of that process is, according to *Town Law*, that there is a required public hearing before the town takes dedication; basically, it comes out of a petition process where in part of the documents is where the applicant says that they are asking the town to take dedication; which is ownership of the road. To do that, if there are any issues out there that the public might have, as part of that process, they solicit that. So before they actually allowed the developer to file the deeds to the town, because we are taking over the roads, we have a public hearing. Through twenty-something years of work on these it is very often that no one shows for that particular part especially once the roads are completed and certified by the engineers as done. From here, the process would be that the map would get signed, would get filed as a subdivision map (that would be first), it also needs to be stamped by the County Health Department, then there's another stamp that it requires before it can get filed, then it gets filed in the County Clerk's Office first, then once that's done then the deeds for the roads get filed, there's easements; his practice also requires when we take dedication of a street or facilities, Affidavits of No Leans, as well as executed Bills of Sale; those originals will be held in a file with the Town Clerk. The applicant will give us what we call "time-stamped" copies of all the file documents so that we have a complete file with the town. He will ask the

Town Clerk to provide the Highway department with a copy of those also, so that they are on notice that those are now a town road. From now on once we own the road, we take dedication - it is our responsibility to maintain them.

Judy Boyke asked a question about Lot 28 located in the town of Clay (it was inaudible).

Deborah Gardner said her grandmother was in a traditional facility; it was very cold, very austere. Her mother was in a similar facility where it was a residential setting like this; she had her own bedroom, a community living room. When she is at that point in her life when she needs care, she wants to go into this type of place so she encouraged everyone to do what they need to get the project going or to get it finalized.

Speaking against – None

Supervisor Zambrano solicited any further comments.

Comments – None

### **SEQRA:**

Supervisor Zambrano said the Town Board was apprised and have copies of the Environmental Assessment Form (the long form that was filled out and reviewed by the County). The County issued its conclusion on July 16<sup>th</sup> saying that the Onondaga County Planning Board has determined that this referral of this project will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board, the Cicero Town Board.

Councilor Conway moved the adoption of resolution that the petition of **Mandorla Gardens Housing Development Fund Company, Inc.** on property located at 5410, 5411, 5421, 5430, 5431, 5441, 5450, 5460, 5461 Meltzer Court and 8777 and 8687 Jamboree Drive commonly known as the Loretto Mandorla Gardens Project is an unlisted action involving no other permit granting agency outside the Town. The proposed project *will not* have a significant effect on the environment and therefore *does not* require preparation of an EIS (Environmental Impact Statement). Motion was seconded by Supervisor Zambrano.

Ayes - 3 and Noes- 0. *Motion carried.*

Supervisor Zambrano asked Robert Germain if he needed to give further explanations to the Town Board members, who had all received the attachments.

Robert Germain said it was very straight forward; they are just accepting the deeds and the facilities.

### **DECISIONS:**

Councilor Venesky moved the adoption of a resolution that the Town of Cicero, having conducted public hearings to consider the construction and acquisition of sewer and drainage facilities located within Lot 29 of the Town of Cicero owned by Mandorla Gardens Housing Development Fund Company, Inc., located in the Lakeshore Sewer District and Oneida Lake and Chittenango Creek Drainage Area for the project commonly known as Loretto Mandorla Gardens located on Meltzer Court (5410, 5411, 5421, 5430, 5431, 5441, 5450, 5460, 5461 Meltzer Court and 8777 and 8687 Jamboree Drive), and the construction of said facilities having been completed in accordance with the Plans and Specifications thereof; The Town Engineers having certified that the facilities have been satisfactorily completed and that the developer posted the following security as shown under correspondence by the Town Engineers' under date of July 2<sup>nd</sup>, 2014 and July 24<sup>th</sup>, 2014: **Overland Drainage Facilities Guarantee - \$3,000.00; Stockpile Stabilization - \$9,000.00, Maintenance Guarantee - \$14,500.00; Road/Highway - \$8,600.00; Monument Deposit - \$1,800.00; Stop Sign Installation - \$200.00; Future Engineering/Inspection Fees - \$3,200.00;** and any other unpaid fees that may be owed by the Town of Cicero for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town

of Cicero and **Mandorla Gardens Housing Development Company, Inc.**, that the Town of Cicero *accept* title to such facilities. Motion was seconded by Supervisor Zambrano.

Ayes - 3 and Noes- 0. *Motion carried.*

**Acceptance of Easements:**

Councilor Conway moved the adoption of a resolution *accepting* easements for sewer and drainage facilities located on Lot 29 of the Town of Cicero owned by Mandorla Gardens Housing Development Fund Company, Inc., in the Lakeshore Sewer District and Oneida Lake and Chittenango Creek Drainage Area for the project commonly known as **Loretto Mandorla Gardens** located on Meltzer Court (5410, 5411, 5421, 5430, 5431, 5441, 5450, 5460, 5461 Meltzer Court and 8777 and 8687 Jamboree Drive) all as shown on a Final Plan prepared by CNY Land Surveying, P.C., titled Cicero Commons Subdivision dated June 9<sup>th</sup>, 2014. Copies of said easements for sewer and drainage have been provided to the town and approved by the town engineers. Motion was seconded by Supervisor Zambrano.

Ayes - 3 and Noes- 0. *Motion carried.*

**Acceptance of Warranty Deed and Dedication:**

Supervisor Zambrano moved the adoption of a resolution *accepting* a Warranty Deed and Dedication of the roadway located within Mandorla Gardens located at 5410, 5411, 5421, 5430, 5431, 5441, 5450, 5460, 5461 Meltzer Court and 8777 and 8687 Jamboree Drive pursuant to a proposed Deed conveyance duly offered to the Town of Cicero. Motion was seconded by Councilor Conway.

Ayes - 3 and Noes- 0. *Motion carried.*

**ANNOUNCEMENTS:**

- **Set public hearing date to consider the construction and acquisition of sewer and drainage facilities as well as proposed roads located on Section 7B of Wallington Meadows**

Supervisor Zambrano said they had originally scheduled a public hearing on Wallington Meadows but they did not have all of the requisite information, so they will reschedule it.

Robert Germain said they should adjourn the hearing scheduled for today to a date certain; which would be the 27<sup>th</sup>.

Supervisor Zambrano made a motion to adjourn the public hearing scheduled for today to August 27<sup>th</sup> at the Regular Town Board meeting scheduled for that time at 6:30 p.m. Motion was seconded by Councilor Venesky.

Ayes - 3 and Noes- 0. *Motion carried.*

- **Town of Cicero 2015 Budget Workshop Notice**

Supervisor Zambrano announced that they will be holding a public Budget Workshop on Wednesday, August 27<sup>th</sup>, 2014 starting at 4:00 p.m., at the Cicero Town Hall. It will be on the same day as the regular town board meeting. (The budget workshop is a presentation of the 2015 Preliminary Budget). She asked the Town Clerk to publicize it.

- **Special Town Board Meeting**

Councilor Venesky asked Tracy Cosilmon if she had said that there was not a motion taken for the Special Meeting on the 13<sup>th</sup>.

Tracy Cosilmon said that was correct; the minutes and the tape do not reflect that. The Board had set a date, but did not vote on it so they need to make a formal resolution.

Councilor Venesky moved the adoption of a resolution to hold a Special Town Board Meeting on August 13<sup>th</sup>, 2014 at the Cicero Town Hall, 8236 Brewerton Rd., Cicero at 7:00 p.m.

Supervisor Zambrano asked what the purpose of that meeting was.

Councilor Venesky said it was to determine whether or not the town is going to hire an independent counsel to investigate the ethics of the Supervisor.

Motion was seconded by Councilor Conway.

Ayes - 2 and Abstained -1. *Motion not carried.* Supervisor Zambrano abstained.

**ADJOURNMENT:**

Supervisor Zambrano made a motion to adjourn the Town Board Meeting.

Motion was seconded by Councilor Venesky.

Ayes- 3 and Noes- 0. *Motion carried.*

There being no further business before the Board, the meeting was adjourned at 9:41 a.m.

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Tracy M. Cosilmon  
Town Clerk