

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held a special meeting on Friday, August 31, 2012 at 8:30 am 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
Tracy Cosilmon, Town Clerk

The meeting was opened at 8:30 a.m. with the Pledge of Allegiance.

Supervisor Corl stated the Notice was posted and he has consulted with Attorney, Robert Germain relative to calling this special meeting and since all the town board members were present they are compliant with state law in calling the meeting.

A moment of silence was observed in remembrance of our men and women serving in the Armed Forces in harms way.

Supervisor Corl stated that he received a call from the County Finance Department, yesterday, relative to his certified letter, that he requested that the excess portion of Sales Tax due and owing to the Town of Cicero be that in the form of cash, as opposed to a credit. The amount is exactly \$44,200.62, which is above and beyond what the County had budgeted to receive for sales tax, for the Town of Cicero; therefore the Town of Cicero is entitled to that amount. After the initial conversation with Mr. Weber, in which he said that they needed a Town Board resolution stating that it would have to be in the form of cash, in another conversation he indicated that the amount due would have to be in the form of a credit.

Supervisor Corl spoke with the attorney and he said to move forward, do a formal resolution, and then send it to the County, and further reiterate that the Town is entitled to receive the sales tax in the form of a cash payment. This would obviously benefit the town going forward into next year.

Supervisor Corl solicited Board comments.

Councilor Jennings stated that it was his understanding that the \$44,200.62 was from the county having taken more than they should have and asked how that works. He wondered if this was going to go back if they don't get the cash, but if they do the credit would it go against the property owners under Onondaga tax.

Supervisor Corl stated Councilor Jennings was correct.

Councilor Jennings asked if they don't get the cash the \$44,200.62 would it get split up into the properties.

Supervisor Corl replied yes. It would offset their County Tax Bill in the form of that type of a credit.

Councilor Jennings inquired if they are still not sure if they are going to get cash or a credit.

Supervisor Corl replied that was correct. However, with this resolution they are going to send the resolution. Tracy Cosilmon is going to certify it today and they are going to get it right up to the County Finance department.

Supervisor Corl stated the County budgets how much they anticipate receiving from the Town and the \$44,200.62 was above and beyond what they had projected that they were going to get.

Councilor Zambrano commented that the County collected extra and it should come back to the Town. If we get it, and she doesn't know why it should be there decision, but if the town gets it, it should be on our revenue side.

Councilor Jennings commented that if they kept the \$600,000.00, originally, if they thought there was a surplus he would think they would jump on board and be happy to keep that as well. He stated he had a bad feeling about it.

Supervisor Corl moved the adoption of a resolution authorizing a request on behalf of the Town of Cicero, to the County of Onondaga, to request receipt of the Town's portion of sales tax in cash, and authorizing the supervisor to execute any and all necessary documents. 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 8:45 a.m.

Tracy M. Cosilmon
Town Clerk