

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on **Wednesday, April 27, 2016** at **6:30 p.m.** at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

PRESENT:

Mark Venesky	Supervisor
Mike Becallo	Councilor
C. Vernon Conway	Councilor
Dick Cushman	Councilor
Jonathan Karp	Councilor

OTHERS PRESENT:

Dave Christian	Highway Foreman
Joseph Snell	Police Chief
Neil Germain	Germain & Germain, Town Attorney
Stephen Snell	O'Brien & Gere, Town Engineer
Tracy M. Cosilmon	Town Clerk
Christian Brunelle	Senior Executive Vice President, Byrne Dairy

ABSENT:

Christopher Woznica	Highway Superintendent
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Supervisor Venesky opened the 8th regular meeting of the Town Board at 6:30 p.m. by noting the locations of the three emergency exits, asked that all electronic devices be silenced and noted if anyone had difficulty hearing to bring it to the Board's attention.

Councilor Conway led the Pledge of Allegiance, and then requested a moment of silence for our troops in harm's way.

Town Board Meeting Minutes

Councilor Conway made a motion to approve the Town Board minutes from the Regular Town Board Meeting held on April 13, 2016.

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Approval of Abstract Numbers 16 & 17

Councilor Cushman made a motion to approve Abstract #16 (dated April 20, 2016) and Abstract #17 (dated April 27, 2016) as presented. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Budget Modifications/Amendments

Councilor Cushman made a motion to accept the Budget Modifications/Amendments as presented:

BUDGET MODIFICATIONS

FROM		\$	TO	
A99029	Unemployment Ins	6000.00	A14902	Public Works (MRB)
A162040	Buildings Contractual	1805.73	A1620403	Hwy Garage
A168040	Computer Main/Support	75.76	A168045	Internet
A99029	Unemployment Ins	448.92	A19402	Purchase of Land/Equip
B312040	Police Contractual	1860.16	B312048	Police Radio/Equipment
DB90608	Hwy Medical Ins	32500.00	DB51302	Hwy Equipment (Hot Box)
DB511049	Hwy CB/F&G/Riser	560.71	DB511047	Hwy Misc
DB513049	Hwy Payloader Repairs	337.70	DB513050	Hwy Gradall/Badger Repairs
DB513053	Hwy Snow Blower Repair	831.72	DB513054	Hwy Sewer Jet

2016 BUDGET AMENDMENTS

Revenue			Appropriations
B3389 GTSC	Police Grant	718.12	B31201 GTSC Governor's Traffic Safety Committee Grant

Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes –0, and Abstentions – 0. *Motion carried unanimously.*

Public Hearing

Supervisor Venesky: This public hearing is to consider proposed amendments and additional language to Chapter 105 (Firearms and Weapons) of the Cicero Town Code by Local Law adoption procedure. The purpose of the proposed amendment is to create a limited exception allowing transit with weapons across public grounds for the purpose of engaging in lawful hunting activities.

Supervisor Venesky: I have proof of publication and posting.

Ad Content Proof

PLEASE TAKE NOTICE that the Town of Cicero Town Board will hold a Public Hearing for April 27th, 2016, commencing at 6:30 p.m., local time, to consider proposed amendments and additional language to Chapter 105 (Firearms and Weapons) of the Cicero Town Code by Local Law adoption procedure. The purpose of the proposed amendment is to create a limited exception allowing transit with weapons across public grounds for the purpose of engaging in lawful hunting activities. A draft of the proposed changes will be posted on the Town website prior to the Public Hearing. By the order of the Cicero Town Board

DATED: 4/19/16
TOWN BOARD OF THE TOWN OF CICERO
TOWN CLERK

Supervisor Venesky opened the public hearing at 6:36 p.m.

Speaking for –

Cicero resident: I am not for or against this, I mean hunters are hunters. Would the Town experience any liability in case of some type of an accident? I know sometimes people have weapons that they think are unloaded and they're really not; they trip and it goes off.

Neil Germain: That wouldn't substantially change the Town's liability position. The Town's liability would have to be negligent by error or omission, and if a person is on their property and negligent than that's the own person's negligence. You don't have Premises Liability from that, so I don't see it as a major increase in the Town's liability for somebody with a hunting gun or rifle walking across Town property.

Speaking against – None

Supervisor Venesky closed the public hearing at 6:38 p.m.

Supervisor Venesky solicited any Board discussion. There was none.

Resolution:

Supervisor Venesky moved for the adoption of a resolution to approve the following proposed **amendments and additional language to Chapter 105 (Firearms and Other Weapons)** of the Cicero Town Code by Local Law adoption procedure. (The purpose of the proposed amendment is to create a limited exception allowing transit with weapons across public grounds for the purpose of engaging in lawful hunting activities). **To be known as Local Law 5 of 2016:**

Chapter 105 of the Town Code is hereby amended:

By adding a new section, §105-19, entitled "Exceptions During Hunting Seasons."

By adding a subdivision (A) to §105-19 with the following text:

The provisions of §105-5 shall not apply to the possession of weapons on public grounds during hunting seasons, as such are specified in the Environmental Conservation Law, provided that the following conditions are met:

1. Such possession is for the purpose of transit across public grounds directly to a location where the individual who possesses such weapon or weapons may lawfully engage in hunting;
2. Such transit is continuous and uninterrupted;
3. In the case of a rifle or shotgun, the chamber or chambers of the same are unloaded, or in the case of a bow or crossbow, no arrow or bolt is nocked or loaded;
4. The weapon or weapons are lawfully possessed and are of a type which may be lawfully used for hunting.

By adding a subdivision (B) to §105-19 with the following text:

This section shall not be construed to permit hunting on public grounds.

Motion was seconded by Councilor Karp.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Set Public Hearing Date –District Zoning Changes

Councilor Becallo moved for the adoption of a resolution to set a Public Hearing for May 11, 2016, to consider district zoning changes for our Comprehensive Plan Update.

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

East Circle Drive – Traffic Signal Improvements

Councilor Becallo moved for the adoption of a resolution to approve the Contract Drawings for improvements to the traffic signal located at the intersection of East Circle Drive and the entrance to Driver's Village for the construction of a new Byrne Dairy store subject to a letter from O'Brien & Gere dated April 20, 2016. Proposed improvements include a new driveway for Byrne Dairy located across from the existing Driver's Village entrance and replacement of the span wire traffic signal with 4 mast arm signal poles and related improvements:

April 20, 2016

Town Board

Town of Cicero
8236 Brewerton Road
Cicero, New York 13039
Attention: Mark Venesky, Supervisor

RE: East Circle Drive Traffic Signal Improvements
FILE: 0101/63145

Dear Board Members,

We have reviewed the following in regard to the above referenced project for effect on Town utilities and roads and conformance with accepted engineering practice:

- 1) Traffic Signal Plan dated April 2016
 - 2) Traffic Signal Details dated April 2016
 - 3) Traffic Signal Notes and Items dated April 2016
 - 4) Driveway Geometry Plan & Details dated April 2016
- GTS Consulting prepared Items 1 to 3 and Plumley Engineering prepared Item 4.

The above materials have been prepared for improvements to the traffic signal located at the intersection of East Circle Drive with the entrance to Driver's Village. The improvements are being made to accommodate the proposed Byrne Dairy convenience store to be located on the southwest corner of the intersection of South Bay Road and East Circle Drive. The improvements consist of a new driveway located across from the Driver's Village driveway and replacement of the span wire traffic signal with four (4) mast arm signal poles. The materials are in general conformance with accepted engineering practice subject to the following comments:

- 1) It should be confirmed with the Town Attorney that appropriate agreements or easements are in place for the construction, operation and maintenance of the facilities located on private property including the Byrne Dairy and Driver's Village sites.
- 2) The Town Highway Department should be consulted to determine if any issues need to be addressed as a result of their review. This includes determining if any of the existing equipment or poles that are to be removed should be delivered to the Department.

Prior to the start of construction, the Developer must notify the Town and O'Brien & Gere of the proposed construction schedule. Upon provision of the construction schedule, our office will provide the Developer with an estimate for construction phase services and a time and date for a pre-construction meeting. It will be necessary for the Developer to deposit the fees prior to the start of construction.

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,
O'BRIEN & GERE ENGINEERS, INC.



Stephen R. Snell, PE
Project Manager

Motion was seconded by Councilor Karp.

Christian Brunelle, Senior Executive Vice President for Byrne Dairy was present. He explained that this is the proposed **Byrne Dairy** in northwest corner of South Bay Rd., better known as **5723 South Bay Road**, consisting of 2.44 acres (across from Driver's Village). The new store is under construction, as it was approved by the Town of Cicero Planning Board on March 14, 2016. On March 23rd he had received a Onondaga County Department of Transportation Utility Permit to tie into some storm structures, and on April 26th he received a driveway permit for South Bay Road from the Onondaga County Department of Transportation. While review of that driveway permit the County also looked at the signal, along with O'Brien & Gere. Why they looked at that is because it is going to be synced with the South Bay Circle Drive, so it's very important that the timing is synchronized between the two intersections, so they really had input. It was approved and he has the permit, which was forwarded to the Director of Planning today for the file, so that is all done. So from an Onondaga County Department of Transportation standpoint he is 100 percent complete and all set with them.

Christian Brunelle: Currently, the traffic signals are on the RLB property owned by Mr. Roger Burdick. That's on private property. The other side of the pole, that's actually in our proposed driveway, is on the Town right-of-way. After research, the Planning Board found that it was a Town signal. So I entered into an agreement, which I gave Mr. Germain a copy of, he has an Access Indemnity Agreement with RLB Development, basically allowing me access to remove or do whatever I have to do to remove this signal pole. He gave me full access to his property, which is wonderful. What's in front of you tonight, is we are going to take this off of private property, put it into the Town owned right-of-way, which is probably how this should have been done with all the growth here and put four (4) mast poles. This pole right here on Mr. Burdick's property will go away. The pole in the driveway, of course, has to go away because this is really the only location that we can have a driveway; we want it to line up. Two poles will come down, and we will put four mast arms on each corner. The reason we had to do four of them is just because we could not get the proper angle. The Department of Transportation looked at it; we could not get the proper angles. It's very expensive doing it the way that I am, but there is no other choice to get it in the right way. I think this cleans up a lot of things on this corner. The traffic light; it puts everything into the Town right-of-way. Assuming the Board approves this tonight, I plan on hiring Syracuse Signal, a local contractor who actually has the contract on all your traffic lights as well. I bid it out. I met the owner on site yesterday, and assuming that everything goes smoothly tonight, tomorrow I will enter into a contract with him to do the work.

Supervisor Venesky: I had a citizen ask me a question. He wanted to know what the cost was to the town. There is no cost at all to the Town of Cicero for this, correct?

Christian Brunelle: That is correct. It is 100 percent. We will turn it over after it's inspected by the Town, the DPW (Department of Public Works) and O'Brien & Gere is going to inspect it. My traffic signal guy who has the contract with the town is really going to be taking his own work over. I talked to Mark Premo, Deputy Commissioner just yesterday about the whole situation. I talked to him about Syracuse Signal, and we are going to choose how we are going to go about it, and he is very, very happy.

Supervisor Venesky solicited any questions from the Board.

Councilor Cushman: Just one question from maybe O'Brien & Gere. The signal that's in Hogan and South Bay Road, the majority of the traffic that comes to that, especially during morning and evening business time, comes down from Hogan south by KFC, across behind Lowes, and then down to get on there to make a left hand turn and it never seems to be able to clear that traffic at busy times. I'm just wondering if part of the synchronization could also make the left turn green arrow longer on South Bay and Circle Drive, making that a longer green light.

Christian Brunelle: There will be four lights synced here; all four of those will be tied together. That was part of a traffic study that was done by our traffic engineer. All four of them will be synced appropriately per the traffic study that we performed.

Steve Snell: The County approved those timings also.

Christian Brunelle: And they approved the traffic study.

Supervisor Venesky solicited any further Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Lyons Runne Section 2B

Councilor Karp moved for the adoption of a resolution to approve the dedication of sanitary sewer, drainage facilities and road located in Section 2B of Lyons Runne in the Town of Cicero owned by the Developer, T&L Companies. The construction of the facilities has been completed in accordance with the Plans and Specifications pursuant to a letter from O'Brien & Gere dated April 21, 2016. It is also recommended that the Developer post securities with the Town for punch list items and guarantee securities for the project as outlined in the O'Brien & Gere letter:

April 21, 2016

Town Board
 Town of Cicero
 8236 Brewerton Road
 Cicero, NY 13039
 Attention: Mark Venesky, Supervisor

RE: Lyons Runne Section 2B
 FILE: 101/61368 and 101/60314.039

Dear **Board Members,**

Lyons Runne Section No. 2B consists of 12 single-family residential lots along Josette Junction Road. The Developer has completed construction of the sanitary sewer, drainage facilities and roads in general compliance with the approved drawings, with the exception of the items listed herein. These utilities are to be dedicated to the Town for operation and maintenance. We have estimated the value of these facilities to determine the amount of security to be posted with the Town.

The following summarizes the necessary securities required for the guarantee period:

■ Sanitary Sewers	\$20,000 @ 10%=	\$ 2,000
■ Storm Sewers	\$18,000 @ 10%=	\$ 1,800
■ Swales	450 lf @ \$10/lf =	\$ 4,000
■ Roads	570 lf @\$10/lf =	<u>\$ 5,700</u>
	Total	\$ 13,500

In addition to the guarantee period, the Town should obtain the following securities for work not completed as noted during the site inspection on April 21, 2016:

■ Vegetate right of way	=	\$ 1,000
■ Regrade and vegetate 300-ft of swale between Lot's 6 and 11 to provide required slope	=	\$ 4,000
■ Install asphalt top course on the road	=	<u>\$ 12,000</u>
	Total	\$ 17,000

We recommend the Code Enforcement Office and Town Highway Superintendent be consulted to identify additional securities that may be required as a result of their review.

The applicant should provide and maintain necessary siltation and erosion control measures as outlined in the approved Sediment and Erosion Control Plan until vegetation is established on all areas disturbed by construction. The Town Code Enforcement Office should begin inspecting the erosion control facilities for the Town as our office will no longer be providing inspection since utility construction is complete. During the site inspection it was noted that erosion & sediment control facilities were not installed and the road right-of-way was not vegetated.

If you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,
 O'BRIEN & GERE ENGINEERS, INC.



Stephen R. Snell, PE, CPESC
 Project Manager

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Lyons Runne Section Numbers 1 and 2A Securities

Councilor Karp moved for the adoption of a resolution to reduce the securities currently on deposit with the Town for Lyons Runne in accordance with a letter from O'Brien & Gere dated April 21, 2016 as follows:

- A. Lyons Runne Siltation and Erosion Control Facilities from \$94,880.00 to \$14,000.00
- B. Lyons Runne Section No. 1 from \$38,600.00 to \$0
- C. Lyons Runne Section No.2A from \$58,910.00 to \$15,700.00

April 21, 2016

Town Board
 Town of Cicero
 8236 Brewerton Road
 Cicero, New York 13039
 Attention: Mark Venesky, Supervisor

RE: Lyons Runne Section Nos. 1 and 2A Securities
 FILE: 0101/61478.113

Dear **Board Members**,

The Developer has various securities in place for the above referenced projects. The following are recommendations relative to these securities.

Siltation and Erosion Control Facilities

These securities were posted at the start of construction for the entire subdivision. Based upon a review of the status of the project it is recommended the securities be reduced from \$94,880 to \$14,000.

Lyons Runne Section No. 1

Subject to any comments from the Town Highway Department and the Codes Enforcement Department it is recommended the securities be released as follows:

	<u>Original</u> <u>Amount</u>	<u>Amended</u> <u>Amount</u>
1) Road construction guarantee	\$ 32,000	\$ 0
2) Monuments	<u>\$ 6,600</u>	<u>\$ 0</u>
Total	\$ 38,600	\$ 0

Lyons Runne Section No. 2A

Subject to any comments from the Town Highway Department and the Codes Enforcement Department it is recommended the securities be released as follows:

	<u>Original</u> <u>Amount</u>	<u>Amended</u> <u>Amount</u>
1) Utility Maintenance Guarantee	\$ 12,270	\$ 0
2) Road construction guarantee and top course	\$ 44,240	\$ 15,700
3) Monuments	\$ 1,800	\$ 0
4) Stop signs	<u>\$ 600</u>	<u>\$ 0</u>
Total	\$ 58,910	\$ 15,700

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,
 O'BRIEN & GERE ENGINEERS, INC.



Mark C. Parrish, P.E.
 Managing Engineer

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

**Brewerton Wastewater Treatment Plant Service Area
 Sanitary Sewer Improvements Project**

Supervisor Venesky read the following:

Project Description: The project includes the open cut replacement of approximately 620-lf (linear feet) of 8-inch sanitary sewers, spot repair and grout sealing of approximately 5,500-lf of 8-inch sanitary sewers, rehabilitation of approximately 400-lf of sanitary sewers with cured-in-place pipe, 3,800-lf of 8-inch diameter trenchless spot repair & chemical grout sealing along with the rehabilitation and/or improvement of 70 existing sanitary sewer manholes. The estimated project cost is \$560,000.00 and is consistent with improvements presented in the County's Brewerton Sewer System Evaluation Study Report completed in 2015.

Environmental Review:

Supervisor Venesky moved for the adoption of a resolution the above described sanitary sewer improvements within the Brewerton Wastewater Treatment Plant Sanitary Service Area are a Type II action under 6NYCRR Part 617.5 (c) (1) and (2) for purposes of the New State Environmental Quality Review Act (SEQRA) and that no further action under the SEQR Act is Required. Motion was seconded by Councilor Karp.

Supervisor Venesky: I'm very excited about that. We are going to take 17 million gallons of fresh water out of the Brewerton Sanitary Sewer System. This is a problem that was identified over 20 years ago, and I'm very proud that this board has stood up to get it done.

Steve Snell: This is part of a grant application that we are submitting. It's due in June, but now they actually pushed the date back. We had this resolution at the last meeting but we had to include the citation for the Type II action, which we've included now. Nothing has changed with the project, the description is the same.

Supervisor Venesky: This is huge for the Town of Cicero. It's huge for our future.

A resident asked what NYCRR stands for.

Councilor Karp: It is the New York Code of Rules and Regulations.

Supervisor Venesky solicited any further discussion from the Board. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Assessor's Office:

- **Purchase Approvals**

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

- A. \$2,400.00 to SDG Outpost Anywhere for a Mobile Assessment System, which includes two (2) Samsung Android tablets
- B. \$240.00 for Verizon Wireless 4G Cellular Data Support

Motion was seconded by Councilor Karp.

Councilor Becallo: With this software, do we expect more accurate listings of assessments?

Supervisor Venesky: I don't know if we can speak to accurate. I'm going to take that our assessor, Karen Tavernese is accurate in what she does. I believe that she is accurate. This is a time saver. It allows her to access information on the run because all of her work is done in the field, and also to input data right on the spot. I think it's going to be a tremendous time saver for her.

Councilor Karp: So not necessarily more accurate, but definitely more efficient.

Supervisor Venesky: More efficient, absolutely.

Supervisor Venesky solicited any further discussion from the Board. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

- **Lease Agreement for XEROX Copier**

Councilor Cushman moved for the adoption of a resolution to authorize the Supervisor to execute a Lease Agreement with BIX Consultants for one (1) XEROX 7556 Black/White/Color Copier to be located in the Assessor's Office, in the amount of \$137.00 per month, sixty (60) month lease, which includes the service contract.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion.

Councilor Cushman: Mike (Becallo) had a question on this last month.

Councilor Becallo: One cent.

Supervisor Venesky: The overage is one penny per copy.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Comptrollers Office:

• **Printing of the “Official Statements and Sale Notices”**

Councilor Cushman moved for the adoption of a resolution to approve payment of \$1,187.85 to Premier Printing, Inc. for the printing of the “Official Statements and Sale Notices” for the renewal of the 2016 Bond Anticipation Note (BAN).

Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion. There was none.

Supervisor Venesky: This is something that we are required to do. They have to bind it, so it’s a legal requirement.

Ayes – 4, Noes – 1, and Abstentions – 0. *Motion carried. Councilor Becallo voting no.*

• **Updated Procurement Policy**

Councilor Cushman moved for the adoption of a resolution to approve the updated Procurement Policy, which includes policy changes that were formally passed by resolution; “Best Value” methodology and “Piggyback Law” The current updates are as follows:

- A. \$1,000.00 to \$2,500.00 before Board resolution is needed.
- B. \$2,500.00 to \$5,000.00 will require a verbal request with three written quotes.
- C. \$5,000.00 up to \$35,000.00 (for Public Works Projects) or \$20,000.00 (Purchase Contracts) will require an RFP (request for proposal) and three written quotes.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Highway Department:

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

Councilor Conway moved for the adoption of a resolution to approve the road projects (subject to change) for 2016 at a cost of \$816,000.00, and authorize the execution of the Highway Agreement between the Highway Superintendent and the Town Board in accordance with Section 284 of the Highway Law:

**AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY FUNDS
2016**

Agreement between the Highway Superintendent of the Town of Cicero, Onondaga County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, we agreed that the moneys levied and collected in the Town for the repair and improvement of highways, and received from the State as State Aid (CHIPS) for the repair and improvement of highways, shall be expended as follows:

Project	Length (miles)	Cost
1. Persian Terrace Total reconstruction	.39	\$95,992.00
2. Bethlehem Lane Total reconstruction	.39	\$95,992.00
3. Red Sea Drive Total reconstruction	.09	\$29,440.00
4. Klondike Circle Total reconstruction	.11	\$37,800.00
5. Redstone Drive Total reconstruction	.09	\$28,835.00
6. Hawkeye Drive Total reconstruction	.75	\$211,343.50
7. Pontiac Lane Total reconstruction	.12	\$38,175.00
8. Bygone Path (1) Total reconstruction	.29	\$45,185.00
9. Wild Way Total reconstruction	.13	\$26,335.00
10. East Davey Road Overlay	.05	\$7,315.00
11. Davey Road Overlay	.05	\$7,890.00
12. Oneida Drive Overlay	.36	\$10,130.00
13. Bauer Road Overlay	.10	\$11,325.00
14. Shore Drive Overlay	.10	\$11,035.00
15. Guy Young Road Fibermat	.87	\$65,490.00
16. Molesky Lane Overlay	.20	\$14,185.00
17. Palmer Road Overlay	.11	\$5,440.00
18. Tuttle Road Overlay	1.10	\$73,895.00

With a total amount of \$815,802.50. Executed in duplicate this 27th day of April, 2016

Motion was seconded by Councilor Cushman.

Supervisor Venesky: We are actually going to pave more than we thought we were going to. We are taking money and we are paying cash out of the fund balance. The reason being is we caught a real break this year with the price of oil. The business case was made that we could do some additional roads. It would cost us less money to do it this year. We wouldn't necessarily be in that position next year. We don't know what the cost of oil is going to be so we made a decision to take some money out of fund balance; we had it available, and to pave some additional roads.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

- **Purchase Approvals**

Councilor Conway moved for the adoption of a resolution to approve the following purchases for the Highway Department:

- A. \$1,125.00 to Eberl Iron Works for (50) fifty, 48" delineators with bottoms
- B. \$4,400.40 to Bobcat of CNY for a broom attachment for the Bobcat
- C. \$2,700.00 to MOMAR Inc. for 55 gallon AGRI-SOL with 4 sprayers (asphalt releaser)

Supervisor Venesky: We'll spray the AGRI-SOL into the new Hot Box [asphalt machine]. It allows all of the material to flow out of there easily, and easy clean up.

Motion was seconded by Councilor Karp.

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

Parks & Recreation Department

Councilor Karp moved for the adoption of a resolution to approve the following:

- Authorization for the Supervisor to sign the 2016 Contract with Onondaga County Department of Children and Family Services for funding for the CanTeen in the amount of \$18,400.00.
- Acceptance of a \$200.00 donation from Syracuse Vineyard Church for a movie licensing sponsorship as part of the Town's Movie series.

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Planning and Zoning Department (Codes Department)

Councilor Becallo moved for the adoption of a resolution to approve the following:

- \$1,845.00 to United Radio for mounting brackets, power inverters and installation of mobile field computer and access to the Town of Cicero network for three (3) Codes Department vehicles
- \$1,440.03 to Verizon Wireless for annual payment for wireless service and unlimited data plan (\$40.01 per each vehicle for 12 months for three (3) Codes Department vehicles)
- \$1,096.18 to Central New York Regional Information Center for one (1) Dell Laptop Computer and three (3) Canon Printers to be installed in the Codes Department vehicles.

Motion was seconded by Councilor Cushman.

Councilor Becallo: This is for better accuracy?

Supervisor Venesky: Not necessarily the accuracy. It's going to be a huge deficiency mover and a huge time saver because now they can do the reports right in the field, they can access their software from the vehicle, they can issue permits right from the vehicle, so they don't have to come back and do the paperwork. I'm anticipating that we will have quite a savings in time.

Supervisor Venesky solicited any further Board discussion. There was none.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Police Department

Councilor Becallo moved for the adoption of a resolution to approve the following:

- Acceptance of a Grant from Spirit of Blue Organization in the amount of \$8,750.40 for the purchase of safety equipment
- Acceptance of a Grant from the National Rifle Association in the amount of \$2,850.00 for the purchase of ammunition
- \$2,132.00 (to be taken from the STOP DWI reserve fund) to Brite Computers for one (1) Fujitsu Life Book T725 Laptop (four-year accidental damage protection and adapter included), to be installed in one of the new patrol unit cars.
- \$377.92 to Brite Computers for one (1) Brother PocketJet 7-300-DPI-Thermal Printer Engine with adapters

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion.

Councilor Karp: Chief is that for duty ammunition, the NRA Grant?

Chief Snell: It will be used for training ammunition.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

Discussion Items:

- **Earth Day Participation**

Tracy Cosilmon thanked everyone that participated in Earth Day. She said although it was a cold day they had a great turnout; there were a lot of groups that participated. She said it is really nice to go through the areas that everyone cleaned and look at the great pride that everyone took to clean up the specific areas.

Supervisor Venesky: Thank you for what you have done Tracy for organizing this for the Town. You make sure that everybody has what they need, there are plenty of donuts, and the spirits are high. You do a great job with that! Thank you.

- **Route 11 Sidewalk Project**

Supervisor Venesky: I met with the Department of Transportation (DOT) last week. The Town of Cicero is going to get sidewalks from Bear Road all the way to about 200feet north of Caughdenoy Road. Moving forward, hopefully by the time we are done, we will be able to go all the way to Route 31. We told them that's what we want. It will be a huge improvement in safety for all of the people that walk that Route 11 Corridor between Bear Road. I'm very excited about that. The DOT told us there are some things that they have to do; move some poles, and there's some other site work that has to be done but we can expect sidewalks in the Town of Cicero in that Route 11 Corridor by 2017. I'm very proud of that.

- **Town Website**

Supervisor Venesky: We have worked very hard, both David Kirk and Dan Lovell, who is a website developer and I can tell you today that the new website is up; it is up and running. There is no change, it is ciceronewyork.net. Hopefully, you will find it to be user-friendly. All of the things that we want should be there with just a couple of clicks. It has the capability to push information to you. So if you go on there and you click on **Information** or **Inform Me** you can put your email address in there and every time we do an update or we put in an announcement for a public hearing, or whatever, if you choose to receive it; it will automatically push it to you and you can unsubscribe at any time. I think that's a huge leap forward. I'm very proud of it.

Announcement that the 2015 Annual Financial Report for the Town of Cicero has been completed

Tracy Cosilmon announced that the 2015 Annual Financial Report for the Town of Cicero was given to all of the Board members. The report has been completed and is on file in the Cicero Town Clerk's Office for public view and it is also can be found on the Town's website at: www.ciceronewyork.net.

Public Input

Don Bloss addressed the three (3) LMT Defense MRP Defender Model 16 5.56 rifles and the accessories. Don said it sounds like an assault weapon to him. He asked who was going to pay for the training.

Chief Snell explained the training will be incorporated into their firearms training. They are going to take it very slowly with it. Only three officers will be trained to use the guns.

Don Bloss asked what three people and where the guns are going to be kept.

Chief Snell then explained that the guns will be kept in a locked mechanism right between the seats; between the cage and the front seat.

Don Bloss commented that if the guns have three magazines with them that that's a lot of firepower.

Chief Snell said, well Don the unfortunate part is we live in a different world today. When we talk about active shooter situations we have got to be prepared, as opposed to not being prepared. He then stated that twenty-nine percent of all active shooter situations in this country, the subjects are armed with automatic weapons and for us to think that we can go into a situation with a hand gun...that's how people get hurt, and that's how people get killed.

Don Snell asked, if you were to get into an active shooter situation wouldn't your people get the Sherriff's and the State Police involved immediately.

Chief Snell explained that the Active Shooter Situation Training that is being done across the country, in fact he has two federally certified Active Shooter instructors, Active Shooter Training requires that the first officer on the scene to immediately deploy into the active shooter situation, whether it's a school or a business. The old days of waiting, and that's where more people get killed and people get injured, to reduce and minimize injuries and deaths the police officers now today are instructed to immediately deploy into the situation and terminate the threat. That is their job. Not to sit there and wait for the State Police or the Sherriff's department to arrive; we will deploy and terminate the threat. That is what we get paid for and that's what we are trained to do.

Don Snyder said, if we only have three officers that are going to be trained in the use of these rifles...

Chief Snell explained that goal that every officer has the ability to be able to qualify on these weapons. In order to qualify you have to score 100 percent on the rifle, whereas with the handguns you don't have to. So everyone is going to be trained how to use it, but they may not be authorized or certified to carry it.

Don Snyder said he was scared for our officers. He would hate for some officer that theoretically can't pick up that firearm or use it because he didn't score a hundred on the shooting, but he knows how to use the rifle. He would want the officer to use it.

Chief Snell explained if the certified person had the assault rifle and was down or injured and another officer showed up and was familiar with the rifle he would be able to use it.

Don Snyder asked Chief Snell how many times our officers to date had to pull their guns out of their holsters.

Chief Snell told Don Snyder just two days ago an officer had to 'pull' his gun out of his holster; pulling their weapons out and using their weapons are two different things. The officer may not have the intent of using the weapon or they may use a Taser; it depends on the threat level.

Tim Murphy: This is going to be for 5b [set public hearing for May 11, 2016, to consider district zoning changes for our Comprehensive Plan Update] on your agenda, which is for zoning. I just wanted you to look this over so that you could review it when you come in for the public hearing on the 11th:

Cicero Town Board Meeting 4/27/2016

The Cicero Town Board made a decision that dramatically changes some Commercial Zones to include high-density apartment housing during their meeting on April 13th.

It's as if they don't recognize the hideous traffic congestion in Cicero on Routes 11 and 31.

The Town's Municipal Code 210-12 allows the Board to add a "use" to a Zone, which is how the change was made. However, the Code limits the addition of a use to when "proposed use meets the Statement of Intent and is of the same general character and intensity as those uses allowed."

There is a residential zone (RM) which allows multiple family residences. Why not re-zone lots where apartment complexes are proposed to an established zone defined for residential use? The answer might be changing the use of an entire Commercial Zone reduces the residents ability to challenge such a project. It might also be that the building height limits in RM are half as high as those in the Commercial Zones.

The proper way to change the use of land in a Commercial Zone to allow for high density apartments would be to change the Zone designation from Commercial to RM.

The Commission for Commercial and Industrial Development duties listed in Cicero Town Code 11-5 include "E. Create positive public attitudes toward economic development." This change, and how it was made, is in conflict with the Commission's duty.

The Planning Board Chairman, Bob Smith, is quoted as saying "Apartment complexes will add substantially to the tax base without adding to town services." On what data does Mr. Smith base his opinion? Can he provide the data he used in his assessment? Was declining property values of surrounding single-family homes taken into consideration? Also, the density of people would increase the number of students in our schools.

The Town Planning Board meets Monday, Apr 25th at 6:30 pm. The Town Council meets Wednesday, Apr 27th at 6:30 pm. You can review the previous Council meeting minutes at <http://ciceronewyork.net>

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Supervisor Venesky solicited any further public comments. There was none.

Adjournment

Supervisor Venesky made a motion to adjourn the Town Board meeting.

Motion was seconded by Councilor Cushman.

Ayes – 5, Noes – 0, and Abstentions – 0. *Motion carried unanimously.*

There being no further business before the Board the meeting was adjourned at 7:20 pm.

Tracy M. Cosilmon
Cicero Town Clerk