

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, December 12, 2012 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
Joseph Snell, Police Chief
Robert Germain, Germain & Germain, Town Attorney
Ron DeTota, C & S Companies, Town Engineer

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. If anybody is unable to hear the conversation please indicate, in some fashion, to the Board so we can make any necessary modifications.

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

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

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 Zambrano.

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 November 28th, 2012 Regular Town Board Meeting. Motion was seconded by Councilor Burtis.

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

APPROVAL OF ABSTRACT #23 OF 2012

Councilor Burtis moved the adoption of a resolution to approve Abstract #23, of 2012 as follows:

General Fund Voucher # 2467 to Voucher # 2562 In the amount of \$546,115.79
Highway Fund Voucher #696H to Voucher # 736H In the amount of \$ 86,999.83

Motion was seconded by Councilor Zambrano.

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

BUDGET MODIFICATIONS

2012**BUDGET MODIFICATIONS**

TOWN BOARD MEETING

12/12/2012

Councilor Burtis moved the adoption of a resolution to approve the following budget modifications as presented:

FROM		\$	TO	
A12204	Supervisor Contractual	50.00	A1220435	Postage
A711044	Parks Misc	33.09	A711041	Vehicle Operation
A90608	Medical Insurance	916.67	A90608 MI	Medical Incentive
A90108	State Retirement	3500.00	A51824	General Fund Streetlights
B31201 L	Police Longevity	148.00	A31201 H	Holiday Pay
B312054	Police Computer Labor	20.04	B312048	Police Radio Equipment Maint
B312047	Police Training	244.87	B312051	Police Copier
B312048	Police Radio	2600.00	B312040	Police Contractual
B731041	Parks Training	325.00	B7310402	Parks Program Supplies
B801011	ZBA Board Personal Ser	2800.00	B80104	ZBA Contractual
B801047	Zoning Computer Labor	100.00	B8010435	Zoning Postage
DB511045	Highway Typar/Pipe	3000.00	DB51102	Highway Equipment
DB513041	Highway Brakes/Parts	100.00	DB51304	Highway Oil/Fluid
DB90608MA	Highway Meal Allowance	8.73	DB90608 EX	Highway Eye Care Reimb

Motion was seconded by Councilor Zambrano.

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

**FURTHER REPORT ON LEASE PRESENTED TO THE TOWN FROM
PAUL SIMONET, PARK OUTDOOR**

Supervisor Corl introduced Paul Simonet, from Park Outdoors. Paul had attended Cicero's budget hearing, and had given a brief synopsis/overview as to what he was potentially looking to do for the town.

Paul Simonet stated that while he sat, listening at the budget meeting, he recognized the challenge that the Town does have. He said that it's not unlike other townships that they are running into; villages and cities are all feeling the budget crunch. He represents Park Outdoor Advertising, whose predominant business is outdoors; larger signs along the interstates. The world of billboards is changing – products change over time.

Paul Simonet stated that he did have an expert on their particular offering to the Town who was Bob Messier, from Dectronics, who represents one subset of a very large company that's rolling things out nationally. Their interest is in putting a sign up on the Town's property (in the back), reading to Interstate 81. He did send an unsolicited proposal to the town, documenting what they think is a good solution financially for the town and a good solution for them as far as a product.

Paul didn't know if the board had any questions, otherwise he wanted to know what course of action he should proceed on to see if there was a possible solution for the Town and for Park Outdoor.

Supervisor Corl asked Paul to walk them through the proposed lease to the Town, then perhaps expand on some of the particulars with the other gentleman that was present and then at that point the next step would probably be to walk the boundaries and speak with the Highway Superintendant over the course of the next several weeks or month on that direction. He thinks that the board is looking at the financial aspect of it, what it involves, and then seeing whether or not how viable of a project this is.

Paul Simonet stated that he did send a lease in the mail.

Supervisor Corl said he did hand it out.

Paul Simonet stated that what they proposed to the town, on what they call their Standard Lease Agreement, is a long term lease where they basically put a large pole on a pole up that's probably in the neighborhood of 36 to 40 inches in diameter and they lease that space and have ingress/egress capabilities along with vegetation rights to trim anything that's in the way of their sign and that is for a long term lease. The specifics that they had for them, did take into account

what had occurred in their public hearing. He thought they were the solution to the town's problem at that time. They proposed for the first two years of a long term lease that they would be paying the town \$125,000 per year and then the next eight years they would be paying them \$135,000 a year for that space and that ability to go in and out of the property on a predictable basis. So relatively, it's a very passive way of gaining revenue and they've had numerous cities and villages over the state start taking advantage of that. It also has the availability of Amber Alerts or other types of traffic warnings.

Bob Messier gave a quick overview of what a digital billboard is and said that digital billboards are the new technology, rather than the old static image where they leased it out for months at a time. With digital, the image is created through software and sent out to the display over the internet. Each image typically changes about every 8 to 10 seconds and then it can change up to 6 to 8 seconds, that kind of variable in each image changing. They are not a flashing sign, they are not animated, they don't blink, and they don't scroll; it's an instantaneous change from one image to the other. He said some of the benefits to the towns' were that some of the local businesses that typically can't afford to advertise on a billboard could afford it; Park Outdoor can offer them weekend or weeks advertisements at a lesser cost.

Supervisor Corl stated he wasn't sure if he walked the property, but suggested that maybe the next best step would be taking a look at that and then go from there.

Supervisor Corl solicited any questions from the board.

Councilor Jennings stated he had the opportunity as he was coming down 81 South towards the airport to see one of those billboards. He did some research and the billboard is on the Town of Cicero property, but it belongs to the Village of North Syracuse and he's glad they have it, because as they were driving in the evening, it was dark with a little bit of rain and they came onto a brilliant white, and he was blinded, momentarily. As he came north this evening, the trees are lit up better than any Christmas tree in town. He said they have a real concern in North Syracuse of liability on that type of sign and he has the same feelings that if they put one here facing Route 81 that people coming through there at night time are going to see that brilliant light. He said he started a little march this morning to see whom he can find out about having the thing terminated because it's a safety issue as far as he is concerned.

Councilor Jennings's other concern was how many signs they are looking at being proposed for the Town.

Bob Messier replied that it would be two faces in total.

Councilor Burtis asked it was two faces and one pole.

Bob Messier replied they were hoping for that. What will happen is that they will look at the lines of sight to ensure that both sides would be visible from the same pole. Worst case scenario is they would have two poles facing opposite ways.

Councilor Jennings said his other concern was when he looked at the additional provisions with the \$125,000, and like Paul said the town had a shortfall, however if he looked at this and take it over a ten year period their talking \$60,000 roughly on a \$600,000 loan that they now have that they may have to do again next year so this is going to be an ongoing problem in the town.

Councilor Jennings asked if the property is Town property, does it belong to National Grid (the rights), how many other municipalities within this area have these billboards from Park Outdoor.

Bob Messier said they had traditionally been a static board; they are a Central New York only company, so they have been hesitant.

Paul Simonet said in a former position he worked with FHWA as a private citizen representing a different company and they were on the Intelligent Transportation System Committee for Safety. He does concur that one has to be careful about what that brilliance is on the signs. He said how they handpicked Decktronics, in his opinion; they are the safest and best based on how they dim their lighting, what happens in the daylight and what happens at night.

Councilor Zambrano asked what the State Department of Transportation requirements are on these signs. She expects that the State regulates these signs and that there are safety standards that have to be met and asked if the State was part of the approval process when these signs go up.

Bob Messier said it is a sequential process, where if the Town concurs then the State gets involved on what they believe. They do conform already, they are pretty disposed to getting the

Department of Transportations approval, so anything they offer the Town they know the ground rules associated with it.

Councilor Jennings said he had spoken with the Mayor and the Codes officer in North Syracuse and her comment was that they didn't want the liability, so they sent the letter to the State Department of Transportation (DOT). The State DOT reviewed it and sent it back saying that they "bless it" if they want it – go ahead. So it does go through that system.

Bob Messier stated they can be too bright, but they can be adjusted.

Supervisor Corl said the parcel itself is in the confines of the Village.

Councilor Zambrano asked what the resolution to that problem is, and what do they do about complaints when something is too bright.

Bob Messier said it was basically enforcing the code, but if it's visually that bright it is up to the advertiser to be contacted.

PUBLIC HEARING TO CONSIDER ZONE CHANGES FROM AGRICULTURAL AND GENERAL COMMERCIAL TO GENERAL COMMERCIAL PLUS (BEHIND McDONALDS AND ALONG THE NORTH SIDE OF McDONALDS ON ROUTE 11 IN BREWERTON) FOR THE PROPERTIES BEARING TAX MAP NO'S 116-01-03.1 AND 116-01-06.1, TO BE KNOWN AS A LOCAL LAW

Supervisor Corl introduced Mr. Scorzelli from Syracuse Utilities and stated that the Planning Board voted unanimously to give them a positive recommendation to change the zone classification.

Mr. Scorzelli showed a map of the area and explained that Syracuse Utilities has been at its present location for about 35 years and that they are looking for approval for a zone change to General Commercial Plus. They would like to build their office and shop in the back location and take advantage of the right-of-way to the traffic light.

Supervisor Corl said it was his understanding that the request was prompted by their discussion with Steve Procopio, in the Codes office that the nature of their current or existing business is more of a General Commercial Plus in nature and then the additional 3 acres that they are looking to change and potentially expand on would also be part of their business.

Councilor Jennings said one of the buildings on that site is listed as a Residential, one family and asked it was being used to conduct business on that site.

Supervisor Corl said that with the Tax Identifications that need to be changed, the majority are commercial in nature, according to the survey and application.

Councilor Zambrano asked if all those three buildings are in the zone to be changed and what will happen with them.

Mr. Scorzelli replied that they were and that the buildings will remain.

Proof of publication and posting was presented to the Town board by the 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 Zone Changes from Agricultural and General Commercial to General Commercial Plus (behind McDonalds and along the north side of McDonalds on route 11 in Brewerton) for the properties bearing Tax Map No's 116-01-03.1 and 116-01-06.1, to be known as a Local Law.**

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 **12th** day of **December 2012**, commencing at approximately **6:30 P.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

DATED: Nov. 15, 2012

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

Public Hearing was opened at 7:05 p.m.

Speaking for – None

Speaking against –

Dave Wickam stated he was a neighbor of Syracuse Utilities and that he had spoken in favor of them when they first got started. He said that the parcel along the side of McDonald's was recently sold to Syracuse Utilities and that the other parcel that's behind McDonald's was a parcel that they owned and had a hardware store on until the big boxes kind of ended local hardware stores and they sold to Vision Development. Originally, the property was his family's farm and they came to the town for a zone change for the commercial property; there were three phases of residential and one phase of commercial. They were able to do the commercial and just one phase of the residential; the other two phases of residential have set idle. The one residential piece that remains borders the commercial property and then borders along the agricultural zoned property and meets up with the next residential development which is Glengarriff. He distributed maps to show the board, which was a preliminary draft of the whole development with the commercial and the residential and said that there is a lot of negotiation as to the sizing and in the negotiation it turned out eventually that the commercial was reduced. During the negotiations with the town, the commercial size was reduced so that the residential size could be actually increased. He showed on the map where the two roads that exist right now at the end of Wickam Drive and Woodlawn Drive North that are sticking into this parcel. He showed the area on the map and said even though there are houses that are not built there, there is a backyard property line of homes that will be there at some point and time. The property is zoned single-family residential, they've been paying taxes for that zoning for a number of years and anything that would change the nature of the commercial that adjoins it is something the town should take into consideration; as it would impact the residential that would be behind it. He said he would be opposed to changing it from Commercial because the Commercial was designed the way it was; the buffer was put in there the way that it was and that it was long, expensive process to get to this point. He thinks that a change would not necessarily work well with the residential development behind it.

Judy Boyke asked what General Commercial Plus is.

Robert Germain replied that Cicero has tiered zoning, which means that the lesser users are included in the larger uses. Commercial Plus is one of the larger uses, so if one went right down to the things that they are allowed in Commercial zones, they would also be allowed in Commercial Plus. So if you start with General Commercial, the things that are allowed such as: offices, community centers, religious institutions, and so on, they allow all those and all the uses from Neighborhood Commercial, but with the issue with Commercial Plus, in his mind it's kind of a hybrid in the sense that it was intended in design to provide for co-existence between commercial and light industrial uses. So it also allows for parking garages, parking lots and so on. But, he thinks the issue is if there's a use that doesn't exactly fit the other uses, they can use the Commercial Plus because it also allows other uses that the Planning Board finds meets the Statement of Intent that are the same general character and intensity of those uses allowed. So when the Planning Board has the ability to look at something that really doesn't fit the definition, and say that this would fit Commercial Plus, which is what he believes happened in the Planning Board Meeting prior to this.

Judy Boyke thought that with the way it is zoned right now, the business on the property doesn't fit the zoning of the property in existence. She stated she is not speaking against the project, but her concern is that it is "spot zoning." Her concern is that there are five (5) commercial properties that exist to the south of Kinneys, and she listed some of their names and what they were currently zoned as. She read the Standard State Zone Law Act which says, "All such regulations shall be uniform for each class or kind of building

throughout each district.” She stated that area is a commercial district; that whole piece of property, they all run down to the end where Fran’s Flowers is. She said it’s just a concern, and she would hope that they will give all the other businesses an opportunity for this Commercial Plus zone change rather than do this Spot Zoning. She stated she was not opposed to the zone change, but she is opposed to the fact that it’s Spot Zoning.

Public Hearing was closed at 7:16 p.m.

Supervisor Corl stated that after looking at the application and speaking with the Chairman of the Planning Board he is confident that this is not Spot Zoning; they gave them back a positive referral for this zone change and they do have a resolution back from the Onondaga County Planning Agency which does not recommend a disapproval, there are some modifications to be taken into consideration in this site plan, review of a potential project, but what he see’s is a commercial area and they have a business that’s been in town for a number or years, who is very reputable, and they want to expand and he thinks that’s going to beneficial to the community. He thinks that this General Commercial Plus does fit that area; it’s a commercial area and it ties in nicely with that area. At this point, he doesn’t see an issue with Spot Zoning.

Supervisor Corl stated earlier this year Robert Germain prepared some type of memorandum on that and asked if he wanted to address that particular issue.

Robert Germain said that he did prepare a memorandum for the board and gave it to the board in general about what he believes Spot Zoning is and when he believes it occurs or not and the board is free to take those things into consideration when they make a decision.

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

Board Comments

Councilor Conway said that back in the 1960’s, they had a marine store back there that sold to dealers and that’s where they have their office now. He knows that they started a business selling boats in 1960 and that was there at that time, so that has been commercial forever.

Councilor Zambrano stated she understood the concern from Mr. Wickam about the residential development, which hasn’t taken place, but they’ve talked a great deal over the years about developing Brewerton so she thinks that this proposed zone change fits right in with what they are trying to accomplish along the Route 11 corridor.

Councilor Burtis said he believed it was commercial zoned and said he was a little confused about what Councilor Jennings found on the tax roll, but he believes that could be a mistake if they all agreed that was commercial. He said he understood Mr. Wickam’s concern, but at this point he believes it’s a commercial area and he would like to encourage business, so he isn’t seeing a problem.

Councilor Jennings said he had made his comments, but again he is in one of those quandaries; where not being a codes or a real estate man, because there is still a lot of if and/or buts and he’s just not very comfortable moving forward with the change.

SEQRA RESOLUTION:

Supervisor Corl moved the adoption of a resolution that the proposed Zone Change from Agricultural to General Commercial Plus for property known as Tax Map No. 116-01-03.1 and 116-01-06.1 is an unlisted action filed with an Environmental Assessment Form and the proposed project involves no other permit granting authorities outside the Town. The proposed zone change will not have a negative impact on the environment, and therefore does not require the preparation of the Draft Environmental Impact Statement. Motion was seconded by Councilor Zambrano.

Ayes - 4 and Noes - 1. *Opposed* – Councilor Jennings
Motion carried.

Zone Change Decision:

Supervisor Corl moved for the adoption of a resolution to approve the application for a Change of Zone from Agricultural and General Commercial to General Commercial Plus on the property known as Tax Map No. 116-01-03.1 and 116-01-06.1 as requested. It is noted that the applicant must also comply with the Brewerton overlay specifications and other Town Planning Board specifications upon submission of an application for a Site Plan. To be known as Local Law 15 of 2012. Motion was seconded by Councilor Zambrano.

Ayes - 4 and Noes - 1. *Opposed* – Councilor Jennings
Motion carried.

AUTHORIZATION FOR SUPERVISOR TO EXECUTE THE VETERINARY
MEDICAL CENTER CONTRACT FOR 2013

Councilor Jennings said that the amendment that Tracy Cosilmon made was that the Town of Cicero agrees to pay a maximum of \$250.00 per animal visit and the payment will be sent within 30 days. Tracy had also requested the deletion of the last paragraph, which is just above the authorized signature area.

Councilor Jennings moved the adoption of a resolution to Authorize the Supervisor to Execute the Veterinary Medical Center Contract effective January 1, 2013 to December 31, 2013 as amended. Motion was seconded by Councilor Zambrano.

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

APPROVE THE DELL FINANCIAL SERVICES LEASE PROPOSAL FOR THE TOWNS
COMPUTER NEEDS, AT AN ESTIMATED ANNUAL COST OF \$5,462.96 AN AUTHORIZE
THE SUPERVISOR TO EXECUTE THE SAME

Supervisor Corl stated this was an issue they have been discussing for the better part of 6 to 8 months is updating our computer systems within the town. They've had department head meetings and Chief Snell took the lead on acquiring/updating all of the needs from department heads and compiling a proposal, which has been reviewed by the Comptroller.

Supervisor Corl noted that in 2012, they spent about \$22,000 on service of the computers, within the town. Earlier this year they bought a new server which he thought was part of their problems and he thinks to date they spent about \$11,000 on computer costs and IT services.

Supervisor Corl thinks entering this lease program and getting all the computers up to speed and having a lease program in place so we don't fall behind again will save even further tax dollars and make sure the department heads have appropriate equipment to conduct their business. All of the department heads are in favor of the lease, which he circulated.

Supervisor Corl solicited board comments.

Councilor Jennings commented that the Chief and the people that worked on this project did an excellent job.

Councilor Jennings moved the adoption of a resolution to Approve the Dell Financial Services Lease Proposal for the town's computer needs, at an estimated annual cost of \$5,462.96 an Authorize the Supervisor to Execute the same. Motion was seconded by Councilor Zambrano.

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

POLICE DEPARTMENT

Accept Retirement of John Fortino

Supervisor Corl stated that police officer John Fortino is asking to retire from the town and then effectively turn around and have the town rehire him. This worked as a win-win for both the town and for Officer Fortino who is going to continue on the police force. It's helpful to the town

because they will no longer have to pay into the New York State Retirement System for him. Officer Fortino is a part-time police officer and basically it's just more of a formality to have him retire and then come back and keep helping the town.

Supervisor Corl asked Chief Snell if he had any comments.

Chief Snell they have done this in the past with other officers who have done the same thing and it is a savings to the town. Also, it is a cost savings to the town and they are keeping the skill and the experience and the knowledge within the department.

Councilor Jennings asked if they were required to canvass for the position.

Chief Snell replied because this is a non-competitive Civil Service position, therefore they do not have to go out and canvass for it.

Councilor Burtis asked Chief Snell if he had any idea how long Officer Fortino would like to stay on part-time.

Chief Snell replied that currently Officer Fortino serves as the Court Bailiff part-time, and then occasionally he fills in on the road. He believes he wants to stay here as long as he can and he knows both judges admire his work and would encourage the board to make this decision.

Councilor Zambrano moved the adoption of a resolution to Accept the Retirement of John Fortino, Police Officer effective December 21, 2012. Motion was seconded by Councilor Jennings.

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

Approval to Hire John Fortino, Police Officer

Councilor Zambrano moved the adoption of a resolution for Approval to Hire John Fortino, Police Officer, effective December 23, 2012 at an hourly rate of \$23.96/hour. Motion was seconded by Councilor Jennings.

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

JUSTICE APPOINTMENTS

Appoint Theresa Luke as Court Clerk

Supervisor Corl moved the adoption of a resolution to appoint Theresa Luke as Court Clerk at an annual rate for 2012 in the amount of \$34,611.27 and \$35,995.72 for 2013. The hire date will be effective December 26, 2012. Motion was seconded by Councilor Conway.

Supervisor Corl noted that Theresa Luke's resume has been circulated to the board members and she has an extensive record in serving in the Town of Clay's justice court and the Town of Onondaga.

Supervisor Corl welcomed her.

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

POLICE DEPARTMENT PURCHASE APPROVALS

2013 Ford Police Interceptor to replace Patrol Unit A-1

Supervisor Corl noted that the purchase of the new vehicle was actually to replace one that was in an accident, which uses our insurance money and STOP DWI funds to purchase this new vehicle.

Chief Snell stated they received a little over \$16,000 from the insurance company for the vehicle that was totaled and they currently receive money from the County, through the STOP DWI program, which can be used for the purchase of emergency equipment that's related to STOP DWI. There will be no cost to the town to purchase this vehicle.

Councilor Jennings asked if the insurance or the DWI funds cover the installation of the radio computers and detailing.

Chief Snell replied that the striping will be covered, he believes, by the insurance company; he will call them tomorrow to verify that. They are also paying for the reinstall of the equipment and right now they are working with CNY Public Safety as far as some equipment they need.

Supervisor Corl moved for the adoption of a resolution to approve the following purchase for the Police Department.

- A. \$24,772.24 to Delacy Ford for one (1) 2013 Ford Police Interceptor to replace Patrol Unit A-1

Motion was seconded by Councilor Jennings.

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

PURCHASE APPROVALS FOR HIGHWAY DEPARTMENT

Hand Roller with Basket for Asphalter

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

- A. \$2,447.00 to J&J Equipment for Vibco GR-1600 Hand Roller with Basket for Asphalter

Motion was seconded by Councilor Jennings.

Councilor Burtis noted that they had received another quote but it was two times (2x) higher.

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

REQUEST THE STATE OF NEW YORK TO INVESTIGATE THE CORNER OF ROUTE 31 AND ROUTE 298 IN BRIDGEPORT FOR POSSIBLE INSTALLATION OF A STANDARD STOP LIGHT AND/OR CROSSWALK APPROXIMATELY 150 FEET WEST OF ROUTE 298

Supervisor Corl stated that he received a few calls, and he believed Councilor Jennings did too, regarding trying to help residents in the Bridgeport area where there is increased traffic, more or less in the Bridgeport Hamlet area, with development on Route 31 with the Colonial Laundromat, a pizza place, and now there is an Oneida Savings Bank kiosk. It's creating an issue with some of the residents. He asked Chief Snell to look into this, who prepared a memo and the following proposed resolution incorporates the Chief's recommendation and having the State come in and take a look at the viability of the potential of a stop light and then potentially some type of a crosswalk.

Councilor Jennings said he had talked to a lot of residents from the senior center and other people in Bridgeport and right now there is a crosswalk there, however on the curb and the rate the traffic goes there; they certainly don't go at 30 m.p.h., and there are people in wheelchairs and other motorized vehicles and they have a hard time getting across. Right now there is a flashing light by the FastTrac and if they can convert that or if they will convert that to a stop and go it's probably going to be the best way to go.

Councilor Burtis moved the adoption of a resolution to Request the State of New York to investigate the Corner of Route 31 and Route 298 in Bridgeport for possible installation of a Standard Stop Light and/or Crosswalk approximately 150 feet west of Route 298. Motion was seconded by Councilor Burtis.

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

SET THE ORGANIZATIONAL MEETING

Supervisor Corl moved the adoption of a resolution to Set the Organizational Meeting for 9:00 a.m. on Friday, January 4th, 2013 at Cicero Town Hall, 8236 Brewerton Road, Cicero. Motion was seconded by Councilor Jennings.

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

PUBLIC SAFETY NOTICE FROM TOWN SUPERVISOR AND HIGHWAY SUPERINTENDENT

Supervisor Corl read the following Public Safety Notice from Town Supervisor and Highway Superintendent:

“With the winter months ahead it is important to remember that we need to keep streets in our neighborhoods clear for the snowplow trucks and emergency vehicles. The Town of Cicero Code states that between November 15th and April 26th there is no parking on streets within the Town between the hours of 1:00 a.m. and 8:00 a.m. With everyone’s cooperation we can keep our streets clear from snow and neighborhoods as safe as possible for our first responders.”

FURTHER DISCUSSION ON VOLLMER CREEK BRIDGE

Chris Woznica said that last Monday, the New York State Section III bridge people came out and looked at the bridge. They did a quick assessment in the water at the bridge and everything looked fine. They looked at the materials that highway was going to use to patch it and they recommended that it would be okay. That Tuesday, divers from New York City came up and they looked underneath the bridge and everything looked perfect and right now it is in the works of getting on the bridge inventory list to be inspected. Chris said the bridge was in good shape, it’s all patched and the other side of the bridge is in good shape also.

Councilor Zambrano asked if there are any other bridges in the town that haven’t been certified.

Chris replied that the only two bridges that the Town owns are the one on Darlene’s Creek and this one on Beach Road and they are all set.

CANCEL THE DECEMBER 26TH TOWN BOARD MEETING

Supervisor Corl moved the adoption of a resolution to Cancel the December 26th, 2012 Regular Town Board Meeting. Motion was seconded by Councilor Zambrano.

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

Councilor Jennings said a few people had asked him about when they had to dig up in Brewerton on November 5th, if there were any results from the dig on the riverfront.

Supervisor Corl said John from Saratoga Associates indicated that the results just came in and from what he was told, it was his understanding that the report will go to the town, the town then sends it through Saratoga to the state, they have to go through it, approve and then it goes to the Nations and then it eventually gets approved.

PUBLIC INPUT

Chet Dudzinski, Island Rd. asked what side of the right of way would the proposed Park Outdoor sign be on and said he was always left to believe that highway was not allowed to put any material under there, for fear that somebody might run into one of their plows. He said that they use to have snowplows under there and in the summertime they made them move them and that once the town lets them put a pole up, the town will own it the rest of their lives.

Supervisor Corl stated Park Outdoor will be meeting with Chris to do a walk through to see if it is even viable. They would have to get surveys, and take a look at it. They are at the initial stages of discussion.

Chris Woznica said the town property ends at the pavement, the rest of the property is owned by National Grid so highway did have to move everything out of there.

Councilor Burtis asked how long ago was the cell tower put in and what was the sentiment of the town board back then.

Chet Dudzinski replied that they weren’t allowed back then to say they didn’t want a cell tower.

He commented on the scheduling of the Organizational Meeting and said it should have been held at night for the convenience of the residents, in the evening.

Councilor Jennings said that on the proposed lease agreement, the approximate size of the signs is 10.5ft. x 36ft. and that's a pretty good sized sign, that's why he suggested to the gentlemen to go look at it.

Mark Venesky suggested that if the Town did put the sign up that they have the attorney put in a "hold harmless" clause in the agreement so if someone runs into the sign, the town would be held harmless. He asked the town board to explore if it was a good deal, to shop around. He stated that the board should look at anything that could bring revenue into the town or enhance the quality of life in the town of Cicero.

Mike DeCalo questioned how long the lease was going to go for with the Dell computers.

Supervisor Corl replied that it was for 5 years.

Judy Boyke stated that the zoning in the town indicates that on digital signs there is supposed to be 15 seconds and when the representative spoke about it he talked about it being 3, 5, 9, etc. She said it was specific and that the town has strict regulations about having digital signs in the town.

Ed Zaluski asked if the sign in front of the high school belonged to the school or the town.

Supervisor Corl replied that it was the school districts, and that they are exempt, so they didn't have to approach the town to obtain it.

EXECUTIVE SESSION

Supervisor Corl stated that they were going into an Executive Session and that they would not be reconvening.

Supervisor Corl moved for the adoption of a resolution to enter into Executive Session to discuss pending litigation, collective bargaining negotiations, and the employment history of a particular individual. Motion was seconded by Councilor Zambrano.

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

Supervisor Corl invited Chief Snell and Robert Germain into Executive Session.

The meeting adjourned into Executive Session at 8:00 p.m.

Supervisor Corl wished everyone a happy holiday season.

Tracy Cosilmon, Town Clerk wishes everyone a happy and healthy holiday season.

Tracy M. Cosilmon
Town Clerk