

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on **Wednesday, February 24, 2016** at **6:30 p.m.** at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

**Board Members Present:**

|                  |            |
|------------------|------------|
| Mark Venesky     | Supervisor |
| C. Vernon Conway | Councilor  |
| Dick Cushman     | Councilor  |
| Jonathan Karp    | Councilor  |

**Others Present:**

|                     |  |
|---------------------|--|
| Christopher Woznica | Highway Superintendent                       |
| Jody Rogers         | Director of Youth Bureau, Parks & Recreation |
| John Baldini        | Police Sergeant                              |
| Robert Germain      | Germain & Germain, Town Attorney             |
| Stephen Snell       | O'Brien & Gere, Town Engineer                |
| Tracy M. Cosilmon   | Town Clerk                                   |

**Absent:**

|              |              |
|--------------|--------------|
| Mike Becallo | Councilor    |
| Joseph Snell | Police Chief |

Supervisor Venesky opened the 4<sup>th</sup> 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 overseas.

All in attendance observed a moment of silence in memory of Maddox Lawrence. (Maddox Lawrence is the 21-month-old who captured the community's heart in recent days as friends and strangers everywhere united in mourning her death)

**Approval of Town Board Meeting Minutes**

Councilor Conway made a motion to approve the Town Board minutes from the Regular Town Board Meeting held on February 10, 2016. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Approval of Abstract Numbers 7 & 8**

Councilor Cushman made a motion to accept Abstract # 7 (dated 2/17/16) and Abstract #8 (dated 2/24/16) as presented. Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Budget Modifications/Amendments**

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

TOWN BOARD MEETING  
02/24/2016

2015  
BUDGET MODIFICATIONS

**2015 Yearend Budget Modifications**

| <b>FROM</b>   |                            | <b>\$</b> |           | <b>TO</b>                      |
|---------------|----------------------------|-----------|-----------|--------------------------------|
| <b>Fund A</b> |                            |           |           |                                |
| A11101        | Justice Personal Services  | 223.14    | A111015   | Baliff                         |
| A11104        | Justice Contractual        | 68.34     | A1110435  | Justice Postage                |
| A12204        | Supervisor's Contractual   | .64       | A12201    | Supervisor's Personal Services |
| A13304        | Assessor's Contractual     | 34.09     | A1355435  | Assessor's Postage             |
| A142045       | Attorney/Employment        | 3057.85   | A142042   | Attorney/Town Code 1198.05     |
|               |                            |           | A142044   | Attorney/Litigation 1709.80    |
|               |                            |           | A14704    | Attorney/Ethics 150.00         |
| A1620403      | Hwy Garage                 | 446.55    | A1620402  | Hwy Break Room                 |
| A162040       | Buildings Contractual      | 67.57     | A162042   | Buildings Telephone            |
| A35204        | Control of Other Animals   | 146.00    | A35104    | Dog Control Contractual        |
| A67721 OT     | Senior Personal Service OT | 200.00    |           |                                |
| A677250       | Senior Taxes               | 25.30     | A67721    | Senior Personal Services 90.16 |
|               |                            |           | A677211   | Rec Attendant/Bus 135.14       |
| A81604        | Landfill                   | 64.91     | A87604    | Disaster Acct Contractual      |
| A90608 MI     | Medical Incentive          | 659.94    | A90608 EX | Eye-care Reimbursement         |
| A90808        | Teamsters Legal            | 75.00     | A90898    | Flex & TPA Admin               |
| A90108        | NYS Retirement             | 1642.31   | A90308    | FICA                           |
| A13301 OT     | Tax Personal Services OT   | 100.00    |           |                                |
| A13304        | Tax Contractual            | 196.76    | A13301    | Tax Personal Services          |

| <b>FROM</b>   |                    | <b>\$</b> |           | <b>TO</b>                       |
|---------------|--------------------|-----------|-----------|---------------------------------|
| <b>Fund B</b> |                    |           |           |                                 |
| B702043       | Parks Contractual  | 92.58     | B702051   | Parks Computer Software         |
| B71454        | Day Camp Contract  | .03       | B70201    | Rec Personal Services           |
| B19904        | Contingent Account | 25385.40  | B70201    | Parks Personal Services 3533.70 |
|               |                    |           | B31201    | Police Personal Serv 20116.08   |
|               |                    |           | B31201 OT | Police Personal OT 1735.62      |
| B90108        | NYS Retirement     | 5011.90   | B90308    | FICA                            |
| B31201 L      | Police Longevity   | 4350.00   | B312011   | Police Salaried .31             |
|               |                    |           | B312014   | Police Clerk 48.27              |
|               |                    |           | B31201    | Police Personal Serv 390.33     |
|               |                    |           | B31201 OT | Police Personal Serv OT 3911.09 |
| B31204        | Police Contractual | 1491.92   | B312042   | Police Auto Repairs             |
| B7310403      | Parks Postage      | 54.33     | B7310402  | Parks Program Supplies          |

|           |                            |         |          |                              |
|-----------|----------------------------|---------|----------|------------------------------|
| B80104    | Zoning Contractual         | 7143.13 |          |                              |
| B801045   | Zoning Map Update          | 1000.00 |          |                              |
| B80102    | Zoning Equipment           | 648.23  | B80101   | Zoning Personal Serv 8357.15 |
|           |                            |         | B801011  | ZBA Board 384.57             |
|           |                            |         | B8010435 | Zoning Postage 49.64         |
| B702011   | Parks Fall/Winter Staff    | 833.13  |          |                              |
| B70201 OT | Parks Overtime             | 179.51  |          |                              |
| B702012   | Commission Clerk           | 90.00   |          |                              |
| B702040   | Parks Supplies             | 20.27   |          |                              |
| B7020411  | Parks Postage              | 129.52  |          |                              |
| B702042   | Commission Contractual     | 10.81   |          |                              |
| B702048   | Special Activities         | 65.13   |          |                              |
| B702051   | Parks Computer Services    | 100.00  |          |                              |
| B702052   | Parke Computer Labor       | 500.00  |          |                              |
| B714012   | Extended Day-Camp          | 838.23  |          |                              |
| B714040   | Parks Supplies             | 249.18  |          |                              |
| B714043   | Extended Day-Camp Supplies | 98.54   |          |                              |
| B71454    | Parks Contractual          | 1.81    | B702043  | Parks Contractual Serv 92.52 |
|           |                            |         | B70201   | Parks Personal Serv 3023.55  |

**FROM** **\$** **TO**

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**Fund DB**

|           |                          |         |            |                               |
|-----------|--------------------------|---------|------------|-------------------------------|
| DB 511051 | Hwy Concrete Blocks      | 815.55  | DB511046   | Hwy Cold Patch                |
| DB513011  | Hwy Mechanic OT          | 322.10  | DB51301    | Mechanic Personal Services    |
| DB51302   | Hwy Machinery Equipment  | 1535.99 |            |                               |
| DB51304   | Hwy Oil/Fluid Bulk       | 1280.92 |            |                               |
| DB513042  | Hwy Tires                | 1759.92 |            |                               |
| DB513041  | Hwy Brakes/Parts/Repairs | 552.54  |            |                               |
| DB513043  | Hwy Hoses                | 442.29  |            |                               |
| DB513049  | Hwy Payloader/Repairs    | 1185.82 |            |                               |
| DB513045  | Hwy Motors               | 239.07  |            |                               |
| DB513048  | Hwy Batteries            | 340.26  |            |                               |
| DB514040  | Hwy Summer Roadside Fuel | 363.33  | DB513046   | Hwy Filters/Truck Misc        |
| DB51421   | Hwy Snow/Personal Serv   | 5091.53 | DB514044   | Hwy Solid Waste Disposal 1.53 |
|           |                          |         | DB514047   | Hwy Brush Hauling 5090.00     |
| DB90108   | NYS Retirement           | 2415.93 | DB90608 EX | Vison Reimbursement 1895.93   |
|           |                          |         | DB90608 MA | Meal Allowance 520.00         |

**2015 Yearend Budget Amendments**

|        | Debit                          | Credit   |         |
|--------|--------------------------------|----------|---------|
| A510   | 22,498.47                      |          |         |
| A1570  | Charges (Demolition - Admin)   |          | 18,675  |
| A1589  | Public Safety Income – Charges |          | 3,23.47 |
| A960   |                                | 22498.47 |         |
| A86644 | Code Enforcements              |          | 3823.47 |
| A36504 | Demolition                     |          | 18,675  |

**Reserves**

**Fund A**

|             | Debit                    | Credit   |          |
|-------------|--------------------------|----------|----------|
| A510        | 990.00                   |          |          |
| A599        |                          | 990.00   |          |
| A2260 DWI   |                          |          | 990.00   |
| A510        | 14104.00                 |          |          |
| A599        |                          | 14104.00 |          |
| A2004       | Park Users Fees          |          | 14104.00 |
| A599        | 5954.63                  |          |          |
| A960        |                          | 5954.63  |          |
| A168022     | IT Equipment Reserve     |          | 5954.63  |
| A599        | 1949.02                  |          |          |
| A960        |                          | 1949.02  |          |
| A90608      | TPA                      |          | 1949.02  |
| A599        | 12852.83                 |          |          |
| A960        |                          | 12852.83 |          |
| A7110459 CF | Cicero Falcons Reserve   |          | 2629.03  |
| A7110459 CL | Cicero Little League     |          | 4916.03  |
| A7110459 CS | Soccer                   |          | 3305.75  |
| A7110459 NL | N Syracuse Little League |          | 2002.02  |
| A599        | 9732.46                  |          |          |
| A960        |                          | 9732.43  |          |
| A135521     | Star Reserve             |          | 987.56   |
| A133012     |                          |          | 8744.90  |
| A599        | 14621.00                 |          |          |
| A960        |                          | 14621.00 |          |

|               |                               |         |          |
|---------------|-------------------------------|---------|----------|
| A162040 BFI   | Building Repair Reserve       |         | 14621.00 |
| <b>Fund B</b> |                               |         |          |
| B510          |                               | 3476.45 |          |
| B599          |                               |         | 3476.45  |
| B2260         | Stop DWI Reserve              |         | 3476.45  |
| B599          |                               | 7080.12 |          |
| B960          |                               |         | 7080.12  |
| B312019       | Stop DWI                      |         | 533.53   |
| B312019 OT    | Stop DWI                      |         | 6546.59  |
| B599          |                               | 1040.00 |          |
| B960          |                               |         | 1040.00  |
| B90608        | TPA                           |         | 1040.00  |
| B599          |                               | 764.94  |          |
| B960          |                               |         | 764.94   |
| B31202 SP     | Seized and Unclaimed Property |         | 764.94   |

**Yearend Budget Amendment for Grants**

|           |                        |          |          |          |
|-----------|------------------------|----------|----------|----------|
| A510      | LWRP III               | 45000.00 |          |          |
| A960      |                        |          | 45000.00 |          |
| A3789     | LWRP III               |          |          | 45000.00 |
| A69894    | LWRP III               |          |          | 45000.00 |
| A510      | LWRP III               | 21500.00 |          |          |
| A960      |                        |          | 21500.00 |          |
| A3789     | LWRP III               |          |          | 21500.00 |
| A69894    | LWRP III               |          |          | 21500.00 |
| A510      | LWRP II                | 28112.39 |          |          |
| A960      |                        |          | 28112.39 |          |
| A3789     | LWRP II                |          |          | 28112.39 |
| A69894    | LWRP II                |          |          | 28112.39 |
| A960      |                        | 33130.00 |          |          |
| A599      |                        |          | 33130.00 |          |
| A69894    | Economic Brewerton     |          |          | 33130.00 |
| A960      |                        | 9862.53  |          |          |
| A599      |                        |          | 9862.53  |          |
| A69894    | LWRP II                |          |          | 9862.53  |
| A510      |                        | 49966.99 |          |          |
| A960      |                        |          | 49966.99 |          |
| A3789     | Schumer                |          |          | 49966.99 |
| A69894S   | Schumer                |          |          | 49966.99 |
| B510      |                        | 1481.40  |          |          |
| B960      |                        |          | 1481.40  |          |
| B3389 SL  |                        |          |          | 1481.40  |
| B31204 SL | SLETPP                 |          |          | 1481.40  |
| B510      |                        | 3699.65  |          |          |
| B960      |                        |          | 3699.65  |          |
| B2705FC   | Friends of the Canteen |          |          | 3699.65  |
| B7310402  |                        |          |          | 3699.65  |

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Set Public Hearings**

• **Chapter 152 of the Cicero Town Code**

Councilor Karp moved for the adoption of a resolution calling a Public Hearing on March 9, 2016, commencing at 6:30 p.m. local time to consider proposed amendments and additional language to Chapter 152 (Parks and Recreation) of the Cicero Town Code by Local Law adoption procedure. The purpose of the proposed amendment is to eliminate a conflicting section of town code relating to the possession of weapons on town property. A draft of the proposed changes will be posted on the Town website prior to the Public Hearing. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

• **Chapter 154 of the Cicero Town Code**

Councilor Karp moved for the adoption of a resolution calling a Public Hearing on March 9, 2016, commencing at 6:30 pm local time to consider proposed amendments and additional language to Chapter 154 (Peddling and Soliciting) of the Cicero Town Code by Local Law adoption procedure. The purpose of the proposed amendment is to grant to the Town Board the power to designate specific classes of licenses by resolution. A draft of the proposed changes will be posted on the Town website prior to the Public Hearing. Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

**Kildare Meadows Securities Reduction**

Councilor Venesky moved for the adoption of a resolution to reduce the securities currently on deposit with the Town for Kildare Meadows from \$109,520.00 in accordance with the letter from O’Brien & Gere dated February 19, 2016 which stated the following:

|  |                                  |                                 |
|--|----------------------------------|---------------------------------|
| Dear Board Members,  |                                  |                                 |
| The Developer for the referenced project has securities in place for punchlist items and utility and road construction guarantees. The punchlist items have been completed and the top course has been installed. Subject to any comments from the Town Highway Department and the Codes Enforcement Department it is recommended the securities be released as follows: |                                  |                                 |
|  | <u>Previous</u><br><u>Amount</u> | <u>Amended</u><br><u>Amount</u> |
| 1. Overland drainage and grading   | \$ 57,150                        | \$ 0                            |
| 2. Utility maintenance guarantee   | \$ 23,520                        | \$ 0                            |
| 3. Road construction guarantee   | \$ 25,250                        | \$ 25,250                       |
| 4. Monument deposit  | \$ 3,000                         | \$ 0                            |
| 5. Stop sign installation  | <u>\$ 600</u>                    | <u>\$ 0</u>                     |

Supervisor Venesky asked Steve Snell if there was anything he wanted to add.

Steve Snell said those were the punch list items. They are still holding the guarantee security for the road for the top coarse installation.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried unanimously.*

### Bond Resolutions

Supervisor Venesky: Because of the financial situation that the town is in (and we are not in bad shape), but because of the situation we are in and having looked at the budget last year, the former supervisor put the budget together in conjunction with some of us on this board. We knew that we were going to be short for road construction and some heavy equipment purchases. Also, this board is in agreement that we are going to do what we have to do to reduce our costs. I think we have already begun doing that. We are also putting into place measures that will position this town for success and bring some additional monies into the town of Cicero, but we are going to have to borrow some money this year. We reduced the expenditures. In working with our highway superintendent, we reduced our road budget from \$829,000 to \$715,000. We took into consideration what had to be done, and also some of the drainage work as well. So we feel that we can get as much road as we would have gotten at the higher amount done this year for a lower rate; so we kind of got a break there. Also, we have two heavy snowplow dump truck vehicles that need to be purchased because there are two that will not be able to pass inspection this year. They are going to have to be taken off the road and we have to replace them because we need them. I just want to verify that with the police cars, even though it shows as a purchase, that is in fact a lease. We are making the entire lease payment upfront. It is less expensive for us to do that and then bond the money at less than 1 percent than to actually lease it and pay a higher percentage.

- **Purchase of Police Vehicles**

Councilor Cushman moved for the adoption of a resolution authorizing the purchase and/or lease of police vehicles for the Town of Cicero, at a maximum estimated cost of \$156,204.00 and authorizing the issuance of \$156,204.00 serial bonds of said town to pay the cost thereof. Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

*\*see bond resolution on pages 8 and 9*

- **Purchase of Heavy Equipment**

Councilor Cushman moved for the adoption of a resolution authorizing the purchase of heavy equipment for the Town of Cicero, at a maximum estimated cost of \$479,554.00 and authorizing the issuance of \$479,554.00 serial bonds of said town to pay the cost thereof. Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

*\*see bond resolution on pages 11 and 12*

- **Road Reconstruction and Paving**

Councilor Cushman moved for the adoption of a resolution authorizing the reconstruction and paving of roads in and for the Town of Cicero, at a maximum estimated cost of \$715,000.00 and authorizing the issuance of \$715,000.00 serial bonds of said town to pay the cost thereof. Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

*\*see bond resolution on pages 9 and 10*

- **Police Bond Resolution**

Councilor Cushman made a motion to approve the following resolution:

BOND RESOLUTION DATED FEBRUARY 24, 2016.

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES FOR THE TOWN OF CICERO, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$156,204 AND AUTHORIZING THE ISSUANCE OF \$156,204 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cicero, Onondaga County, New York, as follows:

Section 1. The purchase of police vehicles for the Town of Cicero, Onondaga County, New York, is hereby authorized at a maximum estimated cost of \$156,204.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$156,204 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years, pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Cicero, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution takes effect immediately

Motion was seconded by Supervisor Venesky.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

- **Reconstruction and Paving of Roads Bond Resolution**

Councilor Cushman made a motion to approve the following resolution:

BOND RESOLUTION DATED FEBRUARY 24, 2016.

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND PAVING OF ROADS IN AND FOR THE TOWN OF CICERO, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$715,000 AND AUTHORIZING THE ISSUANCE OF \$715,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cicero, Onondaga County, New York, as follows:

Section 1. The reconstruction and paving of roads in and for the Town of Cicero, Onondaga County, New York, including curbs, gutters, sidewalks, drainage and costs incidental thereto, is hereby authorized at a maximum estimated cost of \$715,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$715,000 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Cicero, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution takes effect immediately

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

- **Purchase of Heavy Equipment Bond Resolution:**

Councilor Cushman made a motion to approve the following resolution:

BOND RESOLUTION DATED FEBRUARY 24, 2016.

A RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT FOR THE TOWN OF CICERO, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$479,554 AND AUTHORIZING THE ISSUANCE OF \$479,554 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Cicero, Onondaga County, New York, as follows:

Section 1. The purchase of heavy equipment for the Town of Cicero, Onondaga County, New York, is hereby authorized at a maximum estimated cost of \$479,554.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$479,554 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Cicero, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution takes effect immediately

Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

**Personnel:**

• **Senior Citizen Coordinator**

Councilor Karp moved for the adoption of a resolution to appoint Alexandra Ryan as Senior Citizen Coordinator provisionally at a pay rate of \$39,000.00 annually with a start date of March 28, 2016. Motion was seconded by Supervisor Venesky.

Jody Rogers: I had 29 applicants for the position, of which one was a resident, but she was not qualified to then take the civil service test for the position. Of the 29 applicants, approximately ten were qualified to take that civil service exam. I interviewed seven, and I interviewed five of them twice, of the seven. The gal that I selected has almost ten years of service working in nursing home facilities from well care, all the way through dementia. She is a volunteer fireman with Amber Fire Department. She is an EMT (Emergency Medical Technician), and has her Certified Therapeutic Recreation Specialist from Cortland State College that she obtained back in 2007. I feel she is very qualified. She is going to bring, hopefully, something new, different, and continue to move our program forward. I am very excited about her starting. I am sorry to lose Judy in her retirement, but we are happy for both of those events to come.

Councilor Karp: What an impressive resume she has.

Supervisor Venesky: Yes it is. I sat with her the other day, and I as well am impressed. I think she is going to bring some new ideas and some freshness to the program. I am excited about that. Just as a follow up, I spoke with Tricia Botty today. Ms. Botty works for the Attorney General's Office here in New York State and is coordinating a meeting with our seniors for fraud prevention. She had already talked to Judy, but she will be following up with me when we have a date and all of that is solidified.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

### Website Administrator

Councilor Karp moved for the adoption of a resolution to approve and authorize the Supervisor to execute the Service Contract Agreement between the Town of Cicero and David Kirk to serve as Website Administrator for the Town of Cicero. Motion was seconded by Councilor Cushman.

Supervisor Venesky: I think that the website should reflect who we are. It should be user-friendly. It goes along with how we want to present the Town of Cicero to those who visit us.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

### Highway Department

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

- \$2,500.00 to Genuine Parts for miscellaneous auto parts/supplies
- \$4,000.00 to Beam Mack for diagnostic & repairs to Truck #41
- \$1,400.00 to SnoDepot for oil pan for Truck #40
- \$3,325.50 to Environmental Products & Services for pump oil/water separator out

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Supervisor Venesky: I am waiting to hear back from MRB on a new highway garage. We are doing the best we can to kind of patch together the buildings here. We have some issues and we are looking to replace them, but unfortunately some of these things happen.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

### Parks and Recreation Department

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

- \$3,500.00 to John Haas for Youth Basketball Instruction
- \$3,500.00 to Gary Dembkowski for Youth Basketball Instruction
- \$10,000.00 to CONTACT Community Services for payment for partnership agreement with CONTACT staffing to the CanTeen

Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes – 4, Noes – 0 and Abstentions- 0. *Motion carried unanimously.*

### Discussion Items

- **Sign Code**

Supervisor Venesky: At the last meeting Councilor Becallo talked to us about the Sign codes. Does anybody want to move forward?

Councilor Karp: Is there an issue with the current Sign code that I am unaware of?

Supervisor Venesky: No. If you take a look at the code as it was presented to us, and the changes; any sign, anywhere, for any reason, with no fees to the town, I don't think it best serves the residents of the Town of Cicero. So I am not in favor of changing anything. I think the code is fine the way it is. Our Code Enforcement Officer would tell you that, and also our Planning Board would tell you that as well.

Councilor Karp: What is the range?

Supervisor Venesky: It depends.

Someone asked if it was outlandish.

Supervisor Venesky: No, it's not. Last year we looked at the fees for all our codes. As a matter of fact, we changed the fees for a lot of the codes that we had. I did a lot of research on that and brought it front of the board and we voted in favor of changing some of the fees. Our thought was we did not want to not be higher than any other towns, but in some instances we were way lower than other towns and we just wanted to review everything and make sure that we were in a position to be successful; on one hand we did not want to punish businesses, but on the other hand we wanted to make sure that we were covering our costs.

Councilor Karp: If there is no issue with the current code then I see no need to move forward and revise it.

Supervisor Venesky solicited any further discussion. There was none.

- **Consensus Meeting**

Supervisor Venesky announced that the Town of Cicero will be hosting a Consensus CNY Public Engagement Meeting on Wednesday, March 2, 2016 at 7:00 p.m. at the 'Young at Heart' Senior Center, 5924 Lathrop Drive, Cicero, NY. Anyone interested was encouraged to attend.

- **Informational Hearing-Town of Clay**

Supervisor Venesky announced that the Town of Clay will be holding an Informational Hearing on February 29, 2016, commencing at 6:30 p.m., at the Clay Town Hall, located at 4401 State Route 31, Clay, New York to discuss a view from another side of the Consensus. All interested parties are invited to attend.

Supervisor Venesky: Damian Ulatowski, Clay Town Supervisor has put together an argument that refutes some of the arguments that the Consensus folks have. I think that is an opportunity for all of us to listen. This is real. It's not going to go away (if you listen to our county executive and some of the leaders of our community), so I would ask you all to educate yourselves and become involved.

Councilor Cushman: I would ask everybody to ask your neighbors, relatives, friends, or anybody who lives in the Town of Cicero to come to that meeting. There is going to be a lot of information. There is a lot of misinformation out there and we hope to get it all clarified. It's going to be a very important meeting for everyone in the town.

### **Public Input**

Faye Gregory had three concerns that she wanted to bring before the Town Board. Her first concern was that there were people who went to her neighborhood offering to redo driveways for a fee that said some of the product they would be using was from other projects in the town. She said these people had made it sound like the product they would be using was from the town highway department. Chris Woznica explained that the highway department uses the Town highway vehicles to transport the materials and they dump it into a Lanco paver; not much is leftover, maybe a wheel barrow per truck and they use it all. She asked if it was legal. Supervisor Venesky advised her or anyone suspecting a scam to contact the police department. Councilor Karp commented that type of scam is common. Sargeant Baldini told Faye to contact the police if there is something they should know about so that the police can look into it on a case by case basis.

Faye Gregory's second concern was regarding Volpe Nails and Salon located on Route 11 and Lincoln Drive. She said that people are parking on the road and have done so all winter. Mostly, it is on Friday and Saturday; four to six cars and they are now parking around the bend in the residential area. The owner has parking areas still in her parking lot and the patrons are still using the street. Supervisor Venesky told her he would speak to Richard Hooper and Chief Snell about it. Faye Gregory explained that she had already contacted Mr. Hooper and he told her to call 911, but she was not going to call an emergency number for parked cars that shouldn't be there. She asked if they could have a permanent sign all year in that neighborhood that says, 'No Parking between here and there.' Councilor Karp asked Fay Gregory if she knew if the people parking in those areas were customers or employees. Faye Gregory said she didn't know, but said the owner should notify her customers. She said the residents in the area would like this to stop. Chris Woznica explained that there is 'No Parking on the Town of Cicero Highways from Nov. 15<sup>th</sup> to April 15<sup>th</sup>, 1:00 am – 8:00 am'. (Traffic & Vehicle Law 60.41), but one could park on the road other than the hours specified. Sargeant Baldini said that he would go to Volpe Nails and speak to the owner.

Thirdly, Faye Gregory showed the Board pictures of what she sees from the windows in her home; construction equipment, a pile of dirt, and a parking lot that is 'supposed' to be done. She told the Board she wanted to know how much longer they will be looking at this.

Supervisor Venesky told Faye Gregory he would find out and contact her. He explained to her that the last time he saw her was when the previous supervisor was there. When he asked if he needed to get involved, he was told 'no' that it was taken care of. He commented that it sounds like it hasn't been taken care of so he now he is going to get involved.

Faye Gregory said that the residents had outlined everything, the best they could to the Planning Board, and a lot of it was ignored. She said they decided what they wanted to do, and that was going to be it. She said what the residents had said and what the others at the Planning Board meeting had said was not totally put into those minutes.

Supervisor Venesky assured Faye Gregory again that he would follow up with her.

Faye Gregory said in the last 10 years this property has been disrupted, totally. Two times, not even a permit to do it, and it was allowed to happen. Trees were disrupted. The roots were disrupted. So then things started appreciating on that property. Now they got somebody to buy the property and build on it, but now it is like stopped because this guy isn't going to go any further with his fence, so now they are looking at something else, but they are not all sure what that is going to be. She asked the board members if they knew what it was.

Supervisor Venesky reassured Faye Gregory that he would personally follow up with her and said that he would also contact Mr. Caputo from Sun Auto.

Faye Gregory submitted a letter after the meeting with her concerns:

*Town Board Meeting Feb 24, 2016*

*Referring to property of Sun Auto  
how much longer 2/24/16*

*Concerning property across from  
Fairview<sup>line</sup> corner of Central Ave.*

*When people come to visit  
we are asked how could this  
have happened. Comments from  
friends and family members  
Its an embarrassment.*

*As well you should be  
embarrassed too.*

*Our view from over front  
window side of my window  
blinds up I can see warehouse  
garage. Bright lights.*

*From front window construction  
equipment (what is that AB&AT?)  
Are we to live with our  
shades closed.*

*As long as we can see  
the truck, car carriers, parked  
cars, construction equipment*

we feel we are also zoned commercial even though we are residential.

None of you on this board would let this happen in your neighborhood.

\* Our quality of life is diminished and being effected. This is totally unfair for the retirees.

Please we have to live here. This continually effects our life style.

Three times in the last ten years that property has been bulldozed.

We outlined every possible thing we could think of and presented it to the Planning Board. There were mistakes made. No one was listening. In a hurry

to get this through.

Our properties have depreciated. No curb side appeal here.

To think the money we have invested in our homes.

We had R-50 installed. Foundation done 2x because of so much water. Especially in the last 10 years.

We feel you people are the governing power of this town. Someone has to take responsibility and fix this.

You know the old saying "Leave it better than you found it"

A lot of us have worked  
 hard to maintain their homes.  
 It's UNJUST why should we  
 live like this, we don't  
 want to hear about codes laws  
 etc., No more excuses,  
 You jobs to help + serve  
 residents of this town. We  
 asking for your help.  
 It's got to be made better.  
 Lets start taking pride  
 in this town. Real  
 sincere effort so we all  
 feel proud to be part of  
 Cicero.  
 Thank-you for your time.

NOTE

Just a reminder also about  
 a no parking sign on  
 Lincoln ave. Volpe <sup>Salon</sup> Nails  
 in that designated areas.  
 That is for safety! Lincoln  
 + Central Ave.

NOTE

Also note Highway Superintendent  
 about paving materials used  
 on driveways. Told was  
 considered a scam.

Sincerely  
 Faye Hugon  
 5671 Fairview Ave  
 Cicero, N.Y. 13039

Don Snyder commented that there weren't any details in the paperwork relative to what David Kirk was going to do, what it would cost and asked where the funding was coming from. Supervisor Venesky told Don Snyder it was a one-year agreement for \$1700 dollars and it was coming out of the IT fund.

Supervisor Venesky: What we are trying to do is get the website functional, user-friendly, and we want it to look pleasant to people who visit us. If you take a look at the website now, as opposed to what it was a month ago, I think you are going to see some color. It's not done. We are not done cleaning it up, but we are looking at things where we are going to have one page so if someone is interested in a permit or purchasing a license for the Town of Cicero you are going to go to one spot and they will all be listed there for you instead of all over the place. So we are going to try to make the website user-friendly. We are also going to make it visually-friendly. We are still pursuing, although I have not brought it to the board yet, we are looking at a possible redesign of our website. We have a developer. A company that we do business with now is doing a mirror site at no cost to the town with some ideas on what our website could look like. The board will decide whether or not we want to go ahead with that. But the website, for all the reasons that we all know, is a mess.

Don Snyder told Councilor Cushman that when he talked about the police vehicles he thought he had read that it was a 'three -year life' but a 'five-year bond issue'. Councilor Cushman said he thought it was just the opposite. Don Snyder said we don't want to be paying for vehicles that we no longer have if they are a three-year life. Robert Germain told Don Snyder that the motion regarding the police vehicle bond resolution was read correctly. They say that you have to do two things with a bond resolution. One is to say that the class of object that you are buying or financing has a useful life of 'x' amount. The maximum term of the bond's maturity date is five years. So the bond issuance, the \$156,204.00 is a five year bond issuance. Don Snyder said that we should be doing when we are talking to our bond people, we should be borrowing that \$154,000 for a three year period. We shouldn't be borrowing for a five year period. Robert Germain explained that it's the amount 'not to exceed' five years. It's the 'maximum' of five years. Supervisor Venesky told Don that they are not going to paying for vehicles after they turn them in.

### **Adjournment**

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

Councilor Karp seconded the motion.

Ayes – 4, Noes – 0, and Abstentions- 0. *Motion carried.*

There being no further business before the Board the meeting was adjourned at 7:29 p.m.

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Tracy M. Cosilmon  
Town Clerk