

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held a **Regular Town Board Meeting** on **Wednesday, April 26, 2017** 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:

Joseph Snell	Police Chief
Chris Woznica	Highway Superintendent
Robert Germain	Germain & Germain, Town Attorney
Stephen Snell	O'Brien & Gere, Town Engineer
Shirlie Stuart	Comptroller
Bill Meyer	Veterans Advocate
Tracy M. Cosilmon	Town Clerk

Supervisor Venesky opened the 8<sup>th</sup> regular meeting of the Cicero Town Board 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.

Supervisor Venesky asked if there were any students in attendance. There was one.

Councilor Conway led the Pledge of Allegiance and requested a moment of silence for our troops overseas 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 12, 2017.

Supervisor Venesky noted that on page 25 there was a correction for 'lavatories'.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There was none.

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

**APPROVAL OF ABSTRACT NUMBERS 16 & 17**

Councilor Cushman made a motion to approve **Abstract #16** (dated 04/19/2017) and **Abstract #17** (dated 4/26/2017) as presented. Motion was seconded by Councilor Conway.

Supervisor Venesky solicited any Board comments. There was none.

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

**BUDGET MODIFICATIONS/AMENDMENTS**

Supervisor Venesky stated that there were no budget modifications/amendments.

**PRESENTATION BY BILL MEYER ON THE COMMEMORATION OF THE  
50<sup>TH</sup> ANNIVERSARY OF THE VIETNAM WAR**

Bill Meyer, Veterans Advocate: Mr. Supervisor and members of the board, thank you for this opportunity to be here with you here this evening. As you know, the Town has had three events up to this point for the 50<sup>th</sup> Anniversary. The kick off, which was here a few months ago, and it was followed by a presentation at the Senior Center and then, as you know, we had a pretty big event over at the American Legion Post, not too long ago. I have to emphasize the word 'collaborative' because that's been one of the themes of this year and this celebration; not to just have it a Town of Cicero event, but to work with other organizations in the Town of Cicero. I'm happy to announce that our next event has been booked and it's going to be Saturday, May 20<sup>th</sup> from 1-4 p.m., VFW Post 7290, which is the Edward Weaver Post, 105 Maxwell Ave., North Syracuse. The event is from 1-4 p.m. The PINS, which you have all seen are going to be presented to the veterans at 2 o'clock. Again, on this theme of being collaborative and working with the other organizations, this particular event is going to be an open house for the VFW, and a barbecue. We are looking for your support, and to get all the folks at this event. The next thing, which is good information for the board, is these events have also proven to be very valuable to contact veterans and their surviving spouses and family members. It's usual to get comments and calls before and after these events from people who can't make them, but then they have questions. So we have been very successful in reaching out to family members and veterans for routine items, such as getting their DD214, or they may want to get a marker for one of their family member members, who was a veteran, all the way to hooking up a veteran at the VA Medical Center so they could get medical benefits at the VA Medical Center. Again, thank you very much for your support, for doing the work, besides getting the presentation of the PINS out, but the other benefits are going to last literally for years and years to come. So again, thank you for your support. With that in mind, I would encourage other community groups in the Town of Cicero to contact the Supervisor's Office so that other commemorative events can be scheduled. If you have any questions I would be more than happy to answer them.

Supervisor Venesky: I just want to make a comment. Bill Meyer has done a great job in this town with veterans. We got together early last year and we put together a program that is second to none in Onondaga County. Our outreach to veterans in the Town of Cicero and North Syracuse, there was no one else in the County doing what we are doing. Again, this goes with our thought of being the leader in Onondaga County, the Town of Cicero, and everything we do. As a matter of fact, Bill met with a group of supervisors late last fall to outline for them what we have pioneered here in the Town of Cicero, and Bill has been the linchpin in all of this. So congratulations! Hats off to you! Bill you are doing a great job and I look forward to us carrying this on all of this year and into the next years.

Bill Meyer: Again, I'd like to repeat that if there are other organizations please contact the Supervisor's office so we can have other events. Thank you very much.

Supervisor Venesky: Thank you!

**2016 ANNUAL FINANCIAL REPORT**

- **Announcement**

Tracy Cosilmon announced that she was in receipt of the 2016 Annual Report for the Town of Cicero, which was filed in the Town Clerk's Office on April 21, 2017 by our Town Comptroller Shirlye Stuart, where it is available for public record for inspection. All interested persons can stop by and view it in the Town Clerk's office and it will be available on the Town's website at [www.ciceronewyork.net](http://www.ciceronewyork.net) under Public Notices.

- **Summary**

Shirlye Stuart gave a summary of the report.

The 2016 Annual Update Document was completed and filed with the State Comptroller's Office on April 21<sup>st</sup>, as well with the Cicero Town Clerk. This report documents all financial accounting for the General Fund and Special Districts.

I am happy to report that we did not utilize the \$483,194 that was appropriated to balance the 2016 budget. This was a result of close monitoring in spending and maximizing incoming revenues. The town increased the overall unappropriated fund balance by \$650,000, an outstanding accomplishment.

Although we ended the year on a positive financial note, there is no question that we need to continue our financial monitoring, explore other avenues for revenues and seek cost-effective solutions to continue the Town's fiscal security. The current administration has not fell short of setting high business standards and securing future economic endeavors that will continue to bring an increased to our tax base. We face the same challenges each year, keep tax rates capped while State and Federal funding decreases. The goals never change just the drivers who are at the wheel. It's a very difficult road but this past year the town put in four wheel drive.

The 2016 Town of Cicero Financial Report Card gets straight A's, maybe even inducted into the Honor Society.

Thank you to all Department Heads who work hard to keep within their budgets and who are always conscious of their spending. Special thanks to Diane Cellucci, who is my teammate, I could not achieve what I do without her.

Special, special thanks to Mark Venesky for his inspiring attitude and "all business" personality. Mark drives the work force like no other and sets the standards high.

Dick Cushman, I thank you for your love of numbers and actually understanding this report.

Shirlye Stuart: In the very back you are going to find departmental reports that you will be able to understand. It was by far and outstanding year, so good job! Good job everyone!

Supervisor Venesky: I'm very humbled. Everything we did here, and I'm kind of choked up here, I'm very proud of the accomplishments of this team. We have done due diligence with the taxpayers' money, unlike many others, and it has been a team effort. It has been the department heads. It's been watching the pencils, watching the paper clips and making sure that we have been prudent with the taxpayer money, and it has also been with the work of this board. So I am very humbled, but I am very, very proud of what we have accomplished together in the Town of Cicero in the past year; we will keep it up.

**CONTINUATION OF PUBLIC HEARING FOR CHAPTER 120. GRADING,  
EXCAVATION AND FILL**

Councilor Karp: At this time, I would like to (and I don't know what the proper terminology is) withdraw, Mr. Germain?

Robert Germain: What are we doing?

Councilor Karp: The public hearing we tabled last week on one of the proposed statutory changes, I want to withdraw that and submit a new change to that statute.

Robert Germain: Okay, at this time just make a motion to take the matter off the table and then withdraw it completely.

Councilor Karp: I've been working with Bob Smith and Richard Hooper on addressing some of the concerns with this law; coming up with a new formulation that will serve the purpose of easing the burden on the homeowners and making it easier for people to do what they need to do with their property while still keeping in mind the necessity to regulate drainage and large quantities of fill and excavation. So at this time, I make a motion to remove that statutory change from the table. Motion was seconded by Councilor Becallo.

Robert Germain: Take it off the table and then dispose of it?

Councilor Karp: Okay, am I making a motion to take it off the table and dispose of it or just make a motion to take it off the table?

Robert Germain: You have to dispose of it first thing and then you have to vote.

Councilor Becallo: Second.

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

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

Councilor Karp made a motion to withdraw the proposed statutory changes. Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any further questions. There were none.

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

Robert Germain: Just so you guys understand, the words lay on the table under Robert's Rules, which is a whole separate thing. There's a whole separate set of rules that lay on the table, but once it's on the table you have to take it off the table and then kill it.

Councilor Karp: It will be back, but in a much improved version.

**SET PUBLIC HEARING DATE TO CONSIDER PROPOSED ZONE CHANGES FOR PORTIONS OF LAKESHORE ROAD, MUD MILL ROAD, WEAVER ROAD AND STATE ROUTE 31**

Supervisor Venesky: Again, this goes back to the town proactively tackling the situation that we have with properties and zoning in the Town of Cicero.

Supervisor Venesky moved for the adoption of a resolution to set a public hearing to be held on May 10, 2017 at 6:30 p.m. to consider proposed zone changes for portions of Lakeshore Road, Mud Mill Road, Weaver Road and State Route 31 as listed on the website and in the documents. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board comments. There were none.

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

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
075.-01-02.0 7483 RT 31	AG	R-12
075.-01-04.0 8322 Lakeshore Rd	AG	R-12
075.-01-07.0 8336 Lakeshore Rd	AG	R-12
075.-01-08.0 8344 Lakeshore Rd	AG	R-12
097.-14-02.0 6214 Mud Mill Rd	AG	R-12
097.-14-03.0 6218 Mud Mill Rd	AG	R-12
097.-14-04.0 6226 Mud Mill Rd	AG	R-12
097.-14-05.0 6232 Mud Mill Rd	AG	R-12
097.-14-06.0 6236 Mud Mill Rd	AG	R-12
097.-02-19.1 6238 Mud Mill Rd	AG	R-12
097.-02-19.2 6244 Mud Mill Rd	AG	R-12
096.-12-22.0 8606 Weaver Rd	AG	R-12
096.-12-21.0 8602 Weaver Rd	AG	R-12
096.-12-20.0 8596 Weaver Rd	AG	R-12
096.-12-19.0 8594 Weaver Rd	AG	R-12
096.-12-18.0 8588 Weaver Rd	AG	R-12
	1	

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
096.-12-17.0 8584 Weaver Rd	AG	R-12
096.-12-16.0 6213 Lakeshore Rd	AG	R-12
086.-02-26.0 6463 Mud Mill Rd	AG	R-12
086.-02-27.0 6453 Mud Mill Rd	AG	R-12
086.-02-28.0 6451 Mud Mill Rd	AG	R-12
086.-02-29.0 6447 Mud Mill Rd	AG	R-12
086.-02-30.0 6443 Mud Mill Rd	AG	R-12
086.-02-31.0 6439 Mud Mill Rd	AG	R-12
086.-02-32.0 6435 Mud Mill Rd	AG	R-12
086.-02-34.2 6437 Mud Mill Rd	AG	R-12
086.-02-35.0 6411 Mud Mill Rd	AG	R-12
086.-02-36.0 8802 Beach Rd	AG	R-12
086.-02-37.0 8804 Beach Rd	AG	R-12
086.-02-39.3 8806 Beach Rd	AG	R-12
086.-01-05.1 6405 Mud Mill Rd	AG	R-12
086.-01-04.0 8807 Beach Rd	AG	R-12

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
086.-01-06.0 6401 Mud Mill Rd	AG	R-12
086.-01-07.0 6389 Mud Mill Rd	AG	R-12
086.-01-08.0 6383 Mud Mill Rd	AG	R-12
086.-01-09.0 6375 Mud Mill Rd	AG	R-12
086.-01-10.0 Mud Mill Rd	AG	R-12
086.-01-05.2 8801 Beach Road	AG	R-12
075.-01-09.0 8348 Lakeshore Rd	AG	R-12
075.-01-10.0 8356 Lakeshore Rd	AG	R-12
075.-01-05.0 8328 Lakeshore Rd	AG	R-12
099.-01-04.1 5815 Sneller Rd	AG/IND	AG
108.-01-20.1 Mud Mill Rd S Side	AG/IND	AG
075.-01-11.2 8380 Lakeshore Rd	AG/R-10	AG
079.-01-10.0 8429 Lakeshore Rd	AG/R-10	AG
080.-03-14.1 8726 Cicero Center Road	AG/R-10	AG
080.-03-16.0 7180 Lakeshore Rd	AG/R-10	AG
080.-03-17.0 7196 Lakeshore Rd	AG/R-10	AG

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
080.-03-19.1 Lakeshore Rd	AG/R-10	AG
086.-01-03.1 8811 Beach Rd	AG/R-10	AG
086.-01-12.1 Mud Mill Rd Rear	AG/R-10	AG
086.-01-11.1 6361 Mud Mill Rd	AG/R-10	AG
099.-02-06.2 6347 Mud Mill Rd	AG/R-10	AG
090.-01-02.1 5997 Lakeshore Rd	AG/R-10	GC+
079.-01-11.0 8425 Lakeshore Rd	AG/R-10	R-10
079.-01-09.0 8435 Lakeshore Rd	AG/R-10	R-10
079.-01-07.1 8445 Lakeshore Rd	AG/R-10	R-10
086.-02-34.1 Mud Mill Rd	AG/R-10	R-10
075.-01-14.0 8361 Lakeshore Rd	AG	R-10
097.-02-11.0 6158 Mud Mill Rd	AG	R-15
097.-02-10.0 8784 Weaver Rd	AG	R-15
097.-02-09.0 8782 Weaver Rd	AG	R-15
097.-02-08.0 8776 Weaver Rd	AG	R-15
097.-02-07.0 8770 Weaver Rd	AG	R-15



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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
097.-02-06.0 8768 Weaver Rd	AG	R-15
097.-02-05.0 8764 Weaver Rd	AG	R-15
097.-02-04.0 8752 Weaver Rd	AG	R-15
097.-02-03.0 8748 Weaver Rd	AG	R-15
098.-04-24.0 8775 Weaver Rd	AG	R-15
098.-04-25.0 8769 Weaver Rd	AG	R-15
098.-04-26.0 8763 Weaver Rd	AG	R-15
098.-04-27.0 8759 Weaver Rd	AG	R-15
098.-04-22.1 6152 McKinley Rd	AG	R-15
098.-04-21.1 6148 McKinley Rd	AG	R-15
098.-04-20.0 6142 McKinley Rd	AG	R-15
098.-04-19.0 6134 McKinley Rd	AG	R-15
097.-02-25.0 6310 Mud Mill Rd	AG	R-15
097.-02-26.0 6314 Mud Mill Rd	AG	R-15
097.-02-27.0 6328 Mud Mill Rd	AG	R-15
097.-02-28.0 6324 Mud Mill Rd	AG	R-15
	5	

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
097.-02-01.2 8730 Weaver Rd	AG	R-15
097.-02-02.0 8728 Weaver Rd	AG	R-15
097.-01-01.0 8735 Weaver Rd	AG	R-15
097.-01-02.0 8729 Weaver Rd	AG	R-15
075.-01-12.0 8381 Lakeshore Rd	AG	R-20
099.-02-07.0 6337 Mud Mill Rd	AG	R-20
099.-02-09.0 Mud Mill Rd	AG	R-20
099.-02-10.0 6321 Mud Mill Rd	AG	R-20
099.-02-11.0 6317 Mud Mill Rd	AG	R-20
099.-02-12.0 6307 Mud Mill Rd	AG	R-20
099.-02-13.0 6305 Mud Mill Rd	AG	R-20
099.-02-14.0 6299 Mud Mill Rd	AG	R-20
099.-02-15.0 6297 Mud Mill Rd	AG	R-20
099.-02-16.0 6287 Mud Mill Rd	AG	R-20
099.-02-67.1 6239 Mud Mill Rd	AG	R-20
090.-01-32.0 Carmenica Dr	GC	GC+

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
090.-01-33.0 Carmenica Dr	GC	GC+
090.-01-34.1 Carmenica Dr	GC	GC+
090.-01-36.1 Pasubio Ter	GC	GC+
090.-01-37.0 Pasubio Ter	GC	GC+
090.-01-38.0 Carmenica Dr	GC	GC+
090.-01-39.0 Carmenica Dr	GC	GC+
090.-01-40.0	GC	GC+
090.-01-41.0 Carmenica Dr	GC	GC+
090.-01-42.0 Carmenica Dr	GC	GC+
090.-01-43.0 Carmenica Dr	GC	GC+
090.-01-44.0 Pasubio Ter	GC	GC+
090.-01-45.0 Pasubio Ter	GC	GC+
090.-01-46.0 Pasubio Ter	GC	GC+
090.-01-47.0 Pasubio Ter	GC	GC+
090.-01-48.0 Pasubio Ter	GC	GC+
090.-01-49.0 Pasubio Ter	GC	GC+

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<u>Property Address</u>	<u>Existing Zone</u>	<u>Proposed Zoning Change</u>
076.-01-07.0 7459 W. Murray Dr	R-10	GC
081.-02-02.1 7058 Lakeshore Rd	R-10	GC
082.-05-01.1 6972 Lakeshore Rd	R-10	NC
082.-01-22.0 6969 Lakeshore Rd	R-10	NC
048.-01-45.0 5719 Crabtree Lane	R-15	GC
091.-01-07.6 Brewerton Rd	RM	GC

**SPECIAL ELECTION FOR THE CICERO TOWN HALL HIGHWAY GARAGE  
PROJECT EXPENDITURE**

Councilor Cushman moved for the adoption of a resolution to approve an expenditure not to exceed \$6,000.00 for the cost of the Special Election for the Cicero Town Highway Garage Project to be held on June 7, 2017 from 12:00 p.m. to 8:00 p.m. at the Highway Garage. Motion was seconded by Councilor Karp.

Supervisor Venesky asked Town Clerk, Tracy Cosilmon to take a roll call vote. The results were as follows:

Councilor Becallo	VOTING	Aye
Councilor Conway	VOTING	Aye
Councilor Cushman	VOTING	Aye
Councilor Karp	VOTING	Aye
Supervisor Venesky:	VOTING	Aye

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

**REFERENDUM INFORMATION NOTICES**

Councilor Cushman moved for the adoption of a resolution to approve an expenditure not to exceed \$24,000.00 for notices and postage for the Highway Garage Building Project to be mailed to the residents. Motion was seconded by Councilor Conway.

Supervisor Venesky: Ms. Cosilmon, will you take a roll call vote, please?

Councilor Becallo: I have a couple of comments and questions. Mr. Germain, I don't know if you would even know, is it required by law that you have to send out a notice for an election?

Robert Germain: I don't believe so. I think you are doing it now.

Councilor Karp: Like, is it required by a law?

Robert Germain: Not that I know of.

Councilor Becallo: When you say notices, like when the Board of Elections sends us the notices for the postcards it pretty much says *date*, *location* and *time*. Is that what we are talking about with notices or are we talking about informational mailers that can be construed as swaying voters one way to vote or another?

Robert Germain: I don't know.

Supervisor Venesky: Well, I'll answer that question Councilor Becallo because we all know that if you have talked to anybody that there is a ton of misinformation about this building project and by law...well, let me say this before I say by law.

Councilor Becallo: So are we required by law or are we not required by law?

Supervisor Venesky: No, no, no. Allow me to finish my thought.

Councilor Becallo: Absolutely.

Supervisor Venesky: We are going to send out not only a notice to notify the people in the Town of Cicero. We have over 20,000 registered voters, but legal counsel has told me that we need to make every registered voter aware, so we will send out a factual only informational mailing that talks about the building and the current state of affairs and we will notify all of the eligible voters; nearly 20,000 in the Town of Cicero.

Councilor Becallo: An informative mailer like that is walking a very tight line of almost construing on propaganda.

Supervisor Venesky: I know there's propaganda out there, but...

Councilor Becallo: I'm not saying it's going to be or it isn't going to be. I don't care if you were arguing against the building. Like the mailer went out that said, 'This building. We don't need a building'. All I am saying is a mailer that goes out that gives information, that's not a "notice", is walking the fine lines of being propaganda of taxpayer money; it's different. Notices are different than informational, it's just like an election. This is \$24,000 dollars that is going out, so I think it costs \$24,000 dollars for one mailer to go out. It seems to me like there's going to be multiple mailers that are going to be going out it sounds like a campaign to me.

Councilor Karp: I think that propaganda is a very heavy term. However, I do have concerns. Mr. Germain, I have spoken with you about this and my understanding is that they can be informational only, they cannot be advocate a position, correct?

Robert Germain: Correct.

Councilor Karp: I'm concerned. This is something that I voiced to Supervisor Venesky, and I know that you and I have talked about it at length; I'm very concerned about if the town is to do this it's staying on the right side. My question is, is it possible, even if it's strictly factual, that the way the facts are presented can be construed as being advocacy or is that something that we need to watch out for? If certain facts are presented and others are omitted could that be construed as advocacy and is that something that can get us into trouble, that's my concern. I certainly want to make sure that if we do this the town stays within the law and doesn't violate any. I don't know, it's probably something along the lines of the public funding of these notices. Anyway, that's my concern. Could a strictly factual presentation be construed as advocacy?

Robert Germain: I haven't seen what it says. I think the rule is clear though, you have to avoid advocacy. That's what the law is and that's what the rule is. I don't know what the agreement is, but you are supposed to stick with facts and you are not allowed to advocate, that's the rule. I don't know what the mailer says.

Councilor Karp: As far as I know there's no draft or proposed.

Robert Germain: Can someone construe something somehow, absolutely.

Councilor Karp: Okay, so in your view this is something that would need to be done carefully to avoid even the appearance of advocating for a position, is that correct?

Robert Germain: No question, the rules are pretty clear that you have to avoid advocacy; information not advocacy.

Councilor Karp: Is that a fine line?

Councilor Becallo: Hence, the notice should say time, date and place.

Councilor Karp: Well, I don't know that that's necessary

Supervisor Venesky: Well, we understand what the law is Mr. Becallo. Thank you for clarifying it for us.

Supervisor Venesky: Any further Board discussion?

Councilor Becallo: Yeah, I don't think we should be voting on this at this time if we don't even have a draft created yet. Personally, I can't approve \$24,000 dollars...

Supervisor Venesky: Mr. Becallo.

Councilor Becallo: I let you finish. On a notice that I don't even know what it says. I'm not putting my name to something that I have no idea what it says. You can all agree to do that, I'm not going to fight and argue.

Supervisor Venesky: First of all, no one has asked you to put your name to anything yet. We are working on a rough draft, there is no final draft. We will make sure that it meets all legal requirements. Let's think about this, if we want to give the people in the Town of Cicero an opportunity to vote on a Highway Garage why wouldn't we want to inform the people, all of the people in the Town of Cicero, as to the facts? I pose that as a question to you.

Councilor Becallo: I know where you stand on the issue, and you are going to present the facts that are convenient for your side, which I view as (whether Mr. Karp agrees with me or not) as propaganda. I will not be part of a propaganda piece; for or against.

Supervisor Venesky: So, let me ask you a question. If we quote the Heuber Breuer report that the taxpayers in this town paid \$4,800 dollars to prepare (this was done by an independent engineering company), is that propaganda in your mind?

Councilor Becallo: I believe it can be construed that way.

Supervisor Venesky: Propaganda? Okay. Thank you Mr. Becallo, we appreciate your concern.

Councilor Karp: I don't necessarily think there is a problem voting on it at this time without knowing. Obviously, I do have concerns. I want to make sure that, as I said before, the town stays on the right side of the law.

Councilor Becallo: Yeah, you don't go after him Mark. You don't go after Jon when he asks the same questions. You always view me as I am fighting and battling with you. I want to do this...

Councilor Karp: Gentlemen, can we please maintain some decorum.

Supervisor Venesky: Thank you, very much.

Councilor Karp: This is the people's meeting.

Supervisor Venesky: Right.

Councilor Becallo: It's god's meeting, Supervisor Venesky.

Supervisor Venesky: That's blasphemy! Thank you.

Councilor Becallo: That's what you view yourself as.

Supervisor Venesky: We will carry it on from there. Is there any further discussion or any other questions?

Councilor Karp: Yeah, I'd like to finish my thought. I don't have a problem voting on it because I realize that with the referendum being a month and a half away if these notices are going to be sent out the appropriation needs to be approved. However, I do have concerns and I want to make sure that if they are sent out they are sent out in accordance with all applicable statutes. So that's why not knowing the content at this time, I don't have a problem approving the appropriation because basically, we are voting in principle whether or not there can be mailers and we'll determine (if there are actually going to be any) what the content will be in the future.

Supervisor Venesky: I think we all share that concern. Well said.

Supervisor Venesky asked Town Clerk, Tracy Cosilmon to take a roll call vote.

Councilor Becallo: You know what's funny? I believe I can pass. I believe during a roll call vote you can pass. I'm going to vote no anyway, but just for giggles. I vote *no* and my points of reason are stated above, but I believe you can pass.

The results of the vote were as follows:

Councilor Becallo	VOTING	No
Councilor Conway	VOTING	Aye
Councilor Cushman	VOTING	Aye
Councilor Karp	VOTING	Aye
Supervisor Venesky:	VOTING	Aye

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

**STANDARD WORK DAY – N.Y.S. LOCAL RETIREMENT SYSTEM**

Councilor Karp moved for the adoption of a resolution that the Town of Cicero hereby establishes the following standard work days for these titles [as shown below] and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

TITLE	STANDARD WORK DAY (Hrs/day) Min. 6 hrs Max. 8 hrs	NAME (First & Last)	Social Security Number (Last 4 digits)	Registration Number	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*
<b>ELECTED OFFICIALS</b>							
Town Justice	8	David C. Bruffett, Jr.			01/01/17-12/31/20	No	5.48
Town Board	8	Jonathan R. Karp			01/01/17-12/31/17	No	3.69

Councilor Karp: I will obviously be obtaining on this since I am one of the individuals listed.

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board comments. There were none.

Ayes – 4, Noes – 0, and Abstentions – 1. *Motion carried.*

**TOWN CODE PROVISIONS**

Councilor Karp: After a concerned citizen brought to my attention that there was what I believed to be a brief interruption of the regularly scheduled shooting activity at the South Shore Association. On last Tuesday, not yesterday, but two days before that, a concerned citizen (knowing that I am a former trapshooter) brought it to my attention. I spoke to the individuals involved, looked at the Town Code on the noise ordinance, specifically, and spoke to the attorney about creating a variance. There are three gun clubs, to my knowledge, within the Town of Cicero. All of them engage in trapshooting, and generally between the hours of 8 or 9 in the morning and generally, no later than 9 or 10 o'clock at the very latest. They have all been there for decades; at least fifty years and without any incident, as far as I know. So to remove the possibility of there being any problems in the future, or any unfortunate misunderstandings with regards to noise ordinance, I wrote these three separate resolutions granting variances from 8:00 a.m. to 10:00 p.m. under the terms that will be read. I am a member of the Board of Directors of the New York State Amateur Trapshooting Association and I will therefore ask Supervisor Venesky to read the resolution for that one.

- **South Shore Association of Oneida Lake, Inc.**

Councilor Karp moved for the adoption of a resolution granting the South Shore Association of Oneida Lake, Inc. a special variance from the provision of Chapter 143 of the Town Code, allowing the discharge of firearms for lawful purposes on their premises located at 6690 South Bay Road, Cicero, between the hours of 8:00 a.m. and 10:00 p.m. inclusive. This variance is issued pursuant to authority granted to the Town Board in §143-7 of the Town Code and shall not be construed as a finding by the Town Board that the discharge of firearms outside the specified hours is a violation of §143-4 or any other provision of the Town Code. Motion was seconded by Cushman.

Supervisor Venesky solicited any Board discussion.

Robert Germain: Mr. Supervisor, I would add to that Councilor Karp also authorizing the Town Clerk to provide each club an individual copy for their records.

Councilor Karp: And authorizing the Town Clerk to provide an individual copy to each of these clubs for their records. Motion was seconded by Councilor Cushman.

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



- **Resolution with additional language:**

Councilor Karp moved for the adoption of a resolution granting the South Shore Association of Oneida Lake, Inc. a special variance from the provision of Chapter 143 of the Town Code, allowing the discharge of firearms for lawful purposes on their premises located at 6690 South Bay Road, Cicero, between the hours of 8:00 a.m. and 10:00 p.m. inclusive. This variance is issued pursuant to authority granted to the Town Board in §143-7 of the Town Code and shall not be construed as a finding by the Town Board that the discharge of firearms outside the specified hours is a violation of §143-4 or any other provision of the Town Code and authorizing the Town Clerk to provide an individual copy to each of these clubs for their records.

Supervisor Venesky solicited any Board comments. There were none.

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

- **Bridgeport Rod & Gun Club**

Councilor Karp moved for the adoption of a resolution granting the Bridgeport Rod & Gun Club a special variance from the provisions of Chapter 143 of the Town Code, allowing the discharge of firearms for lawful purposes on their premises located at 7470 Bull Street, Bridgeport, between the hours of 8:00 a.m. and 10:00 p.m., inclusive. This variance is issued pursuant to authority granted to the Town Board in §143-7 of the Town Code and shall not be construed as a finding by the Town Board that the discharge of firearms outside the specified hours is a violation of §143-4 or any other provision of the Town Code and also authorizing the Town Clerk to provide a copy of this variance to that organization.. Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments. There were none.

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

- **New York State Amateur Trapshooting Association, Inc.**

Supervisor Venesky moved for the adoption of a resolution granting the New York State Amateur Trapshooting Association, Inc. a special variance from the Provision of Chapter 143 of the Town Code, allowing the discharge of firearms for lawful purposes on their premises located at 7400 Bull Street, Bridgeport, between the hours of 8:00 a.m. and 10:00 p.m., inclusive. This variance is issued pursuant to authority granted to the Town Board in §143-7 of the Town Code and shall not be construed as a finding by the Town Board that the discharge of firearms outside the specified hours is a violation of §143-4 or any other provisions of the Town Code and authorizing the Town Clerk to notify the Trapshooting Association of this change. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion or comments. There were none.

Ayes – 4, Noes – 0, and Abstentions – 1. *Motion carried.* Councilor Karp abstaining.

### **PERSONNEL – PARKS AND RECREATION DEPARTMENT**

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

- Jennifer Foley and Margaret Hange as Recreation Leaders at a pay rate of \$15.00/hour, effective 6/20/2017
- Megan Evans and Mike Brisson as Recreation Leaders at a pay rate of \$12.00/hour, effective 6/20/2017
- Jackie Kleist, Gabby Nicolini, Olivia Procopio, Elizabeth Fehrman, Abby Tolbert, Chelsea DelVecchio, Roy Young, Samuel Donnelly, Madelyn Conover as Recreation Attendants at a pay rate of \$11.00/hour effective 6/20/2017.

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments or discussion. There were none.

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

**HIGHWAY DEPARTMENT (Purchase Approval)**

Councilor Conway moved for the adoption of a resolution to approve \$3,667.00 to Tracey Road Equipment for the repairs to the Badger Cylinder. Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board discussion or comments. There were none.

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

**POLICE DEPARTMENT**

Councilor Karp moved for the adoption of a resolution to approve the following purchases, which will be covered by insurance reimbursement:

- \$2,515.00 to Bush Electronics for replacement parts for 2017 Ford Sedan
- \$3,550.00 to Bush Electronics to install the new equipment
- \$1,476.00 to AmChar Wholesale, Inc. for three (3) Simunitions Conversion Kits, six (6) magazines, and a case of 5.56mm marking rounds.

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board discussion.

Councilor Cushman: Chief, did we get bad equipment? A 2017 that we have got to repair already (the \$2,515.00 to Bush Electronics for replacement parts)?

Chief Snell: This is for the brand new car. There was a bumper with all the lights and everything that was totaled out when the car hit.

Councilor Cushman: Very good, thank you.

Supervisor Venesky solicited any Board discussion or comments. There were none.

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

**DISCUSSION ITEM(S)**

- **Earth Day**

Tracy Cosilmon: We had a great turnout. If anybody would like to see the picture on the front page of our website, we had a great amount of volunteers. A lot of people in the community signed up with OCCRA (Onondaga County Resource Recovery Agency) and I'd like to thank all those organizations that participated because truly, working together, we can clean up this community. We did a lot of areas, and I'll tell you it is amazing when you go by the area you cleaned up, and you've seen it before, and it's all cleaned when you drive back through to go to work or through your travels, on your errands, or whatever. But, I would just like to extend a thank you to the Highway Department - they are excellent! We put safety first, I'll tell you; we had vests. Everybody just worked together and it was great. Thanks to the Parks and Rec Department for having their vehicles available for us. It was a real team effort, and I just wanted to extend a thank you to everyone who participated. Thank you.

**PUBLIC INPUT**

Carol Pardee: I think that Councilman Becallo is correct; all I need is a postcard announcing everything. You have had plenty of meetings and discussions on it. The people that were interested showed, so you are wasting all the other money if you go through with something else. A postcard is enough.

Supervisor Venesky: Duly noted. Would anyone else like to approach the board?

Judy Boyke: Normally, when a publication is sent out it goes to households. I think that sending it any/every individual is a waste of money; my money, the town's money, particularly when there are three, four, even five registered voters in a household. I think utilizing our website, and possibly even setting up a separate website, especially for that to show the good and the bad. If you do it through the social media I think that that would be a much better way of expressing the interest or the disinterest. Thank you.

Councilor Becallo: I'm going to disagree. I mean, if you are going to reach a new voter you try to make this as identical as to what the Board of Election does. Nicole [Walsh], I believe the Board of Elections mails it to every single voter in a household, correct? Like that notice?

Nicole Walsh: It's just how the state law mandates it is how the Board of Elections does it.

Councilor Becallo: And they do every single voter within the household, correct? Because frankly, if you live in a house with mom, dad and kids, frankly, if it is one notice that goes out than dad can throw it in the garbage if dad gets the mail first, or child.

Judy Boyke: Can I ask one other question then? Is there a difference between a special election that is not demanded by the Board of Elections, but by the township itself? Is there a separate code or law that we need so that we know what we are following?

Nicole Walsh: Since the Board of Elections is not running this election, the Board of Elections cannot make any decisions, or comments, or anything about it. All I can say is contact the town attorney with any specific questions to that because I can't answer any of it, that's the Board of Elections.

Councilor Karp: My understanding was that Mr. Germain indicated that no notice was necessary, so I guess if we sent it out to every registered voter, even multiples in a household then we would be following the Board of Elections protocol, correct?

Robert Germain: Correct. I have not been the point attorney, so to speak, because it's a bond issue. We have been using Orrick Herrington out of New York and getting their advice, and so on. Councilor Karp: Yeah, but you're here.

Councilor Becallo: Passing the buck.

Robert Germain: I'm not going to contradict...

Councilor Becallo: I don't blame you, this is something that rarely comes up. I'm just trying to follow rules and some people don't...

Councilor Karp: That's a good question.

Ray Schader: On that same question, is there going to be an absentee ballot for this vote because I'm not going to be in town.

Supervisor Venesky: No, there will not.

Ray Schader: There are two votes you lose.

Don Snyder: It's no secret that I'm a big advocate for this garage, so let's get that off the table right off the bat. However, this is a project that's major to our town. The school districts, when they get ready to buy buses or put an addition on the building they put all kinds of information out to the public to tell them what they're doing, why they are doing it, how much it's going to cost, and they also say why we should do it because they'll tell you if we don't do that we may not be able to have enough rooms for our new kindergarten kids that are coming in on a full-time basis. We currently have a number of voters in this town that haven't got a clue about this building. I have not talked to anybody that once I explained the building, the age, the condition, I have had no one tell me, with that in my mind, we are crazy in doing this building. They are saying *well, we should have had it years ago* and *we say yes to that*, so we have to inform. Now, I'm not saying that either one, either you Mike, or Judy, said anything when you passed the petitions, I happen to know for a fact that some people that passed petitions also said, and by the way, please vote no because we do not need the building. With that in mind, we need to make sure that those voters have the information about the building just like the schools do, just like the County does when they are talking about their budget. Whether it's one notice or three notices - I don't think that's relevant here. I think that if it takes three posts... we know that if we put something in an envelope that people are probably not going to open it. If it's a postcard with points of interest on there they might tend to look at it and therefore, if the Board decides that it ought to be more than one notice, I don't have a problem with that because I happen to know how we look at our mail when it comes through and if it's a card that gives me a 'clue' a 'keyword' than I will probably read it, and that's what we are trying to do is inform the people that are going to come and vote that there is in fact some reasons why. We are not doing this just because we think it's nice to have a nice highway building and that's what we need to inform our voters.

Councilor Becallo: Do you know by a person? You don't have to say it here tonight, you can say it to me after, but who you know specifically who did, because I specifically told people all it was about was the ability for the people to vote.

Don Snyder: I can honestly say that I cannot say who that person because I literally put it out of my mind after I heard it because...

Supervisor Venesky: I had a gentleman in my office, Mr. Snyder, who came to see me who was vehemently against the building when he walked in. When I explained to him exactly what I have said at this meeting, publicly, where we are and why we are there he told me that he wasn't told that. He shook my hand and said thank you. So we know for a fact, and I know for a fact, that some people that passed petitions against this building are advocating people to vote against it. The fact of the matter is (and I think anyone who has paid attention/anyone who has read the reports), that we have a serious situation when we look at this building next year. We have 25 employees; I'm going to say it one more time, who are working substandard conditions. We have a legal responsibility to provide a healthy and wholesome work environment for our employees. Secondly, it goes beyond that, it goes to the public at large. We have \$7 million dollars' worth of equipment that you paid for and we are leaving \$3 million dollars sitting outside every night. When those roads aren't plowed in the morning, or we are leaving equipment outside and we can't get our fire departments, police departments, or the school buses to run that is what we are in business for; to protect and ensure the public safety and even more over that, the health and safety of every single employee in this building and that works for this town. That's what this is about, it's not about 'I gotcha'.

Supervisor Venesky solicited any further questions.

Councilor Karp: Mr. Germain, I just have a question. Are the school boards, are they allowed to advocate for passing the budget or do they have the same neutrality rules that we would have to follow?

Robert Germain: I'm not sure. I do work for one major school district and I think that they try to follow the information about advocacy rule.

Councilor Karp: It makes sense.

Nicole Walsh: People are saying that there are no laws, there is. In the Town Law there is information on special referendums and that is the information that this goes on. It's not fair to compare what the town is going to do to what the Board of Elections does because they're two separate rules of guidelines. So, I'm just letting you know that when talking about the mailers to individuals versus households that it's a different sized standards the Board of Elections is held to versus the town holding a special referendum such as this.

Councilor Becallo: It should be as close as possible, and that's just me making a statement.

Nicole Walsh: I'm just saying that's what the difference is.

Councilor Becallo: This is a special set of circumstances and you try to make it as the same as a normal election like the general election would be, is my point.

Nicole Walsh: I completely understand that, but the town, this is the first time it has ever had to run an election like this. Whereas at the Board of Elections, we do this multiple times every year, so it's a big difference. We are trying to have the standards here that are identical to what the Board of Elections does. It takes 16 people on staff at the Board of Elections to run an election, whereas right now it's the Town Clerk's office here that only has two and a half, maybe three people, trying to put on the election; it's comparing the resources available as well.

Councilor Becallo: It's still being held to at least as close a standard as possible.

Supervisor Venesky: Okay, thank you very much.

**ADJOURNMENT**

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

Motion was seconded by Councilor Becallo.

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

There being no further business before the Board the meeting was adjourned at 7:15 p.m.