

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held a **Regular Town Board Meeting** on **Wednesday, October 26, 2016** at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

PRESENT:

Mark Venesky	Supervisor
Mike Becallo	Councilor
Dick Cushman	Councilor
Jonathan Karp	Councilor

OTHERS PRESENT:

John Baldini	Police Sergeant
Chris Woznica	Highway Superintendent
Robert Germain	Germain & Germain, Town Attorney
Stephen Snell	O'Brien & Gere, Town Engineer
Tracy M. Cosilmon	Town Clerk
Jody Rogers	Youth Bureau, Parks & Recreation Director
Anne Saltman	Principal Planner, CNY Regional Planning and Development Board

ABSENT:

C. Vernon Conway	Councilor
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Supervisor Venesky opened the 18th 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 Becallo led the Pledge of Allegiance, and then requested a moment of silence for all those in harm's way.

### Town Board Meeting Minutes

Supervisor Venesky stated that on page 2 of the October 12<sup>th</sup> minutes he wanted what he said, *what the land it costs to what's the landed costs.*

Councilor Becallo made a motion to approve the Town Board minutes from the Regular Town Board Meeting held on October 12, 2016. Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There were none.

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

### Approval of Abstract Numbers 42 & 43

Councilor Cushman made a motion to accept Abstract #42 (dated 10/19/2016) and Abstract #43 (dated 10/26/2016) as presented. Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments. There were none.

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

**Budget Modifications/Amendments**

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

**BUDGET MODIFICATIONS**

FROM		\$	TO	
A19104	Unallocated Insurance	200.00	A12204	Town Supervisor Contractual
A12204	Town Supervisor	50.00	A1220435	Town Supervisor Postage
A135544	Assessor Computer Labor	470.00	A135543	Assessor Computer Software
A142045	Attorney Employment	5000.00	A142044	Attorney Litigation
A67721 OT	Senior Overtime	65.00	A677240	Senior Programs
A90608	Medical Insurance	2000.00	A90608 EX	Eyecare Reimbursement
A90608	Medical Insurance	500.00	A90608 TPA	Third Party Admin
B19104	Unallocated Insurance	3435.63	B19304	Special Items Judgements
B312053	Police Membership Renewal	51.37	B312055	Police Computer Software
B80104	Zoning Contractual	200.00	B8010435	Zoning Postage
DB19304	Hwy Judgements and Claims	25000.00	DB513002	Hwy Equipment
DB90608	Hwy Medical and Dental	30000.00	DB511255	Hwy Paving
A162040	Buildings	4500.00	A35104	Dog Control
A677211	Senior Bus Driver	1100.00		
A6772471	Senior Cleaning	4500.00	A677248	Senior Renovation
A13554	Assessor Contractual	63.75	A135544	Assessor Computer Labor
A19104	Unallocated Insurance	1500.00	A36204	Safety
B312040	Police Contractual	436.77	B312048	Police Radio Repair 75.00
			B312051	Police Copier 39.05
			B312054	Police Computer Labor 27.00
			B312055	Police Software 295.72
A51324	Garage Contractual	2832.10	A33104	Traffic Control
A33102	Traffic Control Equipment	307.00	A33104	Traffic Control
A51322	Garage Equipment	1000.00	A33104	Traffic Control
DB51101	Summer Personal Services	13109.08	DB513049	Hwy Pay-loader Repair
DB511011	Summer OT	473.93	DB513049	Hwy Pay-loader Repair
DB511012	Summer Seasonal	112.76	DB513049	Hwy Pay-loader Repair
DB514040	Summer Fuel	3733.36	DB51302	Hwy Equipment
DB514043	Topsoil	3756.00	DB514043	Runner Crush
DB511042	Runner Crush	259.04	DB511045	Typar - Pipe
DB511046	Cold Patch	1713.95	DB51302	Machinery Equipment
DB511049	CB/F&G/Riser	1040.76	DB51302	Machinery Equipment

**2016 BUDGET AMENDMENTS**

Revenue

Appropriations

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There were none.

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

**CNY Regional Planning and Development Board Presentation of the Stormwater Coalition – Anne Saltman**

Supervisor Venesky: We have with us tonight Anne Saltman, Principal Planner with CNY Regional Planning and Development Board with us this evening. Anne is working on stormwater education and outreach to municipalities, community groups, conservation commissions, and neighborhood organizations to share information about stormwater impacts on local water resources. She will be giving a presentation this evening that is designed to encourage a greater knowledge of the Stormwater Coalition and to explain the ways in which the State requirements and MS4 boundaries are changing.

Anne Saltman: Tonight, I am here reaching out to municipal and citizen groups to encourage more direct public participation in helping the municipalities comply with stormwater regulatory responsibilities. Stormwater basically, as you know, is rain water or snow melt that doesn't seep into the ground, instead it flows over the surface of impermeable soil and surfaces, such as roofs or parking lots, and as it flows it picks up all sorts of pollutants and it carries it to neighboring waterbodies, such as Oneida Lake, tributaries and Cicero Swamp, so the amount and the quality of runoff is determined by slope and by land use, soil and amount of precipitation. The overall impacts of a single residential or business operation may seem insignificant, but what we are looking at is the combined effect of many people within a given municipality; the concentration of contaminants can be very damaging to lakes and streams. In New York State, stormwater runoff decided that the contributing factor for up to 75 percent of all impaired waters in New York State, the primary pollutants of concern for Cicero are nutrients, primarily phosphorous, and sediment. Phosphorous comes from lawn fertilization or agricultural fertilization. Sediment can come from construction sites or home improvement projects and the significance of the sediment is that it is quite durable.

A few years ago, when I was working on the Oneida Lake Watershed Management Plan I hired an aerial photographer to fly along the southern border of Oneida Lake and take photographs after a significant storm. *Anne Saltman gave each of the Board members copies of the photographs.* Another pollutant concern includes pathogens and bacteria from pet and animal waste, and toxic materials such as gasoline, oil, solvents and other common household and automotive chemicals, pesticides, herbicides and litter from trash. As soon as rain and snowmelt washes these pollutants into Oneida Lake or nearby streams the impact can be quite significant. It impacts aquatic plant growth; the nutrient loading the lake stimulates plant growth, rooted planted growth, as well as algae, sometimes toxic algae, it creates the loss of aquatic habitat and it impacts our fisheries and causes an overall degradation of water quality. In addition, for the municipality it causes all sorts of costs in terms of streambank erosion, flooding and damage to infrastructure and personal property. So in order to address Stormwater, several years ago, a federally mandated permit program called the Phase II Stormwater Program was developed under the Clean Water Act and this was designed to address problems of stormwater runoff and to improve the quality of surface waterbodies. Cicero is a 'MS4' Community. What 'MS4' refers to is a Municipal Separate Storm Sewer System, which is any system of open or closed pipes, ditches or conveyances (including roads catch basins, curbs, gutters, ditches, man-made channels and storm drains) used for collecting or conveying stormwater. Because Cicero is an MS4 community, you are regulated under the Stormwater Phase II program, so it's your responsibility to manage not only the volume, but the quality of stormwater runoff.

Picture 1 of 3:



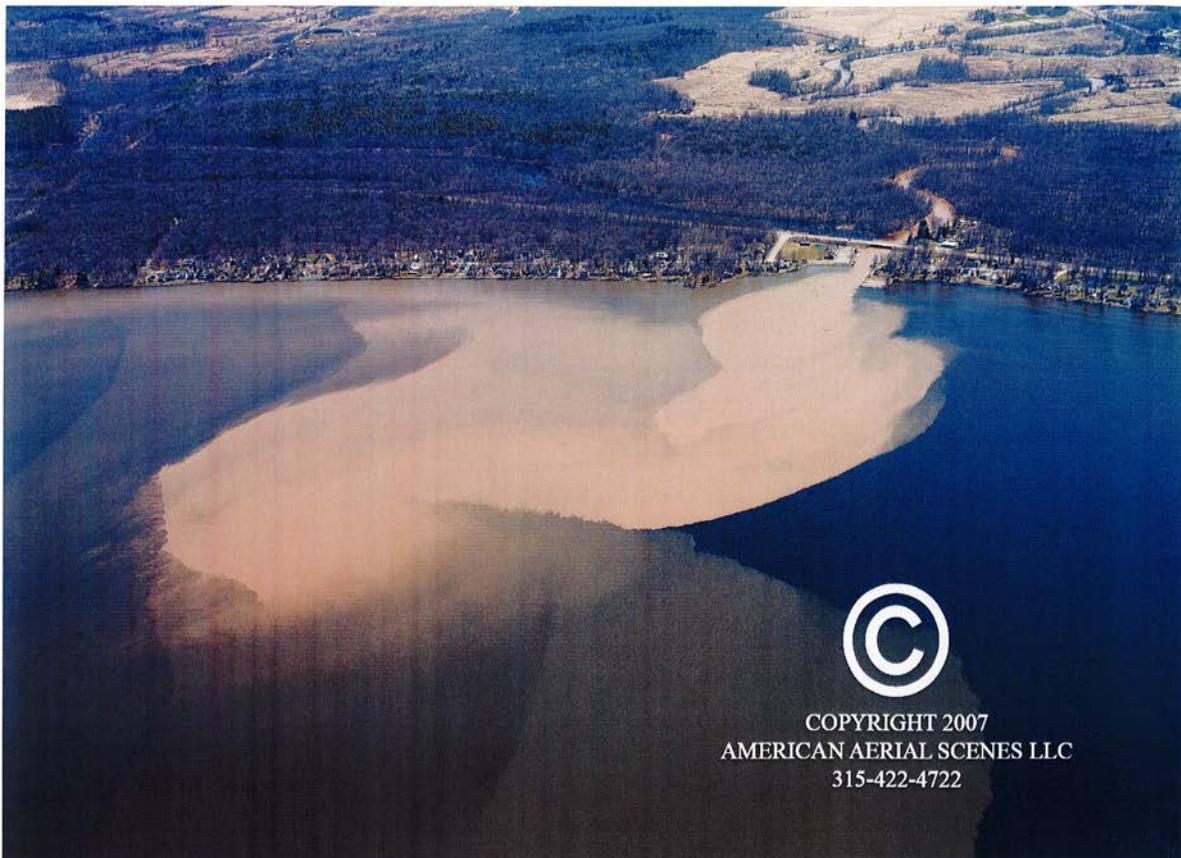
**Oneida Creek circa 2003**

Picture 2 of 3:



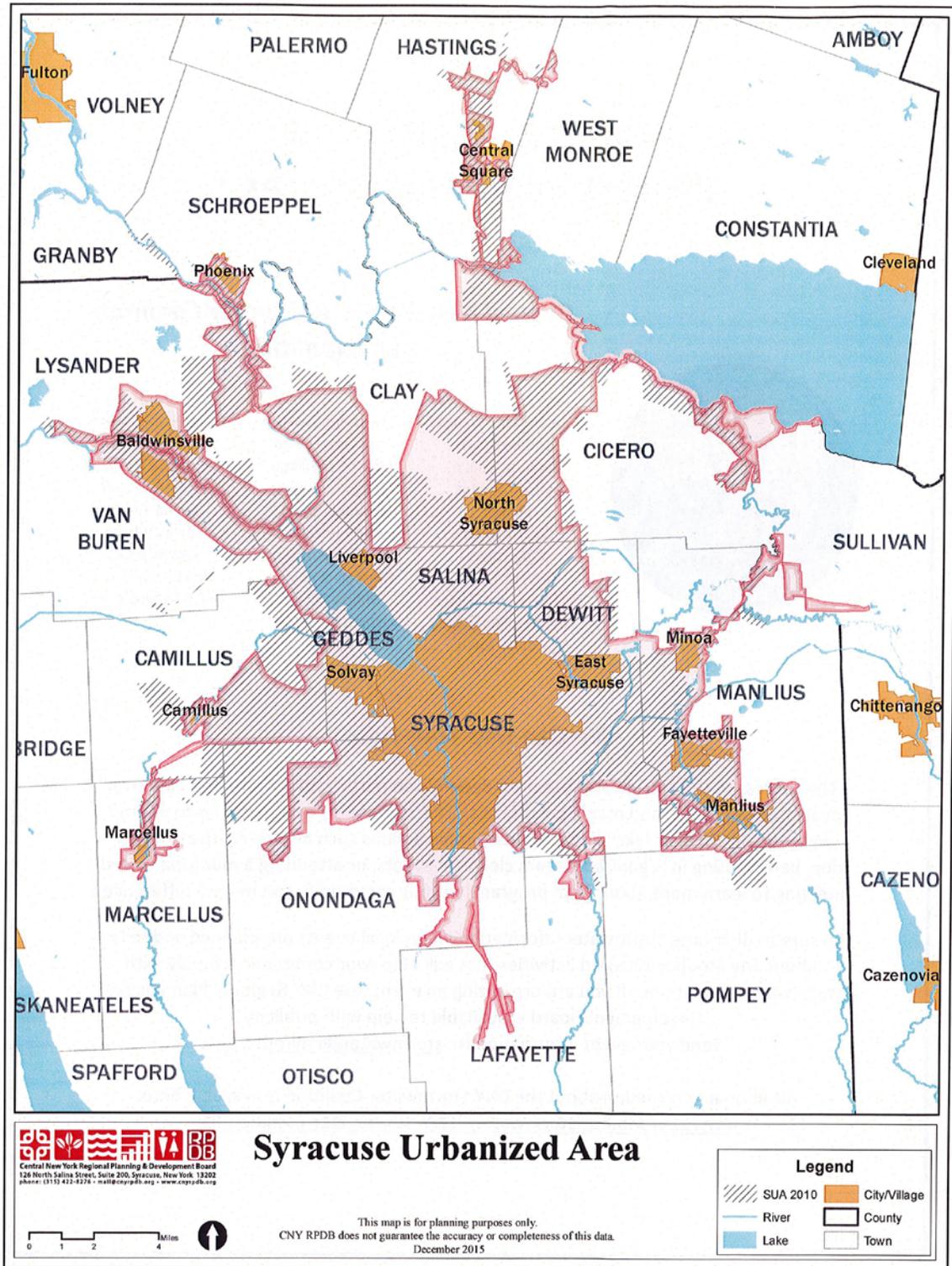
**Oneida Creek circa 2003**

Picture 3 of 3:



**Oneida Creek circa 2003**

Anne Saltman had the Town Clerk give members of the audience a handout of a map and a Working Together sheet. The map shows that in the past few years the areas subject to the MS4 regulations has expanded due to population growth and the fact that a larger portion of Syracuse is now impacted by the regulations.



## Working Together to Protect Water Resources

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### **Central New York Stormwater Coalition Municipalities**



- |  |   |   |
|--|---|---|
| Baldwinsville Village<br>Camillus Town<br>Camillus Village<br>Central Square<br>Village<br>Cicero Town<br>Clay Town<br>DeWitt Town<br>East Syracuse Village<br>Fayetteville Village<br>Geddes Town | Hastings Town<br>LaFayette Town<br>Liverpool Village<br>Lysander Town<br>Manlius Town<br>Manlius Village<br>Marcellus Town<br>Marcellus Village<br>Minoa Village<br>North Syracuse<br>Village | Onondaga County<br>Onondaga Town<br>Phoenix Village<br>Pompey Town<br>Salina Town<br>Solvay Village<br>Syracuse City<br>Van Buren Town<br>NYS Fairgrounds |
|--|---|---|

### **We Can Use Your Help!**

The success of the stormwater program depends on participation from homeowners, local interest groups, and municipal officials. There are many opportunities to improve water quality in local lakes and streams. Simple actions such as picking up after your dog, participating in organized stream clean-up events, or attending a municipal board meeting to learn more about local programs in your community can make a difference.

Be sure to distribute stormwater information when local events are planned and tell us about any group-sponsored activities that will help your community comply with stormwater regulations. If you are organizing an event, the CNY Regional Planning and Development Board is available to help with publicity.

Send your event information to: [stormwater@cnyrpdb.org](mailto:stormwater@cnyrpdb.org)

Additional information about the CNY Stormwater Coalition is available here:

[www.cnyrpdb.org/stormwater/?CNY-Stormwater-Coalition-81](http://www.cnyrpdb.org/stormwater/?CNY-Stormwater-Coalition-81)

In order to improve the efficiency of the Stormwater program, Cicero has joined twenty-eight additional municipalities to form what is known as the Central New York Stormwater Coalition. The coalition was formed a few years ago in order to help the municipal officials meet program requirements, save money, and to avoid duplication of efforts. I'm presenting to you tonight because protecting our resources needs to be a community-wide initiative, so my goal is to improve the success of the Stormwater program by getting more homeowners, homeowner groups and interest groups working along with the municipal officials to address stormwater.

Supervisor Venesky: We've had a big problem in the Town of Cicero with stormwater getting into the sanitary sewers. This board took action to address that. Our engineer would be able to tell you about that, but we've had a huge problem with that.

Anne Saltman: I know it is being addressed; you have done a great job with it. But, what I would like to do is get more citizen participation and residential, so in addition to what the engineer has been doing and the municipal officials, we need to get the whole community behind this. It is a constant effort of education and outreach. Simple actions, such as cleaning up after your waste or using phosphorous-free fertilizer, all of these things contribute to better water quality. Residents, community groups, and schools are encouraged to distribute Stormwater literature. We have a number of different pamphlets, brochures,

and educational material at the Regional Planning Board. If we can get the community involved in efforts to comply with the Stormwater Regulatory Requirements, that's what we are intending to do.

Supervisor Venesky: We appreciate you coming. We regularly talk about people who put their sump pumps into the sanitary sewer, and whatever, and it's a problem. I think raising awareness like this, especially with the asset that we have with Oneida Lake and trying to maintain that, not only for ourselves, but for future generations as well.

Anne Saltman: People don't understand that by pouring oil down a drain that it eventually leads to the lake and it does impact fisheries.

### **Set Public Hearing Date – Amend Town Code, Chapter 210 Zoning, Article V Schedule of Area, Yard and Bulk Regulations**

Councilor Karp moved for the adoption of a resolution to schedule a public hearing for Wednesday, November 9, 2016 at 6:30 p.m. to “amend the Town of Cicero Code, Chapter 210 Zoning, Article V Schedule of Area, Yard and Bulk Regulations. Section 210-16B, Residential Districts R-10 (R)”. Proposed change of existing Minimum Building Line (feet) from 75' to 70' of front building line.

Councilor Karp: My understanding is this is in keeping with Phase II of our rezoning. It came to our attention during the last rezoning proceedings that there are a number of properties on Lakeshore Road which are zoned Agricultural but which have special non-conforming uses for Residential, which can create serious problems for those residents. In order to do that rezone the properties would have to fit into one of the Residential Zoning Districts. There are nine (9) properties, who because of the Minimum Building Line being 75 feet, cannot fit into R10 or R15. This would change R10, so that those properties would be eligible for this rezoning.

Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board comments. There were none.

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

### **Strategic Management Solutions**

Supervisor Venesky moved for the adoption of a resolution approving an expenditure of \$2,200.00 per month, effective November 1, 2016-May 1, 2017 for Strategic Management Solutions for management of Human Resources, as specified in the Letter of Agreement and to authorize the Supervisor to sign the agreement. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board comments.

Supervisor Venesky: We are taking a look at all the processes and everything we do in the Town of Cicero. We are moving the Town of Cicero forward. We are running it as a business, but also we are responsible citizens of the community.

Councilor Karp: Is this what we discussed at the first budget workshop where this is for compliance?

Supervisor Venesky: Yes. We are bringing on a Human Resources (HR) professional. Kathy Barany is a reputable and noted HR professional in our community and she is going to assist us in making sure that everything that we are doing is compliant with New York State law and Federal law.

Councilor Karp: My understanding is the cost of noncompliance is severe, so this is intended as a compliance measure to prevent us from being noncompliant.

Supervisor Venesky: That is correct. It's a return on investment, so the money we are spending here would be a drop in the bucket compared to some of the regulatory fines we could face.

Supervisor Venesky solicited any further discussion. There was none.

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

**MRB Group – Proposed Highway Department Facility:**

- **SEQR RESOLUTION – DESIGNATING LEAD AGENCY**

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

**WHEREAS**, the Town of Cicero Town Board (hereinafter referred to as Town Board) has on Wednesday, September 14, 2016 declared its intent to be designated the Lead Agency for the Town of Cicero Town Highway Facility Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board has provided written notices to this effect to the involved and interested agencies; and

**WHEREAS**, the Town Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board does hereby designate itself as the lead agency for the Action identified above herein.

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any further discussion. There was none.

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

- **SEQR RESOLUTION – DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE**

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

**WHEREAS**, the Town of Cicero Town Board (hereinafter referred to as Town Board) has determined the above referenced Action to an Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and

**WHEREAS**, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

**WHEREAS**, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

**WHEREAS**, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

**NOW THEREFORE BE IT RESOLVED**, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

**BE IT FINALLY RESOLVED** that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments. There was none.

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

• **Approve Additional Service to the Site-Clearing Agreement**

Councilor Cushman moved for the adoption of a resolution approving and accepting a proposal for professional services from Deuel Archaeology to perform necessary cultural resource services for the proposed Highway Department Facility for the Town. The scope of proposed services is detailed in a letter to the Town dated October 12, 2016 and has been approved by the Town’s engineering consultant for the project. The cost of the contract is not to exceed \$4,795.00. This resolution authorizes the Supervisor to execute the contract and any necessary additional documents.

 <p><b>Deuel Archaeology</b>                  &amp; Cultural Resource Management  <b>CRM</b></p> <p>P.O. Box 51, Attica, NY 14011   TEL/FAX (585) 591-0630   jddeuel@gmail.com</p>	<h2 style="margin: 0;">PROPOSAL</h2>
October 12, 2016	
<p><b>ATTN: Lance Brabant, CPESC</b>                  MRB Group                  145 Culver Road, Suite 160                  Rochester, NY 14620</p>	
<p><i>Phase IA/IB Cultural Resource Investigation for the proposed Highway Department Facility, Town of Cicero, Onondaga County, New York (NYSOPRHP No. 16PR06438).</i></p>	
<p><b>SCOPE OF SERVICE</b></p> <ul style="list-style-type: none"> <li>• Review environmental setting of project area (physiography, geology, and soil data).</li> <li>• Determine expected depth of potential cultural resources from environmental data.</li> <li>• Examine historic resources and indicate location of project area on topographic maps, soil survey maps, and historic maps.</li> <li>• Conduct a search of the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) and New York State Museum (NYSM) files to locate archaeological sites within 1 mile of the project area. The site file search will also identify historic properties in or eligible for inclusion in the National Register of Historic Places (NR) and the National Register Eligible listing (NRE).</li> <li>• Assess archaeological sensitivity of the project area.</li> <li>• Field investigation (excavate shovel tests at 50-foot intervals within the project area, estimated to be about 8 acres; photograph field methodology, buildings/structures over 50 years old to be impacted, areas of prior ground disturbance, and wetlands).</li> <li>• Plot locations of shovel tests and photographs on project map.</li> <li>• Process and analyze excavated artifacts.</li> <li>• Incorporate data from field investigation into finalized digital Phase IA/IB report.</li> <li>• Submit digital copy of Phase IA/IB report to the NYSOPRHP for review and comment.</li> <li>• Provide a digital copy of the Phase IA/IB report to MRB Group.</li> </ul>	
<p><b>COST</b>                      <b>\$4,795 (due-upon-receipt-of-invoice)</b> <i>60 days from receipt of invoice</i></p>	
<p>All archaeological work will be conducted in compliance with the Standards for Cultural Resource Investigations adopted by the NYSOPRHP. If additional work is required beyond this scope, a scope of service increase will be submitted. To authorize the Phase IA/IB Cultural Resource Investigation, please return a signed copy of the proposal to the principal investigator.</p>	
<p>Name <u>Patrick Nicoletta</u>                      Signature <u>Patrick Nicoletta</u></p>	
<p>Title <u>Team Leader</u></p>	
<p>Firm/Agency <u>MRB Group</u>                      Date <u>10/14/2016</u></p>	
<p>Name _____ Signature <u>Jeremy Deuel</u></p>	
<p>Title <u>Owner/Principal Investigator</u></p>	
<p>Firm/Agency <u>Deuel Archaeology &amp; CRM</u>                      Date <u>10/12/16</u></p>	

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There were none.

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

**Tocco Villaggio**

Supervisor Venesky: This is to approve the dedication of sanitary sewer, drainage facilities, sidewalks and road located in Tocco Villaggio. The construction of the facilities has been completed in accordance with the Plans and Specifications. It also recommended that the Developer post securities with the Town for punch list items and guarantee securities for the project.

Supervisor Venesky (speaking to Steve Snell): I know this came from the Planning Board, but we now have a process in place where the Planning Board and the Planning Board Engineer sign off on all of this before it comes to us?

Steve Snell: They have not filed or finalized the project. They have completed the Town portion of the work, which is construction of the Town utilities that the Town Board approved originally. They obtained initial approval from the Planning Board to do the project and the Contract Drawings to build the road and the other infrastructure; the sanitary sewer and the storm drainage facilities. Those were designed and approved by the Town Board to develop and build those facilities. The Developer has completed that end of the construction.

Supervisor Venesky: I looked at some of that stuff. I just want to make sure that this town never gets into a situation where the Town accepts something and we didn't have due diligence to make sure that everything was completed and double checked. You are my double check, as well as our Highway Superintendent.

Steve Snell: Just to be specific, the sanitary sewers and storm drainage facilities were constructed prior to us being the Town Engineer, but those were certified.

Councilor Karp moved for the adoption of a resolution to approve the dedication of sanitary sewer, drainage facilities, sidewalks and road located in Tocco Villaggio located at the end of Legionnaire Drive in the Town of Cicero owned by the Developer, JOLU Development Company. The construction of the facilities has been completed in accordance with the Plans and Specifications pursuant to a letter from O'Brien & Gere dated October 20, 2016 (as shown below). It is also recommended the Developer post securities with the Town for punch list items and guarantee securities for the project as outlined in the O'Brien & Gere letter dated October 20, 2016 and supplied to the Board. The estimated cost/value of necessary facilities to be constructed is converted into the security posting requirement by the developer in the total amount of \$55,400.00.

**Dear Board Members,**

Tocco Villaggio is located on the north side of NYS Route 31, west of Legionnaire Drive and east of the Town line with Clay. The Developer has completed construction of the sanitary sewer, drainage facilities and roads in general compliance with the approved drawings, with the exception of the items listed herein. These utilities are to be dedicated to the Town for operation and maintenance. We have estimated the value of these facilities to determine the amount of security to be posted with the Town.

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

■ Sanitary Sewers	\$111,000 @ 10% =	\$ 11,100
■ Storm Sewers	\$63,000 @ 10% =	\$ 6,300
■ Swales	380 lf @ \$10/lf =	\$ 3,800
■ Stormwater Management Areas	\$50,000 @ 10% =	\$ 5,000
■ Roads	1730 lf @ \$10/lf =	\$ 17,300
■ Sidewalks	1580 lf @ \$5/lf =	\$ 7,900
	Total	\$ 51,400

In addition to the guarantee period, the Town should obtain the following security for work not completed as noted during the site inspection on October 19, 2016:

■ Road striping and arrows	=	\$ 4,000
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We recommend the Code Enforcement Office and Town Highway Superintendent be consulted to identify additional securities that may be required as a result of their review.

The applicant should provide and maintain necessary siltation and erosion control measures as outlined in the approved Sediment and Erosion Control Plan until vegetation is established on all areas disturbed by construction. During the site inspection it was noted that most of the site appeared to be stabilized with permanent vegetation.

Motion was seconded by Councilor Cushman.

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

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

### Approval for Professional Appraisal Services

Supervisor Venesky: This service is for retainership for a trial expert for pending litigation purposes in conjunction with negotiation and court testimony purposes for a tax certiorari matter.

Supervisor Venesky moved for the adoption of a resolution approving the proposal by Stropp Appraisal for professional appraisal services for 7383 William Barry Parkway (Gaylord Brothers) to obtain a Court Ready Appraisal for the property to defend a Tax Certiorari matter titled Gaylord Brothers v. The Town of Cicero Assessor, et. Al. in an amount not to exceed \$3,450.00 for the Town's share. The Respondents, Town of Cicero and the Cicero-North Syracuse School District will share equally in the expense. The Court recently ordered appraisal preparation and exchange set for March 1<sup>st</sup>, 2017.

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There were none.

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

### Highway Department

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

- \$5,500.00 to United Auto Supply for batteries, brakes, and assorted truck parts
- \$5,000.00 to Genuine Parts for October and November invoices
- \$5,000.00 to 3M for Sign material
- \$2,775.00 to Steel Sales for 300' - 15" Plastic pipe
- \$3,517.20 to Crossroads Highway for 400' of 10" 16 gauge pipe with bands

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments. There were none.

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

### Parks & Recreation Department

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

- \$64,343.00 to Atlas Fence for Ballfield Fencing – Skyway Park Project (see Attachment A)
- \$5,500.00 to Northern Nurseries for Washington Ball infield mix for Skyway Park Project

Motion was seconded by Councilor Becallo.

Supervisor Venesky solicited any Board comments. There were none.

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

The Cicero Town Clerk received sealed bids on Friday, October 7, 2016 at 1:00 p.m. local time at the Cicero Town Hall, 8236 Brewerton Road, Cicero, New York, for the fencing materials and installation per specifications at Skyway Park as part of the Skyway Park Field Improvement Project:

Proof of publication and posting dated September 29, 2016.

Two bidders:

1. Phoenix Fence Supply, Inc.
2. Atlas Fence (**awarded**)

Atlas Fence Bid (Attachment A):

Town of Cicero  
Skyway Park Field Improvement Project  
**FENCING BID SHEET**  
PAGE 1 of 3

Base Bid Pricing:

- ALL work associated with fencing for new field #3** \$ 28,835.00  
Amount in words twenty eight thousand eight thirty five
- ALL work associated with fencing for new field #4** \$ 21,536.00  
Amount in words twenty one thousand five thirty six
- All work to provide new gates as described in notes 24 & 25** \$ 1,792.00  
Amount in words Seventeen hundred ninety two
- All work to install new gate as described in note 13** \$ 890.00  
Amount in words eight hundred ninety

Alternate Bid Pricing

- 1) **Installing Black mesh fencing for Field 3** \$ 1,632.00  
Amount in words sixteen hundred thirty two
- 2) **Installing 8' canopy for backstop for new field #3** \$ 2,424.00  
Amount in words twenty four hundred twenty four
- 3) **Installing 8' canopy for backstop for new field #4** \$ 2,008.00  
Amount in words two thousand eight
- 4) **Credit to allow install of reused fence mesh for new field #4 by others**  
\$ 5,321.00  
Amount in words five thousand three twenty one
- 5) **Install all new fence mesh and hardware on new field #4 (compared to base bid) versus installing reused fence meshing as per base bid**  
\$ 27,275.00  
Amount in words twenty seven thousand two seventy five
- 6) **Provide 18' high backstop posts only with baseball and softball appropriate netting strung across in lieu of fencing canopy as described in base bid**
- For new field #3:** \$ 2,638.00  
Amount in words twenty six hundred thirty eight
- For new field #4:** \$ 2,385.00  
Amount in words twenty eight hundred thirty five
- 7) **Unit costs to install the following per LF if needed (as per base bid)**
- |                  |    |                  |
|------------------|----|------------------|
| i. 5' fencing:   | \$ | <u>17.95/lf</u>  |
| ii. 6' fencing:  | \$ | <u>49.00/lf</u>  |
| iii. 8' fencing: | \$ | <u>53.15/lf</u>  |
| iv. 12' fencing: | \$ | <u>115.15/lf</u> |
| v. 18' fencing:  | \$ | <u>119.75/lf</u> |

**Surplus**

Councilor Becallo moved for the adoption of a resolution to declare the following items from the Highway Department surplus and of no use to the Town and to be auctioned through Auctions International:

- 2003 International 10-Wheeler
- Pick-up box sander

Motion was seconded by Councilor Karp.

Supervisor Venesky solicited any Board comments. There were none.

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

**Discussion Item(s):**

- **Replace Highway Payloader**

Supervisor Venesky said the vehicle is a 2005. The cab is rotted out and the hydraulic lines and tank are rotted also.

Chris Woznica: The cab structure is not safe, and the cab is for roll-over protection and because it is rotting it will not protect.

Supervisor Venesky: We talked about repairing it and we got a repair bill of about \$30,000 to repair it. We had a discussion and we asked Chris to shop around and see what it would cost us to buy a new one. We have some on State bid that we talked about this morning, which I think are high. But we did find another vendor who is willing to sell it to us at about \$20,000 dollars less than what we found on State bid (which requires that we put it out to bid), which is exactly what we are doing. I am recommending that we replace the payloader, as opposed to putting \$30,000 in a payloader that would probably in a trade bring us twenty-five to thirty thousand dollars. So, for an \$80,000 dollar difference (which we will pay cash for out of the B Fund fund balance), we have got a new machine. When we get the numbers on that I will bring that in front of the Board to make a decision on that.

Councilor Becallo: How much is the new one again?

Chris Woznica: The new one is going to be a bid process. Right now, the lowest price is about \$102,000 dollars with the trade. Once we bid this out the bids should come back relatively cheaper.

Councilor Karp: The \$30,000 repair, I take it this is not a refurbishment that basically makes it like good as new?

Chris Woznica: No, we have to order a new cab. We have to pull the cab off and once you pull the cab off everything underneath is very bad; the hydraulic tank. Once you start pulling that stuff off the hydraulic lines underneath, they are steel lines and they are rotted off.

Councilor Karp: Is it possible that in the process of repairing it we may become aware that even more needs to be repaired?

Chris Woznica: Yes.

- **Sidewalk District**

Supervisor Venesky: I want to talk about the possibility of establishing a Sidewalk District, and I will tell you why. We know that next year the State of New York has approved, I think, \$775,000 dollars to put sidewalks in on the west side of Route 11, all the way from Bear Road to about 200 foot north of Caughdenoy Road. If we take a look at what we do have; an ordinance in the Town of Cicero that says if you are a business or a homeowner and you have sidewalks on your property that you have to maintain it. One of the concerns I have is if you take a look at East Taft Road, we split part of that with the Village. The Village of North Syracuse plows the sidewalks and maintains them in the winter time, all the way from South Bay Road to just west of the 81 Bridge and then we have a long stretch over the Route 81 Bridge; we have an empty lot. Then of course, you have Motor Vehicles and then DJ Motors; the sidewalks go all the way up to Tarson Pool Supply. We have vast stretches that are not being maintained and we have one machine. Chris, that is on its last legs according to our mechanic?

Chris Woznica: Its 30 years old. The parts availability is close to nothing.

Supervisor Venesky: To replace that machine would be?

Chris Woznica: \$120,000 dollars.

Supervisor Venesky: If we take into consideration that we are now mandating sidewalks in the Town of Cicero for new building construction, and the fact that the State of New York is going to put sidewalks in on the west side of Route 11 (which we really need for public safety), I think we need to think about how from a liability standpoint. Those sidewalks will become our responsibility on Route 11, so I think we need (from a public safety and from a liability standpoint) to talk about how we are going to keep them clean. Right now, on Taft Road (because I live off of East Taft Road) there are many nights coming home in the winter time over the last 28-30 years that I have lived there and you see people walking in the road during rush hour. I am very concerned that if someone gets injured or someone gets hit by a car, and we have sidewalks that need to be maintained, but we are not maintaining them, there is a huge liability issue there. The second thing is, thinking about it, and we will put those together depending upon what the rest of the board thinks. What I am thinking of, and I think it is too much...we would have to probably put additional people on in Highway. We would have to replace the machine that we are hoping we will get this winter out of, and we would probably have to buy another one, right? We would probably have to put on, in the winter time, one or two additional people to keep those sidewalks clear. My thought is that if we farm that out and we hired a service and we signed a contract with them to maintain those sidewalks for us, then we have their people doing it. I would even go as far as saying that if we had businesses, and I'm just going to throw them out there, you have DJ Motors on Taft Road. You have Burger King and you've got McDonalds. If they said, *No, we don't want to be part of this district. We will maintain the sidewalks.* Then you best maintain that part of your sidewalk, right? But, I would like the Board to consider us looking at a Sidewalk District that would not be dissimilar to a lighting district or a sewer district. To hire a service; I don't know what the annual monetary tax would be for those businesses that adjoin those properties who didn't want to maintain the sidewalks or those pieces of property that no one maintains under the bridges on Taft Road, etc., and make sure that those things are maintained and taken away from the Highway Department; it's just something to think about. But I would like to bring that up again after we have all had some time to digest that. Again, we are talking about public safety. Any comments on that so far, or do you want to think it over?

The Board members said they wanted to think it over.

### **Set Bid Date for 2016 Wheel Loader**

Supervisor Venesky made a motion that the Board approves setting a bid date for November 4, 2016 at 11:00 a.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, New York, to receive sealed bids for one (1) new 2016 Wheel Loader. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board comments. There were none.

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

**Set Public Hearing Date for Special Town Board Meeting**

Supervisor Venesky: We put together the budget. I want to make sure that we are always transparent, that you understand exactly what we are doing and that everyone has the proper opportunity to comment, so I would like to set a separate Board meeting, which will be for next Wednesday, November 2, 2016.

Tracy Cosilmon: To include the Fire Contracts?

Supervisor Venesky: If the Board wants the fire departments to be there to give their budgets then I will invite them. If the Board feels that the workshops that we had with the fire departments are sufficient then I would consider not inviting them. But if you want the fire departments, I will invite them to be there. But I would like to have a Special Town Board Meeting. This will be at the Young at Heart Senior Center at 6:00 p.m. on Wednesday, November 2<sup>nd</sup>.

Councilor Becallo: I would like the fire departments there, too.

Supervisor Venesky: Okay, I'm good with that. So let's go ahead and do that. Tracy we will reach out to the fire departments and invite them tomorrow.

Supervisor Venesky made a motion to hold a Special Town Board meeting for Wednesday, November 2<sup>nd</sup> at 6:00 p.m. at the Young at Heart Senior Center, 5924 Lathrop Drive, Cicero. Motion was seconded Councilor Cushman.

Supervisor Venesky solicited any further Board comments. There were none.

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

- **Town Hall to Close on Election Day**

Supervisor Venesky: Another thing that was brought to my attention today was Election Day. Tracy, would you speak to us about the meeting that you had?

Tracy Cosilmon: As the President of the Onondaga County Town Clerk's Association, I attended a meeting. The Board of Elections was there, and at that discussion we went around and there are several towns that are closed on Election Day; Town of Clay, Town of Geddes, and Town of Onondaga. The Town of Cicero is open on Election Day. I brought back concerns with our parking lot due to the anticipated amount of people that they feel that are going to be coming out during the election on November 8<sup>th</sup>. We definitely have a parking issue here to accommodate them, and this is in the center of all of our offices where everyone will be going through, so all I did was bring this back to the Supervisor and to the Board. I would like to make an announcement: The Cicero Town Hall offices will be closed on Election Day, November 8<sup>th</sup>. Due to the safety of our town employees and the town residents, it has been determined that the Town Offices will be closed. All the employees that report to the Town Hall and are regularly scheduled to work on November 8, 2016 at Town Hall will be given the day off with full compensation.

Supervisor Venesky asked Robert Germain if just the announcement was fine.

Robert Germain replied yes.

**Public Input**

Don Snyder: I think what we just did may be a little crazy because I think we just gave our people another holiday and we, the Board, didn't vote for that holiday. It's not in the budget. Does that mean the Highway people work because they have a different building?

Tracy Cosilmon explained that the Highway people already have it off.

Don Snyder: I spent a lot of time on the budget the last two weeks. The budget, I feel, is probably the best budget we've ever had go out. I have very few questions and comments on the budget, which I will bring up at the public hearing. We are working on a contract with the Police Department, and I have some major concerns that I think that our taxpayers don't understand; a few of them are totally out of our control, but will impact our budget tremendously. The first thing is, we have an Article 207-c Law that the State of New York was so willing to pass, that basically says that if one of our officers gets hurt on the

job (and it use to be 'in the line of duty' meaning he was running after a convict or something), and now it's 'if he falls in the office, he still gets it'. We have an individual that has been a 207-c., who from 2011 until today, a little over \$400,000 dollars we have paid the individual salary and he hasn't been on the site, actually since 2006. In 2015, the total with fringes was about \$84,000 dollars. The individual will get medical for the rest of his life because of what 207-c says. I want to make sure you understand that I am not anti-police. I am saying that some of the requirements that we have as a town makes it impossible under the current contract to be able to sustain this over the long haul, and the 207-c area is one of them that is in fact a part of it - it has nothing to do with our contracts. Next thing. Part of our contract right now that is being negotiated (from what I can tell from what the board members have told us), but the current contract, which again, the State of New York and their infinite wisdom passed a law a number of years ago that says that public employees have a contract. The contract ends and they are in negotiation for a new contract; they continue under the old contract until the new contract is signed, therefore, everything that is in the contract continues this year while they are going through negotiations, so of course it makes it a little impossible for the Town to get a real good dealing because there is no good incentive by the unions that we are talking about to settle a contract. However, in that current Police contract it says that when they retire we will give them medical insurance for the rest of their lives; not until 65, but the rest of their lives. I happen to be a numbers cruncher, so what I did is we have:

- One that is retired
- One that will probably retire in a year
- Two that could retire in 2020
- One that could retire in 2022, and
- One that could retire in 2024

I said "could retire". If they in fact retire:

1. Criteria
2. If in fact the health insurance that we currently pay goes up only 6 percent a year; I have been told that's a low number, but I used 6 percent a year and it says that for those 6 individuals, from today through 2025, we will have paid \$796,000 dollars for medical insurance for people who are no longer on our payroll - we can't sustain that.
3. The Police salary in the contract starts off at \$42,513 dollars.
  - Year 2 - it goes up 5%
  - Year 3 - it goes up 9%
  - Year 4 - it goes up 6.4%
  - Year 5 - it goes up 18.5%
  - Year 6 - it goes to 3.62%, and
  - Year 7 - 4.48%

In the seventh step they will have gotten a 56.5 percent raise. Again, we can't sustain that kind of a pay schedule. The police officers work 1944 hours. All the rest of us that have normal jobs, if you call it that, we work 2080; forty-hours a week, for 52 weeks.

The other part of the contract is we have a Longevity Pay. Nobody else in this town gets a longevity check except for the Police Department. Last year, it was about \$11,000 dollars that we paid for longevity for the Police Department. One last thing, we bought six (6) police cars and paid \$193,000 dollars. We paid \$37,000 dollars out of our budget to get the number that we would finance reduced. We will have those cars paid off in 2019. They will be four years old. All of them will be 4 years old and we may be having a problem with having to buy a whole new set of cars, as opposed to having bought one or two cars a year. We will also pay \$6,919 dollars in interest on the money we borrowed for those cars. I think we need to just have us all understand that we need to be ready, because I saw a thing on the television yesterday, the Town of Oswego all of a sudden has got some problems and they are asking for a 25 percent pay increase in their taxes - well, that's crazy! But if in fact we continue with the contracts that we have and if the Board has their hands tied by arbitrators (that we have got to maintain these things), then we as taxpayers have got to be ready to realize that we are going to be reaching into our pockets and taking a lot more money out. Thank you.

Supervisor Venesky: I won't comment on contracts that we are in negotiation for, but duly noted.

**Adjournment**

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

Motion was seconded by Councilor Becallo.

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

*There being no further business before the Board the meeting was adjourned at 7:19 p.m.*

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Tracy M. Cosilmon, Town Clerk