

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Monday, April 28, 2008, at 7:00 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039.

Present: Chester A. Dudzinski, Jr., Supervisor
James Corl, Jr., Councilman
Charlotte Tarwacki, Councilor
William Rybak, Councilman
Tracy Cosilmon, Town Clerk

Others Present: Christopher Woznica, Highway Superintendent
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Wayne Dean, Codes Enforcement Officer
Jeanne Kulesa, Comptroller
Anita Barnello, Assessor
Bonnie Smith, Secretary to Supervisor
Heather Cole, Esquire, Town Attorney
Mark Parrish, P. E., O'Brien & Gere
Michelle Baines, O'Brien & Gere
Tom Leo, Post Standard
Francis Freel, Star News

Absent: C. Vernon Conway, Councilman
Sharon Edick, Receiver of Taxes

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance lead by Boy Scout Troop #116.

Ms. Tarwacki - Never let us forget our troops in harms way.

Mr. Dudzinski indicated where the fire exits were and read the following statement:

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and, therefore, urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn of your cell phones and be sure to speak into the microphones to enable all to hear.

S.E.Q.R.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, that all actions taken tonight are Type Two (2) or Unlisted actions and have a negative impact on the environment unless otherwise determined.

The motion was approved as follows:

Mr. Conway: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

APPROVAL OF APRIL 14, 2008 MEETING MINUTES

Tracy Cosilmon explained that there are amendments to the minutes of the April 14, 2008. On page 2, the date for the public hearing regarding Stop Signs in Val Park, Bridgeport and on Nates Lane and South Bay Road should read May 12, 2008 and not April 28, 2008. On page 15, the speaker's name is Susan and not Paula Perrigo. Ms. Tarwacki requested that her comments be included in the minutes. She stated that they received many letters that supported the Perrigos, and these people have also had problems with the Thompsons. The minutes will reflect these duly noted amendments. The Supervisor's Office received a request from Mrs. Perrigo. She would like a letter dated April 14, 2008 inserted in the minutes. At this time, I would like the town board's decision on how they would like me to proceed with Mrs. Perrigo's request.

Ms. Tarwacki stated that Mrs. Perrigo sent her a signed copy of her request as well as a signed copy of her letter which she presented to Tracy Cosilmon. One of the ways we as a town board avoid the implication of using our power to pass legislation in favor of select individuals is to let all parties have their right to be heard. The way to appear selective in our legislation is to deny one of these parties. Mrs. Perrigo asked that her letter to the town board appear as written. Mr. Thompson's letter that he gave to the board in March was printed verbatim. I have the letter from Mrs. Perrigo which is signed, asking that her letter also be included in the minutes.

Mr. Dudzinski asked if the Thompson letter was given to us at the meeting.

Ms. Tarwacki – It was the meeting prior to that which was in March and Mrs. Perrigo wasn't here at that time. This is the letter that Mrs. Perrigo read from when she spoke before the board.

Mr. Dudzinski asked why she didn't give it to us at that time to be entered into the record then.

Ms. Tarwacki – I think you can agree that this was an extremely emotional situation and I'm sure she wanted to sit down having vented some anger and experiencing some embarrassment.

Mr. Corl – Why don't we just take it and approve the minutes with the modifications as Tracy requested and then we can adopt this letter into the minutes for today. We can't go back in time.

Ms. Tarwacki – We're approving these minutes now and all we have to do is attach the letter and say it's amended rather than stick it in the next set of minutes that does not reflect the circumstances surrounding her issue. The letter should go into the minutes surrounding her issue. All it has to be is amended.

Mr. Corl – The problem that you have, is every time we have a public hearing or we have somebody speak from the date that meeting ended until the next meeting, we could be flooded in the future with people trying to submit letters and incorporating of the prior board meeting.

Ms. Tarwacki – They make adjustments all the time.

Mr. Corl stated that he was concerned that in the future, if we start doing this, people are going to start submitting stuff after. I have no problem in submitting or entering stuff in today's minutes, because we are discussing and reviewing it. I think that this opens a Pandora's Box. In regards to the comments on selective enforcement or selective legislation, I've said it a hundred times that this legislation applies to the whole town and not for just one particular group, or one particular neighbor that are pissed off at each other. I am sick of hearing about it and how we're trying to force these two neighbors into some type of chaos. This is a blanket legislation which was to be applied throughout the whole entire town. It is a fence ordinance very simple. I would think most of the towns with the whole county have such an ordinance. I don't know why we never

implemented it. When the Codes Department brought it to my attention, I took action and worked with the Codes Office and Attorney to put something on the books within the town that could be enforced, so that our Codes Enforcement Officer could go throughout the town and make sure that we don't have fences that are falling down, we don't have barbed wire fences within the town in residential areas. It is so we can have some uniformity and we don't have neighborhoods looking terrible.

Ms. Tarwacki – Nobody has any problem with that. All five of us voted for that because it is good for the town.

Mr. Corl – Yes, but you made a comment that this was selective type legislation and that is not the case and some people are getting that impression. This legislation had intended to tighten up the code, so that the Code Officers could do their job.

Ms. Tarwacki – We all voted for that, every single one of us. All I'm saying is each person has the right to be heard.

Mr. Corl – I agree 110 percent.

Ms. Tarwacki – In her emotional state she walked off without giving that letter to us. Latter on, she tried to submit it. It ought to be in the minutes in which she spoke.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, that we approve the Town Board Minutes with the modifications that Tracy Cosilmon put on the record just before we spoke.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	No
Mr. Rybak:	Abstain
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to accept the letter and incorporate it in today's minutes.

Discussion:

Mr. Dudzinski – In the future it should be the responsibility of the individual that is speaking, to submit the letters at the time of the public hearing to be placed in the public record. Not afterwards. What Jimmy said is exactly right. It's like being a Monday morning quarterback and I go home and sleep on it for 24 hours and decide to come back in with another argument.

Ms. Tarwacki – It's the same argument and it's not different.

Mr. Dudzinski – It's not the way it should be. Your get you voice heard then and that's how it works.

Continuation of the Vote

Mr. Conway:	Absent
Ms. Tarwacki:	Yes, I want it entered somewhere.
Mr. Rybak:	Yes, since I have read the letter.
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DEPARTMENT HEAD INPUT

Highway

Chris Woznica explained that he had received a letter from John Clark of Kneeskern Road, where we have a dedicated turn around on his driveway which is at the dead end. Mr. Clark is going to be paving his driveway and he would like the town to take care of the part that we use with a 10 wheel dump truck. We have done this in the past on Vernon Road North and I think it would be to the town’s best interest to put the base and the binder and let him put the top in. That way, we will know that it has been put in at the correct depth.

Mr. Dudzinski – Basically, we’d be doing it for ourselves for our trucks.

Mr. Rybak - How much area are we talking about?

Chris Woznica stated it is 120 feet wide by 50 feet long.

Mr. Dudzinski – I don’t have an issue with it only because he’s letting us use his property to turn around. The only way out of there would be to back up.

Chris Woznica – It’s too far, to back up.

Chris Woznica explained that his seconded item is for town board approval to place No Dumping Signs on various roads where we have prevalent illegal dumping such as Sneller Road, Carmel Runne, Totman Road and Bull Street. Sneller Road is a County Road and since we are now a Suburban Town, I don’t know how that works. We have dumping in these areas and I would like the maximum fines placed on the signs of \$900.00.

Mr. Rybak asked if the fine amounts are in the Ordinance currently.

Chris Woznica – Yes, they are in the Ordinance.

Heather Cole – They are and it is part of the town code, that you can authorize the Town Highway Superintendent to install No Dumping or Littering signs at his discretion. This item is on the agenda as number 20 this evening.

Mr. Dudzinski – We need a resolution for both of the issues at hand.

Heather Cole suggested that they be done separately.

(Base and binder placement on Kneeskern Road turn around)

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize the Highway Department to place base and binder at Mr. Clark’s property on Kneeskern Road as the town uses this property as a turn around.

The motion was approved as follows:

- Mr. Conway: Absent
- Ms. Tarwacki: Yes
- Mr. Rybak: Yes
- Mr. Corl: Yes
- Mr. Dudzinski: Yes

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the installation of No Littering Signs to be put up at the discretion of the Highway Superintendent in various parts of the town.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes, especially after working on Earth Day as there is a lot of trash and with all the groups that were working we couldn't get it all.
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Police

Chief Snell stated that back in 2003 the Police Department was recognized and accredited as a NYS accredited agency. Accreditation occurs every five years and this year we were up for re-accreditation and last week the State Assessors came in from the Department of Criminal Justice Services and reviewed our files, rode with our Officers, reviewed our operations and will be recommending the Department of Criminal Justice Services that we be re-accredited for another five years.

Mr. Dudzinski – You failed to mention this, because you are very modest, but, he said, this is probably one of the best Police Departments which he has ever had to work with when it come to accreditation.

Chief Snell - I'll let you say that because I am that modest.

Mr. Dudzinski stated that he was very impressed with our organization and how things were working out back and the cooperation from all of the officers. Of the list of complaints there were two and one was that they put too much paperwork into their files. You do a great job.

Comptroller

Jeanne Kulesa - The 2007 Annual Report was filed with NYS on April 18, 2008 and the deadline for that was the 30th of this month. My second item is in regard to the audit of the Justice Department which is required by the State of which I have given you all a copy. They provided the paperwork and I did all of the required paperwork for both Judges. It is complete and I will be forwarding a copy of that paperwork to NYS as required. The only other thing that is required is that I need a resolution to acknowledge that the audit was completed.

Ms. Tarwacki explained that she had spoken with Jeanne in her office and that all of the questions that are on the audit are marked yes or no and asked Jeanne if she personally observed them doing the questions.

Jeanne Kulesa – Some of them you can personally observe and some you just had to ask Mary Lou and Linda. They do use pre- numbered and they were pretty straight forward questions. We did it together.

Motion was made by Mr. Rybak, seconded by Mr. Dudzinski, to acknowledge that the Justice Department State required audit has been completed as presented.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Parks & Recreation - None

Attorney – The first is to note for the board and the public’s information that at the last meeting you set a public hearing date to place No Parking Signs on Route 11 near Orangeport Road. I would like to let you know, that it is NYS DOT jurisdiction and I contacted them and they are installing the signs and don’t need your permission to do this. So, you didn’t need to set a public hearing for that. The reason they are advising the town is because they would like the Police Department’s assistance in enforcing the No Parking Signs and I think of course, that Chief Snell and his staff are more than happy to do that.

The second item is that the town board should have received from Tracy Cosilmon a memorandum and a settlement agreement from a mediation that occurred at the town hall this past Friday, April 25, 2008. If the town board has had a chance to review that, I would appreciate it, if you could make a motion to approve that settlement on the record and authorize the Supervisor to authorize and execute it on behalf of the town.

Mr. Corl – That was the ADA?

Heather Cole – Yes and I will address, what the town needs to address once you approve it, so that it authorizes me to do so. Heather also explained that this was negotiated by Tracy, Charlotte and I under mediation.

Motion was made by Mr. Corl, seconded by Ms. Tarwacki, to approve the settlement with ADA as presented.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Heather Cole read the following:

The Town has received complaints that individuals attending Town Board meetings are unable to hear portions of the meetings. As you know, the Town maintains and uses a sound amplification system that includes microphones and speakers so that attendees of public meetings can hear the discussions that occur during the meetings. There are also three assisted listening devices that are available for individual use. Anyone who feels they may benefit from using one of these devices should contact the Town Clerk. She would be happy to discreetly provide you with a piece of equipment.

All of the equipment purchased by the Town is only worth the investment if it is used properly. I want to take a moment to remind you that this Town must comply with the Federal Americans with Disabilities Act and the State Open Meetings Law. Failure to do so and to provide reasonable accommodations can open the Town to liability. To be compliant, the Town must request that those who address the Board at public meetings speak directly into the microphones so that the speaker’s comments can be heard by everyone in attendance. This includes the Town Board members, the Town employees and professionals who attend the meetings, and the public. The Town already posts signage and requests that those addressing the Board to speak directly into the microphones provided. There is also information about the availability assisted listening devices on the Town’s website.

I strongly encourage the Board to continue enforcing the need to speak slowly and clearly directly into microphones. The Board should also actively discourage sidebar conversations during meetings. The Town Board should continue reminding those in attendance that they must speak one at a time, and they must not speak unless they are speaking directly into the microphone. It would be a good idea for the Town Board to remind those in attendance of these requirements prior to opening public hearings and again prior to public input. I thank the Board and the public for allowing me to remind you of these issues, and also for continuing to encourage compliance with the ADA and Open Meetings Law.

Engineer - None

Zoning

Wayne Dean asked the board for approval to renew the Junkyard License for Tri State Auto Salvage Facility on Route 11.

Mr. Dudzinski – That’s the Insurance Recovery yard. Have you checked it out?

Wayne Dean – Yes, I have.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the Junkyard License for Tri State Salvage facility on Route 11.

The motion was approved as follows:

Mr. Conway: Absent

Discussion:

Ms. Tarwacki asked Wayne if this is an Insurance Recovery Yard, why does it need a Junkyard License.

Wayne Dean – That’s what they call it.

Heather Cole – I might add that, back when this particular company was to take over this site, it was they who asked that they be able to obtain a Junkyard License, through the town. So, it was at their request.

Continuation of the vote:

Ms. Tarwacki: Yes

Mr. Rybak: Yes

Mr. Corl: Yes

Mr. Dudzinski: Yes

Assessor – None

Town Clerk:

Tracy Cosilmon explained that our Historian, Tom Mafriaci has created a new link called syracusenostalgia.com, which is on the Town of Cicero website as a link under town history. Tom has uploaded approximately 500 pictures with explanations of the Town Cicero. He has done a great job and I welcome others to view them. I want to thank Mr. Mafriaci and our former historian, Lona Flynn, for collecting the photographs and making them accessible to our residents.

Our Annual Tire Collection in the Town of Cicero is scheduled for May 17, 2008 at the Town Hall from 8 a.m. to 11:00 a.m. The cost will be \$2.00 for car tires and small truck tires, and the cost for larger tires will be determined. This information will also be posted on our website.

Tracy also thanked everyone who participated in Earth Day and stated that a conscientious effort was made to make safety our first priority by passing out reflector vests (from OCCRA) for participants to wear. It was a wonderful community effort.

Lastly, I would like to mention that at a previous meeting I was approved by the town board to attend the Town Clerk’s Conference. I did not attend because I took advantage of a couple of classes that were offered locally and I also hosted a very successful Racing and Wagering Seminar for the Town Clerks, Organizations, and all persons who were interested, that do Racing and Wagering. It was very informative.

By not attending the seminar, the money that would have been spent can stay in the Town Clerk’s Contractual.

APPROVAL OF ABSTRACT #8 OF 2008

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve Abstract #8 of 2008 as follows:

General Fund Voucher #983 to Voucher #1125 In the amount of \$490,055.02
Highway Fund Voucher #196H to Voucher #222H In the amount of \$ 79,578.49

The motion was approved as follows:

Mr. Conway: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

BUDGET MODIFICATIONS

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the following budget modifications:

HIGHWAY

<u>FROM CODE</u>	<u>ACCT</u>	<u>AMOUNT</u>	<u>TO</u>	<u>CODE</u>	<u>ACCT</u>
DB16802	Equipment	\$1,800.00		DB511043	Fuel

The motion was approved as follows:

Mr. Conway: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

Mr. Corl stated that Jeanne had distributed a memo regarding a shortfall in some revenue in A Funds and wanted to know if Jeanne was going to discuss that this evening.

Jeanne Kulesa – I was just bringing it to the board’s attention as I wanted all of you to be informed.

Mr. Corl – There is about a \$57,000.00 shortfall in three accounts that were budgeted. Will more monies be coming in those, or is that about it, for the year?

Jeanne Kulesa – Those are one time things, in lieu of taxes and the Real Property Tax and penalties. We have received those monies in within the last couple of weeks, so, that is what we get in for the year. There will be a shortfall there and there will be no other monies coming in.

Mr. Corl – We need to be aware of that as we proceed, I believe.

Jeanne Kulesa – Right

SET PUBLIC HEARING DATE FOR STOP SIGNS IN CARMEL RUNNE

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set Wednesday, May 28, 2008 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, NY for a public hearing to consider Stop Signs in Carmel Runne to be known as a Local Law.

The motion was approved as follows:

Mr. Conway: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

PUBLIC HEARING & SEQR DETERMINATION FOR JACOBS ZONE CHANGE
EASTMAN ROAD/NORTHERN BLVD. Tax Map NUMBERS 005.-02-01,
055.-02-27 and 055.-02-28

Proof of publication and posting was presented to the Town Board by Town Clerk Tracy M. Cosilmon. Mr. Dudzinski offered to read the notice in its entirety. There was no request to do so, therefore the reading was dispensed with.

The public notice read as follows:

TOWN OF CICERO
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Cicero on April 28, 2008 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero, New York regarding the adoption of a Local Law of the Town of Cicero for the year 2008 which would amend the Town of Cicero Zoning Ordinance as follows:

Property situate at the northwest corner of the intersection of Eastman Road and Northern Boulevard in the Town of Cicero, as described below, presently located in General Commercial, Agricultural and Residential R-15 Districts as defined in the Town of Cicero Zoning Ordinance adopted June 5, 2001, is hereby rezoned and designated General Commercial Plus GCP under said ordinance, subject to all regulations created and established relative to said General Commercial Plus GCP District.

Tax Map Numbers 055-02-01, 055-02-27 and 055-02-28; Reputed Owners: George and Barbara Jacobs.

Legal Description of subject property:

All that tract or parcel of land situate in the Town of Cicero, County of Onondaga and State of New York, being part of Lot No. 82 in said Town, being part of lands conveyed by Oot Brothers, Inc. to Mitchell Shulman by Deed dated December 24, 1986 and recorded in Onondaga County Clerk's Office December 31, 1986 in Book 3320 of Deeds at page 295, and being more particularly described as follows:

Beginning at the intersection of the centerline of Eastman Road with the westerly boundary of Northern Boulevard; running thence S 86°31'47" W along said centerline of Eastman Road, a distance of 498.67 feet to an angle point therein; thence S 86°40'42" W continuing along said centerline of Eastman Road, a distance of 75.72 feet to a point therein; thence along the boundaries of said lands conveyed to Mitchell Shulman the following courses and distances: 1) N 03°34'48" W, 200.00 feet; 2) S 86°40'42" W, 500.00 feet; 3) S 03°33'58" E, 200.00 feet to a point in the aforementioned centerline of Eastman Road; thence S 86°40'42" W along said centerline of Eastman Road, a distance of 135.00 feet to a point therein; thence along the boundaries of said lands conveyed to Mitchell Shulman the following courses and distances: 1) N 03°33'58" W, 200.00 feet; 2) S 86°40'42" W, 200.00 feet; 3) N 03°33'58" W, 390.51 feet; 4) N 86°28'58" E, 455.05 feet; 5) N 03°39'18" W, 264.00 feet; 6) N 85°59'32" E, 584.81 feet to a point in the southwesterly boundary of the aforementioned Northern Boulevard; thence along said southwesterly and westerly boundary of Northern Boulevard the following courses and distances: 1) S 33°42'24" E, 249.33 feet; 2) S 24°59'05" E, 528.74 feet; 3) S 21°57'44" E, 163.89 feet to the point of beginning, containing 18.537 acres of land, more or less.

Subject to any other easements and restrictions of record.

Please take further notice that the environmental significance of the proposed Local Law will be reviewed at said public hearing. The Town Board of the Town of Cicero has declared the proposed rezoning to be a Type I action under the State Environmental Quality Review Act.

Any resident of the Town of Cicero shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at Cicero Town Hall, 8236 South Main Street, Cicero, New York.

Discussion:

Robert Ventre, Attorney, representing the Jacobs in relation to the zone change of an 18.75 acre parcel at the intersection of Eastman and Northern Blvd.

Ms. Tarwacki reminded everyone that sidebar conversations interfere with the microphone reception and so, those conversations and sidebars should be eliminated if at all possible per ADA Law.

Robert Ventre gave a power point presentation explaining the need for a zone change on the Jacob property consisting of 18.456 acres located on Northern Blvd. and Eastman Road. The wetlands were depicted in the presentation in black and are important because they extremely restrict the development. There is a 100 feet NIMO easement with power lines traveling through it and the entire parcel pointed out, is covered by the NIMO Easement. At the present time, this parcel is zoned General Commercial. Another area pointed out was zoned R-15 which followed along Eastman Road with various single family homes located there, with a parcel being vacant. The parcels along the edge are General Commercial and they extend to Totman Road with the remainder of the parcel being zoned agricultural district depicted above. The rest of Northern Blvd. is Industrial both ways. The agricultural district is a holding district in many towns and in this instance is a holding district as you aren't going to grow crops in the midst of an Industrial District or General Commercial. The request is to take this from Agricultural, General Commercial and Residential and to zone it General Commercial Plus. We first filed an application for Industrial because we thought the General Commercial Plan recommended Industrial, but, were told to the contrary by the former Commissioner and Director of Planning and the Supervisor that it wasn't too wise, to ask for Industrial when GCP Plus, was recommended. I feel this is appropriate for the land that sits on Northern Blvd. adjacent to a General Commercial area. The residential area was pointed out on the southerly side of Eastman Road and beyond that it is vacant and below is an Interstate Highway. This is a very limited site and in the package I gave you, is a letter from Mr. Stelter from the County DOT refuting the Syracuse Onondaga County Planning Agency's recommendation for a traffic study as there have already been traffic studies in this area and due to the very limited ability to develop these 18 acres, and approximately 4½ acres of wetlands. Mr. Ventre pointed out Totman Creek on the plan explaining that he believed it is a floodway and wasn't sure if the extension of the floodway may exceed the Federal wetlands and in Federal wetlands, you can only fill it 1/10 of an acre unless you want to spend the next four years trying to get a larger permit. There isn't going to be very much chance to cross this large area of wetlands and it's a floodway. We are looking to develop the area that is circular. Other areas to be developed were pointed out including a possible exit on Eastman Road and that no residences can be built in this area and there are lines extending over the top of it. I can only yield to the towns Comprehensive Plan that says, this is the area for that.

Mr. Ventre asked Heather to explain GC Plus.

Heather Cole – It was intended to allow for a mix of commercial and lighter industrial uses.

Mr. Ventre explained he didn't know what the market was for this property but, Mr. Jacobs has owned this property for quite a few years and contacted me, explaining that he couldn't sit on land that he couldn't use and would like to see about getting something done with it, so that he could market it. In honesty, we have no other plan than to market it. This district allows for a wide open variety. Even if you did get something such as light industrial, it would have to be a very small use, though I haven't any idea of other commercial uses that might fit, as it is an unusual parcel. I haven't reviewed the Comprehensive Plan but, with Northern Blvd. being there and the town's intent to create some kind of commercial here it hopefully would conclude the development of Northern Blvd.

Mr. Dudzinski stated that the zoning classification suggested would be more appropriate rather than being zoned Industrial as you could have put most anything in the people's back yards. It is to protect the people, more than anything.

Mr. Ventre – They have a fair amount of protection with the wetlands and you can see that development isn't going to occur right there and while there are no buffers, it is a floodway which I have a suspicion is larger than that. I also believe the County would not want any exits on Northern Blvd. and of the 18 acres, I think only 8 acres could be developed and that is a rough estimate and not an expert opinion.

Ms. Tarwacki asked if building could be done underneath the power lines.

Mr. Ventre - No

Ms. Tarwacki – That further limits.

Mr. Ventre – Yes, and in fact you can't do anything there but cross them. Their fear is having the trucks come in and lift up their bed and getting the arcing. There are strict rules.

Ms. Tarwacki pointed out that a small parcel was almost entirely underneath the power lines.

Mr. Ventre stated that he didn't have an engineering study and hasn't been done, but, the power lines could prevent a road from ever going in there and that may substantially limit this.

Mr. Rybak – The road is going to have to come in somewhere off Eastman.

Mr. Ventre – At this point and time you are right but I don't know what the future would hold if we couldn't get an easement. Right now, that is a possibility and I didn't look at that from that point of view. There could be the possibility of getting a road through above lines as there is about 100 feet between the poles and you could get through them, if they're at the right angle.

Heather Cole reminded everyone to speak directly into the microphones.

The public hearing opened at 7:39 p.m.

Speaking for:

Mr. Dudzinski stated that Ralph Smith who lives in that area indicated that he was in favor of the zone change but wasn't able to attend tonight's meeting.

Speaking against - None

Board Comments:

Mr. Dudzinski, we have put decision off on this for about 3 months and I personally do not want to make a decision on this tonight and **I would like to keep the public hearing open**, so if people in the area hear about this, they will have the ability to come back in at the next town board meeting and make comments, just incase they weren't aware of this. Since there is no one here, I would believe, that is what has happened.

Mr. Rybak asked Mr. Ventre if the County Planning Board requested a traffic study, did the letter from the DOT supersede that.

Mr. Ventre – What I'm saying is that per the DOT's standards, they don't need one.

Mr. Rybak – so, that supersedes that?

Mr. Ventre – I believe it does.

Ms. Tarwacki asked if Mr. Smith lives across the street from Eastman Road.

Mr. Ventre – I don't know that answer and would have to yield to the Supervisor.

Mr. Dudzinski – Ralph Smith lives closer to the intersection up by McGeehans. I think there is one parcel between him and this parcel.

Jody Rogers– I thought Ralph lived on Totman.

Mr. Dudzinski – He lives on Totman and I misspoke. He is at the end of Totman on the point.

Ms. Tarwacki asked if it was 135 feet across the bottom.

Mr. Ventre – It is 135 feet across the bottom.

Ms. Tarwacki stated she was concerned about how much width would be needed for a driveway.

Mr. Ventre stated that it would be 12 to 14 feet for cars and maybe 16 feet for trucks.

Ms. Tarwacki stated her concern would be for the people living on either side, especially when you have trucks coming out.

Mr. Ventre – I don't know if trucks will use it, but, I know the Planning Board is well within their rights to allow us where to have the exit. I am not sure we could get a very large driveway in there.

Ms. Tarwacki – On the map that you have given to us, the wires completely cover that driveway.

Mr. Ventre – I wouldn't want to mislead you by saying I've had it analyzed by someone like Mark Parrish to tell me exactly how wide. I don't have an answer for that. The Planning Board will take care of that issue. I would have to answer that for them if it needs to be there, if we ever get to that stage. Hopefully if it had to be located to one side or the other, then we'd have to find a way to use this side. Mr. Jacob's is aware of that and understands that he has a great deal of wetlands on the property.

The public hearing was left open to the next meeting.

Heather Cole – I don't have any other comments other than I assume that we will defer a SEQR Determination on this until next time too.

Mr. Dudzinski – That's correct.

AUTHORIZE THE EXPENDITURE OF \$4,000.00 FOR O'BRIEN & GERE FOR WETLAND PERMITTING FOR ROSEWOOD CIRCLE

Wayne Dean explained that they have been studying drainage problems on Rosewood Circle for years and rather than proceed at this time with any engineering, I thought the best thing to do right now would be to authorize O'Brien & Gere \$4,000.00 for wetland permitting in the area, so that we know exactly what we can and can not do for the project.

Mr. Dudzinski stated he was familiar with this project and agreed with Wayne and that there was no reason to obtain a cost on anything until we find out where that line. It could be a lot closer than what we think it is.

Ms. Tarwacki asked if this money will come out of drainage money or other Taxpayers money, or out of the budget.

Wayne Dean – It will come out of the Drainage Budget.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure not to exceed \$4,000.00 for O'Brien & Gere to do wetland delineation and Wetland Permitting activities for Rosewood Circle.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

APPROVAL OF CONTRACT DRAWINGS FOR HANCOCK AIRPARK PHASE III

O'Brien & Gere's letter of April 23, 2008 is as follows:

April 23, 2008

Town Board
Town of Cicero
P.O. Box 1517
Cicero, New York 13039-1517

Attention: Chester Dudzinski, Jr., Supervisor

Re: Hancock Airpark Phase 3
Contract Drawing Review
File: 0101.42155

Dear Board Members:

We have reviewed the following materials in regard to the above referenced project for conformance with Town Code requirements and Town sanitary sewer, drainage and highway standards:

1. Title Sheet dated March 2008
 2. General Plan and Notes dated January 30, 2008 revised March 7, 2008
 3. Stewart Avenue Plan and Profile (2 sheets) dated January 30, 2008 revised March 7, 2008
 4. General Irwin Boulevard Plan and Profile (2 sheets) dated January 30, 2008 revised March 7, 2008
 5. Stewart Avenue Utility Plan dated January 30, 2008 revised March 7, 2008
 6. General Irwin Boulevard Utility Plan dated January 30, 2008 revised March 7, 2008
 7. Stewart Avenue Grading and Erosion Control Plan dated January 30, 2008 revised March 7, 2008
 8. General Irwin Boulevard Grading and Erosion Control Plan dated January 30, 2008 revised March 7, 2008
 9. General Irwin Boulevard Storm Sewer Plan and Profiles dated January 30, 2008 revised March 7, 2008
 10. Stewart Avenue Storm Sewer Profiles (2 sheets) dated January 30, 2008 revised March 7, 2008
 11. Stewart Avenue Sanitary Sewer Profiles dated January 30, 2008 revised March 7, 2008
 12. Road Cross Sections dated January 30, 2008 revised March 7, 2008
 13. Site Details (2 sheets) dated January 30, 2008 revised March 7, 2008
 14. Erosion Control Details dated January 30, 2008 revised March 7, 2008
 15. Stormwater Pollution Prevention Plan dated February 2008 revised March 12, 2008.
- C&S Engineers prepared the above items.

Hancock Airpark Phase 3 consists of the sanitary sewer, storm sewer and road improvements along Stewart Drive generally from General Irwin Boulevard to William Barry Boulevard and along General Irwin Boulevard from East Taft Road to Stewart Drive. The proposed improvements along Stewart Drive are generally consistent with the Contract Drawings that were previously approved for this area. The proposed improvements along General Irwin Boulevard have not been reviewed previously. The project consists of the construction of approximately 1,430 feet of 8-inch diameter sanitary sewers, 2,100 feet of 12-inch to 24-inch diameter storm sewers, 3,200 feet of roads and related appurtenances. Our comments are as follows:

1. Storm water runoff from the area along Stewart Drive and the southerly portion of General Irwin Boulevard is tributary to a stormwater management area that was constructed during Hancock Airpark Phase 1. The northerly portion of General Irwin Boulevard is tributary to a stormwater management area constructed as part of the Braun project. As over 1-acre of land is to be disturbed a New York State Department of Environmental Conservation SPDES General Permit for Storm Water Discharges From Construction Activity Permit No. GP-02-01 must be obtained for the project. The SPDES permit requires stormwater quantity and quality be implemented for the project. The existing stormwater management areas were designed and constructed to provide the required stormwater quantity and quality mitigation. The following are additional comments regarding storm water management for the site:
 - a. During review of Hancock Airpark Phase 2 the Developer requested and was allowed as a condition of approval to defer the extension of the storm sewer south of Ex. CB 16 to a future phase. Our office has recommended this be completed at this time but the Developer's Engineer has requested extension of this storm sewer be addressed by the buyer of the lot during Site Plan review. It is noted that if this is approved the buyer of the lot may be responsible for the costs of improvements that are typically borne by the Developer of the subdivision.
 - b. The construction of the storm sewers and grading will require easements and work on property that is not owned by the Developer. These easements and permission to perform the work should be obtained prior to the start of construction.
 - c. On the profile the rim for Ex. EB-16 should be 418.60.
2. The site is located within the Taft Road Sewer District Extension No. 1. The proposed Town sanitary sewer system will replace and result in the abandonment of a private sanitary sewer system on the site. The layout of the sanitary sewer is consistent with the original Contract Drawings and appears reasonable subject to the following. The plans indicate sewer service to the "Sage" building is to remain connected to the private sewer system. As previously mentioned the intent is that the private sewer system will be abandoned, as Town sewers become available to the adjacent areas. During review of the original Contract Drawings it was noted that it may be necessary to modify the sanitary sewer system serving the Sage building including the potential of pumping the sewage from this property into the Town sanitary sewer system. We have discussed this issue with the Onondaga County Department

of Health (OCDOH) and Onondaga County Department of Water Environment Protection (OCDWEP) and they are in agreement that this should be completed at this time.

3. The project includes the improvement of General Irwin Boulevard and Stewart Drive for dedication of these roads to the Town for operation and maintenance. The proposed improvements are consistent with those previously approved and appear reasonable. Full depth reconstruction is proposed for all of the roads to be improved as part of Phase 3. The following are additional comments regarding the roads:
 - a. The improvements to Stewart Drive should be extended beyond the proposed entrance to the Braun site to limit future disruption to the site.
 - b. Approximately 100 feet of General Irwin Boulevard is to be modified as part of the Onondaga County Department of Transportation (OCDOT) improvement project for East Taft Road. The layout of the road is based upon these improvements. Should this work not be completed at the time this project is done it may be necessary to make additional modifications to merge with the existing conditions.
4. As noted previously a NYSDEC SPDES General Permit for Storm Water Discharges Construction Activities is required for the project. In addition to stormwater quantity and quality measures the SPDES Permit requires provision of erosion and sediment control measures. The Erosion and Sediment Control Plan and associated details are in general conformance with Town standards and the NYS Guidelines for Urban Erosion and Sediment Control. The Erosion and Sediment Control Plan represents the minimum effort that should be implemented. If additional measures are required as a result of field conditions, or the Town requests additional measures, the Developer's agents or others who may be performing work on the site are advised of the necessity to install them. All disturbed areas must be vegetated as described in the Erosion Control schedule.

We recommend the Town execute a Siltation/Erosion Control Agreement with the Developer upon deposit of security for the erosion control facilities. An Estimated Construction Cost of Erosion and Sediment Control should be provided for determination of the securities to be posted with the Agreement. The Sedimentation and Erosion Control Agreement should be executed and the security deposited prior to the start of construction on site.

5. The site located within the Hancock Airpark Water District. There is an existing water system located on the site, portions of which are owned and operated by OCWA. The Developer should coordinate with OCWA for any needed modifications to the water system.
6. The project area does not contain a State wetland as identified on the New York State Freshwater Wetlands Map or a Federal wetland as identified on the National Wetlands Inventory Map.
7. The site is not within a 100 year flood plain according to 1994 FEMA Flood Insurance Rate Maps.

If you have any questions relative to the above, please contact the undersigned.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

Mark C. Parrish, P.E
Managing Engineer

Discussion:

Ronald Detota with C & S Engineers handed the board member drawings and gave an aerial presentation relative to Hancock Airpark Phase III. He explained that he, Mark Daity and Lori Deitz from MDA were seeking Contract Drawing approval for the Hancock Office Park, Phase III. He pointed out William Barry Blvd., Stewart Ave., and General Irwin and explained that William Barry was improved as part of Phase I for this area and that phase II consists of improvements to the location of the Gaylord Building. They are proposing as part of phase III to reconstruct Stewart Drive up to the General Irwin/ Stewart Ave. Intersection on the east side of what will be the new Braun property and their entrance on to Stewart Ave. as well as General Irwin from the East Taft Road Intersection. Across from that is the Stewart Ave. Intersection. It is approximately, 3,200 feet of roadway. There will be sewers extended to the east from this point to go beyond the Kinney property. This will allow that business to connect to a town sewer. Right now there is kind of a quasi public sewer system located within the former airbase. So, this will actually allow that to connect to a new sewer eliminating the need to go through that quasi system. The sanitary sewer currently exists on General Irwin Blvd. and we've been told by the town's engineer, that is an adequate system and that it is proposed to be dedicated within the portion of the road of the construction along General Irwin. That sewer will serve the Braun property which is not shown at this time. Stormwater for this portion of the project on Stewart Ave. was accommodated for during the design of Phase I. Mr. Detota pointed out on the drawing where a stormwater management pond was constructed to serve the general waters that drain to it. They are not proposing any new or extra impervious surfaces. We are looking to construct a roadway with the town's specifications and remove the excess pavement to the road right of way. It will provide a cleaner look as it will be newly constructed and will have a better sub-base and tarvia, giving a cleaner look to the area. General Irwin does not have any drainage systems on it right now and we are proposing to install two sets of catch basins that will head towards East Taft Road that will connect and then drain through a pipe to where the Braun basin is, right now. It will provide the benefit of attenuating the runoff from that highway as well as providing water quality measures to comply with these requirements. The improvements for General Irwin were coordinated with a design professional, who is doing the proposed improvements for the East Taft Road corridor. It matches in line with that intersection. We estimate a four month construction time which will be from the middle of July to the end of October.

Mr. Rybak asked if each of the roadways were going to be signaled eventually.

Mr. Detota – The one at Thompson and Taft is currently signaled

Mr. Rybak asked if most of the traffic would be exiting out that way.

Mr. Detota – I could defer that question to my client, Ms. Dietz.

Ms. Deitz – Right now there is no plan to put a traffic light there, though in the next year, we're going to start looking at that and the feasibility of that because there is a significant amount of traffic through there. We are also going to encourage people to go to the existing traffic light right now, because of the condition of Stewart Drive that we will be improving with this contract. People have not used it and once it is rebuilt, people will be more willing to go up to the traffic light that exists.

Mr. Rybak explained that they will get significantly more traffic when the other place goes up there.

Mr. Dudzinski suggested that Lori make contact with Onondaga County DOT as soon as possible, because they are still in the planning stage for that project and if there is anything that needs to be put in place, I'm sure they would appreciate it.

Ms. Tarwacki – It's going to be a 3 way Intersection.

Lori Deitz – It is a little bit of a jog to the west, where it goes north.

Mark Parrish stated that based on their letter of April 23, 2008, item 1A, during their Review there was a decision by the board that they allow the extension of a storm sewer south of what is labeled catch basin 16 on the Contract Drawings to be deferred to a future phase. They are requesting that be deferred again, until such time as that lot is developed. We don't necessarily object to that, but, it is not known what is going to go on that lot, but, we need to realize that the buyer of the lot may end up being responsible for the cost of the improvements, which might typically be borne by the developer of the subdivision. They are proposing to do some work which is outside of the property that is owned by the developer in a couple of areas. They are going to need to get permission or easements to perform that work prior to starting construction. In item 2, we discussed the sanitary sewers and there was some discussion of the

SAGE building and the sewer service to that. Since our review of the drawings, another proposal has come in to provide sewer service to that area if the board chooses to approve the Contract Drawings tonight. We have looked at it conceptually but, we would like have the board to condition upon a final resolution that the details of that design. Otherwise the other comments we have in the letter are just basically for informational purposes or have been addressed satisfactorily since we wrote the letter. The last item is that the developer will need to come back to the town to execute a siltation/erosion control agreement prior to starting construction.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to approve the Contract Drawings for Hancock Airpark, Phase III as presented, contingent on a final review by the Attorney and Engineer and that a Siltation and Erosion Control Agreement with the developer, be executed prior to the start of construction.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Heather Cole stated she wished to apologize for disrupting this portion of the meeting but, she forgot something under Department Head Input, and that she would like to update the board on a litigation matter, Mallette vs. the Town of Cicero and would like to enter into an Executive Session for five minutes.

CONTINUED DISCUSSION OF EASEMENT AGREEMENT WITH CROWN
CASTLE DEFERRED FROM APRIL 14, 2008

Discussion:

Heather Cole – Regarding the Easement with Crown Castle the board should have received information prior to the last meeting. We had a brief discussion about it at the last meeting and the board indicated that you wanted some additional time to review it before you make a determination, so it was deferred until this evening.

Mr. Dudzinski – The chances of the town hall moving from this site probably in my lifetime is slim to none, so, I would just as soon go forward with the easement.

Heather Cole – They are referring to it as a permanent easement.

Mr. Dudzinski – It is a permanent easement and \$250,000.00 that was negotiated by you.

Heather Cole – Yes, it was negotiated by our office after consultation with the Supervisor and the Comptroller.

Mr. Corl – After further review of it, I just wanted a little more time to go out there and take a look around, given the consideration that we are receiving, I don't object to the proposal. It doesn't really encumber the property as a whole if down the road in the future we did want to sell it. The only thing obstructing it, is the easement.

Heather Cole explained that the current easement for the property goes to 2020 something, or maybe even longer, so, even if you were to sell it perhaps in the next 20 years, you would still be selling it subject to that easement agreement.

Ms. Tarwacki – Many times when you go to the Planning Board they have discussion about the fall zone of a tower. Certainly, this property is all encompassed into the suspected fall zones. Is that correct?

Wayne Dean – I don't believe so. Perhaps Mark could help me out as I wasn't around when that was constructed.

Mark Parrish – Since it is on town property it does require site plan approval so, those don't come to the Planning Board.

Ms. Tarwacki – If we were to sell that property, it would have to go before the Planning Board and then that fall zone would come into play.

Heather Cole – Not, necessarily

Ms. Tarwacki – Please explain to me.

Heather Cole – If you were selling this property, you're selling it subject to the fact that there is a permanent easement theoretically granted to Crown Castle or whoever Crown Castle may ultimately assign that permanent usage to. Whoever purchases the property and wanted to develop it, would have to deal with the fact that they are developing the site and whatever associated issues there may be as a result of a cell tower also being located on the site. The cell tower itself, will most likely not need a site plan, but, any additional development on the site would.

Ms. Tarwacki – Even if we accepted the easement, the opportunity for the developer to avoid the Planning Boards discussions of drop zones, no one is ever going to get past that.

Heather Cole – I doubt it. If anything was going to change with this site as a result of private development, I think you are right on the mark.

Ms. Tarwacki asked the Chief if any of our communications are on that tower.

Chief Snell explained that they have no communication on that tower and that they operate off 911.

Chris Woznica stated that the Highway Department has something up there.

Mr. Rybak asked Chief Snell if his alternate channel is up there.

Chief Snell – Channel 7, I am not aware, but, we may be up there.

Ms. Tarwacki – That doesn't necessarily change my decision about this. It was something I wanted to know about.

Chief Snell explained that within the year the County will be upgrading their radio systems at 911 so therefore the Police Department will not be utilizing the local town channel that they have. We will be utilizing several channels on the new 800 mhz .

Mr. Rybak – The town will lose that completely, then.

Chief Snell, No, only the Police Department will.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize the Supervisor to enter into an easement agreement with Crown Castle for payment of \$250,000.00.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF STORM WATER CONTROL CONSTRUCTION AND MAINTENANCE AGREEMENT FOR COMFORT SUITES HOTEL

Discussion:

Heather Cole – These agreements are invoked by your storm water legislation that you are required to adopt by the end of last year. You did that and as part of Chapter 179 of

your code, any private developer who is going to maintain a storm water pond detention facility, needs to execute an agreement with the town where they contract with the town saying that they are going to maintain this storm water facility. The language of the agreement was part of your local law and our office worked with the engineers to include some additional language for an easement within the agreement. Basically, what the easement does, it gives the town a right to go in there and do the work that's necessary themselves and then charge the cost of it back to the property owner. This agreement would be recorded in the County Clerk's Office and it will run with the land, so whoever is the owner of the land is, will be responsible for storm water maintenance that is on site. Because it is recorded at the County Clerk's Office, any subsequent owner will be on notice that that is a requirement. Both of these agreements that are on the agenda tonight were contingencies of site plan and its applicable subdivisions approval by the Planning Board. They are on the agenda for your approval because the Supervisor will need to execute them on behalf of the town. I do want to note that the attorney for the one that is number twelve, the Comfort Suites Hotel, contacted me today, with a number of requested changes to the agreement. I am going to work with the attorney on that, but, want to assure the board that those portions of the agreement that were required by the form provided by the State are not going to change. The parts of the agreement that we added regarding easements may be tweaked a little bit, but, rest assure I will make sure that the towns interests are protected and that's if I think any changes are required or necessary. If we could move on those individually, I'd appreciate it.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize the Supervisor to execute a Storm Water Control Construction and Maintenance Agreement for Comfort Suites Hotel.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF STORM WATER CONTROL CONSTRUCTION AND MAINTENANCE AGREEMENT FOR CARMEL RUNNE SECTION 3

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize the Supervisor to execute a Storm Water Control Construction and Maintenance Agreement for Carmel Runne Section 3.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF A WINDMILL INSTALLATION AT THE PAUL DeLIMA FACILITY

Wayne Dean stated that he has been in discussions with the Drescher Industries to construct a windmill at the site of Paul DeLima on Pardee Road and Kurt Stroman is here to explain it.

Heather Cole - Paul DeLima has requested they be granted a waiver from the moratorium to erect a windmill at their facility and this will require board approval and a public hearing.

Kurt Stroman, representing Paul DeLima Coffee Company, Warner Energy and Drescher Companies explained that they would like to construct a 10 kilowatt windmill at the Pardee Road site that is currently the hosting facility for Paul DeLima Coffee. As part of the greening initiative for their company we would like to become the only roaster of coffee that we know of in the world to be powered by wind energy. It is a pretty exciting proposal and we have researched wind turbines for quite some time and have made the decision that we would like to move forward with this. As I said, I am also representing Warner Energy which is an affiliated company in that we share a parent company with Paul DeLima Coffee Company Warner Energy is a two year old, start up alternative energy company located in the Town of Clay. We've been conducting research and development on wind turbines and wind systems for two years now and have developed a new type technology called axial flux permanent magnet generator which is a highly efficient wind turbine. We would like to construct a tower at the site on Pardee Road. The tower itself would be 50 feet tall and the blades on top of the turbine would be 16 feet in diameter making a total height of 66 feet maximum. We have two towers in the Town of Clay with the second one going up right now, which should be completed in a week. I believe some of the members of the board and Mr. Dean went to the site in Clay to take a look at what we've done. We are here to request a waiver from the moratorium.

Mr. Dudzinski stated that he had the opportunity to go there with Wayne and Charlotte and that it was a very impressive operation.

Ms. Tarwacki asked where this is going to be placed.

Mr. Stroman - The site is heavily treed and approximately 30 feet off the back of the building to the north which is approximately 45 feet to the rear and off to the edge of the pavement of the parking lot is where we would like to locate the wind turbine between the building and the building line. I believe the distance between the building line and the front of the structure itself is 129.87 feet on the northern corner. We would like to locate it somewhere in the middle of that area, which is a lawn landscape area.

Ms. Tarwacki – This isn't as large as those in the Tug Hill, Utica area.

Mr. Dudzinski – It's the same size as what is on Morgan Road.

Mr. Stroman – We also have a smaller turbine which has 8 foot blades on a 30 foot tower.

Ms. Tarwacki – What we saw was beautiful.

Mr. Dudzinski – It was impressive and I believe the meter was going backwards when we were standing there.

Mr. Stroman – It was, and is more frequently then we would have ever imagined.

Ms. Tarwacki – We should say to people that they are not prepared to construct individual home size power windmills yet. You are in the phase of doing commercial businesses right now.

Mr. Storman – We will be collecting quite a bit of wind data on this site, as it is an ongoing research project. We have a finalize design that has been tested and has been constructed. It is a safe design but, we would like to have some more data on exactly what the power requirements are and exactly what impact it has on a larger scale commercial facility.

Heather Cole – I would appreciate, Mr. Stroman if you could in addition to your presentation tonight, to just submit a written letter to the Town Board requesting a waiver from the moratorium because the Local Law technically requires the written request as well and it requires a public hearing and I suggest May 28, 2008.

Mr. Rybak – In the past, wasn't there some problems with Paul DeLima and signage with the State of NY and will this run into the same type problems?

Mr. Storman – That is a question that I don't know the answer to. Given the fact that there is signage going up Pardee Road, with Cracker Barrel and Gander Mountain Sporting Goods and the Pepsi Company, our sign is currently located within the building set back within that footprint. I don't anticipate that there will be any problems but, can't say that with certainty.

Wayne Dean – You'd have to look pretty hard for the windmill that we saw to bother you if you were driving by. I think it is more of a curiosity than anything else, otherwise, I don't think it would distract the drivers on Route 81.

Mr. Dudzinski – They probably wouldn't even know what it is because it looks like a flagpole.

Mr. Storman – It is similar in looks to a flagpole and the blades will spin rather slow and is not an issue of speed, so we don't anticipate that there would be much distraction.

Mr. Corl – Does the moratorium have the language of undo hardship?

Heather Cole – Yes

Mr. Corl – It may be worthwhile to review the exceptions of the moratorium. The reason that we implemented it was to more or less prevent residential folks from constructing these. It sounds like an exciting project that is a state of the art project. There is language about showing undo hardship for business arrangements to demonstrate, to grant the waiver.

Heather Cole – Tracy will have a copy of the Local Law in her office for the moratorium. You can contact her for a copy.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set Wednesday., May 28, 2008 at 7:00 p.m., as the date for a public hearing at Cicero town Hall, 8236 South Main Street, Cicero, NY to consider a waiver from the towns moratorium for installation of a windmill at the Paul DeLima Facility.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

DISCUSSION OF LICENSE AGREEMENT WITH SEAWAY NAVIGATION AND TOURS, LTD

Discussion:

Heather Cole – Seaway Navigation and Tours. Ltd, is looking to operate dinner cruises out of Riverfront Park in the town and in order for them to do that, they need to dock at Riverfront Park in Brewerton, and there are a number of issues we needed to address with them before we were comfortable in agreeing to their doing so. Jody and I worked with Seaway Navigation and we also spoke with your Insurance Agent, Haylor, Freyor, & Coon, to determine what would be the best way to protect the town in this matter. I also spoke with the attorney for the Village of Skaneateles because they also have boats that operate in and out of their waterways. He was kind enough to provide me with a copy of their license agreement that they use for that. So, that is what I modeled this license agreement, that you have been provided a copy of, on. Essentially, it is a license agreement which means that they have a right to use the town park. The license itself is revocable, so if at anytime the town is not comfortable with what's going on, you have the right to revoke their ability to operate two the dinner cruises out of there. It's gets a bit more complicated because technically the town does not own Riverfront Park or the pier. It is really New York State Land which is maintained by the town but the jurisdiction for it is the NY State Canal Corporation. The town has a permit with the

Canal Corporation to operate and maintain the park. So, what we did is include information in here about the towns own permit, we are requiring that Seaway Navigations, also obtain a similar permit. We are requiring that they have appropriate documentation from the US Coast Guard and all other applicable agencies that they have \$2,000,000 in insurance, naming the Town of Cicero as an additional insured which is the same amount of insurance that is required by the Canal Corporation and that they execute this license agreement with the Town to allow them to essentially have their passengers park at Riverfront Park to get to the boats.

Mr. Rybak asked if there will be adequate space there and how many people can they accommodate on these dinner cruises.

Jody Rogers – In discussing this with Wayne, I believe they can take 60 passengers on each cruise. There is an early cruise and a late cruise and in looking at the schedule it looks like there is enough time for the parking lot to fill and then empty back out. I have discussed it with Mr. Dudzinski, in regards to our local patrons who use it for fishing and just viewing the river, but, also this number of cars that could be 30 or more should probably be in another designated area which, Chet is working on with some of the other businesses in Brewerton, to have another designated lot because there is a concern about overflow and being positive that this is really going to be a jump start for the area up there. I believe Wayne is in agreement with that as well.

Mr. Rybak – I don't want to see them start overflowing into the residences in that area.

Ms. Tarwacki explained that this gentleman gave a shore presentation at the Brewerton Revitalization Meeting and the interest was phenomenal and people were flocking around him to ask questions. I'm sure once they get started there will be a lot of interest so, an extra lot will more than likely be necessary.

Mr. Dudzinski stated that he agreed with Charlotte and that the gentleman could have brought 100 business cards, because he couldn't hand them out fast enough. He was asked why he picked Cicero and he said, it was because we were the only town who would sit down and talk to him.

Heather Cole – This license agreement is for this canal season, so what Jody and I will do if this goes well, is present it next year for perhaps a three or five year term, or something like that.

Mr. Corl – You would be able to tweak things here or there, that don't work out.

Heather Cole – Absolutely

Mr. Dudzinski – There will be a little learning curve here as this is new to all of us.

Heather Cole – It is very easy to amend this to do an addendum to this, particularly if it has to do with parking, if that were to become an issue.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to authorize the Supervisor to execute and enter into a License Agreement with Seaway Navigation and Tours, LTD on behalf of the town.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Heather Cole stated that Jody mentioned to me that they have provided their insurance certification to the town and it was handed to me earlier, though I haven't had chance to review it yet. It appears that the insurance on it is less than what the license agreement

would require, so I will have to review that. I will not send this to them for their signature until they have satisfied all of the conditions that are necessary for it.

Ms. Tarwacki asked if we should amend the motion to specify that it is incomplete.

Heather Cole – It requires that they do all of these things before they be allowed to sign it, so I wouldn't worry too much about it.

Mr. Corl – I'm sure they don't want to be in violation of the agreement.

Heather Cole – Of course not

Mr. Dudzinski – They have a complete schedule for the entire summer and I believe one of their Senior Dinner Cruises is already booked full.

PARKS & RECREATION & YOUTH BUREAU PURCHASE APPROVALS
Playground supplies

Motion was made by Mr. Corl, seconded by Mr. Rybak, to authorize an expenditure not to exceed \$1,600.00 to purchase playground program supplies from S & S, budget code B7140.40 to be paid for via fees.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Grass Seed

Motion was made by Mr. Rybak, seconded by Mr. Dudzinski, to authorize an expenditure of \$500.00 to purchase grass seed from Merritt Seed per County Contract pricing, account code A7110.459CF and to come from the Pop Warner Football Fund.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

PARKS AND RECREATION & YOUTH BUREAU STAFF APPOINTMENTS
AND DELETIONS

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve the following staff appointments as presented:

Recreation Attendant – Playground
 Hire Rate \$7.15/Hour
 Hire Date: June 23, 2008
 Budget Code B7140.1
 Danielle Anderson, 8185 Rizzo Drive, Clay
 Juliana Daniel, 8889 Michigan Avenue, Cicero
 Briana Echols, 221 Church, North Syracuse
 Maryanne Figliomeni, 6689 Steven Drive, Cicero
 Erica Gardner, 5305 Guy Young Road, Brewerton
 Nicole Kerry, 216 Church Parkway, North Syracuse
 Stewart Mahler, 6057 Marigold Lane, Cicero

Kelly Miller, 6086 Hiller Drive, Cicero
Sean Pease, 7891 Rinaldo Blvd. W. Bridgeport
Michael Schinto, 7846Running Brook Lane, Cicero
Laura Walker, 6828 Route 31, Cicero
Kevin Zuk, 5868 Deersprings Road, Cicero

Recreation Leader – Playgrounds
Hire Rate: \$9.50/hour
Hire Date: June 23, 2008
Budget Code: B7140.1

Jeffrey Frey, 6140 Dawns Ridge, Cicero
Ashley Scott, 9418 LeBeau Lane, Brewerton

Recreation Attendants – Preschool Playgrounds
Hire Rate: \$7.15/hour
Hire Date: June 23, 2008
Budget Code: B7140.12

Kimberly Fogel, 8102 Thompson Road, Cicero
Gabrielle Guerrero, 8185 Rizzo Drive, Clay
Ashley Messur, 6518 Marcus Tullius, Cicero

Recreation Leader – Preschool Playgrounds
Hire Rate: \$9.50/hour
Hire Date: June 23, 2008
Budget Code: B714012

Danielle Trombley, 3774 Route 31, Apt5. 1109, Liverpool
Lifeguard
Hire Rate: \$8.50/hour
Hire Date: May 19, 2008
Budget Code: A7150.1

Staff Deletion:

Lifeguard – Gretchen Matt

The motion was approved as follows:

Mr. Conway: Absent
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

ACCEPT BID FOR SENIOR CENTER COMMUNITY DEVELOPMENT PROJECT

Jody Rogers explained that letters were sent out to at least 50 different contractors regarding this project and of the three bids that were received ranged in price from \$18,185.00 to \$26,355.00. Her recommendation after talking with Heather is to award the bid to Oliva Construction in the amount of \$26,355.00. The other two contractors did not meet the bids requirements that were requested in that they needed to have three items presented with their bid proposal, being 3 county forms and a bid security. Enterprise Construction did not have the bid security check and Santaro Construction did not have the county forms, but, Oliva Construction had all 3 of the requested requirements. There were individuals here on the day that we opened the bids and my recommendation is Oliva Construction, contingent on Onondaga County Community Development meeting to follow up after this with that contractor to make sure they meet all of those requirements.

Mr. Rybak – I know that we have utilized Oliva for a great deal of work at LeMoyne College and have always had a good rapport with them.

Jody Rogers – They actually did most of the work on our addition, so we are confident that they will do a great job for us. The amount is \$26,355.00 but, of that, \$20,000.00 comes from Community Development and the \$6,355.00 comes from the Town of Cicero and or from the Senior Center itself. The project is funded and taken care from the town's standpoint and it came in under budget.

Ms. Tarwacki asked if the other two companies weren't able to produce the requirements.

Jody Roger stated that she would guess that it was just an administrative error because it is very clearly in the document to have all three items. They just made an error by not including them in their sealed bids. I spoke with Heather about this and was advised to follow through with what was required and the people that submitted what should be required should be considered.

Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki, to award the bid for replacement windows and exterior cladding at the Young at Heart Senior Center to Oliva Construction Co. P. O. Box 400 East Syracuse, NY in the amount of \$26,355.00 contingent upon a meeting and approval from Community Development.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Ms. Tarwacki asked Jody where she was relative to her Supervisor for Parks.

Jody Rogers explained that she would like to hold on that decision as she hasn't had a chance to talk to Mr. Rybak or Mr. Dudzinski and hoped to speak with them next week, but, has spoken with Mr. Corl and Ms. Tarwacki. At the next meeting I would like to bring forth either the full time position, or some relief for not having that position, due to things that were taken out of the budget that need to be put back because we wouldn't have that position.

Ms. Tarwacki – I know that you did eliminate things from your budget in order for the opportunity to put this person in place. The person who was designated as Supervisor for years is no longer required to do that work, so the work that is being done is looked at until after there might have been an error. It is necessary to have a person doing those functions.

Mr. Corl stated that when he and Jody spoke, he was in agreement that it would be nice and that the work is there for the person. The questions that he has had and that need to be reviewed are budgetary for this year, relative to how much we're spending and it looks as if we could have a tax increase within the town and we have to be careful as all government is, now more then ever on what we are spending. In the past we haven't said no, to budgeted items, but, this year with increased costs to everything, we need to be very careful. When Jody and I spoke about it, Jody made some suggestions and I was going to get back to you by this week with my thoughts on it and to give you an opportunity to speak with other board members.

Ms. Tarwacki – I realize that this is not just this year spending requirement. Putting this person in place and funding the money for just this year is not a limited thing. There was a functioning person or a person designated to do this position for the last 10 or 15 years and is no longer doing that work and so it is not a matter of not needing the work to be done. Digging the hole in the right spot, laying the gravel in the right spot, cutting the grass to the specifications of the Little League or Pop Warner or whatever requires knowledge. This person, who has taken months to find at the salary required was bringing with him the application of hazardous materials license, which is very expensive otherwise. Finding somebody to fill in at the salary we're offering is quite an accomplishment and I would like say you have done a good job to do that, but, I think we

lose in more ways than one if we don't fill something that was budgeted and that was in place for 15 or so years prior to this.

Jody Rogers – I am looking for some relief for myself because, the duties that are no longer being handled by the person who was in charge in my Parks Division are being taken over by myself and I really don't have the time for it. I also strongly believe that the Department is taking on a lot of property which gives our department the need for extra man hours to maintain the facilities that we have and there is a quality I want maintained. With the four men I have full time, there are not enough man hours to do what needs to be done. We back fill with seasonal help, but, the balance of the work load is with full time help. I am requesting that this position go forward and I appreciate your comments. I have spoken with Jim and I would like to speak with Bill. I really believe it needs to go forward. I offered some suggestions to Jim and he was going to speak with Chet about it and then bring it back up.

Mr. Corl to clarify for the records, what we're talking about is the creation of a position at a salary of \$42,700.00 and is not filling a position that has been there.

Jody Rogers – It isn't a position that we're back filling, it's a need for someone to do the job that used to be done by someone in my department for 18 years, but, because of the creation of union and what the job description says, it puts responsibility outside of that union job responsibility, that the employee does not want to take on.

Mr. Rybak asked what Civil Service job title does he holds now.

Jody Rogers – I would prefer if we are going to discuss an employee that we do an Executive Session if that is acceptable.

Ms. Tarwacki – I would like to say that the addition of Sleeth Park is another whole entity that was no longer there last year and the attraction of people into our town, via development, Brewerton Revitalization, monies available because we've identified places as blighted, the opportunity to make and to do what is necessary in this town as far as parks go and in what citizens and Taxpayers are expecting, we need to take care of that. Jody has cut out of her budget for this year and I know it will need to be funded in the future, but, I believe it is a necessary thing. We can't afford mistakes and then go back and correct. We need someone to watch work that is going on and to be accountable for it.

Mr. Corl – I would like more than anything to sit here and say that it would be nice to have it and I know that the work is there. I would love to say, absolutely no problem and would love to add some positions in the Comptrollers Office because they have a need over there also. I am looking at it from the prospective that we have significant issues that are going to be arising during the budget sessions, so we have to be very careful about each dollar that is being spent. That is my only concern.

Ms. Tarwacki - I have said at every budget meeting and I will tell you that every single thing took hard consideration and a hard look at what was necessary. I'm the last person to say let's just add to the budget. If we want accountability, we want excellence, we have to do it and fund that in order to get that. A great amount of money comes from grants for the Parks Department that Jody applies for, which provides the citizens and taxpayers of this town nice parks and good opportunity for recreation. We are advertising that this town is a good place to bring your families to come and live and grow. Activities such as Little League, Pop Warner and park revitalizations require man power in order to keep what's good in this town.

Mr. Corl – I couldn't agree with you more.

Mr. Dudzinski explained that we face that problem everyday, when we drive past a gas station. Gas prices, petroleum, the cost for pipe that is made from petroleum products keep going up and it is the board's job to say no. You come to a point and time where things are escalating so quickly that you can't keep up with it, that you have to say no. My position and I've talked about this since last November, is to say no. My position is

also going to be no, for Jeanne and for Jody and when we get to Mr. Woznica with his paving, you will see where my position is on that too. We aren't going to be paving as many roads at least in my opinion.

Ms. Tarwacki – We already approved these two positions.

Mr. Dudzinski – Just because you approve things, you don't have to spend. Nobody says, when we do a budget, that because I approve \$100.00 for Chris to buy ten stakes, doesn't mean we have to purchase 10 stakes. We have a responsibility to the taxpayers to make sure we keep our spending to a minimum. This is the year where we are going to have to seriously think about that because things are spiraling out of control.

Ms. Tarwacki – Well, we just spent \$10,000.00 to take pictures. This has to do with maintaining a level of quality.

Mr. Dudzinski – You have a right to your opinion and so do I.

Mr. Corl – In Revenue A, there is a shortfall of a considerable amount of money.

Ms. Tarwacki – Didn't we just vote in a \$250,000.00 payment by the Tower Corporation?

Mr. Dudzinski – I didn't do that to spend it as fast as I said yes.

Ms. Tarwacki – I am not saying we should spend it as fast as we get it. I'm saying we need to maintain the quality that has been expected for quite a long time.

Mr. Dudzinski – People need to afford gasoline and food on their tables too. There comes a point and time when you have to say no.

APPROVAL OF HIGHWAY PURCHASES
(Repair Badger)

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an emergency expenditure of \$6,373.50 for Tracy Road Equipment to repair the Badger, Account Code DB5130.55.

The motion was approved as follows:

- Mr. Conway: Absent
- Ms. Tarwacki: Yes, I agree that you have to maintain your Department, you have to do what is expected as taxpayers expect things from you and you have to be able to fund it.
- Mr. Rybak: Yes
- Mr. Corl: Yes
- Mr. Dudzinski: Yes

(Asphalt top and binder)

Chris Woznica asked the board to look at the fund balance and what they have turned back in every year.

Ms. Tarwacki – Don't start that, because you shouldn't be over budgeting, so that people can get what they need here.

Chris Woznica – We are very frugal with the money and my first item is for asphalt and binder to Barrett Paving for upcoming roads in the amount of \$500,000.00.

Mr. Dudzinski – My comment to you Chris, is that I would really like you to go back and reconsider which roads you really feel are that important to pave and come back to us again at the next meeting.

Chris Woznica asked Mr. Dudzinski if he wants me to include items C, equipment rental and item D gutters.

Mr. Corl – Under C you have \$100,000.00.

Chris Woznica – That is for the equipment rental and the paving company and D is in the amount of \$400,000.00 for the gutters.

Mr. Corl – I would like to see a list of each proposed project, each road you want to do with asphalt paving and each road you want to do with gutters.

Ms. Tarwacki – He gave us a list, when he came into the budget sessions.

Mr. Corl – Is it in the order of priority?

Chris Woznica – Yes, it is in the order of priority and I'd like to remind you that every month we wait, the escalation costs are greater because it goes up every month. If we wait until July, it will be more as it's a game with the oil companies. If you only do a third of the roads this year, that means you're going to have to do 2/3 more next year on top of what we have planned for next year and that cost is going to be even higher. I understand that you want to save money, but, in the long term picture, the more you put off, the more you will have to do in the coming year, and the roads aren't getting any better. Everybody in the town whether, it's a child or a senior citizen, uses the roads.

Ms. Tarwacki asked Chris if he could list the roads that he gave us, so that they can be on the record.

Chris read the list as follows:

Legionnaire Drive, Money Road, Bayridge Drive in Mariners Landing, 5100 feet of Lakeshore Road starting at Cicero Center and going to Lakeshore Road Elementary, John Huss Ave., Areopagitica, Mudge Lane, Lilac, McArthur Blvd., Lark, Pegler, St. Francis Drive, and Eisenhower Blvd., in Bridgeport and Palisades and Tartan Drive, North and South off Lakeshore Road.

Chris explained that doing these would complete a couple of big projects.

Mr. Corl asked if it was going to cost \$500,000.00.

Chris Woznica – Approximately, but, we usually turning some money back in and we don't spend the full amount. Right now we don't know where the prices are going as they are escalating so much, that we may go over a little bit. We also have chips money to put into this. What we don't spend this year, the Chips Program looks at that and says you didn't spend all that you were allotted and they may take some out of that, or may take back in chips what they gave us this year. Chips money went up 15%, over last year.

Ms. Tarwacki – I know you made a cut at budget time and you may decide to make another couple of road cuts.

Chris Woznica – I may need to do some road cuts, because the price escalation may bounce it out of the park anyway.

Ms. Tarwacki – The way it's going, 20 cents in the last two weeks is ridiculous. I do think if he should contract for the asphalt and the other oiled based things now, rather than two weeks or two months from now and take a look at what you may want to additionally cut. I know you have cut before, and if you can do that, I think it is wise to secure that pricing now.

Mr. Rybak – What about gutters? Gutters aren't oil driven.

Chris Woznica – In order to do most of these roads, we've got to do the gutters. You can't do gutters one year and roads the next. You have to do them in a series.

Ms. Tarwacki explained that Areopagitica doesn't have gutters and the roads in Val Park are not good. Where will the gutters be put in?

Chris Woznica – The gutter roads will be Legionnaire Drive, Bayridge, Palisades and Tartan. The full gutter amount may not be used this year.

Ms. Tarwacki asked Chris when he makes some considerations for additional reduction, that maybe some of those places that need gutters would be his choice for reduction where he could get a double hit in reduction. Will you come back in two weeks and refine or revise the plan?

Chris Woznica - These are pretty much the worse roads we have and we really need to do them. It sounds like a lot of roads, but, it is about 5 miles of road, which is a mile less than we had last year. We have cut back.

Tom Beaulieu suggested that Chris prioritize.

Chris Woznica - I did prioritize, Tom.

Mr. Dudzinski – There must be some out there that are worse than others. I can't believe that they are all falling apart at once.

Chris Woznica – There are some that are just as bad and I have put these people off for 3, 4 or 5 years already.

Jody Rogers asked if you put this in now and you get the contract price now, could you cut back on the total amount.

Chris Woznica – I can only do so many roads per month.

Mr. Dudzinski – Would that per ton price if we were to do this tonight, hold until September?

Chris Woznica – No

Ms. Tarwacki – Then that isn't cutting us any break at all.

Tom Beaulieu – You're not going to save a dime like that.

Mr. Dudzinski – My suggestion is to go back and reconsider and come back in two weeks.

Mr. Rybak and Ms. Tarwacki agreed, as we have no choice.

Chris Woznica – I will do that.

Decision regarding paving and gutters to be discussed and made at the next Town Board Meeting.

(2008 F450 Crew Cab 4x2 Budgeted item)

Chris Woznica asked the board for approval to enter into a lease agreement with Burdick Ford in the amount of \$47,339.00 to purchase a 2008 F450 Crew Cab per State Contract.

Ms. Tarwacki asked if this cost would be over a couple of years.

Jeanne Kulesa – We have leases budgeted for three years. We don't have all of the leasing information yet, but, if it gets approved, then we'll take the next step to go with the leasing company and get that.

Ms. Tarwacki – It isn't the full shot right now.

Jeanne Kulesa – No, it will be over three years with the first payment this year.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to authorize an expenditure of \$47,339.00 to enter into a lease agreement with Burdick Ford, Inc., to purchase a 2008 F450 Crew Cab 4x2, per State Contract which is a budgeted item from Account Code: Lease Agreement.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

(2008 F550 Crew cab 4x2 – Budgeted item)

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure of \$51,069.00 to enter into a lease agreement with Burdick Ford, to purchase a 2008 F550 Crew Cab, 4x2 from Burdick Ford, Inc. per State Contract from Account Code: Lease Agreement.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

Ms. Tarwacki explained that Chris originally requested six vehicles and it was cut to two.

Chris Woznica asked the board how many roads they were looking for him to cut.

Mr. Dudzinski - We will leave it to your discretion and whatever you feel is appropriate.

Chris Woznica – I will see what I can do.

DISCUSSION OF ERECTING NO LITTERING SIGNS WITH FINE IMPOSED IN VARIOUS PLACES IN THE TOWN WAS DONE EARLIER ON THE AGENDA

EXECUTIVE SESSION

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to enter into Executive Session to discuss litigation in the matter of Mallette vs. the Town of Cicero and I invite our attorney into the Executive Session and we will be reconvening.

The motion was approved as follows:

Mr. Conway:	Absent
Ms. Tarwacki:	Yes
Mr. Rybak:	Yes
Mr. Corl:	Yes
Mr. Dudzinski:	Yes

The meeting adjourned into Executive Session at 8:51 p.m.

The meeting reconvened at 9:04 p.m.

Heather Cole – Tracy, we had a motion by Mr. Dudzinski, seconded by Mr. Corl, to close the Executive Session and return to open session. We don't have any open items of business after the Executive Session.

Public Input 3 Minutes per speaker

Lynn Jennings, 213 East Patricia Lane, stated that Charlotte and Tracy stole his thunder but, I want to say that the turn out on Saturday for the Earth Day Cleanup was one of the best he has seen in years. He had the honor of going up to Brewerton to turn in a \$10.00 bill that he found in the gutter. We did notice in Brewerton by the shopping mall, where that we cleaned the ditch, that there is a lot of debris in the bottom that are precluding the drainage of that area and didn't know if the town sent people out to backhoe or dredge. It is something that the town needs to be looked at. Also, on Hogan Drive behind Price Chopper and KFC, the water was so low and the heat was great, and the odor there was horrendous and is something we have to look into. A lady at the last meeting made the same comment. The drainage in that area is terrible.

Ms. Tarwacki – There isn't enough depth in that section from Hogan Road all the way up to the front part of the plaza to allow the water to sufficiently drain. It has been partially filled in and so the flow doesn't keep going.

Mr. Jennings explained that there was quite a bit of debris in there as well as some grocery carts were pushed down in there. The water there is deeper now than most swimming pools. There are a couple of areas that need to be looked at.

Mr. Dudzinski stated that Tri-Land usually sends their landscaping people in there and they'll go in with hip boots and waders and pull out everything.

Ms. Tarwacki asked if we could approach them and ask for a little depth.

Mr. Dudzinski – I don't know if you can.

Ms. Tarwacki – Well, they filled it in. They had a big, giant pile of dirt there and they were filling it in, because I watched them.

Mr. Dudzinski asked Wayne to check into it.

Roy Mallette, 6346 East Taft Road stated that over the last two weeks, this town has lost two of its most loyal servants. One being, E. D. Pat Flannigan, who was on this board for many years. He was part of the people who recommended that this building be built and was a true and loyal servant not only to the Town of Cicero, but, to the residents of the area. We recently lost another great servant of this town and I'm sure you are familiar with Harvey Chase who passed away yesterday morning. I think it is incumbent upon this board to have a moment of silence in their memory.

A moment of silence was observed in memory of E. D. Pat Flannigan, former Councilman and the Honorable Harvey Chase, former Town Justice.

Ray Schader, 8229 Bridgeport Minoa Road stated that the Parks and Recreation Department and Highway Department spending was scrutinized this evening and he wanted to know if the same will be done relative to the Lawyers fees and the Police Department.

Mr. Dudzinski stated that nothing will be sacred this year.

Tom Beaulieu, 6121 Palm Summit thanked Chris Woznica for installing the flood route that was done before Christmas and explained that they need to have that drainage easement cleaned.

Chris Woznica – That would be more off road so that should be address by Wayne Dean.

Tom Beaulieu – I thought you were going to have the Highway Department do some of this work that you didn't have to contract out to spend additional money. Once the rain subsides and it dries, you should be able to get in there with the badger, if it is running and clean it out.

Chris Woznica – We can do it where the pipes empty out right there. Anything off road is taken care of by off road drainage.

Tom Beaulieu explained that this area is not that old and that the Hiller Drive extension area is probably 7 or 8 years old. If you had driven down through there today after the rain that we had, the easement area that isn't very wide is full of water. It is like a sink that is backed up. The water can't flow into the retention because there is so much vegetation backing up and the water just sits there. If we have another severe storm like we had 2 or 3 years ago, all of that water is going to spread out ½ mile wide into people's yards and maybe their cellars. That is going to be a lot more difficult to deal with than going in and actually excavating this easement. It really needs to work and I know we have a lot of areas in the town that need to be cleaned. This is pretty important to get to and I think it has been on the docket for a couple of years now and had been put off. I would like you to take a look at it. The neighbors have been requesting some action on it. I would appreciate it, if you would have the Drainage Committee look at that from last year's work that was taken into consideration.

Tom Beaulieu stated that he would also like to ask Jody if the work that is going to be done on the Senior Center isn't going to include work on the new building that we spent \$70,000.00 on.

Jody Rogers – We have spent more than \$70,000.00, but, I will say it is on the old building with concrete block and will be sided and insulated to help with our energy conservation and it will match the new addition. The new windows will be serviceable and energy efficient.

Tom Beaulieu – I think it is a very positive thing that we might be looking at some solar energy for our commercial businesses. If we could just get them to miniature those so we can put them on our cars and trucks, we'd be in business.

Mr. Dudzinski explained that Vern Conway was unable to attend the meeting this evening as he had a health issue.

Ms. Tarwacki urged everyone to take a ride down Morgan Road and take a look at the two windmills. One is the size that is proposed for Paul DeLima. There is also another design that we saw that is to be put on buildings to augment air conditioning. Things are moving in this country for improving our energy usage.

Mr. Rybak – Coming back from our vacation in South Carolina we paid \$3.16 a gallon for gasoline and coming back we paid \$3.49 per gallon, so everybody is feeling the crunch.

Mr. Corl – I had the opportunity to attend the public informational meeting on April 24, 2008 put on by Onondaga County DOT at Gillette Road Middle School, regarding proposed plans to widen and improve infrastructure of Thompson Road and South Bay Road. They had some proposed plans for information gathering and the County Engineers wanted to get public input from residents of that area and throughout the town because it is a heavily used corridor. A lot of good information was presented regarding the proposed project and I think they have in mind a little over \$2,000,000.00 pledged so far through the county budget to help alleviate some of the traffic congestion and issues along those corridors and South Bay Intersection. They hope to have in the fall an analyzed plan and begin construction next spring, which is the time line that they had in mind. It is a welcome relief that they are listening to the concerns of the residents and are looking to improve those areas. There is going to be another public information meeting in the fall once they gather the information that was collected that evening along with the engineer's comments. They are going to put together some final plans and proceed with the final approval. Secondly, the State is holding a meeting Tuesday, April 29, 2008

At CNS High School at 7:00 p.m. to consider Route 81 east to Cicero Center Road.

I would also like to extend condolences to the Chase Family. I have been in front of Harvey Chase and remember him as a fair and competent and friendly Judge.

Mr. Dudzinski – Regarding Earth Day, on Island Road at the turn around we found clothing, household items, animal feeding dishes and other dog related items and a dead dog. I found the situation to be inhuman and it upset all of us who were there.

Last Wednesday, 75 people attended the Brewerton Revitalization Project meeting and it was a great turn out. There is a lot of activity. The old Brewerton Hardware is going to be revitalized and a bistro shop will be opening in the back.

I will be traveling to New York to meet with Fitch's and Moody's to see where we stand with our Bond Rating in the middle of May.

I would also like to extend my condolences to Pat Flannigan and Harvey Chase's families.

There being no further business before the board, the meeting was adjourned at 9:19 p.m.

Tracy M. Cosilmon
Town Clerk

ADDENDUM

A LETTER SUBMITTED BY MRS. SUSAN PERRIGO, FROM THE MEETING OF APRIL 14TH, 2008 IS INSERTED AS FOLLOWS PER HER REQUEST.

04/29/2008 15:54

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The problem in our neighborhood is no different than the problem of our society. We tend to allow the voices of the minority, who have the time to complain, to drive the laws of the land instead of what is good for the majority. I am part of the problem of society because I like to stay quiet and try not to cause any problems. Well, I am speaking up now and I believe that my family and others in our neighborhood have been harassed by both Mike and Julie Thompson. In an attempt to curtail their harassing behavior my husband erected a perfectly legal and safe fence which has served its purpose of limiting many of the Thompsons property line disputes. Such property line disputes include many instances where Julie screams out uncontrollably and occasions in which both the Thompsons seem to try to gang up and provoke my husband by yelling obscenities at him in the presence of my two young children. While raking grass mulching from her yard to our yard Julie would yell "keep your grass in your own yard". In another instance, Julie Thompson called my husband a "Stupid Ginny Wop", once again, in front of our two young children. I am Italian and very offended by her racist comment. Certainly, this is not a good quality for a police officer. Believe me, I could go on with the abuse we have endured by the Thompsens but do not feel that this is the time or the place to do that. Lastly, I thought new laws were put in place to help the safety or welfare of the community. In our case, our fence is safe and well maintained. Therefore, should a new Fence Ordinance be passed, I would respectfully request that our fence be permanently grandfathered in, because I don't want to go through any more property line complaints initiated by the Thompsons.

Sue Perrigo



