

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Monday, February 11, 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
Vernon Conway, Councilman
Tracy Cosilmon, Town Clerk

Others Present: Christopher Woznica, Highway Superintendent
Sharon Edick, Receiver of Taxes
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Wayne Dean, Codes Enforcement Officer
Jeanne Kulesa, Comptroller
Anita Barnello, Assessor
Linda Sacco, Secretary to Supervisor
Heather Cole, Esquire, Town Attorney
Gary Cannerelli, P. E., O'Brien & Gere

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance and a moment of silence was observed for our troops.

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 off 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. Conway, 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: Yes
Ms. Tarwacki: Yes
Mr. Rybak: Yes
Mr. Corl: Yes
Mr. Dudzinski: Yes

APPROVAL OF JANUARY 28, 2008 MEETING MINUTES

Motion was made by Mr. Corl, seconded by Mr. Conway, to approve the minutes of the January 28, 2008 town board meeting.

The motion was approved as follows:

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

DEPARTMENT HEAD INPUT

Highway

Chris Woznica asked for approval to dispose of four old ceiling heaters that came out of the garage and to declare them surplus.

Motion was made Mr. Dudzinski, seconded by Mr. Conway, to declare the old ceiling fans formally used in the Highway Garage as surplus and to authorize for their disposal.

The motion was approved as follows:

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

Police

Chief Snell stated that several months ago, he was contacted by the County District Attorney's Office about the possibility of participating in a DCJS grant for installation of video and audio equipment in our interview room. The cost for each room is approximately \$6,500.00. Today I received verification from the County that the grant has been approved and they are ready to install the equipment in the respective police agencies.

New York Legislature has been entertaining a change in the law that would require certain police interviews/interrogations being recorded. The county has been proactive in applying for a grant that will help police agencies purchase and install the equipment. Not all police agencies are participating at this time.

It is my opinion that NYS law will eventually change requiring certain interviews to be recorded. When this happens the Cicero Police would already be in compliance with the ability to record. This would be an eventual savings of approximately \$6,500. The only other component of the grant is that we allow other agencies which do not have the capacity to use our room if available. This would not be a problem and would open additional line of communications that currently may not exist.

This is a reimbursement grant from DCJS and the Town would be committed to the initial cost and install.

I would like to ask the board to support this expenditure. We have to come up with the first \$6,500.00 and then will be reimbursed by the county. We did this with the Homeland Security Grant with the County and the reimbursement is a very quick process and five agencies in Onondaga County have applied for it. They would like to move forward very quickly and get this installed.

Ms. Tarwacki asked if this would be coming out of the equipment line.

Chief Snell – No

Mr. Rybak – Would there be a problem in doing that?

Jeanne Kulesa – No, there isn't anything wrong with doing that, but it is only for tracking purposes if you wanted to look back in time to see what kinds of grants we've received and things like that. We did it this way as it would get lost in that account, so to speak. In my opinion, the better way would be to do an amendment which would have no effect on the budget and to create a code for the revenue that we would receive in the amount of \$6,500.00 and then create a code for the expense as well and as he spends the money we would put it there. Chief Snell said, the turn around is very quick and since we are at the beginning of the year and as we get that money in, it would all net itself out.

Mr. Rybak – It is mainly for tracking purposes then?

Jeanne Kulesa – It is, because we did have people ask us last year and if you don't track it separately, I'd have to guess what account it come out of and what year. For tracking purposes, I prefer to do it a different way and when we do budget modifications, I am going to add that to it.

Mr. Corl asked where that \$6,500.00 will come from to put in that line.

Jeanne Kulesa – Technically, we won't have the money in hand right now, so we'll have to spend the money and then we will get the check. It's early in the year, so the fund balance is fine right now and this is something that turns around very quickly.

Mr. Rybak – So, the money will be coming from the Police Budget.

Jeanne Kulesa – In essence it is and I will add two lines to the Police Budget. One will be revenue and the other expense.

Motion was made by Mr. Rybak, seconded by Mr. Corl, to authorize the Cicero Police Department to participate in the Countywide DSCJS grant for installation of video and audio equipment for their interview/interrogation room for an expenditure of \$6,500.00 which will be reimbursed by the County as presented.

The motion was approved as follows:

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

Comptroller

Jeanne Kulesa stated that at the beginning of the year we always approve the people who are custodians for petty cash. Jay Seitz has since left so, I would ask that you approve Wayne Dean to be custodian for the petty cash in the Zoning Office.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to authorize Wayne Dean as custodian of the petty cash for the Zoning Office.

The motion was approved as follows:

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

Mr. Rybak – At the last meeting I mentioned that Jeanne and I were investigating a more financially secure contract for our cell phones to try and create a program where we could save some money for the town. I received a contract proposal from Verizon Wireless where we would have shared minutes from all of the departments. We would be going down to thirteen new phones, which would be zero cost for the equipment and the monthly total for service would only be \$400.95 as compared to \$930.00 that we’re expending at the present time. I would ask for a motion from the board to enter into this one year contract to see how it works out with Verizon.

Ms. Tarwacki asked if the cases were an additional cost.

Mr. Rybak – They are a one time fee if we decide to get some protection for the phones such as a holster or leather case. Each phone comes with a charger.

Motion was made by Mr. Dudzinski, seconded by Ms. Tarwacki, to enter into a one year contract with Verizon Wireless for a cost of \$400.95 per month.

The motion was approved as follows:

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

Parks & Recreation

Jody Rogers thanked everyone who supported the spaghetti dinner fund raiser for the CanTeen that was held last Saturday.

Attorney

Heather Cole stated that she has had a number of litigation issues arise since the end of last week and is hoping that the board will enter into Executive Session to discuss these. Self Storage, Route 31 vs. the Town of Cicero, New Dimensions vs. the Town of Cicero and then the Town of Cicero vs. Fiscal Advisors.

Mr. Dudzinski – We will do it later.

Engineer – None

Zoning

Wayne Dean asked for approval to send four inspectors and his self, to a training seminar to be held locally at a cost of \$75.00 for all.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize an expenditure of \$75.00 to send four inspectors and Wayne Dean to a local training seminar.

The motion was approved as follows:

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

Wayne Dean asked for authorization for Tracy to advertise for bids for the white, S10 Chevrolet pickup, with mechanical problems and no longer of use to his department as they have it in their budget to replace it.

Mr. Rybak asked if we usually send them to auction.

Mr. Dudzinski – We do either or, but the County Auction is later in the summer.

Chris Woznica – There are a couple of them and the County has one, once a month starting in March. Either way, it isn't going to bring in a whole lot of money.

Mr. Rybak – We may want to start by accepting bids, first.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set March 10, 2008 at 11:00 a.m. at the Cicero Town Hall, 8236 South Main Street, Cicero, NY to accept sealed bids for the white, 1999 Chevrolet S10 pickup with mechanical problems and no longer of use to the Zoning Office.

The motion was approved as follows:

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

Wayne Dean asked for securities to be released for Marra Meadows II, for the monuments that have been installed. He is in receipt of a letter from Mr. Ianuzi, saying they were installed and a drawing of where they were installed.

Motion was made by Mr. Corl, seconded by Mr. Conway, to release securities for monuments in the amount of \$9,650.00 for Marra Meadows, II as the monuments have been installed.

The motion was approved as follows:

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

Assessor – None

Tax - None

Town Clerk, Tracy Cosilmon requested approval for Wayne Dean and herself to attend the Town Clerk's Regional Seminar in Utica, NY on March 10, 2008. The training will be beneficial to both offices and the cost is \$25.00 per person and we will use a town vehicle.

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize an expenditure of \$50.00 for Wayne Dean and Tracy Cosilmon to attend the Town Clerk's Regional Seminar in Utica, NY on March 10, 2008 and to use a town vehicle.

The motion was approved as follows:

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

APPROVAL OF ABSTRACT #3 OF 2008

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to approve Abstract #3 of 2008 as follows:

General Fund	Voucher #232 TO Voucher #383	In the amount of \$776,717.93
Highway Fund	Voucher #56H TO Voucher #85H	In the amount of \$ 59,143.03

Discussion: Ms. Tarwacki stated that she was looking at the Wladis Law Firm fees and we currently have a contract with them for Economic Development.

Jeanne Kulesa – If they would have any charges they would send us a voucher for that.

Ms. Tarwacki – This is February 1st and it says that the total \$2,430.00 in reference to consultation with Fritz and that is the man who is the coordinator for the Brewerton Revitalization which is Economic Development.

Jeanne Kulesa – Yes

Ms. Tarwacki asked if the \$2,430.00 was just substantiation for monies used.

Jeanne Kulesa – It is out of the retainer.

Heather Cole asked if is out of the retainer or out of the Brewerton grant.

Jeanne Kulesa – I don’t have it in front of me, so I’m having difficulty knowing which one you have tonight.

Ms. Tarwacki – Would you like to take a look?

Mr. Corl – I believe it is out of the Brewerton Grant.

Jeanne Kulesa – The voucher on the front would tell me which one it is coming out of.

Ms. Tarwacki – It does reference the Brewerton grant.

Jeanne Kulesa – If it references Brewerton LWRP then that’s coming out of the Brewerton grant money and not out of the retainer fees that Wladis charges us.

Ms. Tarwacki – This is counter accounting out of the money that was received from the Brewerton Grant.

Jeanne Kulesa – This is money to accumulate that we’re going to use and then submit vouchers for and then be reimbursed for.

Ms. Tarwacki – I saw quite a few things that looked to be Economic Development.

Continuation of the vote:

The motion was approved as follows:

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

SET PUBLIC HEARING DATE FOR A ZONE CHANGE AT 6282 ISLAND ROAD
FROM INDUSTRIAL TO RM (RESIDENTIAL MULTIPLE TAX MAP # -54-01-5.3)

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set March 10, 2008 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero NY for a public hearing to consider a Zone Change at 6282 Island Road from Industrial to RM (Residential Multiple, Tax Map # -54-01-5.3, to be known as a Local Law.

The motion was approved as follows:

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

SET PUBLIC HEARING DATE FOR 2008 COMMUNITY DEVELOPMENT

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set February 25, 2008 at 7:00 p.m. at Cicero Town Hall, 8236 South Main Street, Cicero NY for a public hearing to consider the 2008 Community Development.

The motion was approved as follows:

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

APPROVAL OF RECOMMENDATION FOR THE APPOINTMENT OF
MELISSA DELGUERCIO AS ATTORNEY
FOR THE ZONING BOARD OF APPEALS

Motion was made by Mr. Corl, seconded by Mr. Conway, to appoint Melissa DelGuercio as Attorney for the Zoning Board of Appeals at the salary of \$3,500.00.

The motion was approved as follows:

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

APPROVAL OF STREET LIGHT ON MALLORCA WAY AND THE END OF
PINE GROVE ROAD EAST, ADJACENT TO ROUTE 81 FOR SAFETY REASONS

Mr. Dudzinski explained that approval is need for a street light on Mallorca Way and the end of Pine Grove Road east, adjacent to Route 81 for safety reasons. A light only needs to be attached to the pole. The issue on Mallorca, which is a stub street, is where the car was stolen and also where people tend to congregate. There are no overhead wires, but, there is one of the green utility boxes adjacent to the corner, so, I think they will be able to put some type of light there. It is a very dark area and I understand there are a lot of extra curricular activities that go on over there at dark. To help the neighborhood out and make it safer, I really believe that it is in the best interest of not just the adjacent neighborhoods but to the town as well.

Jeanne Kulesa – When you do your motion, since it's going to say safety, it's not going to be coming out of a Special District and will come out of code A51824 for streetlights.

I am just making the board aware that by adding them we didn't budget for this, so as we come to the end of the year there could be a chance I may need to modify a small amount of money into this account.

Ms Tarwacki – What is this going to cost?

Mr. Dudzinski – I don't know off the top of my head.

Jeanne Kulesa – One streetlight doesn't tend to be a lot of money. I just wanted to let you know where it will be coming out of.

Motion was made by Mr. Dudzinski, seconded Mr. Rybak, to approve the installation of street lights on Mallorca Way and the end of Pine Grove Road East, adjacent to Route 81 for safety reasons.

The motion was approved as follows:

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

ACCEPTANCE OF SECURITIES FOR WALLINGTON MEADOWS SECTION 6

O'Brien & Gere's letter of January 30, 2008 is as follows:

January 30, 2008

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

Attention: Chester Dudzinski, Jr., Supervisor

RE: Wallington Meadows Section No. 6

FILE: 0101/25439.320 & 0101/41602

Dear Board Members:

Wallington Meadows Section No. 6 consists of 10 single-family residential lots along Pizzuto Drive and Lavender Lane. The Developer has completed construction of the sanitary sewer, drainage facilities and roads in general compliance with the approved drawings, with the exception of the items listed herein. These utilities are to be dedicated to the Town for operation and maintenance. We have estimated the value of these facilities to determine the amount of security to be posted with the Town.

If the Developer uses the lump sum security deposit method the guarantee period securities are based upon the number of lots a Developer has in progress. The Developer should consult with the Town Attorney to determine the number of lots and subsequently the required lump sum amount to be held. The following summarizes the necessary securities required for the guarantee period, if the Town Attorney and developer choose to utilize the value of facilities method in lieu of lump sump securities:

1. Sanitary Sewers	\$ 12,800 @ 10%	=	\$ 1,280
2. Storm Sewers	\$ 11,500 @ 10%	=	\$ 1,150
3. Swales/Flood Routes	600 ft. @ \$5/ft.	=	\$ 3,000
4. Roads	560 lf @ \$10/lf	=	\$ 5,600
5. Monuments	1 each @ \$600 =		<u>\$ 600</u>
			\$ 11,630

In addition to the guarantee period or lump sum securities noted above, the Town should obtain the following securities for work not completed as noted during the site inspection on January 22, 2008:

1. Vegetate swales.	=	\$ 3,000
2. Install concrete catch basin aprons.	=	\$ 1,500
3. Install top course on the roads.		<u>\$ 8,400</u>
	Total	\$12,900

The site inspection and a review of the Topographic Map of Drainage Facilities and Roads dated December 5, 2007 and Topographic Profiles of Roads dated December 5, 2007 prepared by Ianuzi & Romans, P.C. noted the swales, roads and gutters have been installed in substantial conformance with the design of those facilities. Also, test results for the concrete used in installation of the gutters has been provided. The results indicate the concrete used for the gutters meets the required strength.

We recommend the Code Enforcement Office and Town Highway Superintendent be consulted to identify additional securities that may be required as a result of their review.

The applicant should continue to provide and maintain necessary siltation and erosion control measures as outlined in the approved Sediment and Erosion Control Plan until vegetation is established on all areas disturbed by construction. The Town Code Enforcement Office should begin inspecting the erosion control facilities for the Town as our office will no longer be providing inspection since utility construction is complete. The following items relative to erosion control were noted during the site inspections:

1. The rights-of-way should be vegetated. However, as National Grid has not installed their utilities and weather conditions do not permit this it is recommended silt fence be installed approximately 3-feet behind all gutters.

If you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

Gary D. Cannerelli, P.E.
Vice President

Wallington Meadows, Section 6 consists of 10 single family lots and the developer has completed the sanitary sewers, drainage and roads in general compliance with the approved drawings. We are recommending that the town take guaranteed period securities in the amount of \$11,630.00 and in addition to the guaranteed securities we are recommending that the town take punchlist securities for uncompleted work in the amount of \$12,900.00 as what we had in our letter. Since we have written the letter, the Planning Board has requested that the developer install three Stop Signs, two of which, we have already taken securities for in a previous section. I'd like to add \$250.00 for the third Stop Sign to the \$12,900.00, which will make it \$13,150.00. Of the punchlist work, most of it is for work that is relating to the topping of the road. There is \$3,000.00 for vegetation and swales which will be done in the springtime. We also recommend as usual that the Code Enforcement Office and Highway Superintendent be consulted if they have any additional securities and the town should now begin to inspect the siltation and erosion control facilities. We've made one recommendation and that is that the right of ways be vegetated. At the time, National Grid has not installed their utility lines, so we're recommending that the silt fence be extended three feet beyond the gutters and subject to any further recommendations from Wayne Dean, or Chris Woznica.

Mr. Dudzinski asked Chris and Wayne Dean if they had any comments.

Chris Woznica and Wayne Dean stated they were all set.

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to accept guarantee period securities in the amount of \$11,630.00 for Wallington Meadows, Section 6 and \$13,150.00 for Punchlist Securities, including three Stop Signs and to extend the silt fence three feet beyond the gutters subject to any further recommendations from Wayne Dean and Chris Woznica.

The motion was approved as follows:

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

PARKS & RECREATION & YOUTH BUREAU PURCHASE APPROVALS
(2 PC's with MS Office & 1- 19" LCD monitor)

Motion was made by Mr. Dudzinski, seconded by Mr. Corl to authorize an expenditure of \$2,331.92 to purchase 2 PC's with MS Office and 1 – 19" LCD monitor from Dell Computer Corporation, Budget Code A1680.2.

The motion was approved as follows:

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

(Fax/Scanner to be networked to system (current equipment to Senior Center)

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure of \$265.00 to CDW or Seneca Data, to purchase a fax/scanner to be networked to their system with the current equipment going to the Senior Center, Budget Code A6772.42.

The motion was approved as follows:

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

Printer Network Card – to network all printers in office
making them available to all work stations

Motion was made by Mr. Dudzinski, seconded by Mr. Rybak, to authorize an expenditure of \$143.00 to CDW or Seneca Data, to purchase a printer network card to network all printers in the P & R Office, making them available to all work stations.

The motion was approved as follows:

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

(Session 3 Tumbling)

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to authorize an expenditure of \$1,120.00 to New Generation Gymnastics Center for Session 3 Tumbling, Budget Code B7020.44.

The motion was approved as follows:

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

PARKS & RECREATION & YOUTH BUREAU CONFERENCE REQUEST

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to authorize an expenditure of \$2,078 for Judy Dickson, Julie Raddell, Toni’ Lyn Brauchle and Jody Rogers to attend the New York State Recreation & Park Annual Conference March 30 – April 2 in Saratoga, NY and to include conference registration, lodging at the Saratoga Hotel and use of the town van for transportation which is a budgeted item.

The motion was approved as follows:

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

PARKS & RECREATION & YOUTH BUREAU BUDGET MODIFICATIONS

Jody Rogers – With the resignation of Lori Christopher and after speaking with the Youth Bureau staff, I would like to create two part time staff positions to fulfill the monitoring responsibilities for the CanTeen program. We are having a reoccurring problem with staff turnover and thought that if we divide the duties into two positions we may be able to attract some new individuals. These two positions would be used on an “as needed” basis using a combined 1,450 hours between the two. The pay rate is \$10.00/hour. **The total budget doesn’t change and expenses are covered by grants.**

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to approve the following Park & Recreation & Youth Bureau Budget Modifications as follows:

Re: Changes to the Youth Bureau Budget

Add-create codes

Personnel (Friends)	B7310.1FR	\$2,000
Personnel (LINK)	B7310.1LK	\$2,500
	Benefits	<u>\$ 500</u>
		\$5,000

Subtract

Equipment (Friends)	B7310.2FR	\$2,000
Program Supplies (LINK)	B7310.402LK	\$ 500
Training/Travel (Friends)	B7310.41FR	\$ 500
Custodian (LINK)	B7310.46LK	<u>\$2,000</u>
		\$5,000

The motion was approved as follows:

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

PARKS & RECREATION & YOUTH BUREAU STAFF
 APPOINTMENT - CANTEEN

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to hire Thomas McBride, 307 Westover St., Syracuse, NY 13209 as a Recreation Attendant at the CanTeen at the pay rate of \$10.00 per hour up to 25 hours per week, on an as needed basis, not to exceed 725 hours.

The motion was approved as follows:

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

**PARKS & RECREATION & YOUTH BUREAU – APPROVE MEMBER TO THE
GREATER CICERO COMMUNITY YOUTH BOARD**

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to add Dean Boucounis, 231 Salina Meadows Pkwy, North Syracuse, NY as a Member to the Greater Cicero Community Youth Board effective immediately for a term through 12/31/10.

The motion was approved as follows:

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

**APPROVAL TO ACCEPT RETIREMENT OF PART TIME OFFICER JOHN ZEPP
EFFECTIVE FEBRUARY 29, 2008**

Chief Snell stated that he need approval to accept John Zepp's retirement as he will begin receiving his retirement benefits from the Town of Cicero, but, He would be asking the board to re-hire him effective March 3, 2008 with his hours being reduced due to his pension. He is regulated by a salary cap and how much he can make. For the past 10 years, Officer Zepp has acted as a property and evidence property officer. I do not believe I could replace him immediately and it would take another year or more to train another officer to do that. He is responsible for all the property and evidence we recover and auditing it and making sure it is transferred to the crime lab, the District Attorney's Office and is down within the New York State Statute. I also encourage you to re-hire Officer Zepp, so that we can continue.

Mr. Rybak – Since he's going out under the NY State Police and Fire Retirement System and you're re-hiring him will he be adding to his pension?

Chief Snell- No, he won't be able to participate in the Pension System as he will be done and we won't be contributing into the retirement system for him.

Mr. Rybak – So, the only money he can make, would be up to the cap that they have.

Chief Snell - That's correct. In fact it will be less than that and he will be down to about 520 hours per year.

Motion was made by Mr. Rybak, seconded by Mr. Dudzinski, to accept the retirement of part time Police Officer John Zepp effective February 29, 2008.

The motion was approved as follows:

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

Motion was made by Mr. Rybak, seconded by Mr. Dudzinski, to accept the appointment of John Zepp as a part time officer effective March 3, 2008 and to be restricted to 520 hours per year.

The motion was approved as follows:

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

HIGHWAY PURCHASE APPROVALS
(140 yards of topsoil)

Motion was made by Mr. Dudzinski, seconded by Mr. Conway, to authorize an expenditure of \$2,450.00 to purchase 140 yards of topsoil from Jack Brown & Sons, Account Code DB5140.43.

The motion was approved as follows:

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

(300 yards of screened topsoil)

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to authorize an expenditure of \$5,100.00 to purchase 300 yards of screened topsoil from Gerber Topsoil, Account Code DB5110.47.

The motion was approved as follows:

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

(35 2x2x2 catch basins w/knock outs)

Motion was made by Mr. Conway, seconded by Mr. Rybak, to authorize an expenditure of \$8,680.00 to purchase 35 2x2x2 catch basins with knock outs from Sunnycrest, Inc., Account Code DB5110.49.

The motion was approved as follows:

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

(10 2x2x4 catch basins with knock outs)

Motion was made by Mr. Conway, seconded by Mr. Rybak, to authorize an expenditure of \$4,011.00 to purchase 10. 2x2x4 catch basins with knock outs from Sunnycrest Inc. Account Code DB5110.49.

The motion was approved as follows:

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

(Grass seed, fertilizer, bales)

Motion was made by Mr. Conway, seconded by Mr. Corl, to authorize an expenditure of \$1,500.00 to purchase grass seed, fertilizer and bales from Merritt Seed, Account Code DB5140.41.

The motion was approved as follows:

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

(Assorted pipe for drainage jobs)

Motion was made by Mr. Conway, seconded by Mr. Dudzinski, to authorize an expenditure of \$40,000.00 to purchase assorted pipe for drainage jobs from Oswego Tool & Steel, per State Bid, Account Code DB5110.45.

The motion was approved as follows:

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

EXECUTIVE SESSION

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to enter into executive Session to discuss three pending litigation matters, Self Storage Solutions, Route 31 vs. the Town of Cicero, New Dimensions LLC. vs. the Town of Cicero and the Town of Cicero vs. Fiscal Advisors and I invite both of our attorneys to attend the meeting and we will be reconvening.

The motion was approved as follows:

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

The meeting adjourned into Executive Session at 7:38 p.m.

The meeting reconvened from Executive Session at 8:12 p.m.

Heather Cole – Tracy, there was a motion by Councilor Rybak, seconded by Councilor Conway to close the Executive Session and return to open session. We have one item of business from the Executive Session and that is for the board, if it is agreeable to authorize the Wladis Law Firm to submit papers and associated filing fees and service of process fees in the matter of the appeal for Self Storage Solutions Route 31 vs. the Town of Cicero, with the funds for that to be paid out the Planning Boards legal line.

Motion was made by Mr. Corl, seconded by Mr. Dudzinski, to authorize the Wladis Law Firm to submit papers and associated filing fees and service of process fees in the matter of the appeal for Self Storage Solutions Route 31 vs. the Town of Cicero, with the funds for that to be paid out the Planning Boards legal line.

The motion was approved as follows:

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

PUBLIC INPUT 3 MINUTES LIMIT PER SPEAKER

Don Kelly, 8904 Shellman Drive gave kudos to Bill Rybak for being an advocate to the Senior Citizens by helping them with their tax rebates. Secondly, I heard that there are apartments going up on the corner of South Bay and Lakeshore Road and it has gone through the Planning Board. I am going to take up a petition to see how many people are interested in having the town consider a building moratorium. I know we have been promised money from the state, but, don't know when we're going to get it. I have sent a letter to the DOT to see if they could give me a closer assessment as to when they might be able to do something. From what I can see so far, it's like five or ten years down the road. Where I live, I see the traffic everyday and I'm glad I don't work any longer. It's difficult and I can't see that it is going to get any better in the near future, especially with the apartments and hotels going up. Lakeshore Road, Route 31 and Route 11 corridor is going to be horrendous. As a heads up, I think a building moratorium might be in order if we're going to take that long to have that work done in that area. I'd like to know if we received the million dollars from Schumer or if we have spent it.

Mr. Dudzinski – They are in the process of getting information to us about how we draw the funds. We had an e-mail out to them last Friday.

Don Kelly – Do we have specific plans for it when we get it?

Mr. Dudzinski – Yes. It's for the Main Street in Brewerton and the facades.

Mr. Corl – If a portion of small businesses were to put \$10,000.00 into improving their facades, they would be eligible to obtain another \$10,000.00 to do further work.

Mr. Dudzinski – Don't hold us to that as there is no percentage set in stone.

Don Kelly asked if John Zepp would be used right away to train a new person.

Chief Snell explained that we have a Part Time Officer who started up about 6 months ago in the training process. We have to be careful as training is done on overtime and we like to keep that minimal. It will take about a year of training and we will go through Re-accreditation in June and then we will be able to look at turning that position over to someone else.

Jessica Zambrano expressed her concerned about the money being paid to the Wladis Law Firm. Not only do we have a retainer of \$12,500.00, for general town issues, but, we also have a monthly retainer of \$8,000.00 which makes a total of over \$20,000.00 a month times 12 is \$240,000.00 of guaranteed income of which there is no accounting of how that money is being spent. I have seen the invoices that come in with the retainers and there are no specifics about that money and how it is being used. I think that this is an objectionable way to spend taxpayer's money and I will continue to object to town money being spent this way.

Attorney Comments – None

Engineer Comments – Gary Cannerelli stated that he would like authorization from the board to advertise for bids for the Trash Contract. The specs are completed and have been reviewed by the law office. We have their comments and anticipate that we will have them done before the next board meeting.

Mr. Dudzinski – Have you spoken with Heather regarding the other issue.

Gary Cannerelli – Yes, I've spoken with Heather and Anita is working on getting us the figures for the units. We would like to set a tentative bid date of March 13, 2008 at 11:00 a.m.

Motion was made by Mr. Dudzinski, seconded by Mr. Corl, to set March 13, 2008 at 11:00 a.m. at the Cicero Town Hall, 8236 South Main Street, Cicero, NY, to receive bids for the Trash Contract.

The motion was approved as follows:

Mr. Conway: Yes

Discussion:

Ms. Tarwacki asked if the anticipated numbers that come in will be close to what the current provider is requesting of an increase and that is why he no longer wishes to abide by the current contract.

Gary Cannerelli explained that based on the bids that we received on other projects that we have done in Southern Onondaga County trash district and in Dewitt, I believe what we told the board at the time you approved the change work order that the amount requested by your contractor for the change order was more than in line with what they've seen. If you were to look back to 2004 and to the bids that we have recently received they're probably between 60 to 70 percent higher than before. That is what the most recent bids have been. Having said that, we have also changed this contract a little bit by putting in a fuel escalation clause and hopefully that will help.

Ms. Tarwacki explained that the people who obtain this service won't understand what is going to hit them. As the price of gas goes down, that's all and good for everybody.

Gary Cannerelli – Even if you increase this you will probably pay less then you did back then.

Ms. Tarwacki stated that she felt empathy for those who will get hit with the new charge which they will receive.

Gary Cannerelli stated that all goods and services are going up and we're going to be hit by everybody.

Ms. Tarwacki stated that she wants this to be known so that people know this is going to happen as this is an extra expense that will have to adjust to.

Mr. Rybak – People are getting hammered at the grocery store and all over.

Continuation of the vote:

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

BOARD COMMENTS

Mr. Conway stated that there are no streetlights in Carmel Runne and several individuals feel that with a hotel going in there, lighting needs to be installed. A hotel is going to be coming in that will have a banquet facility and they only have parking for 66 cars. Their thought is to have no parking on the roads there. If you had people parking on both sides of the road, you aren't going to get fire equipment in there.

Mr. Rybak and Ms. Tarwacki felt it was something to think about and take into consideration.

Ms. Tarwacki stated we need to take this into consideration and do some preventative things to preserve their quality of life.

Mr. Conway also stated that he was looking in the code book regarding detention ponds and putting fences around them and he found that retention ponds are to have a four foot fence on a 1 or 2 pitch. We need to make a decision if we want to require fences around all of these ponds or not and also who would maintain these fences. More and more of these ponds are in the town and we need to make a decision.

Mr. Dudzinski - We'll get a consensus of opinion and see if we have to change anything.

Mr. Conway explained that retention ponds should be governed by the developer and should be maintained by them but, the town would maintain the inside of them.

Mr. Dudzinski explained that if anybody comes in for a lighting district between now and next year they won't be put in before 2009 because there aren't sufficient funds to put streetlights in, prior to when you pay for them.

Heather Cole – There is a very specific procedure in the Town Law that requires a significant number of the property owners in the area that request the lighting to sign a petition and present it to the board before the board can consider anything.

Mr. Dudzinski – I think the Planning Board would have enough latitude to request lights from each commercial developer as they go along.

Mr. Conway – I agree. It is very dark up there and people are throwing trash all over up there.

Mr. Corl – We had a recommendation from the Planning Board on one project to actually leave one side of a detention pond without fencing because it butted up against a wooded area. It is something that needs to be considered on a case by case basis.

Gary Cannerelli agreed with Jim. You also have to consider what type of detention basins when you're looking at residential or commercial. I believe Vern is talking about things such as Wal Mart, where you have a private developer. You need to understand that in your residential subdivisions the developers go away and those facilities do become the towns just like the sewers, roads and everything else. There is a difference between privately owned detention basins and the others. If you are going to look at standards, you are going to have to distinguish between the two. It's not going to be automatic that a developer is going to maintain a fence, because a developer in a residential subdivision sells the land and is gone.

Ms. Tarwacki stated that she received a memo from Jody relative to partnership training with the men in the highway garage on some safety issues and that this is another way we can save money and was very appreciative and thanked Jody.

Mr. Rybak – Thanked Don Kelly for his kind words earlier in the meeting but wanted to make it known, that he has worked with Anita Barnello to maintain a contact with these seniors, so we know exactly which ones we need to address as the time draws closer. We have less than a month left and we go day by day through the application form. We will be making phone calls and personal home visits.

Mr. Dudzinski thanked everyone for participating in the Snowflake Festival. They did a great job.

There being no further business before the board, the meeting was adjourned at 8:32 p.m.