



AGENDA
Wednesday, March 24, 2021
CICERO REGULAR TOWN BOARD MEETING
6:30 P.M.

Please Take Notice that the Town of Cicero, in response to the continuing emergency circumstances caused by the Covid-19 pandemic and consistent with the NYS Governor's Executive Orders, including but not limited to, Executive Order 202.1, shall conduct its Regular Town Board Meeting on **March 24, 2021** commencing at 6:30 pm and to be held at Cicero Town Hall, 8236 Brewerton Road, Cicero, New York 13039. The public shall not be allowed to attend the meeting due to the 10 density guidelines. Persons wishing to view the meeting shall be allowed to do so by the following:

Please join my meeting from your computer, tablet, or smartphone.

<https://www.youtube.com/channel/UCdaA29az6TaFVGuzLhHVasg>

Alternate method: Go to www.youtube.com, search for Town of Cicero, scroll down to the Town of Cicero Established 1807 Patch and select it, this will take you to the Town of Cicero Meeting Page to watch the meeting. Further, the public is encouraged to offer its comments in writing to the town by email communications to the town clerk at clerk@ciceronewyork.net no later than **March 23, 2021 at 12:00 p.m.** All comments will be entered into the record and distributed to all board members. Fax communications will also be accepted and may be sent to (315) 699-0039. All meetings of the town will be recorded and later transcribed. The transcriptions will be made available on line upon review and completion as soon as possible.

1. **PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF ABSTRACTS**

RESOLVED, the Cicero Town Board approves Abstract numbers 10 dated 03-10-21 and 11 dated 03-17-21

3. **CONTINUATION OF PUBLIC HEARING HORNER FARMSTEAD: CONSIDER A ZONE CHANGE TO R-12 ON LAKESHORE ROAD (TAX MAP #087.-01-21.2)**

WHEREAS, the applicant requests a zone change from Agricultural District to R-12 Residential District for the property located at No # Lakeshore Road (Vacant Parcel on south side of Lakeshore Road between Eldan Meadow on the west & Wallington Meadows on the east); now, therefore be it

RESOLVED, that the Cicero Town Board sets Wednesday February 10, 2021 at 6:30pm at 8236 Brewerton Rd. for a Public Hearing to consider a Zone change from Agricultural to R-12 Residential for Tax Map #087.-01-21.2.

4. **NY DOT RTE 31 (INFORMATIONAL)**

5. **ADOPTING THE TOWN OF CICERO'S PUBLIC EMPLOYER MANDATORY HEALTH EMERGENCY PLAN**

WHEREAS, the State of New York requires public employers to create plans to protect employees and contractors in the event of another public health emergency declaration in NYS; now, therefore be it

RESOLVED, the draft Health Emergency Plan is adopted and shall be included in the Town of Cicero Employee Handbook; and, be it further

RESOLVED, that the Health Emergency Plan shall be available for inspection in the Cicero Town Hall.

6. **APPROVE TO ORDER THE 2022 WESTERN STAR 10-WHEELER WITH DUMP BODY, PLOW EQUIPMENT, AND EXTENDED WARRANTY**

WHEREAS, the Highway Dept. needs to order a 2022 Western Star 10-wheeler with dump body and plow equipment: now, therefore be it
RESOLVED, that the Town Board approves ordering and purchase of a 2022 Western Star 10-wheeler with dump body and plow equipment with a 5/7 year extended warranty from Tracey Road Equipment (County contract #8996) in the amount of \$125,000.00 (RESERVE Budget Code DB51422R). (2 year budgeted item)

7. **APPROVE PROPERTY MAINTENANCE AT 6658 ROUTE 31**

WHEREAS, the Highway Dept. is in need of property maintenance, mowing, weed eating, etc. at its property at 6658 Route 31; now, therefore be it

RESOLVED, that the Town Board approves AAA Quick Plows & Lawns (lowest quote) at the weekly price of \$175.10 for approx. 29 weeks (Budget Code DB51324).

Other quotes: Hummer Lawn & Snow \$200.00 wk., C. Mattes, Inc. \$275.00 wk., Custom Lawn-Scapes, Inc. \$280.00 wk.

8. **OPPOSING THE MARINA APARTMENT PILOT**

WHEREAS, Trey Jay Loso, LLC, is the reported Owner and Developer of land located at 6475 & 6477 Lakeshore Drive (Tax Map #086.-02-25.1); and

WHEREAS, the Developer plans to build a large scale luxury apartment complex on the land which has been variously described as “luxury apartments,” “high-end,” and a “gated community,” with rents anticipated to be as high as \$1,800.00 per month per unit; and

WHEREAS, the Developer recently applied to the Onondaga County Industrial Development Agency, “OCIDA,” for a Payment in Lieu of Taxes Agreement (“PILOT”) and other tax exemption benefits seeking a total of approximately \$6.1 million in exemptions from property, sales, and mortgage recording taxes; and

WHEREAS, in response to community objections, in 2016 OCIDA approved strict guidelines with respect to applications for PILOT and other tax reduction benefits requested for residential projects (as opposed to actual industrial development initiatives) including apartment development; the Town Board now formally objects to and opposes the granting of any requested tax breaks for the proposed “luxury apartment” project based upon OCIDA’s own expressed evaluation criteria as follows; and

WHEREAS, the first criterion asks if the project will be built in a blighted area. The Board answers that question in the negative, as the Lakeshore Road area along Oneida Lake is clearly not blighted; and

WHEREAS, the second criterion asks if the project fulfills an unmet need in the area. The Board answers that question in the negative as there are many residential alternatives available in the Town of Cicero and surrounding areas; and

WHEREAS, the third criterion asks if there is a market study documenting demand for such housing. The Board answers that question in the negative as it is not aware of any such study and the high-end nature of the project does not address need; and

WHEREAS, the fourth criterion asks if local officials support the PILOT and other tax breaks. The Board answers that question in the negative as it believes in fairness, that the Developer should pay the proper and appropriate share of taxes to be assessed, and that the taxpayers of the Town of Cicero should not be forced to help finance the proposed project; and

WHEREAS, the fifth criterion asks if the project is needed infill in an already populated area. The Board answers that question in the negative as there has been no credible demonstration of need and the request does not involve an extension of existing tax benefits; and

WHEREAS, the sixth criterion asks if the project provides “walkability” to village centers. The Board answers that question in the negative as the project is located on Oneida Lake far from village centers; and

WHEREAS, the seventh and final criterion asks if the project requires additional county-provided infrastructure to services the project. The Board answers that question in the affirmative as it believes that this project will add significant additional sewage and associated BOD concentrations to an already stressed sewage treatment system, along with other municipally funded services. It is improper and unfair to ask Cicero taxpayers to bear the burden of additional infrastructure costs; and

ACCORDINGLY, the Town Board of Cicero hereby finds and determines the granting of a PILOT and/or other tax reductions for this residential project would be wholly inappropriate, unfair, and improper. Granting tax breaks for this residential project would negatively impact the Town taxpayers by depriving them of needed tax revenue to offset the burden of the project on roads, sewers, traffic, and other public infrastructure. This Board specifically finds that there is no logical or rational justification for providing any or all of the requested tax exemptions for a luxury apartment complex that serves no demonstrable need and is not anticipated to create or support new permanent jobs in the area; now, therefore be it

RESOLVED, that the Town Board of Cicero formally OPPOSES the Developer’s request for tax reduction benefits; and be it further

RESOLVED, that this resolution, accompanied by a cover letter further expressing the position of the Town Board, shall be sent to the Chairperson and members of the OCIDA Board on or before April 1, 2021.

9. **APPROVE THE PURCHASE OF 2022 FORD F450 SUPER DUTY 2WD CAB/ CHASSIS WITH DUMP BODY**

WHEREAS, the Highway Dept. needs to replace #15 a 2008 F-550 w/dump; now, therefore be it

RESOLVED, that the Town Board approves the purchase of the 2022 F-450 Ford dump from Delacy Ford Inc. (State contract #PC68978) in the amount of \$56,567.00 (Budget Code DB51302).

10. **AUTHORIZE THE ADVERTISEMENT FOR BIDS FOR THE CONSOLIDATED SEWER DISTRICT – BREWERTON WWTP SERVICE AREA SEWER IMPROVMENTS CONTRACT NO. 4**

WHEREAS, the Town has been awarded state and county funding totaling \$342,500; and

WHEREAS, the contract documents are complete and have been reviewed and approved by the funding agencies; now, therefore be it

RESOLVED, that the Town Board authorize the advertisement for sealed bids for the Consolidated Sewer District – Brewerton WWTP Service Area Sewer Improvements Contract No. 4. Sealed bids are to be received at the office of the Town Clerk until 11:00 am on April 29, 2021.

11. **APPROVE PAYMENT TO D.E. TAROLLI FOR EMERGENCY SEWER REPAIR**

WHEREAS, OCDWEP (Onondaga County Dept. of Environment Protection) determined the lateral at 8946 Beach Road had broken; and

WHEREAS the Town Engineer called D.E. Tarolli, the Town’s sewer repair contractor, to fix the lateral; now, therefore be it

RESOLVED, that the Town Board approve the payment of \$8,182.81 to D.E. Tarolli for work performed on March 3, 2021 to repair the lateral at 8946 Beach Road (Budget Code SS81204 1997).

12. **APPROVE INCREASED PAYMENT TO D.E. TAROLLI FOR EMERGENCY SANITARY SEWER MANHOLE REPLACEMENT AT MCKINLEY ROAD AND HAVENS CIRCLE**

WHEREAS, at the Feb. 24, 2021 the Town Board was presented with and approved an estimated cost of \$61,000 for the aforementioned manhole replacement; and

WHEREAS the project was more complicated and took more time than anticipated; now, therefore be it

RESOLVED, that the Town Board approve the payment of \$92,589.58 to D.E. Tarolli for work performed on February 22 - March 5, 2021 (Budget Code SS81204 1997).

13. **AUTHORIZE TO BID AND APPROVAL TO SET BID DATE FOR IMPROVEMENTS TO THE CICERO SENIOR CENTER THROUGH THE COMMUNITY DEVELOPMENT GRANT**

WHEREAS, the Town has received a Community Development grant through Onondaga County for various Facility and Site Improvements to the Senior Center; and

WHEREAS, the Town needs to request formal bids for the project pursuant to applicable provisions of the General Municipal Law and Town procurement policy; now therefore be it

RESOLVED, the Town Board approves the bid specifications prepared by Terry Horst Landscape Architecture, PC and that they are authorized to go out to bid. The bid submittals shall be submitted to the Town Clerk by April 20, 2021 at 10:00AM.

14. **SYRACUSE AIRPORT AUTHORITY (INFORMATIONAL)**

15. **DISCUSSION –**

16. **PUBLIC INPUT**

17. **ADJOURN**