

STATE OF NEW YORK  
ONONDAGA COUNTY  
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, October 10, 2012 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jim Corl, Supervisor  
Jessica Zambrano, Councilor  
C. Vernon Conway, Councilor  
Lynn Jennings, Councilor  
Tim Burtis, Councilor

Others Present: Tracy Cosilmon, Town Clerk  
Christopher Woznica, Highway  
Joseph Snell, Police Chief  
Jody Rogers, Youth Bureau, Parks & Recreation  
Robert Germain, Germain & Germain, Town Attorney  
Ron DeTota, C & S Companies, Town Engineer

Supervisor Corl 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 clearly into the microphones to enable all to hear.

The meeting was opened at 6:30 p.m. with the Pledge of Allegiance.

A moment of silence was observed in remembrance of our men and women serving in the Armed Forces in harms way.

S.E.Q.R.  
(State Environmental Quality Review Act)

Supervisor Corl moved the adoption of a resolution that all actions taken tonight are Type Two (2) or Unlisted actions under the New York Environmental Quality Review Act unless otherwise determined. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes- 0. *Motion carried.*

#### APPROVAL OF TOWN BOARD MEETING MINUTES

Councilor Jennings moved the adoption of a resolution to approve the minutes of the September 26, 2012 Regular Town Board Meeting. Motion was seconded by Councilor Zambrano.

Ayes- 5 and Noes – 0. *Motion carried.*

#### APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES

Councilor Jennings moved the adoption of a resolution to approved the minutes of the October 4, 2012 Special Town Board Meeting. Motion was seconded by Councilor Zambrano.

Ayes – 4 and Abstain-1 Councilor Burtis (was not present at that meeting)  
*Motion carried.*

## APPROVAL OF ABSTRACT #19 OF 2012

Councilor Burtis moved the adoption of a resolution to approve Abstract #19, of 2012 as follows:  
Motion was seconded by Councilor Jennings.

General Fund Voucher # 1964 to Voucher #2049 In the amount of \$349,594.16  
Highway Fund Voucher # 523H to Voucher #550H In the amount of \$200,955.42

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

## BUDGET MODIFICATIONS

Councilor Burtis moved the adoption of a resolution to approve the following budget modifications as follows:

TOWN BOARD MEETING  
10/10/2012

**2012****BUDGET MODIFICATIONS**

FROM		\$	TO	
A677246	Utilities – Seniors	300.00	A677245	Miscellaneous
A19904	Special items Contingent	17154.00		
A10104	Town Board Contractual	1550.00	A33104	Traffic Control Contractual
DB511255	Capital Paving	10052.91	DB511044	Engineering
B90608	Medical Insurance	135.00	B90808	Teamsters Legal
DB511049	CB/F&G/Riser	5700.00	DB513055	Hwy Machinery – Other
A51324	Garage Contractual	4500.00	A51322	Garage Equipment
DB51424MB	Mailboxes/Stakes	50.00	DB513055	Hwy Machinery-Other
DB514250	Hwy Misc	1000.00	DB51304	Hwy Oil/Fluid Bulk
DB513057	Body Maintenance	2000.00	DB513042	Tires
DB511242	Roadside Drainage	5000.00	DB514042	Brush/ Tree Removal
DB514040	Summer Roadside Fuel	5000.00	DB511043	Fuel/Propane/Kero/Gas
DB514048	Sweeper Rental	5935.00	DB50114	Misc Safety Exp
DB51101	Summer Personal Services	857.44	DB51421	Snow/Personal Services

**BUDGET AMENDMENTS****Revenue****Appropriations**

Motion was seconded by Councilor Zambrano.

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

**PUBLIC HEARING TO CONSIDER THE TOWN OF CICERO'S  
2013 PRELIMINARY BUDGET**

Proof of publication and posting was presented to the Town board by Town Clerk.

The public notice read as follows:

TOWN OF CICERO  
PUBLIC NOTICE OF ANNUAL 2013 PRELIMINARY BUDGET –  
PRESENTATION BY BUDGET OFFICER JIM ROWLEY

NOTICE IS HEREBY GIVEN that the annual 2013 preliminary budget of the Town of Cicero for the fiscal year 2013 has been completed and filed in the Office of the Clerk of the Town of Cicero; that the Town Board of said Town will, at a meeting thereof to be held at the Cicero Town Hall, 8236 Brewerton Rd. (Route 11), Cicero, NY 13039, Onondaga County, and is available for inspection by any interested person during office hours. The Town Board of the Town of Cicero shall hold a public hearing on said preliminary budget on Wednesday, October 10, 2012 at 6:30 p.m. showing such changes alternations and revisions as shall have been made therein by the Town Board of the Town of Cicero. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained.

The Town Board meeting will immediately follow the budget meeting.

The following are the proposed 2013 salaries of certain Town Officers of the Town of Cicero  
to wit: Town Councilors \$10,462 each per annum., Supervisor \$44,053 per annum.,  
Receiver of Taxes \$49,125 per annum., Town Clerk \$43,480 per annum.,

Superintendent of Highways \$59,127 per annum., Town Justices \$36,720 per annum.

A copy of the 2013 Preliminary Budget will be available in the Town Clerk's Office on September 28, 2012 where it may be inspected during office hours.

By order of the Town Board

Tracy Cosilmon  
Cicero Town Clerk

**DATED: October 1, 2012**

**TOWN BOARD OF THE TOWN OF CICERO,  
COUNTY OF ONONDAGA, NEW YORK  
BY: TOWN CLERK**

Supervisor Corl went over the high-points of the budget, which is a process they have been going through for some time now. He said that there have been meetings with the Board, Department Heads and also discussions amongst board members to arrive at what has been submitted before the Board and to the Town Clerk. He said that the highlights are somewhat extensive, but he thought it was important that they bring these up because they do have a difficult financial situation within the Town, and with the loss of sales tax and other revenue issues it's important that everybody understand them clearly as to why this is a sound budget which is being presented this evening.

Supervisor Corl read the following letter:

Dear Town Clerk and Town Board Members:

This year the Town of Cicero has found itself on the brink of a financial crisis. The past years of reliance on raiding the fund balance, awarding generous union contracts, and now the loss of sales tax revenue to the tune of \$600,000 has caught up to the Town. This is the backdrop to the 2013 Budget which I submit to you. Upon embarking on compiling the 2013 budget my goals were simple: 1. Reduce the cost of government 2. Maintain the current level of services for residents of the Town 3. Invest in our infrastructure 4. Keep taxes within reason while looking to the financial future of the Town. With a strategic financial plan to augment the costs saving measures implemented since January 1<sup>st</sup> these goals can be met with the preliminary budget submitted herein.

Throughout the year I have worked with the Town Board to reduce costs by not filling full time employment vacancies and through the reduction of positions. This has left everyone to do more with less. Attached is a complete list of the various initiatives and strides that have been taken since the first of this year to cut costs and eliminate waste at the local government level (Attachment A). Actions ranging in scope from reductions in our workforce, to scrutiny of insurance contracts, to simple things such as eliminating the use of customized letterhead have been taken. Together, these cost reduction measures will save taxpayers hundreds of thousands of dollars for years to come.

Further impacting the fiscal stability of the Town is a decrease of mortgage tax receipts which has been steadily declining over the last five years, from just over one million dollars to a mere six hundred forty thousand in 2011, and projected to be \$500,000 in 2013, a loss of about a half million dollars in revenue for the Town (Attachment B). More troubling is the fact that our fixed costs are escalating without any relief in sight. Specifically, health insurance expenses will rise 9% and cost the Town just shy of one million dollars in 2013. Attached is a graph showing increased cost of health insurance for the Town over the last five years which has grown by over \$425,000 nearing the one million dollar mark (Attachment C - note the decrease for 2013 is due to decrease in employees for said fiscal year). Also, pension costs will balloon to nearly \$740,000 or a 50% increase over the last five years (Attachment D).

Furthermore, the increase contractual obligations that previous administrations have bound this Town add to our dilemma. Contractual union obligations will cost the Town in excess of \$120,000 over 2012 while an additional union contract is under negotiation.

To make matters worse, we have an aging and failing infrastructure with roads that need repair and reconstruction. This year the Board authorized a full evaluation of each and every Town road and ranked them based on severity of their condition. After looking at 130 miles of roads, nearly a quarter are in need of reconstruction. In recent years, the Town has only done work on approximately 2-3 miles per year. At that rate we will not make headway and our roads will continue to crumble. Deterioration of roads means deterioration of our neighborhoods and a decrease of home values, certainly what we as a community do not want to see. To remedy this situation, I propose an increase in funding for such projects in 2013 as reflected in the paving budget line in the amount of \$800,000. While this may seem like a lot to spend when money is tight, the aforementioned evaluation made it clear that waiting even just a couple of years to fix roads would result in a dramatic increase in costs. Put another way, we have run out of time for postponing road repairs.

Now, we must make a realistic plan for the future of our Town. One in which we can continue to provide the necessary services that residents need and deserve along with a sound financial plan. We must wean ourselves from continued reliance on balancing the Town's budget on the savings account. In the last five years the Town has balanced the budget by relying on over 5.5 MILLION dollars of fund balance. This is unsustainable and must change. The proposal submitted herein sets forth a plan to decrease such reliance on the Town's reserve accounts to balance the budget from \$900,000 in 2012 to \$465,908 in 2013. Just like in business or in everyday life certainly we cannot continually dip into our savings accounts to meet our financial obligations, as this would be a recipe for disaster. (Attachment E – Use of Fund Balance History)

In my opinion, this is the most difficult budgetary cycle in the history of the Town of Cicero. Reliance on almost one million dollars of fund balance last year to balance the budget along with the loss of over a half million dollars in sales tax which was imposed on us by the County are devastating. However, the budget proposed here is well thought out and implements crucial planning strategies to ensure fiscal stability for the future of Cicero which results to an increase

just over five and a half percent or **\$18.76**, for a home assessed at \$100,000. This will provide a sound groundwork so that when confronting the 2014 budget as long as we continue to tighten our belts we can achieve the goal of staying under the State tax cap.

I truly believe that local government is the most efficient and I have attached an addendum of each Town Department and the various functions that it provides to the taxpayers. Certainly this document shows the various services that are provided at a minimal cost. Please remember that upon receipt of your County / Tax bill in January that the Town of Cicero receives only a small portion of your entire bill.

I urge you to support this budget as it certainly is a proposal that a resident of Cicero can be proud of.

Respectfully submitted,

Jim Corl – Cicero Town Supervisor

Supervisor Corl asked Jim Rowley to go over the highlights.

Jim Rowley introduced himself and stated he has experience in Town finance, County finance and his current role is Superintendant of Finance for the Oneida School District.

Jim Rowley stated that they went through an extensive process, visited every fire district, looked at current projections and they are trying to project out to the future and that they are really trying to take a long-term view of where the town is going fiscally. It is his belief and his contention that this document sort of sets the town on that path for long-term fiscal planning. The fiscal environment that we are in made this budget difficult and it's going to make future budgets very difficult. For example, the State Department of Budget came out with their First Quarter Fiscal Forecast and over the next three years the State projects cumulative deficits of 8.9 billion dollars, so clearly the Town is not going to see anything from the State, in terms of dollars, coming into the town. With pension costs, there are real reasons to believe that the costs of pensions aren't going down anytime soon. If you look at how pension costs are determined in state level actuarially, they assume a rate of return on assets invested, that long-term rate of return historically in their pension costs calculations have been seven percent (7%). There's analysis out there that he looks at all the time and they look at the last 30 years and the return in the stock market generally has been about 7%, so it's not a bad plan, but going forward there's projections that he has a degree of faith in that the long-term rate of return in the stock market over the next three years is going to be 4%. So, if they are assuming 7% actuarially in their budget costs and their not getting it, they are only getting 4% then that 3% has to be made up somewhere and it's going to come from town coffers. Also, the price of gas and how unpredictable and variable that is, commodities in general are going to put pressure on this budget and budgets into the future.

Jim Rowley gave a presentation on the following information:

Town of Cicero

2013 Preliminary Budget

Town of Cicero 2013 Preliminary Budget

The town budget is composed of three budgets:

- A Fund – General Fund inside village
- B Fund – General Fund outside village
- DB Fund – Highway Fund

Village residents pay into the A fund only. Residents outside the Village pay into all three funds.

Town of Cicero 2013 Preliminary Budget

Appropriations

Gen Fund - Inside	\$2,880,937	\$2,770,371	\$2,720,060
Gen Fund - Outside	\$2,684,287	\$2,719,184	\$2,794,758
Highway	\$4,246,197	\$4,591,282	\$4,553,655
<b>TOTALS</b>	<b>\$9,811,412</b>	<b>\$10,081,483</b>	<b>\$10,068,474</b>
		2.75%	-13%

**Town of Cicero 2013 Preliminary Budget**

Revenues

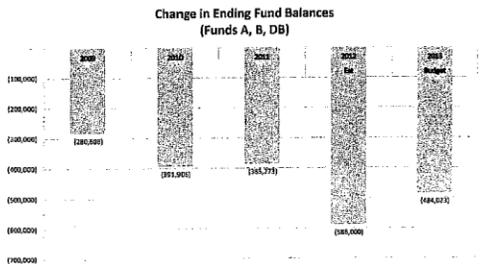
Gen Fund - Inside	\$1,185,652	\$1,262,651	\$1,200,770
Gen Fund - Outside	\$1,040,610	\$1,003,890	\$443,010
Highway	\$387,096	\$359,000	\$1,024,200
TOTALS	\$2,613,318	\$2,625,541	\$2,667,980
		.47%	1.62%

**Town of Cicero 2013 Preliminary Budget**

Fund Balance

Gen Fund - Inside	\$480,000	\$300,000	\$311,908
Gen Fund - Outside	\$0	\$400,000	\$18,115
Highway	\$750,000	\$200,000	\$154,000
TOTALS	\$1,230,000	\$900,000	\$484,023
		-26.83%	-46.22%

**Town of Cicero 2013 Preliminary Budget**



**Town of Cicero 2013 Preliminary Budget**

Tax Rate per \$1000 / Tax on \$100,000 House

Gen Fund Inside	\$5.788	\$5.788	\$0.0	\$57.88	\$57.88	\$0.0
Gen Fund Outside	\$6.627	\$1.1776	\$5.149	\$66.27	\$117.76	\$51.49
Highway	\$2.0307	\$1.7033	-\$3274	\$203.07	\$170.33	-\$32.74
TOTAL	\$3.2722	\$3.4598	\$1.876	\$327.22	\$345.98	\$18.76

**Town of Cicero Preliminary Budget**

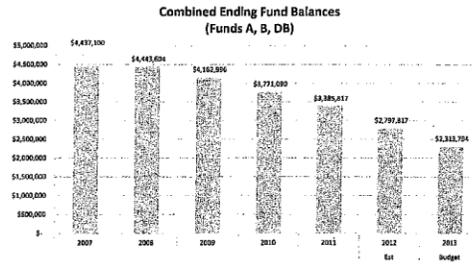
Use of Debt to Fund Capital Projects

- Proper to finance long lived assets over their useful lives with debt
- "Probable period of usefulness" for paving work is up to 20 years
- Historically low interest rate environment is conducive for borrowing

Assuming program is duplicated year over year, number of years before aggregate debt service approaches \$650M in appropriations:

2013	2014	2015	2016
\$39,000	\$128,700	\$215,800	\$300,300
2017	2018	2019	2020
\$382,200	\$472,084	\$558,936	\$642,756

**Town of Cicero 2013 Preliminary Budget**



**Town of Cicero 2013 Preliminary Budget**

Tax Levy

Gen Fund - Inside	\$1,201,625	\$1,207,720	\$1,207,382
Gen Fund - Outside	\$1,643,668	\$1,315,894	\$2,333,633
Highway	\$3,109,101	\$4,032,282	\$3,375,455
TOTALS	\$5,954,394	\$6,555,897	\$6,916,471
		9.17%	5.50%

**Town of Cicero 2013 Preliminary Budget**

Special Districts

Fire Hydrants	\$ 6,464	\$ 1,419	\$ 5,044	\$ 5,640
Water Improvements	\$ 55,606	\$ 8,038	\$ 47,568	\$ 47,595
Fire Protection	\$ 1,511,561	\$ -	\$ 1,511,561	\$ 1,428,054
Sewer Improvements	\$ 383,587	\$ -	\$ 383,587	\$ 478,393
Drainage	\$ 360,300	\$ 50,001	\$ 310,299	\$ 173,248
Refuse and Garbage	\$ 2,030,000	\$ 168,519	\$ 1,861,481	\$ 1,791,104
Lighting	\$ 351,582	\$ (500)	\$ 352,082	\$ 323,894
Ambulance	\$ 93,000	\$ -	\$ 93,000	\$ 90,000
TOTALS	\$ 4,782,100	\$ 227,477	\$ 4,564,622	\$ 4,408,827
		\$ 155,795	\$ 3.53%	

Jim Rowley stated that the Town of Cicero Budget is the following three budgets in one:

- A Fund - General Fund inside the Village
- B Fund – General Fund outside Village
- DB Fund - General Fund outside the Village and it's the Highway Fund. Village residents only pay in that part of the general fund that's inside the village, because of state law; because the Village is part of the town it has share in the mysterial cost of the town such as: assessment, tax collection, the elected officials and other administrative costs the village has to share in. Everything else that's in the General Fund outside the village, the costs for the police department, the parks, costs for the highway department, the village doesn't have to pay into those because they provide them themselves, so that is sort of the logic behind the segregation of funds.

The first variable in the budget equation is **Appropriations**; you have to determine what you are going to spend; so its Appropriations, then you take out Revenues, take out Fund Balance and then you get to the end result which is the Tax Levy. Once these appropriations are set the town can't spend more than what's allocated unless they vote to modify the budget. The town routinely moves money between accounts because it's the nature of the budget; you can't budget on a line by line item perfectly, but in general they can't exceed these appropriations unless they come back here and take a vote and then again, the only real way they can fund additional appropriations is to dip into the Fund Balance, and like Supervisor Corl said, "that's not a good option," and Jim Rowley agreed.

Jim Rowley stated that even with all the priorities in this budget and the overriding goal of maintaining services we still have a slight appropriation decrease year after year in the Aggregate Budget of about .13%, so it's pretty flat every year.

He went over the next variable in the budget which is **Revenues**; these are revenues other than the Fund Balance and the Tax Levy. You can see in Aggregate that it's relatively flat year after year, but you'll see a shift where the revenue in the General Fund went down considerably and the revenue in the Highway Fund went up considerably. What happened was the Sales Tax got whacked in the town budget; the County took \$600,000.00 away from the town, so that left a big hole. The town had essentially three choices to make that hole up: They could either cut expenditures to match the decrease in revenue and they chose not to do that because as the Supervisor explained they are trying to maintain a level of service that everyone in the town is used to receiving. They could have raised taxes \$600,000.00 to do that, but that would have put the Aggregate Tax Rate Increase (including what is in this budget) over 15% this year and they didn't want to do that. The only other option was to take some appropriations and identify them and finance them with bond revenue and that's what they did in the Highway Fund; there's bond revenue to the extent of \$650,000.00 in that fund. He asked, "So why bond for road paving projects in the Highway fund", and answered, "Well from a finance perspective it's certainly proper to finance long moved assets over the useful lines". The PPU (Probable Period of Usefulness) that one can bond over for road projects is twenty years and in his example he assumed a 20 Year Debt Amortization Schedule and stated, "That if it's ever been a good time for borrowing, now is the time". The Federal Reserve made a commitment to keep rates low through 2015, so employing this strategy at this point and time makes a lot of fiscal sense from his perspective; it accomplishes all the goals that the Supervisor and the Town Board wanted to accomplish in terms of maintaining services, but it also buys some time and gives them some breathing room to plan long-term. He explained that we have a whole of revenue \$600,000.00 taken out and that we still having paving to pay for of about \$650,000.00, which is what they budgeted for. So, what they've done to plug that hole is they put bond revenue in of \$650,000.00. The tax impact to do that this year is relatively nothing. One can see that the debt service cost for 2013 under this plan is about \$39,000.00 and that's what we are paying to pay for that \$650,000.00 in revenue. So, they make the assumption going forward that rates are going to stay low. In general terms they can continue to borrow under the same conditions going forward. If they do that it would create a laddering-effect of debt; they would pay for \$650,000.00 of paving this year with \$39,000.00 of debt, next year we pay for \$650,000.00 with \$128,000.00 of debt service and eventually you get out to the \$650,000.00 (in this case if we took it out another year, call it \$700,000.00 in debt service) and then it stops. They will have laddered the debt, so that the next year that you put on \$600,000.00 of new debt, a year falls off, so they'll get to the point where appropriations are fixed at relatively speaking \$700,000.00. The strategy is to bleed in the costs of what happened with taking sales tax out of the budget and creating a whole of \$600,000.00 instead of doing something drastic on the Appropriations side or taxing to the hilt to fill out. The town board in his judgment, has prudently said, "Let's do it over time, let's build it in with debt service". The risk is if the rates are going to stay historically low over the next five, ten, to fifteen years or however long they continue this program – probably not. But, that's where active management comes into the town finances. The Comptroller and the Town Board has to make sure when they go in for the budget year after year, that if this strategy is still in place they have to look at rates two to three years out and see what the Debt Service is going to be, if rate services go up a little bit they can adjust their borrowing.

Jim Rowley went over the **Fund Balance** and stated that as Supervisor Corl had said, "The Town has been relying on the Fund Balance to balance the budget for some time. In this budget, they have reduced the reliance on the Fund Balance significantly". He stressed that the Fund Balance is a non-reoccurring source of revenue. There's nothing else coming in that he can see to take the place such as Mortgage or the Sales Tax from the County. So it's important to manage Appropriations and manage the Tax Levy in such a way, so that the town can continue to wean themselves off of the Fund Balance.

Councilor Jennings addressed Jim Rowley about the General Fund–Outside and commented that in 2012 they had \$400,000.00. Now they are down to \$18,115.00 and that is quite a drop.

Jim Rowley advised him that wasn't the balance. This is what they are using in the budget. He said that he did that on purpose because that's where the Sales Tax came out of, so he had to shift the revenues. He shifted the Sales Tax Revenue that was in the part-town, the General Fund – Outside the Village and he put Bond Revenue into the Highway Fund. That allows him to shift the Revenues and the Tax Levies around as

well, so that he didn't have to use that much Fund Balance in this part of the budget because there wasn't that much to use. He stated that it was important to note that the Fund Balance is not only a rainy day account for when bad things happen, but it is also used to finance the town from a cash flow perspective. He believes that around the \$2 million dollar mark is where they'd want to set the floor, in terms of the Fund Balance, on an Aggregate basis for the town and projects the Fund Balance to be at \$2.3 million at the end of the 2013 Budget.

He showed a chart which showed another example on how the reliance on the Fund Balance has been decreased. The amounts he showed were from the **Ending Fund Balances**, not from what they've used. What the chart showed was that in 2009, Ending Fund Balances reported on the Financial Statement was \$280,000.00 lower; in 2010 it was \$391,000.00 lower and so forth. He's projecting at the end of this year that the Ending Fund Balance on an Aggregate basis is going to be close to \$600,000.00 lower than it was the year before. If the budget roles and everything works out as it should the Ending Fund Balance won't change as much year over year and it's sort of the direction the Town has set in terms of trying to wean itself off of the use of Fund Balance.

The final piece of the equation is the **Tax Levy**. Once you take the appropriations out, planned revenues and fund balance used, the rest of the equation to balance the budget is what you have to set in the Tax Levy. He believes the percentage increase in taxes is heading in the right direction. He hasn't done a calculation; he doesn't believe it gets them under the Tax Cap, but it gets them in the right direction and sets them up for the Tax Cap next year.

He went over the **Tax Rate per \$1000/Tax on \$100,000**, and explained the impact on a \$100,000.00 House. He stated that in 2011, it went up a little over \$.18 cents per thousand on assessed value. A \$100,000 house in 2011, paid \$327 in change and this year they are going to pay, if this budget gets adopted, \$345 in change – an increase of \$18 in change, which is a little more than the Tax Levy increase. The Tax Levy increase was 5.5%, this works out to a little less than 5.7% and that's because assessed values in the town dropped year over year, so that's why they have to spread the Levy out over less of a pot of assessed value and on a rate basis they are up a little bit more.

The last chart was a quick synopsis of the **Special District Budget**, which he said was by and large all contractual costs to the Town; Fire Hydrants, Water Improvements, Fire Protection, Sewer Improvements, Drainage, Refuse and Garbage, Lighting and Ambulance. In 2012, the Aggregate Levy for all those special districts was \$4,408,827.00, in 2013 the Aggregate Levy is \$4,564,000.00, which is an increase of about \$155,000.00 or about a 3.5%; just over that 3.53% increase in the Special District Tax Levy. An individual's impact is going to depend upon what district they live in.

Councilor Jennings inquired about the \$2,500.00 increase for postage under Municipal Court.

Supervisor Corl advised him that further on in the agenda they will be setting one additional work session for the Town Board on Monday, which will be open to the public. It will be for the board to consider further details of the budget and also, if there are any further questions for the Department Heads they will bring them in at that time.

Councilor Jennings asked about the Internet, under Information System there's an amount of \$2,700.00. He said he could go over those and he realizes that there's no public input for the public.

Supervisor Corl replied that there is no public input at the work session. But they will have a public hearing tonight, they'll open and close the public hearing and they will also have their further work session to hash out any further details.

Councilor Jennings stated that for Economic Development for Brewerton there is nothing budgeted this year.

Supervisor Corl commented that this year they've spent about \$8,500.00. He spoke with Jim Rowley, and since they've only spent \$8,500.00 they've left that line blank and they are still pursuing the permits for Brewerton. If there are some matching grants available, 20% for the town, so they hope to have the Town's workforce to be able to pick up that 20% as opposed to coming up with cash.

Councilor Jennings inquired about the Junkyard Licenses and said the Preliminary Budget was about \$150.00 and he thinks there are five (5) junkyards in Cicero at \$25.00 each, for their permit or their license, which was \$125.00. He asked if they are looking at raising that.

Supervisor Corl asked if it was \$125.00.

Councilor Jennings replied that it was \$125.00 total.

Councilor Jennings stated that under State Aid, there was another one on Revenues. Under the 2012 Budget, there is \$53,000.00 and there is nothing in the budget this year, so he was wondering what the State Aid was.

Supervisor Corl asked what line item

Jim Rowley said it was 83089, and he believes it was a special grant of some sort; it was a one-time shot at money that he can get the details on.

Councilor Jennings questioned, and he had already discussed it with the comptroller, and it's under Public Safety B3120.11 - Salaried Employees. It was his understanding that one of the salaried employees was moved down to part time, if so that would that be reflected and be in B3120.14. That would adjust the figure of the salary. The employees in the Public Safety, Police Personnel need to be adjusted.

Jim Rowley answered that he believed it was adjusted. That the 2012 Budget was for \$100,200.00; which he's adjusted down to \$86,350.00. The two employees that are in there are the Chief and the Records Clerk

Under Appropriations, Councilor Jennings asked about under B1 - B3120.2, the \$74,100.00 Equipment Cap and asked to see a break down of that as they have in some of the others.

Jim Rowley told Councilor Jennings it's for three (3) vehicles; roughly about \$24,000.00 a piece.

Councilor Zambrano stated that all of those questions can be asked at the workshop and addressed at that time, when they have the Department Heads there.

Councilor Jennings asked about the B1120 Sales Tax Onondaga County and also, if they had heard anything about whether this was going to be forth coming and if so would it be cash or a credit.

Jim Rowley advised him that they did request it and he is confident that Robert can get the cash for them. Under the old formula, towns were allowed to take their Sales Tax either in cash or credit.

Councilor Jennings commented that one of the biggest questions that they have been asked was about their projection of a \$2.3 million dollar Fund Balance. They are borrowing \$650,000.00, that they will be paying interest on in (5) years. He received a lot of comments that asked why they are borrowing \$650,000.00 when they have that in a fund balance projected now.

Jim Rowley stated that he is not an elected official, but from his perception of things from a Fiscal prospective he'd hate to see them use that much Fund Balance all at once.

Councilor Jennings asked about the \$3,000.00 in the budget for Ambulance. He stated they have not received a Quarterly report from the Ambulance people, which they had requested. They have no contract with them to the best of his knowledge, but yet their funding an additional \$3,000.00 to the Ambulance and they need to look at that very close.

Supervisor Corl asked Jim Rowley to explain an appropriate amount of Fund Balance, given the fact that the town has \$34,000.00 residents and a \$10 million dollar budget.

Jim Rowley explained that there are a lot of studies out there and the laws for school districts say that you can't have more than 4% for a Fund Balance. There's a lot of literature and analysis out there that says a proper Fund Balance, and for the Town with a \$10 million dollar budget and a \$2 million dollar Fund Balance, it's roughly 20%. From a Fiscal perspective that's healthy and it gives them some flexibility, so if something happens they can take it down.

Supervisor Corl commented that they certainly have things that come up that are unanticipated.

Supervisor Corl solicited any further comments from the board.

Councilor Burtis asked the Supervisor just to give an example of what an unexpected emergency might be.

Supervisor Corl asked Chris Woznica what were some of the things he has come across over the years.

Chris Woznica replied that there was a bridge failure on Beach Road back in 2000. The biggest one is vehicle maintenance; if a truck goes down it could be very costly.

Supervisor Corl stated that if they have some type of natural disaster other costs may occur and that's why they like to have funds in the reserves.

Public Hearing was opened at 7:26 p.m.

Speaking for –

Mark Vanesky thanked the Board for the prudence that they had taken to put this Preliminary Budget together; by taking a look at some of the expenses, and the loss of revenue in the town. He commended the Board for what has been done preliminarily. He looked at this budget and he asked some of the questions Councilor Jennings had asked. For example, some of the things that they can't control such as: The pension costs which have gone from \$189,000.00 in 2011, to \$237,000.00 in 2012, and \$260,000.00 is projected for 2013; those are things that he thinks they will have to address moving forward. Taking that into consideration, plus the fact that they have lost \$600,000.00, he thinks that they have done a very nice job here, preliminarily.

Mark Vanesky told Jim Rowley that he had some questions and concerns about laddering the debt. He does believe it can be prudent to borrow money as opposed to, especially when rates are low now (about 3.5%), which we know that they are going to stay that way until about 2015. He personally believes that the Federal Government is playing some games with the economy and with the value of the U.S. dollar. His question was what happens in 2015 when those interest rates begin to flow.

Jim Rowley answered that the Town has to be proactive in terms of managing this strategy; it has to look forward one, two, three years out, to see where rates are going to be and he would encourage them to pay attention to what the Fed's are saying and where long-term interest rates are going, but what happens is if rates start spiking then you can't borrow as much. So, instead of borrowing \$650,000.00 at 4%, you might only be able to borrow \$600,000.00 at 4.25%. So, they are going to have to manage the amount they borrow, the amount of paving that they are going to do with the interest rate going forward. He doesn't anticipate this strategy to be in place forever, it's not a short-term strategy, it is sort of a long-term strategy and he thinks it's prudent to go down this road from that perspective because in his opinion in the next 4 to 8 years, they are going to have a relatively speaking low interest rate environment. There are not a lot of short-term interest rates spiking, so once they start this program they would have to actively manage it and go year by year and look at what the anticipated costs are.

Mark Vanesky asked if they are going to borrow \$600,000.00 this year, and said it sounds to him like they are going to continually borrow in the future, if they look at the ladder-type program and he's one of those people who believe they should have very little debt; however, what is their plan for paying that off. It seems to him that they are just rolling it year after year, but he doesn't see a strategy.

Jim Rowley replied that there is a limit to where it gets to. In other words, under a laddered-situation they get to a point of debt service where one year rolls off and another year rolls on so the cumulative debt, at any given point and time, is going to come to a point and it's going to stay fixed. Then a strategy to get out of that debt, if it's warranted, and if it's desired at that point and time, is like anything else; they start nipping away at it, they have to start reducing the amount their borrowing and either putting in appropriations cuts or increasing the Levy to make up that difference – it has to be managed accurately.

Councilor Burtis stated these are Mr. Rowley's recommendations, these options that he has presented to them the Board has not said that this is what they are going to do as far as their debt-ladder over time. This is the option that they have in front of them this day and these are other options on how they can do it. Obviously, as things change they would be very nimble to change and open to change. There is always the possibility that they could use cash next time, but they have an option here in front of them not to use the cash and he thinks it comes down to personal preferences and how one would choose to govern. This is governing a town, he appreciates Mark Vanesky talking about how would he work his personal finances; he would say it is the same, but it is a little different. They are governing a municipality. They have to be a little more

conservative so that they can be a little more fluid than one might do in their own personal finances.

Mark Vanesky replied that he was not disputing that at all, he just feels that they should take a look at the results or the effects of the decisions that they make. They are using another assumption as well, and that is that they are assuming that the longevity of the infrastructure is twenty years.

Mark Vanesky asked Chris Woznica how long do they get out of a road, in the Town of Cicero.

Chris Woznica responded about 10 to 15 years on a good road, but most of them are less than 8 to 10 to 15 years.

Mark Vanesky suggested that if they are going to make calculations or assumptions, (he came in around 10 years ago and just on the longevity of his road and the water problems that they've had), he would scale back that forecast on how long that infrastructure is when they borrow money from 20 years to maybe a more realistic number that is closer to the truth. On the postage, the actual Postage Budget for the town is closer to \$22,000.00 a year and there has been some movement to reduce that as well. He is happy with what he is seeing; there has been a concerted effort by the Town Supervisor and the Town Board to look at every single expense. Mark said that what we have to do as a community is decide how we really want to live and what services we want to have and how we want to live as a town. We have three (3) new police cars coming for the Chief, and we need them.

Ray Schader asked if they took the \$600,000.00 and put it into the budget and collected taxes on it how much would that come to on a \$100,000.00 home.

Jim Rowley replied it's about an \$18.00 tax increase right now, so he would triple that. That's about a 5.5% increase; the \$650,000.00 will get it just north of a 15% increase.

Ray Schader commented that if a person took half of that amount it would be a couple of dinners a year.

Jim Rowley replied not his dinners.

Edward Hanson said while they are taking this road bonding under consideration, he doesn't understand if it's cumulative; in other words the first year they borrow \$650,000.00 and then they are going to borrow \$1,100,000.00 or something like that, so every year it's going to keep compounding up.

Jim Rowley replied that it's going to be up to a point.

Edward Hanson commented that that's going to be huge and asked at how many millions are they thinking that they are going to cut it off at.

Jim Rowley stated he didn't look at Cumulative Debt, but he looked at Debt Service. Debt Service and the level of debt go hand in hand, but you can ladder it out assuming that you borrow and it's going to be a 10 year ladder where it gets out to about, in rough numbers, \$700,000.00 a year and then you add another year, but then the program is a year drops off. So they have to be consistent and it's always going to be 10 year debt and they can always make the assumption that it's going to be a certain interest rate and it's going to be a certain principle.

Edward Hanson told Jim Rowley that was like "smoking mirrors" and that he's no financial expert, but if that was an effective way to do things they could run all their departments like that and just become a Debtor Town. They said the first year was \$39,000.00 on the debt, and that's assuming that the interest rates stay low and they could sky-rocket. If inflation starts to peak out they are going to raise the tax and we are going to be stuck with multi-million dollar debt.

Jim Rowley advised Ed that there are no guarantees, but he thinks with the environment we are in right now, and with what the Federal government is saying, long-term interest rates are going to be low for the next three to four years.

Edward Hanson commented that one thing they could guarantee is that if they don't borrow the money then they are not going to be stuck with a big debt.

Jim Rowley admitted that was true, but said that there's a choice. They either have to tax for it or they have to cut the \$600,000.00 out of the budget – one or the other.

Edward Hanson said he would take it out of the fund, like Councilor Jennings had said. This is not just \$650,000.00, it would be accumulative debt that would keep building up for who knows

how long. He commented that the answers being given were too vague; they can't tell him what the peak would be.

Councilor Burtis replied that was because this year it's an option. This is the option that they have taken for this year. Mr. Rowley's plan is over multiple years. Councilor Burtis said the question is what do they want to do with the roads? They have to figure out what they want and what they need - they are two different things. He stated he is sure that we need good roads and our roads are in trouble; they've determined that, and they've spent money to figure that out and for this budget year, this is what he has chosen to support next year. He would like to take more money out of savings, but then it comes, in his opinion, down to how one would govern this town. Some may assume that you would take all your money out of the savings. If that's what you want to do then you're left with no savings, with a sewer main break, with lots of other things and then how do they fund a sewer break? They have old roads, next they have old pipes on the roads and he's not a veteran at governing, but it would seem to him that this is a conservative way to get through this budget cycle. Councilor Burtis said he was not saying that he was interested in doing it every year.

Edward Hanson commented that this was a short-term fix that's going to come back to bite us. He said Jim Rowley is not saying for "one year", he wants to ladder this out for approximately twenty (20) years on a false assumption that the roads will last for twenty years.

Councilor Burtis replied that's what Jim Rowley was saying. But what he is saying, either they can either do this or they can increase taxes at this point by 15 percent.

Edward Hanson told him no, that they could take the money out of the reserve that they have.

Councilor Burtis commented that they could do that as well, but it would leave them short on cash.

Edward Hanson replied that it leaves them at least over \$1,500,000.00, and that the less money they have maybe the more frugal they will be with it.

Councilor Burtis replied that was true, but that they have also done as much spending cuts as they possibly could find in this town.

Edward Hanson said that he has come up to the meetings enough to know what is spent - thousands of dollars on grass seed and to fix a door on a retirement home.

Councilor Burtis stated that this was going back to what he had said earlier, "They have to govern a large municipality and he's not sure that everybody has a good handle on how much money it takes to run this town." He knows coming from the outside in, that it was a surprise to him how much money is spent in any one department. They could take it out of savings and it would put them in a pinch, he's for that, but the problem is then they have an emergency. So now what are they going to do?

Edward Hanson replied they would still have \$1.5 million dollars and if it comes to that then they should look at borrowing - when they have to. He advised told them not to become a "Debtor Town."

Councilor Burtis replied that we aren't a "Debtor Town", and that we have an asset in the town - the roads. He said he would like to govern with no debt, the problem is that's very difficult to do and this year it's very difficult if one looks at how much money past Boards have taken out of savings accounts to fund and call it a "balanced budget".

Councilor Burtis said that was how he got here; he was interested in the budget. He's had many conversations about this and you can not consistently take a town, let them take out 1.2million dollars out of savings, put it into their budget and say that you've, "balanced the budget".

If it was up to him, and he started at zero (0) money out of savings (he's at \$400,000.00 now), but he would have been happy with it at \$200,000.00. But he's at \$400,000.00. He stated that this is the first time in many years the town has not taken a lot of money out of savings, put it into a budget and call it "balancing". It's not a good way to govern and this is the best that they've got for this year. They're not taking \$800,000.00 out of savings, they've lost sales tax. They are going to do some good things with roads and he thinks it's a very good plan. He's not totally happy with it, but they were given a lot of problems and they've all worked very hard. They are all open to ideas that the residents may have to save money, but they need to understand that there are some things in this town that they can't move such as: union contracts are going up, road conditions (their getting worse), and the sales tax is gone.

Edward Hanson stated he thought the State reimbursed the town for pensions. He commented that the town should be reimbursed by the County for the police force because we are in fact

subsidizing other towns by displacing the Sheriffs, they don't have to come here because the Cicero Police do the job, so we should be compensated by the County for that. He asked if anyone has approached the County on that.

Supervisor Corl replied that he had approached the County. He had met with a County Legislator, along with other supervisors, exactly on that point and that they continue to have discussions on it. Right now the County is not interested in providing that type of rebate; we supplement Salina, Onondaga and other municipalities. He told Edward that they will continue to see what they can do; if every township dissolved their police force they would have a huge, public safety issue on their hands.

Edward Hanson questioned if the police force cost about 2.5 million, which he commented is about one-quarter (1/4) of the budget, and asked what percentage of the budget was Parks.

Supervisor Corl replied about \$700,000.00, but that was before revenues.

Edward Hanson stated that borrowing money is never a fix; don't borrow money. They have to pay it back, "the housing bubble" – that's how that blew up, everybody had a scheme back then. If the Town has the money then they should use it, just like Councilor Jennings had said. Edward said if their backs are against the wall then borrow the money, but don't do a ladder scheme - to Edward it's like "smoking-mirrors".

Jim Rowley commented that this isn't the model that he used to build the budget. The rates are different and he only assumed 5 years of Debt service, but the idea is represented here. In this model, he assumed \$650,000.00 at a 4.25 rate. The rate that he really assumed in his ten year model for the current budget was 4%, but if you borrow \$600,000.00 in 2013 the way the laddering works you get to a point where now you're fully laddered. One amount will drop off and they'll have another amount coming on and you stay stable at that level of debt service.

Mary Jo Hoover, a resident stated that one thing that she thinks that they were forgetting is that these wonderful PILOT (Payment in Lieu of Taxes) Programs and Empire Zones are going to be expiring within the next five years and that's going to be adding to our revenue. Unless they get very devious and figure out ways to extend them and unless they "knuckle under" and let SIDA, which will pilot for 45 years and come into the Town of Cicero and run this town, they have a decent chance of getting some income. She said all of Marketplace Mall, Driver's Village, Walmart, and Target are in Empire Zones and they've all been open at least 5 years and they have 10 years. They've got Brownfield advantage, School Tax breaks, Property Tax breaks and in the next 5 years they all should be expiring, so that should be able to add some revenue to the town. She stated they need to get tougher on the developers that want to come into the town. She asked about the "miracle mile" that was supposed to produce all this revenue for the town and she answered, "It's all in the Empire Zone". She stated that they haven't received a lick of retail sales tax from the "miracle mile" on Route 11.

Supervisor Corl told Mary Jo that there's discussions amongst townships of what incentive do they really have to put in some of these commercial developments, because now they don't get anything for the sales tax. These stores are generating dollars but the dollars don't come here, they go to the County.

Mary Jo Hoover said, "So now Joanne Mahoney runs Cicero". She said she did read the Sustainability Plan. She suggested that the town should run the developers and the development in the town; they should get what they can out of them for what their doing. She stated she didn't come to meetings for the last couple of years because she got so disgusted because all of the developers were telling the Planning and Town Board what they wanted.

Jean Kavanaugh, a resident of Cicero, said she was amazed at what goes into the budget and she's overwhelmed with the figures. She had no idea what was entailed with running the town and stated she was really proud of them. She stated the budget made sense to her, but she questioned where the "small people" get their just do. She's been in her development thirty (30) years, her development is about 35 years old and they are on their original gutters. Everyone time she calls the town she's told "it's not in the budget", end of story. She did take pictures of the gutters, just on her street, and there are a lot of developments, newer than theirs, that have had gutter replacements and repairs. All they've had is a shaving of her gutter, so her car wouldn't bottom out when she comes out of her own driveway. They have foliage growing through the gutters, they have no drainage of the gutters, and they have big gaps in the gutters and repairs by homeowners, so when do they as a "little person" get to be in this budget, somewhere?

Supervisor Corl replied that that's why this is the first time they have undertaken the effort that they did to evaluate all the roads. They are spending more this year than they have before. They are doing preventive maintenance, reconstruction and putting in some more things like under drains to make the current roads they have last longer, along with the types of things she is

talking about. He isn't sure how her street particularly falls on the evaluation, which was done with our engineers and highway department.

Jean Kavanaugh said her street wasn't evaluated.

Supervisor Corl and Councilor Zambrano assured her that it was.

Councilor Zambrano advised Jean Kavanaugh that every street was evaluated. This is the first time that they have a comprehensive assessment of all of the roads in the town and the board was particularly interested in this so they could plan ahead; identify those roads that are failing so they could implement some kind of repair plan.

Jean Kavanaugh asked where they stand.

Supervisor Corl stated he could provide the information and they would check with the highway and see what type of repair her road is.

Councilor Zambrano asked her what street she lived on.

Jean Kavanaugh replied Red Sea Drive.

Don Snyder, Mud Mill Road, stated he is a recipient of a new road and thanked Chris Woznica for it. He asked if he was right in assuming that this was the only public hearing that the residents in this town will have on the budget or will there be another public meeting when they've finally got the total budget together, that they in fact are going to approve, and is their last time to speak.

Supervisor Corl replied that there's one public hearing on the budget, per year, and this was it.

Don Snyder told Supervisor Corl that he thought that they needed to rethink that because it was already late that night and there's a room full of people and there's a lot of people who he talked to that didn't know that this was the only meeting that they are going to talk about on the budget. They are having another workshop that they can't speak at, which means there could be some changes from what their seeing that they might agree or disagree with. He thinks they need to seriously consider, if they are talking about open government, they need to think about another open meeting that allows the people to come up. He thinks there's a lot of pressure on all of them because of the timing to get through this thing today; there's just so much work that they have to do. So he asked them to please consider doing something like that. On the roads, they have to think about it; they are putting, he thinks about \$800,000.00, is what they are putting in the roads next year and they have \$650,000.00 this year. He said that means that they've increased the road budget \$150,000.00, but they are going to borrow \$650,000.00. What it says to him, is that we have accepted, over the years, about \$600,000.00 worth of regular road repairs as part of their budget. They are now going to take that number and put it into a borrowing situation. So it's not like they are going to do Driver's Village which is a million dollars, this is just their regular expense that they have, it's like a utility bill or any other bill that they have at home – you don't go to the bank and borrow money for that. You especially don't borrow money for the bank if you in fact are going to pay this year at least. He thinks the fact that we have a fund balance, it has become a crutch. He stated everybody on the Board except for Councilor Burtis, has sat on the board for the years that Mr. Rowley showed how the fund balance was used – they wanted to keep the taxes low. That was smoking mirrors. They can't keep the taxes low and not cut our expenses. They need to be looking at and they all knew \$600,000.00 was going to be lost from our budget, he thinks it's about 4 ½ years ago because he came into the Secretary's office, when Mr. Dudzinski was here, and he told the secretary to please tell the board that they need to start thinking, today, how we in fact are going to live with \$600,000.00 less income in what was going to be 4 or 4.5 years down the road. That hasn't happened; we are now doing it now. We don't want to make the tough decisions. Everybody is kind of almost "status quo", we can't be status quo. When his budget says he doesn't have money and his wife needs a new car, guess what she doesn't get a new car; she has a car that has over 100,000.00 miles on it. That's not because he wants her to drive around in a piece of junk, it's because that's what they can afford and they need to be serious about that. The same thing with whether they need police cars. He's sure the Chief needs three (3) police cars but do they actually have to have them if we in fact have financial problems.

He addressed Supervisor Corl in regards to the paving and said in his report he said they do two to three miles a year, in the past. That's \$600,000 or \$650,000 so that's about \$100,000.00 a mile. So they are going to add another \$200,000 to the budget or \$150,000, so they are going to get another mile or mile and a half done, per year. He said Supervisor Corl indicated that there was 30 miles of roads that were in poor condition. Out of 130, they have 30 miles that are in poor shape, but it's something like 10, 12, or 14 years before they get those 30 miles of roads done and meanwhile so, they don't do any of the others that are going to be deteriorating over that same period of time. So saying that they are really going to increase Chris' budget a big chunk, their

really not increasing it a big chunk, but they are going into debt for it. He thinks they seriously need to look at that whole situation. He thinks all of them know that it costs more money to do business, this town is filled with a lot of people like himself that are retired and do not have a pension that goes up unless Social Security goes up. Social Security went up about \$18.00 this year. Like he said last month, "They've got to stop kicking the can down the road". There is an elephant in the room that nobody wants to talk about, but he will talk about the elephant in the room. He has asked them for years, just to get the facts; just get the figures of what is going on in Clay. Clay has twice as many people as we have; they only use the Sheriff's department for their policing. He's not anti-police, he's anti-budget. If in fact the facts show that their public safety has gone really awry when they went from the local police department to the Sheriffs, then that helps all of us that are sitting back saying "Wow! There's 1.7 million dollars in the budget for our police department - it makes us feel good." But a lot of us have friends that live in Clay, and what they are hearing is they don't notice any difference. He doesn't know if they really saved any money in their budget, that's neither here nor there, but they have a situation where he thinks they need to get the facts, give them to the public, and let them in fact think about them. Let them analyze them and make sure they are doing the right thing and then they can decide whether the police department we have should be reduced, should be expanded or should stay the same; they need to deal with that issue. They also told them when they talked about the budget in early January, February that this year they were going to give them a budget that allowed them to see the total cost of any one department – they have not done that yet. If they look at the police department, and he couldn't do the numbers, but it shows like 1 to 1.2 million dollars for the police department. Don said when you take the percentage of their salary and look at all the salaries that are on that sheet that relate to that fringe-benefit package, it says that our police department is about \$1.7 or \$1.72 million dollars – we don't know that. He said Supervisor Corl says the Parks Department is about \$700,000 before they get the income, well last year he knows he did some numbers and that wasn't really right, that wasn't close to what that number was. They need to look at that and see what those numbers are. They took \$900,000.00 out of the fund last year; they had \$600,000 income this year from sales tax. This year they are only going to take less than \$500,000 out of the Fund Balance, they are going to borrow \$650,000., we had \$200,000 in drainage, \$200,000 or \$150,000 to highway. They have the increase in the cost of medical and for some of the other things; he doesn't see how the numbers balance. He hopes that there is not a wrong formula in the budget and prays that the numbers add up.

So there wouldn't be a misunderstanding, Supervisor Corl explained that in the road report that they have it's projected that they will be able to touch about 18 miles worth of road because their looking at not just reconstruction. They are not just going to do reconstruction but preventative maintenance and will be doing things differently. Fortunately, later on in the meeting they will talk about doing more roads this year, because this town board, the highway superintendant, along with our town engineer, sat down in June and came up with a road plan. Given the fact that they all worked together, they were able to save a lot of money as opposed to what was projected, over probably \$100,000 or more. They are doing everything; they are working together and looking at ways on how they can do things more efficiently.

Judy Boyke said that because they did not go line by line and because she has many questions and they won't have an opportunity to speak again, she was going to go line by line for the questions that she had. She asked if there was not a copy of the Road Evaluation that was completed as they speak.

Supervisor Corl replied that all of the board members received one, he has one in his office and it also on the website.

Judy Boyke asked why someone wouldn't go and look for the young lady who had asked about her road and tell her what year it is that her road is going to be fixed according to the Road Evaluation chart.

Councilor Zambrano advised her that the Road Evaluation chart is a guideline. So, what they have said is that from year to year, road situations will be evaluated and the plan will be amended for that year. They then put the residents, their complaints, highway superintendant and highway department concerns for concerns. So, it's a guideline but it's not fast and true. So there's a lot of flexibility and they'll be able to make those decisions.

Judy Boyke replied so they paid \$20,000 for a road evaluation that's a guideline and if somebody comes in with a squeaky wheel it will get oiled and asked if that was not true.

Councilor Zambrano replied no.

Judy Boyke asked why is it that now Lombardi and Wedgefield are now paved.

Councilor Zambrano replied that they had never had a comprehensive road evaluation program before in the town. This evaluation was necessary so that they as a board had some confidence

about what gets prioritized and what gets done when. There's flexibility built into it to allow highway department concerns, to be their concerns. Before it used to be all highway department concerns, they never use to have agreements with highway superintendants, as was required by law. This is the first time that they had that and they've watched the budget very closely and they have saved money. They have saved enough money that more roads are going to get done this year. She thinks the process has worked and is confident that the process will continue to work in the future.

Judy Boyke commented that she would pay attention to what this guideline has projected to the point of 2027 for some of their roads.

Judy Boyke stated that she didn't see anything for tax certioraris or litigation budgeted and asked how much was budgeted for those two items because they have several tax certioraris coming up and obviously they have a lot of litigation that's going on, particularly the LOSAP (Length of Service Awards Program).

Supervisor Corl said he thought with the legal that they broke it up. They set some aside for union negotiations, and some for litigation.

Judy Boyke said she actually couldn't find it broke out, so it doesn't really spell it out.

Jim Rowley informed her that it's the line items under Law - Contractual Union Negotiation, Town Code and Litigation.

Judy Boyke asked how much do they have budgeted for certioraris and how much do they have budgeted for litigation.

Jim Rowley replied that litigation is at least on the one line for \$12,700.00.

Judy Boyke asked what about the tax certioraris or is that a part of it.

Jim Rowley said in terms of litigating them that would be included; it would be part of the fee.

Judy Boyke said the reserves are supposed to be used for emergencies and asked when was the last emergency, other than the bridge, that they actually had to use the reserve for a catastrophic emergency in the town.

Supervisor Corl answered that he was sure that they could research that and find out. They can take a look at what they've utilized out of Fund Balance, of shifting money from Fund Balance.

Judy Boyke replied that it was not shifting money for a major catastrophic emergency that was over a million dollars that they had to take a million dollars from that budget.

Supervisor Corl said he couldn't answer that right then but they can certainly research that.

Judy Boyke said that usually \$1.3 million is a pretty good base to keep. Two million is nice, and everyone would like to have extra money to just save and not spend out of their own savings, but borrowing – she is dead set against it. She said we are almost a debt-free town, but we don't need to get into debt any further, because next year they are going to be looking for how they are going to get out of that debt. She questioned the full-assessment in 2009, when \$900,000 was funded out and we are paying now, right through 2015 - \$80,000 for one year, \$160,000 the next year. They still owe \$520,000 for that full assessment project that was done because they financed it-she wanted everyone to keep that in mind. She apologized if she was boring people, but she said she had many questions.

The first question was on A1355.1, which is the salary for the Assessor's office, in 2012 the adopted budget was \$137,016, this year it is \$71,776 and nothing has been changed in that department. There has been money moved from the contractual, which was \$33,600 and now there's \$106,137. She asked for an explanation.

Jim Rowley explained that Brad Brennan, the Assessor, the way he understands it in 2012 was budgeted in the salary line. When he came on board there was a budget amount in there on the Salary line. The town paid him under the Contract, so now his expense instead of being in the Salary line for 2013, is in the Contract line.

Judy Boyke said he's been under contract ever since he's been hired.

Jim Rowley advised her that that's not how it was budgeted for 2012.

Supervisor Corl explained that he was budgeted under Salary, 100 % in 2012, he wanted to change though it's Contractual.

Judy Boyke stated it's because he's been Contractual.

Judy Boyke said that on the Engineering Line A1440.4, Contractual Engineer, they have budgeted \$39,750 in 2012, it is now \$25,000.

Jim Rowley replied that he didn't recall the program, but talking with the engineers, there was a program that they had to do in 2012 that they didn't have to do in 2013, so it got reduced accordingly.

Supervisor Corl stated it was probably the Road Program.

Judy Boyke asked if this was not their contract with the town.

Supervisor Corl answered that it was their retainer, which is budgeted in that line item.

Judy Boyke inquired if they did or did not sign a two-year contract with them.

Councilor Zambrano replied no.

Supervisor Corl explained to Judy that with their attorney they did two years and the Board, when they did the bidding process and they interviewed all the firms, the agreement or the consensus of the Board was a unanimous decision that they hire C&S Engineers for a one-year term. Our attorney though, the Board basically made an obligation for two years.

Judy Boyke wanted to make sure that the audience knew that we paid the engineers approximately \$100,000 already.

Jim Rowley commented that a lot of that probably came out of Special Districts.

Supervisor Corl added and also T-accounts.

Judy Boyke asked how many T-accounts and said T-accounts don't go to them; T-accounts go to the Planning Board.

Supervisor Corl advised her that there are also T-accounts for C&S, like the Loretto Project.

Judy Boyke stated she didn't see any.

Judy Boyke said for A4989.4, which is NAVAC – Public Health, every year they get a contract, and she has no issue with that, whatsoever. But, there is no contract with NAVAC this year, so how is it possible for them to put something into their budget – are they just assuming that they are going to give it to them without a negotiated contract.

Supervisor Corl advised her that they do have a contract and the contract says...

Judy Boyke asked if it was a current contract for 2012.

Supervisor Corl explained that the contract was entered into in June of 2010, which was signed by her. It says that, "This agreement shall be in effect from January 1, 2010 thru December 31, 2010, and which term automatically renews thru December 31<sup>st</sup> on an annual basis unless either party shall give notice of an election to terminate the contract, 60 days prior to December 31<sup>st</sup>." He advised her that nobody has elected to terminate the contract so it's still valid.

Judy Boyke asked if he had been in contract with NAVAC.

Supervisor Corl answered that this was the contract.

Judy Boyke asked if he talked to them. She said NAVAC was increased \$800 maybe and asked if he just did that automatic.

Supervisor Corl advised her that he would reach out to them, but he budgeted for two-percent (2%), just like they asked the fire departments.

Judy Boyke asked what the percentage being used was for the salary increases this year.

Supervisor Corl said for non-union employees, the Board at one of their workshops, all agreed that non-union salaried employees get a two-percent (2%) increase.

Judy Boyke asked if that was everyone.

Supervisor Corl replied that it was every non-union employee; the unions are governed by the contracts.

Judy Boyke asked what about anyone that was contracted by the Town was that a two-percent (2%) increase also.

Supervisor Corl replied no.

Judy Boyke asked what the increase for the Police Chief.

Supervisor Corl replied two-percent (2%), that all Department heads are non-union.

Councilor Jennings said he might be wrong, but he thought that at that workshop four of them that were there said a two-percent (2%) increase, across the board for everyone, because this is the first time that they really got the non-union people a pay raise that he's been fighting on for the work that they do. At that point, he believes they said it was a flat two-percent (2%) across the board for everybody other than those that are under negotiation now. For those that have an existing contract, that was settled four or five years ago and he said that they need to relook at that.

Councilor Burtis stated that there was no raise, no two-percent, on there for the Board.

Judy Boyke commented that she did see that there was none for the Board, none for the Councilors and none for the Supervisor.

Judy Boyke said that the Economic Development was brought up by Councilor Jennings and on A6989.4 is there no money budgeted for any Economic Development within the town.

Supervisor Corl replied no.

Judy Boyke questioned that they weren't looking to build up the town at all.

Supervisor Corl advised her that they are looking to encourage Commercial growth and the board is committed to reaching out to businesses and so is the Planning Board Chair.

Judy Boyke said as she understood it, we have an issue with the lack of new housing being built in the town too. She asked if they have any new development going on, other than the other ones that are already in place like Wallington and are there any new developers that are coming into the town to build here, other than commercial.

Supervisor Corl said they would check with their Planning Board Chairman, but he doesn't believe there's any new housing development plans in the town. There are existing ones that continually expand such as Lyons Run and Wallington Meadows.

Judy Boyke said that in regards to the line item that was brought up Councilor Jennings, A3089 State Aid, she believes that the \$53,000 was money that they received as a revenue, because it is a revenue, in regards to when they went to 100% assessed value and that was something that she had turned in a letter for to get that revenue and she sees that they did receive it – so there wasn't an issue with their assessment process. She asked Jim Rowley if that was not correct.

Jim Rowley said he believed she was right.

Judy Boyke said she was going to ask how many police cars that they were buying under B3120.2, it was her understanding that there was a chart, didn't they not go over that to show that replacement of not more than two cars a year. Wasn't that something that they looked at?

Chief Snell said that they had talked about it and discussed it.

Supervisor Corl asked her to address the board.

Judy Boyke asked how many police cars they are buying this year.

Supervisor Corl replied that they are buying three (3). All the ones that they have are over 120,000 miles.

Judy Boyke asked about B88010.1, Zoning salary and wages. She said in 2012 they budgeted \$166,117 and in 2013, they've budgeted \$180,245 that's an increase of \$14,128 when in fact he dismissed the Director of Planning and the reason for that was because they were going to save money in that department. His salary, she believed, was around \$50,000 and also contractual B8010.40 that's gone from \$17,000 to \$37,000 and asked for an explanation.

Supervisor Corl replied that the \$17,000 is probably for the Municipality Program that they continue to want to implement and there's an additional \$20,000 for consultant fees. Mr. English is currently on board and is conducting an operational review of the department. Those findings have been shared with the board and they can be shared only with the board. However, there is work that needs to be done in there and he would like to keep Mr. English on board as a consultant to help implement some policies and procedures that are necessary.

Judy Boyke said so far as Municipality goes they have B8010.48 Computer Software, \$26,292, she believes that would be Municipality. So are they saying that Mr. English would be under Contractual?

Supervisor Corl replied that he is definitely under Contractual; he's the \$20,000 additional from the \$17,000.

Jim Rowley confirmed it.

Judy Boyke asked what they are doing with \$180,245, when first of all they said they weren't hiring any part-time, but they hired two (2) part-time people after they let Mr. Dean go. So what are they doing with \$180,000 in the Zoning department?

Supervisor Corl responded that also added into that particular line item is a Codes Enforcement Officer, which they'll budget \$30,000.

Jim Rowley explained that they are anticipating a January 1<sup>st</sup> start and he believes that they took out some part-times as well.

Supervisor Corl advised her that they moved some part-times and put in one full-timer.

Judy Boyke said that Mr. Procopio was a full-time Codes Enforcement Officer.

Supervisor Corl advised her it was adding an "additional" full-time person to current staffing.

Judy Boyke asked, "So, you're going to replace Mr. Dean with another Code Enforcement Officer?"

Judy Boyke stated on Tax Items, Revenues B1001 Real Property Taxes there is an increase of \$94,516 on that line from 2012 to 2013. They said they are losing revenue and asked them to explain that.

Jim Rowley explained that she needs to look at the whole equation, relative to this budget, in terms of the Appropriations that they have, the tax revenue that they are going to generate; it's Appropriations less income, which is everything else below the Tax line and then the use of Fund Balance which is significantly less than what they used last year. So, in order to make up the difference in terms of the Total Appropriations line, he had to raise the Tax line up there \$94,516 and the other Tax lines for example: the total increase in the Levy across all three budgets, like he presented was 5.5%. That one has increased because of the way that the budget works out, the taxes in the A Fund decrease slightly, and Property taxes and the Highway Fund decreased as well. That's where he baked in his increase in terms of the Accumulative Budget, the \$10 million dollar budget, because that's the fund that needed the most help from a Fund Balance perspective. He couldn't use as much Fund Balance as he wanted to there.

Judy Boyke asked if that \$94,000 came out of the Fund Balance.

Jim Rowley replied that it didn't. She has to look at the budget in a cumulative fashion, the A Fund, the B Fund, and the Highway Fund. He has raised taxes on a cumulative basis 5.5%, most of it's falling. The B Fund and the rest of the funds are either increasing slightly or decreasing slightly.

Judy Boyke said the \$40,000 that has been submitted through the Tax refund, she would be willing to bet that they get a credit. They've already budgeted and if they get \$40,000 cash coming out of the County everybody there ought to go out and have a drink on it because she'll believe it when she sees it.

Jim Rowley explained to her that the way it works. He told her it's in there, and that their either going to get it as a credit or get it as cash.

Judy Boyke commented that she sees a credit coming, but she doesn't see any cash coming.

Supervisor Corl asked Robert Germain to make sure they send a letter, maybe to the County Law Department. He spoke to Kathy Rapp and she was certainly in favor of the town receiving the cash, but he would appreciate him following up on that.

Judy Boyke wanted to reiterate on the Capital Paving Contract, she is dead set against it. She said borrowing that money is crazy. They are talking \$650,000, and they are talking the interest that they are already paying on the 100% Assessed Value – they don't need over \$2 million dollars in our Fund Balance, because they budgeted \$800,000 for our paving and she is all for getting our roads fixed, but she doesn't want to borrow any money to do it.

Councilor Burtis asked her how much money they should have in their Fund Balance.

Judy Boyke replied \$1.3 or \$1.5.

Councilor Burtis explained to her that with the Fund Balance, right now, what they have projected is \$465,908, and if they add the \$600,000 they are at about \$1.1 million dollars - they would take \$1.1 million out of the savings. In 2011 they took \$1.230, in 2012 they took \$900,000, in 2006 they took \$800,000, in 2007 \$1.3 million, and in 2008 they took \$1.9 million dollars. His point was that Boards and Supervisor's previous to him had not had the abilities to make the hard choices, and also made the choices not to fix the roads, and now they sit there today and people want to play politics. We have roads that are coming apart, we have no money in our savings and she says they should have less money in our savings. Our roads are falling apart so what should they do? People say they should wait until their backs are against the wall, in his opinion, with a \$10 million dollar budget, with a million dollars of savings; their backs are against the wall. He said if she asked him he would say she was right, he'd say "tax the people 15%", but then he'd say, "Is that reasonable", is that how he'd want to govern? Times are tough, is that what they should do? His problem is that since 2006, this board has taken \$800,000 out of cash and called it a "Balanced Budget." He understands that she had her problems, everybody had their problems, but it falls to them today – 2006 all the way to 2013, and it makes him angry that people would come in there and play politics when previous boards and previous supervisors have not done what they should do and then they want to look at their character and say that they have not done anything – that is not true, and that is not right. The time is now, they have serious problems. He does not want to go into debt, but the fact that they are going into debt today should not reflect, he thinks, the desire of the board. His desire is that they would not go into debt. The problem is nobody raised taxes, nobody paid taxes to pay for stuff that they want, or pay for stuff that they need. "We had money in the account", money in the account comes down to a husband/wife scenario, he has money in the account, and his wife sees he has money in the account so "let's go spend the money". In reality what he thinks should have happened here is they had money in the account, the Supervisor should have done what was right at the time in 2006 – should have balanced the budget and left the money in the savings account. We are sitting in an old building. Clay does not have an old building. Clay did a lot of things to get a new building, but we possibly could look at the expansion of this town property if we had \$8, \$10, or \$12 million dollars in savings, we could look to the future. But, here we are, we have no money in savings, our roads are stink, and we're sitting in the old building. If ever, he thinks, our back is against the wall, he thinks it's today. He doesn't think it is the result of this board, they have done more work, he thinks, than ever. This board has looked at everything; they have created trouble all over the place, with people over the town, with the town employees, everywhere. They are boxed in by union contracts that he did not negotiate, that he did not approve, but previous Boards approved. Two-percent (2%) increases. How do you tell a resident that they are not going to get to her road any day soon or how do they say to a non-union employee that they are not going to give them a raise even though the unions have one fixed in? How do you run a town and keep employees happy if at some point you do not give to them in the way that they feel that they are worth, because they want the money and they need the money. These are tough times, so again, how do they not give them a raise? It hasn't come up, but in his mind, everything is open-game, but many of these things he is frustrated to say are "frozen", not movable. He asked if they'd like to sell the Parks to Onondaga County, would they like to get rid of the Police Department in a 200 year old town, would they like to talk about the fact that Clay hasn't seen any marked differences in their protection from here to there? He tells everybody that he'd sit here and look at a 200 year old sign. Maybe Clay has no marked decline in their criminal protection. Maybe today or tomorrow is not the year they should be looking for, maybe ten years from now is what they should be looking for but in trying to govern, how would you like to govern? He was elected by the people; he came here for the budget. So he is very emotional and he is very passionate about the budget and it's his thing, but he is very frustrated that many of the things that were done previously to him, after getting involved in this and looking it over, there are things that he would not have done.

Councilor Jennings complimented Councilor Burtis and said that was “very good”.

Councilor Jennings said he thought he had said it two years ago, and he’s been on the Board now going on three. If this town had put a 2% tax increase every year from 2006 to today, then they would not be where they are at today. Two percent for six years, but it was never done and that’s why they are in this situation. He also agreed. He doesn’t want to pay 15% but he doesn’t want his family and their families to sit there and say that they borrowed \$650,000 and strap our children with the debt in this town because that’s why they are going to move out of here. He still disagrees with borrowing that money.

Judy Boyke told Councilor Burtis that he was “preaching to the choir” if he was preaching to her, because she tried in the two-years to do a correction and obviously that didn’t work very well.

Councilor Burtis commented that it was frustrating.

Judy Boyke said she knew the works of the budget, she knows what it takes, she knows the frustrations, but the whole part of it is that they talk about making a hard decision and all they’ve done with this budget is go in and everyone is at bare-bones; people are doing with what they have and they are trying. In some cases, things are not getting done but that’s what happens when you down-size. But, they talk about the Fund Balance, if they had a catastrophe, then we balance the budget and if something terrible happens out of that Fund Balance that they needed then that’s when they go and borrow because now they would have to react.

Supervisor Corl interjected and advised her that if you allow the Fund Balance to deteriorate your bond rating and credit rating goes and then you will be unable to borrow.

Judy Boyke said she understood that but our bond rating and it’s been spoke about how we were “in the toilet”, we weren’t in the toilet, our bond rating has been at three (3) and it has never gone below that and it never will because of our comptrollers and the way our budget is being run. So a bond rating “yes”, we are always making sure that our bond rating is good and our bond rating is excellent right now and we need to keep it that way.

Judy Boyke told Supervisor Corl that in regards to the Drainage that she didn’t understand. She said that the Tax Levy for 2013 is \$310,000; the Tax Levy for 2012 was \$173,000.00.

Supervisor Corl advised her that it was a Drainage District under Special Districts.

Jim Rowley said that’s an estimate of the expense, based on historical trends of what the town spends in the drainage – Special District.

Judy Boyke commented that the budget of \$173,248 in 2012, that’s this year. That’s not a trend of \$300,000.

Councilor Zambrano told Jim Rowley that it was her recollection that he looked at a 5 year trend of what they had spent; the average that was spent and in 2011 there was about \$425,000 spent on drainage, so he was looking at years and she remembers having a discussion about keeping the drainage budget down but he had said, “Well, the trend is that you spend this much”.

Jim Rowley said she was correct and that actually there’s a little bit of input from the Town Comptroller. In his opinion, they under taxed in 2012 for this district budget. He was projecting a negative Fund Balance this year. Shirlie told him that they weren’t going to be in negative, but actually be quite positive. They under spent considerably or they must of or anticipated under spending considerably in 2012, so that’s why he was able to use some Fund Balance here. His projection, to her point, was based on a multi-year average and there was some heavy spending in this budget in prior years.

Judy Boyke asked about the Drainage Budget. For 2013, they have \$300,000 budgeted.

Jim Rowley replied in Appropriations.

Judy Boyke said they have \$60,300 for Personnel Services and asked who that person is.

Supervisor Corl said it was for a Clerk, and Deputy Code Enforcement Officer (both part-time).

Jim Rowley asked if they were still in Drainage.

Judy Boyke said yes. She wanted to know exactly what that \$60,300 is appropriated to.

Supervisor Corl replied that it was for a Deputy Code Enforcement Officer (part-time), and a Clerk (part-time) and probably a portion of another individual, Code Enforcement Officer (part-time) salary; one of the new positions.

Judy Boyke stated she would like to see that broke out.

Judy Boyke said she lives in Brewerton and pays taxes for the Brewerton Ambulance. It's her understanding that we do not have a contract with Brewerton and we haven't had one for two years. She asked if we had a contract.

Supervisor Corl replied that he didn't think they've had one.

Judy Boyke told him that we had one in 2010.

Supervisor Corl if she meant the Brewerton Ambulance or Brewerton District.

Judy Boyke said under Special Districts, the Brewerton Ambulance. Ambulance District is Brewerton. Budgeted \$90,000 in 2012, budgeted 2013 for \$93,000. She said she has a problem with that, first of all they don't have a contract, second of all, every year their supposed to turn a Quarterly Report in – she foiled that and there are no Quarterly Reports.

Supervisor Corl told her that he had asked for that, as in the last week and he was just provided that in the last 24 hours.

Judy Boyke said so for the last three quarters we've not gotten it and all of a sudden we got it.

Judy Boyke asked how much money is allocated from West Monroe, Constantia, the Town of Hastings and the Town of Clay out of each one of those towns do they appropriate to this ambulance that they serve.

Supervisor Corl told her that they would have to look at their budgets.

Judy Boyke said that was something that they need to know because every year this is asked and every year and the answer is "Well we are trying to get those towns to help us." But, we continue to serve those towns and the Town of Cicero continues to pay for it and it is wrong, especially when she pays them out of her taxes. She doesn't mind paying her taxes for the ambulance, but she doesn't want to be paying when other towns are not contributing.

Supervisor Corl called a five minute recess.

Paul Simonet, with Park Outdoor Advertising and said he was listening with interest to the budgeting process and said that he thinks he represents a revenue interest to them.

Supervisor Corl advised Paul Simonet that it was totally irrelevant.

Paul Simonet said it's a material revenue stream as well, and he did ask if his couple of slides might be introduced.

Supervisor Corl questioned if Paul had asked if he could present during the public input portion of the budget and whether this was relevant to the budget.

Paul Simonet replied that it was relevant to the budget. The proposal itself is that they are looking to be a lessee of some Town property, where they could put one of their signs up. This is out the order of magnitude that is significant towards what he thinks is a \$600,000 issue and over the life of the sign; they take a material impact, a material cut of that number. If he can say a number that they won't hold him to, but it's relative. They have gone all over the state, he covers Central New York and they have met with a number of municipalities, successfully, to put up Static Signs on public property. They are now going to go to a digital stage where the signs are much more robust, their much more lucrative, they have passed through all sorts of national and international safety requirements and both the public and private sector have agreed on certain safety features, and distance from each other, etc. So they have a vast background in safety, etc. He said they would hope to enter into a lease to erect one to two LED's on Town property; their current thoughts are behind Town Hall, reading to I81, and they will conform to all sorts of safety standards and the lease amount, they are in the order of magnitude where they've cut the Town's problem at least in half over the next 8 to 10 years. If there are other locations where they could approach the Town on as well, if he's reading it correctly, the number the Town has in mind goes away. He feels like he's a hunter, and it's the first day of the season, and he's got Buck Fever because he's an answer to the issue that they all have been talking about. So, he genuinely thinks that – he heard the process going on and it's a sincere one, and he hopes that he represents a sincere possible solution. So his request was that he be able to meet with Town officials to

pursue this in earnest and see if there is something that they can jointly do that helps the Town and helps them.

Supervisor Corl stated Paul had contacted him about an opportunity at looking at the property that the town has and potential leasing opportunities for the Town of Cicero to enter in. He told him to come to a board meeting and present it to the town board, and it will open the door for further discussions.

Mark Vanesky commented that they are not going to be able to speak on the budget again and he really appreciates the input that they've had tonight from people. It's a learning experience, but he thinks what they need to do, and his suggestion was: They've listened to what past boards have done, they listened to what past Supervisors have done, they should have taxed, they should have raised the taxes and all of these are good ideas. These are probably things that should have been done, but they weren't done and now we are faced with a dilemma, now we are faced with an issue, he's a big fan of public referendum - he believes the people should decide on how our money is spent and we should decide how we want to live. However, he would say that because there are opposing factions in this room, but it is very apparent when one sits there and listens. We can all agree to be disagreeable, but we should all be agreeable with each other and if we have ideas he thinks we need to bring those ideas forth. He would ask that this board and he believes and knows that Supervisor Corl will look at a compromise, maybe they have to borrow a little bit, maybe they have to take a little bit out of the fund, but let's not lock themselves into an ideological contest. He believes, and is putting his faith in every one of them that they will do the right thing for this town and for the taxpayers.

Tom Beaulieu said it was very encouraging to see this many people come to the meeting, because for many years he and Roy Mallette would sit there and take turns for an hour throwing questions out and that they were looking for ways and they came up with some solutions for cutting fat, but he's been doing this for 10 years and there's no fat left; this all either services or costs of running government, so either they take from one side or the other. One thing that he would say that's encouraging from previous years was the booklet Supervisor Corl put together with his philosophy, where he said that they have four options to work with:

1. To reduce the cost of government
2. To maintain a level of service
3. To invest in infrastructure
4. To keep taxes within reason

There's not a community in Central New York or any other state that isn't going through the problems that we are facing today. Councilor Burtis said that our back is against the wall, next year our back is going to be into the wall and the year after that probably. There's no solution to this problem right now, the market is not going to turn around for creating additional mortgage tax, we've seen it go from when we had a million dollars plus in 2004, 2005. We were picking money off of the tree; we didn't know what to do with it. Unfortunately, there were years that some of us sat on the board and increased the size of government 10% a year, but never raised our taxes because we had \$5.5 million dollars worth of slush balance/fund balance and now we are going to be down to \$2.3 million, he believes in 2013. That's fine, but he still thinks that is perhaps a little bit high. It's probably on a \$10 million dollar budget, if we were at 20% it would be \$2 million, so if we were down in 15 to 80% range then that's money we could look at appropriating for let's say for the highway improvement or the Infrastructure Program. Perhaps one of the charts that they included helps give them an understanding as far as the cost of government. The attachment for the New York State Retirement expense shows from 2006 thru 2013, he believes that went from \$220,000 to \$739,000, and what they are looking at is about an 8 to 12% increase per year. So in three years, if they project that out 12% a year they are going to be at over \$1 million dollars in retirement costs. That went from \$225,000 in 2006, in about 3 or 4 years (maybe 2016); they are going to be a million dollars and that's a 1/10<sup>th</sup> of the budget in retirement costs. Last year, Shirley figured our costs for retirement and health costs at 23% of the budget. No matter how much they cut out of Parks, the Police Department or Special Districts, that elephant is not going to leave the room. At some point the reality is that they are either going to downsize this government or they are going to increase taxes. Hopefully, revenues will increase at some point, but we don't see that and we can't depend on that. For a long time he was not an advocate of borrowing money, especially when the town has got \$2.3 million sitting in the Fund balance. However, he is a big fan of Dave Ramseys. Dave Ramsey would not suggest to you to go out and buy two (2) new SUV's at Burdick's Drivers Village and either lease that or go out and borrow it even at a low rate. But, there's not too many of them in the room, including himself, who could afford to go out and buy a house and not be able to afford not to have a mortgage. Sometimes you have to borrow money and borrow it wisely. It convinced him that they know that they have to fix the roads, it has been an ongoing argument that he and other people have carried for 3 or 4 years and finally, they've all woke up to the fact that they have to do it. They have to borrow the money, if they

take it out of the Fund Balance. Two or three years down the road they haven't been able to build up the Fund Balance they are going to be in a much more difficult situation. He'd rather have some money saved on the side and borrow some money at a low-interest rate. If at some point the interest rates double or triple, then we pay the mortgage and pay the balance off and don't borrow any more money if we have to - they can look at it as they go down the road. He knows over the years, we are also looking at a \$10 million budget, we're fixing roads. Our Highway department expends 45.2% of our budget. At some point that is something that they need to look at. What are they going to do to control their costs, not just in Highway, but Police, Parks and the other smaller departments?

Tom Beaulieu said that one thing that they haven't looked at tonight was what is on the agenda next: To override or to discuss overriding the 2% Tax Cap. The idea of putting that in place was to keep from raising people's taxes above two percent (2%). What they are doing is going out and extending the credit on a credit card because they want to go above the 2% Cap and he believes that this is the second year that they are doing it and it has only been in effect two years now. So each year we are going to exceed the 2% Cap, that would be pretty much like a juvenile killing his parents and when he goes to the judge he throws himself on the mercy of the court because he's an orphan; it makes no sense. If they are going to continue to exceed the 2% Cap, if we continue to grow this size of government; there's no way around it, we are going to have to keep extending the 2% and we are going to do that year after year.

Tom quoted, whom he called one of the greatest Statesmen of the last century, Winston Churchill, who always admonished his colleagues to step up. Winston Churchill said, "It is of no use of saying that we are doing our best." and "You must succeed in doing what is necessary."

Joe Ruscitto, Muskrat Bay Road, said he felt that the town was living beyond its means. The last couple of years he realized that he is living beyond his means and he has done some things to combat that. He built his dream house, spent 25 years doing it; it's one of the nicest houses in this part of the lake. He's come to the realization that, he's at the point where he doesn't think he can afford it anymore or he doesn't want to afford it. He's thinking he's bailing and he knows many other people are in the same situation; the people that live near him. He said those are his choices, and he has to figure out what he is going to do and he kind of looks at the town in the same way. His taxes doubled last year, he owns other properties too, they all went up; none of his properties went down. He's had people, when he was out campaigning, tell him how high the taxes are in Cicero and they didn't live on the water, which he does. They asked him what he was going to do if he got elected; he told them that he didn't know because he didn't have enough information. But, he knows the people are very discouraged in this town, for lots of reasons and said he wasn't throwing stones at anybody. It appears to him that we maybe have services or whatever they want to call them, that we can't afford. He built a house that he thought he would die in, but he came to the realization that maybe it's a house that he can't or doesn't want to afford because he's not going to take that money away from his kids. He said he is thinking of moving out of Syracuse and that's his choice. He thinks we need to cut some of the services because we can't afford them. He doesn't know how they are going to do that, but they need to do that. He doesn't think that borrowing the money is the answer. He understands, they said that \$40,000 is what that the interest rate is going to be on that money and for purposes of easy numbers it is going to be another forty the next year and another forty the next year, until they hit 10 years and something drops off. He doesn't see how it drops off if we are not paying something off. Things were said about new cars for the Police Department; we may or may not need them. His son just got his driver's license today and he's driving a truck with 192,000 miles on it, his truck has 130,000, his wife's car has 140,000 and his daughter's car has 118,000 miles. He told the Board to do what they have to do, make it last a little bit longer; he said he doesn't know what the answers are.

In regards to the roads, Joe said that they are in disrepair, and that he wasn't going to throw any road in particular out there because he didn't want to tick anybody off in the room. He said he has seen some roads, and in his opinion, that got fixed way before other ones should have. Somebody had asked about the schedule of the roads, they did a study and it's a work in progress; he understands that, but there should have been a piece of paper, whether it's going to change or not, that people could have gone to tonight or tomorrow to answer the questions. It would say the roads and when they are scheduled to be done, and something might happen and it may change but at least someone could say that they are on the list. People have questions and he doesn't believe that they are getting answered the way that they should.

Joe Ruscitto said he had asked the Board, several times, in regards to the taxes on the waterfront for Beach Road, Muskrat Bay Road and Long Point Road, he said that there was a point where three (3) houses are next to each other. One of them the tax rate is \$1200 sq.ft,

one is \$1400 sq.ft and one is \$1800 sq. ft. that to him is absurd, they are making enemies of neighbors, that it needs to change, and that they were making enemies of neighbors. It went from \$1000 sq.ft, which was the rule of them forever, to these three arbitrary numbers. He understands where they go down to Bridgeport or Lakeport where they don't have as many services – maybe not the sewers, which their getting, the rates could be a little different. But they have three houses next to each other and they need to be more consistent. He said he had asked the board before what they did to reduce the Assessor's costs, because in his opinion he doesn't feel that they did and that a lot of people were dissatisfied with the services provided. He shared some of the knowledge he got when he went door-knocking; he couldn't believe how many people told him that they didn't vote or they weren't registered and that it didn't make any difference. He comes to every one of the meetings, he's on the Planning Board and people don't come. He asked the board to give another night for the people to speak.

Supervisor Corl thanked Joe Ruscitto for his input and for his service as a Planning Board member. He said he knows that when Joe is out there, along with the Planning Board Chairman that they have done everything possible as new businesses and site plans come in and that they make it as easy as possible for them to get through the process, which is difficult. He advised him that this year, the town is spending less money and that there are a lot of good things going on in the town. The Town of Cicero has 62 full-time employees, and look at the services that we provide. That's why part of his budget, as he had each of the departments heads prepare exactly what their functions are and what the services are that they provide. If they look at Camillus, they have less people in the town but have almost double the amount of full-time employees and that's why he attached that to show kind of a comparative as to what we do.

Joe Ruscitto said he thinks they need to cut more services from the town. He's not saying to eliminate them but he thinks we are living beyond our means.

Tim Murphy said that one thing that really bothered him was the fact that the town is bonding and he doesn't like that at all. He doesn't like the long-term, he doesn't like to cut needs; they are going to have cuts in aid in the future and he doesn't think it's a good idea. As far as all the negativity goes in Cicero, he still loves this town. He read the following quote from Dwight D. Eisenhower: "There is nothing wrong with America that faith, love of freedom, intelligence and energy of the citizens can not cure."

Public Hearing was closed at 9:26 p.m.

Supervisor Corl solicited any comments or discussion from the Town Board.

Board Comments – None.

**PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 190 OF THE CICERO TOWN CODE ENTITLED "TAXATION" BY ADDING A NEW ARTICLE TO BE ENTITLED "ARTICLE XIII TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C" TO THE CODE OF THE TOWN OF CICERO**

Supervisor Corl said he did have proof of publication and posting which was presented to the Town board by Town Clerk.

The public notice read as follows:

**TOWN OF CICERO PUBLIC HEARING NOTICE**

**PLEASE TAKE NOTICE** that there will be introduced before the Town Board of the Town of Cicero, County of Onondaga and State of New York, an application **to consider amend Chapter 190 of the Town of Cicero Code entitled "Taxation", by adding a new article to be entitled "Article XIII to override the Tax Levy limit established in General Municipal Law 3-c" to the code of the Town of Cicero to be known as a local law.**

**PLEASE TAKE FURTHER NOTICE** that the public hearing will be held on the aforesaid application at the Town Hall, located at 8236 Brewerton Road, Cicero, New York 13039, on the 10<sup>th</sup> day of October **2012**, commencing at approximately **6:30 P.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

**DATED:** September 27, 2012

**TOWN BOARD OF THE TOWN OF CICERO,  
COUNTY OF ONONDAGA, NEW YORK  
BY: TOWN CLERK**

Supervisor Corl asked Robert Germain if he had any comments before he opened the public hearing.

Robert Germain said that it's just a precautionary measure, depending on whatever happens with the budget. It's a process that they'd have to go through in order to get over the 2%. They may or may not need it; it depends on what happens in the budgetary process forward.

Councilor Jennings asked if they go over the 2% Cap, what then happens to that 2%, does it go to Albany in a little savings account for a year?

Robert Germain replied that he didn't think that was correct. He said he was no expert on the 2% Cap, but his understanding is that in order to have an increase it's over the 2% Cap, because when the Cap got passed they also promised a mandate relief which never actually showed up. So a lot of municipalities are in this boat where they are getting a large increase in mandates but no relief on the Cap. So in order to override the cap, it would take a local law with a public hearing, like the one they are having tonight, the adoption of a local law to override the Cap and that would enable them to go over the 2%. The big question is what happens in the future, next year and so on whether that whatever increase has to be out of there in the next budget or not and that's something that they will have to deal with in the future going forward.

Supervisor Corl asked if the 5.5% were to go through (hypothetically), then would they need this local law to do that because it's above 2%.

Robert Germain replied that was right, but when they ask whether the money goes to Albany and certainly a large amount of our funds goes there, but not directly.

Public Hearing was opened at 9:27 p.m.

Speaking for –

Don Snyder questioned if what they were saying was that they can raise our tax levy above the 2% Tax Cap with no ramifications, no payback, no nothing and they can do this next year and the years after that. He asked what do we have the law for, if we have a tax cap and we're allowed to have a super majority and every year vote to go over that. If this is what our State Legislators are doing than he guesses that we are in worse shape then he thought we were. If that's the case, then they shouldn't waste the public's time and go ahead and vote for it.

Ed Hansen commented that he hoped we stay with the 2%.

Joe Ruscitto asked if they were going to decide whether or not they were going to pass this law tonight.

Supervisor Corl replied that they are having a public hearing and they are going to move for the adoption of a resolution to allow the board to exceed the Tax Cap.

Joe Ruscitto asked what it would take from the audience to have him not raise the Tax Cap that evening. Was there anything that could be said or done that would make them not raise that Cap.

Supervisor Corl replied that he was in favor of passing this because it is a precautionary measure. He said that if we have to exceed the tax cap, which he has proposed. He thinks he has submitted a good, sound budget and he believes that we will need to do this for this year.

Joe Ruscitto responded that the Cap was the Cap and that they have to live within their means.

Tim Murphy said he was very much opposed to raising the Tax Cap too. He thinks that they should have accountability in spending and that it was their responsibility to everybody in this room.

Judy Boyke said it was her understanding from last year when they did the same process that the Tax Cap allows the town to go up to, she believes it's 2.7%, which is the money that they can use. That was all discussed by Shirley and it is in the minutes from last year. The other revenue that is raised, whatever that is, they can use it but next year whatever the amount of money that they went over the excess of 2% is considered revenue and that would be part of next year where they have to claim it as a refund for their Federal Income Tax; they have to show that and it would become part of their revenue for next year. She said either way, if they use it or if they go over it and they use it, they have to claim it. They will be short next year whatever they go over this year.

Supervisor Corl asked Robert Germain if he had any comments, that the question was if they exceed the Tax Cap this year, that they are precluded from doing that next year or that they are penalized.

Robert Germain replied that there were ramifications and that they are supposed to have the money that they've taken out in next years.

Councilor Burtis asked if everybody understood that it's not 2.0%.

Councilor Zambrano commented that was changing.

Councilor Burtis replied that she was correct. It could be 2.9% because there are certain things that are in that 2% rule. Some things count towards the 2% and other things don't. To them, what it would like would be 2.7 or 2.9%, something like that is his understanding too, and they could still be within the 2% Cap. He thought that was very odd and strange but that is what he was told.

Supervisor Corl said Jim Rowley had explained that to the board at their work sessions.

Councilor Zambrano said the other thing to consider is that the board needs to continue to monitor this year's spending because whatever they save that is not spent this year will help offset the amount of levy for next year.

Tom Beaulieu said he believed that Assemblyman Miller had covered this topic several times. There is a cumulative penalty at some point; they can not continue to exceed this year after year, and not pay a penalty. They are going to, at some point, do it for five or six years and then it is going to come home to roost.

Councilor Burtis said he thought that what they wanted them to do is what they've talked about before; they want them to reduce their spending. But, it's very difficult for this town to reduce it's spending within 10 or 12 months.

Public Hearing was closed at 9:37 p.m.

Supervisor Corl solicited any comments or discussion from the Town Board.

#### Board Comments

Councilor Zambrano stated that they haven't had their workshop about potential cuts or changes to the budget. So when passing this local law, it just gives them the option to exceed the Tax Cap, it doesn't necessarily mean that they are going to and it's in effect for this year. She asked Robert Germain if that was correct.

Robert Germain replied that was correct.

Supervisor Corl asked Robert Germain if it would be appropriate to read the whole resolution in to the record, as he prepared it.

Robert Germain replied that it would be.

Supervisor Corl read the following:

**WHEREAS**, a copy of the proposed Local Law Number 14 of the Town of Cicero to override the tax levy limit established pursuant to General Municipal Law Section 3-c was presented to the Town Board and filed with the office of the Town Clerk, and,

**WHEREAS**, upon Motion of the Town Board made on October 10<sup>th</sup>, 2012, a public hearing was called to consider said Local Law Number 14 of the Town of Cicero to override the tax levy limit established pursuant to General Municipal Law Section 3-c, and,

**WHEREAS**, a public hearing was duly held on October 10<sup>th</sup>, 2012 at the Town of Cicero Offices at approximately 6:30 p.m., and the issue presented to the Town Board, input from the public was sought, accepted and considered, and,

**WHEREAS**, the Town Board of the Town of Cicero has duly considered the Petition, including the text of the local law and its consequences, public input and evidence produced at said public hearing, and a review of all documentation provided, and

**NOW, THEREFORE**, be it

**RESOLVED, ORDERED AND DETERMINED** that the Town Board of the Town of Cicero makes the following findings with respect to said Motion of Petition regarding Local Law Number 14 of the Town of Cicero:

That the Town Board believes passage of Local Law 14 of the Town of Cicero to override the tax levy limit established in General Municipal Law Section 3-c is in the best interest and welfare of the Town of Cicero; and therefore that Local Law 14 of the Town of Cicero is hereby **approved**, and,

**IT IS FURTHER RESOLVED AND ORDERED**, that the Town Clerk shall enter this approving resolution in the Minutes of the Town Board, shall cause proper notice thereof to be published in the Post Standard, shall post a copy thereof on the sign board maintained by the Town Clerk pursuant to Section 30, Subsection 6 of the Town Law of the State of New York, and shall cause Affidavits of Publication and Posting to be filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a roll vote by Supervisor Corl, and was seconded by Councilor Zambrano, which resulted as follows:

Ayes - 3 and Noes - 2. Opposed – Councilor Jennings  
Councilor Conway

*Motion carried.*

**SET WEDNESDAY, OCTOBER 24, 2012 AT 6:30 PM FOR A PUBLIC HEARING TO  
PRESENT THE 2013 FIRE PROTECTION CONTRACTS**

Supervisor Corl moved the adoption of a resolution to set Wednesday, October 24, 2012 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039 to present the 2013 Fire Protection Contracts. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

**SET TOWN BOARD BUDGET WORKSHOP FOR OCTOBER 15<sup>TH</sup>, 2012 AT 5:00PM**

Supervisor Corl moved the adoption of a resolution to set a Town Board Budget Workshop for October 15<sup>th</sup>, 2012 at 5:00 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039. Motion was seconded by Councilor Jennings.

Ayes - 5 and Noes - 0. *Motion carried.*

**DISCUSSION OF POTENTIAL OPPORTUNITIES FOR THE TOWN OF CICERO TO  
ENTER INTO A LEASE AGREEMENT FOR THE USE OF MUNICIPAL  
PROPERTY FOR THE CONSTRUCTION OF A BILLBOARD  
(PRESENTATION BY PAUL E. SIMONET FROM PARK OUTDOOR)**

Supervisor Corl stated this was already discussed earlier in the meeting by Paul Simonet.

**APPROVAL TO REQUEST THE COUNTY OF ONONDAGA TO INSTALL A TRAFFIC  
CONTROL DEVICE AT THE INTERSECTION OF ISLAND ROAD, THOMPSON ROAD  
AND NORTHERN BOULEVARD AND TO INVESTIGATE SAFETY CONCERNS AS  
BROUGHT FORTH BY RESIDENTS**

Supervisor Corl stated the gentleman who had contacted him relative to this isn't present, but a couple of the residents who expressed concern, Karen and Mike, were present. They expressed a concern that there should be a traffic control device at the intersection of Thompson Road and Island Road. It's a four-way stop where Believer's Chapel is. This was investigated some time ago by the County; it's a County Road. He has received some information from a resident regarding a list of names, which he'll submit to the Town Clerk, of folks who signed a petition who also believe it's necessary to have a traffic control device at that location. He spoke with Brian Donnelly from the County, and he is more than happy to come out and investigate the situation, but he also did provide some words of encouragement that the corridor between Kinney Drugs and Island Road, there has been engineering for road improvements, not another lane, but road improvements up through that area along with engineering has been done and all the right-of-way acquisition has been done. They are hoping that in the spring they will get approval for that project, through the County.

Councilor Jennings asked if Supervisor Corl had said that there was a traffic study.

Supervisor Corl said he thought there was one a few years ago. He asked Chief Snell if he could see if they have any police reports that they could pass along to the County if there's been any recent accidents there.

Chief Snell advised him that the County has access to all of those reports.

Supervisor Corl moved the adoption of a resolution to approve requesting the County of Onondaga to install a traffic control device at the intersection of Island Road, Thompson Road and Northern Boulevard and to investigate safety concerns as brought forth by residents of the Town of Cicero. Motion was seconded by Councilor Burtis.

Ayes - 5 and Noes - 0. *Motion carried.*

AUTHORIZE THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100%  
OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE  
COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING  
FUNDS THEREFORE

Ron DeTota said the resolution before the Board today is a fancy way of basically stating that the State itself is looking to redirect some of the funds that were initially allocated for the Darleen's Brook Culvert Replacement Project. They are going to change the funds from the Highway Bridge Replacement and Rehabilitation Program to the Surface Transportation Program. In order to do that, they would need the current Supervisor to sign his name, his email address and just to acknowledge the change in the funding. The change in funding has no impact, whatsoever, on the terms and conditions with which this project was initially entered into. The funding sources and the percentages are all the same as the initial amounts.

Councilor Zambrano moved the adoption of a resolution to authorize the Supervisor to execute all necessary agreements, certification or reimbursement requests for Federal-Aid and/or "Marchiselli" Program-Aid on behalf on the Town of Cicero.

Councilor Conway asked if they wanted to add to this resolution that it's 80% Federal, 15% State and 5% Town.

Supervisor Corl said that was fine, that it would reiterate the agreement.

Councilor Zambrano moved the adoption of a resolution to authorize the Supervisor to execute all necessary agreements, certification or reimbursement requests for Federal-Aid and/or "Marchiselli" Program-Aid on behalf on the Town of Cicero, for the Darlene's Brook Culvert Project P.I.N. #374.21 with the New York Department of Transportation in connection with the advancement of approval of the project. It is 80% Federal, 15% State and 5% Town. Motion was seconded by Councilor Conway.

Ayes - 5 and Noes - 0. *Motion carried.*

APPROVAL FOR POLICE DEPARTMENT TO ACCEPT A NEW YORK STATE GRANT,  
MANAGED THROUGH ONONDAGA COUNTY, IN THE AMOUNT OF \$19,250.00

Supervisor Corl stated Chief Snell was able to secure a grant for \$19,250.00 and that will be used to purchase seven (7) mobile computer terminals through the County of Onondaga.

Supervisor Corl moved the adoption of a resolution to approve the Police Department to accept a New York State Grant, managed through Onondaga County, in the amount of \$19,250.00, for seven (7) mobile computer terminals for the Police Department. Motion was seconded by Councilor Conway.

Ayes - 5 and Noes - 0. *Motion carried.*

JUSTICE DEPARTMENT PURCHASE APPROVALS

Fall Training

Councilor Zambrano moved for the adoption of a resolution to approve Fall Training for 2(two) of the 3(three) Justice Clerks on Friday, October 12<sup>th</sup>, 2012 at a fee of \$17.00 per Clerk, along with the use of a Town vehicle, for a total amount of \$34.00. Motion was seconded by Councilor Jennings.

Ayes - 5 and Noes - 0. *Motion carried.*

## TOWN CLERK'S OFFICE PURCHASE APPROVALS

## Town Code Book Update and e-Code 360

Councilor Jennings moved the adoption of a resolution to approve an expenditure not to exceed \$2,310.00 to General Code for annual update to the Town Code Book and to e-Code 360 update for the website. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

## e-Code 360 Annual Maintenance

Councilor Jennings moved the adoption of a resolution to approve an expenditure in the amount of \$1,195.00 to General Code, for annual (December 1, 2012 thru December 1, 2013) update to the e-Code 360 (town code book on the website). Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

## Junkyard Licenses

Councilor Jennings stated that the Annual inspection of the following properties was conducted on September 19, 2012, and September 26, 2012. The conditions found were acceptable to recommend that the town board renew the Annual Junkyard License:

1. Brewerton Auto Parts, located at 9413 Brewerton Road
2. A&P Auto Parts, located at 8572 Brewerton Road
3. Insurance Auto Auction, located at 8459 Brewerton Road
4. Featherlys, located at 7480 Bull Street.
5. Battles Garage, located at 7443 Thompson Road

He read the following statement from Steven J. Procopio, Code enforcement officer "I recommend renewal of the Annual Junkyard License for these locations."

Councilor Jennings moved the adoption of a resolution to approve Annual Junk Yard License Renewals for Brewerton Auto Parts, A&P Auto Parts, Insurance Auto Auction, Featherly's, and Battles Garage. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

## AMEND HIGHWAY AGREEMENT 284 TO INCLUDE ADDITIONAL ROAD PROJECTS

Councilor Burtis moved the adoption of a resolution to approve the amendment of Highway Agreement 284, which talks about the paving that they worked on this year. As a result of cost saving measures on the work that they did, they have some remaining money, so they want to amend the detail to include the following additional road projects, due to the fact that the previously approved projects were under budget:

1. Business Ave
2. Kopp Ave
3. Kathan Road
4. E. Washington St.

Councilor Burtis also added to the resolution that they were amending only the detail, not the dollar amount that they approved. They believe that they can still do these roads and not exceed the \$491,173.60 resolution that they had already made on the Highway Agreement 284.

Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

Supervisor Corl stated there was various savings as to what was originally budgeted. For example, the Bay Colony Project was originally estimated at \$237,000 and it came in at \$104,000, so it was a lot of hard work to keep the costs down and get a good product. He commended all the Highway employees for all their work.

## HIGHWAY DEPARTMENT PURCHASE APPROVALS

Councilor Burtis moved the adoption of a resolution to approve the following purchase approvals for the Highway Department:

- A. \$3,500.00 to 3M for sign material for street signs
- B. \$1,275.00 to C. Mattes, Inc. for 17 Loads of Brush – overage of P.O.'s
- C. \$4,283.00 to Gartner Equipment Company, Inc. for EMERGENCY-Air Compressor for garage, to replace antiquated 1974 unit
- D. \$5,700.00 to Cyncon Equipment for Hoist w/cylinder for Truck #26 Brush Loader (includes freight)
- E. \$3,105.00 to Oneida Lake Ready Mix for 30yds Concrete, for metal drop off pad
- F. \$1,250.00 to Engebretsen's Sawmill for 1000 Stakes for winter
- G. \$3,512.96 to Winter Equipment Company Inc., for Cutting Edges, angle guards, Carbide blades for plows
- H. \$5,600.00 to Lumberjack Tree Removal – 2 on Gillette Rd., 3 on Mud Mill Rd and 2 on Tuttle Road

Motion was seconded by Councilor Jennings.

Ayes - 5 and Noes - 0. *Motion carried.*

## PURCHASE APPROVALS FOR YOUTH BUREAU, PARKS &amp; RECREATION

## Jerseys

Councilor Jennings moved the adoption of a resolution to approve the following purchase approvals for the Youth Bureau, Parks & Recreation Department:

- A. \$2,500.00 (via participant fees) to Papa's Sports for Jerseys for Youth Basketball

Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

## Training for Youth Bureau Staff

Councilor Jennings moved the adoption of a resolution to approve Jody Rogers and Toni Brauchle to attend the Association of New York State Youth Bureau Director/Staff Training which is required for Youth Bureau in Albany on Tuesday, October 23<sup>rd</sup>. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

## APPROVE C&amp;S ENGINEERING FEES FOR THE BAY COLONY ROAD PROJECT

Supervisor Corl moved the adoption of a resolution to approve C&S Engineering Fees for the Bay Colony Road Project in the amount of \$10,052.91. Motion was seconded by Councilor Conway.

Ayes - 5 and Noes - 0. *Motion carried.*

## PUBLIC INPUT

Don Snyder asked if the expenses they just paid for Bay Colony come out of the Paving budget.

Supervisor Corl replied that it did and explained that they did a Budget Modification earlier this evening to pay for that.

Don Snyder asked if when they looked at the numbers at the end of the year the \$10,000.00 will be added to the Paving line.

Supervisor Corl said for this year the budget amount is \$650,000.00 and he will see a budget modification in there, of that expenditure, removed from that budget line and put into an Engineering line in the Highway department.

Don Snyder stated that he used to be a consultant, so he looks at the numbers and thinks the public should be aware that an Administrative Assistant, which basically could be a Secretary, is billed out at \$67.00 an hour, Project Engineer at \$88.00 an hour, Senior Project Engineer at \$112.00 an hour, Service Group Manager at \$138.00 an hour, and Senior Construction Supervisor at \$122.00 an hour. At \$112.00 an hour for the Senior Project Engineer, that works out to be \$232,960.00 per year, that is what we pay. Granted there's an overhead in there also; this is not necessarily what these individuals make, but he thinks we need to be looking at the actual cost that we are paying. He knows that it's been a few years since he did consulting, but these numbers are way out of line of what he thinks they should be. He said they do good work but they are overpriced.

Ed Hansen in regards to the removal of the trees, by Lumberjack Tree Service, when is it the property owners responsibly and when is it the Town's duty to take the tree down.

Chris Woznica stated that when the tree is in the Town right-of-way and posing a hazard to pedestrian or automobile traffic and all of these trees are in the Town right-of-way.

Ed Hansen asked where the right-of-way would be in one's land.

Chris Woznica replied within ten (10) feet of the shoulder of the road.

Tim Murphy, Noel Road, read the following four (4) paragraph presentation to the Cicero Town Board:

**CICERO TOWN BOARD**

October 10, 2012

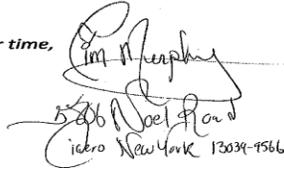
Who wouldn't want to reduce sprawl by reinvesting in the existing infrastructure and preserve green space while making walkable communities where people live and work? It sounds nice – but the terms sustainable development and smart growth have been hijacked. This program rewrites the zoning laws to incorporate high-density urbanization – redeveloping entire areas to “smart growth standards”. Residents should be asking what type of development is coming to support all of these people they are building for. How can they change the zoning all over town and not think it is going to have dramatic effects? How many of these taxpayer subsidized units will be empty after the tax breaks? Why would any upstate municipality allow a federal program to come in that diminishes property land rights to farm and develop as the owners see fit?

It is hard to keep up with the sweeping changes in America and in our hometowns too. The public hearing for the proposed Onondaga County budget was held on Thursday, October 4, 2012 with plans to finalize the budget on October 9, 2012. The Mayor had included the Onondaga County Sustainable Development Plan in this budget proposal to slow Suburban Sprawl with 6.5 million dollars in aid to the 15 villages and 19 towns in the county that sign onto the program. All this has transpired while Cicero will have the informational meeting about Sustainable development on Wednesday, October 10, 2012 at 5 p.m. Please tell us this isn't an etch a sketch political promise of prosperity that encouraged residents to collaborate on development decisions and then it isn't so? So if the main source of county revenue is sale tax, then aren't the suburbs being sold out and built out to fleece dollars to rebuild the city?

Beware these redevelopment agencies – who have the power to blight an area and then use eminent domain, or bond with little public oversight. Last summer we saw a Post-Standard article on July 20, 2012 by the County Comptroller “Auditor Rebuffed” where the comptroller was not able to audit the Onondaga County Industrial Agency.

*These Redevelopment Agencies circumnavigate local zoning laws with more than eminent domain & bonding at public expense, they doll out tax breaks, Pilot programs, and complicate governance to the point where millions of dollars become unaccountable. Here is where the real cost cutting should begin with these big bureaucrats with their big pensions that socialize costs and privatize gains to private developers on your dime. There are municipalities all over America that are impoverished because of the long term bonding of these redevelopment organizations, who have learned that the higher standard of fiduciary responsibility of a municipalities public accountability protects infrastructure development from falling into the hands of quasi legal organizations that care little about the taxpayers.*

Thank you for your time,



Cicero New York 13039-1566

A Cicero resident, in regards to the removal of the seven (7) trees, asked if the homeowners or the property owner's have been notified, as a courtesy that these trees are going to be taken down.

Chris Woznica replied that most of the homeowners have called them.

Mark Vanesky commented in regards to the Sustainability Study, and said that it stinks. He doesn't like the idea. They don't have anyone on this commission from the Towns and Villages. Its top loaded with City residents. The people who are going to benefit from this, and he's not that smart, are the City of Syracuse and the City of Syracuse School District. It also going to take away the power, or the ability or the American right that we have to develop our town our way. If we want to put housing developments in then that's our right and if people want to live in the Town of Cicero then he will encourage it. But, he's not going to let an agency that doesn't even talk to us, again, just like they didn't with the Racino issue. They did see our Councilor here, for the first time ever, since he's been here. Don't allow ourselves to give away our power, and our

rights to people who are looking to take them. There are other motives here, an agenda, and he is looking forward to the public hearing on that.

Tom Beaulieu inquired about Agenda item #18 and said he saw that there was a payment made for brush removal and asked if that was a separate contract. He thought that we had somebody on contract to pick up brush removal, so why are we paying an additional \$1,275.00.

Chris Woznica replied that most of that was for tree trimming along the roadsides for snowplows, school buses and pedestrian traffic. There is also storm damage from the last few storms that we have had.

Tom Beaulieu asked if that would come under our regular contract.

Chris Woznica replied that it would not.

Tom Beaulieu asked about Agenda item #18E to Robinson/Vitale Concrete for 30 yards concrete, for metal drop off pad. He understands that's for the cost of the material but, who finished the pad and how much will that cost because somebody has to do the work.

Supervisor Corl advised him that our employees are doing it.

Tom Beaulieu so we are going to finish 30 cubic yards.

Chris Woznica replied yes and that it was 38x30.

Tom Beaulieu commented that it was nice to see that we are saving money on the paving program, if they can all come under the budget 60%, then we are going to have a lot of money to go a long way. He asked how is it possible that they have worked up numbers for materials for \$237,000 and end up doing the job for \$104,000.00.

Chris Woznica told him to call his office on Monday morning.

Tom Beaulieu asked if he'd have numbers worked up for Mud Mill and Lakeshore also.

Supervisor Corl replied that they did. Earlier that afternoon, that sat down and went through the projects and the estimated cost for the Mud Mill project was \$167,000.00, it looks like it came in at \$119,000.00 and Lakeshore Road project was \$177,000.00 and it came in at \$133,000.00.

Tom Beaulieu asked if this was just materials or materials and labor; this also includes the cost of the paving crew and the equipment that we pay for our paving crew. But this does not utilize the additional costs for the Highway department that would be a separate line item?

Chris Woznica replied materials and the paving crew.

Tom Beaulieu commented that was not including any costs for trucking from the Highway department, so those would be separate costs to complete the project.

Supervisor Corl replied absolutely.

Tom Beaulieu said he doesn't understand how they could have come in so low. They are probably at that rate and have almost \$150,000 to \$200,000 left over to continue to pave.

Supervisor Corl advised Tom that they have an additional \$133,000.

Tom Beaulieu asked if they were going to go up in Brewerton and do some paving.

Chris Woznica replied that they would be in Brewerton and in North Syracuse.

#### EXECUTIVE SESSION

Supervisor Corl moved for the adoption of a resolution to enter into Executive Session to discuss a proposed, pending or current litigation pursuant to Public Officer's Law, Section 105 and the board will be reconvening. Motion was seconded by Councilor Jennings.

Ayes - 5 and Noes - 0. *Motion carried.*

The meeting adjourned into Executive Session at 10:17 p.m.

Supervisor Corl stated a motion was made by Councilor Conway and seconded by Councilor Zambrano to reenter into Regular Session.

The meeting reconvened to Regular Session at 10:39 p.m.

Councilor Burtis moved for the adoption of a resolution to hire Hancock and Esterbrook, LLP to jointly defend a suit filed in the Federal Court for the Northern District of New York by the Equal Employment Opportunity Commission regarding the Length of Service Award Program (LOSAP) for firefighters. Defense, efforts and costs will be shared equally by the Town of Clay, the Village of North Syracuse and the Town of Cicero in the matter and will be billed in accordance with negotiated rates defined in the letter dated September 26<sup>th</sup>, 2012 from Timothy P. Murphy, Esquire. Councilor Burtis said unfortunately this action is necessary even though this municipality fully cooperated with conciliation and this board previously agreed to settle the LOSAP issue with the EEOC, this resolution also authorizes the execution of any and all documents necessary to carry out the intent of this resolution. Motion was seconded by Councilor Zambrano.

Ayes - 5 and Noes - 0. *Motion carried.*

#### ADJOURNMENT

Motion was made by Councilor Jennings to Adjourn the Town Board Meeting. Motion was seconded by Councilor Zambrano.

Ayes- 5 and Noes- 0. *Motion carried.*

There being no further business before the board, the meeting was adjourned at 10:40 p.m.

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Tracy M. Cosilmon  
Town Clerk