

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, November 10, 2010, at 7:00 p.m., at the Cicero Town Hall, 8236 S. Main Street, Cicero, NY 13039.

Present: Judy A. Boyke, Supervisor
Jessica Zambrano, Councilor
C. Vernon Conway, Councilor
Lynn Jennings, Councilor
James Corl, Jr. Councilor
Tracy Cosilmon, Town Clerk

Others Present: Christopher Woznica, Highway Superintendent
Sharon Edick, Receiver of Taxes
Joseph Snell, Police Chief
Jody Rogers, Director of Parks & Recreation
Wayne Dean, Director of Planning & Development
Shirlie Stuart, Comptroller
Brad Brennan, Assessor
Pamela Williamson, Secretary to Supervisor
Anthony Rivizzigno, Town Attorney
Brenda Colella, Town Attorney
Ronald DeTota, II PE, C & S Engineers
Sarah Moses, The Post Standard

Absent:

The meeting was opened at 7:00 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.

Ms. Boyke indicated where the fire exits were and read the following statement:

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

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

Motion was made by Ms. Boyke, seconded by Mr. Conway, that all actions taken tonight are Type Two (2) actions under the New York State Environmental Quality Review Act unless otherwise determined.

The motion was approved as follows:

Mr. Conway: Yes
Mr. Jennings: Yes
Ms. Zambrano: Yes
Mr. Corl: Yes
Ms. Boyke: Yes

APPROVAL OF THE 2011 PRELIMINARY BUDGET MEETING
MINUTES OF OCTOBER 27, 2010

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the minutes of the 2011 Preliminary Budget Meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

APPROVAL OF OCTOBER 27, 2010 MEETING MINUTES

Motion was made by Mr. Jennings, seconded by Mr. Conway, to approve the minutes of the October 27, 2010 town board meeting.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

DEPARTMENT HEAD INPUT

Tracy Cosilmon announced that the Onondaga County Veterans Council is inviting everyone to attend the annual Veteran's Day Commemoration, November 11, 2010 at 10:15 a. m., and will be held at the Onondaga County War Memorial OnCenter.

Also, the Onondaga County program called Return the Favor Card, which provides discounts to Veterans has been introduced to the Town Clerk's and I will be having those cards in my office shortly. The program is for any honorably discharged military veteran that resides in Onondaga County. Favor stands for Find and Assist Veterans of Record. Veterans will need to bring in their discharge DD-214 and photo identification. The form can be completed and sent into the County Clerk's Office and the card will be sent to them. Participating County Merchants have agreed to honor the card by providing the veterans with a discount on purchases and services. All of this information can be obtained on ongov.net. and it will have it available on our town website, with that link.

I will also introduce the new dog licensing information at the next Town Board Meeting on November 24, 2010.

Highway

Chris Woznica explained that they have a Fisher snowplow that was mounted on a pickup truck from 2004. It was involved in an automobile accident approximately four years ago and was destroyed but the insurance covered it. I would like authorization to declare this as surplus and to dispose of it.

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to declare a 2004 Fisher Snowplow that was mounted on a pickup as surplus and of no use to the town and to authorize for its disposal.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

Police - None

Comptroller

Shirlie Stuart announced that there will be a Budget workshop on November 15, 2010 at 9:00 a.m. at Cicero Town Hall, 8236 South Main St. Cicero, NY and that a Special Town Board meeting is scheduled for November 17, 2010 at 5:00 p.m. at Cicero Town Hall, 8236 South Main St. Cicero, NY

Parks & Recreation – None

Assessor

Brad Brennan explained that he had prepared a plan for cyclical re-assessment and it covers a time from 2011- 2015. The only reason why I prepared this is, if we don't give this to the State by January 1st, then we won't get reimbursement from the re-assessment project. Some of the concerns with the plan is if we start taking the \$2.00 per year for reassessing in 2012 – 2015 and don't go ahead and do a full re-evaluation reassessment in 2015, we would have to re-pay that money. The current law doesn't require a pay back of the money, we're hoping to get in 2011 for the reassessment project. I think it would pay out about \$4.00 per parcel, which is \$55,000.00 or so. If we put this in by January 1, 2011 when the reassessment hits and after the final roll on July 1st, we can put in an application for that reimbursement aid.

Ms. Boyke – I don't have a copy of that.

Brad Brennan – I just prepared this and it isn't due until January 1, 2011. I am just asking the board to authorize the Supervisor, after review, to sign it and then I would sign it and give it to the State.

Ms. Zambrano – How big is this plan?

Brad Brennan – It's much nicer and is about 3 pages. I have also attached a copy of the utility properties, so that the State knows which values, they would have to put on. It isn't very much at all.

Ms. Zambrano requested a copy of the information.

Brad Brennan – Absolutely, I will give a copy to all of the Board Members. Unfortunately, it doesn't explain how the reimbursement paid is going to work, but, I will e-mail you a link to that page.

Zoning

Wayne Dean recommended and requested approval from the Town Board to release Punchlist Securities in the amount of \$10,000.00 for The Bluffs and to release guaranteed securities being held for monument in the amount of \$1,200.00. Additionally Guaranteed Securities being held for roads in the amount of \$8,700.00 should be retained for another year. Letters from LanCo regarding the emergency access road has been installed per the plans and specification and the other letter from Ianuzi & Romans states that the monuments are in place. Chris Woznica is also in agreement with this.

Ms. Zambrano asked who the developer was.

Wayne Dean – Dave Valenti

Ms. Zambrano – Is there any chance we will need any money for drainage?

Wayne Dean – We shouldn't. They've done a tremendous job out there.

(Release Securities for The Bluff's)

Motion was made by Ms. Boyke, seconded by Ms. Zambrano, to release Punchlist Securities in the amount of \$10,000.00 for The Bluffs and to release guaranteed securities being held for monuments in the amount of \$1,200.00. Additionally, Guaranteed Securities being held for roads in the amount of \$8,700.00 should be retained for another year. Letters from Lan- Co regarding the emergency access road has been installed per the plans and specification and the other letter from Ianuzi & Romans states that the monuments are in place. Chris Woznica is also in agreement with this.

Discussion:

Tracy Cosilmon stated that she had spoken with Dave Valenti earlier today and that he was going to send her the reduced Letter of Credit in the amount \$8,700.00 for roads and that he is in agreement with everything, that has been decided.

Continuation of the vote:

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

Tax - None

Engineer - None

Attorney - None

Ms. Boyke asked for approval from the board, to re-appoint Robert DeFlorio and to appoint Joan Kesel to fill the vacancy as Member of the Board of Assessment Review

Mr. Corl asked if there were any other applicants for this position.

Ms. Boyke – That just came to us over the weekend, at least to herself. What are you looking to do?

Mr. Corl – I think other board members have concerns as well as myself about making appointments to certain boards without seeing any information as to other applicants, or any resumes or anything else. In the past, I have given deference and approved people without having any information on them. However, I thought, we had an understanding that in the future, we would have information going into a meeting. I also, didn't know that this was coming up tonight.

Ms. Boyke – I apologize for that, but, it was just brought to my attention that Mr. DiFlorio's appointment had expired September 30, 2010. This can be tabled.

Mr. Corl asked if anyone shared his same concerns.

Ms. Zambrano stated that she does share that concern, because she wanted some information on the candidates. I do know both of them and have no problem with them, but, we did talk about establishing some process or questionnaire for candidates. I can

wait, if that is the pleasure of the board. I do know both candidates and feel okay with approving them. I do think we need to establish a process.

Mr. Jennings – I agree with Jessica and also know both Bob and Joan. Joan’s vacancy would run until September 30, 2012 and then it would be up for re-appointment for another five years. I don’t have a problem this evening as we know both Bob DiFlorio and Joan Kesel.

Motion was made by Mr. Jennings, seconded by Ms. Zambrano, to re-appoint Robert DiFlorio to a five year term on the Board of Assessment Review, to expire 09/30/2015 and to appoint Joan Kesel to fill the vacancy on the Board Assessment Review to the expiration date of 9/30/2012.

The motion was approved as follows:

Mr. Conway: Yes
 Mr. Jennings: Yes
 Ms. Zambrano: Yes
 Mr. Corl: Yes, I know both candidates, but, in the future we must establish parameters as to appointments and other applicants.

Discussion:

Ms. Zambrano stated that when the vote was over, she was going to volunteer to draft something for the board to take a look at for future appointments and would initiate that if you would like.

Mr. Corl – Sure

Continuation of the vote:

Ms. Boyke: Yes

APPROVAL OF ABSTRACT #21 OF 2010

Motion was made by Ms. Zambrano, seconded by Mr. Conway, to approve Abstract #21 of 2010 as follows:

General Fund Voucher #2091 to Voucher # 2183 In the amount of \$499,400.50
 Highway Fund Voucher #596H to Voucher #627H In the amount of \$ 98,975.39

The motion was approved as follows:

Mr. Conway: Yes
 Mr. Jennings: Yes
 Ms. Zambrano: Yes
 Mr. Corl: Yes
 Ms. Boyke: Yes

BUDGET MODIFICATIONS

Motion was made by Ms. Zambrano, seconded by Mr. Jennings, to approve the following budget modifications as follows:

**Budget Modifications- 2010
 Board Meeting 11/10/2010**

AMOUNT		FROM CODE	TO CODE
\$ 5,222.00	A198020	COMPUTER EQUIP	A168041 COMPUTER MAINT
\$ 577.86	A14204	ATTORNEY –CONTRACTUAL	A42042 ATTORNEY –TOWN CODE
\$ 2,000.00	A10104	TOWN BOARD CONTACTUAL	A142044 ATTORNEY –LITIGATION
\$ 250.00	B16804	INFORMATION SYSTEMS	B19104 ANALLOCATE INS.
\$ 1,750.00	B7310402 NO	PROGRAMS SUPPLIES	B731041 FR TRAINING/TRAVEL

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

APPROVAL TO RELEASE SECURITIES REGARDING
WALLINGTON MEADOWS, SECTION NOS. 4, 5 AND 6

Ron DeTota stated that at the request of Ms. Cosilmon, they made a site visit to determine whether or not those Letters of Credit, being withheld for Siltation and Erosion Control for the three Sections of Wallington Meadows could be released. Per the site visit we found that all three sections were heavily vegetated and the majority of the homes were built on the subdivision. Therefore, it is our recommendation that it would be reasonable for the Town Board to consider releasing the three Letters of Credit.

Ms. Zambrano – Do we know how much money is involved.

Ron DeTota – Hopefully, everyone has a copy of my letter dated November 2, 2010. Within that letter, it itemizes the three section numbers. Section 4, is a Letter of Credit in the amount of \$32,800.00, Section 5, Letter of Credit is \$15,788.00 and Section 6, is \$5,261.00.

Ms. Zambrano – Is there any money in for drainage in those securities.

Ron Detota stated that he understood that these are solely for erosion and sediment control measures that are put in place during the construction of the site itself, such as silt fences, sediment basins, check dams, and various items like that.

Motion was made by Ms. Zambrano, seconded by Ms. Boyke, to release securities Letter of Credit No. 549361 for Wallington Meadows Section No. 4, Siltation/Erosion, in the amount of \$32,800.00 be reduced to \$.0, Letter of Credit No. 549822 for Wallington Meadows Section No. 5, Siltation/Erosion, in the amount of \$15,788.00 be reduced to \$.0, and Letter of Credit No. 553227 for Wallington Meadows Section No. 6, Siltation/Erosion, in the amount of \$5,261.00 be reduced to \$.0, per the recommendation of the Town Engineers.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

DISCUSSION ON ANTI NEPOTISM

Brenda Colella explained that the Anti Nepotism Policy was drafted awhile ago and that it doesn't prohibit the employment of a relative by the town, but, sets forth a policy that preference will not be given to candidates who are relatives to current employees. It also states that the Town of Cicero shall not employ a relative where certain circumstances are private. The main one, is where an employee would be in a position to supervise a relative, or be in the position to hire, remove or discipline a relative, or where an employee would be responsible for auditing or evaluating the work of a relative, or where there would be other conflicts of interest that would be created by the employment of the relative. The rest of the policy contains guidelines for how the town would handle a situation where a relative would apply for employment. It would basically go to the Comptroller, to make a recommendation and the draft needs to be corrected to say that it

should also go to the Town Board or whoever you wish, for final approval. The last part of the policy states, what a relative is.

Ms. Boyke – We are also going to include the words domestic partner.

Brenda Colella – We can do that. We have also discussed since I've circulated this, the idea of accepting or exempting current employees. They would be grandfathered.

Ms. Boyke – The adoption would be from that day forward.

Brenda Colella – Yes.

Ms. Zambrano asked Brenda to explain how this would affect Department Heads. One could look at a Department Head as being the Supervisor of all of the employees and potential employees within a department, even though there might be other Supervisors.

Brenda Colella – I'm not sure of your question, but, would a Department Head be considered a Supervisor? Yes, I think so.

Ms. Zambrano – The Highway Department have other supervisors.

Chris Woznica – We have foreman and they make the calls.

Ms. Boyke – Chris, you are the person who does the hiring and firing, so that makes you the Department Head.

Brenda Colella stated that typically these policies, don't distinguish between an immediate supervisor, or a supervisor above. It's just the question, do they supervise them in one way or another and are they in a position to hire them or promote them, or would a conflict be created.

Mr. Jennings – It says that the Supervisor will make the final determination as to whether or not a situation of conflict exists. I think we mentioned in the past that we would like to involve at least two board members or the individual and the Comptroller and not just one sole person.

Ms. Boyke – That was going to be added.

Brenda Colella – I was going to suggest that it go to the Town Board.

Mr. Jennings – I can see that as it has been something we've been talking about and we need to involve the Town Board in these.

Mr. Corl needed some clarification.

Jody Rogers explained that if she were to hire her stepson to work in a parks division, but, didn't immediately supervise him and he was supervised by the division head that she had in parks or by a recreation person, they would be an intermediary between a department head and the potential employee.

Ms. Zambrano – I know, but, you supervise the supervisor.

Jody Rogers – We all do though, so you could never hire a relative from this point on. Is that what the answer is?

Brenda Colella – That's one option.

Mr. Corl – Is that the way it is written?

Brenda Colella – That's the way I would interpret it right now.

Ms. Zambrano – It does allow for exceptions.

Brenda Colella explained that an exception could be written, or we could make it open to the discretion of the town board to grant an exception when it's in the best interest of the town.

Ms. Zambrano asked what it meant by the best interest of the town as it might be in the best interest of the town to have Chris's wife be the senior wing person.

Chris Woznica stated that if his brothers, kids, or other relatives come in 6 times a year, that's a lot. We're not talking about thousands of dollars and they are usually last minute call-ins, because nobody else can come in.

Mr. Jennings, I think we're looking at the difference between a Department Head and a Supervisor. I look at Chris being the Department Head and under him he could have two or three Supervisors and those people supervise a group of people. If there happened to be a conflict, that Supervisor would go to the Department Head. I don't see a problem in how the hiring has gone on.

Shirlie Stuart stated that from the human resource sense of it, you need to make the policy black and white as loop holes don't work. You need to make it clear, that either you do or you don't hire relatives.

Brenda Colella explained that some policies are written where exceptions are included specifically to part time or seasonal positions and that this could be done if the board wished.

Ms. Zambrano thought something could be said to hiring seasonal people and she didn't think preferential treatment should be given to relatives even with seasonal hiring. Would we have to put something about seasonal help into the policy?

Brenda Colella stated that it is an option.

Ms. Zambrano stated that the people on the list for this year are grandfathered in. In the future, we need to make sure that we don't provide preferential treatment, if we adopt this policy.

Brenda Colella stated that currently the draft policy states that preferential treatment would not be given to candidates who are relatives.

Ms. Zambrano asked if something regarding seasonal help should be put in the policy, or not?

Brenda Colella – If you want to accept that, we would need to put that in there.

Ms. Zambrano – I think we should.

Brenda Colella – We can do that.

Mr. Jennings stated that he agreed with that and that we're lucky, we have the one's we have.

Ms. Zambrano – I think we had a good system this year. We put an ad out and we received a fair number of responses and I am comfortable how that worked out.

Brenda Colella – I have some changes I need to make to the policy and I can bring it back to the board at the next meeting.

Ms. Boyke requested that a copy of it be given to the board so that they can review it.

Wayne Dean asked if clarification needed to be put in the policy and cited an example: If both Ms. Boyke and Ms. Zambrano worked as a Supervisor in his office, could Ms. Zambrano hire her daughter?

Mr. Corl – That is a good question. Everybody on this board is a Supervisor to everybody in this whole town.

Wayne Dean – I don't know if that's clarified, as they would be relatives, but, not under, Judy's, or my supervision.

Ms. Zambrano – Yes and it's not your relative, or Judy's relative.

Brenda Colella stated that if the board thought it would be helpful, they can put in language where it would say it has to be under direct supervision or immediate supervision.

Ms. Boyke – Yes, absolutely and asked that a draft be prepared before the next meeting to be reviewed by the board.

Brenda Colella – Yes

Decision tabled to the next Town Board Meeting to be held on November 24, 2010.

YOUTH BUREAU, PARKS & RECREATION PURCHASE APPROVALS

Motion was made by Mr. Jennings, seconded by Mr. Conway, to authorize the North Syracuse Central School to provide busing for the CanTeen from September – December to be paid via grant funds in the amount of \$7,100.00 and to be taken from budget codes B7310.41FR in the amount of \$6,000.00 and B7310.42LK in the amount of \$1,100.00 and to do a budget modification from B7310.402NO in the amount of \$1,750.00 to B7310.41FR in the amount of \$1,750.00.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

HIGHWAY PURCHASE APPROVALS

Motion was made by Mr. Conway, seconded by Ms. Zambrano, to authorize an expenditure of \$2,655.63 to Dave's Body Shop, LLC, to repair the body and do maintenance work on the snowblower #30, account code DB5130.57

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

EXECUTIVE SESSION

Motion was made by Ms. Boyke, seconded by Ms. Jennings, to enter into Executive Session on a personnel issue and I invite the Town Board Members, the Town Attorney, the Town Clerk, and the Comptroller into the session and we will be reconvening.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

The meeting adjourned into Executive Session at 7:39 p.m.

The meeting reconvened from Executive Session at 8:19 p.m.

Motion was made by Ms. Boyke, seconded by Mr. Jennings, to return to open session.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes
Ms. Boyke:	Yes

PUBLIC INPUT 3 MINUTES PER SPEAKER

Resident asked Ms. Boyke if she had a chance to go over the questions, she had submitted via e-mail two weeks ago.

Ms. Boyke – Deborah, I have my folder here, but, no. I attempted to but, the budget has been consuming us as well as a few other things. I would be happy to e-mail it to you or will have it ready for you at the next board meeting.

Resident - I won't be at the next meeting, but, would appreciate it if you could e-mail it.

Ms. Boyke – I will certainly do that.

Gloria Hamilton asked if an addendum could be made to the brush contract to extend it out longer because Maple Trees don't start dropping their leaves until November, which is what is happening now. You have a lot of bags sitting on people's properties and I'd like to know if the town is going to pick them up. The contract needs to be modified to extend it longer in the year.

Ms. Boyke explained that a list has been compiled of callers who have registered their complaints and that the Highway is going to accommodate them. Altman's contract is due next year and this will be addressed.

Gloria Hamilton asked why there is such a big deal about Chris's family being on the list.

Chris Woznica – They are off the list.

Gloria Hamilton asked why we are spending three board meetings on this.

Ms. Boyke explained that it needs to be discussed and policies need to be put in place. Just, like you wanting to extend the Brush Contract. We will be drafting a policy and the residents will be made aware of it.

Tom Beaulieu stated that at the last meeting he brought up the issue of the fire lanes at commercial property developments and wanted to know if anything is going forward through legal to change or modify that code, so that it reflects a \$100.00 fine or something to that amount.

Tony Rivizzigno – We are looking at that and are preparing a resolution as we have to do a Local Law.

Tom Beaulieu – You may also want to take a look at fines involved with parking violations that have to be updated, instead of just doing one. I have also spoken with Supervisor Boyke and having discussed this with a couple of retired engineers, relative to traffic issues with the lighting system on East Circle Drive, specifically, the driveway at

Burdick's at Drivers Village. Can the Engineer's look at that and deregulate that traffic signal at some point.

Ms. Boyke – I have a meeting with Roger Burdick and then we will go forward with that.

Tom Beaulieu – I'm sure he would be more than happy to not be responsible for maintaining that signal. I also am wondering if you will be having the Drainage Committee take a further look at Palm Summit and that nothing has been decided at this point.

Ms. Zambrano – Nothing has been decided at this point, but, I will be talking to the engineers, but he is away for a couple of days.

Tom Beaulieu – Technically, it isn't something for the town to act on. It's a code enforcement issue.

Ms. Zambrano – We talked about that and it being the responsibility of the property owner. I was going to get language from the engineer and hopefully get him to write a letter saying that this was an issue.

Tom Beaulieu started that for his benefit as well as the Town Board and all of the people who live in the town benefit, he read what the town ordinance says. Article II, Section 90-5 states that No person shall modify an existing topography of the land by cutting or filling in such manner as to cause material damage to adjoining lands or other lands, or to materially impair use or quiet enjoyment of adjoining lands or other lands, or if materially restricts the flow of natural or artificial drainageways, which is what that is. There are remedies within the town code for making sure that gets rectified. I'm sure that the folks at Cobblestone would want to be in compliance.

Ms. Zambrano explained that we're not sure it's only Cobblestone. It may be the property next door.

Tom Beaulieu – It is very flat back there and even if it is part of Griffin, it has to be taken care of on Cobblestone's property too.

Ms. Zambrano – I am not sure if we established if there is a swale.

Tom Beaulieu – There is no swale.

Ms. Zambrano – I need to do more research on it and I will follow up.

Engineer Comments – None

Attorney Comments - None

Board Comments

Mr. Corl explained that he requested that something be put on the agenda relative to the continuing discussion of RFP's for professional services. It was indicated that it would be more appropriate to bring it up under Board Comments. With that continuing discussion, I've spoken with a couple of board members and it's the best way to handle the professional services and it doesn't mean who, or who may not, be awarded with a potential contract on January 1, 2011, but, it will give the board all the information that is necessary to determine who may be able to provide the service for the best dollar value for the taxpayers and that way, we will have a general idea amongst other municipalities and also potential bids on the projects. Scope of services is obviously, something the board would have to consent to and be determined at a later time. I would like to at least get the board to adopt a resolution to move forward with the project, so that we can get the ball rolling.

Motion was made by Mr. Corl, seconded by Ms. Zambrano, to accept Request's for Proposals, for professional services to include legal and engineering services to be prepared and sent out to appropriate service providers by November 30, 2010. All bids shall be received back to the Town of Cicero by 12:00 p.m. noon, on December 17, 2010, at which such time, the bids shall be opened and at the later date, being the next board meeting a scope of services letter will be approved at that Town Board Meeting, which would accompany the bids.

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Mr. Corl:	Yes

Discussion:

Ms. Boyke stated there hasn't been any discussion with myself other than a recommendation and I would like to have some discussion with Mr. Corl and the rest of the board members because this was not brought up for discussion, prior to this evening.

Mr. Corl – I think everyone in this room can probably remember this being brought up a couple of times this year.

Ms. Boyke – Yes, but, there has been no discussion and it has just been a proposal to discuss.

Continuation of the vote:

Ms. Boyke:	No
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Ms. Zambrano explained that we have talked about the RFP several times this year and I think we need to exercise RFP's more often. I just want to make sure that we are talking about other professional services as well and not just these two.

Mr. Corl stated that he agreed that this would be a step in the right direction and sets a precedent that we're going to look at all, whether it is an attorney or engineering firms, to determine whether or not the taxpayers are getting the best value for their dollar and to avoid outside influences which would pertain to the situation. That way, when a new board comes in we will take a look at everybody who is out there, as opposed to those, who they may know, or not know. I would encourage other municipalities to do that also.

Ms. Boyke – You're stating that when a new board comes in RFP's haven't gone out and that they've been an automatic assumption.

Mr. Corl explained that it has always been an automatic appointment by the board and as he has said at previous board meetings, it is important that we start doing that. As a matter of public record, the current attorney donated \$6,000.00 to the administration, so this would avoid that type of situation in the future and remove any pay to play politics in this town and he hoped other municipalities will follow our lead.

Ms. Boyke – It is not appropriate to have this discussion. Do you have anything else?

Mr. Corl - I do. At the last town board meeting the Town Board made a decision to terminate the Shared Services Agreement that we held with the Town of Salina for Brad's position. Since that time, I think it would behoove this board to reconsider that decision. I know that there has been resumes' submitted to the board. I have reviewed them and Judy knows that I have reviewed them and she has given me and other board members a packets. Next year, we have one of the biggest reevaluation projects in the town ever and we need the most qualified candidate to do the job and I feel that Brad is the most

qualified, even after review of the most current resumes of which many had very good credentials.

Motion was made by Mr. Corl, seconded by Mr. Jennings, to reinstate the Shared Services Agreement for Assessment Services with the Town of Salina, effective immediately, with all the same terms and conditions as set forth in the original agreement dated March 23, 2009.

Discussion:

Ms. Boyke explained that the agreement says that the town is agreeing to pay 17 1/2 hours a week which is the same as the Town of Salina and not the Town of Cicero. The Town of Cicero has 2020 hours, for a part time and Salina has 1,922 hours. That contract states that we pay 100% of his benefits and he receives five weeks vacation, which amounts to \$66.00 per hour. We would be going from \$94,000.00 to a \$97,000.00 split between the towns. Given the situation that exists in the Assessor's Office and the fact that an Assessor's Aide was hired for \$35,000.00, plus full benefits, makes it more. It was also assumed that person was supposed to be supervising when the Assessor was not there. It is costing the town a substantial amount of money. The \$80,000.00 that the Town's of Salina and Cicero were to receive is not a promise or guarantee and I have a copy of it. It's a consolidated incentive aid. In order to do that you would have the Shared Services Agreement as a contract and it is nothing more than that. It also says, that there will be one Assessor's Office as a consolidation. It would not be shared and there would only be one between whatever towns you consolidate with. With that said and the amount of money that is being spent, I can not even fathom that you would even consider this.

Mr. Jennings stated the he read the resumes of which there were six and the first problem he had, was that he didn't have an opportunity to meet or talk with the individual selected and the magnitude of this reassessment, we need to move forward with what Brad has done. He has done an excellent job and it isn't an easy job and is going to cost money, but, in the long run it will pay off. To take somebody off the street and make them the Assessor and put them into an office where they no absolutely no one or very little about the town at this time, would be wrong. As far as the \$80,000.00, we have nothing in writing that says, yes, we may get or no we aren't. We need to have some solid documents for a paper trail. I feel as Jim has said that we need to proceed forward as we have in the past and reinstitute the contract and bring Brad back in the business.

Ms. Boyke – The applications that came forward obviously met the skills that are required for an Assessor. The candidate that comes highly recommended is an Assistant Assessor right now. This person is very familiar with the town and has worked in this Assessor's Office, lives in this town and is fully qualified and comes with high recommendations to fulfill the requirements and has also been involved with a full reassessment of a town. You have had the package for a week and if you wished to speak to this person, no one has stopped you.

Mr. Jennings stated that more than one person needs to do the interviewing and that he has made his decision and would second the motion made by Mr. Corl as I have already done.

Ms. Zambrano stated that she shared the concerns. This is a key position and is going to pay \$52,500.00 per year and I have some concerns about the candidates. I am not sure we can take someone who is an Assessor Clerk and put them in a situation where there is a town wide reevaluation. I have asked that other people be involved in the interviewing and selection process and that concept was not done.

Ms. Boyke stated that it and that she had asked Mr. Corl last Friday to make contact with the candidate and he agreed. On Monday when I spoke with him, he stated he was too busy and did not. I called him twice yesterday and twice again today, understanding that he was ill yesterday. At 2:00 p.m. today, he said he would speak with her before the board meeting.

Mr. Corl stated the he did not speak with the candidate and that he could have spoken with all of the candidates, but, it isn't like having a face to face interview with them to make an evaluation. The letter he received was dated in May, when there wasn't a position open and that he just got it a week ago and others may have had it for 6 or 8 months.

Ms. Boyke explained that the letter was in a file that just stated if there was ever an opportunity for a full time position, that she had some interest. When it was publicized, to go out to hire, everyone agreed.

Mr. Corl stated that he did not agree with that.

Ms. Boyke apologized and stated that the applications came in with all of their references and the candidates were interviewed by her as the Liaison and having the most knowledge in that department, along with a review by the Comptroller and HR Department. After that process was done the package was given to all of the board members for their recommendation and if there were any questions you were asked to pursue that and none of you have done that.

Mr. Conway – I didn't call any of them, but read all of the resumes. I thought someone would call them in so that we could interview them all together and that didn't happen.

Ms. Boyke – What has been the practice on hiring? Have you normally sat in on interviews?

Mr. Conway – We have.

Mr. Jennings explained that every time something is mentioned we talk about past practice and because it was past practice, doesn't make it right. We need to move forward as a new board, doing what this town asked for. We're doing a 100% reevaluation and I think we have the most capable people in that office to conduct it and I think we need to stay in the stream that we're in and get the job accomplished.

Continuation of the vote

The motion was approved as follows:

Question:

Mr. Conway asked that this be adjourned for two weeks, to have a chance to review this before we make a decision.

Mr. Corl – You have to vote as there is a motion on the table.

Vote:

Mr. Conway:	No
Mr. Jennings:	Yes
Ms. Zambrano:	Yes, to reinstate
Mr. Corl:	Yes
Ms. Boyke:	No

Board Comments:

Mr. Corl stated that he would like to congratulate Chet Dudzinski on his appointment to the County Planning Commission.

Mr. Jennings reminded everyone that tomorrow is Veterans Day and recognized Ed Zaluski, a former Veteran, who was in the audience and also stated that he was a Veteran who spent 20 plus years in the military. Various restaurants are offering free dinners to Veterans and some merchants are offering discounts.

Ms. Zambrano – I know that the Chief of Police and the Town attorney were working on a new Noise Ordinance and asked for a status report.

Chief Snell stated that he met with the committee and they gave him their draft proposal. He has also met with our attorneys and turned their proposal over to the committee and met with them tonight. I should have a draft to give to the town board in the next two weeks.

Ms. Zambrano stated that this would be a change to a Local Law and would require a public hearing.

Chief Snell – Yes.

There being no further business before the board, the meeting was adjourned at 8:45 p.m.

Tracy M. Cosilmon
Town Clerk

