

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, September 24, 2014 at 6:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jessica Zambrano, Supervisor
Tim Burtis, Deputy Supervisor
Mike Becallo, Councilor
C. Vernon Conway, Councilor
Mark Venesky, Councilor

Others Present: Christopher Woznica, Highway
Joseph Snell, Police Chief
Robert Germain, Germain & Germain, Town Attorney
Bruce W. Letts, C & S Companies, Town Engineer
Tracy Cosilmon, Town Clerk

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

Councilor Conway requested a moment of silence be observed in remembrance of our men and women serving in the Armed Forces in harm's way.

Supervisor Zambrano 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; we therefore urge all who wish to address the Board to utilize the microphone located at the front of the room. If anyone is unable to hear please let us know so we can make any necessary adjustments.

PUBLIC INPUT (AGENDA ITEMS ONLY):

- Procedure – Sign in sheets will be placed on the back table. Public will sign-in with name and agenda item(s) they have questions on.
- Public will be called up to the microphone to speak on the agenda item at the time the Town Board discusses that particular item.

APPROVAL OF MINUTES:

Councilor Venesky moved the adoption of a resolution to approve the following minutes:

- August 27, 2014 Regular Town Board Meeting
- September 10, 2014 Regular Town Board Meeting
- September 15, 2014 Special Town Board Meeting
- September 22, 2014 Special Town Board Meeting

Motion was seconded by Deputy Supervisor Burtis.

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

ABSTRACT APPROVAL:

Deputy Supervisor Burtis moved the adoption of a resolution to approve abstract no's 37 & 38. Motion was seconded by Supervisor Zambrano. (The abstracts can be viewed on the Town's website: www.ciceronewyork.net.)

Ayes- 4 and Noes – 1. *Motion carried.* Councilor Becallo voting no, stating he had an issue with Abstract # 37 for JG Adams Plumbing; there were 3 invoices where they did not break out labor and materials, no record or rate hour and/or time that was spent.

BUDGET MODIFICATIONS:

Deputy Supervisor Burtis moved the adoption of a resolution to approve the following budget modifications:

TOWN BOARD MEETING				
09/24/2014				
<u>2014</u>				
<u>BUDGET MODIFICATIONS</u>				
FROM		\$		TO
DB513041	Brakes/Parts/Repairs	3000.00	DB513046	Filters/Truck Misc
DB513045	Motors	3000.00	DB513046	Filters/Truck Misc
DB513055	Machinery-Other	7378.49	DB513046	Filters/Truck Misc
DB514047	Contract-Brush Hauling	1000.00	DB513043	Hoses
DB513051	Chipper Repair	80.60	DB513052	Mower
DB51101	Hwy Summer Personal Ser	212.40		
DB511011	Hwy Summer Personal OT	1592.91	DB514212	Snow Personal Services
A1620460	Contacts	501.40	A162044	Security
A90558	Disability	140.00	A90408	Workers Comp
B80104	Zoning Contractual	1000.00	B80101 OT	Zoning Personal Services OT
B801047	Zoning Computer	539.94	B801048	Zoning Computer Software
<u>2014 BUDGET AMENDMENTS</u>				
Revenue			Appropriations	

Motion was seconded by Supervisor Zambrano.

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

PERSONNEL MATTERS:

Supervisor Zambrano said Officer James Snell joined the department in 2007, and he has, from all accounts, been a very good officer. He has taken examinations of various kinds. James Snell is No. 1 on the civil service list for the category of Sergeant so he is being recommended for the advancement/promotion to Sergeant.

Councilor Venesky said a few years ago when he attended the meetings he questioned whether or not we should have a family member on the payroll, but there's a history of sons following their fathers into the service. He has gotten to know Jim Snell and this promotion he has *earned*; he is a fine officer and a fine role model for other police departments and if we had to replace every police officer on this department he would want a whole handful of Jim Snells.

Supervisor Zambrano said Jim Snell is also a paramedic, he serves on the Cicero Fire Department, he is young man with a lot of community activism and she is very much in favor of promoting him.

- **Police Department (James Snell as Sergeant):**

Councilor Conway moved the adoption of a resolution to approve the appointment of Officer James Snell to the rank of Sergeant effective October 4, 2014 at a pay rate of \$70,739.00/annually. Motion was seconded by Councilor Venesky.

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

James Snell was sworn in by Tracy Cosilmon, Town Clerk.

- **Parks and Recreation Department (Joseph A. Santimaw as Rec. Attendant):**

Supervisor Zambrano moved the adoption of a resolution to hire Joseph A. Santimaw as a Recreation Attendant (Center Monitor) to fill the part-time vacancy at the CanTeen at a pay rate of \$10.50/hour, effective September 22, 2014. Motion was seconded by Councilor Becallo.

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

TOWN OF CICERO BOARD OF ETHICS APPOINTMENTS:**Public Input:**

Judy Boyke said she was disappointed because on the two nights of interviewing she had a commitment that she could not get out of. She said she did present her resume and probably had more experience because she has processed several ethics issues. Judy asked when they posted the meeting for the 22nd, and was it an open meeting, and did they take notes.

Supervisor Zambrano said the two meetings were posted at the same time.

Judy Boyke said she was assuming that it was in executive session where they did the debating in regards to making the decisions on the candidates. She asked if they kept notes in that meeting.

Supervisor Zambrano said they have notes about the time that they convene, adjourn, etc.

Judy Boyke asked Robert Germain if it was correct that in an executive session when a decision is made minutes must be taken.

Councilor Venesky said he took notes.

Supervisor Zambrano told Judy Boyke they could amend the minutes to include what candidates were selected for appointment.

In response to Judy Boyke's question, Robert Germain said he believes that the town acted properly. The requirement that minutes be taken in executive session applies if the town is going to take a formal vote or action at that session. The Town didn't do that. The formal action that

they took tonight was under no.7 when they made the appointments here in open chamber and minutes of those actions will be taken.

Councilor Venesky said he was very pleased with the quality of the candidates; they had excellent people stand up to the plate and serve this town/community; we should all be proud. It was a very tough decision.

Councilor Venesky moved the adoption of a resolution to appoint:

- Bill Bradley as Chair of the Board of Ethics, for a term to expire on December 31, 2014.
- Robert Tomeny as a member of the Board of Ethics for a one-year term, effective for 2014 and to expire at the end of 2015.
- Robert DiFlorio as a member of the Board of Ethics for a four-year term, effective for 2014 and to expire at the end of 2018.
- Ken Peters as a member of the Board of Ethics for a five-year term, effective for 2014 and to expire at the end of 2019.

Motion was seconded by Supervisor Zambrano.

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

On behalf of the Board, Supervisor Zambrano thanked Councilor Venesky for coordinating this effort, setting up the interviews and getting it all organized.

DISCUSSION:

- **Highway Department's usage of salt for winter road safety**

Supervisor Zambrano said they have been talking for a couple months about having a discussion on salt usage. She reviewed the following information from the highway and comptroller that gives a 4 year history on how much salt we've used in and how much it cost:

Town of Cicero Highway Department	
snow season 2009-2010 start 11/30/09 end 2/28/10	total salt in tons 11,106
2010-2011 start 12/1/10 end 3/24/11	total salt in tons 15,872
2011-2012 start 11/18/11 end 3/10/12	total salt in tons 7,297
2012-2013 start 11/24/12 end 4/3/13	total salt in tons 11,394
2013-2014 start 11/8/13 end 4/16/14	total salt in tons 12,399.09

Salt		
Year.	Tons	\$
2010-2011	15,872	652,780.49
2011-2012	7,297	197,807.09
2012-2013	11,394	424,067.14
2013-2014	12,399	336,282.29

Supervisor Zambrano explained that salt is a big part of the Highway budget. They have been asked several times and some of them have been concerned with salt usage. They've had a lot of information and a lot of feedback. They were all given a copy of the New York State Department of Transportation booklet that has a lot of technical information, but for the basis of the discussion she asked Chris Woznica to give an overview of how many snow plows he has and what the capacity was as far as the tons of salt that they carry.

Chris Woznica gave the following overview:

- Cicero highway has 16 plows/16 routes
- Each plow carries approximately 10 to 12 tons of salt
- Everything since 2010 has been computerized and that has been contributing to saving a lot of salt over the past 20 years.
- They are averaging about 300-350 pounds per lane mile for salt; which is comparable to what New York State and Onondaga County does.
- He has contacted every town and village in Onondaga County, with the exception of the Town of Manlius which runs two trucks with a pre-wetting system and the village of Fayetteville which uses brine and has a brine maker; nobody else uses brine or a pre-wetting system on their trucks. Back in 2000-2002, we had ordered a few trucks with this pre-wetting system, and with the use of brine, his crew saw really no difference in salt savings or melting capabilities; the cost of maintaining this equipment, from the corrosion on the trucks and on the pumps far exceeded the savings on any salt, so they let it kind of just go from the wayside.

Supervisor Zambrano said the booklet actual says that the use of salt is the most economical method.

Councilor Venesky said the booklet also says that it is the least harmful chemical for the environment.

Chris Woznica said he spoke with Jeff Church at the New York State Department of Transportation and Brian Donnelly, Superintendent from Onondaga County claims that all trucks are outfitted with the pre-wetting systems but he could not tell him that "yes" for a fact, that all their trucks are using that pre-wetting system. Is there a savings, probably? But here in the town - we didn't see it. The state and the county are two different animals compared to the towns; they are traveling on highways where they are exceeding 25-30 mph and that brine will actually help the salt stick to the roads whereas we are in housing tracks doing 10 mph so the salt dropping is not being spread over the road. Does it activate it a little better, probably, but you're still using salt. It's up to the town, the investment to get started in this is well over \$200,000 by the time you outfit each truck, put in a storage system and a pump station.

Supervisor Zambrano said there has been feedback about going in the middle of a road instead of salting each line.

Chris Woznica said that's what they do now.

Councilor Conway said they used to use sands year ago, and the state gives you to the 1st of May to have all the roads clean; which would mean if you went back to sand that you would have to have 4 or 5 sweepers to go out and clean the roads to get them done by that time, and a sweeper is the most expensive piece of equipment that is out there in the construction business.

Supervisor Zambrano said one of the points in the manual was that sand costs less but it's more expensive to go and clean it up.

Chris Woznica explained that sand is more detrimental to the environment because it plugs up the waterways, it plugs up the drainage systems and it silts into your lakes, in your ponds and into your streams; which promotes vegetation growth and it chokes off the wildlife. They took courses through Cornell Roads over the years and from the information they gave them salt is the least detrimental (it is almost nil to the harmful effects that it has on an environment) - it is expensive, but it gets the job done.

Chris Woznica said he is not here to try and save money when he is responsible for 30,000 plus lives during the winter on the road. Other than Vern, himself, and maybe a couple of members in the audience, they have answered fire department calls where people have lost their lives. He literally had a 22 year old die in his hands on the corner of Cicero Center and Route 31 because they lost control of their car and hit head on.

Supervisor Zambrano said no one is talking about compromising safety. She asked Bruce Letts for any words of wisdom, from his perspective.

Bruce Letts said they could use rock salt. There is liquid brine, which is pure liquid, but that goes down as a liquid directly on the road.

Chris Woznica said normally the state would use brine but they only do bridges and on and off ramps. But more than once they have treated the road because they are calling for a major storm to come but it never comes.

Deputy Supervisor Burtis asked even when they use salt if they do some pretreating.

Bruce Letts said in the manual when they say they pre-wet the salt, rather than just putting down dry rock salt, the trucks have right before it goes into the spreader and it wets the rock salt so that it sticks better to the road and melts faster.

Supervisor Zambrano asked if didn't the manual say that the pretreatment is more effective at higher temperatures, as opposed to the lower temperatures.

Bruce Letts said it's like Chris had said, the DOT and the County do travel faster and what happens is dry rock salt tends to bounce and leave the roadway and it becomes less efficient; where as if it's wet it reduces that effect and also it is ready to start melting the ice as soon as it hits (it doesn't have to form its own wetness). He can see a difference if our trucks are only going 10 or 15mph, then he can see some difference there because you wouldn't get the bounce.

Chris Woznica explained that normally, when they are out salting, there is already slush on the roads, which is going to activate the salt just the same as the pre-wetting system would. In fifteen years he has never had anyone call him and say he was using too much salt.

Councilor Conway said if you use sand, sand gives you traction but it does not melt the ice.

Supervisor Zambrano asked Chris Woznica if the only thing they are using right now is rock salt.

Chris Woznica said you can buy treater rock salt which has got an additive on it; which is almost prewetting, which is about \$10 more per ton. His roads are bare and the county and the states aren't.

Supervisor Zambrano said she notices drifts along Lakeshore Road. She asked if they ever use snow fences.

Chris Woznica said he has thought about it, but the costs would be astronomical for the town.

Deputy Supervisor Burtis asked if we were still using the same vendor we use every year for rock salt.

Chris Woznica said every year it depends on the county contract who it is. Last year it was American Rock Salt, and this year it is going to be Cargill.

Supervisor Zambrano asked Chris Woznica to talk about the decision making of when to send the trucks out.

Chris Woznica said usually when it's icy the trucks go out. The two foremen and he will go out at about 2 o'clock in the morning; they will get a call from the night crew who is checking the roads all night long.

Supervisor Zambrano asked Chris when he starts assigning people to the night crew.

Chris Woznica said that the night crew will probably start around November 15th. The night crew monitors the roads all night long when the weather is bad; otherwise they are doing maintenance on the trucks. Usually for plowing snow, once we start getting 2.5 to 3.0 inches on the road they are out.

Supervisor Zambrano said last year they ended up replacing two trucks because the beds were very corroded. She asked if there are any efforts to clean the beds.

Chris Woznica said they wash them every chance they get, but last year there was not a lot of chances to wash them out; they did go to stainless steel sanders, stainless steel box, the hydraulic pipe lines, so they've cut rot down considerably the last 5 years. Everything now is computerized. Every year the computerization on these trucks gets better, so now they can plug it into the computer and it can tell them just how much salt they are using; if the truck is going down at 10mph then the salt is going out for just 10mph, if they stop at an intersection it shuts it off, and if they go down a state road then they are not salting.

Supervisor Zambrano said she didn't think anyone has any radical views for changing anything. She thinks they needed to talk about salt and continue to talk about salt; the highway department is cognizant of that as well. She asked Bruce Letts if there was anything else that they needed to mention.

Bruce Letts said he was out at a project out in Farmington and they had a sign that read something to the effect of *smart salt use requires smart driving*; he thinks that they are up against the same problems as Cicero is and he thinks what they are trying to say is that there is no guarantee that everybody can go the speed limit 24/7 365 days a year.

Councilor Venesky said they have had a lot of discussions and if you look at the spreadage per lane mile that we are using, the 300-350 pounds, that's good stuff. He is satisfied with the salt and how we are putting it down; not only being considerate and careful with our money, but also being ever mindful of the safety of every one of us in the town of Cicero, and the people that come through here. He told Chris Woznica that he is doing a good job.

Chris Woznica said his men are doing a good job.

Deputy Supervisor Burtis agreed. He said when he was the liaison to Highway there was quite an education. They had the whole salt gait session one time and you end up learning a lot about highway and salt. On the miles per hour and speed, he knows that the community appreciates the highway department and the plow job that everybody does for us. Highway does a good job with plowing and scraping, but basically what he has learned is that some might think that in this township that you should be able to drive the roads whenever you want to drive the roads and they should be plowed at all times. They should be clean. And they should be black, and this goes all the way back to previous administrations. While that's a good mind set, sometimes that's just not possible with the snowfall that we have, some of the timing of it, when you start to watch it and start to be concerned; when you're the liaison to Highway and you get emails and phone calls you start to pay attention to what's going on. He believes the highway crew does a great job *all* the time. Salt is a *huge* line on the budget - it's a concern. But, if we need salt then we will continue to buy salt. He is convinced after reading the report and all the other things they have put their hands on, salt is the best method, the guys are doing a good job administering it, and that the residents are happy with the job and the product that they get. He feels that we have a good budgeted amount for salt.

Chris Woznica said they are very logical on how much salt they use. Do they use too much sometimes, maybe. They try to do their best out there to use as little salt as they can, but they do get phone calls that the roads aren't bare and they try to please everybody. The worst time of the day is between 4 and 8 o'clock at night because the guys have worked all day and if they are going to get called in at 2 o'clock in the morning they really try to not send anybody out between that 4 and 8 o'clock hour – they just can't get enough sleep, so those hours for the residents can be a little tough, and it's the same in every highway department; 4:30 to 4:45 that's when it always seems to start snowing.

Supervisor Zambrano thanked everyone for their input and said they will probably be discussing salt some more.

POLICE DEPARTMENT:

Purchase of (2) unmarked 2013 Chevrolet Impalas:

Chief Snell said in an effort to purchase the (2) unmarked 2013 Chevrolet Impalas' from Sun Auto. Each vehicle is cost out at \$13,900.00 for a total cost of \$28,170.00. With the allowance for the trade-ins the total cost to the Town is \$2,770.00. They are trading in the following vehicles:

Vehicle	Trade-in Value
1. VIN# 11987 (2006 Taurus)	\$4,500.00
2. VIN# 11988 (2006 Taurus)	\$5,000.00
3. 2006 Crown Victoria (old VIPS Unit)	\$1,400.00
4. 2008 E25 Van	\$14,000.00

Councilor Conway moved the adoption of a resolution to approve \$2,770.00 to Sun Auto for the purchase of (2) unmarked 2013 Chevrolet Impalas after the trade in allowance for (4) vehicles. Motion was seconded by Councilor Becallo.

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

Chief Snell acknowledged James Meyers for all his great work in negotiating the trade.

DEPARTMENT OF ZONING & PLANNING (Codes Enforcement):

A. Installation of two (2) fire hydrants for the Tocco Villagio Project:

Councilor Venesky moved the adoption of a resolution to approve the installation of two (2) PROPOSED FIRE HYDRANTS for the Tocco Villagio Project. The Developer, JOLU Development Co. will pay for the hydrant installations in conjunction with the 8" & 10" water main extension. The Town will then be billed the Annual Hydrant Maintenance rate, which is currently \$61.61 per hydrant, per annum and for the Supervisor to sign the application.

- Hydrant #13847 – Legionnaire Drive 525' east of Pareti Place
- Hydrant #13853 – Legionnaire Drive 230' east of Pareti Place

Motion was seconded by Supervisor Zambrano.

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

B. Declare IBM Wheelwriter 3 Typewriter as surplus:

Councilor Conway moved the adoption of a resolution to declare the IBM Wheelwriter 3 Typewriter from the Planning and Zoning/Codes Office as surplus and of no use to the Town as it is broken and unable to be repaired.

Motion was seconded by Supervisor Zambrano.

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

HIGHWAY DEPARTMENT:**Radiator and replacement parts for Truck #10:**

Councilor Venesky moved the adoption of a resolution to approve \$4,434.06 to Stadium International for a radiator and replacement parts for Truck #10. Motion was seconded by Supervisor Zambrano.

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

LOCAL LAW TO EXCEED THE TAX CAP:

Supervisor Zambrano said they were presented with the 2015 Tentative Budget that night by the Town Clerk. As everyone knows, expenses do go up every year and we need options. One of the options in not being able to stay under the 2% cap is to pass a local law to exceed the 2% cap.

Public Input:

Don Snyder said he would be their conscience and that three of the members that sit before him voted for the budget. We've since taken that budget and where we had a line item of about six or seven-hundred thousand dollars that we paid out of our tax money to fix our highways, we have taken that money down to almost zero and we borrow \$800,000 a year to fix the roads. He doesn't question the fact that we need the roads, but that year that we did that we did that so we wouldn't have to make anybody else get squeezed. Last year, they approved 3 labor contracts with no consolidation, no lay-offs, and he believes it's 90 days from a vacancy has to be billed; so they took 60% of the budget and put it off to the side and said we couldn't touch that.

Since Don Snyder mentioned consolidation, Supervisor Zambrano asked him if he had any ideas on how the town can consolidate services or what areas we should look at.

Don Snyder said he would answer that, out of ignorance, no. He said he would need to be privy to the information that they are all now getting. He would have allowed himself the ability to consolidate because you might have even had a consolidation within the town and they've tied their hands on that issue - it should have never been in a labor agreement.

Set Public Hearing date in consideration of passing a local law to exceed the 2% tax cap for the 2015 Budget to be known as a local law:

Supervisor Zambrano moved the adoption of a resolution to set a public hearing on Wednesday, October 8, 2014 at 6:30 p.m. to consider passing a local law to exceed the 2% tax cap for the 2015 Budget at Cicero Town Hall, 8236 Brewerton Road, Cicero, NY. Motion was seconded by Councilor Venesky.

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

2015 PRELIMINARY BUDGET:

Supervisor Zambrano said they received the 2015 Tentative Budget that day. She said that they have it in ahead of time to allow us more time to deliberate on it.

Presentation of the 2015 Preliminary Budget by the Town Clerk to the Town Board:

Tracy Cosilmon said she was in receipt of the 2015 Preliminary Budget to be filed in her office where it may be inspected during regular business hours between 8 and 4p.m. It will also be available on the Town's website as early as tomorrow morning.

Don Snyder asked what the budget tentatively says for a percentage increase.

Supervisor Zambrano said including all the special districts she thinks it's a \$12.3 million dollar budget, and no one really has seen all of the figures, not even her. They are looking at a \$.17 cents increase per \$1,000.00 of assessed value. She said that was a raw figure.

Set Budget Workshops and Public Hearing for the 2015 Preliminary Budget and the 2015 Fire Districts Budget:

Supervisor Zambrano moved the adoption of a resolution to set Budget Workshops for Friday, October 3, 2014 at 10:00 a.m. and also for Tuesday, October 14th at 8:30 a.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039. Motion was seconded by Deputy Supervisor Burtis.

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

Supervisor Zambrano moved the adoption of a resolution to set a public hearing for Wednesday, October 8, 2014 at 8:30 a.m. for the 2015 Preliminary Budget and the 2015 Fire Districts Budget at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039 to have comments from the public. Motion was seconded by

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

EXECUTIVE SESSION:

Supervisor Zambrano moved the adoption of a resolution to enter into executive session to discuss two matters:

1. Issues relative to public employee collective-bargaining negotiations pursuant to Public Office Law Section 105.
2. Issues relative to employment history of a particular employee pursuant to Public Office Law Section 105.

Supervisor Zambrano invited the Town attorney and Chris Woznica to enter into executive session.

Motion was seconded by Deputy Supervisor Burtis.

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

Supervisor Zambrano said the Board would be reconvening.

The meeting adjourned into Executive Session at 7:49 p.m.

Executive Session ended at 8:33 p.m.

Supervisor Zambrano stated that she had made the motion to reenter into Regular Session and that the motion had been seconded by Councilor Becallo.

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

The meeting reconvened into Regular Session at 8:37 p.m.

PUBLIC INPUT:

Deborah Gardner said at the last meeting Councilor Becallo voted no on several items because the agenda came out so late, but the Town Clerk and Jody Rogers had sent memos to the Board regarding their agenda items days before the meeting. She said that Councilor Becallo had all the information he needed ahead of time, but he chose not to, to simply make a point. Councilor Becallo's protest votes of "no" were not an example of "doing the people's business", which is the reason Mr. Becallo states for these meetings. Deborah Gardner said in regards to the abstract at that same meeting, the Town Board spent 13 minutes and 35 seconds discussing two invoices totaling less than \$11,500; the issue was lack of details on these invoices. In regards to the budget modifications, Councilor Becallo questioned the modification for insurance. Supervisor Zambrano stated that there was an unexpected \$75,000 increase in Workers' Compensation this year; the total time spent on this issue was 40 seconds. No one questioned why there was such a large increase. Over 13 minutes spent on invoice details of \$11.500, and 40 seconds on a \$75,000 increase in an insurance premium. Deborah Garden said she questioned their priorities. She said she understands that all of them might be unprepared to answer, but she respectfully requested a detailed answer at the next meeting.

Councilor Venesky said they know why there was an increase, but they are not in a position to discuss that. They have had discussions and they know what has to happen, so they didn't spend but 40 seconds on it because they already knew the answer.

Supervisor Zambrano said the answer is that they have had a large number of claims and it caused the workers' compensation premium to go up by \$75,000. She has advised the Town Board that we can expect another \$80,000 increase this year but they are waiting to hear what the exact number is; it relates back to the large number of claims; people getting hurt on the job.

Deborah Gardner asked what was being done to stop these large numbers of claims.

Supervisor Zambrano said that's the part that she will answer next time.

Deborah Gardner also addressed the subject of Codes. She said for years this town's codes were not enforced or enforced haphazardly, and people would complain repeatedly about the same violations and nothing got done. She spoke with then Supervisor Elect, Jim Corl about this problem and he asked her to give him a year in office to see if anything would improve – and it did. Slowly at first, violations were addressed; our town codes were finally being enforced and enforced in a timely manner. In July 2013, a new local law for code administration enforcement was passed by a newly elected town council. The law was posted on the website and a public hearing was conducted; one person spoke for the law, no one spoke against it. At the April 23rd meeting three people complained about sign enforcement. At the one public meeting seven people showed up, this tells her that there were not a lot of businesses screaming about a code enforcement being unfair. She said she believes that there should be some changes in the law, but does not want common sense enforcement. She asked them to please have the employees of this town follow the law or change it - change it now. She asked if it was true that two police officers had saved two lives in Cicero by using Narcan. (*Narcan* is sometimes used to treat a narcotic drug overdose)

Chief Snell confirmed that was true. He also mentioned that last week at the bank robbery, it was Officer Mike Serafin that apprehended the bank robber about 2 minutes after the robbery occurred.

Dewey Schryver said he thought there was a dangerous situation on Williamson Pkwy and showed pictures to the Board. He said it may not be a town problem, and that it may have happened in the spring when the county sewer people came and were inspecting the sewers, but one of the manholes was down far below, so the County scraped off all of the tarvia and then they left. He was concerned that someone would do damage to their car if they went in that hole. His big concern was that there are a lot of children around there on their skateboards, bicycles, etc., and if one of them got in there and tipped over, got hurt, who is going to be liable, the Town of Cicero.

Don Snyder asked Chris Woznica, who had said we had 16 routes for plowing, what we have for staff.

Chris Woznica said we have 18.

Don Snyder said he knows we want to keep our budgets down, but we have also heard tonight from them, as well as the public, that we want our roads clean. If he has 16 routes, and 18 people that can drive those trucks, to say that there won't be ever three people that are sick at a time is craziness, so we need to make sure that where we cut - we cut in the right places.

Don Snyder said he had asked Richard Hooper if he can pull up Muncity in his car and see who has what, and the answer was no. Don Snyder said we need to seriously look at that because if we have an overtime issue with Codes, then he knows what we have to do - it would be better if the code officers didn't have to come back here to look up information if they had the ability of accessing information from their car.

Supervisor Zambrano told Don Snyder that they were working on that.

Don Snyder said the Board had made a decision in executive session who was going to be appointed to the ethics board. They made a decision that day, so to say that formally we today did something; he thinks we need to be careful. They have to be careful how we interpret the laws.

Robert Germain said that's not what the law says. The law, *Section 106 - the Open Meetings law* says: *Minutes will be taken in executive session if a formal vote is taken, which consists of a record of a summary of the final determination.* So what they say in the law is a formal vote, not a decision. No formal vote was taken in executive session that he was aware of.

Supervisor Zambrano said no formal vote was taken in executive session.

Carol Pardee said she was interviewed that night and she got a call the next day that she was not accepted, so it was agreed that night.

Supervisor Zambrano said there was discussion at the conclusion of the executive session. They never considered that decision final; they knew that they had to come back here and do it officially. Lots of things are discussed in executive session and there's a change in someone's mind, so it's not always conclusive; they consider tonight's vote official.

Councilor Venesky said he took ownership of the Ethics Board, we didn't have one and our bylaws say that we need one. They did discuss candidates, and they did it in executive session. He said when you look at any law you have to look at the intent of the law and he doesn't believe that the intent of the law was that in executive session that they couldn't interview candidates confidentially/not share personal information. He doesn't think that the intent of the law was to put people's personal life out there for everyone out there to look at because I want to see it or because someone wants to see it. He thinks that the intent of the law was to give us an opportunity to confidentially take a look at the pros and cons and ask open and honest questions with people. He doesn't believe that they did anything wrong. He stands by the decision that they made; that it was the right decision to do and he will fight anybody that tries to tell him that they want to see or they want to hear personal information about anyone that they interviewed - it's not going to happen.

Supervisor Zambrano said they had a ruling by our attorney and they are okay on how and when the decision was made.

Councilor Becallo stated that there had been no vote taken.

Bill Alley made the following statement:

I am Bill Alley. A lot of you know me as a Park Supervisor, and a Union Steward for the Teamsters, but I'm also a 23year resident of our town, living on Bear Springs Rd.in Brewerton.

I just want to do a little quote, Voltaire wrote way back in the sixteenth century, "I do not agree with what you say, but I will defend to the death the right to say it." Although a Frenchman who died soon after the American Revolution, I believe this to be the embodiment of the American government.

Comments made at the September 10th board meeting, for perhaps a legal right; however, personal attacks such as the "Nazification" of the Codes office are so offensive on many levels and unproductive. If someone does not like a law, protest it and vote. Don't blame the employee for his or her job in carrying out the existing law.

Additional statements were made concerning my Director, Jody Rogers; she referred to the Cicero parks as "her" parks and her staff as "her" staff. This is probably true. And possibly misspeaking to show the specific park or employee. I am sure that this was not due to the arrogance as stated. Ownership is something that every good employee possesses, as well as pride in their work. Cicero parks is a huge part of Jody's life, as well as mine, as well as the plow driver on his fifth 1:30 a.m. wake up call in his town, in his truck, as he may refer to, or the policeman who answers the call is protecting his or her town.

Confidence is not arrogance. Arrogance is making disparaging comments against people who you have not taken the time to understand or interact with.

Bill Alley said he thinks that when things get out of control that the gavel should come down a little more often.

Judy Boyke had a question in regards to the safety. She said four years ago when Mr. Corl took office and the budget was done, the Deputy Clerk for Tracy, her hours were cut back to 20 hours..(tape change) the safety issues in the town and to run safety meetings and all of this was done to eliminate problems with safety within the Town of Cicero. She asked who the Safety Director is now.

Supervisor Zambrano said we have a Safety Officer Liaison, who is Tim Burtis and we also have Richard Hooper who is the Safety Officer. She said they have been working with PERMA, the workmans' compensation insurance carrier who has sent in a consulting firm who is attempting to evaluate our program and to identify all of the deficits, to interview people, and to implement safety programs.

Judy Boyke said seeing as Mr. Hooper has just been hired, it's her understanding that we went one full year with no safety director as Bonnie Smith resigned at the end of the first year and asked how she just happened to get twenty more hours, not that Tracy doesn't need them, but it just sort of evaporated and she was given 40 hours as the Deputy Clerk even though she resigned and she was never replaced for over a year.

Supervisor Zambrano asked Judy Boyke if she was indicating that the Deputy Clerk's hours should be cut to 50 percent.

Judy Boyke said she was not indicating that, she was just indicating that it was done without the Board bringing it forward to the town's people.

Supervisor Zambrano said she thinks that happened in 2013, and they did address safety officer responsibilities for 2014.

Judy Boyke said her point was that they went a year without a safety officer.

Supervisor Zambrano said just for clarification, what year. Was it 2013?

Judy Boyke replied 2012. She said regardless, there has not been someone that has been obviously monitoring the situation within the town which obviously has escalated, which has caused not to any of the employees that this has happened to, but no one has been overseeing the safety of the town.

Chris Woznica told Dewey Schryver he called the County about a month ago regarding the situation on Williamson Parkway; he had assumed that they had taken care of it, but obviously they didn't. He said he would call the County first thing tomorrow.

ADJOURNMENT:

Supervisor Zambrano moved the adoption of a resolution to adjourn the Town Board meeting.

Motion was seconded by Deputy Supervisor Burtis.

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

There being no further business before the Board, the meeting adjourned at 9:01 p.m.

Tracy M. Cosilmon
Town Clerk